

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Tuesday, July 6, 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, Phil Parr
Members Absent: Mark Knapp, Brian Slater
City Manager: Mark L. Heydlauff
City Clerk: Joyce Golding

3. Presentations

A. Electric System Study Presentation

After his review, Mr. Michael McGeehan, GRP Engineering, summarized the findings and recommendations for the Charlevoix electric distribution system.

4. Inquiry Regarding Conflicts of Interest

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 21, 2021
- B. Accounts Payable and Payroll Check Registers
 - a. Special Accounts Payable Check Register – June 23, 2021
 - b. Regular Accounts Payable Check Register – July 7, 2021
 - c. ACH Payments – June 21, 2021 to June 28, 2021
 - d. Payroll Check Register – June 25, 2021
 - e. Payroll Transmittal – June 25, 2021
- C. Charlevoix Yacht Club Request for Free Parking – Nucore Triangle & Red Fox Regatta

CITY OF CHARLEVOIX
RESOLUTION NO. 2021-07-02
WAIVE PARKING FEES FOR CHARLEVOIX YACHT CLUB

WHEREAS, the Charlevoix Yacht Club is hosting the Nucore Triangle Race and Red Fox Regatta on September 3-5, 2021; 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 3-5, 2021.

RESOLVED this 7th day of July, 2021 A.D.

Resolution was adopted by the following yea and nay vote:

Yeas: Parr, Bryan, Kalbfell, Hagen

Nays: None

Absent: Knapp, Slater

- D. Venetian Festival Special Liquor License – East Park Tiki Tent
- E. Venetian Festival Fireworks – issue Fireworks Permit and sign Hold Harmless Agreement

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

Yeas: Parr, Bryan, Kalbfell, Hagen

Nays: None

Absent: Knapp, Slater

6. Public Hearings & Actions Requiring Public Hearings

7. All Other Actions & Requests

- A. Chamber of Commerce Lease Renewal

City Manager Heydlauff stated that the City has long leased the former post office building on Mason Street to the Charlevoix Area Chamber of Commerce. He noted that new in this lease considers that the City may look to redevelop this property in the future and we would give the Chamber notice and offer an alternative space.

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

Motion by Kalbfell, second by Hagen to approve the lease for 109 Mason Street between the Charlevoix Area Chamber of Commerce and the City of Charlevoix and authorize the Mayor and City Clerk to sign the agreement. Motion carried by unanimous voice vote.

B. MPPA Energy Waste Reduction Program

Electric Department Director Griffith stated that the Energy Waste Reduction (EWR) mandate within Public Act 342 is expected to sunset on December 31, 2021. Since this is a high-level decision, Staff would again suggest continuing with the current rebate programs.

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

Motion by Hagen, second by Kalbfell to approve the continued participation of the Charlevoix Electric Department in the Energy Waste Reduction programs and direct the Electric Department Director to work toward the goals of Council. Motion carried by unanimous voice vote.

C. Public Act 171 Shutoff Notice

Electric Department Director Griffith stated that Public Act 171 established procedures for the disconnect of electric service for non-payment of utility bills. Currently, the City uses linemen to personally deliver shutoff notices. The cost of delivery could be reduced by delivering the notices by first class mail starting October 1.

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

Motion by Kalbfell, second by Bryan to authorize the delivery of the notice of disconnect of electric service to be by first class mail beginning October 1, 2021. Motion carried by unanimous voice vote.

D. Lake Charlevoix EMS Authority Benefits Resolution

City Manager Heydlauff stated that the new Lake Charlevoix EMS Authority desired to offer health and other insurance benefits comparable to our plan. On the advice of counsel, it was determined that the Authority was a related employer for the purpose of purchasing benefits and it can obtain insurance for its employees based on what the City offers its employees.

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

Motion by Parr, second by Hagen to approve Resolution 2021-07-01.

**CITY OF CHARLEVOIX
RESOLUTION NO. 2021-07-01**

LAKE CHARLEVOIX EMERGENCY MEDICAL SERVICES AUTHORITY ADOPTION OF CITY BENEFITS APPROVAL

WHEREAS, *the City of Charlevoix (City) maintains the following health and welfare benefit programs:*

- *a medical, dental and vision insurance program with costs shared by the City and employees, which offers a choice between a fully insured option or a high deductible health plan plus health savings account contribution,*
- *a cash payment in lieu of medical coverage to employees with other medical coverage,*
- *group term life insurance,*
- *short- and long-term disability,*
- *may offer a section 125 cafeteria plan and flexible spending account plan, and*
- *may offer other insurance at the employee's expense; and*

WHEREAS, *certain City employees will be transferred to the newly formed Lake Charlevoix Emergency Medical Services Authority (EMS Authority); and*

WHEREAS, *the EMS Authority wishes to offer its employees the same or very similar health and welfare benefits as the City offers, so as to be able to retain transferred employees and attract new employees in the future; and*

WHEREAS, *the City and the EMS Authority have been advised by legal counsel that they are related employers which may be treated as a single employer for purposes of employee benefits so that the EMS Authority may elect to participate in City health and welfare benefit plans; and*

WHEREAS, *the City and the EMS Authority have agreed that as related employers, it is advisable for the EMS Authority to adopt the City's health and welfare programs as an adopting employer, with the terms of such programs to be set by the City from time to time.*

NOW THEREFORE BE IT RESOLVED, *that the City hereby consents to the adoption of its health and welfare programs by the EMS Authority as a participating employer. The terms of such programs and the insurers to provide insured benefits shall be selected by the*

City from time to time in its discretion, provided that the EMS Authority shall have the discretion to provide only the high deductible health insurance plus health savings plan or only the fully insured health option, or both, and shall have the discretion to select the welfare benefits for its employees from among those offered by the City; and

BE IT FURTHER RESOLVED, that the EMS Authority shall pay for such health and welfare benefits for its employees, either directly to the insurer or other provider, or by reimbursement to the City, at cost; and

BE IT FURTHER RESOLVED, that the EMS Authority shall have the power to elect to terminate its participation in one or more of the City's health and welfare programs in its discretion, with such notice to the City as the City may reasonably require, in which case the EMS Authority will have the responsibility to develop its own health and welfare plans for its employees after the effective date of such termination.

RESOLVED this 6th day of July, 2021 A.D.

Resolution was adopted by the following yea and nay vote:

Yeas: Parr, Bryan, Kalbfell, Hagen

Nays: None

Absent: Knapp, Slater

E. Short Term Rentals Appeals Board

City Manager Heydlauff recalled that the City enacted an ordinance to limit and regulate Short Term Rentals in 2020. As part of this ordinance, an appeals board was included to hear appeals when the enforcement officer may penalize or revoke a license for cause. He stated that until now, we have not had any such appeal but an appeal has been requested.

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

After discussion, Council concurred to advertise for the three open board positions following the volunteer committee policy. Kirby Dipert and Tim Kish will be contacted to determine if they may be interested. Council will revisit this item at their July 19th meeting.

F. Council Rules of Procedure Amendment

City Manager Heydlauff stated that last year, Council modified the Council Rules of Procedure to allow virtual meetings and remote participation. Earlier this spring, the legislature revised the Open Meetings Act to only permit these kinds of participation in certain circumstances. He explained that this amendment to the Rules of Procedure defers to what is allowed in the Open Meetings Act.

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

Motion by Hagen, second by Kalbfell to introduce the resolution and lay it on the table pursuant to the City Council Rules of Procedure. Motion carried by unanimous voice vote.

G. Council Appointments

Motion by Kalbfell, second by Parr to reappoint Paul Weston to the Historic District Commission, term expiring June 2024. Motion carried by unanimous voice vote.

8. Reports & Communications

A. Public Comments

B. City Manager Comments

- Dog Park is open; Recreation Department continues their fundraising
- Inland Seas was available for McSaubia Day Campers and a sunset sail fundraiser
- Demolition of the old DPW site continues
- July 19 and August 2 Council meetings will primarily be Consent Agenda items

C. Mayor & Council Comments

- Hagen noted that the downtown clock is not displaying the correct time
- Kalbfell questioned the status of the Charlevoix the Beautiful sign on the channel; it should be reinstalled soon

9. Other Council Business

A. Closed Session: Pending Union Negotiations

Motion by Parr, second by Kalbfell to enter a Closed Session for the purpose of discussing strategy connected with the negotiation of a collective bargaining agreement pursuant to MCL 15.268(c). Motion carried by unanimous voice vote.

Council moved into Closed Session at 7:18 p.m. Council resumed Open Session at 7:42 p.m.

10. Adjourn

The Mayor adjourned the meeting at 7:43 p.m.

Joyce M. Golding	City Clerk	Luther Kurtz	Mayor
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Special Accounts Payable – 06/23/2021

AMAZON CAPITAL SERVICES	338.67	INLAND SEAS EDUCATION ASSOCIATION	1,155.00
AT&T	1,541.81	KENNEDY INDUSTRIES INC	12,485.00
AT&T	160.66	PENINSULA FIBER NETWORK LLC	470.00
AT&T LONG DISTANCE	39.96	PRIORITY HEALTH	44,090.24
AT&T MOBILITY	848.85	RANGE TELECOMMUNICATIONS	202.20
CHARLEVOIX STATE BANK	10,330.83	STANDARD INSURANCE CO	2,608.97
CHARTER COMMUNICATIONS	716.07	VERIZON WIRELESS	88.27
DELTA DENTAL	3,406.04	VSP INSURANCE CO. (CT)	550.10
EQUITABLE FINANCIAL LIFE INSURANCE	423.95	WEX BANK	384.65
HOLIDAY STATIONSTORES LLC	7,218.98	TOTAL	87,060.25

Regular Accounts Payable – 07/07/2021

ACME SPORTS INC	344.50	KLOOSTER, ALIDA K.	50.00
ALTEC INDUSTRIES INC	256.77	KNORR, KENT J.	50.00
AMAZON CAPITAL SERVICES	579.04	KSS ENTERPRISES	663.63
AMERICAN WASTE	48.40	LIVINGSTON, BRIAN D.	50.00
ANDERSON, ELIZABETH A.	50.00	MATELSKI, KRISTEN L.	50.00
ANZELL, BETH A.	50.00	MAY, MEREDITH A.	50.00
AVFUEL CORPORATION	44,756.85	MCDERMOTT, DENNIS J.	50.00
AZZOPARDI, ANTHONY J.	50.00	McGINN, KELLY A.	50.00
BOUND TREE MEDICAL LLC	735.89	MCMULLEN, DONALD R.	50.00
BY THE BAY CLEANING	375.00	MICHIGAN MUNICIPAL LEAGUE	3,045.00
CDW GOVERNMENT	943.24	MICHIGAN RURAL WATER ASSN	755.00
CHARLEVOIX SCREEN MASTERS INC	300.00	MILLARD, CHARLES LAWRENCE	1,000.00
CHARLEVOIX TOWNSHIP	28.36	MILLER, WILLIAM S.	50.00
CHIPMAN, MARISSA	82.66	NATIONAL PEN LLC	359.30
CINTAS	42.85	NORTHERN MICHIGAN REVIEW INC.	1,397.14
CRUMP, MARY	75.00	OHM ADVISORS	12,069.75
DELL MARKETING LP	459.68	OTEC	225.00
DeROSIA, PATRICIA E.	50.00	PERSONS, TANYA	59.58
DOAN, GERARD P.	50.00	RANVILLE, KENNETH	18.18
DORAN, JUSTIN J.	50.00	RICHARDS, STEPHANIE	18.35
DORNBOS SIGN INC	1,112.00	RUNDQUIST, PATRICIA	53.49
DOTSON, LINDSEY J.	50.00	SCHOLEY, ROBERT W.	50.00
DROST LANDSCAPE	580.00	SHEPARD, RITA	8.54
ECONO SIGNS LLC	172.00	SILVA, JESSE L.A.	50.00
ELLIOTT, PATRICK M.	50.00	SPARTAN DISTRIBUTORS INC	277.60
FAMILY FARM & HOME	612.76	SPOK INC	244.51
FASTENAL COMPANY	35.64	TIMMS, ALICE	10.68
GALLS LLC	17.45	TRAVERS, MANUEL J.	50.00
GOLDING, JOYCE M.	50.00	UNIFIRST CORPORATION	208.24
GRIFFITH, JOHN J	50.00	UP NORTH ASSESSING INC	5,100.00
GRP ENGINEERING INC.	5,430.00	WURST, RANDALL W.	50.00
HACH COMPANY	1,667.09	WYMAN, MATTHEW A.	50.00
HARRELL'S	1,041.08	Z & Z MEDICAL INC	932.00
HEYDLAUFF, MARK L.	50.00	TOTAL	88,689.72
HILLING, NICHOLAS A.	50.00		
HOCQUARD, KERRY	47.47		
JEAN JACQUES, CLEVELAND	1,200.00		

ACH Payments – 06/21/2021 to 06/28/2021

MI PUBLIC POWER AGENCY	17,002.02	VANTAGEPOINT (401 ICMA PLAN)	912.08
MI PUBLIC POWER AGENCY	177,049.09	VANTAGEPOINT (457 ICMA PLAN)	20,420.10
MERS (DEFINED BENEFIT PLAN)	51,865.59	VANTAGEPOINT (ROTH IRA)	1,180.76
IRS (PAYROLL TAX DEPOSIT)	45,333.05	MI PUBLIC POWER AGENCY	23,256.37
ALERUS FINANCIAL (HCSP)	350.00	TOTAL	344,228.48
STATE OF MI (WITHHOLDING TAX)	6,859.42		

Payroll Net Pay – Check Date 06/25/2021

HEYDLAUFF, MARK L.	2,887.53	DOAN, GERARD P.	2,466.09
GOLDING, JOYCE M.	1,748.81	SCHOLEY, ROBERT W.	1,627.58
DEROSIA, PATRICIA E.	1,137.37	UMULIS, MATTHEW T.	1,079.02
DOTSON, LINDSEY J.	1,455.10	ORBAN, BARBARA K.	1,775.74
KLOOSTER, ALIDA K.	1,787.66	RILEY, DENISE M.	452.41
GOLOVICH, KAREN J.	997.57	MUNK, CHRISTOPHER J.	1,377.69
BARNEVELD, RICHELLE L.	1,226.34	SCHICK, TIELER R.	1,396.72
SCHULZ, GINNY L.	1,481.25	STEWART, MORGAN J.	1,452.32
MILLER, FAITH G.	38.17	MATELSKI, KRISTEN L.	1,382.24
McGINN, KELLY A.	1,673.43	BINGHAM, LARRY E.	846.23
SHEEL, CRESTON R.	321.65	MACGILLIVRAY, ROGER	803.71

WESTRICK, AARON J.	615.27	CURTIS, LILY E.	282.89
MILLER, ZACHARY S.	924.98	MAY, MEREDITH A.	647.88
WURST, RANDALL W.	1,728.26	SPRAGUE, CHEYENNE L.	253.72
HILLING, NICHOLAS A.	2,490.66	WALKER, SAVANNAH P.	391.24
MEIER III, CHARLES A.	1,665.42	SHRIFT, EMILY K.	189.02
ZACHARIAS, STEVEN B.	1,513.27	KIRINOVIC, THOMAS F.	421.07
NEWMAN, MARK J.	1,589.34	WAGNER, KIRSTEN M.	243.16
GRIFFITH, JOHN J.	2,995.57	SHEETS, SOPHIA R.	258.43
EATON, BRAD A.	2,332.03	MOOAR, ISAAK S.	363.41
WILSON, TIMOTHY J.	2,670.25	COFFEY, JASON J.	499.66
LAVOIE, RICHARD L.	2,279.04	SHANAHAN, CHERYL J.	536.61
STEVENS, BRANDON C.	2,409.68	GILL, DAVID R.	991.15
DRAVES, MARTIN J.	2,754.14	MASSON, DONALD J.	566.91
ANDERSON, ELIZABETH A.	1,234.96	LABLANCE, MAUREEN J.	391.18
KENWABIKISE, DAVID L.	1,106.38	LIVINGSTON, BRIAN D.	1,814.94
ELLIOTT, PATRICK M.	3,065.84	STANLEY, MARK J.	63.49
SCHWARTZFISHER, JOSEPH	1,176.01	KLOOSTER, PATRICK H.	515.52
BRADLEY, KELLY R.	1,298.58	WAY, KRISTINA M.	352.48
HART II, DELBERT W.	2,118.01	DIETRICH, ARLENE M.	489.25
JONES, ROBERT F.	1,145.83	BERRY, ROBERT J.	43.06
FARRELL, MITCHELL L.	1,337.26	WYMAN, MATTHEW A.	1,776.67
THORP JR, WILLIAM D.	1,570.66	MILLER, WILLIAM S.	786.10
LEITNER, RYAN S.	1,721.65	DOUGLAS, MARK	1,031.42
FERGUSON, ROYCE L.	1,325.92	FRATRICK, JOSEPH W.	828.17
DORAN, JUSTIN J.	2,173.13	CARSON, SAWYER J.	417.92
NEDWICK, DAVID J.	311.68	PAALMAN, STEPHEN J.	1,044.22
FREY, DYLAN V.	771.66	MCMULLEN, DONALD R.	1,802.20
HART III, DELBERT W.	975.60	SILVA, JESSE L.A.	1,580.47
DOTSON, WILLIAM R.	416.71	JOHNSON, MELISSA A.	1,500.65
BEMIS, JACKSON R.	793.44	STEPHENS, LYON G.	146.64
FINNERTY, HOLLY E.	931.26	TRAVERS, MANUEL J.	1,665.00
CRANDELL, ZACKARY R.	736.36	HOSLER, ERIK R.	1,982.41
BLAIN, TAYLOR W.	422.88	MOYER, NATHAN I.	811.75
FRANCE JR, JAMES A.	1,276.33	HOLLOWACH, ROGER E.	1,369.95
RABIDEAU, JACOB L.	796.14	RILEY, CASEY W.	400.04
MORGRIDGE, ALEXANDER J.	723.05	JONES, LARRY M.	563.94
SPEER, KEEGAN L.	422.88	MOYER, DAVID T.	37.21
KNORR, KENT J.	1,999.54	CORNELL, BRITTA J.	92.35
ANZELL, BETH A.	1,345.76	AZZOPARDI, ANTHONY J.	1,204.75
STEBE, LAURA A.	69.26	MCCRANEY, RUSSELL R.	22.03
MCDERMOTT, DENNIS J.	1,856.11	PECK, JARICA L.	244.04
EVANS JR, HALBERT K.	725.85	FALKENBERG, AMANDA M.	1,310.65
JASURDA, DONALD J.	747.82	WELLS, JANINNA J.	66.07
DORST, KRISTA M.	772.93	JOSLIN, ISABELLE G.	1,004.14
PARRISH, SAMANTHA K.	264.67	WHITLEY, ANDREW T.	2,526.63
MEEHAN, MAXIMUS M.	640.46	MORRISON, KEVIN P.	1,913.71
WHITE III, MARCUS W.	919.11	SNYDER, JACOB M.	554.55
CUNNINGHAM, ABIGAIL A.	675.10	TOTAL	129,778.72
JAREMA, CAROLINE J.	264.30		
PRIMAK, JACOB L.	264.30		

Payroll Transmittal – 06/25/2021

4FRONT CREDIT UNION	1,093.00	DISCOVER BANK	310.86
AMERICAN FAMILY LIFE	479.51	EQUITABLE FINANCIAL LIFE INSURANCE	353.56
CALIF STATE DISBURSEMENT UNIT	92.19	INSTANT CASH	88.26
CHAR EM UNITED WAY	70.00	MI STATE DISBURSEMENT UNIT	429.88
CHARLEVOIX STATE BANK	867.00	PRIORITY HEALTH	1,524.99
COMMUNICATION WORKERS OF AMER	652.33	TOTAL	5,961.58