

Regular Council Meeting
Tuesday, November 20, 2012
412 Main St. - City Hall
Frankfort, Michigan 49635 (231) 352-7117

Meeting was called to order by Mayor Johnson at 7:00 p.m.

Pledge of Allegiance

Roll Call - Present: Condon, Haan, Holwerda, Jackson, Johnson Absent: None

Request to Appear Before Council

None

Public Input

Mayor Johnson – Johnson stated last month that Kristin Hollenbeck was not doing well. She has since passed away and her funeral will be held next Monday, November 26th. Johnson also informed the public that Catherine Simpson former council member and Mayor from 1992 to 1997, also passed away this past weekend. He asked for a moment of silence to honor these women.

Correspondence

Bev Kidder – Thank you and kudos to the City workers

Kristine Olsen Clarke – Naming the Elwin H. Bellows Park (7th St. Beach Park)

Approval of Minutes

Motion by Condon, seconded by Holwerda to approve the regular minutes of 10/16/2012 as presented.

RC: Yeas: All

Nays: None
Motion CARRIED

Approval of Bills

Motion by Holwerda, seconded by Condon to approve prepaid vouchers #43060-43136 in the amount of \$222,813.34. Payroll vouchers #26410-26492 in the amount of \$46,973.55.

RC: Yeas: All

Nays: None
Motion CARRIED

Motion by Condon, seconded by Johnson approving monthly Vouchers #43137-43189 in the amount of \$115,425.40 as presented.

RC: Yeas: All

Nays: None
Motion CARRIED

Committee Reports

a) Personnel/Public Safety

The City is still working out settlement negotiations with Mr. Cavric and hoping to have a meeting on December 4, 2012.

b) Finance

The finance committee will meet December 6th at 9:00 a.m.

c) Water/Sewer & Solid Waste

No meeting

d) Recreation Board

Met on November 14th, there was discussion between the Tree Board and the Recreation Board regarding Tank Hill. There was approval made in 2010 for Disc Golf study on Tank Hill. The board also discussed the summer recreation program which ended the season short of breaking even by about \$100. The recreation master plan will need to be updated. The last update to the plan was in 2008. There was discussion on the playground equipment and that there may be a donation by the DeVos family for shade covering. There might be an MSU student who will be assisting in working on assessing each of the parks and develop plans for them. Members of the Recreation Board will meet with the Tree Board on December 11th to go over uses for Tank Hill.

e) Fire Advisory

The Fire Advisory approved the formation of a dive team and passed on their recommendation for council approval. They also recommended approval of a mutual aide agreement between the Frankfort Fire Department and the United States Department of Interior National Park Service to provide fire service to the Sleeping Bear Dunes National Lakeshore. This is on the agenda for council approval. Mills informed the council on the passing of Marshall Morris who was on the fire advisory board for years as a representative from Lake Township. The Fire Advisory board also discussed the need for a ladder truck and worked on the language for a letter of understanding between the Frankfort Fire Department and Paul Oliver Memorial Hospital for operation and maintenance of a decontamination trailer.

f) Planning Commission

Mayor Johnson reported on the meeting of November 13th. The DDA public hearing was moved to January. The City will need to come up with funds for the grant match on the Complete Streets grant. Bayview Grille is in compliance except for the striping which will be required in the spring. Nothing new to report on the Rec center at this time. Reported that condition of the two homes that were issued letters on their need for repair; one is waiting to be sold and the other still has time to get in compliance. The Zoning Board passed a variance for parking for “Stormcloud Brew Pub”. Renewal for moratoriums on medical marihuana and alternative energy were approved and sent to council for approval. Four changes were made to the zoning ordinance which included (1) Roof pitch from 10:12 to 14:12, (2) change the building height from 30’ to 18’ in north city residential, (3) changes in the maximum height of any detached garage and (4) minimal floor space, 1 story 1000 sq. ft. to 680 sq. ft.

g) Airport Authority

Preparing for the winter. Snow removal equipment is coming. Take-offs and landings are up as well as fuel consumption.

h) Grants

Mills is hoping to close the DNR Launch ramp grant. Mills is still working on the Wi-Fi grant. To get a grant for the lighthouse there needs to be money on hand for the grant match.

i) BLUA

Nothing new to report.

j) Brownfield Redevelopment

No meeting.

k) Marina Authority

No meeting.

l) Tree Board

Haan reported that there was not a meeting this month however there is a work session at the nursery on the 25th to relocate trees and the next day on the 26th to trim trees. There was more wood cutting on Tank Hill on November 3rd and 17th and they are still allowing the public to remove the downed wood. The next Tree Board meeting will be Dec 11th.

Holwerda also mentioned that the Periwinkle Garden Club was honored for its work in keeping the City's parks beautiful for the last forty (40) years. Mayor Johnson presented plaques that will be placed in each of the parks they maintain and Bob McCall gave a brief history of the Periwinkle Garden Club. Mayor Johnson also calculated that the Periwinkler's logged over 1650 hours per year and \$200,000.00 in service.

m) Commissioner's Report

The County Commission met today and the main item of discussion was the Maples. The Maples is currently in a crisis situation as they are currently spending more money than they are bringing in. The bed count is currently low, seven (7) empty beds, where in the past there would be a waiting list. The commissioners passed a motion to assist the Maples in paying bills for three (3) months. There has already been 5 or 6 staff positions lost. The commissioners are working closely with the Maples administration and CPA to get on track.

Departmental Reports

Clerk/Treasurer – Kidder reported voter turn out for the election was 67%. The election went very well and many times throughout the day all the voting booths were full. Kidder stated that she received a draft audit and that she would be in contact with the auditor to set up the day for the audit presentation.

Kidder and Mills met with the risk control agent from the PAR plan who suggested that the City subscribe to the State of Michigan Bureau of Driving and Vehicle Records. This program would notify the City of any traffic violations of employees that operate City vehicles. Kidder did enroll in the program and receive the records for all DPW, Police and Fire employees. This program is no charge for municipalities.

Kidder informed the council of a liquor license transfer from the Betsie Bay Inn to the new owners of the Frankfort Inn. Kidder also announced that there is one opening on the Zoning Board of Appeals. Colleen Sutter has opted not to continue serving on the board.

Superintendent – Mills informed the council that the Safe Routes to School Grant that the City was awarded involved a grant match for the fees associated with the engineering consultant for preliminary and final design. Abonmarche wrote the grant pro-bono so there is a moral obligation to consider them for the design work. The total estimated expense of the Abonmarche proposal was \$24,800.00. Mills will work with the finance committee to see how the City can meet that grant match.

Mills submitted the lease to the MDNR and Department of Interior and is awaiting feedback from them. The City crew has been busy finishing up the leaf hauling and making preparations for winter by removing flower barrels and garbage cans, winterizing the City parks, clearing sand from the streets and beach sidewalk, jetting sanitary sewer mains, and repairing pot holes among their other duties.

The Main Street Lift Station is experiencing numerous issues pertaining to the control and transducer. The current equipment is obsolete and repairing it is just a band-aid. If the equipment fails there could be a sewage overflow that could effect the Betsie Bay. Mills feels that the system needs to be upgraded to the SCADA system. Mills wants to schedule a meeting with the council and Windemuller Electric to explain the depth of the problem and benefits of the SCADA system.

Mills highlighted the Planning and Zoning issues that were given in the Planning Commission report. The Fire Department responded to 147 runs from January 1st to October 14th while the MFR responded to 244 runs from January 1st to October 26th. Mills is still trying to get reimbursed from Consumers Energy for manning downed power lines until Consumers appears on scene. The Fire Advisory Board discussed the need for an aerial truck and a heavy rescue rig. They also discussed a dive/rescue team and a Mutual Aide Agreement with the National Park Service and a Memorandum of Understanding with POMH regarding a decontamination trailer. These items are on the agenda.

Chief of Police – There was no Halloween parade for the elementary school kids due to weather. Halloween night was cold and wet and wound down early. Redder stated that his department did hand out all their lightsticks. Redder stated that he is working with elementary principal Jeff Tousley and Emergency Management Coordinator Frank Post on a lockdown exercise at the elementary school.

Redder stated that there have been numerous larcenies from vehicles in the past few weeks. They did make an arrest in connection with incidents at the high school but Redder warned the public to keep the valuables out of the vehicles and if they leave them make sure they are out of sight and the vehicle is locked.

Redder is still researching video cameras for the police cars versus body worn cameras. The life rings and throw bags are off the piers and won't be put back out until next April.

Redder attended a 911 meeting where they are working on narrow banding radio project. Redder reported that his staff has received the 800 mhz radios and they are now waiting on the State to make up the template that they will be using. When asked about the age of their bulletproof vests, Redder stated that they need to be replaced and thought grants were available through the feds. There was a request by council to change the message on the police department phone that directs people to contact 911 or the sheriff's department if no one is on duty.

Old Business

a) Adopt Animal Control Ordinance - Kidder

Motion by Holwerda, seconded by Condon to adopt Ordinance D-2 of 2012, the revision of Chapter 4 Section 4108 pf the Municipal Code regarding Animals in Public Areas as presented and publish in the Benzie County Record Patriot. This ordinance becomes effective 10 days after publication

RC: Yeas: All

Nays: None
Motion CARRIED

B) Resolution of Intent to Create DDA - Mills

Motion by Holwerda, seconded by Condon to readopt the City of Frankfort DDA Resolution of Intent with a public hearing scheduled on January 8, 2013 at 6:00 p.m. on the adoption of a proposed ordinance creating the Frankfort Downtown Development Authority and designating the boundaries of the downtown district.

RC: Yeas: All

Nays: None
Motion CARRIED

New Business

A) Committee Re-Appointments – Mayor Johnson

Motion by Mayor Johnson (no seconded required) to appoint Myra Elias, Tim Klein, Jeff Tousley and Ken Lake to the Recreation Board; Kurt Luedtke to the BLUA Board and Kurt Luedtke, Kim Fairchild and Phyllis Kullman to the Zoning Board of Appeals.

RC: Yeas: All

Nays: None
Motion CARRIED

B) Approve Liquor License – Chief Redder

Motion by Johnson, supported by Condon to approve the Resolution for a Micro Brewer Liquor License to Three Speed Ales, LLC, DBA Stormcloud Brewing Company for the business located at 303 Main Street, Frankfort, MI.

RC: Yeas: All

Nays: None
Motion CARRIED

C) Tree Board Administration and Enforcement Process – Mayor Johnson

Mayor Johnson discussed streamlining the Tree Board administration and enforcement process. The Tree Board and Recreation Board need to work together on matters concerning parks. Both need to work together with City Superintendent. The recreation board needs to meet more frequently. No action was taken.

D) As-Built Record Drawings- Mills

Motion by Holwerda, seconded by Condon to authorize City Superintendent to sign the as-built record drawings agreement with McKim & Creed. Contractual requirements will be referred to the approved Professional Services Agreement. Funding will be expended from the following: \$4,500.00 out of line item 592/535.590.801.00 (professional services–sewer) and perform a budget amendment to transfer \$2,600.00 from line item 591/400.591.970.100 (capital outlay equipment – water) and place into line item 591/535.591.801.00 (professional services – water).

RC: Yeas: All

Nays: None
Motion CARRIED

E) Mutual Aid Agreement – NPS & Frankfort City Fire Dept - Mills

Motion by Johnson, seconded by Jackson to allow City Superintendent, Clerk/Treasurer and Fire Chief to sign Mutual Aid Agreement between the National Park Service and the Frankfort City Fire Department.

RC: Yeas: All

Nays: None
Motion CARRIED

F) Memorandum of Understanding – POMH and Frankfort City Fire Department – Mills

Motion by Condon, seconded by Jackson to allow City Superintendent to sign Memorandum of Understanding between Paul Oliver Memorial Hospital and the Frankfort City Fire Department in order to define the scope associated with the operation and maintenance of a decontamination trailer.

RC: Yeas: All

Nays: None
Motion CARRIED

G) Medical Marijuana Moratorium - Mills

Motion by Johnson, seconded by Condon to adopt Resolution 3-1 renewing the moratorium regarding the establishment of businesses and individuals engaged in the

growing and distribution of medical marihuana in the City of Frankfort and will remain in effect 180 days after it becomes effective.

RC: Yeas: All

Nays: None
Motion CARRIED

H) Renewable Energy Moratorium - Mills

Motion by Holwerda, seconded by Condon to adopt Resolution 3-2 renewing the moratorium regarding the issuance of permits, licenses and site plan approval for all forms of energy creation, collection and conservation within the City of Frankfort and will remain in effect 180 days after it becomes effective.

RC: Yeas: All

Nays: None
Motion CARRIED

I) Street Maintenance Agreement/Benzie Co Road Commission - Mills

Motion by Condon, seconded by Haan to allow City Superintendent and Mayor to sign Street Maintenance Agreement between the City of Frankfort and the Benzie County Road Commission.

RC: Yeas: All

Nays: None
Motion CARRIED

PUBLIC INPUT –

Peggy Hawley – 403 Forest Ave. – Hawley spoke up in support of the Tree Board and the work they have done as a service to the City. The Board should be given a vote of confidence instead of a reprimand. They did not ask for the trees to die, they are doing what they can to keep the trees healthy, they have cut trees, performed garlic mustard pulls all of this by volunteers for the City.

Adjournment

Motion by Condon, seconded by Jackson to adjourn the meeting at 8:50 p.m.

RC: Yeas: All

Nays: None
Motion CARRIED

Robert J. Johnson, Mayor

Kimberly K. Kidder, Clerk/Treasurer