



CITY COUNCIL

October 20, 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. Roll Call
4. Public Hearing – Receipt of comments concerning programs and services as proposed by the City's Downtown Management Board for 2015 and recommended for financing by use of the special-assessment method at last year's formula, and consideration of a proposed resolution that would approve programs and services, establish an assessment district, and direct that an assessment roll be prepared for subsequent review by the City Council
5. Presentation – Hear presentation by Dr. John Scholten of Petoskey Public Schools concerning the Petoskey Athletic Facilities Plan Proposal
6. Consent Agenda - Adoption of a proposed resolution that would confirm approval of the following:
 - (a) October 6, 2014 regular session City Council meeting minutes
 - (b) Acknowledge receipt of a report concerning certain administrative transactions since October 6, 2014
7. Miscellaneous Public Comments
8. City Manager Updates
9. Old Business - Second reading and possible adoption of a proposed ordinance that would amend the zoning district map of the City of Petoskey as set forth in Ordinance 451, the zoning ordinance of the City of Petoskey to re-zone the northerly portion of 101 Lewis Street from the P-R Park Reserve District to the B-2A Transitional Business District
10. New Business - Hear presentation by the Downtown Director on the Downtown Management Board Parking Study concerning the Darling Lot
11. City Council Comments
12. Adjournment



BOARD: City Council

MEETING DATE: October 20, 2014 **DATE PREPARED:** October 15, 2014

AGENDA SUBJECT: Special-Assessment Public Hearing and Resolution

RECOMMENDATION: That the City Council conduct this scheduled public hearing and consider adopting a resolution as required by City Code provisions

Background. On October 6, the City Council adopted a resolution at the request of the City's Downtown Management Board that the City Council again arrange for financing of downtown-area programs and services for 2015. The City Council, by adoption of the resolution, determined that such programs and services should be financed by the levying of a single special assessment, designated the Board's territory as the proposed assessment district, approved a square-footage assessment formula at the same rate as last year, and scheduled an October 20 public hearing to receive comments concerning these recommended programs and services. Public-hearing notices were mailed on October 7. This proposed special assessment would provide \$90,886.32 in revenues, added to other income that has been anticipated for receipt next year for an estimated total of \$136,500.

Proposal. The Downtown Management Board is requesting that the City Council levy special assessments on behalf of the Downtown Management Board totaling \$90,886.32. For 2015, the Downtown Management Board proposes to sponsor or support 12 events for marketing and promotions which includes the image campaign at \$66,000; \$42,500; continue with beautification activities that would include purchases of tree-well flowers, fall decorations and holiday decorations at \$13,600; cover administrative costs associated with insurance and bonds and other miscellaneous expenses for \$600; and economic-enhancement activities including: business recruitment and retention and trolley operations, for \$11,000.

Action. If, after conducting the October 20 public hearing, the City Council wishes to approve these recommended proposed downtown-area programs and services for financing through a special-assessment levy at the same rate as last year, the City Council then would be asked to adopt the enclosed proposed resolution. The resolution would approve the proposed programs and services for 2015, establish the assessment district, and direct the City staff to prepare a special-assessment roll for presentation to the City Council on November 3. A second public hearing then could be scheduled for November 17 to receive comments concerning proposed special assessments. Revenues and expenditures associated with this program again would be included within the City's Downtown Development and Management Fund as part of the City's 2015 Annual Budget.

Correspondence. No comments or correspondence has been received.

sb
Enclosures



WHEREAS, at its meeting of October 6, 2014, the City Council reviewed a report by the City Manager dated September 29, 2014, as required of City Code provisions, that listed proposed programs and services to be provided to property owners and tenants within the Downtown Management Board's territory during 2015 and a proposed roll of special assessments to be spread against properties within the Management Board's district at the same formula rate as last year, as a means of financing such proposed programs and services; and

WHEREAS, following its review of that September 29 report, the City Council scheduled a public hearing for 7:00 P.M., Monday, October 20, 2014, as required of City Code provisions, to receive comments concerning proposed Downtown Management Board programs and services; and

WHEREAS, the City Council now has conducted this October 20 public hearing to receive comments concerning proposed programs and services as recommended by the Downtown Management Board:

NOW, THEREFORE, BE IT RESOLVED that the City Council does and hereby approves proposed programs and services as recommended by the Downtown Management Board and costs as estimated by the Management Board to be assessed eligible property owners within the boundaries of the proposed assessment district at the same rate as last year that are coterminous to those of the Management Board's territory; and

BE IT FURTHER RESOLVED that the City staff be and is hereby directed to prepare a special-assessment roll in accordance with the City Council's determination and to provide such a roll with the recommended formula rate for the City Council's review at its regular meeting of November 3, 2014.

CITY OF PETOSKEY
Downtown Management Board
2015 Programs & Services Budget

	2014 Budget	2014 Projected	2015 Budget
Revenues			
Downtown Assessments	\$ 88,348	\$ 88,348	\$ 90,800
Interest Income	500	500	500
Penalties & Interest	500	3,000	3,000
Holiday Parade Sponsors	3,500	3,500	4,000
Petoskey Rocks! Sponsors	5,000	3,900	6,000
Winter Festival Income/sponsors	2,000	2,040	2,000
New Event Income/sponsors	2,000	500	600
Trolley - ads & sponsorship	7,000	5,000	6,500
Marketing & Promotions			
Gallery Walk	3,500	3,750	4,000
Ornaments	1,500	1,500	1,500
Shopping Scramble	5,000	5,000	5,000
Ghost Walk/Soul Food & Spirits	500	250	500
Restaurant Week	15,000	-	-
Shop Map Ads	8,600	8,600	8,600
New Marketing Activities:	5,000	2,500	
Holiday Catalog			2,500
Historic Markers & Tour			1,000
Total Revenue	147,948	128,388	136,500
Expenses			
<u>DMB Events</u>			
Sidewalk Sales	4,000	4,000	8,000
DT Trick or Treat	500	500	500
Holiday Parade	6,000	6,000	6,500
Christmas Open House	1,000	1,000	1,000
Winter Festival	4,000	5,800	5,000
Petoskey Rocks!	13,000	11,500	11,000
New Event/Moveable Feast	4,000	3,000	3,000
	32,500	31,800	35,000
<u>Collaborating Events</u>			
Concerts in the Park Pledge	4,000	4,000	4,000
Fourth of July Pledge	800	800	800
Santa's Visit	200	200	200
Restaurant Week Pledge	-	-	500
Festival on the Bay Pledge	1,500	1,500	1,500
Farmers Market Pledge	500	500	500
	7,000	7,000	7,500
<u>Economic Enhancement</u>			
Business Recruitment	500	200	500
Business Retention	2,000	1,500	1,500
Trolley	10,000	9,000	9,000
	12,500	10,700	11,000

	2014 Budget	2014 Projected	2015 Budget
<u>Marketing & Promotions</u>			
Image Campaign	43,000	40,000	40,000
Gallery Walk	2,500	2,700	2,500
Shopping Scramble	4,000	3,500	3,500
Ornaments	900	900	900
Restaurant Week	15,000	-	-
Shop Map	10,000	9,000	9,000
Ghost Walk/Haunted Halloween	-	-	250
New Marketing Activities:	5,000	4,000	
Bags Over Bucks			3,000
Online Holiday Catalog			2,500
Mobile App			1,800
Historic Markers & Tour			2,500
	<hr/> 80,400 <hr/>	60,100	65,950
<u>Beautification</u>			
Flowers	4,800	5,000	5,000
Holiday Decorations	8,000	8,000	8,000
Fall Decorations	1,000	600	600
	<hr/> 13,800 <hr/>	13,600	13,600
<u>Administrative</u>			
Insurance & Bonds	500	500	500
Other	100	100	100
	<hr/> 600 <hr/>	600	600
Total Expenses	<hr/> 146,800 <hr/>	123,800	133,650
Excess Revenue over Expenditures	<hr/> \$ 1,148 <hr/>	\$ 4,588	\$ 2,850



City of Petoskey

Agenda Memo

BOARD: City Council

MEETING DATE: October 20, 2014 **DATE PREPARED:** October 15, 2014

AGENDA SUBJECT: Petoskey Athletic Facilities Plan Proposal

RECOMMENDATION: That City Council hear the presentation

Background. John Scholten, Superintendent of the Public Schools of Petoskey will present the School District's proposed plan for athletic facilities. Funding for the proposed athletic facilities is included in the November 4, 2014 General Election ballot proposals.

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City of Petoskey

Agenda Memo

BOARD: City Council

MEETING DATE: October 20, 2014

PREPARED: October 14, 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 October 6, 2014 regular session City Council meeting; and
- (2) Acknowledge receipt of a report from the City Manager concerning all checks that have been issued since October 6 for contract and vendor claims at \$1,092,446.85, intergovernmental claims at \$191,838.75, and the October 9 payroll at \$169,575.07 for a total of \$1,453,860.67.

sb
Enclosures



CITY COUNCIL

October 6, 2014

A regular meeting of the City of Petoskey City Council was held in the City Hall City Council Chambers, Petoskey, Michigan, on Monday, October 6, 2014. 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 Acting City Manager Alan Terry, City Planner Amy Tweeten, Administrative Assistant Sarah Bek and City Attorney James Murray.

Resolution No. 18815 – Urgent Need Grant Public Hearing & Approval

The Acting City Manager reviewed that the City submitted an application to the Michigan Economic Development Corporation (MEDC) last August for possible reimbursement of expenses incurred during the extreme cold of last winter. The funds would be provided through the State's Urgent Need Infrastructure Grant program, which is eligible to areas of the Upper Peninsula and Northern Lower Peninsula. The City's grant request covers the repair of seven water main breaks that occurred between March 23, 2014 and April 18, 2014 totaling \$120,319. The City would provide a 20% match of \$24,064, thereby requesting a grant amount of \$96,255.

The MEDC announced on September 10, 2014 that the City will move forward in the grant process to the Part 2 Application. This process is much like the process followed for the feasibility grant of Sunset Square recently approved by Council. The first step is to hold a public hearing on the grant application and Jan Kellogg from the Northern Lakes Economic Alliance was present to provide necessary information and answer questions.

The grant requires the local unit of government's approval of a Community Development Plan for purposes of the CBDG process, which acts as a shortened version of the City's Master Plan. The enclosed Plan was prepared by NLEA staff, reviewed by the City Planner and per Amy Tweeten's review, the information is in-line with the City's Master Plan and includes some updated statistics.

The grant also requires the appointment of an individual to execute necessary grant documents as well as an Environmental Review Officer. An environmental review is not required for a feasibility study, so the only duty of the Officer is to sign a form stating the project is exempt. The resolution would appoint the Interim City Manager as the authorized individual to sign all documents.

Ms. Kellogg gave a brief presentation on the grant program, objectives and funds.

The Mayor opened the public hearing and there were no public comments. The public hearing closed at 7:08 P.M.

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

WHEREAS the City of Petoskey is the applicant for funding from the Michigan Economic Development Corporation (MEDC) under the Michigan Community Development Block Grant (CDBG) program. The grant will be used to help fund the "Petoskey Water Main Urgent Need Repairs Project"; and

WHEREAS the application request is for \$96,255 from the CDBG program, with \$24,064 local match; and

WHEREAS the proposed project is consistent with the "City of Petoskey's Comprehensive Plan", which serves as Petoskey's local community development plan for this project, as described in the Part 2 Application; and

WHEREAS this proposed project is of such nature that:

- a) A serious threat to the health and/or safety of citizens exists as described in the application and is considered to be an emergency situation
- b) Immediate action is necessary; any delay will intensify the situation; and this threat is supported by an appropriate authority other than the City of Petoskey
- c) The situation was not brought on by poor maintenance or neglect
- d) There are no other federal, State or local resources available to alleviate this threat; and

NOW THEREFORE, BE IT RESOLVED that the Petoskey City Council hereby authorizes the submittal of a Michigan CDBG Application for the "Petoskey Water Main Urgent Need Repairs Project"; and

BE IT FURTHER RESOLVED that Alan Terry, Petoskey's Acting City Manager, is hereby authorized to sign the CDBG Part 2 Application and all attachments associated with this project; and

BE IT FURTHER RESOLVED that at the time signatures are required, the person holding the office of Petoskey's City Manager (including Acting City Manager), is hereby authorized to sign the CDBG Grant Agreement and all amendments and the CDBG Grant Payment Requests associated with this project.

City Councilmember Wills also moved that, seconded by City Councilmember Marshall to approve the City of Petoskey CDBG Community Development Plan, as presented, to serve as the "Community Development Plan" for purposes of applying for Community Development Block Grant funding from the Michigan Economic Development Corporation and to appoint Alan Terry, Acting City Manager, as the Certifying Officer and Environmental Review Officer for the environmental assessment required in conjunction with the "Petoskey Water Main Urgent Need Repairs" project. Funding for this project is being sought through a Community Development Block Grant from the Michigan Economic Development Corporation.

Said resolutions were adopted by the following vote:

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

NAYS: None (0)

Resolution No. 18816
Approve Consent Agenda Items

Following introduction of the consent agenda for this meeting of October 6, 2014, City Councilmember Dittmar moved that, seconded by City Councilmember Murphy adoption of the following resolution:

BE IT RESOLVED that the City Council does and hereby confirms that the draft minutes of the September 12 and 13, 2014 special-session, September 15, 2014 regular-session and October 1, 2014 special-session City Council meeting be and are hereby approved;

BE IT FURTHER RESOLVED that receipt by the City Council of a report concerning all checks that had been issued since September 15 for contract and vendor claims at \$3,280,118.81, intergovernmental claims at \$1,380,422.75, and the September 25 payroll at \$170,758.84, for a total of \$4,831,300.40 be and is hereby acknowledged; and

BE IT FURTHER RESOLVED that the City Council does and hereby authorizes to contract with CSM, Hudsonville, to provide janitorial services for the Department of Public Works and Wastewater Treatment Plant buildings for a two year contract period at a cost of \$35,310.22

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 Acting City Manager reported that electrical lines on Arlington Avenue were still being moved from overhead to underground; that MDOT continues to work on US-31 southbound on culverts in advance of next year's proposed project; and that the elevated storage tank on US-131 near CCE was isolated for internal cleaning.

City Councilmembers commented that the landscape looked great on the new corridor along Arlington and that the new paved trail is very nice.

Resolution No. 18817-18818 - Decline City Manager Contract & Reopen Search

The Acting City Manager reviewed that City Council offered the position of City Manager to William Reynolds, Pensacola, Florida, contingent on the approval of an employment contract and a background search. The City's consultant was in contact with Mr. Reynolds relative to these two items, along with the City Attorney. Council had the opportunity to further deliberate or take action on matters regarding the position of City Manager.

The City Attorney provided information on the City's Charter concerning the position and contract, employment contract details and that Mr. Reynolds had approved the contract.

City Councilmembers discussed that negotiations are not easy; that the process is lengthy and had been done fairly; that there was a unanimous vote to offer Mr. Reynolds the position prior to negotiations; inquiries if there was anything unusual in the contract; and that this process is one of the hardest jobs as Councilmembers and the right candidate needs to fit in the Petoskey community.

Mayor Fraser asked for public comments and heard inquiries on retirement contributions; that the pool of candidates were good; that the employee contract is similar and reasonable compared to previous contracts; and that Mr. Reynolds has a nice educational background.

City Councilmember Marshall was impressed with Mr. Reynolds' credentials and interview and then moved to accept the employee contract and move forward with the process. Mr. Dittmar supported the motion.

Said motion was not adopted by the following vote:

AYES: Marshall, Dittmar (2)

NAYS: Murphy, Wills, Fraser (3)

City Councilmembers inquired on how to pursue the next step; and the City Attorney reviewed that it was unknown, but that it was highly likely that the consultant, The Mercer Group, could open a new search.

City Councilmember Wills moved that, seconded by City Councilmember Murphy to reopen the search for the City Manager position.

Mayor Fraser asked for public comments and heard comments that it was an interesting course to take; it may be unclear what other manager candidates who may apply which could be problematic; if the \$20,000 fee would grow larger; curious as to what happened not approving a standard contract after initially having a unanimous vote for the desired candidate; that it is smart not to hire candidate if there is not support from the entire Council; and that there was a lack of public discussion and no negative discussion until this evening.

Said motion was adopted by the following vote:

AYES: Murphy, Wills, Fraser (3)

NAYS: Marshall, Dittmar (2)

The Acting City Manager reviewed that the Penn Plaza, 101 Lewis Street, is located on a parcel that has Amending Zoning Map – 101 Lewis St. two different zoning districts, which was discovered (Penn Plaza) to B-2A Transitional District during the rezoning of properties from the B-2 Central Business to the B-2A Transitional Business District. The south portion of the subject property with the building is zoned B-2A, but the portion of the parcel that lies north of what would be the middle of the former Rose Street right-of-way is zoned P-R Park Reserve.

The Park Reserve District was created in 1997 and the former railroad corridor properties were rezoned to this district to address MDOT's concern that the City would acquire the right-of-way and then sell it for development. The Park Reserve District is restricted to uses consistent with a public park. The portion of the subject property shown to be in the Park Reserve District currently holds green space and parking that is available to the public after business hours through a license agreement, but it is not publicly owned and was not a part of the property acquired from MDOT.

As this property was wrongly zoned Park Reserve, the property owner, Mr. Stroup, requested a map amendment that would put the entire parcel in the B-2A Transitional Business District.

At its September 18 meeting, the Planning Commission held a public hearing on the request. While there were several members of the public in opposition to the property rezoning, the Commission considered the reasons behind the creation of the Park Reserve District and the legality of zoning a privately-held piece of property for public park purposes and ultimately recommended to City Council that the property rezoning be approved.

The City Planner gave a brief presentation and information on the districts, views of the property, rezoning petition and action by the Planning Commission.

In response to Council comments, Mr. Stroup does have the property for sale; that this amendment would correct an error due to inappropriate zoning; that the new landscaping along the greenway corridor is not on the property; that restrictions would include B-2A district regulations; and that any development on half of the site would require onsite parking.

Mayor Fraser asked for public comments and heard an inquiry if this was simply a mistake or if the owner knew parcel was zoned Park Reserve; and if private property includes all parking and would be eliminated.

The City Attorney commented that Mr. Stroup believed it was an administrative error. The Acting City Manager also reviewed that owner owns parking, but is open to the public after 5:00 P.M.

Mayor Fraser reported that this was a first reading of the proposed ordinance and that no action would be taken until the next regular meeting.

Resolution No. 18819
Approve Master Plan Distribution

The City Planner reviewed that as required by the Planning Enabling Act (P.A. 33 of 2008, as amended, M. C.L 125.3801 *et seq.*), the Planning Commission completed its five-year update of the 2009 Master Plan.

As there was updated Census data available, the Commission decided to have the newer data incorporated, and reviewed the plan for other necessary updates such as completed projects, other necessary numerical changes and updates or new information relevant to the document (e.g. water production, public safety calls, street and sidewalk miles). There were no significant changes to the goals and objectives developed as part of the major update that occurred in 2009, which involved significant public involvement.

At its August 21, 2014 meeting, the Commission reviewed the draft, made some additional updates and recommended the plan to City Council for its review and authorization to distribute to neighboring communicates, the Northwest Regional Planning Commission, utilities and railroad companies required by the Act. Once distributed, these entities have 43 days to comment on the plan before a public hearing would be scheduled by the Planning Commission.

The Commission also offered to hold a joint meeting with Council to discuss the updates.

City Councilmembers inquired if the exhibits would be distributed with the plan; how the Parks and Recreation Plan interfaces with this plan; if Parks and Recreation Plan could be reviewed before going to the Parks Commission; and what the process was for approving the Parks and Recreation Plan if it was thru Council or Charter.

In response to Council comments, the City Planner indicated that exhibits would also be distributed; that the Master Plan references the Parks and Recreation Plan. The Acting City Manager indicated that he would obtain information on the approval process for the Parks and Recreation Master Plan and provide it to Council.

Mayor Fraser asked for public comments and heard an inquiry of Council if they had received a copy of the Master Plan prior to tonight's meeting, which they had.

City Councilmembers concurred that it could be productive to have a joint meeting with Planning Commission to review this plan.

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

WHEREAS, the City of Petoskey adopted the current City Master Plan entitled "Blueprint Petoskey" in 2009 and;

WHEREAS, the Michigan Planning Enabling Act P.A. 33 of 2008 requires a master plan to be reviewed and updated after five years and approved by the governing body for redistribution and;

WHEREAS, the City of Petoskey Planning Commission has completed its five-year review and update to the Master Plan and has passed on the plan for City Council's review and distribution:

NOW, THEREFORE, BE IT RESOLVED that the City of Petoskey City Council does and hereby authorizes the distribution of the five-year update to the City of Petoskey Master Plan pursuant to the Michigan Planning Enabling Act P.A. 33 of 2008, as amended, MCL 125.3845.

Said resolution was adopted by the following vote:

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

NAYS: None (0)

Resolution No. 18820 - Reconfirm
Endorsement of Passport Grant for
Lighted Tennis Complex

The Acting City Manager reviewed that at its March 17, 2014 meeting, City Council authorized the submission of a Michigan Recreation Passport grant application for \$45,000 to the Michigan Department of Natural Resources for the \$255,000 renovation of the six lighted tennis courts located at the City/School Recreation Complex, 1500 Hill Street. Grants management staff requested that a second resolution be submitted confirming the City's commitment to provide \$210,000 in project match.

The revised resolution recognizes the City as the local unit of government providing the matching revenue. The City in turn will pursue the various individual sources of funding that will make up the match for the grant. The City will not go forward with the project or accept the grant if funding from the outside sources is not received.

The school district will be providing a minimum of \$67,500 toward the project and has indicated a future commitment to the project if the athletic bond proposal on the ball for November passes. The balance of the \$255,000 project would utilize the \$45,000 grant, a revenue sharing grant, Frey Foundation grant of \$2,500 and Community Courts fundraising dollars, if fundraising efforts continue.

City Councilmembers inquired if this grant would be affected by the millage; what happens if millage does not pass; and if the \$210,00 is City funds.

In response to Council concerns, the Acting City Manager reviewed that the grant would be affected positively by the millage; that if millage does pass then the school district would be able to provide additional funds, if necessary; and that the \$210,000 would not come from City funds.

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

WHEREAS, the City of Petoskey desires to renovate a 42 year old Lighted Tennis Court Complex at the Petoskey High School/Middle School Complex which is operated and maintained jointly by the City of Petoskey and the Public Schools of Petoskey, located at 1500 Hill Street, Petoskey, Michigan and;

WHEREAS, the tennis complex renovation would include replacement of six paved courts, one 1/2 court practice area and fencing, upgrading the underground wiring and refurbishing of the existing light poles, relocating a drinking fountain and site signage and adding handicap van parking stalls, and;

WHEREAS, this renovation of the Six Lighted Courts is identified as a priority project listed in the City of Petoskey's 2014-2018 Capital Plan and;

WHEREAS, the State of Michigan's Department of Natural Resources is accepting applications for funding assistance through the "Recreation Passport Grant Program" and renovating an existing recreational facility is eligible for funding and;

WHEREAS, the City of Petoskey Parks and Recreation Commission supports the Renovation of the Six Lighted Tennis Courts and the Public Schools of Petoskey have indicated their support and will share in the local match requirement, the Petoskey Parks and Recreation Commission recommends that the Petoskey City Council resolve to sponsor this Michigan Natural Resources – Recreation Passport Grant Application and commit to undertake this project, if awarded and commit to the project match and authorize the City Manager or his designee to serve as the City's representative for this project and;

WHEREAS, the City Council concurs with the recommendation by the Parks and Recreation Commission for a submittal of an application to the Michigan Recreational Passport Program for the Renovation of Six Lighted Tennis Courts, Petoskey High/Middle School Recreational Complex and;

WHEREAS, the City Council, in cooperation with the Public Schools of Petoskey and local fundraising efforts will commit to providing the local match of \$210,000 which is 82.4% of the proposed renovation cost for a total project cost of \$255,000;

NOW, THEREFORE, BE IT RESOLVED, that the City of Petoskey City Council hereby reconfirms the endorsement of the 2014 Michigan Recreation Passport Grant application for renovation of the Lighted Tennis Court Complex for \$45,000 in grant funding and confirms that the City of Petoskey will commit to providing the project match of \$210,000 and further requests the Michigan Department of Natural Resources grant management staff consider and recommend this application for approval.

Said resolution was adopted by the following vote:

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

NAYS: None (0)

Resolution No. 18821
Accept Special Assessment
Report; Schedule Hearing

The Acting City Manager next reported that at its September 16, 2014, meeting, the City's Downtown Management Board reviewed its proposed budget for downtown-area programs and services for 2015 and asked that the City Council: (1) Levy a special assessment against all eligible, non-residential properties within the Management Board's jurisdictional territory, the proceeds from which would be used to finance costs of such programs and services; and (2) Set the amount for the proposed special assessment based upon assessment-levy amounts that were used in 2014. The City Manager also reported that the Management Board's budget proposal would be included within the City's recommended 2015 Annual Budget, but City Code provisions required that the special-assessment process be done annually by City Council.

The City Manager further reported that the City Council was being asked to adopt a proposed resolution, a draft of which was included with the report, that would: confirm that costs of proposed downtown-area programs and services would be offset by special-assessment revenues; designate the special-assessment district; approve the recommended special-assessment formula; and schedule an October 20 public hearing to receive comments concerning the proposed programs and services.

The City Manager also reported that a second public hearing to receive comments concerning the proposed special-assessment roll was tentatively scheduled for the November 17, 2014, City Council meeting.

In response to Council comments, the Acting City Manager reviewed that non-profits will be assessed including Crooked Tree Arts Center which has not been billed in the past. The Downtown Director also reviewed that vacant buildings could not be assessed a higher rate, except for possibly where blight is involved.

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

WHEREAS, the City Council in 1994 appointed members of the City's Downtown Development Authority Board as a "Downtown Management Board" under provisions of Act 120 of the Public Acts of Michigan of 1961, as amended by Act 146 of 1992; and

WHEREAS, at its September 16, 2014, meeting, the Downtown Management Board discussed the need to continue to provide certain programs and services that are believed to be beneficial to the City's principal shopping area; and

WHEREAS, the Downtown Management Board has developed a recommended formula by which properties within the Board's district could be specially assessed as a means of obtaining revenues to offset costs of the Board's proposed programs and services for the year 2015; and

WHEREAS, the City Council has reviewed a report dated September 29, 2014, by the City Manager that lists those proposed programs and services as recommended by the Downtown Management Board and the proposed roll that would spread special assessments against properties within the Management Board's district:

NOW, THEREFORE, BE IT RESOLVED that the City of Petoskey City Council does and hereby determines that a portion of the expense of these proposed programs and services shall be defrayed by special assessments upon those properties especially benefited; and

BE IT FURTHER RESOLVED that the nature of these proposed programs and services shall include such activities as special events, economic enhancement, beautification, marketing and promotions, and administration for costs estimated at \$133,650; that all portions of such costs shall be paid by special assessments, without a general obligation of the City; that such special-assessment revenues shall be collected in a single-installment payment; and that such assessments shall be levied in a district with boundaries that are to be coterminous to those of the Downtown Management Board's jurisdictional territory; and

BE IT FURTHER RESOLVED that the City Council does and hereby sets forth the basis of this special assessment by use of a formula that has been recommended by the Downtown Management Board to set the amount for the proposed special assessment based upon the recommended 2014 formula and that has been calculated by the City staff based upon square footage of useable, non-residential building area and vacant properties, which the City Council has determined to be the most equitable to the greatest number of property owners concerned; and

BE IT FURTHER RESOLVED that the City Council does and hereby schedules a public hearing for 7:00 P.M., Monday, October 20, 2014, to receive comments concerning these proposed programs and services; and

BE IT FURTHER RESOLVED that the City Council does and hereby directs the City staff to notify all property owners within the proposed assessment district of potential property assessments and the October 20, 2014, public hearing to receive comments concerning these proposed programs and services.

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 heard from City Councilmember Wills that the assessment process is drawn out and confusing and that he has received input from constituents regarding IPMC and when building permits may be necessary from the County for doing renovations. City Councilmember Marshall commented that she was disappointed that Mr. Reynolds was not hired and felt Council was not entirely open regarding the hiring process and Council didn't serve the City well.

There being no further business to come before the City Council, this October 6, 2014, meeting of the City Council adjourned at 8:15 P.M.

W.J. Fraser, Mayor

Alan Terry, City Clerk-Treasurer

GL Period	Check Issue Date	Check Number	Payee	Invoice GL Account	Check Amount	
10/14	10/08/2014	64485	Void Check		.00	V
10/14	10/08/2014	64486	Void Check		.00	V
10/14	10/08/2014	64417	ACH-CHILD SUPPORT	701-000-230.160	1,053.79	
10/14	10/08/2014	64418	ACH-EFTPS	701-000-230.100	19,228.49	
10/14	10/08/2014	64418	ACH-EFTPS	701-000-230.200	10,160.92	
10/14	10/08/2014	64418	ACH-EFTPS	701-000-230.200	10,160.92	
10/14	10/08/2014	64418	ACH-EFTPS	701-000-230.200	2,376.38	
10/14	10/08/2014	64418	ACH-EFTPS	701-000-230.200	2,376.38	
10/14	10/08/2014	64419	ACH-ICMA 457	701-000-230.700	4,741.85	
10/14	10/08/2014	64420	ALL SCAPES LLC	592-630-802.000	1,120.00	
10/14	10/08/2014	64420	ALL SCAPES LLC	592-700-802.000	1,140.00	
10/14	10/08/2014	64420	ALL SCAPES LLC	202-470-802.000	1,555.00	
10/14	10/08/2014	64421	ALL-PHASE - MICHIGAN DIVISION	582-010-111.000	21.48	
10/14	10/08/2014	64421	ALL-PHASE - MICHIGAN DIVISION	101-770-775.000	43.25	
10/14	10/08/2014	64421	ALL-PHASE - MICHIGAN DIVISION	582-597-730.000	97.56	
10/14	10/08/2014	64421	ALL-PHASE - MICHIGAN DIVISION	582-010-158.000	144.93	
10/14	10/08/2014	64422	ARROW UNIFORM-TAYLOR LLC	592-705-725.000	149.00	
10/14	10/08/2014	64422	ARROW UNIFORM-TAYLOR LLC	582-597-775.000	112.40	
10/14	10/08/2014	64423	ATCHISON PAPER AND SUPPLY	271-540-727.000	67.50	
10/14	10/08/2014	64424	BALLARD'S PLUMBING & HEATING	101-266-932.000	786.84	
10/14	10/08/2014	64425	BENNECOFF, JOE	271-540-932.000	1,135.00	
10/14	10/08/2014	64426	BERGER, MATT	101-774-753.040	125.00	
10/14	10/08/2014	64427	BLARNEY CASTLE OIL CO.	101-789-751.000	21,110.15	
10/14	10/08/2014	64428	BLOSSOM PEST CONTROL	592-693-802.000	810.00	
10/14	10/08/2014	64429	BRADDOCK, JAMIE	101-774-753.040	50.00	
10/14	10/08/2014	64430	CHAR-EM UNITED WAY	701-000-230.800	61.55	
10/14	10/08/2014	64431	CHARTER COMMUNICATIONS	101-172-850.000	175.11	
10/14	10/08/2014	64431	CHARTER COMMUNICATIONS	101-201-850.000	93.39	
10/14	10/08/2014	64431	CHARTER COMMUNICATIONS	101-208-850.000	58.37	
10/14	10/08/2014	64431	CHARTER COMMUNICATIONS	101-209-850.000	58.37	
10/14	10/08/2014	64431	CHARTER COMMUNICATIONS	101-215-850.000	46.70	
10/14	10/08/2014	64431	CHARTER COMMUNICATIONS	101-345-850.000	128.41	
10/14	10/08/2014	64431	CHARTER COMMUNICATIONS	101-400-850.000	58.37	
10/14	10/08/2014	64431	CHARTER COMMUNICATIONS	101-441-850.000	105.06	
10/14	10/08/2014	64431	CHARTER COMMUNICATIONS	101-774-850.000	70.04	
10/14	10/08/2014	64431	CHARTER COMMUNICATIONS	204-481-801.000	35.02	
10/14	10/08/2014	64431	CHARTER COMMUNICATIONS	204-481-801.000	35.02	
10/14	10/08/2014	64431	CHARTER COMMUNICATIONS	271-540-801.000	75.00	
10/14	10/08/2014	64431	CHARTER COMMUNICATIONS	582-595-850.000	116.74	
10/14	10/08/2014	64431	CHARTER COMMUNICATIONS	582-597-850.000	76.08	
10/14	10/08/2014	64431	CHARTER COMMUNICATIONS	592-685-850.000	70.04	
10/14	10/08/2014	64431	CHARTER COMMUNICATIONS	592-705-850.000	184.14	
10/14	10/08/2014	64432	CINTAS CORP #729	101-266-802.000	162.92	
10/14	10/08/2014	64433	CITY OF PETOSKEY - DMB	280-540-249.000	75.00	
10/14	10/08/2014	64433	CITY OF PETOSKEY - DMB	280-540-233.100	150.00	
10/14	10/08/2014	64433	CITY OF PETOSKEY - DMB	280-739-905.000	50.00	
10/14	10/08/2014	64434	CITY TREAS. FOR DOWNTOWN	703-040-233.000	34.24	
10/14	10/08/2014	64435	CITY TREAS. FOR GENERAL FUND	703-040-230.213	63,664.75	
10/14	10/08/2014	64435	CITY TREAS. FOR GENERAL FUND	703-040-230.213	4,058.14	
10/14	10/08/2014	64435	CITY TREAS. FOR GENERAL FUND	703-040-240.000	3,515.26	
10/14	10/08/2014	64435	CITY TREAS. FOR GENERAL FUND	703-040-233.000	13,713.88	
10/14	10/08/2014	64436	CITY TREAS. FOR LIBRARY FUND	703-040-231.213	15,056.21	

GL Period	Check Issue Date	Check Number	Payee	Invoice GL Account	Check Amount
10/14	10/08/2014	64437	CITY TREAS. FOR R.O.W.	703-040-229.213	32,020.17
10/14	10/08/2014	64438	COMMON ANGLE INC.	280-739-905.000	22.50
10/14	10/08/2014	64439	COMPLETE PAINT & SUPPLIES	101-266-932.000	22.47
10/14	10/08/2014	64440	DERRER OIL CO.	661-540-751.000	2,743.80
10/14	10/08/2014	64441	DESIGNBOT CREATIVE	271-540-801.000	268.75
10/14	10/08/2014	64442	DUBOIS-COOPER ASSOCIATES INC.	592-700-802.000	508.75
10/14	10/08/2014	64443	EMMET COUNTY TREASURER	703-040-222.213	40,253.68
10/14	10/08/2014	64443	EMMET COUNTY TREASURER	703-040-228.213	48,600.93
10/14	10/08/2014	64444	ETNA SUPPLY	592-676-775.000	1,399.88
10/14	10/08/2014	64444	ETNA SUPPLY	592-010-111.000	19,502.91
10/14	10/08/2014	64444	ETNA SUPPLY	592-675-775.000	149.04
10/14	10/08/2014	64444	ETNA SUPPLY	204-010-111.000	81.85
10/14	10/08/2014	64445	FIRST COMMUNITY BANK	701-040-274.000	388.54
10/14	10/08/2014	64446	GOODMAN, BECKY	280-739-998.000	20.75
10/14	10/08/2014	64446	GOODMAN, BECKY	280-739-905.000	31.78
10/14	10/08/2014	64447	GREAT LAKES PIPE & SUPPLY	101-770-775.000	18.62
10/14	10/08/2014	64447	GREAT LAKES PIPE & SUPPLY	101-266-932.000	5.73
10/14	10/08/2014	64447	GREAT LAKES PIPE & SUPPLY	592-693-802.000	2.67
10/14	10/08/2014	64447	GREAT LAKES PIPE & SUPPLY	592-693-775.000	921.85
10/14	10/08/2014	64447	GREAT LAKES PIPE & SUPPLY	592-675-775.000	53.20
10/14	10/08/2014	64448	HALEY'S PLUMBING & HEATING	101-773-977.000	383.00
10/14	10/08/2014	64448	HALEY'S PLUMBING & HEATING	582-546-802.000	136.00
10/14	10/08/2014	64448	HALEY'S PLUMBING & HEATING	582-597-932.000	82.37
10/14	10/08/2014	64448	HALEY'S PLUMBING & HEATING	592-675-802.000	227.47
10/14	10/08/2014	64448	HALEY'S PLUMBING & HEATING	592-693-802.000	416.74
10/14	10/08/2014	64449	HARBOR VIEW CUSTOM BUILDERS	518-539-977.000	2,085.92
10/14	10/08/2014	64450	HOFFMAN'S SONS, JIM	204-784-802.000	200.00
10/14	10/08/2014	64450	HOFFMAN'S SONS, JIM	101-528-802.000	7,373.25
10/14	10/08/2014	64451	HYDE SERVICES LLC	101-770-775.000	6.65
10/14	10/08/2014	64452	INTEGRITY BUSINESS SOLUTIONS	518-539-802.100	78.54
10/14	10/08/2014	64453	L AND S TREE HEALTH CARE SERVICE	101-770-956.000	120.00
10/14	10/08/2014	64454	LCA ENTERPRISES	101-728-802.000	5,000.00
10/14	10/08/2014	64455	MAC DONALD GARBER BROADCASTING	280-540-242.100	764.00
10/14	10/08/2014	64456	MCCARDEL CULLIGAN	518-539-802.100	23.50
10/14	10/08/2014	64457	MERCER GROUP INC, THE	101-172-802.000	1,989.64
10/14	10/08/2014	64458	MEYER ACE HARDWARE	518-539-775.000	5,963.96
10/14	10/08/2014	64459	MICH. WATER ENVIRONMENT ASSOC.	592-705-956.000	250.00
10/14	10/08/2014	64460	MICHIGAN DOWNTOWN ASSOCIATION	518-539-956.000	150.00
10/14	10/08/2014	64461	MITCHELL GRAPHICS INC.	271-540-900.000	701.58
10/14	10/08/2014	64462	MONAHAN, BUFFY	518-539-802.100	33.00
10/14	10/08/2014	64463	NORTH CENTRAL LABORATORIES	592-692-775.000	2,623.69
10/14	10/08/2014	64464	NORTH CENTRAL MICH. COLLEGE	101-345-956.000	100.00
10/14	10/08/2014	64465	NORTHERN FIRE & SAFETY	101-345-805.100	300.00
10/14	10/08/2014	64465	NORTHERN FIRE & SAFETY	101-345-805.000	299.50
10/14	10/08/2014	64465	NORTHERN FIRE & SAFETY	101-789-802.000	240.00
10/14	10/08/2014	64465	NORTHERN FIRE & SAFETY	101-773-775.000	10.00
10/14	10/08/2014	64465	NORTHERN FIRE & SAFETY	101-265-802.000	30.00
10/14	10/08/2014	64465	NORTHERN FIRE & SAFETY	101-266-802.000	70.00
10/14	10/08/2014	64465	NORTHERN FIRE & SAFETY	101-770-802.000	30.00
10/14	10/08/2014	64465	NORTHERN FIRE & SAFETY	204-481-935.000	68.65
10/14	10/08/2014	64465	NORTHERN FIRE & SAFETY	582-595-725.000	68.65
10/14	10/08/2014	64465	NORTHERN FIRE & SAFETY	592-705-725.000	68.65

GL Period	Check Issue Date	Check Number	Payee	Invoice GL Account	Check Amount
10/14	10/08/2014	64465	NORTHERN FIRE & SAFETY	592-693-802.000	153.00
10/14	10/08/2014	64465	NORTHERN FIRE & SAFETY	661-540-725.000	68.55
10/14	10/08/2014	64466	P.C. LAWN CARE "PERFECT CUT"	101-770-802.000	60.00
10/14	10/08/2014	64467	PETOSKEY BAND BOOSTERS	280-540-242.100	500.00
10/14	10/08/2014	64468	PETOSKEY PUBLIC SCHOOLS	703-040-236.213	114,152.01
10/14	10/08/2014	64468	PETOSKEY PUBLIC SCHOOLS	703-040-237.213	15,262.06
10/14	10/08/2014	64468	PETOSKEY PUBLIC SCHOOLS	703-040-237.213	10,949.47
10/14	10/08/2014	64468	PETOSKEY PUBLIC SCHOOLS	703-040-237.213	3,826.60
10/14	10/08/2014	64469	PHONEGUIDE	101-773-729.000	54.00
10/14	10/08/2014	64469	PHONEGUIDE	101-773-850.000	100.70
10/14	10/08/2014	64469	PHONEGUIDE	101-770-850.000	100.00
10/14	10/08/2014	64470	POLICE AND FIREMEN'S INSURANCE	701-000-230.185	412.97
10/14	10/08/2014	64471	POLICE OFFICERS LABOR COUNCIL	701-000-230.400	668.50
10/14	10/08/2014	64472	PORT SUPPLY	101-789-775.000	124.22
10/14	10/08/2014	64472	PORT SUPPLY	592-693-802.000	615.58
10/14	10/08/2014	64473	PRESTON FEATHER	101-266-932.000	118.46
10/14	10/08/2014	64473	PRESTON FEATHER	101-265-932.000	40.49
10/14	10/08/2014	64473	PRESTON FEATHER	101-770-775.000	9.88
10/14	10/08/2014	64473	PRESTON FEATHER	101-774-775.000	34.02
10/14	10/08/2014	64473	PRESTON FEATHER	592-675-775.000	40.45
10/14	10/08/2014	64473	PRESTON FEATHER	592-693-775.000	23.14
10/14	10/08/2014	64473	PRESTON FEATHER	661-540-730.000	9.88
10/14	10/08/2014	64473	PRESTON FEATHER	518-010-158.000	6.08
10/14	10/08/2014	64474	PROQUEST LLC	271-540-740.000	1,142.40
10/14	10/08/2014	64475	RASMUSSEN, DEREK	101-774-753.040	75.00
10/14	10/08/2014	64476	ROYAL TIRE	661-540-933.000	1,402.44
10/14	10/08/2014	64476	ROYAL TIRE	661-540-931.000	55.25
10/14	10/08/2014	64477	RS TECHNICAL SERVICES INC.	592-691-775.000	330.06
10/14	10/08/2014	64478	SANDRA LEE PHOTOGRAPHY STUDIO	280-540-249.000	175.00
10/14	10/08/2014	64479	SHERRARD, KAREN	271-540-860.000	70.56
10/14	10/08/2014	64480	SIGN & DESIGN	592-677-802.000	359.50
10/14	10/08/2014	64481	SMITH, EDWARD J	101-774-753.040	125.00
10/14	10/08/2014	64482	SOS ANALYTICAL INC.	592-692-802.000	1,211.00
10/14	10/08/2014	64483	STATE OF MI DEPT OF LICENSING	582-081-641.200	178.48
10/14	10/08/2014	64483	STATE OF MI DEPT OF LICENSING	582-081-643.000	5,707.66
10/14	10/08/2014	64483	STATE OF MI DEPT OF LICENSING	582-081-644.000	772.79
10/14	10/08/2014	64483	STATE OF MI DEPT OF LICENSING	582-081-644.100	19.40
10/14	10/08/2014	64484	STATE OF MI. DEPT. OF	101-770-956.000	75.00
10/14	10/08/2014	64487	STILL, JOHN	280-540-233.500	125.00
10/14	10/08/2014	64488	SURA, MATT	101-774-753.040	50.00
10/14	10/08/2014	64489	TEAMSTERS LOCAL #214	701-000-230.400	885.00
10/14	10/08/2014	64490	TRAVERSE MAGAZINE	280-739-905.000	805.00
10/14	10/08/2014	64491	TRUCK & TRAILER SPECIALTIES	661-540-933.000	255.75
10/14	10/08/2014	64492	WADE TRIM OPERATIONS SERVICES	101-208-802.000	9,280.64
10/14	10/08/2014	64493	WATER ENVIRONMENT FEDERATION	592-705-956.000	163.00
10/14	10/08/2014	64494	WILDLIFE MANAGEMENT AND	271-540-932.000	78.00
10/14	10/08/2014	64495	STATE OF MI. DEPT. OF TRANSP.	202-010-158.000	130,843.30
10/14	10/08/2014	64495	STATE OF MI. DEPT. OF TRANSP.	204-010-158.000	4,135.39
10/14	10/08/2014	64495	STATE OF MI. DEPT. OF TRANSP.	592-010-158.000	8,700.00
10/14	10/08/2014	64495	STATE OF MI. DEPT. OF TRANSP.	582-010-158.000	11,541.61
10/14	10/08/2014	64495	STATE OF MI. DEPT. OF TRANSP.	202-010-158.000	26,075.17
10/14	10/08/2014	64495	STATE OF MI. DEPT. OF TRANSP.	204-010-158.000	1,908.46

GL Period	Check Issue Date	Check Number	Payee	Invoice GL Account	Check Amount
10/14	10/08/2014	64496	STATE OF MI. DEPT. OF TREASURY	582-040-228.000	38,742.55
10/14	10/08/2014	64496	STATE OF MI. DEPT. OF TREASURY	701-000-230.300	12,997.94
10/14	10/08/2014	64496	STATE OF MI. DEPT. OF TREASURY	101-090-643.010	1,540.95
10/14	10/15/2014	64505	ALEXANDER CHEMICAL CORPORATION	592-691-663.000	5,561.20
10/14	10/15/2014	64506	ALLEN SUPPLY	101-770-775.000	82.50
10/14	10/15/2014	64507	AMERICAN WASTE	101-770-802.000	547.20
10/14	10/15/2014	64507	AMERICAN WASTE	101-730-802.000	294.30
10/14	10/15/2014	64507	AMERICAN WASTE	101-266-802.000	198.00
10/14	10/15/2014	64507	AMERICAN WASTE	101-265-802.000	171.00
10/14	10/15/2014	64507	AMERICAN WASTE	101-789-802.000	36.00
10/14	10/15/2014	64507	AMERICAN WASTE	101-773-931.000	90.00
10/14	10/15/2014	64507	AMERICAN WASTE	582-597-932.000	436.50
10/14	10/15/2014	64507	AMERICAN WASTE	592-691-663.000	332.00
10/14	10/15/2014	64508	AT&T	101-172-850.000	191.33
10/14	10/15/2014	64508	AT&T	101-201-850.000	102.04
10/14	10/15/2014	64508	AT&T	101-208-850.000	63.78
10/14	10/15/2014	64508	AT&T	101-209-850.000	63.78
10/14	10/15/2014	64508	AT&T	101-215-850.000	51.02
10/14	10/15/2014	64508	AT&T	101-345-850.000	140.31
10/14	10/15/2014	64508	AT&T	101-400-850.000	63.78
10/14	10/15/2014	64508	AT&T	101-773-850.000	143.76
10/14	10/15/2014	64508	AT&T	101-774-850.000	76.53
10/14	10/15/2014	64508	AT&T	101-441-850.000	114.80
10/14	10/15/2014	64508	AT&T	204-481-801.000	38.27
10/14	10/15/2014	64508	AT&T	204-481-801.000	38.27
10/14	10/15/2014	64508	AT&T	582-595-850.000	127.56
10/14	10/15/2014	64508	AT&T	582-597-850.000	177.70
10/14	10/15/2014	64508	AT&T	592-634-850.000	127.38
10/14	10/15/2014	64508	AT&T	592-685-850.000	76.53
10/14	10/15/2014	64508	AT&T	592-705-850.000	339.04
10/14	10/15/2014	64508	AT&T	592-699-920.000	131.23
10/14	10/15/2014	64509	BARRETTE, TERRY	518-010-158.000	9.41
10/14	10/15/2014	64510	BRADFORD MASTER DRY CLEANERS	101-345-775.000	524.00
10/14	10/15/2014	64511	CDW GOVERNMENT	101-345-727.000	104.63
10/14	10/15/2014	64511	CDW GOVERNMENT	101-228-775.000	611.31
10/14	10/15/2014	64512	CHARTER COMMUNICATIONS	101-345-850.100	179.53
10/14	10/15/2014	64512	CHARTER COMMUNICATIONS	101-345-850.000	36.26
10/14	10/15/2014	64512	CHARTER COMMUNICATIONS	101-770-850.000	120.96
10/14	10/15/2014	64512	CHARTER COMMUNICATIONS	101-789-850.000	68.17
10/14	10/15/2014	64512	CHARTER COMMUNICATIONS	518-539-802.100	94.25
10/14	10/15/2014	64512	CHARTER COMMUNICATIONS	582-597-850.000	55.00
10/14	10/15/2014	64513	CHEMCO PRODUCTS INC.	592-691-663.000	8,721.50
10/14	10/15/2014	64514	CINTAS CORPORATION	582-597-932.000	52.16
10/14	10/15/2014	64514	CINTAS CORPORATION	661-540-725.000	52.16
10/14	10/15/2014	64514	CINTAS CORPORATION	592-685-727.000	56.36
10/14	10/15/2014	64515	CITY TREAS. FOR UTILITY BILLS	101-265-920.000	1,497.61
10/14	10/15/2014	64515	CITY TREAS. FOR UTILITY BILLS	101-266-920.000	1,314.19
10/14	10/15/2014	64515	CITY TREAS. FOR UTILITY BILLS	101-345-920.000	3,177.13
10/14	10/15/2014	64515	CITY TREAS. FOR UTILITY BILLS	101-345-920.100	1,103.79
10/14	10/15/2014	64515	CITY TREAS. FOR UTILITY BILLS	101-730-920.000	24.58
10/14	10/15/2014	64515	CITY TREAS. FOR UTILITY BILLS	101-770-920.000	7,910.05
10/14	10/15/2014	64515	CITY TREAS. FOR UTILITY BILLS	101-773-920.000	4,767.85

GL Period	Check Issue Date	Check Number	Payee	Invoice GL Account	Check Amount
10/14	10/15/2014	64515	CITY TREAS. FOR UTILITY BILLS	101-789-920.000	2,433.26
10/14	10/15/2014	64515	CITY TREAS. FOR UTILITY BILLS	202-475-920.000	320.00
10/14	10/15/2014	64515	CITY TREAS. FOR UTILITY BILLS	204-450-920.000	2,600.00
10/14	10/15/2014	64515	CITY TREAS. FOR UTILITY BILLS	271-540-920.000	1,940.00
10/14	10/15/2014	64515	CITY TREAS. FOR UTILITY BILLS	582-597-920.000	1,451.98
10/14	10/15/2014	64515	CITY TREAS. FOR UTILITY BILLS	582-542-920.000	87.58
10/14	10/15/2014	64515	CITY TREAS. FOR UTILITY BILLS	592-634-920.000	14,273.56
10/14	10/15/2014	64515	CITY TREAS. FOR UTILITY BILLS	592-660-920.000	87.58
10/14	10/15/2014	64515	CITY TREAS. FOR UTILITY BILLS	592-690-920.000	15,604.57
10/14	10/15/2014	64515	CITY TREAS. FOR UTILITY BILLS	592-696-920.000	1,179.37
10/14	10/15/2014	64515	CITY TREAS. FOR UTILITY BILLS	518-539-920.000	3.00
10/14	10/15/2014	64516	CONSUMERS ENERGY	582-546-802.000	4,300.00
10/14	10/15/2014	64517	CUMMINS BRIDGEWAY LLC	592-693-802.000	646.60
10/14	10/15/2014	64518	CYNERGYCOMM.NET INC.	271-540-850.000	423.14
10/14	10/15/2014	64519	DERRER OIL CO.	661-540-751.000	2,288.86
10/14	10/15/2014	64520	DUNN'S BUSINESS SOLUTIONS	204-481-727.000	12.80
10/14	10/15/2014	64520	DUNN'S BUSINESS SOLUTIONS	582-595-727.000	12.80
10/14	10/15/2014	64520	DUNN'S BUSINESS SOLUTIONS	582-597-727.000	12.80
10/14	10/15/2014	64520	DUNN'S BUSINESS SOLUTIONS	592-685-727.000	12.80
10/14	10/15/2014	64520	DUNN'S BUSINESS SOLUTIONS	592-705-727.000	12.85
10/14	10/15/2014	64520	DUNN'S BUSINESS SOLUTIONS	661-540-727.000	12.80
10/14	10/15/2014	64520	DUNN'S BUSINESS SOLUTIONS	101-010-158.000	105.36
10/14	10/15/2014	64521	EMMET AUTO	661-540-730.000	2,198.30
10/14	10/15/2014	64522	EMMET CO. DEPT OF PUBLIC WORKS	101-529-802.000	5,412.07
10/14	10/15/2014	64522	EMMET CO. DEPT OF PUBLIC WORKS	101-528-775.000	140.00
10/14	10/15/2014	64522	EMMET CO. DEPT OF PUBLIC WORKS	101-528-802.000	5,171.28
10/14	10/15/2014	64523	ENGLEBRECHT, ROBERT	101-209-802.000	3,750.00
10/14	10/15/2014	64524	ENVIRONMENTAL RESOURCE ASSOC.	592-692-802.000	509.22
10/14	10/15/2014	64525	ETNA SUPPLY	592-676-802.000	110.65
10/14	10/15/2014	64525	ETNA SUPPLY	592-675-802.000	459.81
10/14	10/15/2014	64525	ETNA SUPPLY	592-676-775.000	700.00
10/14	10/15/2014	64525	ETNA SUPPLY	592-675-775.000	1,946.33
10/14	10/15/2014	64525	ETNA SUPPLY	592-010-111.000	10,659.84
10/14	10/15/2014	64526	FIRST NATIONAL BANK OMAHA	101-172-802.000	270.49
10/14	10/15/2014	64526	FIRST NATIONAL BANK OMAHA	101-101-860.000	349.00
10/14	10/15/2014	64526	FIRST NATIONAL BANK OMAHA	718-540-963.000	38.99
10/14	10/15/2014	64526	FIRST NATIONAL BANK OMAHA	271-540-745.000	41.51
10/14	10/15/2014	64526	FIRST NATIONAL BANK OMAHA	271-540-958.000	106.29
10/14	10/15/2014	64526	FIRST NATIONAL BANK OMAHA	271-540-958.200	123.27
10/14	10/15/2014	64526	FIRST NATIONAL BANK OMAHA	271-540-727.000	73.94
10/14	10/15/2014	64526	FIRST NATIONAL BANK OMAHA	582-546-775.000	109.49
10/14	10/15/2014	64526	FIRST NATIONAL BANK OMAHA	101-728-802.000	167.82
10/14	10/15/2014	64526	FIRST NATIONAL BANK OMAHA	101-345-727.000	128.74
10/14	10/15/2014	64526	FIRST NATIONAL BANK OMAHA	101-345-956.000	163.74
10/14	10/15/2014	64526	FIRST NATIONAL BANK OMAHA	101-345-775.000	203.52
10/14	10/15/2014	64526	FIRST NATIONAL BANK OMAHA	592-705-956.000	529.52
10/14	10/15/2014	64526	FIRST NATIONAL BANK OMAHA	101-266-932.000	260.44
10/14	10/15/2014	64526	FIRST NATIONAL BANK OMAHA	101-770-775.000	3.00
10/14	10/15/2014	64526	FIRST NATIONAL BANK OMAHA	101-010-158.000	99.08
10/14	10/15/2014	64527	FLYNN, MARTIN	592-705-956.000	308.00
10/14	10/15/2014	64528	GIBBY'S GARAGE	202-475-775.000	65.00
10/14	10/15/2014	64528	GIBBY'S GARAGE	203-475-775.000	32.50

GL Period	Check Issue Date	Check Number	Payee	Invoice GL Account	Check Amount
10/14	10/15/2014	64528	GIBBY'S GARAGE	582-597-932.000	130.00
10/14	10/15/2014	64528	GIBBY'S GARAGE	661-540-931.000	1,820.00
10/14	10/15/2014	64528	GIBBY'S GARAGE	661-540-933.000	455.00
10/14	10/15/2014	64529	GIBSON EXCAVATING LLC	592-673-802.000	720.00
10/14	10/15/2014	64529	GIBSON EXCAVATING LLC	203-469-802.000	320.00
10/14	10/15/2014	64530	GORDON FOOD SERVICE	101-789-775.000	12.98
10/14	10/15/2014	64530	GORDON FOOD SERVICE	101-266-963.000	24.86
10/14	10/15/2014	64530	GORDON FOOD SERVICE	592-685-775.000	25.49
10/14	10/15/2014	64530	GORDON FOOD SERVICE	101-345-775.000	17.37
10/14	10/15/2014	64530	GORDON FOOD SERVICE	592-692-775.000	47.87
10/14	10/15/2014	64531	INFORMATION SYSTEMS	582-546-775.000	297.49
10/14	10/15/2014	64532	INGRAM LIBRARY SERVICES	271-540-745.000	493.19
10/14	10/15/2014	64532	INGRAM LIBRARY SERVICES	271-540-746.000	11.58
10/14	10/15/2014	64532	INGRAM LIBRARY SERVICES	271-540-749.000	93.58
10/14	10/15/2014	64532	INGRAM LIBRARY SERVICES	271-540-750.000	122.97
10/14	10/15/2014	64532	INGRAM LIBRARY SERVICES	271-540-751.000	14.39
10/14	10/15/2014	64532	INGRAM LIBRARY SERVICES	718-540-963.000	650.00
10/14	10/15/2014	64533	KENT POWER INC.	582-547-802.000	7,507.33
10/14	10/15/2014	64534	KSS ENTERPRISES	271-540-725.000	178.71
10/14	10/15/2014	64534	KSS ENTERPRISES	101-265-775.000	50.00
10/14	10/15/2014	64534	KSS ENTERPRISES	101-770-775.000	67.50
10/14	10/15/2014	64535	LAKE AREA COLLISION INC.	661-540-933.000	738.00
10/14	10/15/2014	64536	LOWERY UNDERGROUND SERVICE	582-547-802.000	6,826.00
10/14	10/15/2014	64536	LOWERY UNDERGROUND SERVICE	582-010-158.000	930.00
10/14	10/15/2014	64537	MCLAREN NORTHERN MICH HOSPITAL	101-345-805.000	50.00
10/14	10/15/2014	64538	MEYER ACE HARDWARE	101-266-932.000	2.50
10/14	10/15/2014	64538	MEYER ACE HARDWARE	101-770-775.000	56.21
10/14	10/15/2014	64538	MEYER ACE HARDWARE	101-773-775.000	10.27
10/14	10/15/2014	64538	MEYER ACE HARDWARE	101-730-775.000	8.00
10/14	10/15/2014	64538	MEYER ACE HARDWARE	101-345-775.000	9.99
10/14	10/15/2014	64538	MEYER ACE HARDWARE	101-528-775.000	71.88
10/14	10/15/2014	64538	MEYER ACE HARDWARE	101-265-775.000	69.21
10/14	10/15/2014	64538	MEYER ACE HARDWARE	101-266-775.000	4.79
10/14	10/15/2014	64538	MEYER ACE HARDWARE	202-475-775.000	56.40
10/14	10/15/2014	64538	MEYER ACE HARDWARE	203-475-775.000	84.53
10/14	10/15/2014	64538	MEYER ACE HARDWARE	204-010-111.000	4,360.00
10/14	10/15/2014	64538	MEYER ACE HARDWARE	271-540-725.000	31.44
10/14	10/15/2014	64538	MEYER ACE HARDWARE	271-540-727.000	41.98
10/14	10/15/2014	64538	MEYER ACE HARDWARE	271-540-958.000	22.75
10/14	10/15/2014	64538	MEYER ACE HARDWARE	271-540-958.200	2.25
10/14	10/15/2014	64538	MEYER ACE HARDWARE	280-540-233.000	5,237.70
10/14	10/15/2014	64538	MEYER ACE HARDWARE	582-547-775.000	7.16
10/14	10/15/2014	64538	MEYER ACE HARDWARE	582-546-775.000	15.16
10/14	10/15/2014	64538	MEYER ACE HARDWARE	592-705-779.000	42.98
10/14	10/15/2014	64538	MEYER ACE HARDWARE	592-691-775.000	127.94
10/14	10/15/2014	64538	MEYER ACE HARDWARE	592-676-775.000	17.76
10/14	10/15/2014	64538	MEYER ACE HARDWARE	661-540-931.000	181.48
10/14	10/15/2014	64539	MICH. PUBLIC POWER AGENCY	582-540-759.000	308,711.39
10/14	10/15/2014	64540	MICHIGAN OFFICEWAYS	271-540-727.000	25.58
10/14	10/15/2014	64541	NORTHERN LAKES	101-728-802.000	250.00
10/14	10/15/2014	64542	PAC2	271-540-802.000	2,013.00
10/14	10/15/2014	64542	PAC2	271-540-802.000	7,066.00

GL Period	Check Issue Date	Check Number	Payee	Invoice GL Account	Check Amount
10/14	10/15/2014	64543	PETOSKEY ROTARY CLUB	101-345-957.000	223.25
10/14	10/15/2014	64544	POPULAR SUBSCRIPTION SERVICE	271-540-752.100	305.76
10/14	10/15/2014	64544	POPULAR SUBSCRIPTION SERVICE	271-540-752.000	1,704.03
10/14	10/15/2014	64545	POWER LINE SUPPLY	582-010-111.000	20,401.94
10/14	10/15/2014	64545	POWER LINE SUPPLY	582-547-775.000	1,165.40
10/14	10/15/2014	64545	POWER LINE SUPPLY	582-549-775.000	165.24
10/14	10/15/2014	64545	POWER LINE SUPPLY	582-597-730.000	137.83
10/14	10/15/2014	64545	POWER LINE SUPPLY	582-550-775.000	320.00
10/14	10/15/2014	64546	RANGE TELECOMMUNICATIONS	204-481-850.000	36.10
10/14	10/15/2014	64546	RANGE TELECOMMUNICATIONS	582-595-850.000	75.00
10/14	10/15/2014	64546	RANGE TELECOMMUNICATIONS	592-685-850.000	100.00
10/14	10/15/2014	64546	RANGE TELECOMMUNICATIONS	592-705-850.000	50.00
10/14	10/15/2014	64546	RANGE TELECOMMUNICATIONS	661-540-850.000	36.10
10/14	10/15/2014	64547	SHERRARD, KAREN	271-540-727.000	7.73
10/14	10/15/2014	64547	SHERRARD, KAREN	271-540-753.000	47.83
10/14	10/15/2014	64547	SHERRARD, KAREN	271-540-958.000	34.21
10/14	10/15/2014	64547	SHERRARD, KAREN	271-540-749.000	18.00
10/14	10/15/2014	64548	SHORELINE POWER SERVICES INC.	592-693-802.000	991.03
10/14	10/15/2014	64548	SHORELINE POWER SERVICES INC.	592-697-802.000	604.35
10/14	10/15/2014	64549	SKIP'S PETOSKEY GLASS INC.	101-774-775.000	179.93
10/14	10/15/2014	64550	STAPLES ADVANTAGE	101-215-727.000	129.05
10/14	10/15/2014	64550	STAPLES ADVANTAGE	101-172-727.000	78.59
10/14	10/15/2014	64550	STAPLES ADVANTAGE	101-770-727.000	39.62
10/14	10/15/2014	64550	STAPLES ADVANTAGE	101-789-727.000	26.20
10/14	10/15/2014	64550	STAPLES ADVANTAGE	101-774-727.000	30.67
10/14	10/15/2014	64550	STAPLES ADVANTAGE	592-705-727.000	358.91
10/14	10/15/2014	64550	STAPLES ADVANTAGE	101-228-727.000	17.87
10/14	10/15/2014	64550	STAPLES ADVANTAGE	101-101-727.000	41.88
10/14	10/15/2014	64550	STAPLES ADVANTAGE	101-010-158.000	373.87
10/14	10/15/2014	64551	STATE OF MI - MICHIGAN STATE	101-345-956.000	250.00
10/14	10/15/2014	64552	STATE OF MICHIGAN - MOTOR FUEL	101-090-643.010	7,481.10
10/14	10/15/2014	64553	TELE-RAD INC.	101-345-931.000	190.00
10/14	10/15/2014	64554	TETRA TECH INC	592-630-802.000	65.86
10/14	10/15/2014	64555	TIME EMERGENCY EQUIPMENT	101-345-775.000	41.05
10/14	10/15/2014	64556	TIP OF THE MITT WATERSHED	101-770-802.000	1,536.83
10/14	10/15/2014	64557	ULTRAMAX	101-345-976.000	2,879.50
10/14	10/15/2014	64558	VALLEY TRUCK PARTS INC.	661-540-933.000	842.02
10/14	10/15/2014	64559	VAN'S BUSINESS MACHINES	271-540-976.000	2,199.00
10/14	10/15/2014	64559	VAN'S BUSINESS MACHINES	204-481-727.000	120.00
10/14	10/15/2014	64559	VAN'S BUSINESS MACHINES	582-595-727.000	120.00
10/14	10/15/2014	64559	VAN'S BUSINESS MACHINES	582-597-727.000	120.00
10/14	10/15/2014	64559	VAN'S BUSINESS MACHINES	592-685-727.000	120.00
10/14	10/15/2014	64559	VAN'S BUSINESS MACHINES	592-705-727.000	120.00
10/14	10/15/2014	64559	VAN'S BUSINESS MACHINES	661-540-727.000	120.00
10/14	10/15/2014	64560	VERDIN COMPANY, THE	101-730-802.000	459.00
10/14	10/15/2014	64561	VERIZON WIRELESS	101-441-850.000	13.35-
10/14	10/15/2014	64561	VERIZON WIRELESS	582-595-850.000	7.20
10/14	10/15/2014	64561	VERIZON WIRELESS	101-770-850.000	9.32-
10/14	10/15/2014	64561	VERIZON WIRELESS	101-345-850.000	58.70
10/14	10/15/2014	64561	VERIZON WIRELESS	592-685-850.000	13.78
10/14	10/15/2014	64561	VERIZON WIRELESS	592-634-920.000	400.18
10/14	10/15/2014	64561	VERIZON WIRELESS	204-481-850.000	12.22

GL Period	Check Issue Date	Check Number	Payee	Invoice GL Account	Check Amount
10/14	10/15/2014	64561	VERIZON WIRELESS	101-773-850.000	16.45-
10/14	10/15/2014	64561	VERIZON WIRELESS	101-789-850.000	16.45-
Grand Totals:					<u>1,281,742.82</u>

Report Criteria:

Check.Date = 10/08/2014-10/15/2014

Check Number	Date	Name	GL Account	Amount
64497	10/08/2014	CACCIOLFI, NIKOLAS	582040285000	36.77
64498	10/08/2014	HEMPSTEAD, KATHERINE	582040285000	27.00
64499	10/08/2014	LADRIG, MELISSA	582040285000	2.25
64500	10/08/2014	LEY, RYAN	582040285000	30.06
64501	10/08/2014	PETRIZZO, MIKE	582040285000	28.49
64502	10/08/2014	RYAN, KATHLEEN	582040285000	24.05
64503	10/08/2014	SHALIFOE, ROBERTA	582081643000	161.48
64504	10/08/2014	ST. FRANCIS SCHOOL	582040285000	2,073.75
64562	10/15/2014	GREENWAY, RENEE	582010158000	25.00
64563	10/15/2014	HERALD, ROY	582010158000	53.50
64564	10/15/2014	JARCZYNSKI, BRENDA	582081643000	59.19
64565	10/15/2014	MCCOUBREY, ANDREW	582081643000	21.24
Grand Totals:				<u>2,542.78</u>



BOARD: City Council

MEETING DATE: October 20, 2014 **DATE PREPARED:** October 14, 2014

AGENDA SUBJECT: Second reading of an ordinance to amend the City of Petoskey Zoning Map to include the entire parcel addressed as 101 Lewis Street to B-2A Transitional Business

RECOMMENDATION: That the City Council conduct a second reading of the proposed ordinance

Background. The building known as Pennsylvania Plaza (101 Lewis Street) is located on a parcel that has two different zoning districts, which was discovered during the rezoning of properties from the B-2 Central Business to the B-2A Transitional Business District. The south portion of the subject property with the building is zoned B-2A, but the portion of the parcel that lies north of what would be the middle of the former Rose Street Right-of-Way is zoned P-R Park Reserve (maps enclosed).

City Council conducted the first reading of the proposed ordinance amendment at their October 6, 2014 meeting and may take action at the October 20, 2014 meeting. The City has not received any correspondence regarding this proposed amendment.

The Park Reserve District was created in 1997 and the former railroad corridor properties were rezoned to this district to address the Michigan Department of Transportation's (MDOT) concern that we would acquire the right-of-way and then sell it for development. The Park Reserve District is restricted to uses consistent with a public park. The portion of the subject property shown to be in the Park Reserve District currently holds green space and parking that is available to the public after business hours through a license agreement, but it is not publicly owned and was not a part of the property acquired from MDOT.

Zoning Map Amendment. As this property was wrongly zoned Park Reserve, the property owner, Mr. Stroup, has requested a map amendment that would put the entire parcel (PID 52-19-05-101-005) in the B-2A Transitional Business District.

At its September 18 meeting, the Planning Commission held a public hearing on the request (minutes enclosed). While there were several members of the public in opposition to the property rezoning, the Commission considered the reasons behind the creation of the Park Reserve District and the legality of zoning a privately-held piece of property for public park purposes and ultimately recommended to City Council that the property rezoning be approved.

Action. City Council conduct the second reading of the proposed ordinance that would rezone a portion of the parcel from P-R Park Reserve to B-2A Transitional Business District. Since this is the second reading, Council may consider taking action.

at
Enclosure

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE ZONING DISTRICT MAP OF THE CITY OF PETOSKEY AS SET FORTH IN ORDINANCE NUMBER 451, THE ZONING ORDINANCE OF THE CITY OF PETOSKEY TO RE-ZONE THE NORTHERLY PORTION OF 101 LEWIS STREET (52-19-05-101-005) FROM THE P-R PARK RESERVE DISTRICT TO THE B-2A TRANSITIONAL BUSINESS DISTRICT.

WHEREAS, the parcel's status of being within two separate zoning districts (B-2A Transitional Business and P-R Park Reserve) came to light during the creation of the B-2A Transitional Business District; and

WHEREAS, the P-R Park Reserve district was created and added to the zoning map in 1997 to address the concerns of the Michigan Department of Transportation (MDOT) that the rail corridor property the City wished to acquire for the Downtown Greenway Corridor would later be sold for development; and

WHEREAS, the P-R Park Reserve district limits uses to those consistent with a public park; and

WHEREAS, it appears that a portion of the subject parcel was included within the P-R Park Reserve District, however it was never owned by MDOT and not part of the eventual land sale; and

WHEREAS, the subject parcel is private property; and

WHEREAS, the remainder of the parcel is within the B-2A Transitional Business District; and

WHEREAS, The Petoskey Planning Commission recommends to City Council that the property known as 101 Lewis Street (PID 52-19-05-101-005) be zoned in its entirety to B-2A Transitional Business District due to the finding that the owner requested the zoning change as the property was zoned to Park Reserve but is privately owned land and never owned by the Michigan Department of Transportation, and further that keeping this property within the P-R Park Reserve District is not in the best interest of the City.

Now therefore be it resolved that the City of Petoskey ordains:

1. The Zoning District Map of the City of Petoskey shall be, and the same hereby is, amended in order to show the following-described property as being located within the B-2A Transitional Business District and the Zoning Classification hereafter for said property shall be B-2A Transitional Business. The property hereby rezoned from P-R Park Reserve to B-2A Transitional Business District is described as follows:

Part of Government Lot 4, Section 32. Township 35 North, Range 5 West, City of Petoskey, Emmet County, Michigan, which is described from an Easement Survey, by R.E. Oelke, P,S. 33983, for First American Title Co., dated 6 Aug. 2001, and is more particularly described as follows:

Commencing at the northwest corner of Lot 4, Block 4, Shaw and McMillan's Addition to the City of Petoskey; thence along the north line of said Lot 4, N88°58'39"E 129.85 feet to the northeast corner of said Lot 4; thence along the westerly line of Penn Plaza as monumented N 30°56'15" E 35.36 feet to the south line of Section 32 and the **Place of Beginning**; thence continuing along said westerly line of Penn Plaza N 30°56'15" E 288.21feet to the centerline of Division Road as monumented; thence along said centerline of Division Road as monumented S 59°04'55" E 46.53 feet; thence S 30°54'49" W 259.96 feet to said south line of Section 32; thence along said south line of Section 32 S 89°42'39"W 54.54 feet to the **Place of Beginning**.

2. The Zoning District Map of the City of Petoskey shall be, and the same hereby is, amended in order to show the following-described property as being located in the B-2A Transitional Business District and the Zoning Classification hereafter for said property shall be B-2A Transitional Business. The property hereby rezoned from P-R Park Reserve to B-2A Transitional Business is described as follows:

State of Michigan, County of Emmet, City of Petoskey:

Part of Government Lot 4, Section 32. Township 35 North, Range 5 West, City of Petoskey, Emmet County, Michigan, which is described from an Easement Survey, by R.E. Oelke, P,S. 33983, for First American Title Co., dated 6 Aug. 2001, and is more particularly described as follows:

Commencing at the northwest corner of Lot 4, Block 4, Shaw and McMillan's Addition to the City of Petoskey; thence along the north line of said Lot 4, N88°58'39"E 129.85 feet to the northeast corner of said Lot 4; thence along the westerly line of Penn Plaza as monumented N 30°56'15" E 35.36 feet to the south line of Section 32 and the **Place of Beginning**; thence continuing along said westerly line of Penn Plaza N 30°56'15" E 288.21feet to the centerline of Division Road as monumented; thence along said centerline of Division Road as monumented S 59°04'55" E 46.53 feet; thence S 30°54'49" W 259.96 feet to said south line of Section 32; thence along said south line of Section 32 S 89°42'39"W 54.54 feet to the **Place of Beginning**.

3. **Conflicting Standards.**
If any of the standards set forth in this amendment conflict with any other standards of previous or further ordinances or amendments, the stricter standards shall apply.
4. **Repeal; Savings Clause.**
All ordinances, resolutions, or orders, or parts thereof, in conflict with the provisions of this ordinance are, to the extent of such conflict, repealed.
5. **Severability.**
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. Effect.

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: October 20, 2014

DATE PREPARED: October 15, 2014

AGENDA SUBJECT: Presentation on Darling Lot Parking Study

RECOMMENDATION: That City Council hear the presentation

Background. The Downtown Management Board reviewed and approved two proposed studies for the Darling Parking Lot at their August 19, 2014 meeting. The two studies include a plan for the development of the lot by Walker Parking and a financial analysis to review funding possibilities by Otwell Mawby.

Downtown Director, Becky Goodman will be in attendance to make a presentation on the project. The development of any parking lot, including funding, would require City Council approval. A copy of the August memo provided to the DMB is included for your review.

Action. Receive presentation on parking lot study.

sb
Enclosure



MEMORANDUM

TO: Downtown Management Board

FROM: Becky Goodman

DATE: August 12, 2014

RE: Proposed Plan to Create Parking & Mixed Use on the Darling Parking Lot

Background: One of the subjects discussed at the Parking Workshop held this spring was the long tabled plan to develop parking at the Darling Lot. This site has been included in downtown development plans that go back almost twenty years. In the earlier years, it was understood that funding was not available as there were expenses for new parking meters and other parking lot debt that needed to be paid. The last of this debt will be paid at the end of this year.

The DMB has for many years been focused on the prospect of new parking development opportunities at what is now being called the Sunset Square site. A TIF plan was created that would allow capture to create parking on that site (which would also help create additional parking at the Darling Lot site). The last ten years have seen disappointment in that prospect for a variety of reasons. An argument has been raised that the responsible action for the Board to take would be to move ahead with its own parking development project and not continue to wait for what might happen at the development site.

Project: The funds that will be freed up from debt payment combined with the funds that have been saved over the years are not enough to build a deck on the Darling Lot and would likely not be enough to pay back a bond and carry operational costs. From a practical point of view, as well as from a highest and best land use point of view, some kind of mixed use development that adds density to Downtown, generates tax income, and creates additional parking would be most desired. Simply waiting for a developer to come and build what we need and want is one strategy. Another strategy is to define what kind of development that we want and actively seek a developer to provide that specific product.

A proposal from Walker Parking is attached that will create a plan for the development of the Darling Lot. Walker proposes to create a design(s) that includes blocks of space where ramps, levels, and spaces would be located and blocks of space where other uses such as residential or office and perhaps retail could be located. The scope of the detail they will provide will be valuable to a potential developer.

A second attached proposal is from Otwell Mawby who would then give us an analysis of financing and implementation options and provide services to assist in procuring private sector services to implement our selected plan.

Action: If the Board desires to move ahead with this plan to develop the Darling Lot with a parking deck that includes mixed use development, the board could move to accept these proposals and contract with the consultants. Funding for these studies would come from the Parking Fund carry over.

Please call me if you have questions or concerns.