

**City of Charlevoix**  
**City Council Regular Meeting minutes**  
**Monday, May 16, 2022 - 6:00 PM**  
Council Chambers, 210 State Street, Charlevoix, MI

**1. Pledge of Allegiance**

The meeting was called to order at 6:00 p.m. by Mayor Kurtz. The Council, staff, and members of the public rose and recited the Pledge of Allegiance.

**2. Roll Call**

Mayor: Mayor Luther Kurtz

Members Present: Greg Bryan, Aaron Hagen, Janet Kalbfell, Mark Knapp, Phil Parr, Richard Spring

Members Absent: None

City Manager: Mark L. Heydlauff

City Clerk: Sarah J. Dvoracek

**3. Presentations**

**A. Department of Public Works Report**

Pat Elliott, Public Works Superintendent

Pat Elliott, Public Works Superintendent, provided Council with his Department of Public Works Report. The report highlights included a successful winter season including minimal water main breaks and minimal frozen water service lines. The department is gearing up for the busy summer season by planning and preparing for all the summer festivals, detailing the City parks, beach grooming, and cleaning streets and maintenance of the cemeteries. Superintendent Elliott also provided fun facts about the department's many responsibilities, including the maintenance and upkeep of the cemetery property, developed park properties, local and major streets, state truckline, water system, sewer system, and stormwater system.

Mayor Kurtz opened the item for public comment. None were heard.

**4. Inquiry Regarding Conflicts of Interest**

**5. Consent Agenda**

Mayor Kurtz opened the item for public comment, one was heard.

Motion by Parr, Second by Bryan to approve the consent agenda as presented.

Yeas: Bryan, Hagen, Kalbfell, Knapp, Parr, Spring

Nays: None

Absent: None

**Motion carried.**

**A. City Council Meeting Minutes - May 2, 2022**

Motion to approve the minutes as presented.

**B. Accounts Payable and Payroll Check Registers**

| <u>Dates</u>                                                                                | <u>Description</u>         | <u>Amount</u> |
|---------------------------------------------------------------------------------------------|----------------------------|---------------|
| 05/13/2022                                                                                  | Payroll Transmittal Checks | \$5,406.49    |
| 5/13/2022                                                                                   | Payroll (net pay)          | \$106,175.93  |
| 05/17/2022                                                                                  | Regular Accounts Payable   | \$227,631.18  |
| 05/02/2022 - 05/13/2022                                                                     | ACH/WIRE Payments          | \$151,499.21  |
| Grand Total                                                                                 |                            | \$490,721.81  |
| To view the entire accounts payable and payroll check registers, <a href="#">Click here</a> |                            |               |

Motion to approve the accounts payable and payroll check registers as presented.

C. Trout Tournament East Park/Boat Launch Request

Motion to approve the Trout Tournament Event in East Park, along with approval of Resolution 2022- 05-01 waiving launch fees for participants on the requested days.

**CITY OF CHARLEVOIX**  
**RESOLUTION NO. 2022-05-01**  
**WAIVE LAUNCH FEES FOR TROUT TOURNAMENT**

**WHEREAS,** the Lake Charlevoix Area Trout Tournament will be held on June 10-12, 2022;  
and

**WHEREAS,** the Lake Charlevoix Area Trout Tournament is requesting that boat launch fees be waived for the tournament and the June 9 practice fishing day; and

**WHEREAS,** Title VII, Chapter 71, Section 71.04 of the City Code permits City Council to waive boat launch fees for special or public events.

**NOW THEREFORE BE IT RESOLVED,** that the City of Charlevoix hereby waives launch fees for the Lake Charlevoix Area Trout Tournament from June 10 to June 12, 2022.

**RESOLVED** on this 16th day of May, 2022 A.D.

Resolution was adopted by the following yea and nay vote:

Yeas: Bryan, Hagen, Kalbfell, Knapp, Parr, Spring

Nays: None

Absent: None

D. 2022 Chamber of Commerce Events

Motion to grant the use of East Park and Ferry Beach for the above-mentioned Chamber events.

E. Completion of Boat Launch Paving Project

Motion to approve change order #1 for \$37,490.00 for Rieth-Riley Construction.

## 6. Public Hearings and Actions Requiring Public Hearings

### A. Ordinance to Amend Ward Boundaries

Sarah Dvoracek, City Clerk

Motion by Knapp, Second by Kalbfell to approve Ordinance Amendment 832.

#### **CITY OF CHARLEVOIX Ordinance No. 832 of 2022**

*AN ORDINANCE TO AMEND TITLE III, CHAPTER 30, SECTION 30.01 OF THE CHARLEVOIX CITY CODE*

#### **THE CITY OF CHARLEVOIX ORDAINS:**

***SECTION 1. Title III, Chapter 30, Section 30.01 is hereby repealed and replaced in its entirety as follows:***

#### **30.01 WARD BOUNDARIES.**

***The several boundaries of the three wards of the City shall be described as follows:***

**1. REVISED FIRST WARD DESCRIPTION:***All that territory embraced within the corporate limits of the City of Charlevoix lying Northerly and Easterly of the following described line: **BEGINNING** at the North extension of the centerline of Grant Street at the shore of Lake Michigan (on the North side of Pine River Channel); thence Southerly along the extended centerline of Grant Street to the centerline of Park Avenue; thence Southwesterly along the centerline of Park Avenue to the centerline of Sherman Street; thence South along the centerline of Sherman Street to the centerline of Antrim Street; thence East along the centerline of Antrim Street to the centerline of Grant Street; thence South along the centerline of Grant Street to the centerline of Hurlbut Avenue; thence East along the centerline of Hurlbut Avenue to the centerline of Bridge Street; thence North along the centerline of Bridge Street to the centerline of Mason Street; thence East along the Easterly extension of Mason Street to the shore of Round Lake; thence Northeasterly to a point in the middle of Round Lake at the intersection of the Southerly extension of Nettleton Street with the Easterly extension of Clinton Street; thence Southeasterly to the intersection of the centerline of the Upper Pine River Channel (Southerly of Park Island) with Round Lake; thence Southeasterly along said centerline of said Upper Channel to Lake Charlevoix being the Point of Ending.*

**2. REVISED SECOND WARD DESCRIPTION:***All that territory embraced within the corporate limits of the City of Charlevoix lying Southerly and Westerly of the following described line: Commencing at the North extension of the centerline of Grant Street at the shore of Lake Michigan (on the North side of Pine River Channel); thence Southerly along the extended centerline of Grant Street to the centerline of Park Avenue; thence Southwesterly along the centerline of Park Avenue to the centerline of Sherman Street, being the **POINT OF BEGINNING** of this description; thence South along the centerline of Sherman Street to the centerline of Antrim Street; thence East along the centerline of Antrim Street to the centerline of Grant Street; thence South along the centerline of Grant Street to the centerline of Hurlbut Avenue;*

thence East along the centerline of Hurlbut Avenue to the centerline of Bridge Street; thence South along the centerline of Bridge Street to the centerline of St. Mary's Drive; thence West along the centerline of St. Mary's Drive to the centerline of State Street; thence South along the centerline of State Street to the centerline of Bridge Street; thence Southwesterly along the centerline of Bridge Street to the centerline of Highway M-66; thence Southeasterly along the centerline of Highway M-66 to the corporate limits of the City of Charlevoix, being the Point of Ending.

**3. REVISED THIRD WARD DESCRIPTION:** All that territory embraced within the corporate limits of the City of Charlevoix lying Easterly and Southerly of the following described line:

**BEGINNING** at the centerline of Highway M-66 at the corporate limit of the City of Charlevoix; thence Northwesterly along the centerline of Highway M-66 to the centerline of Bridge Street; thence Northeasterly along the centerline of Bridge Street to the centerline of State Street; thence North along the centerline of State Street to the centerline of St. Mary's Drive; thence East along the centerline of St. Mary's Drive to the centerline of Bridge Street; thence North along the centerline of Bridge Street to the centerline of Mason Street; thence East along the Easterly extension of Mason Street to the shore of Round Lake; thence Northeasterly to a point in the middle of Round Lake at the intersection of the Southerly extension of Nettleton Street with the Easterly extension of Clinton Street; thence Southeasterly to the intersection of the centerline of the Upper Pine River Channel (Southerly of Park Island) with Round Lake; thence Southeasterly along said centerline of said Upper Channel to Lake Charlevoix being the Point of Ending.

## **SECTION 2. Severability.**

No other portion, paragraph or phase of the Code of the City of Charlevoix, Michigan shall be affected by this Ordinance except as to the above sections, and in the event any portion, section or subsection of this Ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this Ordinance or of the Code of the City of Charlevoix, Michigan.

## **SECTION 3. Effective Date.**

*This Ordinance shall become effective thirty (30) days after its enactment.*

Ordinance No. 832 was adopted on the 16th day of May, 2022 A.D., by the Charlevoix City Council as follows:

Yeas: Bryan, Hagen, Kalbfell, Knapp, Parr, Spring

Nays: None

Absent: None

**Motion carried.**

## **7. All Other Actions and Requests**

### **A. Planning and Zoning Services Contracts-Networks Northwest**

Mark Heydlauff, City Manager

City Manager Heydlauff stated the City has contracted with Networks Northwest for both planning and zoning administration services for several years now. With the Master Plan nearing completion, the need for planning services will decrease. The pricing is reflective of

the changes by decreasing the costs from \$98,000 annually to \$71,000 annually. City Manager Heydlauff stated he plans on hiring a seasonal enforcement officer to assist with the short-term rental ordinance.

Mayor Kurtz opened the item for public comment. None were heard.

Motion by Spring, Second by Kalbfell to approve the contracts with Networks Northwest for Planning and Zoning Services and authorize the City Manager and City Clerk to sign the agreements. **Motion carried by unanimous voice vote.**

B. Special Event Policy Review

Mark Heydlauff, City Manager

City Manager Heydlauff explained the fees and the actual costs from events in the past. The fee schedule should be reviewed annually by Council. The special event policy is a balancing act between economic development and spreading out the city's resources over the course of the busy season. Sarah Van Horn, President of the Chamber of Commerce answered some questions from the Council regarding the effects of the proposed special event policy on the Chamber. Council collectively agreed to have City staff track special events expenses closer this year and consider this item in the fall.

Mayor Kurtz opened the item for public comment. None were heard.

C. Residential Unit Size Requirements

Luther Kurtz- Mayor

Mayor Kurtz stated one of the Council's goals is to have year-round housing and, by allowing for smaller residential unit size requirements, this may help achieve this. Mayor Kurtz is requesting the Planning Commission review the City's ordinance and provide City Council with a recommendation.

Mayor Kurtz opened the item for public comment. One was heard.

Motion by Parr, Second by Spring to request the Planning Commission review Zoning Code requirements around minimum unit and building size standards relative to year-round, attainable housing. **Motion carried by unanimous voice vote.**

D. Mayoral Appointments

Mayor Kurtz stated he would like to make the following appointments: Kirby Dipert to the DDA Board of Directors for a term to expire April 1, 2026 and Sherm Chamberlain to the Planning Commission for a term to expire April 1, 2025.

Mayor Kurtz opened the item for public comment. None were heard.

Motion by Kalbfell, Second by Hagen to confirm the Mayor's appointment of Kirby Dipert to the DDA Board of Directors for a term to expire on April 1, 2026. **Motion carried by unanimous voice vote.**

Motion by Hagen, Second by Kalbfell to confirm the Mayor's appointment of Sherman Chamberlain to the Planning Commission for a term to expire on April 1, 2025. **Motion carried by unanimous voice vote.**

8. Reports and Communications

A. Public Comment

- Annemarie Conway introduced herself and stated she is running for County Commissioner.
- Shirley Gibson sang Happy Birthday to Mayor Kurtz.
- Alyssa Milazzo shared her struggles with finding affordable housing in the City.

B. City Manager's Comments

- On Sunday, the City hosted an appreciation day at the Golf Course and offered free golf to our residents. The golf course made \$5,000 in sales, so the event was a huge success and will continue in the future.
- Current spring projects are underway, the docks are installed, Park Avenue and Michigan beach grass seeding areas will be marked.
- Shared a story about his encounter with a resident at the golf course and their fond memories of Karen Golovich.

C. Mayor and Council Comments

Council collectively wished Mayor Kurtz Happy Birthday!

**9. Other Council Business**

**10. Adjourn**

Mayor Kurtz adjourned the meeting at 6:56 p.m.

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Sarah J. Dvoracek

City Clerk

Luther Kurtz

Mayor