



CITY COUNCIL

November 2, 2015

A regular meeting of the City of Petoskey City Council was held in the City Hall Council Chambers, Petoskey, Michigan, on Monday, November 2, 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: Kate Marshall, City Councilmember
John Murphy, City Councilmember
Grant Dittmar, City Councilmember
Jeremy Wills, City Councilmember

Absent: William Fraser, Mayor

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

Resolution No. 18910-18911
Approve Consent Agenda Items

Following introduction of the consent agenda for this meeting of November 2, 2015, City Councilmember Marshall moved that, seconded by City Councilmember Dittmar adoption of the following resolution:

BE IT RESOLVED that the City Council does and hereby confirms that the draft minutes of the October 19, 2015 regular-session City Council meeting be and are hereby approved;

BE IT RESOLVED that receipt by the City Council of a report concerning all checks that had been issued since October 19 for contract and vendor claims at \$555,314.18, intergovernmental claims at \$99,195.65, and the October 22 payroll at \$175,356.92, for a total of \$829,866.75 be and is hereby acknowledged; and

BE IT FURTHER RESOLVED that the City Council does and hereby authorizes the purchase of one latest-production-model, heavy-duty truck cab and chassis from Grand Traverse Diesel Service, Inc., Traverse City, for \$114,800, and to contract with Truck & Trailer Specialties, Boyne Falls, through the Mi-Deal Program for purchase and installations of plow attachments and salt spreader components for \$36,802.30, for total costs of \$151,602.30.

Said resolution was adopted by the following vote:

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

NAYS: None (0)

Resolution No. 18911

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

BE IT RESOLVED that the City Council does and hereby authorizes to enter into a three-year contract with Asplundh Tree Expert Company, Mt. Pleasant, for trimming and pruning of trees for an hourly rate of \$123.50; and

BE IT FURTHER RESOLVED that the City Council does and hereby authorizes to enter into a three-year contract with Willcome Tree Service, Petoskey, for an average cost of \$295 for removal and disposal of trees and stump grinding at unit cost of \$62, when required.

Said resolution was adopted by the following vote:

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

NAYS: None (0)

Hear Public Comment

Mayor Protem Murphy asked for public comments and heard Christian Janssens' concerns for a crossing guard at the intersection of Mitchell Street and Kalamazoo Avenue; and also heard from Carlin Smith, Petoskey Chamber Executive Director, concerning the Hemingway statue location and requested City Council reconsider the location.

The City Manager reviewed that there will be changes Hear City Manager Updates to MERS contribution rates beginning in 2017; that the

Magnus Park Campground playground equipment was removed due to safety concerns and could potentially be replaced in 2016; that leaf pickup was rescheduled with revised dates published on the City's website; and that DMB is reviewing a position statement for 200 East Lake Street to help guide potential developers.

Resolution No. 18912
Confirm Special Assessment
Roll; Schedule Hearing

The City Manager next reported that, following City Code provisions that regulated the City's special-assessment procedure, the City Council on October 19 conducted a public hearing and received comments concerning a September 29 report by the City Manager that had recommended the levy of special assessments against eligible, non-residential properties within the Downtown Management Board's territory to offset costs of programs and services that would be provided by the Downtown Management Board during 2016. Such revenues and expenditures have been included within the City's proposed 2016 Annual Budget.

Following the October 19 public hearing, the City Council, again in accordance with City Code special-assessment procedures, conditionally approved the proposed programs and services and their costs as they had been presented, established boundaries of the special-assessment district, and requested that an assessment roll be prepared by the City staff and presented to the City Council for its review at the November 2 City Council meeting.

The City Manager reported that the City Council had been provided a proposed special-assessment roll based upon the Downtown Management Board's September 22 recommendation that the same special-assessment formula that had been used last year for financing downtown-area programs and services again be used, with \$0.16 being the amount that would be assessed per square foot of useable, first-floor, non-residential building area; \$0.04 being charged useable, non-residential area on floors other than the first floor ; and vacant, unimproved lots being charged \$0.05 per square foot for lot area. To meet City Code requirements, the City Council was being asked to adopt a proposed resolution that would confirm the City Council's acceptance of the roll, order that the roll be placed on file at the City Hall for inspection, and schedule a public hearing for 7:00 P.M., Monday, November 16, to receive comments concerning this proposed special assessment.

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

WHEREAS, at its regular meeting of October 5, 2015, the City Council reviewed a report by the City Manager dated September 29, 2015, as required of City Code provisions, that listed programs and services that had been proposed to be provided property owners and tenants within the Downtown Management Board's territory along with a proposed assessment formula that could be implemented to finance such programs and services during 2016; and

WHEREAS, following that review, the City Council on October 5, 2015, scheduled a public hearing for October 19, 2015, to receive comments concerning proposed programs and services as intended to be provided by the Downtown Management Board, as well as costs that had been estimated by the Downtown Management Board for providing such programs and services; and

WHEREAS, City Council, on October 19, 2015, approved proposed programs and services as recommended by the Downtown Management Board at their September 22, 2015 meeting 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

WHEREAS, in addition to approving proposed downtown-area programs and services and costs of such programs and services, the City Council directed the City staff to prepare a special-assessment roll in accordance with the City Council's approval of recommended programs and services and costs of such programs and services for presentation to the City Council at its meeting of November 2, 2015; and

WHEREAS, in response to the City Council's direction, and in accordance with City Code provisions that regulate special-assessment procedures, the City staff has provided a proposed special-assessment roll:

NOW, THEREFORE, BE IT RESOLVED that the City of Petoskey City Council does and hereby accepts the assessment roll as prepared by the City staff and as presented to the City Council; and

BE IT FURTHER RESOLVED that the City Council does and hereby orders that said special-assessment roll be placed on file with the City staff and made available for inspection by the public; and

BE IT FURTHER RESOLVED that the City Council does and hereby schedules a public hearing for 7:00 P.M., Monday, November 16, 2015, to receive comments concerning this proposed special-assessment roll; and

BE IT FURTHER RESOLVED that the City Council does and hereby directs the City staff to publish a notice of the November 16, 2015, public hearing and notify potentially-affected property owners of said public hearing as required by City Code provisions that regulate the City's special-assessment procedures.

Said resolution was adopted by the following vote:

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

NAYS: None (0)

Resolution No. 18913
Report about 2016 Annual Budget:
Schedule Public Hearing

The City Manager reported that, as required of City Charter provisions, and as part of the City's routine, yearly process, the City Council had been presented with the City's proposed 2016 Annual Budget as part of November 2 meeting-agenda materials, that totaled \$27,912,900 in proposed operating and capital expenditures; and that, except to acknowledge its receipt, no action concerning the proposed budget now would be required of the City Council, but that, in addition to the City Manager's summary of the proposal, the City Council could begin discussions on the proposed budget.

The City Manager also reported that, as the first step in the budget-preparation process, the City Council was being asked to acknowledge receipt of the budget proposal and to adopt a proposed resolution that would schedule a November 16 public hearing to receive comments concerning the proposed budget and property-tax-millage rates that would be recommended as part of the proposed budget; and that the City Council could schedule the public hearing for any date that it chose, but that November 16 was suggested.

The City Manager reviewed the General Fund and various aspects in revenues, expenditures, taxable values and cost cutting measures that had been taken; utility costs that may increase due to wholesale power costs; and miscellaneous 2016 projects.

City Councilmembers discussed if other users are required to go underground when the City does, reviewed property tax administration fee; and discussed raising recreation rates too high, which could prevent lower income families from participating.

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

WHEREAS, as required by City Charter provisions, the City Manager has presented for the City Council's consideration the City's recommended budget for fiscal 2016; and

WHEREAS, City Charter provisions also require that a public hearing be conducted to receive comments concerning the proposed annual budget; and

WHEREAS, this proposed budget includes certain recommendations by the City Manager concerning the amounts of property-tax millage to be levied to partially finance City operations, programs, services, and projects during 2016; and

WHEREAS, the Michigan Truth-in-Taxation Act requires that public hearings be conducted to receive comments concerning proposed property-tax-millage rates, if such rates result in increased tax revenues, when compared with those of the previous year, and although millage rates that have been recommended by the City Manager are not expected to provide revenues in 2016 in excess of revenues that were received in 2015, the City wishes to conduct such a hearing:

NOW, THEREFORE, BE IT RESOLVED that the City of Petoskey City Council does and hereby schedules a public hearing for 7:00 P.M., Monday, November 16, 2015, at the City Hall, to receive comments concerning the City's proposed 2016 Annual Budget and property-tax-millage rates that will be recommended to be levied during 2016 as part of the proposed budget.

Said resolution was adopted by the following vote:

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

NAYS: None (0)

Hear Council Comments

Mayor Protem Murphy asked for Council comments and City Councilmember Dittmar commented that the fence was temporarily fixed after the accident on the 200 East Lake Street property; and both City Councilmember Marshall and Murphy reminded citizens to vote at tomorrow's General Election.

There being no further business to come before the City Council, this November 2, 2015, meeting of the City Council adjourned at 9:15 P.M.

John Murphy, Mayor Protempore

Alan Terry, City Clerk-Treasurer