

City of Charlevoix
City Council Regular Meeting minutes
Monday, June 20, 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: Luther Kurtz

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

Members Absent: None

City Manager: Mark Heydlauff

City Clerk: Sarah Dvoracek

3. Presentations

4. Inquiry Regarding Conflicts of Interest

5. Consent Agenda

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

Motion by Parr, seconded by Kalbfell 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 - June 6, 2022

Motion to approve the minutes as presented.

B. Accounts Payable and Payroll Check Registers

<u>Dates</u>	<u>Description</u>	<u>Amount</u>
06/09/2022	Special Accounts Payable Run	\$200.00
06/10/2022	Payroll (net pay)	\$120,117.23
06/10/2022	Payroll Transmittal Checks	\$5,544.99
06/03/2022 - 06/10/2022	ACH/Wire Payments	\$157,895.86
Grand Total		\$534,032.09
To view the entire accounts payable and payroll check registers, please Click here.		

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

C. Low-income Energy Assistance Fund Opt-out

Motion to opt out of Public Act 95 of 2013 for the 2022-2023 heating season.

D. Use of Bridge Park for Boyne Thunder Lunch

Motion to approve the use of Bridge Park for Boyne Thunder lunch.

E. Water Treatment Plant Low Service Pump Improvements: \$16,000

Motion to approve the proposal from Prein & Newhof for the engineering of the improvement of the low service pumps at the Water Treatment Plant for time and material cost not to exceed \$16,000 and authorize the City Manager to sign the agreement.

F. Charlevoix Yacht Club Request for Free Parking for the Nucore Triangle Race & Red Fox Regatta Race

Motion by Parr, seconded by Bryan to approve Resolution 2022-06-01 to waive the parking fees at the Ferry Launch Ramp for the Nucore Triangle Race and the Red Fox Regatta Race on September 2, 3, and 4, 2022.

**CITY OF CHARLEVOIX
RESOLUTION NO. 2022-06-01**

WAIVE PARKING FEES FOR CHARLEVOIX YACHT CLUB

WHEREAS, the Charlevoix Yacht Club is hosting the Nucore Triangle Race and Red Fox Regatta on September 2-4, 2022; and

WHEREAS, the Charlevoix Yacht Club is requesting that parking fees be waived for the races; and

WHEREAS, the City Code permits the City Council to waive parking fees for special or public events.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Charlevoix, hereby waives parking fees for the Nucore Triangle Race and Red Fox Regatta on September 2-4, 2022.

RESOLVED this 20th day of June, 2022 A.D.

Resolution was adopted by the following yea and nay vote:

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

Nays: None

Absent: None

Motion carried.

G. Building Authority Commission Appointment: City Manager Mark Heydlauff

Motion to appoint City Manager Heydlauff to the Building Authority Commission, term expiring June 2025.

6. Public Hearings and Actions Requiring Public Hearings

7. All Other Actions and Requests

A. Proposed Donation: Miniature Painted Sailboat Honoring Dale and Marilyn Boss
Linda Boss

Mark Heydlauff, City Manager
Pam Beatty

City Manager Heydlauff stated there is a group of people interested in offering a donation of a miniature painted sailboat to memorialize the life and work of Dale and Marilyn Boss. City Manager Heydlauff stated that he included the donation policy for Council as a reference.

Linda Boss, daughter of Dale and Marilyn Boss, shared her memories of her parents, their life experiences and volunteer stories within the community. Linda Boss stated she is seeking preliminary permission for a miniature painted sailboat honoring her parents.

Council discussed the location of the sailboat.

Mayor Kurtz opened the item for public comment. Three were heard, one opposed and two in favor.

Council had more discussion regarding the City's donation policy and the location.

Pam Beatty, daughter-in-law of Dale and Marilyn Boss, and artist of the proposed piece of art, explained her experience as an artist and her other art pieces located in the City.

Mayor Kurtz opened the item for public comment again, Council concurred. Three were heard, one opposed and two in favor.

Motion by Spring, seconded Parr to forward the proposed donation request to the Planning Commission with the understanding that Council request that the sailboat will not be located in East Park in the green space from the performance pavilion to the trout pond.

Motion carried by unanimous voice vote.

B. 2022 Charlevoix Venetian Festival-Approvals and Permits

Mark Heydlauff, City Manager
Dan Barron- Charlevoix Venetian Festival President

Dan Baron, President of the Venetian Festival, Inc., addressed Council and stated this year has a great schedule of events ahead. Bridge Street will be closed Thursday through Saturday. Mr. Baron stated that he spoke to business owners and they were concerned about not enough events scheduled in the closed streets, but this year the Venetian Committee has partnered with many local groups to help fill any voids with many different events.

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

Motion by Knapp, seconded by Kalbfell to authorize the Mayor to sign the contract between the City of Charlevoix and the Charlevoix Venetian Festival including the payment of \$15,000 to the Venetian Festival.

Motion carried by unanimous voice vote.

Motion by Kalbfell, seconded by Spring to authorize the City Clerk to issue the fireworks permit for the 2022 Venetian Festival fireworks displays and authorize the City Manager to sign the Hold Harmless Agreement with Colonial Fireworks Special Effects, LLC.

Motion carried by unanimous voice vote.

Motion by Parr, seconded by Bryan to motion to approve the Mass Gathering Permit and the street closure plan as presented.

Motion carried by unanimous voice vote.

C. Special Event Policy for City Marina

Kent Knorr, Recreation Director

Recreation Director Knorr stated the City Marina currently does not have an application process or clear approval process for group holds at the Marina. The Special Event Policy presented doesn't impact any of the annual events and while the City values the opportunity to welcome boat and sailing regattas, it is nearly impossible to accommodate these events during the peak season. Director Knorr stated we would like to encourage these special events in the shoulder seasons and this policy will allow the Marina to handle all requests in a consistent way.

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

Motion by Hagen, seconded by Knapp to motion to approve the Marina Event Policy.

Motion carried by unanimous voice vote.

D. Electric Department Rules and Regulations

John Griffith, Electric Department Director

John Griffith, Electric Department Director, explained the draft Rules and Regulations presented are a framework for City staff to provide fair and consistent treatment of the City's electric customers. The Rules and Regulations will be a living document and updated as needed. Previously, the Electric Department did not have any written Rules and Regulations and it is best practice to have such a document in place so that everyone knows how to handle issues that arise consistently.

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

Motion by Bryan, seconded by Hagen to adopt the Charlevoix Electric Department Rules and Regulations as presented.

Motion carried by unanimous voice vote.

E. Solar Valuation Study-Renewable Credits

John Griffith, Electric Department Director explained that as part of the fee schedule within the annual budget there were several rates that needed more analysis. The City worked with Utility Financial Solutions for a more in-depth review of solar and solar with storage values. The study concluded changing the Renewable Credit rate to 3.5 cents per kWh and stated the City should pay 4.94 cents per kWh for solar generation and 6.45 cents per kWh for solar generation with storage. Director Griffith stated the change in rates will only impact one customer.

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

Motion by Spring, seconded by Kalbfell to approve the Renewable Credit rate for customer owned solar generation as recommended in Utility Financial Solutions' study as presented.

Motion carried by unanimous voice vote.

F. Resolution to Purchase Foreclosed Property

Mark Heydlauff, City Manager

City Manager Heydlauff stated Council discussed this topic at their last meeting and a resolution was prepared if the Council decides to move forward with the purchase of the orphan parcel.

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

Motion by Parr, seconded by Bryan to approve Resolution 2022-06-02 to approve the purchase of foreclosed property.

CITY OF CHARLEVOIX
RESOLUTION NO. 2022-06-02
AUTHORIZATION TO PURCHASE FORECLOSED PROPERTY

WHEREAS, the City of Charlevoix hereby notifies the Charlevoix County Treasurer of their intent to purchase foreclosed property commonly known as parcel number 052-270-078-60 and legal description of THE S HALF OF SD LOT AND ALSO EXCEPT THE N 54 FT OF SD LOT 2017 NEW TO ROLL E 10 FT OF LOT 77 UPRIGHT & HURLBUTS ADDITION TO THE CITY OF CHARLEVOIX EXCEPT; and

WHEREAS, the City of Charlevoix wishes to exercise its First Right of Refusal as stated in Public Act 123, as amended; and

WHEREAS, the City of Charlevoix agrees to the purchase price of \$442.33, which the amount is the minimum bid as defined in MCL 211.78m(1) as well as a \$52.12 recovery and deed recording fee; and

WHEREAS, the City of Charlevoix agrees to indemnify, defend, save and hold harmless Charlevoix County and Betty Simon, individually and/or as Charlevoix County Treasurer and/or as Foreclosing Governmental Unit, from any and all claims, liabilities, damages, losses, suits, fines, penalties, demands and expenses, including costs of suit and attorney fees, which Charlevoix County and/or Betty Simon, individually and/or as Charlevoix County Treasurer and/or as Foreclosing Governmental Unit incurred because of or related to the election of the City of Charlevoix to purchase the property above described.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Charlevoix authorizes the City Mayor and City Clerk to sign the Notice to Charlevoix County Treasurer, Betty Simon, the Foreclosing Government Unit, of Election to Purchase Foreclosed Property.

RESOLVED this 20th day of June 2022 A.D.

Resolution was adopted by the following yea and nay vote:

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

Nays: None

Absent: None

Motion carried.

G. Housing Initiatives Fund Policy

Mark Heydlauff, City Manager

City Manager Heydlauff explained the City created the Housing Initiatives Fund in 2020-2021. The draft policy would clarify the intention of the use of these funds and give Council latitude to be supportive of workforce housing opportunities as they may arise in the future.

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

Motion by Hagen, seconded by Spring to approve the Housing Initiatives Fund policy as presented.

Motion carried by unanimous voice vote.

8. Reports and Communications

A. Public Comment

B. City Manager's Comments

- The EPA and EGLE will continue their soil boring testing near Antrim, Clinton, and State streets and they will continue over the next ten days
- The Planning Commission is finalizing the Master Land Use Plan and will have a draft for Council's review next month
- EGLE conducted the City's Sanitary Survey and he would like to thank Pat Elliott and Nick Hilling for their hard work in the positive outcome
- The Recreation Department is tracking some potential grant funding
- Glow ball was a great success at the Municipal Golf Course

C. Mayor and Council Comments

- Council Member Bryan stated the golf course looks amazing and the management is doing a very good job.
- Council Member Spring stated he also golfed on the Municipal Golf Course and had a great time. He thanked the public for attending.
- Council Member Parr stated the glow ball event was a great time and the business after hours hosted by the Golf Course and Chamber was a great success as well.

9. Other Council Business

10. Adjourn

Mayor Kurtz adjourned the meeting at 7:15 PM

Sarah J. Dvoracek

City Clerk

Luther Kurtz

Mayor