

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, May 17, 2021 – 6:00 p.m.
210 State Street, Charlevoix, MI

The meeting was called to order at 6:00 p.m. by Mayor Kurtz.

1. Pledge of Allegiance

2. Roll Call

Mayor: Luther Kurtz
Members Present: Greg Bryan, Aaron Hagen, Janet Kalbfell (remote from Charlevoix), Mark Knapp, Phil Parr
Members Absent: Brian Slater
City Manager: Mark L. Heydlauff
City Clerk: Joyce Golding

3. Presentations

- A. Robert Boch Jr. Mayoral Proclamation
The Mayor presented a proclamation honoring the life of Robert Boch Jr. and his service to the northern Michigan trail community.
- B. Library Update
Charlevoix Public Library Director Ryan Deery discussed activities at the library and how they have continued to serve the community despite the pandemic.
- C. EPA Update: Charlevoix Municipal Well Superfund Site
Representatives from the United States Environmental Protection Agency and the Army Corps of Engineers provided an update on remediation work to deal with the contamination still in the ground from when it was first discovered in the late 1970s. The Mayor suggested that any questions from the public be sent directly to the presenters (contact information found in the presentation).

4. Inquiry Regarding Conflicts of Interest

Hagen disclosed he had a conflict of interest with Item 7.E. The Mayor disclosed he had a potential conflict with Item 7.D.

5. Consent Agenda

All items listed under Consent Agenda are considered routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion of an item is required, it will be removed from the Consent Agenda and considered separately.

- A. City Council Meeting Minutes – May 3, 2021
B. Accounts Payable and Payroll Check Registers
 a. Special Accounts Payable Check Register – May 10, 2021
 b. Regular Accounts Payable Check Register – May 18, 2021
 c. ACH Payments – May 3, 2021 to May 14, 2021
 d. Payroll Check Register – May 14, 2021
 e. Payroll Transmittal – May 14, 2021
C. Completion of the Pine River Lane Project – Elmer's Crane and Dozer for \$73,883
D. City Clerk/Assistant to the City Manager Job Description – approve new job description

Motion by Parr, second by Hagen to approve the Consent Agenda.

Yeas: Hagen, Knapp, Kalbfell, Parr, Bryan
Nays: None
Absent: Slater

6. Public Hearings & Actions Requiring Public Hearings

- A. Public Hearing: CDBG Water Related Infrastructure Grant, May 17, 2021
The Mayor opened the public hearing at 6:48 p.m. City Manager Heydlauff stated that the grant would eliminate the Industrial Park lift station, replace and upgrade the Depot Beach lift station, improve water lines along Ance Road, and generally improve water and wastewater system reliability.

Mayor Kurtz opened the item to public comment, and none was heard.

Motion by Hagen, second by Bryan to approve Resolution 2021-05-02 and submit the MEDC Community Development Block Grant Water Related Infrastructure Grant application.

CITY OF CHARLEVOIX
RESOLUTION NO. 2021-05-02
COMMUNITY DEVELOPMENT BLOCK GRANT AUTHORIZING RESOLUTION

WHEREAS, *the Michigan Strategic Fund has invited Units of General Local Government to apply for its Water-Related Infrastructure (WRI) Competitive Funding Round; and*

WHEREAS, the City of Charlevoix desires to request \$1,329,750.00 in CDBG funds to construct public water and sewer system improvements known as the Depot Beach Lift Station Improvement and Industrial Park Lift Station Removal and Ance Road Improvements project; and

WHEREAS, the proposed project is consistent with the local Community Development Plan as described in the Application; and

WHEREAS, the proposed project will benefit all residents of the project area and 53.78 percent of the residents of the City of Charlevoix are low and moderate income persons as determined by census data provided by the U.S. Department of Housing and Urban Development; and

WHEREAS, local funds and any other funds to be invested in the project have not been obligated/incurred and will not be obligated/incurred prior to a formal grant award, completion of the environmental review procedures and a formal written authorization to obligate/incur costs from the Michigan Economic Development Corporation.

NOW THEREFORE BE IT RESOLVED, that the City of Charlevoix hereby designates the City Manager as the Environmental Review Certifying Officer, the person authorized to certify the Michigan CDBG Application, the person authorized to sign the Grant Agreement and payment requests, and the person authorized to execute any additional documents required to carry out and complete the grant.

RESOLVED this 17th day of May 2021 A.D.

Resolution was adopted by the following yea and nay vote:

Yeas: Hagen, Knapp, Kalbfell, Parr, Bryan

Nays: None

Absent: Slater

The Mayor closed the public hearing at 6:51 p.m.

Clerk's Note: It was discovered after the meeting that the public hearing was not noticed timely. Resolution 2021-05-02 will be reconsidered after a public hearing scheduled for a special meeting on May 27, 2021 at 10:00 a.m. called for by the Mayor.

7. All Other Actions & Requests

A. 229 Stover Road Study

City Manager Heydlauff stated that with demolition soon planned for the existing buildings at 229 Stover Road, this proposal from Edgewater Resources will give the public an opportunity to help plan for the future of the site. The proposal aims to look at housing as an option along with opportunities to expand boat launch and recreation areas (and any combination of these).

After some discussion, it was agreed to include the W. Carpenter property within the scope of work. Council also consented to recommend that Edgewater begin public engagement after the Stover Road site is cleaned up and to schedule an onsite meeting if possible.

Mayor Kurtz opened the item to public comment, and three were heard.

Motion by Hagen, second by Parr to approve the 229 Stover Road and Ferry Avenue Corridor Study Proposal from Edgewater Resources with the two recommendations from Council. Motion carried by unanimous voice vote.

B. Fireworks at Kipke Field, June 6, 2021

Mayor Kurtz recalled that this topic was discussed while he was out of town at the last meeting where no action was taken. He stated that he wanted to continue the discussion. Knapp stated that he spoke to Chief Thorp prior to the meeting and understood that the Chief was directed by the Township Supervisor and the Township Attorney not to be involved in the proposed fireworks event. Neighborhood petitions were discussed. Council voiced their opinions and expressed concerns.

Mayor Kurtz opened the item to public comment, with four in favor and six against.

Motion by Hagen, second by Parr to authorize the City Clerk to issue a permit for the 2021 fireworks display at Kipke field as presented with the conditions recommended by City Staff.

Yeas: Hagen, Parr

Nays: Knapp, Kalbfell, Bryan

Absent: Slater

Motion failed.

C. Lease Agreement with Enterprise Fleet Management

DPW Superintendent Elliott stated that the purchase of two ¾-ton pickup trucks and a one-ton dump truck were in the budget. He stated that Staff met with a consultant from Enterprise Fleet Management to look at different options for managing our motor pool fleet in lieu of purchasing vehicles. Enterprise is offering a program to lease our vehicles through them and then sell them when they would have the highest retail value. DPW Superintendent Elliott explained the program and its merits.

Mayor Kurtz opened the item to public comment, and none was heard.

Motion by Parr, second by Kalbfell to approve the Master Equity Lease Agreement with Enterprise Fleet Management and to lease two ¾-ton pickup trucks and one one-ton dump truck. Motion carried by unanimous voice vote.

D. Van Pelt Alley Safety

The Mayor recused himself and Deputy Mayor Hagen introduced this item. Zoning Administrator Scheel stated that the City received a request from BLOOM & The Cantina located in Van Pelt Alley to block off the space between their two buildings for pedestrian use only. There continues to be instances that vehicles are attempting to drive through the area that raise safety concerns. Staff consulted with Public Works, Public Safety, and the DDA and there were no issues.

Deputy Mayor Hagen opened the item to public comment, and two were heard.

Motion by Kalbfell, second by Bryan to approve temporary closure to vehicular traffic of Van Pelt Alley between 100 Van Pelt Place and 101 Van Pelt Place with readily movable fixtures.

Yeas: Hagen, Knapp, Kalbfell, Parr, Bryan

Nays: None

Absent: Slater

E. Bridge Street Tap Room Outdoor Dining

The Mayor returned to the meeting. Hagen recused himself. Zoning Administrator Scheel recalled that several years ago the Bridge Street Tap Room obtained permission from Council to use space adjacent to their building next to Bridge Park as an outdoor patio service area. They would like to continue this same outdoor use of space. Zoning Administrator Scheel stated that going forward, he would review the Taproom's outdoor dining application annually.

Mayor Kurtz opened the item to public comment, and four were heard.

Motion by Parr, second by Knapp to approve the Bridge Street Tap Room outdoor dining Resolution 2021-05-01.

CITY OF CHARLEVOIX
RESOLUTION NO. 2021-05-01
APPROVAL OF AN OUTDOOR SEATING AREA TO SERVE FOOD AND ALCOHOLIC BEVERAGES
FOR THE BRIDGE STREET TAP ROOM

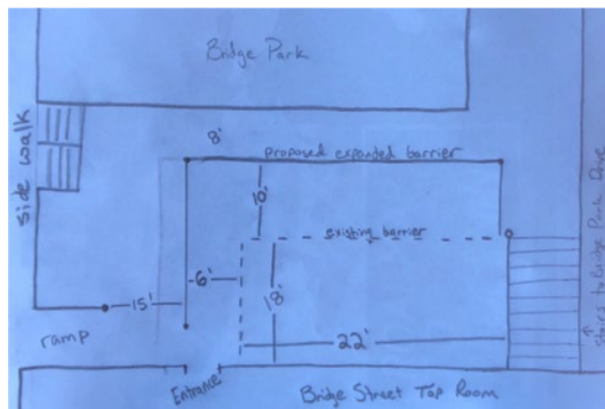
WHEREAS, *the City of Charlevoix is supportive of outdoor dining experiences, which provide restaurants an incentive to invest in Charlevoix and an enjoyable experience for our residents and visitors; and*

WHEREAS, *the City permits other restaurants to have outdoor seating on City property where patrons can be served food and alcohol, provided that this use is permitted by the Michigan Liquor Control Commission and the Michigan Department of Transportation; and*

WHEREAS, *the City finds that the sidewalk area adjacent to the building is unused and the outdoor seating area will not interfere with pedestrian movement; and*

WHEREAS, *the patrons of the Bridge Tap Room and the general public are not permitted to consume alcoholic beverages outside of the seating area.*

NOW THEREFORE BE IT RESOLVED, *that the City of Charlevoix authorizes the Bridge Street Tap Room to provide outdoor seating and to serve food and alcoholic beverages within that seating based on the attached site plan dated May 26, 2020; and*



BE IT FURTHER RESOLVED, *the Bridge Street Tap Room will pay all normal and regular fees associated with this request in keeping with fees assessed for other outdoor dining requests.*

RESOLVED this 17th day of May 2021 A.D.

Resolution was adopted by the following yea and nay vote:

Yeas: Knapp, Kalbfell, Parr, Bryan

Nays: None

Abstain: Hagen

Absent: Slater

F. Downtown Alley Corridor Vision Implementation Plan

Hagen returned to the meeting. Community Development Fellow Martin recalled that in August of 2020, City Council directed Staff to create a long-ranging roadmap for implementing the physical recommendations listed in the 2018 Alley and Corridor Vision. The 2018 Vision was created in partnership with the Sustainable Built Environment Initiative and explored how we could beautify and revitalize our alleys and corridors, while also improving their function and connectivity. He stated that the implementation strategy was presented to the Planning Commission and Downtown Development Authority.

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

Motion by Kalbfell, second by Hagen to adopt the Alley and Corridor Implementation of Designs and direct Staff to continue looking for ways to implement it. Motion carried by unanimous voice vote.

G. Recreational Authority Board Appointment

City Manager Heydlauff recalled that the Charlevoix Recreational Authority was created in 2004 by the Townships of Charlevoix and Hayes and the City of Charlevoix for the primary purpose of funding some of the operating expenses of the Charlevoix Area Community Pool. He explained that pursuant to the Authority's Articles of Incorporation, the City of Charlevoix appoints three members and there is one remaining vacancy to fill.

Mayor Kurtz opened the item to public comment, and none was heard.

Motion by Kalbfell, second by Parr to appoint Rick Brandi to the Recreational Authority Board for a term to expire March 31, 2024. Motion carried by unanimous voice vote.

H. Mayoral Appointment

Mayor Kurtz recommended Marianne Mast for the Compensation Committee.

Motion by Hagen, second by Knapp to appoint Marianne Mast to the Compensation Committee, term expiring December 2025. Motion carried by unanimous voice vote.

8. Reports & Communications

A. Public Comments

- Tom Kapanoske noted that the BIBCO engagement meetings were well attended
- Wayne Seger explained his newly launched website playmap.net

B. City Manager Comments

- Golf Course Supervisor Livingston discovered a species of wildflower native to Scotland, descended from original plantings when the course was created

C. Mayor & Council Comments

- Council generally thanked everyone for their attendance

9. Other Council Business

10. Adjourn

The Mayor adjourned the meeting at 8:49 p.m.

Joyce M. Golding	City Clerk	Luther Kurtz	Mayor
Special Accounts Payable – 05/10/2021			
CHARTER COMMUNICATIONS	144.98	TOTAL	1,050.06
CITY OF CHARLEVOIX - PETTY CASH	905.08		
Regular Accounts Payable – 05/18/2021			
3 J ELECTRIC L.L.C.	155.00	ACE HARDWARE	5,038.47
A STARS & STRIPES FLAG COMPANY	671.62	ALTEC INDUSTRIES INC	229,691.18
ABILITA	4,549.09	AMERICAN LEGION AUXILIARY	636.00
ACCUMED GROUP, THE	2,986.87	AMERICAN WASTE INC.	888.40

APX INC.	81.79	MICHIGAN OFFICEWAYS INC	944.55
AT YOUR SERVICE PLUS INC	375.00	MIKES WRECKER SERVICE INC.	637.00
AT&T	1,495.03	MINERAL MASTERS	1,935.00
AUTO VALUE	808.84	MUTT MITT	1,939.75
AVFUEL CORPORATION	49,474.31	MYNORTH MEDIA	9,000.00
BEATTY, SCOTT T.	4,237.60	NAVIA BENEFIT SOLUTIONS	50.00
BOUND TREE MEDICAL LLC	559.15	NORTHERN MICHIGAN HARDWOODS	2,406.00
BRADFORD'S	58.50	NORTHERN PUMP SERVICE INC.	1,640.00
CARQUEST OF CHARLEVOIX	1,614.88	OLESON'S FOOD STORES	80.86
CDW GOVERNMENT INC.	50.22	OLSON BZDOK & HOWARD	1,224.50
CENTRAL DRUG STORE	106.45	O'REILLY AUTOMOTIVE INC	539.53
CHARLEVOIX COUNTY TREASURER	34.47	PEARSALL, KRISTA	90.27
CHX UNITED METHODIST CHURCH	50.00	PENINSULA FIBER NETWORK LLC	470.00
CINTAS CORPORATION	70.24	PHYSICIAN'S CLINIC OF CHARLEVOIX	151.00
CITY OF CHARLEVOIX - UTILITIES	35,559.00	POWER LINE SUPPLY	13,785.87
CLOTHING COMPANY, THE	100.00	POWERPLAN	339.39
CONWAY PROFESSIONAL SERVICES	2,299.00	PREIN & NEWHOF	870.00
DELL MARKETING L P	1,263.55	PREVO'S POWER WASHING	359.39
DIGITAL DOLPHIN	509.85	PURITY CYLINDER GASES INC	87.66
DITCH WITCH SALES OF MICHIGAN	56.29	QUALITY CAR & TRUCK REPAIR INC	244.63
DROST LANDSCAPE INC.	75.00	QUILL CORP	365.89
EJ USA INC.	2,312.76	RANGE TELECOMMUNICATIONS	160.00
ELLSWORTH FARMER'S EXCHANGE	242.75	RCL CONSTRUCTION CO INC	476,447.62
F.H. BLACK & COMPANY	410.00	RESCO	22,673.04
FAMILY FARM & HOME	291.36	ROTARY CLUB OF CHARLEVOIX	75.00
FASTENAL COMPANY	29.09	S&W HEALTHCARE CORPORATION	244.67
FREEDOM MAILING SERVICES INC.	2,344.65	SCHOLEY, ROBERT W.	311.24
GREAT LAKES PIPE & SUPPLY	324.12	SCHWARTZFISHER, JOSEPH L.	72.00
HACH COMPANY	54.89	SCHWIEN, FRANK & SHARON	100.00
HAGEN, SARAH	50.00	SILVA, JESSE L.A.	52.95
HARBOR HOUSE PUBLISHERS	3,998.94	SKI TRAIN DEPOT	10,300.00
HARRELL'S	5,671.25	SPARTAN DISTRIBUTORS INC	1,210.44
HYDRO CORP	539.50	SPARTAN STORES LLC	50.84
JACK DOHENY COMPANIES	73.97	STANDARD ELECTRIC CO	1,037.40
KORTHASE, ROBERTA	450.89	STATE OF MICHIGAN	663.92
KSS ENTERPRISES	1,420.77	TAYLOR 12501 LLC	4,417.50
LAKE HOUSE, THE	75.00	TELNET WORLDWIDE	231.62
LAKESHORE TIRE & AUTO SERVICE	20.00	VANDINE, VICTORIA	200.00
LAVOIE, RICHARD L.	73.00	VILLAGE GRAPHICS INC.	710.39
LECLERC, WAYNE	100.00	WILBERT BURIAL VAULT CO	985.66
LEVANT, NANCY	44.29	ZITKA, EMILY	75.00
MCCARDEL CULLIGAN-PETOSKEY	51.50	ZIXCORP	35.10
MICHAEL MURPHY IV PHOTOGRAPHY	495.00	TOTAL	939,073.21
MICHIGAN MUNICIPAL LEAGUE	2,046.00		
MICHIGAN MUNICIPAL LEAGUE	17,242.00		

ACH Payments – 05/03/2021 to 05/14/2021

MI PUBLIC POWER AGENCY	20,359.01	ALERUS FINANCIAL (HCSP)	350.00
AMG PAYMENT SOLUTIONS	25.39	STATE OF MI (WITHHOLDING TAX)	6,073.10
PROXIMITY SPACE INC	99.00	VANTAGEPOINT (401 ICMA PLAN)	912.08
PAYMENT SERVICE NETWORK INC	277.70	VANTAGEPOINT (457 ICMA PLAN)	20,013.39
MI PUBLIC POWER AGENCY	20,721.62	VANTAGEPOINT (ROTH IRA)	1,080.76
DTE ENERGY	4,888.56	TOTAL	135,908.04
STATE OF MI (SALES TAX)	20,288.48		
IRS (PAYROLL TAX DEPOSIT)	40,818.95		

Payroll Net Pay – Check Date 05/14/2021

HEYDLAUFF, MARK L.	3,175.97	STEWART, MORGAN J.	1,293.78
GOLDING, JOYCE M.	2,195.53	MATELSKI, KRISTEN L.	1,382.25
DEROSIA, PATRICIA E.	1,065.68	WURST, RANDALL W.	1,778.67
DOTSON, LINDSEY J.	1,455.10	HILLING, NICHOLAS A.	1,791.35
KLOOSTER, ALIDA K.	2,175.68	MEIER III, CHARLES A.	1,303.96
GOLOVICH, KAREN J.	974.82	ZACHARIAS, STEVEN B.	1,369.48
BARNEVELD, RICHELLE L.	1,249.06	NEWMAN, MARK J.	1,447.80
MILLER, FAITH G.	43.27	KENWABIKISE, DAVID L.	1,176.51
MCGINN, KELLY A.	2,120.13	GRIFFITH, JOHN J.	2,995.57
DOAN, GERARD P.	2,466.09	EATON, BRAD A.	2,555.17
SCHOLEY, ROBERT W.	1,627.58	WILSON, TIMOTHY J.	3,161.46
UMULIS, MATTHEW T.	1,005.85	LAVOIE, RICHARD L.	2,373.28
ORBAN, BARBARA K.	1,119.15	STEVENS, BRANDON C.	2,742.50
RILEY, DENISE M.	473.38	DRAVES, MARTIN J.	2,379.88
MUNK, CHRISTOPHER J.	1,256.95	ANDERSON, ELIZABETH A.	1,234.96
SCHICK, TIELER R.	1,346.47	ELLIOTT, PATRICK M.	3,065.84

SCHWARTZFISHER, JOSEPH	1,011.53	KLOOSTER, PATRICK H.	439.85
BRADLEY, KELLY R.	1,432.88	WYMAN, MATTHEW A.	1,710.07
HART II, DELBERT W.	1,612.12	MILLER, WILLIAM S.	617.21
JONES, ROBERT F.	1,220.24	DOUGLAS, MARK	898.24
FARRELL, MITCHELL L.	1,360.98	FRATRICK, JOSEPH W.	511.43
THORP JR, WILLIAM D.	1,436.99	CARSON, SAWYER J.	1,369.12
LEITNER, RYAN S.	1,560.55	MCMULLEN, DONALD R.	1,802.21
FERGUSON, ROYCE L.	1,697.38	SILVA, JESSE L.A.	1,861.25
DORAN, JUSTIN J.	2,173.13	JOHNSON, MELISSA A.	1,589.09
NEDWICK, DAVID J.	489.98	STEPHENS, LYON G.	1,666.81
FREY, DYLAN V.	734.37	TRAVERS, MANUEL J.	1,902.13
HART III, DELBERT W.	914.72	STEVENS, JEFFREY W.	313.28
FINNERTY, HOLLY E.	905.66	RILEY, CASEY W.	626.02
CRANDELL, ZACKARY R.	829.96	JONES, LARRY M.	220.90
FRANCE JR, JAMES A.	1,191.86	CORNELL, BRITTA J.	1,378.79
RABIDEAU, JACOB L.	380.60	AZZOPARDI, ANTHONY J.	1,212.21
KNORR, KENT J.	1,999.54	PECK, JARICA L.	718.75
ANZELL, BETH A.	1,345.76	DIETZ, AMANDA M.	941.74
STEBE, LAURA A.	11.54	WELLS, JANINNA J.	142.06
MCDERMOTT, DENNIS J.	1,856.11	MOYER, NATHAN I.	1,098.50
WHITE III, MARCUS W.	308.06	HOSLER, ERIK R.	1,123.36
MOOAR, ISAAK S.	184.13	HOLOWACH, ROGER E.	1,793.72
COFFEY, JASON J.	480.92	JOSLIN, ISABELLE G.	171.79
SHANAHAN, CHERYL J.	536.61	WHITLEY, ANDREW T.	2,447.66
GILL, DAVID R.	975.92	MORRISON, KEVIN P.	1,330.19
MASSON, DONALD J.	408.76	TOTAL	112,590.77
LIVINGSTON, BRIAN D.	1,814.94		
STANLEY, MARK J.	25.98		

Payroll Transmittal – 05/14/2021

4FRONT CREDIT UNION	1,018.00	DISCOVER BANK	303.22
AMERICAN FAMILY LIFE	479.51	MI STATE DISBURSEMENT UNIT	429.88
CALIFORNIA STATE DISB UNIT	92.19	MONY LIFE INSURANCE	353.56
CHAR EM UNITED WAY	70.00	POLICE OFFICERS LABOR COUNCIL	251.25
CHARLEVOIX STATE BANK	867.00	PRIORITY HEALTH	1,512.63
COMMUNICATION WORKERS OF AMER	652.42	TOTAL	6,029.66