

CITY OF MACKINAC ISLAND

MINUTES

CITY COUNCIL

Wednesday, February 07, 2024 at 3:00 PM

City Hall – Council Chambers, 7358 Market St., Mackinac Island, Michigan

I. Call to Order

Mayor Doud called the meeting to order at 3:00 pm

II. Roll Call

PRESENT

- Richard Chambers
- Tom Corrigan
- Steven Moskwa
- Anneke Myers
- Alan Sehoyan
- Richard Linn, Treasurer
- Doug Topolski, Chief of Police
- Erin Evashevski, via Zoom in St. Ignace, MI

ABSENT

- Brian Bailey

III. Pledge of Allegiance

IV. Approval of Minutes

- a. Minutes of the January 24, 2024 City Council Meeting were presented.
Mayor Doud stated that the minutes stood approved as presented.

V. Approval of the Treasurer's Report

- a. Approval of the 2.07.2024 Treasurer's Report as presented.
Motion made by Moskwa, Seconded by Corrigan.
Voting Yea: Chambers, Corrigan, Moskwa, Myers, Sehoyan

VI. Approval of Payments for:

Approval of the bills and payroll as presented.
Motion made by Myers, Seconded by Moskwa.
Voting Yea: Chambers, Corrigan, Moskwa, Myers, Sehoyan

VII. Additions to / Adoption of Agenda

To adopt the agenda as presented.
Motion made by Chambers, Seconded by Corrigan.
Voting Yea: Chambers, Corrigan, Moskwa, Myers, Sehoyan

VIII. Committee Reports

IX. Correspondence

- a. Emails from James Murray & Erin Evashevski regarding the Star Line resident pass issues were presented.
 - Attorney Evashevski noted that she received a response from Mr. Murray regarding complaints about Star Line requiring a Mackinac Island driver's license to get a resident pass.
 - Don't think this correspondence gets to the point of what needs to be addressed - someone might have a different address on their ID or may lease on the island, there are a number of issues, but that does not take away from the fact that these people are year-round residents.
 - Not getting quick enough replies to get anywhere with this issue. Would suggest having a meeting with Star Line to review these issues.
 - Star Line is still going back to the City defining what an "Island Resident" is. Attorney Evashevski believes the City has done this sufficiently in the Winter Service Contract
 - Mayor Doud requested that a meeting be set up with Star Line to discuss
 - Councilman Moskwa inquired if a committee meeting should be held ahead of time to discuss what a resident is

- Attorney Evashevski commented that the Winter Service Contract language regarding an “Island Resident” is as follows:
 - “The term “Island Resident” as used in this agreement means only those individuals that are residents of the City of Mackinac Island and who produce satisfactory documentary evidence of such residence by way of a driver’s license, voter identification card, utility bill, or similar evidence. Alternatively, proof of residence can be established by production of documentary evidence verifying that the individual physically resides on Mackinac Island. The City agrees to support compliance with the “Island Residency” requirement and that the rates applicable to Island Residents and allow MIFC reasonable discretion in its enforcement.”
- It seems that Star Line is taking the stance that there is no proof of residency other than a driver’s license.
- Councilwoman Myers noted that this seems to be a matter of enforcing the Franchise Agreement and the language that has been agreed to by both Star Line and the City of Mackinac Island.
- Mayor Doud would like a special Council meeting scheduled with Star Line to discuss the residency issued as well as the engineering report that was just received.
- Councilwoman Myers noted that the Council may not be able to address this until March due to council members being gone, so the earlier the meeting can be scheduled, the better
- Tentative meeting date of Wednesday, February 14, 2024. Time is to be determined after Attorney Evashevski speaks with Star Line.

X. Old Business

Councilman Chambers commented on how nice this year’s Winter Festival turned out, and requested that a thank you letter be sent to Mackinac Island Recreation Development (MIRD) for all of their hard work.

Motion by Chambers, second to the motion by Moskwa, to send a thank you letter to MIRD - thank you

Councilman Corrigan noted that he has recently spoke with EUP Connect regarding their next steps.

- There will be another survey coming out for allocating money in the state of Michigan, occurring in the next 2 months
- Spectrum Communications is purchasing Astrea (heard via the EUP Connect meeting)

XI. New Business

- a. Discussion regarding Star Line dock report from U.P. Engineers & Architects, Inc.
 - Will be discussed at the special meeting to be scheduled for Wednesday, February 14th
- b. Discussion Dalton Jarvis regarding Power Construction using vehicles vs. drays to haul concrete for Grand Hotel earth retention project
 - Dalton Jarvis – thinking they will need to hold off on getting concrete to hotel due to frost laws. Hauling with trucks will help catch up and get back on schedule.
 - Dennis Dombroski inquired is this was concrete for retaining wall
 - Mr. Jarvis confirmed that it was
 - 3,000-pound super sacs, would need to cut in half to 1,500 for dray
 - Mr. Dombroski noted that the basic dray will not exceed the capacity for the roads with or without frost laws. Cannot haul loaded trucks - tandem axel dump truck, normal load is 8 cubic yards (8 ton), loads are cut in half during frost laws to 4 ton.
 - Service company can haul 1 super sac per dray
 - Drays were used to haul the concrete for the pool project and can be used for this project as well
 - Mr. Jarvis agreed that they would use drays and will not need trucks.
 - Frost laws went into effect last Friday due to warm weather.
- c. Approval of the new Resolution of Intent for Capital Improvements Bonds for Phase III of the Forest Way Townhomes to account for construction cost increase
 - Increased to \$3,100,000
 - Warren Creamer noted that he received correspondence from Mayor’s Assistant Trista France from O’Boyle & Co. regarding bid, which prompted the rise in bond price.
 - Cost to complete the project is about \$2,963,000.00 plus provisions. Would rather air on side of caution. Recommend not to exceed amount of \$3.1 million.

- Attorney Evashevski spoke to Tom Colis and he sent a revised Notice of Intent Resolution. Resolution presented today contains the adjusted cost and supersedes the initial intent previously passed and published.
- Councilman Moskwa noted that the cost is more than the City hoped, but we need to move forward on this project.

Motion made by Moskwa, Seconded by Sehoan.

Voting Yea: Chambers, Corrigan, Moskwa, Myers, Sehoan

- d. Approval of the proposal from O'Boyle & Company to construct Phase III of the Forest Way Townhomes
- Councilwoman Myers spoke with Mayor Doud and Dennis Dombroski, who met with O'Boyle to go over the bid and to add storage buildings to quote as well. Felt that based on some of the items installed, like sprinkling system, it would be best to do stick built giving more control over the project. Recommend that O'Boyle is hired to construct phase III of the Forest Way Townhomes. Estimated cost - time and materials contract - \$2,963,000.00.
 - Timeline of starting September 2024, finishing June 2025.
 - Councilman Sehoan noted that he has personally worked with O'Boyle on several projects. They have very high integrity and are good at meeting their deadlines. O'Boyle has also completed many projects on the island, so they are familiar with the process.
- Motion made by Sehoan, Seconded by Chambers.
- Voting Yea: Chambers, Corrigan, Moskwa, Myers, Sehoan
- e. Approval for the Fire Department to purchase new hoods and gloves for new recruits in an amount not to exceed \$850.00.
- Motion made by Moskwa, Seconded by Chambers.
- Voting Yea: Chambers, Corrigan, Moskwa, Myers, Sehoan
- f. Approval for the Police Department to apply for two grants for new body cameras and ballistic vests
- Chief Topolski noted that vests are either expired or expiring soon and he would like to apply for an annual grant to purchase new ones.
 - Body cameras will soon not to be supported by the manufacturer and are about to reach the end of their 6-year life. Pricy, but another grant that can be applied for for rural, small towns.
 - Grant applications are due end of March.
 - Will be adding to department's upcoming budget as well.
- Motion made by Myers, Seconded by Corrigan.
- Voting Yea: Chambers, Corrigan, Moskwa, Myers, Sehoan
- g. Approval to schedule the following budget related meetings and hearings
- Budget Work Session for March 20, 2024 at 1:00 pm
 - Councilman Bailey will not be able to attend the work session on March 20th
 - Councilman Moskwa is not sure if he will be returning on March 19th or 20th
 - Budget Hearing for March 27, 2024 at 1:45 pm
 - Special Budget Meeting for March 27, 2024 at 2:00 pm
- Motion made by Myers, Seconded by Moskwa.
- Voting Yea: Chambers, Corrigan, Moskwa, Myers, Sehoan
- j. Approval of the Planned Maintenance Agreement with Cummins Sales & Services for the City generators and authorization for the Clerk's office to execute the agreement.
- Motion made by Myers, Seconded by Moskwa.
- Voting Yea: Chambers, Corrigan, Moskwa, Myers, Sehoan
- k. Approval of a Competitive Event Application for the Otillo SwimRun
- August 25, 2024 - last Sunday in August.
 - Same timeframe as previous races.
- Motion made by Myers, Seconded by Sehoan.
- Voting Yea: Chambers, Corrigan, Moskwa, Myers, Sehoan
- l. Vehicle Permit Update for Hammon Lot in Stonecliffe Manor 1, Lot 14 - Plutchak, Steve Brinks, Jack Armstrong
- City Clerk noted that the telehandler permit had to be amended further from what was presented. Originally told that the telehandler was in use for two days, when in fact it was used for seven days. Application was amended and the additional fee was billed accordingly.

- Councilwoman Myers inquired what was to be done in these situations where approved dates and timelines were disregarded and the City was not updated on changes. Who monitors this?
- Attorney Evashevski commented that she would like to understand the process and situation better before answering, but that this seems like issue.
- Suggested that Arnold Freight, Police Department, City Clerk, Myron Johnson of the State Park, and Attorney Evashevski have a conversation to discuss this issue.
- City Clerk noted that permit numbers were implemented again a few years ago. Numbers are assigned to all vehicle and trailer permits received, and that information is then entered into a spreadsheet that is shared with the Police Department, Fire Department, Arnold Freight, carriage companies, and the Mayor's office. Scanned copies of the approved permits are also passed along to this same group of people
 - This process was implemented again to keep accountability for vehicles being escorted – permits were to be presented prior to any vehicle being escorted, but it does not appear that this is being done.
 - Approved permits are also sent by the Clerk to each applicant after they are approved.
- Chief Topolski commented that many contractors balk at needing to provide permits prior to being escorted. If Council wishes the PD will begin requiring permits again, and if the drive does not have it, they will have to remain at the dock until they can provide it.
- Councilman Moskwa inquired if drivers could provide a digital copy of their approved permit(s).
 - Chief Topolski thinks there may be a disconnect on the contractor's administrative end
 - Don't think Arnold Freight wants to be responsible for checking permits
 - Veronica Dobrowolski of Arnold Freight commented that they can print approved copies of permits after meetings, check them with what is coming in, and give copies to drivers
 - Myron Johnson of the State Park noted that there are a lot of contractors traversing between the City and State Park who are unaware that they need a State Park permit in addition to their City permit.
 - State law requires a State Park permit for all vehicles traversing in the park. May start stationing State Park personnel at the British Landing dock to verify permits and may begin issuing tickets.

Approval of updates on permits for the Hammon project, Stonecliffe Manor 1, Lot 14.

Motion made by Myers, Seconded by Moskwa.

Voting Yea: Chambers, Corrigan, Moskwa, Myers, Sehoyan

- m. Approval of a 60-day vehicle extension for Bob Benser at 1256 Truscott Street for a telehandler used to move heavy construction materials. Vehicle will remain in use on site until March 31, 2024.

Motion made by Moskwa, Seconded by Sehoyan.

Voting Yea: Chambers, Corrigan, Moskwa, Myers, Sehoyan
- n. Approval of a preapproved vehicle permit for Market Street LLC at 7407 Market Street (Rose Gazebo). A mini excavator arrived on January 29th for building demolition and electrical work, and will remain until February 15th. Vehicle will remain in alley behind the building and will not be used from the Market Street side.

Motion made by Myers, Seconded by Moskwa.

Voting Yea: Chambers, Corrigan, Moskwa, Myers, Sehoyan
- o. Approval of a preapproved vehicle & trailer permit for Belonga Excavating to move a ground heater to Benser's work site at 1256 Truscott Street. Trailer was moved on January 29th and was in use for one (1) week.

Motion made by Moskwa, Seconded by Chambers.

Voting Yea: Chambers, Corrigan, Moskwa, Myers, Sehoyan
- p. Approval of a preapproved vehicle permit for By The Bay Glass at the Biddle Point Pump Station for the Dept. of Public Works (DPW). Vehicle arrived on February 1st and was in use for one (1) day. Fee was waived as this was work for DPW.

Motion made by Myers, Seconded by Chambers.

Voting Yea: Chambers, Corrigan, Moskwa, Myers, Sehoyan

- q. Approval of a vehicle permit for Blinderman Construction at the Carousel Arcade on Market Street. Vehicle will arrive on February 19th and will be in use for two days for welding structural steel.
Will be parked behind trailer in alley by Cindy's
Motion made by Myers, Seconded by Moskwa.
Voting Yea: Chambers, Corrigan, Moskwa, Myers, Sehoyan
- r. Approval of an Off-Island Business License Application for Northwoods Products
Motion made by Myers, Seconded by Corrigan.
Voting Yea: Chambers, Corrigan, Moskwa, Myers, Sehoyan
- s. Approval of three vehicle & three trailer permits for Northwoods Products for steel delivery to the Grand Hotel
- Sub contractor of spence brothers
- Dennis Dombroski noted that steel was not anticipated and now needed to finish façade
- Has not seen or heard anything about weights they plan to bring. Briefly had discussion with Richard Chambers of Grand Hotel that they made need to break up weights / make more trips due to frost laws.
- Councilwoman Myers noted that if the dates are altered, they need more trips or vehicles, it must be run through Mayor's office for approval.
- Vehicles and trailers are set to arrive on February 8th and will be in use for one (1) day.
Motion made by Myers, Seconded by Corrigan.
Voting Yea: Chambers, Corrigan, Moskwa, Myers, Sehoyan
- t. Approval of new dates for Belonga Excavating to perform a street cut at the Benser project at 1256 Truscott Street.
- Street will most likely be blocked from McGulpin Street to Main Street.
- Clerk will include Fire Chief St. Onge in approval email so that he is aware of the road closure. Contractor also needs to stay in touch with MIFD during the project
- Allen Burt noted that the water is on West side of street so they'll have to cut all the way across.
Motion made by Moskwa, Seconded by Sehoyan.
Voting Yea: Chambers, Corrigan, Moskwa, Myers, Sehoyan
- u. Approval of two trailer permits for BSA Troop 290 to haul gear and supplies to the Scout Barracks. Trailers will arrive on June 8th and will remain at the barracks until June 15th.
Motion made by Myers, Seconded by Corrigan.
Voting Yea: Chambers, Corrigan, Moskwa, Myers, Sehoyan
- v. Request for approval of two vehicle permits for Belonga Excavating to haul fill from the Big Barns to the Inn at Stonecliffe. Vehicle and trailer will arrive on February 8th and will be in use for four to six days.
- Chad Belonga spoke with Dennis Dombroski and knows they can only haul 4 yrd loads
Motion made by Moskwa, Seconded by Myers.
Voting Yea: Chambers, Corrigan, Moskwa, Myers, Sehoyan
- w. Approval for Belonga Excavating to perform a sidewalk cut for Steve Schunk at 7293 Main Street (Old Thunderbird building). Cut is to take place around March 1st and will be completed by April 15th.
- Lead is under sidewalk, so only cutting sidewalk and not street
Motion made by Myers, Seconded by Moskwa.
Voting Yea: Chambers, Corrigan, Moskwa, Myers, Sehoyan
- x. At this time, the Council announced that it will enter into closed session to discuss an attorney client opinion regarding Shepler's proposed baggage fee, but opened the floor for public comment first
- Zach Ray, resident French Lane
- City has authority to set ferry rates, and Shepler's acknowledged that they did not inform City before advertising these new rates
- Councilman Moskwa noted that this has been discussed with Chris Shepler and that Shepler's should have started at the City level. City has the opinion that they can regulate these types of fees and the City will be looking into this further. There is an action in motion and the Council will be having closed session to hear from legal counsel on how we can move forward.

- Mr. Ray inquired what this cost will do to residents in respect to groceries and their every day stuff? This has already been advertised by Shepler's on their website - how is this going to go? This is also an issue for the Dock Porters (Mr. Ray worked 11 years on the docks). Do not see this benefitting the porters in any way.
- Councilman Moskwa noted that the Council is still trying to work this issue out, especially the resident aspect.
- Believes that this is a revenue effort. Hotels believe that the price is excessive.

Motion made by Myers, Seconded by Moskwa, to enter into closed session at 4:05 pm to discuss a written attorney opinion regarding the proposed luggage charge by Shepler Ferry.
Voting Yea: Chambers, Corrigan, Moskwa, Myers, Sehoan

Motion made by Myers, Seconded by Moskwa, to leave closed session at 4:45 pm.
Voting Yea: Chambers, Corrigan, Moskwa, Myers, Sehoan

Motion made by Chambers, Seconded by Corrigan, to enter into open session at 4:45 pm.
Voting Yea: Chambers, Corrigan, Moskwa, Myers, Sehoan

Motion made by Myers, Seconded by Corrigan, to offer the following resolution regarding the proposed baggage fee from Shepler's Ferry

The City Council determines, for the following reasons, that the proposed bag charge is not only unprecedented, but it also is unjustified:

- 1.) The proposed charge of \$4.00 per bag imposes a significant financial burden on every person coming to or leaving the Island with a bag. A charge of \$4.00 per bag is an additional charge of 11% on a \$36.00 round trip ticket if the traveler has only one bag. The financial burden increases with the number of bags. The financial burden is especially heavy for families.
- 2.) The Mackinac Island Convention and Visitors Bureau and the Mackinac Island Tourism Bureau, in a joint letter to the Transportation Committee, have pointed out that:
"The implementation of the proposed luggage fees, in their current form, jeopardizes the financial stability of lodging facilities, undermining the vital support they provide to the boarder business community where there is only one industry...tourism. When lodging facilities suffer, the entire Island suffers."
- 3.) Neither the Transportation Committee, nor the Council, has been furnished any information regarding the number of bags stolen or lost under the current system, but apparently lost or stolen bags is not a significant problem.

Voting Yea: Chambers, Corrigan, Moskwa, Myers, Sehoan

XII. Miscellaneous / General Council Discussion / Additional Agenda Items

Old Business

- Mr. Dombroski informed the Council that Astrea has a generator at headend and it should be hooked up soon. Electricians are scheduled to run tests soon. Generator should be hooked up and ready to be used in about one week.

XIII. Adjournment

There being no further business, the meeting was adjourned at 4:45 pm.

Motion made by Myers, Seconded by Moskwa.

Voting Yea: Chambers, Corrigan, Moskwa, Myers, Sehoan