

February 8, 2010

Regular meeting of the Ludington City Council held in the Council Chambers of the Municipal Building on Monday, February 8, 2010, at 6:30 o'clock p.m.

Present: His Honor Mayor John Henderson, and Councilors Kaye Holman, Paul Peterson, Wally Taranko, Brent Scott, Wanda Marrison, and Gary Castonia.

Absent: Councilor Pete Enblade who was excused as he was ill.

Also present were City Manager John Shay, City Attorney Richard Wilson, Police Chief Mark Barnett, Fire Chief Jerry Funk, Interim City Treasurer Linda Rogers, and City Clerk Deborah Luskin.

Invocation was pronounced by Police Chief Mark Barnett.

Pledge to the Flag was given.

His Honor Mayor Henderson asked that the presentation by the Finance Committee regarding an Update to Charges for Services be moved up to the first item under Communications. Moved by Councilor Holman, seconded by Councilor Marrison, that the Agenda be approved as corrected. Motion Carried.

The meeting was opened for public comments.

Jim Peters, 1252 Blue Heron Drive, explained that he moved to Ludington three years ago and offered the observation that Ludington is a City of 4 way intersections. The intersection of Bryant Road and Washington Avenue is currently not a 4 way intersection but a 2 way stop, east and west. He explained that the road contours are relatively flat from the south, east, and west. There is a slight gradient as you approach from the north through the woods. Traffic safety is a matter of being able to predict driver behavior. One of the elements of traffic safety is to condition a driver to create a habit to drive in a certain manner when approaching an intersection, to be consistent from one intersection to another and he referenced the 4 way intersection just to the south at the corner of Washington Avenue and Tinkham Avenue. The goal is to instill a sense of caution for the driver when approaching an intersection, limit the amount of surprise for a driver. He referred to a petition of 114 names that was submitted to City Council and the feeling that these petitioners had was that a driver is on sensory overload when approaching the intersection. A natural instinct for a driver is to hesitate when approaching this intersection which leads to confusion with the locals and the seasonals, who are not familiar with the traffic patterns. He concluded that with the natural development of the community that this intersection should be changed to a 4 way stop.

Tom Taylor, 303 N Park St., explained that he became interested in this intersection about 5 years ago when he was involved in an accident which cost \$7,500 to repair his car. He explained that when you drive to the corner of Washington Avenue and Bryant Road, facing west, you are not able to see North Washington Avenue due to a dip in the road as well as trees which make a tunnel that obstructs the grade of the road making it almost impossible to see any vehicles coming south. He presented pictures showing the different views at this intersection. He suggested that a stop sign might be cheaper than redoing the road.

Gerry Miller, 1239 Blue Heron Drive, stated that the audience is not able to hear anything that the Council is saying and asked Council to speak into their microphones. His Honor Mayor Henderson stated that they would work on speaking into the microphones.

Mary Peters, 1252 Blue Heron Drive stated that she has had several near miss accidents at the corner of Washington Avenue and Bryant Road. This is a very busy road with the traffic from Northside Market as well as the summer seasonal traffic. She stated that she is in favor of a 4 way stop at the intersection of Washington Avenue and Bryant Road.

Norma Koepp, 1267 Blue Heron Drive, stated that the intersection of Washington Avenue and Bryant Road is a confusing corner as people think that there is a four way stop here. She stated that she would like to see stop signs placed at this intersection.

Jim Martin, 1271 Blue Heron Drive, explained that the statistic that we have no information on is the 'almost' category. His wife wanted the public to know that she had almost 3 very near accidents at this corner. There are a lot of 'almost' near accidents that have occurred here.

After no comments were received, the regular order of business was resumed.

Moved by Councilor Castonia, seconded by Councilor Holman, to approve the minutes of the regular meeting 01/25/10. Motion Carried.

His Honor Mayor Henderson publicly thanked Councilor Holman for filling him for him at the last meeting.

Councilor Holman introduced the Finance Committee members and then proceeded to review the Charges for Services issue that was asked of them last year. The question was whether the City should charge for the Police Department and DPW Department's overtime that is spent working on special events. The Finance Committee has decided to continue to provide the City's services on special events at no cost and to internally look at different ways to do things more efficiently with less people. The Finance Committee does not believe that they want to impose anything more on the event holders who are bringing more people and money in to the City. The City will look at this later date and see how the summer goes. The City will be asking the event holders to handle some of the responsibility for the events such as setting up the picnic tables, etc. with their resources other than that of the City. Councilor Castonia asked if there was a way to keep track of what it does cost the City for their involvement in these special events so that when the City does revisit this at a later date they have more information to make an informed decision. His Honor Mayor Henderson stated that the City does have this information and will take a look at this at the end of the summer season.

Moved by Councilor Holman, seconded by Councilor Taranko, to approve Ludington and Scottville Chamber of Commerce Request to hold the 2010 Gus Macker Basketball Tournament on June 19 and 20, 2010, in Stearns Park and closure of several streets. Motion Carried.

Moved by Councilor Castonia, seconded by Councilor Scott to approve Ludington and Scottville Chamber of Commerce Ludington Offshore Classic Fishing Tournament July 15-18, 2010, to be held in Waterfront Park. Motion Carried.

Moved by Councilor Peterson, seconded by Councilor Marrison, to approve Ludington and Scottville Chamber of Commerce 27th Annual Gold Coast Festival August 14 and 15, 2010. Councilor Castonia stated that he continues to see the same problem that they have every year with the vendors taking all of the good parking spots. Councilor Marrison also agreed with this. His Honor Mayor Henderson asked Police Chief Barnett to look into this with the Ludington and Scottville Chamber of Commerce. Motion Carried.

Moved by Councilor Castonia, seconded by Councilor Taranko, to approve the Ludington Police Department's Request to hold Water Safety Days at the north half of the Loomis Street Boat Ramp on June 12, 2010. Motion Carried.

Moved by Councilor Holman, seconded by Councilor Peterson, that the Finance Report with total expenditures in the amount of \$358,040.13 for this period be approved and orders drawn according to the City Charter. Motion Carried.

Moved by Councilor Holman, seconded by Councilor Peterson, to approve the proposed Contract for Building Inspection Services. The City has contacted Ed Britton who performs these contract services for Mason County and is willing to contract with the City. He will hold office hours from 10:30 a.m.-12:30 p.m. Monday and Wednesday at City Hall. The City will pay him 50% of fees collected for new building permits and 100% of fees collected for plan reviews. The City will pay him 50% of the fees already collected on existing building permits. The City will pay him an hourly rate of \$21.59 for work associated with enforcing the Property Maintenance Code. Motion Carried.

Moved by Councilor Castonia, seconded by Councilor Taranko, to approve Traffic Control Order #107-A, Determining and Establishing a Stop Street on northbound Washington Avenue, at the intersection of Bryant Road with the condition that the Mason County Road Commission approves the stop sign for the southbound traffic on Washington Avenue. City Manager John Shay stated that Mason County Road Commission has jurisdiction in putting a stop sign for south bound traffic because the city limits and the township limits come together at this intersection. Moved by Councilor Holman, seconded by Councilor Peterson, to refer this back to committee with the possibility of putting a yield sign on the two corners. Councilors Holman and Peterson voted for this motion and Councilors Taranko, Marrison, Scott, and Castonia voted against this motion. Motion Failed. The initial motion for determining a stop street was then brought back for discussion. Councilor Holman explained that the reason she referred this back to Committee for more discussion is because she has a problem with putting more stop signs up in the City. She believes we should look into this issue more. Five of the last 15 accidents over the past six years have been deer accidents. Councilor Peterson explained that he travels this area two or three times a day and has not yet seen what the problem is at this intersection. He stated that at the time this was brought to Committee there were only two members present and the vote was a split vote so he believes it should go back to Committee for more study. Councilor Castonia stated that a yield sign would not do any good and would add to confusion. He does not believe that it would do any good going back to committee. His Honor Mayor Henderson asked if the City has spoken to Pere Marquette Township. Police

Chief Mark Barnett explained that he has spoken with the Pere Marquette Charter Township Supervisor and he stated that he is in approval of placing the stop signs. Councilor Holman did not vote at all. Councilor Peterson opposed. Motion Carried.

RESOLUTION TO APPLY FOR PORT SECURITY GRANT FUNDS

WHEREAS, the Ludington Police and Fire Departments and Mason County Sheriff's Office have identified equipment needed to enhance the security of the Ludington Port and the safety of the Public Safety personnel working in that port; and

WHEREAS, there is federal grant funding available through the Port Securities Grant program to implement security needs including the purchase of a side scan sonar unit and twelve exposure suits; and

WHEREAS, the City of Ludington can apply for 100% of the costs of this equipment with no local match.

THEREFORE, BE IT RESOLVED, that the Ludington City Council authorizes applying for Port Security Grant Funds in the amount of \$41, 1121.57 to purchase a side scan sonar unit and twelve exposure suits.

Moved by Councilor Castonia, seconded by Councilor Holman, that the foregoing Resolution be adopted. Motion Carried.

Fire Chief Jerry Funk presented the 2009 Fire Department Annual Report and was available to answer questions. He explained that structure fires were down from 9 to 6, minor fires up from 5 to 16, mutual aid was down from 16 to 9, vehicle extrications went from 64 to 44, medical calls are down from 65 to 58, general calls are down from 99 to 90, and total calls down from 258 to 223. The Fire Department participated in Friday Night Live events, they teach fire prevention at schools, and they cover all football games. The big fire was at Longfellow Towers Fire and he commended the firemen and the cooperation with all outside units. He stated he has a very dedicated group of firemen. The Fire Department just lost 2 firemen to retirement and so the group is down to 17. He stated they are taking applications. Councilor Peterson asked Chief Funk to describe the amount of training that is required on the Fire Department. There NIMS classes which are held on weekends and at night which consist of over 300 hours of training and the firemen do not get reimbursed. Chief Funk stated that he would like the City to work on reimbursing the firemen for some of their time at these trainings. Councilor Holman stated that the EMS calls are down over last year and asked whether that is a good thing for the Fire Department. Chief Funk explained that the only time the Fire Department gets a call to assist EMS is if they are asked by Life EMS. Councilor Peterson asked what the state of the equipment was. Chief Funk explained that the equipment was in excellent condition. The Fire District takes care of all apparatus and the maintenance and insurance which is a big savings to the City.

Moved by Councilor Castonia, seconded by Councilor Scott, to accept the 2009 Fire Department Annual Report. Motion Carried.

Police Chief Mark Barnett presented the 2009 Police Department Annual Report and was available to answer questions. He provided historical figures from 1993 to 2009. He focused on 2009 calls of 6,529 for service and arrests which have decreased a little from 2008 of 6,811. There was one attempted murder and arson. The assaults, larcenies, frauds, and vehicle thefts have all decreased in 2009. The arrests for burglaries increased from 5 in 2008 to 25 in 2009. Traffic crashes are also down in 2009 from 2008. Police Chief Barnett explained that some of the significant events in 2009 were the attempted murder arson at 408 N Rath Ave. and the Metal Works strike. There were a number of highlights of initiatives presented by Chief Barnett. These include the networking group which worked on some gang activity and prescription drug abuse, TAPS, neighborhood watch groups, Drive Safe, Drive Sober, were all very successful this year. Chief Barnett explained that the goals for 2009 included utilizing the police reserves more to patrol the TAPS area, to increase the neighborhood watch groups, and to institute in car live computer reporting. Councilor Scott asked how the registration for sex offenders in the rental program was turning out. Chief Barnett explained that the intent of this program was to make the school zones safe and the result was that the registration program got all sex offenders out of the school zone and then a good amount of these sex offenders moved outside the City. Councilor Peterson asked if the department's professionalism is a reflection of the training they receive. Chief Barnett agreed that training has a huge effect on this.

Moved by Councilor Castonia, seconded by Councilor Marrison, to accept the 2009 Police Department Annual Report. Motion Carried.

Councilor Castonia publicly thanked both Chiefs for their excellent reports.

RESOLUTION IN SUPPORT OF U.S. BIKE ROUTE 20 IN THE CITY OF LUDINGTON

WHEREAS, bicycle tourism is a growing industry in North America, contributing \$47 billion a year to the economies of communities that provide facilities for such tourists; and

WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) has designated a corridor crossing the lower peninsula of Michigan to be developed as United States Bike Route 20 (USBR 20); and

WHEREAS, the Michigan Trails and Greenways Alliance, with the cooperation of the Michigan Department of Transportation (MDOT) and other stakeholders, has proposed a specific route to be designated as USBR 20, a mpa of which is herein incorporated into this resolution by reference; and

WHEREAS, the proposed route for USBR 20 comes through the City of Ludington and can therefore provide a benefit to our residents and businesses; and

WHEREAS, the City has investigated the proposed route and found it to be a suitable route through the community, and desires that the route be designated, so that it can be mapped and signed, thereby promoting bicycle tourism in our area.

THEREFORE, BE IT RESOLVED that the City of Ludington hereby expresses its approval and support for the development of USBR 20 ,and request that the appropriate officials see to it that the route is officially designated by AASHTO as soon as this can be achieved.

Moved by Councilor Castonia, seconded by Councilor Holman, that the foregoing Resolution be adopted.
Motion Carried

Councilor Holman explained that she was in contact with Robert Dickson to provide the City with a presentation of the 2009 annual report from the Mason County District Library at the next meeting.

Moved by Councilor Holman, seconded by Councilor Castonia, that the meeting be adjourned. So carried at 7:40 p.m.

Deborah L. Luskin, CMC
City Clerk