

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, June 21, 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, Mark Knapp, Phil Parr, Brian Slater
Members Absent: None
City Manager: Mark L. Heydlauff
City Clerk: Joyce Golding

3. Presentations

A. Mayoral Proclamation: Voices Without Borders

The Mayor presented a proclamation to Sara Russell Kukuk and Jack Kukuk with gratitude for their dedication to advancing the arts in our community through Voices Without Borders.

4. Inquiry Regarding Conflicts of Interest

The Mayor stated he had a conflict with Item 6.A and also disclosed that he has tenants with a liquor license but felt there was no conflict with Item 6.B. Hagen stated he had a conflict with Item 6.B.

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 – June 7, 2021
- B. Accounts Payable and Payroll Check Registers
 - a. Regular Accounts Payable Check Register – June 22, 2021
 - b. ACH Payments – June 2, 2021 to June 14, 2021
 - c. Payroll Check Register – June 11, 2021
 - d. Payroll Transmittal – June 11, 2021
 - e. Tax Disbursement – June 22, 2021
- C. Venetian Festival Contract for \$15,000 – payment approved

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

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

Nays: None

6. Public Hearings & Actions Requiring Public Hearings

A. Public Hearing: Stoneycroft Farms LLC Commercial Facilities Exemption Certificate Transfer, June 21, 2021

The Mayor opened the public hearings at 6:05 p.m., then recused himself and Deputy Mayor Hagen introduced the item. City Manager Heydlauff explained that Ron Way of Stoneycroft Farms LLC purchased 100 Van Pelt Place from Luther Kurtz (Celebrate Me Home LLC) and this property was receiving a commercial facilities tax abatement. He noted that it was standard practice to transfer the CFEC from one owner to the next. The statute allows for exemption certificates to be transferred but must include a public hearing and City Council approval.

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

Motion by Parr, second by Knapp to approve Resolution 2021-06-02 Commercial Facilities Exemption Certificate transfer request from Ron Way of Stoneycroft Farms LLC (100 Van Pelt Place.)

CITY OF CHARLEVOIX
RESOLUTION NO. 2021-06-02
RESOLUTION APPROVING TRANSFER OF A COMMERCIAL FACILITIES EXEMPTION CERTIFICATE APPLICATION
FOR STONEYCROFT FARMS LLC LOCATED AT 100 VAN PELT PLACE, CHARLEVOIX, MICHIGAN
(PA255 OF 1978 AS AMENDED)

WHEREAS, *the City of Charlevoix legally established the Charlevoix Main Street Commercial Redevelopment District No.1 on October 17, 2016, after a public hearing held on October 17, 2016; and*

WHEREAS, *on April 3, 2017, the Charlevoix City Council granted Celebrate Me Home LLC a Commercial Facilities Exemption for the real property, excluding land, located in the Charlevoix Main Street Commercial Redevelopment District No.1 at 100 Van Pelt Place, for a period of 12 years, beginning December 31, 2017, and ending December 30, 2029, pursuant to the provisions of PA 255 of 1978, as amended; and*

WHEREAS, a Commercial Facilities Exemption Certificate may be transferred and assigned by the holder of the certificate to a new owner of the facility with the approval of the local governmental unit after application by the new owner and with a properly noticed public hearing; and

WHEREAS, the applicant Stoneycroft Farms LLC (Ron & Jill Way) purchased 100 Van Pelt Place on February 1, 2021; and

WHEREAS, the applicant Stoneycroft Farms LLC has provided answers to all required questions under Section 6(1) of PA 255 of 1978 to the City of Charlevoix; and

WHEREAS, the City Assessor certified that the property is eligible to be covered by the exemption; and

WHEREAS, the application for transferring the Commercial Facilities Exemption Certificate was considered at a public hearing as provided by section 6(2) of Public Act 255 of 1978 on June 21, 2021.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Charlevoix, that Stoneycroft Farms LLC is granted a transfer of the Commercial Facilities Exemption for the real property, excluding land, located in the Charlevoix Main Street Commercial Redevelopment District No.1 at 100 Van Pelt Place, for a period of 12 years ending December 30, 2029, pursuant to the provisions of PA 255 of 1978, as amended.

RESOLVED this 21st day of June 2021 A.D.

Resolution was adopted by the following yea and nay vote:

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

Nays: None

Absent: None

B. Public Hearing: Alcoholic Beverages in Public Parks, June 21, 2021

The Mayor returned to the meeting. Hagen recused himself. City Manager Heydlauff stated that the DDA Board voted to recommend and support an amendment to the ordinance that currently prohibits consumption of alcoholic beverages in public parks located in the downtown. Council agreed to amend the proposed ordinance lifting alcohol restrictions in East Park and Bridge Park and establishing a time limitation for all venues.

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

Motion by Knapp, second by Slater to approve Ordinance 826 of 2021.

**CITY OF CHARLEVOIX
ORDINANCE NO. 826 of 2021**

AN ORDINANCE TO AMEND TITLE IX, CHAPTER 94, SECTION 30 OF THE CHARLEVOIX CITY CODE

THE CITY OF CHARLEVOIX ORDAINS:

SECTION 1. Title IX, Chapter 94, Section 30 of the City of Charlevoix Code is hereby repealed and replaced as follows:

94.30 ALCOHOLIC BEVERAGES.

(A) Consumption prohibited at all times. Alcoholic beverages may not be consumed or possessed in Veterans Park or cemeteries of the City.

(B) Hours of consumption limited. Alcoholic beverages may not be consumed in public places between the hours of 11:00 p.m. and 10:00 a.m.

(C) Exemption for boats. Restrictions on alcohol shall not extend to privately owned vessels moored in the waters of the City or docked in the Charlevoix Marina.

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 pursuant to the City Charter.

Ordinance No. 826 was adopted on the 21st day of June 2021 A.D., by the Charlevoix City Council as follows:

Motion by: Knapp
Second by: Slater
Yeas: Bryan, Kalbfell, Parr, Slater, Knapp
Nays: None
Abstain: Hagen
Absent: None

State of Michigan } §
City of Charlevoix }

Motion by Knapp, second by Parr to authorize the City Manager to relax the restrictions [in Section 94.30 of the City Code] for a 30-day period per Council's discussion. Motion carried by unanimous voice vote.

C. Public Hearing Charlevoix Trail Extension

The City of Charlevoix is continuing to move forward on design work and planning of the Charlevoix Trail Connection to the Little Traverse Wheelway. A source of funding that we are exploring is seeking of a Transportation Alternatives Program (commonly known as TAP) Grant. OHM facilitated a presentation of the project overview, preliminary studies and conceptional design to meet the requirements of the grant.

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

Motion by Hagen, second by Kalbfell to approve Resolution 2021-06-03.

CITY OF CHARLEVOIX
RESOLUTION NO. 2021-06-03
TRANSPORTATION ALTERNATIVES PROGRAM AUTHORIZATION

WHEREAS, *the City of Charlevoix supports the submission of an application titled "City of Charlevoix Little Traverse Wheelway Extension" to the Michigan Transportation Alternative Program for development of properties connecting the Wheelway to the City of Charlevoix; and*

WHEREAS, *the City of Charlevoix is committed to increased use and development of trails; and*

WHEREAS, *the proposed application is supported by the current annual Capital Improvement Plan; and*

WHEREAS, *the City of Charlevoix is hereby making a financial commitment to the project in the amount of \$250,000 matching funds, in cash and/or force account.*

NOW THEREFORE BE IT RESOLVED, *that the City of Charlevoix through the City Council, authorizes the City Manager to submit a Michigan Transportation Alternative Program Grant Application; and*

BE IT FURTHER RESOLVED, *that the City of Charlevoix will make available its financial obligation amount of 250,000 (23.5%) of the total \$771,000 project cost during the 2022-23 fiscal year.*

RESOLVED *this 21st day of June 2021 A.D.*

Resolution was adopted by the following yea and nay vote:

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

The public hearings were closed at 6:38 p.m.

7. All Other Actions & Requests

A. Historical Sign on Indigenous History

DDA Director Dotson presented the final version of a sign that interprets the important history of indigenous peoples in Charlevoix. The Planning Commission reviewed and supported the project. She stated that funding came from grants and a partnership with the Charlevoix Public Library.

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

Motion by Kalbfell, second by Hagen to approve the placement of the Indigenous History interpretive sign on the north side of the channel by the Charlevoix Historical Society and Prolmage Design. Motion carried by unanimous voice.

B. Renewable Energy Credits for \$12,000

Electric Department Director Griffith stated that there have been changes in Charlevoix's cost structure and the cost-of-service methodology has been refined. He noted that Utility Financial Solutions is the City's rate consultant, and their scope of work includes updating the credits and outlining metering and billing protocols for behind-the-meter generation.

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

Motion by Hagen, second by Kalbfell to approve the Utility Financial Solution's Engagement Letter of April 28, 2021 in the amount not-to-exceed \$12,000 and authorize John Griffith, Electric Department Director, to execute the letter. Motion carried by unanimous voice vote.

C. West Dixon Street Light Purchase \$13,632.15

Electric Department Director Griffith stated that the Electric Department received four proposals for streetlights. He recommended purchasing the lights from Power Line Supply as a Michigan based company. He noted that in addition to completing this project, these streetlights will serve as a pilot project to establish a standard residential streetlight design and manufacturer.

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

Motion by Hagen, second by Parr to direct the City Manager to notify the property owners on W. Dixon as discussed [in care of the Weathervane and LaCroft management]. Motion carried by voice vote with five yeas and one nay.

Council agreed that this item warranted further discussion at a future meeting to include dark-sky compliant lighting options.

D. Advanced Meter Infrastructure Consultant \$57,000

Electric Department Director Griffith stated that the City of Charlevoix's 2021-2022 budget includes funds for the implementation of an Advanced Metering Infrastructure (AMI) program. He explained that Tom Asp, Power System Engineering, was asked to submit an AMI Procurement and Technology Work Plan to guide the City through the AMI needs assessment and implementation as well as long term technology planning and budgeting.

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

Motion by Kalbfell, second by Slater to approve the Power System Engineering's AMI Procurement and Technology Work Plan in the amounts of \$23,500 for Phase I (AMI) and \$31,000 for Phase II (TWP) and \$2,500 (Travel) as presented. Motion carried by unanimous voice vote.

8. Reports & Communications

A. Public Comments

- Ron Marshall, Citizens Climate Lobby requested Council's support for their Energy Innovation and Carbon Dividend Act
- Bob Timms was not in favor of the Lake Charlevoix EMS Authority and the requested millage

B. City Manager Comments

- DPW is vacating their building today and demolition will begin tomorrow
- Looking at areas impacted by high-water and possible remediation; also looking at areas impacted by drier/warmer temperatures this spring
- City Hall will amend COVID restrictions reflecting the Health Department changes effective June 22, 2021

C. Mayor & Council Comments

- Kalbfell stated the Senior Center will reopen on July 1st

9. Other Council Business

10. Adjourn

The Mayor adjourned the meeting at 7:26 p.m.

Joyce M. Golding	City Clerk	Luther Kurtz	Mayor
Regular Accounts Payable – 06/22/2021			
ACCUMED GROUP, THE	2,481.33	BRIDGE STREET BLOOMS	247.78
ACE HARDWARE	5,298.75	CARSON, MABEL	51.76
ACUSHNET COMPANY	21.83	CDW GOVERNMENT INC.	831.21
ADAMS, DANIEL	23.38	CHX AREA CHAMBER OF COMMERCE	7,500.00
ALLERS, TRACEY	29.81	CHARLEVOIX AUTO	66.13
AMAZON CAPITAL SERVICES	222.25	CHARLEVOIX SCREEN MASTERS INC	738.00
AMERICAN WASTE INC.	900.00	CHARLEVOIX TOWNSHIP	20,599.25
AT YOUR SERVICE PLUS INC	250.00	CHARTER COMMUNICATIONS	144.98
AUTO VALUE	637.95	CINTAS	102.18
AVFUEL CORPORATION	54,387.26	CLOTHING COMPANY, THE	294.00
BERG, REBECCA	222.00	CONWAY PROFESSIONAL SERVICES	5,369.00
BLACK MARKET FOODS	111.00	COOPER, MELANIE SUE	97.00
BOUND TREE MEDICAL LLC	193.45	CRYSTAL FLASH ENERGY	1,061.61
BRADFORD'S	42.25	ELLSWORTH FARMER'S EXCHANGE	314.06

ELMER'S CRANE & DOZER INC.	116,583.36	MICHIGAN STATE UNIVERSITY	2,500.00
ETNA SUPPLY	160.00	MSA SAFETY SALES LLC	1,222.34
FARMER WHITE'S	158.00	MYNORTH MEDIA	350.00
FENCE CO OF NORTHERN MICHIGAN	3,576.60	NATIONAL RECREATION & PARK ASSOC	175.00
FREEDOM MAILING SERVICES INC.	2,274.29	NW SELF DEFENSE PRODUCTS	155.85
GERBER HOMEMADE SWEETS	80.00	OLSON BZDOK & HOWARD	992.00
GOLDEN HILLS MAPLE SYRUP	46.00	PLUNKETT & COONEY	480.00
GREY BOUTIQUE	50.75	POWER LINE SUPPLY	2,210.67
GUNTZVILLER, RHONDA	367.00	PREIN & NEWHOF	2,820.00
HABERER, JEANNE	238.26	PRESTON FEATHER	1,565.79
HACH COMPANY	2,454.04	PURITY CYLINDER GASES INC	88.02
HAMMERSMITH EQUIPMENT CO	129.30	QUALITY CAR & TRUCK REPAIR INC	301.54
HARRELL'S	1,781.50	REHMANN-ROBSON & CO	10,000.00
HOUSING NORTH	2,312.50	SCOVIE'S GOURMET	25.00
HYDRO CORP	539.50	SIGMA-ALDRICH INC.	462.10
IDEXX DISTRIBUTION INC.	461.51	SPARTAN STORES LLC	86.67
IPS GROUP INC	644.64	STATE AND MASON LLC	1,000.00
J RANCK ELECTRIC INC	632.50	STATE OF MICHIGAN	731.76
JONES, KELSEY	67.00	STEPHAN, PAUL	55.00
KASH, TRACY GAIL	700.00	SWANSON K & D INC	2,900.00
KENDALL ELECTRIC INC.	3,597.05	TARGET SPECIALTY PRODUCTS	48.53
KSS ENTERPRISES	1,123.18	TELNET WORLDWIDE	224.35
LANDSCAPE FORMS INC.	3,120.00	TILLIE'S TAFEL	154.00
LASER PRINTER TECHNOLOGIES	144.00	UNIFIRST CORPORATION	2,748.47
LITTLE TRAVERSE DISPOSAL LLC	200.00	UPPER CASE PRINTING INK.	1,131.00
LOTTIE'S BAGELS	151.00	VILLAGE GRAPHICS INC.	90.00
MCCARDEL CULLIGAN-PETOSKEY	51.50	WELLS, IVY L	45.00
METAL HEAD WELDING LLC	9,619.82	WILBERT BURIAL VAULT CO	1,143.52
MI DEPT OF TREAS-UNCLAIMED PROP	818.22	WOJAN PLUMBING & HEATING	296.41
MICHIGAN CLEAN MARINA FOUNDATION	600.00	ZIIBIMIJWANG INC	155.00
MICHIGAN MUNICIPAL LEAGUE	336.36	TOTAL	291,217.30
MICHIGAN OFFICEWAYS INC	1,803.18		

ACH Payments – 06/02/2021 to 06/14/2021

PROXIMITY SPACE INC	109.72	STATE OF MI (WITHHOLDING TAX)	6,,834.34
AMG PAYMENT SOLUTIONS	103.78	VANTAGEPOINT (401 ICMA PLAN)	912.07
PAYMENT SERVICE NETWORK INC	248.10	VANTAGEPOINT (457 ICMA PLAN)	20,279.64
MI PUBLIC POWER AGENCY	16,083.52	VANTAGEPOINT (ROTH IRA)	1,180.76
DTE ENERGY	5,075.73	MI PUBLIC POWER AGENCY	9,264.21
STATE OF MI (SALES TAX)	20,190.87	TOTAL	551,621.05
IRS (PAYROLL TAX DEPOSIT)	45,647.44		
ALERUS FINANCIAL (HCSP)	350.00		

Payroll Net Pay – Check Date 06/11/2021

HEYDLAUFF, MARK L.	3,175.96	STEVENS, BRANDON C.	3,128.73
GOLDING, JOYCE M.	2,195.53	DRAVES, MARTIN J.	2,364.07
DEROSIA, PATRICIA E.	1,265.42	ANDERSON, ELIZABETH A.	1,234.96
DOTSON, LINDSEY J.	1,455.09	KENWABIKISE, DAVID L.	1,694.09
KLOOSTER, ALIDA K.	2,175.68	ELLIOTT, PATRICK M.	3,065.84
GOLOVICH, KAREN J.	974.83	SCHWARTZFISHER, JOSEPH	1,037.30
BARNEVELD, RICHELLE L.	1,293.40	BRADLEY, KELLY R.	1,607.15
MILLER, FAITH G.	45.81	HART II, DELBERT W.	1,379.94
MCGINN, KELLY A.	2,120.12	JONES, ROBERT F.	1,143.64
DOAN, GERARD P.	2,466.09	FARRELL, MITCHELL L.	1,337.26
SCHOLEY, ROBERT W.	1,627.57	THORP JR, WILLIAM D.	1,609.66
UMULIS, MATTHEW T.	1,065.45	LEITNER, RYAN S.	1,430.20
ORBAN, BARBARA K.	1,344.78	FERGUSON, ROYCE L.	2,269.00
RILEY, DENISE M.	454.74	DORAN, JUSTIN J.	2,173.13
MUNK, CHRISTOPHER J.	1,849.18	NEDWICK, DAVID J.	665.27
SCHICK, TIELER R.	1,703.05	FREY, DYLAN V.	685.44
STEWART, MORGAN J.	1,668.21	HART III, DELBERT W.	866.02
MATELSKI, KRISTEN L.	1,382.25	DOTSON, WILLIAM R.	232.58
BINGHAM, LARRY E.	1,039.91	BEMIS, JACKSON R.	440.39
MACGILLIVRAY, ROGER	535.28	FINNERTY, HOLLY E.	894.72
WESTRICK, AARON J.	477.81	CRANDELL, ZACKARY R.	727.23
MILLER, ZACHARY S.	823.75	FRANCE JR, JAMES A.	1,149.62
WURST, RANDALL W.	1,422.78	RABIDEAU, JACOB L.	732.22
HILLING, NICHOLAS A.	1,606.22	MORGRIDGE, ALEXANDER J.	253.72
MEIER III, CHARLES A.	1,414.87	KNORR, KENT J.	1,999.53
ZACHARIAS, STEVEN B.	1,922.46	ANZELL, BETH A.	1,345.76
NEWMAN, MARK J.	1,523.71	STEBE, LAURA A.	63.49
GRIFFITH, JOHN J.	2,995.57	MCDERMOTT, DENNIS J.	1,856.11
EATON, BRAD A.	2,760.47	EVANS JR, HALBERT K.	718.43
WILSON, TIMOTHY J.	3,034.87	JASURDA, DONALD J.	848.27
LAVOIE, RICHARD L.	2,353.75	DORST, KRISTA M.	747.82

MEEHAN, MAXIMUS M.	571.74	PAALMAN, STEPHEN J.	603.95
WHITE III, MARCUS W.	786.88	MCMULLEN, DONALD R.	1,802.20
SNYDER, JACOB M.	424.72	SILVA, JESSE L.A.	1,684.23
CUNNINGHAM, ABIGAIL A.	753.86	JOHNSON, MELISSA A.	1,668.51
MAY, MEREDITH A.	232.26	STEPHENS, LYON G.	146.64
KIRINOVIC, THOMAS F.	330.69	TRAVERS, MANUEL J.	1,907.01
MOOAR, ISAAK S.	155.06	RILEY, CASEY W.	613.46
COFFEY, JASON J.	598.06	JONES, LARRY M.	345.00
SHANAHAN, CHERYL J.	977.43	CORNELL, BRITTA J.	742.88
GILL, DAVID R.	1,080.70	AZZOPARDI, ANTHONY J.	1,671.61
MASSON, DONALD J.	566.91	MCCRANEY, RUSSELL R.	79.28
KUSINA, DENNIS W.	177.30	PECK, JARICA L.	619.18
LABLANCE, MAUREEN J.	33.25	FALKENBERG, AMANDA M.	1,535.09
LIVINGSTON, BRIAN D.	1,814.94	WELLS, JANINNA J.	208.13
STANLEY, MARK J.	57.71	MOYER, NATHAN I.	865.78
KLOOSTER, PATRICK H.	506.14	HOSLER, ERIK R.	1,447.74
WAY, KRISTINA M.	95.58	HOLLOWACH, ROGER E.	2,307.32
DIETRICH, ARLENE M.	317.01	JOSLIN, ISABELLE G.	333.89
WYMAN, MATTHEW A.	1,776.67	WHITLEY, ANDREW T.	2,237.60
MILLER, WILLIAM S.	847.65	MORRISON, KEVIN P.	1,380.11
DOUGLAS, MARK	1,328.14	TOTAL	127,998.43
FRATRICK, JOSEPH W.	798.48		
CARSON, SAWYER J.	1,691.44		

Payroll Transmittal – 06/11/2021

4FRONT CREDIT UNION	1,093.00	DISCOVER BANK	323.09
AMERICAN FAMILY LIFE	479.51	EQUITABLE FINANCIAL LIFE INSURANCE	353.56
CALIF DISBURSEMENT UNIT	92.19	MI STATE DISBURSEMENT UNIT	429.88
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	653.03	TOTAL	6,125.14

Tax Disbursement – 06/22/2021

MI DEPT OF TREAS-UNCLAIMED PROP	166.77	TOTAL	166.77
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