



CITY COUNCIL

June 15, 2015

A regular meeting of the City of Petoskey City Council was held in the City Hall Council Chambers, Petoskey, Michigan, on Monday, June 15, 2015. 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
John Murphy, City Councilmember
Grant Dittmar, City Councilmember
Jeremy Wills, City Councilmember

Absent: Kate Marshall, City Councilmember

Also in attendance were City Manager Robert Straebel, Clerk-Treasurer Alan Terry and Downtown Director Becky Goodman.

Resolution No. 18881
Approve Consent Agenda Items

Following introduction of the consent agenda for this meeting of June 15, 2015, City Councilmember Murphy 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 June 1, 2015 regular-session and June 9, 2015 special session City Council meeting be and are hereby approved; and

BE IT RESOLVED that receipt by the City Council of a report concerning all checks that had been issued since June 1 for contract and vendor claims at \$697,710.92, intergovernmental claims at \$40,988.81, and the June 4 payroll at \$238,645.20, for a total of \$977,344.93 be and is hereby acknowledged.

Said resolution was adopted by the following vote:

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

NAYS: None (0)

Resolution No. 18882-18883
Confirm Appointments

Mayor Fraser then reviewed that City Council consider possible appointments to the Building Authority Board of Commissioners, Election Commission, Emmet-Charlevoix-Cheboygan Central Dispatch Authority Board and Parks and Recreation Commission. 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 approves the appointment of City Manager Robert Straebel, to the Building Authority Board of Commissioners to fill a vacated, unexpired term of July 1, 2018 which was created by the resignation of former City Manager Dan Ralley; and

BE IT RESOLVED that the City Council does and hereby approves the appointment of City Manager Robert Straebel to the Election Commission to fill a vacated term which was created by the resignation of former City Manager Dan Ralley; and

BE IT FURTHER RESOLVED that the City Council does and hereby approves the appointment of City Manager Robert Straebel to the Emmet-Charlevoix-Cheboygan Central Dispatch Authority Board to fill an alternate position for Emmet County for a three-year term ending in 2018.

Said resolution was adopted by the following vote:

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

NAYS: None (0)

Resolution No. 18883

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

BE IT RESOLVED that the City Council does and hereby approves the reappointment of Michael Morey, 700 Grand Avenue, and appointment of Kenneth Turk, 506 Morgan Street, to the Parks and Recreation Commission both for two-year terms ending January 15, 2017.

Said resolution was adopted by the following vote:

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

NAYS: None (0)

Hear Public Comment

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

Hear City Manager Updates

The City Manager reviewed that the City received a \$10,000 grant from the Local Revenue Sharing Board for purchase of self-contained breathing apparatuses; that a DNR grant application for \$15,000 was submitted to pay for costs of engineering and design work for a new bridge over the Bear River; that he continues to meet with community leaders; that there may be a potential CDBG grant application for 316 East Lake Street concerning blight elimination; that the special goal-session meetings are scheduled for June 26 and 27; that there may be a joint meeting with Council, DMB and Planning Commission to hear a presentation from MEDC on the various programs they have to offer; that MDOT is on schedule with the Charlevoix Avenue project; and that various city streets will be milled and filled over the next few weeks.

Resolution No. 18884
Approve New FOIA Policy

The Director of Finance reviewed that the Michigan Legislature approved new legislation (Public Act 563) in 2014 designed to make it easier for citizens to obtain information from their local government under the Freedom of Information Act. The law becomes effective July 1, 2015 and requires public bodies to establish specific written procedures and guidelines for FOIA requests, including a separate written summary informing the public on how to submit FOIA requests, how to understand the public body's responses to FOIA requests, deposit requirements, fee calculations, and procedures for challenging and appealing the denial of a request.

This information must be posted on the City's web site and include a detailed standard form that itemizes estimated fees or charges under FOIA. The itemization must list and explain each of the six components authorized under the new legislation, which includes several categories for labor costs, whether in paper or electronic form, cost of non-paper physical media used to produce public records (DVDs, flash drives, etc.), copying costs and postage.

The new law attempts to more closely standardize policies and forms statewide from one governmental entity to the next, thus making it easier for citizens to be familiar with the process wherever they go. The Michigan Municipal League in a joint effort provided a sample set of policies and forms for use that is adaptable for each municipality. The City Attorney prepared and City Clerk reviewed the policy and forms.

City Council was being asked to approve a resolution that would approve a new Freedom of Information Act Policy meeting the requirements of the new State law and continue the appointment of City Clerk position as the FOIA Coordinator and the City Manager position as the appeals body.

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

WHEREAS, as the Michigan Legislature adopted legislation in 2014 now known as Public Act 563 of 2014 that requires governmental entities to adopt more standardized policies, procedures and forms for Freedom of Information Act (FOIA) requests; and

WHEREAS, these policies, procedures and forms must be in place by July 1, 2015 for governmental entities to be allowed to continue to collect fees for such services; and

WHEREAS, the standardization of the FOIA process will make it easier for citizens to request and obtain information among governmental entities:

NOW, THEREFORE, BE IT RESOLVED that the City of Petoskey City Council does and hereby adopts the new FOIA Procedures and Guidelines and the Public Summary of FOIA Procedures and Guidelines as presented; and

BE IT FURTHER RESOLVED that the City Clerk position be appointed as the FOIA Coordinator and the City Manager position be appointed the head of the public body under sections 10 and 10a to receive any appeals from the FOIA request process.

Said resolution was adopted by the following vote:

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

NAYS: None (0)

Hear/Discuss DMB
Parking Recommendations

The City Manager reviewed that the DMB was asking that City Council consider 17 recommendations for changes to the overall downtown parking operation. Applied comprehensively, these initiatives will promote more turnover for high demand customer metered spaces in close proximity to the downtown area, incentivize employees to park in outlining areas freeing up metered spaces for downtown customers and assist to relieve some parking shortages during busy times of the year.

According to Section 21-32 and 33, Section 21-37 the City Manager is in charge of the general supervision of downtown parking with City Council having the authority to set fines from time to time. The City Manager was asking for City Council's input on the proposed recommendations.

The Downtown Director gave a brief presentation on the history of downtown parking, parking regulations, proposed recommendations and reviewed issues in settling outstanding fines through the court system.

City Councilmembers discussed the permit parking process; reviewed the rate increase to \$1.00 per hour for some on-street meters; discussed getting the City Attorney involved with unpaid fines; noted that meters in residential areas may be an issue; discussed various concerns that a booting policy may bring; and mentioned updating the Walker Parking Study.

Mayor Fraser asked for public comments and heard from those opposed to parking meters in residential neighborhoods; that fees should not be increased; that striping into neighborhoods sends wrong message; enforcement should be extended until 9:00 P.M.; that a booting policy is a negative approach and a proposed ordinance should be presented; that Omnipark information should be on all meters; that updating the Walker Parking study isn't needed; that comparatives to other cities were mainly larger communities; inquiries on what will be done with increased revenues; that Petoskey isn't aggressive enough on enforcement; that residents and business owners weren't surveyed to see opinions on recommendations; should look into decking the Darling Lot; and reviewed parking lot near County and the advantages and disadvantages of County employees parking for free.

City Councilmembers concurred to discuss this matter further at a future Council meeting.

Hear Council Comments

Mayor Fraser asked for Council comments and Councilmember Wills commented that a group of individuals are putting on a Farmers Market on Emmet Street and a request for crosswalk markings on Emmet Street were suggested and completed. City Councilmember Murphy mentioned that Emmet County Housing Council has funding for low income housing improvements and that the North Country Trail Town celebration and Public Safety Open House were well attended community events.

There being no further business to come before the City Council, this June 15, 2015, meeting of the City Council adjourned at 9:22 P.M.

W.J. Fraser, Mayor

Alan Terry, City Clerk-Treasurer