

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, August 7, 2017 – 7:00 p.m.
Council Chambers, 210 State Street, Charlevoix, MI

The meeting was called to order at 7:00 p.m. by Mayor Luther Kurtz.

1. Pledge of Allegiance

2. Roll Call

Mayor: Luther Kurtz
Members Present: Councilmembers Shane Cole, Shirley Gibson, Aaron Hagen, Janet Kalbfell, Tom Oleksy, Leon Perron
Members Absent: None
City Manager: Mark Heydlauff
City Clerk: Joyce Golding

3. Presentations

4. Inquiry Regarding Conflicts of Interest

Mayor Kurtz disclosed that he owned a downtown apartment for personal use that he occasionally rents, but he did not feel that this was a conflict.

Motion by Councilmember Gibson, second by Councilmember Oleksy, that Mr. Kurtz recuse himself on the agenda item Short Term Rentals.

Yeas: Perron, Gibson, Oleksy

Nays: Kalbfell, Cole, Hagen

Motion failed.

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 – July 17, 2017 Regular Meeting
- B. City Council Meeting Minutes – July 31, 2017 Special Meeting
- C. Accounts Payable and Payroll Check Registers
 - a. Special Accounts Payable Check Register – July 24, 2017
 - b. Regular Accounts Payable Check Register – August 8, 2017
 - c. ACH Payments – July 17, 2017 to July 31, 2017
 - d. Payroll Check Register – July 28, 2017
 - e. Payroll Transmittal – July 28, 2017
 - f. Tax Disbursement – August 8, 2017
- D. 2017 MERS Annual Conference Officer Delegate – Andrew Whitley, employee delegate; Elizabeth Anderson, alternate
- E. 2017 Michigan Municipal League Delegate – City Manager Heydlauff

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

Yeas: Kalbfell, Perron, Cole, Gibson, Oleksy, Hagen

Nays: None

6. Public Hearings & Actions Requiring Public Hearings

7. All Other Actions & Requests

A. Hampton Village Street Improvement

DPW Superintendent Elliott stated that we are currently working on the 2017 infrastructure projects, which include complete utility upgrades as well as repaving a number of streets. He explained the scope of the proposed Hampton Village Street plan and stated that it was Staff's recommendation to amend the MDC contract in order to complete the Hampton project, increasing the contract amount by \$95,096.69. This project will use up the money derived from the 2016 Infrastructure Improvement Bonds and money set aside in the 2017/2018 Operating Budget for street improvements.

Mayor Kurtz opened the item to public comment. There was no comment and the item was closed.

Motion by Councilmember Cole, second by Councilmember Oleksy, to approve change order #1, in the amount of \$95,096.69, and add this work to MDC's existing contract.

Yeas: Kalbfell, Perron, Gibson, Cole, Oleksy, Hagen

Nays: None

B. Short Term Rental Options and Senate Bill 329

Staff Planner Lucas stated that the Rental Regulations Subcommittee developed a draft short-term rental ordinance for City Council's review and discussion. As currently written, the draft ordinance would:

- Require registration of properties that are rented two or more weeks per year providing basic information about the unit
- Require a "good neighbor guide" and compliance with relevant City codes

She noted that the goal of the ordinance was to require property owners to register their homes, not to regulate them. Staff Planner Lucas will clarify rooms over garages and a remediation process for easily corrected issues.

Mayor Kurtz opened the item to public comment.

RJ Waddell, Planning Commission, explained that there would not be an inspection with the registration but, only with complaints from a renter. Sherm Chamberlain, Planning Commission, added that the applicable building code for a home would be the one in effect when it was built or remodeled.

Linda Sawyer felt that the Planning Commission should focus on long-term rentals which create a blight problem and questioned when long-term rentals would be addressed.

Ed Mann explained that rentals in Grand Rapids were inspected every four years and he felt that this would be a good policy for all rentals in the City.

Bob Timms felt the ordinance was another layer of bureaucracy and was not in favor.

The item was closed to the public.

Council concurred that the Planning Commission should continue the ordinance introduction process.

Staff Planner Lucas then discussed legislation that is currently proposed in the Michigan State Senate that would restrict the ability of local governments to regulate short-term rentals. The Planning Commission directed Staff to prepare a letter for consideration by Council to send to state senators and representatives expressing their position against the bill.

Mayor Kurtz opened the item to public comment.

Dave Gudritz, 204 Alice, questioned how rental regulations would be managed.

The item was closed to the public.

Motion by Councilmember Perron, second by Councilmember Hagen, to approve the [draft] letter from the Planning Commission concerning Bill 329 and to direct Staff to send the letter to the appropriate Senators and Representatives.

Yeas: Kalbfell, Perron, Gibson, Cole, Oleksy, Hagen

Nays: None

8. Reports & Communications

A. Public Comments

Beth Egler commented on dangerous jumping at Michigan Beach, a buoy that drifted, and she suggested more trash barrels on the beach, as well as installing a drain near the steps to avoid washouts.

Robert Taylor, 103 Maranatha, wanted to set the record straight regarding continuous complaints about campfires in his backyard. He stated that he is a good neighbor and respectful of those around him when having a fire. He suggested that this problem was an enforcement issue and doesn't warrant a change to the nuisance ordinance.

Ed Mann, Smoke on the Water, felt the City's temporary signage at Van Pelt Alley and the Trademark Building was unfair.

B. City Manager Comments

City Manager Heydlauff reported on the following:

- Park preservation ballot language submitted to the Governor for approval was rejected as written; the City Attorney will redraft language upon the recommendation of the Assistant Attorney General
- Carbon monoxide detectors are being installed in City police cruisers
- August 17th is the second Sustainable Built Environment Initiative visioning session at the Library
- Chamber microphones are being reviewed

C. Mayor & Council Comments

Councilmember Oleksy commented that Olesons' business suffered during the Venetian street closure and he questioned what the plan was for next year. It was noted that the closure was being evaluated and City Manager Heydlauff responded that nothing was set in stone.

9. Other Council Business

9. Closed Session: City Manager Performance Review

Motion by Councilmember Kalbfell, second by Councilmember Perron, to enter Closed Session [for the purpose of conducting a performance evaluation at the request of the employee MCL 15.268 Section 8(a).]

Yeas: Kalbfell, Perron, Gibson, Cole, Oleksy, Hagen

Nays: None

Council moved into Closed Session at 7:57 p.m. Council resumed Open Session at 9:32 p.m.

Motion by Councilmember Cole, second by Councilmember Gibson, to extend the City Manager's employment contract by one year [effective July 27, 2017.]

Yeas: Kalbfell, Perron, Gibson, Cole, Oleksy, Hagen

Nays: None

10. Adjourn

The Mayor adjourned the meeting at 9:34 p.m.

Joyce M. Golding	City Clerk	Luther Kurtz	Mayor
Special Accounts Payable – 07/24/2017			
AT&T	2,722.94	HOLIDAY COMPANIES	4,969.45
AT&T LONG DISTANCE	89.17	METLIFE SMALL BUSINESS CENTER	739.57
AT&T MOBILITY	90.33	PRIORITY HEALTH	39,032.49
CHARLEVOIX STATE BANK	6,397.70	VERIZON WIRELESS	56.72
CHARTER COMMUNICATIONS	816.51	VISION SERVICE PLAN	512.74
DELTA DENTAL	3,643.24		
GREAT LAKES ENERGY	191.92	TOTAL	59,262.78
Regular Accounts Payable – 08/08/2017			
1400 BRIDGE STREET LLC	535.29	ALTEC INDUSTRIES INC	737.27
a5 Branding & Design	5,250.00	AMERICAN WASTE INC.	257.46
ACCESS LOCKSMITHING INC	75.00	ARCADIA BENEFITS GROUP INC	25.00
ADVANCED BUILDING	490.00	ASPEN WIRELESS	3,210.00
ADVANCED PAVEMENT MARKING LLC	1,542.00	AVFUEL CORPORATION	96,802.39
AIRGAS USA LLC	66.30	BAKER COLLEGE OF CADILLAC	35.00
AIS CONSTRUCTION EQUIPMENT	4,518.00	BALL, MATTHEW	75.00
ALL-PHASE ELECTRIC SUPPLY CO.	435.50	BEAR EARTH HERBALS	10.00

BEIJO DE CHOCOLAT LLC	80.00	MDC CONTRACTING LLC	25,495.02
BELL EQUIPMENT COMPANY	811.43	MICHELS, CHRISTOPHER	150.00
BERLAGE, JIM	30.00	MICHIGAN BOATING INDUSTRIES ASSOC	295.00
BLACK PEARL PLATINUM BRAND	40.00	MICHIGAN MUSHROOM MARKET LLC	32.00
BLARNEY CASTLE OIL CO	822.09	MICHIGAN WATER ENV ASSOC	140.00
BOSS, KEN	33.89	MILLER, WILLIAM S.	50.00
BRADFORD'S	48.75	MOORS & MCCUMBER	1,250.00
CCI SOUTH LLC	26.25	MUSTANG TOOL SERVICE	332.97
CELEBRATE ME HOME	10,000.00	NETSOURCE ONE INC.	104.00
CENTRAL DRUG STORE	51.85	NORTH COUNTRY CRITTERS	15.00
CHAPDELAINE, EMILY	50.00	NORTHERN CREDIT BUREAU	251.00
CHARLEVOIX COMMUNITY SHOPPER	299.00	NORTHERN FIRE & SAFETY INC.	381.86
CHARLEVOIX COUNTY NEWS	260.00	NORTHERN SAFETY CO INC	1,231.67
CHARLEVOIX SCREEN MASTERS INC	513.00	NORTHWEST DESIGN GROUP	350.00
CHARLEVOIX SEWER & DRAIN	170.00	NW MI COG	12,180.00
CHARLEVOIX TOWNSHIP	15.23	OLD DOMINION BRUSH	933.08
CINTAS CORPORATION	124.76	OLSON BZDOK & HOWARD	1,634.70
CINTAS CORPORATION #729	243.71	OLSTROM EXCAVATING AND PAVING	3,040.00
CITY OF CHARLEVOIX - UTILITIES	34,095.42	OMS COMPLIANCE SERVICES INC	202.50
CIVIC SYSTEMS	210.00	P.I.W. CORPORATION	82.50
COOK FAMILY FARMS	192.00	PARKER, MICHAEL	81.00
CRYSTAL FLASH ENERGY	798.51	PENCHURA LLC	45,537.00
CURREY FARMS LLC	92.00	PERSONAL GRAPHICS	799.48
CWIK, ADOLPH	25.00	PHILLIPS, BILL	50.00
DCASSESSING SERVICES	4,371.08	PHYSICIAN'S CLINIC OF CHARLEVOIX	75.00
DELL MARKETING L P	713.90	POND HILL FARM LLC	271.00
DeROSIA, PATRICIA E.	50.00	POWER LINE SUPPLY	5,244.90
DERRER OIL & PROPANE CO	542.85	PREFERRED WASTE 2 LLC	425.00
DHASELEER, CARL	214.00	PREIN & NEWHOF	3,021.13
DOAN, GERARD P.	50.00	PRO WEB MARKETING LLC	30.00
DORNBOS SIGN INC.	7,628.96	QUILL CORP	540.39
DOTSON, LINDSEY J.	50.00	R & R PRODUCTS INC	703.32
EAST JORDAN COMMUNITY POOL	50.00	REEDY, JOSEPH	38.77
ECONO SIGNS LLC	123.00	REHMANN-ROBSON & CO	10,500.00
EJ USA INC.	1,681.64	RESIDEX LLC	411.87
ELLIOTT, PATRICK M.	203.84	RICK-BIDDICK, MICHELLE	1,785.64
ELLSWORTH FARMER'S EXCHANGE	375.60	ROCKY TOP FARMS	36.00
EMERGENCY MEDICAL PRODUCTS INC	405.39	ROTARY CLUB OF CHARLEVOIX	37.50
EMMET BRICK & BLOCK	71.53	ROWE PROFESSIONAL SERVICES CO	400.00
EVANS, HAL	50.00	RS TECHNICAL SERVICES	2,004.00
FARMER WHITE'S	407.00	RUSSELL, ANNE	346.00
FASTENAL COMPANY	310.92	RUSTIC BAKER	78.00
FERGUSON & CHAMBERLAIN	4,700.00	SAUL, GINNIE	125.00
FISHER SCIENTIFIC	514.46	SEARS COMMERCIAL ONE	224.84
FREIDINGER, REED	15.00	SHINDORF BUILDERS	322.00
GEI CONSULTANTS	3,400.00	SHORELINE POWER SERVICES INC.	450.00
GERBER HOMEMADE SWEETS	66.00	SIEGRIST, DAVID	42.00
GILLESPIE, ALISON	15.00	SIGN & DESIGN	30.00
GINOP SALES INC	57.46	SITE ONE LANDSCAPE SUPPLY	3,838.91
GLEN'S MARKET - CHARLEVOIX	1,676.15	SKILLPATH SEMINARS	417.00
GLOBAL EQUIPMENT COMPANY	86.96	SMITH, MILO	103.58
GOLDING, JOYCE M.	50.00	SNAP-ON	214.95
GOLOVICH, RENEE	48.00	SNIVELY, KIRBY	75.00
GORDON FOOD SERVICE	136.81	SPARTAN STORES LLC	35.82
GREENVIEW DATA INC	5,545.00	STATE OF MICHIGAN	725.00
GUNTZVILLER, RHONDA	529.00	SULLIVAN, LAWRENCE R	1,000.00
HANKINS, SCOTT A.	50.00	SUPERIOR MECHANICAL	4,815.77
HARRELL'S	166.00	SWANSON, RACHEL	15.00
HEALEY, BRUCE	15.00	SWEM, DONALD L.	50.00
HEID, THOMAS J.	50.00	SYSTEMS SPECIALISTS INC	1,952.00
HEP'S HOMEBAKED GRANOLA	68.00	TERMINAL SUPPLY CO	408.38
HERSEY, BRADFORD	150.00	THE CHARLES MACHINE WORKS INC	10,304.28
HERZOG ELECTRIC	259.85	THE GO ROUNDS LLC	1,000.00
HEYDLAUFF, MARK L	50.00	THE TROPHY CASE	40.00
IDEXX DISTRIBUTION INC.	1,312.86	TIMMS, ROBERT	332.00
INTERWATER FARMS INC	761.00	TRAVERS, MANUEL J.	50.00
JANE'S SASSY SALSA	39.00	TRI-TURF	76.61
JOHN E. GREEN COMPANY	47,189.50	UNIFIRST CORPORATION	221.08
JONES & JONES GARAGE DOOR SVCS	240.00	UP NORTH PROPERTY SERVICES LLC	5,568.00
JTHOMAS PARTS	123.27	VILLAGE GRAPHICS INC.	199.90
KILWINS CHARLEVOIX	1,037.50	WAGNER, JODI	66.00
KIRINOVIC, THOMAS F.	50.00	WARD BROTHERS BOATS INC	113.79
KLOOSTER, ALIDA K.	50.00	WATTA COOKIE LLC	64.00
KSS ENTERPRISES	2,886.45	WCMU PUBLIC MEDIA	695.00
LAKE FOREST BAKING COMPANY	220.00	WELLER, LINDA J.	50.00
LAKESHORE TIRE & AUTO SERVICE	99.31	WILTFONG, DAVID	34.68
LANDSCAPE LOGIC	225.00	WINNIE'S ORIGINAL LLC	5.00
LANGE, JEFFREY	150.00	WITMER PUBLIC SAFETY GROUP	432.53
LOTTIE'S BAGELS	330.00	WORK & PLAY SHOP	486.73
MAYER, SHELLEY L.	50.00	WURST, RANDALL W.	50.00
MCCALLUM, KADIN	50.00	WYMAN, MATTHEW A.	50.00
McGINN, KELLY A.	50.00	TOTAL	408,161.54

ACH Payments – 07/17/2017 to 07/31/2017

MI PUBLIC POWER AGENCY	37,245.95	VANTAGEPOINT (401 ICMA PLAN)	713.94
NEOFUNDS BY NEOPOST (POSTAGE)	4,990.00	VANTAGEPOINT (457 ICMA PLAN)	13,296.88
MI PUBLIC POWER AGENCY	16,760.06	VANTAGEPOINT (ROTH IRA)	961.53
MI PUBLIC POWER AGENCY	254,726.70	MERS (DEFINED BENEFIT PLAN)	31,193.05
IRS (PAYROLL TAX DEPOSIT)	44,005.50	MI PUBLIC POWER AGENCY	13,905.90
ALERUS FINANCIAL (HCSP)	420.00		
STATE OF MI (WITHHOLDING TAX)	6,355.71	TOTAL	424,575.22

Payroll Net Pay – Pay Period Ending 07/22/2017 (Paid 07/28/2017)

WELLER, LINDA JO	1,499.87	MUMICH, BARRY J.	595.90
HEYDLAUFF, MARK L.	2,161.23	CRANDELL, ZACKARY R.	643.67
GOLDING, JOYCE M.	1,132.69	LEITNER, RYAN S.	802.81
DEROSIA, PATRICIA E.	483.25	FERGUSON, ROYCE L.	788.84
DOTSON, LINDSEY J.	1,421.14	BOSS, SHERRY M.	405.84
LOY, EVELYN R.	1,050.16	KIRINOVIC, THOMAS F.	432.86
KLOOSTER, ALIDA K.	1,566.56	STEBE, LAURA A.	18.47
GOLOVICH, KAREN J.	970.67	SROUFE, MARC E.	85.88
SPENCLEY, PATRICIA L.	1,233.43	SROUFE, PAMELA B.	74.81
MILLER, FAITH G.	28.07	MILAN, JANE E.	1,092.80
LEESE, MERRI C.	523.99	ANZELL, BETH A.	650.22
MCGINN, KELLY A.	1,618.00	BERNIER, RACHEL M.	719.19
JONES, JANET M.	496.47	MACGILLIVRAY, RAYMOND L.	660.32
DOAN, GERARD P.	1,603.59	DIXON, MIKAYA S.	481.50
SCHLAPPI, JAMES L.	1,290.95	MILAN, BAC P.	691.58
UMULIS, MATTHEW T.	1,457.52	HOLECHECK, JENNACA R.	828.08
HANKINS, SCOTT A.	2,182.32	LABELLE, DAVIS B.	409.75
ORBAN, BARBARA K.	1,402.10	BAILEY, ALYSSA M.	700.06
TRAEGER, JASON A.	1,936.32	HEID, THOMAS J	1,299.22
FLICKEMA, ANDREW M.	1,862.15	LEESE, ALAN K.	455.33
MATELSKI, KIMBERLY A.	1,188.90	HART, DAVID R.	48.48
RILEY, DENISE M.	477.84	GRUNCH, RONALD J.	433.97
EVANS JR, HALBERT K.	1,470.62	DAVIS, RONALD L.	243.31
KLOOSTER, PATRICK H.	1,050.59	FAIRCHILD, GALEN W.	321.25
BINGHAM, LARRY E.	836.39	DAKROUB, JOSEPH E.	247.12
ENGSTROM, TYLER A.	600.58	MASSON, DONALD J.	437.37
WARNER, PAYTON J.	1,110.09	KUSINA, DENNIS W.	374.96
MATELSKI, RYAN G.	980.40	LABLANCE, MAUREEN J.	286.73
GREENE, GLORIA C.	760.38	LIVINGSTON, BRIAN D.	662.34
DAVIS, LEAH R.	725.82	VANLOO, JOSEPH G.	965.01
TELGENHOF, WILL G.	645.24	WYMAN, MATTHEW A.	1,761.58
WILLIAMS, BRANDON S.	431.22	BOSS, RYDER S.	793.72
CARLSON, JOSHUA A.	281.03	MILLER, WILLIAM S.	1,354.08
GREYERBIEHL, KELLY M.	812.46	HOUSER, JAMES F.	533.48
WURST, RANDALL W.	1,414.01	DOUGLAS, MARK	686.91
MAYER, SHELLEY L.	1,957.22	MITCHELL, JACOB A.	648.90
HILLING, NICHOLAS A.	1,343.65	TRAVERS, MANUEL J.	1,636.68
MEIER III, CHARLES A.	1,261.35	STEVENS, JEFFREY W.	239.12
ZACHARIAS, STEVEN B.	1,484.58	RILEY, CASEY W.	161.60
EATON, BRAD A.	1,809.08	JONES, LARRY M.	715.73
WILSON, TIMOTHY J.	2,027.54	FLORE, ROBERT A.	829.43
LAVOIE, RICHARD L.	1,630.19	WILLSON, BRENDA R.	857.17
STEVENS, BRANDON C.	1,629.38	BEAN, PETER J.	693.48
DRAVES, MARTIN J.	2,008.03	FENNELL, DREW M.	127.75
BROWN, STEPHANIE C.	1,042.19	MCMULLEN, DONALD R.	1,076.90
ANDERSON, ELIZABETH A.	1,151.81	SILVA, JESSE L.A.	373.30
ELLIOTT, PATRICK M.	2,004.05	RILEY, DANIEL A.	389.38
SCHWARTZFISHER, JOSEPH L.	1,437.91	TIMMS, ROBERT N	46.17
BRADLEY, KELLY R.	1,509.35	GERBER, SAMUEL A.	41.56
HART II, DELBERT W.	1,217.48	KLINGER, LUCAS D.	520.94
JONES, ROBERT F.	1,082.88	KLINGER, BRADLEY W.	691.29
DORAN, JUSTIN J.	1,812.58	WILLIAMS, SYDNEY K.	772.91
FARRELL, MITCHELL L.	1,256.48	SWEM, DONALD L.	1,878.07
MANKER JR, DAVID W.	581.41	WHITLEY, ANDREW T.	1,939.21
MANKER SR, DAVID W.	796.02	MORRISON, KEVIN P.	1,775.07
BECKER, MICHAEL S.	942.35	JOHNSON, STEVEN P.	1,660.50
NEDWICK, DAVID J.	596.66	BISHAW, JAMES H.	733.83
FREY, DYLAN V.	572.14	WITTHOEFT, LUKILA F.	537.69
SHEPARD, ZACHARY N.	601.55	ITTER, DAVID M.	661.68
HART III, DELBERT W.	637.92	PETERSON, BENJAMIN D.	235.30
SLADEK, RYLYNN S.	543.57	GILL, DAVID R.	1,094.55
HAWKINS, JAMES S.	445.38	MATTER, DAWSON K.	3,521.89
MCGHEE, ROBERT R.	1,154.49		
ALDEN, CAMDEN D.	610.52	TOTAL	118,701.35

Payroll Transmittal – 07/28/2017

4FRONT CREDIT UNION	277.69	CHEMICAL BANK	150.00
AMERICAN FAMILY LIFE	191.88	COMMUNICATION WORKERS OF AMER	516.80
AMERICAN FAMILY LIFE	447.24	MI STATE DISBURSEMENT UNIT	401.83
CHAR EM UNITED WAY	59.00	PRIORITY HEALTH	1,938.69
CHARLEVOIX STATE BANK	1,259.62	TOTAL	5,242.75

Tax Disbursement – 08/08/2017

CHARLEVOIX COUNTY TREASURER	366,196.55	CHARLEVOIX PUBLIC SCHOOLS	9.18
CHARLEVOIX COUNTY TREASURER	153.07	CHARLEVOIX PUBLIC SCHOOLS	21,419.92
CHARLEVOIX DISTRICT LIBRARY	19.38	CITY OF CHARLEVOIX - TAXES DUE	303,458.07
CHARLEVOIX PUBLIC SCHOOLS	507,117.77	CITY OF CHARLEVOIX/DDA	303,034.24
CHARLEVOIX PUBLIC SCHOOLS	107,122.52	RECREATIONAL AUTHORITY	3.48
CHARLEVOIX PUBLIC SCHOOLS	21,419.76	TOTAL	1,629,953.94