



CITY COUNCIL

August 17, 2015

A regular meeting of the City of Petoskey City Council was held in the City Hall Council Chambers, Petoskey, Michigan, on Monday, August 17, 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 Director of Public Safety John Calabrese.

Resolution No. 18891
Approve Consent Agenda Items

Following introduction of the consent agenda for this meeting of August 17, 2015, 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 confirms that the draft minutes of the August 3, 2015 regular-session City Council meeting be and are hereby approved; and

BE IT RESOLVED that receipt by the City Council of a report concerning all checks that had been issued since August 3 for contract and vendor claims at \$2,308,767.90, intergovernmental claims at \$774,651.55, and the August 13 payroll at \$194,471.36, for a total of \$3,277,890.81 be and is hereby acknowledged.

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.

The City Manager reviewed that IPMC compliance Hear City Manager Updates would be beginning for 415 Liberty Street property

with an anticipated completion date of November 30, 2015; that there will be a Bear Creek Township and City sewer study for future capacity for Bear Creek Township use; that downtown parking changes included removing 9 meters to make safer, added 41 new meters and cross hatched in parking areas; that the City Manager evaluation is due for Councilmembers by September 4 with review in closed session at the September 21 City Council meeting; that the 2016-2021 CIP will be discussed at the August 20 Planning Commission meeting and will be reviewed at the September 21 Council meeting;

that there is a potential applicant for a Redevelopment Liquor License, BRKP LLC, 446 East Mitchell Street, for a cigar bar which the DMB will review first on August 18; thanked the Director of Parks and Recreation, Parks and Recreation staff and Public Safety staff for efforts preparing for Festival on the Bay; and that there is no Council meeting scheduled for September 7, 2015.

The City Manager next reviewed that at the August 3, 2015 City Council meeting, City Councilmembers of State Fireworks Safety Act of 2011 directed staff to develop a resolution in support of

repealing the State of Michigan's Fireworks Safety Act that authorizes retail sales, possession and use of consumer grade fireworks. The City Manager also reviewed that upon Council approval the resolution will be sent with a formal letter from the Mayor to both State Representative Chatfield and State Senator Schmidt.

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

WHEREAS, the legislature of the State of Michigan enacted the Fireworks Safety Act of 2011 effective 2012, thereby authorizing the retail sales, possession and use of consumer grade fireworks; and

WHEREAS, this law has had a profound negative impact on the quality of life in the City of Petoskey; and

WHEREAS, there are grave concerns for the threat of fire and personal injury due to the enactment of this law; and

WHEREAS, the enactment of the Fireworks Safety Act of 2011 has had a negative effect on the City of Petoskey by increasing unwanted noise and litter; and

WHEREAS, the enactment of the Fireworks Safety Act of 2011 has caused a disturbance to the peace of the neighborhoods in the City of Petoskey:

THEREFORE, BE IT RESOLVED that the City of Petoskey City Council requests the members of the Michigan Legislature repeal the Fireworks Safety Act of 2011, and for the Governor to sign that repeal, in the interest of the well-being and the safety of the citizens of the City of Petoskey and the State of Michigan.

Said motion was approved by the following vote:

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

NAYS: None (0)

First Reading of a Proposed Ordinance that would Amend Article II, Ch. 10 "Fire Prevention and Control" to Restrict Use of Sky Lanterns

The City Manager reviewed that at the August 3, 2015 City Council meeting, a discussion was conducted regarding sky lanterns and the dangers they pose to city buildings, structures and residents. City Council directed staff to draft an ordinance to deal with this matter. The Director of Public Safety reviewed that defined in the proposed ordinance revision, a "sky lantern" is an airborne lantern typically made of paper with a wood frame containing a candle, fuel cell composed of waxy flammable material or other open flame which serves as a heat source to heat the air inside the lantern to cause it to lift into the air. This includes sky candles, fire balloons, Chinese lanterns, Kongming lanterns and other airborne paper lanterns.

The Director of Public Safety reviewed the proposed ordinance amendment to Article II of Chapter 10, Fire Prevention and Control, concerning sky lanterns to restrict their use in the City.

Sky lanterns pose a safety risk as users have no control over direction of the flight path, and they sometimes continue to burn after landing. The Department of Public Safety has reported several cases where sky lanterns have landed on objects in the City (i.e. boats and roofs) while still burning.

City Councilmembers concurred that sky lanterns are too much of a safety risk and that the proposed ordinance is a positive thing for the City.

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

City Council deferred action until the second reading of the proposed ordinance at the next scheduled meeting.

Discuss 2015 Action Plan and Goals The City Manager reviewed that as a follow-up to the City Council's June 26 and 27, 2015 work session that was held to conduct strategic planning and goal setting with City Council and staff, that City Council review four near-term action plan goals for the City. The City Manager requested deferring adoption of the draft Action Plan to allow both the DMB and Planning Commission to review and send any comments to City Council. The City Manager also reviewed that four emailed comments were received as part of input on the action plan.

This matter will be revisited at the next regular scheduled City Council meeting.

Hear Council Comments Mayor Fraser commended City staff on their efforts for a successful Festival on the Bay event.

There being no further business to come before the City Council, this August 17, 2015, meeting of the City Council adjourned at 7:21 P.M.

W.J. Fraser, Mayor

Alan Terry, City Clerk-Treasurer