

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, December 4, 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 Greg Bryan, Shane Cole, 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

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. Rules of Procedure for City Council Amendment – Table item until December 18 meeting

CITY OF CHARLEVOIX
RESOLUTION NO. 2017-12-02
AMENDMENT TO THE RULES OF PROCEDURE FOR CITY COUNCIL

WHEREAS, the Charlevoix City Council adopted "Rules of Procedure for City Council" on November 4, 1996; and

WHEREAS, the Council subsequently adopted several amendments to the "Rules of Procedure for City Council" on May 16, 2016; and

WHEREAS, pursuant to Rule 20 of the Rules, they may be amended by resolution voted upon at any meeting but shall be tabled until the next regular meeting thereof or at such other time as the Council shall determine; and

WHEREAS, on November 20, 2017 City Council directed the City Manager to draft an amending resolution enabling the Council to set the dates and times for regular City Council meetings and the Council first introduced this resolution on December 4, 2017.

NOW THEREFORE BE IT RESOLVED, Rule 1(c) of the "Rules of Procedure for City Council" shall be amended as follows:

Strike all language so that Rule 1(c) should read:

The City Council shall from time to time establish, by resolution, dates and times for regular meetings of the Council in accord with the Open Meetings Act.

RESOLVED this 18th day of December, 2017 A.D.

Resolution was adopted by the following yea and nay vote:

Yeas:

Nays:

- B. ZBA Resignation: Art Nash – Accept resignation
C. City Council Meeting Minutes – November 20, 2017 Regular Meeting
D. Accounts Payable and Payroll Check Registers
a. Special Accounts Payable Check Register – November 17, 2017
b. Regular Accounts Payable Check Register – December 5, 2017
c. ACH Payments – November 20, 2017 to December 1, 2017
d. Payroll Check Register – December 1, 2017
e. Payroll Transmittal – December 1, 2017
f. Tax Disbursement – December 5, 2017

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

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

Nays: None

6. Public Hearings & Actions Requiring Public Hearings

7. All Other Actions & Requests

- A. CZM Grant Proposal for Beach Accessible Walkways at Lake Michigan Beach
City Manager Heydlauff stated the Recreation Department would like to apply for grant funding for ADA compliant beach accessible walkways through the DEQ Coastal Zone Management Program (CZM). The walkways would be placed at Lake Michigan Beach and would allow easy access to the water's edge for individuals with accessibility challenges. He noted that the cost estimate was \$20,000 of which half would potentially be funded from this grant.

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

CITY OF CHARLEVOIX
RESOLUTION NO. 2017-12-01
APPROVE SUBMISSION OF DEQ COASTAL ZONE MANAGEMENT GRANT APPLICATION FOR
ADA COMPLIANT BEACH ACCESS WALKWAYS AT LAKE MICHIGAN BEACH

WHEREAS, the City of Charlevoix wishes to place ADA compliant beach access walkways at Lake Michigan Beach Park; and

WHEREAS, funding is available from the Michigan Department of Environmental Quality, Office of the Great Lakes, Coastal Zone Management Program; and

WHEREAS, the project cost is estimated at \$20,000, 50% of which would be funded through the Coastal Zone Management Program and 50% would be a local match; and

WHEREAS, the City of Charlevoix desires to enhance and provide ADA accessible walkways to the water's edge at Lake Michigan Beach to meet the recreation needs of all beach goers in Charlevoix County.

NOW THEREFORE BE IT RESOLVED, that the City of Charlevoix approves the submission of the grant application to the DEQ Coastal Zone Management Program in the amount of \$20,000 for the ADA accessible walkways and commits that the local match shall be provided if the project is funded.

RESOLVED this 4th day of December, 2017 A.D.

Resolution was adopted by the following yea and nay vote:

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

Nays: None

Motion by Councilmember Hagen, second by Councilmember Oleksy, to approve Resolution 2017-12-01 authorizing the Recreation Department to submit a grant request to the DEQ/CZM for funds to purchase accessible walkways to Lake Michigan.

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

Nays: None

B. Draft Ordinance Language – Administrative Edits

Regional Planner Crafts stated that the Planning Commission proposed general edits to several sections of the Zoning Ordinance based on recommendations of former City Staff and planning/zoning consultants. She reviewed these recommendations which were largely administrative in nature and were not anticipated to result in significant changes to land uses or processes. She stated that prior to holding a public hearing on these proposed changes, the Planning Commission seeks Council review and feedback. Council had no feedback.

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

C. Draft Ordinance Language - Signage

Regional Planner Crafts stated that the Planning Commission was proposing a new signage ordinance to replace the existing signage standards (Section 11). The proposed ordinance was based on the US Supreme Court ruling in the 2015 case Reed v Town of Gilbert, AZ, in which the Supreme Court ruled that sign regulations must not be content-based. The proposed ordinance strives to meet the following criteria:

- Sign standards are as content-neutral as possible;
- Sign standards reflect the current and future needs of Charlevoix residents and businesses; and
- Sign standards are convenient to understand and apply.

She stated that the Planning Commission seeks Council review and feedback prior to holding a public hearing on the ordinance.

Councilmember Bryan questioned the size of real estate signage in commercial districts. Portable and temporary sign definitions were discussed. Regional Planner Crafts felt that there would not be a large difference in the way downtown looked between the original and proposed ordinances. Council agreed that a graphic interpretation would be helpful in understanding the differences.

Mayor Kurtz opened the item to public comment.

Bill Supernaw questioned if yard sale signs were permitted. City Manager Heydlauff noted that signs in the right-of-way were illegal.

The item was closed to the public.

D. 2017 Bridge Drop Fireworks Approval

Dan Barron, Bridge Drop Committee, stated that the Bridge Drop on New Year's Eve has become a great new downtown event for the holiday with a fireworks display from Depot Beach. The organizers would like to launch stadium fireworks from the ends of the docks at the Marina as well. He asked Council's approval for the fireworks displays based on the following conditions:

- Satisfactory receipt of all insurance and indemnification documents
- Satisfactory safety conditions as determined by the Fire Chief
- Recognition that the Fire Chief, at his sole discretion, can cancel, postpone, delay, or modify any display based on safety and weather conditions on the night of the event.

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

Motion by Councilmember Cole, second by Councilmember Kalbfell, to authorize the fireworks displays for Bridge Drop 2017 as presented and with the conditions as recommended by City Staff and authorize all necessary documents be signed on behalf of the City by the City Manager [and direct the City Clerk to issue the license.]

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

Nays: None

E. Mayoral and Council Appointments

A member appointment is needed for the Recreation Advisory Committee, Board of Review, and Airport Advisory Committee. The Mayor nominated Sarah Matye for the Recreation Advisory Committee appointment.

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

Motion by Councilmember Cole, second by Councilmember Hagen, to appoint Sarah Matye to the Recreation Advisory Committee, term expiring December 2018.

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

Nays: None

Motion by Councilmember Kalbfell, second by Councilmember Cole, to appoint Kirby Dipert to the Board of Review, term expiring December 2020.

Yeas: Kalbfell, Bryan, Hagen, Cole

Nays: Perron, Oleksy

Motion by Councilmember Kalbfell, second by Councilmember Cole, to disband the Airport Advisory Committee.

Mayor Kurtz recused himself and Deputy Mayor Cole facilitated Council discussion. Councilmember Kalbfell stated that the reason for the motion was that Staff recently hired Matt Wyman as Airport Manager who has credentials and significant experience. She noted that Mr. Wyman demonstrated his ability to be a competent manager by serving as the Interim Airport Manager and she felt that it would be best to let Mr. Wyman do the job he was hired to do. Councilmember Cole concurred and felt that Mr. Wyman didn't need to be micro-managed by the Committee. Councilmember Kalbfell noted that if Mr. Wyman needed any assistance that he could discuss such with the City Manager. Councilmember Hagen agreed and commented that Mr. Wyman was employed with the City for approximately four years.

Yeas: Kalbfell, Bryan, Hagen, Cole
Nays: Perron, Oleksy

8. Reports & Communications

- A. Public Comments
Mayor Kurtz returned to the dais. Bob Timms felt that the new City logo was meaningless. He suggested changing the format of the agenda to save paper.

Shirley Roloff welcomed the new Council members and she questioned the volume on the microphones.

- B. City Manager Comments
City Manager Heydlauff reported on the following:
- Working with Buday's Sound Advice regarding microphones and additional AV equipment for Council Chambers
 - Legislature was proposing municipal retirement reform
 - First phase of wayfinding signage will be installed this month.
- C. Mayor & Council Comments
Councilmember Hagen questioned whether the gate could be removed at the Ferry Beach pier. Councilmember Kalbfell recommended installing safety signage first. City Manager Heydlauff suggested taking a look at safety initiatives at both Lake Michigan Beach and Ferry Beach first and noted that the Ferry Beach pier enhancement was part of the 2018-19 Capital Budget. He also suggested installing the accessible walkway at Lake Michigan Beach before pursuing a walkway at Depot Beach.

9. Other Council Business

10. Adjourn
The Mayor adjourned the meeting at 8:10 p.m.

Joyce M. Golding	City Clerk	Luther Kurtz	Mayor
Special Accounts Payable – 11/17/2017			
AT&T	2,778.66	METLIFE SMALL BUSINESS CENTER	703.12
AT&T LONG DISTANCE	102.47	PRIORITY HEALTH	42,641.74
AT&T MOBILITY	90.99	VERIZON WIRELESS	56.72
CHARLEVOIX STATE BANK	8,492.73	VISION SERVICE PLAN	486.57
DELTA DENTAL	3,467.45	TOTAL	58,820.45
Regular Accounts Payable – 12/05/2017			
ACE HARDWARE	7,304.32	HOLIDAY COMPANIES	5,744.91
AIRGAS USA LLC	68.01	HOLIDAY LIGHTING SERVICES INC.	10,020.00
ALL-PHASE ELECTRIC SUPPLY CO.	432.97	IDEXX DISTRIBUTION INC.	2,220.36
ALTEC INDUSTRIES INC	144.59	KIRINOVIC, THOMAS F.	50.00
AMERICAN WASTE INC.	60.00	KLOOSTER, ALIDA K.	50.00
AMERIGAS - PETOSKEY	463.87	KSS ENTERPRISES	130.21
ATCHISON PAPER SUPPLY	67.75	MAYER, SHELLEY L.	50.00
AVFUEL CORPORATION	1,547.14	MCCLANATHAN, ANGELIA	56.43
BLUETARP FINANCIAL	39.99	MCGINN, KELLY A.	50.00
CENTRAL DRUG STORE	64.67	MCGOUGH'S INC	1,215.90
CHARLEVOIX BRIDGE DROP	2,500.00	MCMASTER-CARR	348.82
CHARLEVOIX COMMUNITY SHOPPER	184.00	MDC CONTRACTING LLC	254,039.74
CHARLEVOIX COUNTY	504.00	MDS OF MICHIGAN INC	78.42
CHARLEVOIX GLASS INC.	1,126.56	MED ALLIANCE GROUP INC	513.65
CHARLEVOIX SCREEN MASTERS INC	52.00	MEIER III, CHARLES A.	48.19
CHARLEVOIX TOWNSHIP	15.23	MILLER, WILLIAM S.	50.00
CINTAS CORPORATION	121.47	MPARKS	135.00
CINTAS CORPORATION #729	60.89	MUNICIPAL UNDERWRITERS OF MICH	631.00
CIRCLE K SERVICE	1,973.22	NORTHERN A-1 ENVIRONMENTAL SVCS	1,477.65
CITY OF CHARLEVOIX - MISC	2,947.05	OLESON'S FOOD STORES	257.90
COUSE, DONALD	3.27	OLSON BZDOK & HOWARD	362.80
CRAINE, JOE & TERI	19.43	OTSEGO CRANE & HOIST CO.	392.00
CROSS III, JOHN H.	6,500.00	PEASE, JERRY	20.00
DCASSESSING SERVICES	4,371.08	PERFORMANCE ENGINEERS INC	10,587.50
DeROSIA, PATRICIA E.	50.00	PHYSICIAN'S CLINIC OF CHARLEVOIX	75.00
DITCH WITCH SALES OF MICHIGAN	485.09	POLLARD WATER	669.55
DOAN, GERARD P.	50.00	POSTMASTER	192.55
DORAN, JUSTIN J.	126.34	POWER LINE SUPPLY	2,868.07
DOTSON, LINDSEY J.	50.00	PREIN & NEWHOF	58,899.68
EJ USA INC.	238.92	QUILL CORP	679.44
ELLIOTT, PATRICK M.	50.00	RIETH-RILEY CONST CO INC	1,071.00
ELLSWORTH FARMER'S EXCHANGE	435.56	SHORELINE POWER SERVICES INC.	950.00
EMERGENCY MEDICAL PRODUCTS INC	213.65	STUDIOMI LLC	390.00
ENERGY ADVANTAGE GROUP	1,922.50	SUNDELIUS, ELISABETH	44.47
ETNA SUPPLY	42.60	SWEM, DONALD L.	50.00
FASTENAL COMPANY	38.50	SYSTEMS SPECIALISTS INC	1,375.00
FOX CHARLEVOIX FORD	397.32	TERMINAL SUPPLY CO	432.39
GOLDING, JOYCE M.	50.00	TRAVERS, MANUEL J.	50.00
GOODMAN, TERRI	36.14	UNIFIRST CORPORATION	549.41
GRAINGER	429.18	USA BLUE BOOK	370.84
GREAT LAKES ENERGY	249.81	VILLAGE GRAPHICS INC.	91.80
HACH COMPANY	5,224.12	WELLER, LINDA J.	50.00
HANKINS, SCOTT A.	50.00	WILMOT ELECTRIC INC	60.00
HEID, THOMAS J.	50.00	WOJAN PLUMBING & HEATING	75.04
HERZOG ELECTRIC	346.15	WORK & PLAY SHOP	495.96
HEYDLAUFF, MARK L	50.00	WURST, RANDALL W.	50.00

WYMAN, MATTHEW A.	50.00	TOTAL	399,228.07
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ACH Payments – 11/20/2017 to 12/01/2017

MI PUBLIC POWER AGENCY	29,513.01	STATE OF MI (WITHHOLDING TAX)	4,997.89
MI PUBLIC POWER AGENCY	271,626.80	VANTAGEPOINT (401 ICMA PLAN)	742.50
DTE ENERGY	22.03	VANTAGEPOINT (457 ICMA PLAN)	12,695.47
MI PUBLIC POWER AGENCY	19,275.21	VANTAGEPOINT (ROTH IRA)	1,186.53
IRS (PAYROLL TAX DEPOSIT)	34,794.41		
ALERUS FINANCIAL (HCSP)	420.00	TOTAL	375,273.85

Payroll Net Pay – Pay Period Ending 11/25/2017 (Paid 12/01/2017)

WELLER, LINDA JO	1,496.31	BASSETT, FREDERICK A.	1,240.75
HEYDLAUFF, MARK L.	2,543.08	WELLER, LINDA JO	81.93
GOLDING, JOYCE M.	1,132.69	HEYDLAUFF, MARK L.	85.88
DEROSIA, PATRICIA E.	1,056.69	GOLDING, JOYCE M.	81.48
DOTSON, LINDSEY J.	1,444.92	DEROSIA, PATRICIA E.	81.93
LOY, EVELYN R.	1,048.93	DOTSON, LINDSEY J.	85.88
KLOOSTER, ALIDA K.	1,901.19	LOY, EVELYN R.	81.48
GOLOVICH, KAREN J.	948.18	KLOOSTER, ALIDA K.	81.93
SPENCLEY, PATRICIA L.	1,030.22	GOLOVICH, KAREN J.	81.93
MILLER, FAITH G.	35.10	SPENCLEY, PATRICIA L.	85.88
LEESE, MERRI C.	523.99	LEESE, MERRI C.	85.88
MCGINN, KELLY A.	1,616.81	MCGINN, KELLY A.	85.88
DOAN, GERARD P.	1,596.21	DOAN, GERARD P.	85.88
SCHLAPPI, JAMES L.	1,351.40	SCHLAPPI, JAMES L.	81.48
UMULIS, MATTHEW T.	1,639.77	UMULIS, MATTHEW T.	85.88
HANKINS, SCOTT A.	1,629.39	HANKINS, SCOTT A.	81.93
ORBAN, BARBARA K.	1,557.48	ORBAN, BARBARA K.	81.93
FLICKEMA, ANDREW M.	1,945.91	FLICKEMA, ANDREW M.	81.93
MATELSKI, KIMBERLY A.	1,185.34	MATELSKI, KIMBERLY A.	81.93
RILEY, DENISE M.	436.69	RILEY, DENISE M.	81.48
MATELSKI, RYAN G.	975.66	EVANS JR, HALBERT K.	81.48
WURST, RANDALL W.	1,100.11	WURST, RANDALL W.	85.88
MAYER, SHELLEY L.	1,446.78	MAYER, SHELLEY L.	85.88
HILLING, NICHOLAS A.	1,394.07	HILLING, NICHOLAS A.	81.48
MEIER III, CHARLES A.	1,406.28	MEIER III, CHARLES A.	85.88
ZACHARIAS, STEVEN B.	1,634.45	ZACHARIAS, STEVEN B.	81.48
SWEM, DONALD L.	1,875.30	SWEM, DONALD L.	85.88
EATON, BRAD A.	1,827.13	EATON, BRAD A.	81.93
WILSON, TIMOTHY J.	2,244.38	WILSON, TIMOTHY J.	85.88
LAVOIE, RICHARD L.	1,060.13	LAVOIE, RICHARD L.	85.88
STEVENS, BRANDON C.	2,014.18	STEVENS, BRANDON C.	85.88
DRAVES, MARTIN J.	1,724.90	WHITLEY, ANDREW T.	81.93
BROWN, STEPHANIE C.	1,033.80	WHITLEY, ANDREW T.	1,629.72
ANDERSON, ELIZABETH A.	1,112.49	DRAVES, MARTIN J.	81.48
ELLIOTT, PATRICK M.	2,000.49	BROWN, STEPHANIE C.	81.93
SCHWARTZFISHER, JOSEPH L.	987.25	ANDERSON, ELIZABETH A.	85.88
BRADLEY, KELLY R.	1,279.48	ELLIOTT, PATRICK M.	85.88
HART II, DELBERT W.	1,329.34	MORRISON, KEVIN P.	81.93
JONES, ROBERT F.	1,080.56	MORRISON, KEVIN P.	1,254.71
DORAN, JUSTIN J.	1,363.55	SCHWARTZFISHER, JOSEPH L.	81.48
FARRELL, MITCHELL L.	1,451.17	BRADLEY, KELLY R.	81.93
MANKER JR, DAVID W.	473.97	HART II, DELBERT W.	81.93
BECKER, MICHAEL S.	577.13	JOHNSON, STEVEN P.	81.93
FREY, DYLAN V.	258.77	JOHNSON, STEVEN P.	1,270.52
MCGHEE, ROBERT R.	881.09	JONES, ROBERT F.	81.93
CRANDELL, ZACKARY R.	287.12	DORAN, JUSTIN J.	81.93
LEITNER, RYAN S.	574.27	FARRELL, MITCHELL L.	81.48
FERGUSON, ROYCE L.	464.39	BISHAW, JAMES H.	81.93
KIRINOVIC, THOMAS F.	497.40	BISHAW, JAMES H.	558.11
ANZELL, BETH A.	392.81	MANKER JR, DAVID W.	85.88
BOSS, BEAU J.	849.92	BECKER, MICHAEL S.	85.88
HEID, THOMAS J	1,246.89	CRANDELL, ZACKARY R.	85.88
MASSON, DONALD J.	79.65	KIRINOVIC, THOMAS F.	81.48
VANLOO, JOSEPH G.	570.88	BOSS JR, DALE E.	1,212.17
WYMAN, MATTHEW A.	1,333.19	ANZELL, BETH A.	85.88
BOSS, RYDER S.	461.42	HOLM, ARTHUR R.	957.97
MILLER, WILLIAM S.	1,393.56	HEID, THOMAS J	85.88
DOUGLAS, MARK	423.75	LEESE, ALAN K.	85.88
HASTINGS, MICHAEL A.	376.96	GILL, DAVID R.	81.93
TRAVERS, MANUEL J.	2,024.32	GILL, DAVID R.	533.11
STEVENS, JEFFREY W.	259.82	MASSON, DONALD J.	85.88
RILEY, CASEY W.	594.73	VANLOO, JOSEPH G.	85.88
JONES, LARRY M.	1,282.80	WYMAN, MATTHEW A.	85.88
WILLSON, BRENDA R.	655.86	BOSS, RYDER S.	81.93
BEAN, PETER J.	1,019.15	MILLER, WILLIAM S.	85.88
MCCALIB, RACHELLE L.	166.99	DOUGLAS, MARK	85.88
MCMULLEN, DONALD R.	402.65	TRAVERS, MANUEL J.	81.93
BOYCE, REBECCA L.	2,402.13	MATTER, DAWSON K.	1,822.55
MCFARLAND, JONATHAN A.	522.00		
SILVA, JESSE L.A.	465.78	TOTAL	92,816.38

Payroll Transmittal – 12/01/2017

4FRONT CREDIT UNION	550.00	CHEMICAL BANK	150.00
AMERICAN FAMILY LIFE	158.28	COMMUNICATION WORKERS OF AMER	541.06
AMERICAN FAMILY LIFE	380.52	MI STATE DISBURSEMENT UNIT	401.83
BARRY COUNTY TRIAL COURT	20.00	POLICE OFFICERS LABOR COUNCIL	201.00
CHAR EM UNITED WAY	59.00	PRIORITY HEALTH	1,640.74
CHARLEVOIX STATE BANK	1,260.77	TOTAL	5,363.20

Tax Disbursement – 12/05/2017

CHARLEVOIX COUNTY TREASURER	9,128.79	CHARLEVOIX PUBLIC SCHOOLS	436.71
CHARLEVOIX PUBLIC SCHOOLS	6,843.98	CITY OF CHARLEVOIX - TAXES DUE	11,236.70
CHARLEVOIX PUBLIC SCHOOLS	2,183.91	COLWELL, CHARRIE	63.00
CHARLEVOIX PUBLIC SCHOOLS	436.71	TOTAL	30,329.80