

AGENDA
CITY OF CHARLEVOIX CITY COUNCIL MEETING

Monday, May 1, 2017 - 7:00 p.m.
City Hall Council Chambers, 210 State Street Charlevoix, Michigan

- 1. Pledge of Allegiance**
- 2. Roll Call**
- 3. Presentations**
 - A. Junior Main Street Committee Project
- 4. Inquiry regarding conflicts of interest**
- 5. Consent Agenda**
 - A. City Council Meeting Minutes April 17, 2017 PG 1-5
 - B. Accounts Payable Check Registers & Payroll Check Registers PG 6-18
 - C. Revised Signature Card for Huntington Bank PG 19-21
- 6. Public Hearings and Actions Requiring Public Hearings**
 - A. Ethical Conduct Ordinance PG 22-26
- 7. All Other Actions & Requests**
 - A. City Band Contract PG 27-29
 - B. Charlevoix Historical Society Depot Beach Request PG 30-33
 - C. Road Closure Signage Purchase PG 34
 - D. Lake Michigan Beach Clean-up PG 35-36
 - E. Schedule Public Hearing: Lake Michigan Beach/Park Avenue Fence Donation PG 37-49
 - F. Schedule Public Hearing: Single Room Rental Zoning Ordinance Amendment PG 50-53
- 8. Reports & Communications**
 - A. Public Comments
 - B. City Manager Comments PG 54-62
 - C. Mayor and Council Comments
- 9. Other Council Business**
- 10. Adjourn**

The City of Charlevoix will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting upon one weeks' notice to the City of Charlevoix. Individuals with disabilities requiring auxiliary aids or services should contact the City of Charlevoix Clerk's Office in writing or calling the following: City Clerk, 210 State Street, Charlevoix, MI 49720 (231) 547-3250.

Posted April 27, 2017 3:00 p.m.

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, April 17, 2017 – 7:00 p.m.
210 State Street, City Hall, Council Chambers, 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

A. Certificate of Appreciation – Dan Barron

Dan Barron was presented a Certificate of Appreciation plaque recognizing his 24 years of service on the DDA, Venetian Festival Committee, and Main Street. Mayor Kurtz thanked Mr. Barron for everything that he has done for the City.

B. Tree City USA Proclamation

Mayor Kurtz read a Proclamation acknowledging that the City was certified as a "Tree City USA" and supports National Arbor Day and Earth Day.

4. Inquiry Regarding Conflicts of Interest

None.

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 – March 20, 2017 Regular Meeting
- B. City Council Meeting Minutes – April 3, 2017 Regular Meeting
- C. Special Accounts Payable Check Register – April 3, 2017
- D. Regular Accounts Payable Check Register – April 18, 2017
- E. ACH Payments – April 3, 2017 to April 10, 2017
- F. Payroll Check Register – April 7, 2017
- G. Payroll Transmittal – April 7, 2017

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

Yeas: Oleksy, Hagen, Kalbfell, Perron, Gibson, Cole
Nays: None
Absent: None

6. Public Hearings & Actions Requiring Public Hearings

None.

7. All Other Actions & Requests

A. Water System Reliability Study Proposal

DPW Superintendent Elliott stated that the Michigan Safe Drinking Water Act recently added a new requirement for communities that supply water to more than 1,000 people. This new requirement is an asset management plan for their water supply system and the plan must be in place by January 1, 2018. He stated this plan needs to include an inventory of our assets, the criticality of each asset, our level of service goals, a long range capital improvement plan and a plan to demonstrate how rates and other funding sources will be sufficient to implement the asset management plan. In the approved 2017/18 City budget, we have allocated \$25,000 to complete this project.

Councilmember Kalbfell questioned if this plan was an annual occurrence, and DPW Superintendent Elliott responded that generally the MDEQ requires a 2-5 year update.

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

Motion by Councilmember Kalbfell, second by Councilmember Cole, to approve the proposal for a Water System Reliability Study from Prein & Newhof for an amount not to exceed \$25,000 and authorize the City Manager to sign all necessary documents.

Yeas: Oleksy, Hagen, Kalbfell, Perron, Gibson, Cole
Nays: None
Absent: None

B. Motor Pool Equipment Purchase

DPW Superintendent Elliott stated that in the approved 2017/18 Motor Pool budget, we allocated \$48,000 to purchase a mini loader and a quick attach vibratory compactor. The loader will be used for a variety of projects such as installing new water services and the compactor will be used whenever we backfill trenches. He stated that currently we use a small hand operated compactor which is more time consuming for larger projects. Due to the fact that we are looking to purchase used equipment, DPW Superintendent Elliott requested that Council pre-authorize him to spend up to the budgeted amount on the two items (\$48,000) in order to purchase the items quickly.

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

Motion by Councilmember Hagen, second by Councilmember Oleksy, to authorize City Staff to purchase both a used rubber tracked mini loader and a used vibratory compactor for a total amount not to exceed \$48,000.

Yeas: Oleksy, Hagen, Kalbfell, Perron, Gibson, Cole
Nays: None
Absent: None

C. Veterans Memorial Flame

City Manager Heydlauff stated that Mike Bartz proposed the donation of an LED "eternal flame" that would sit atop the existing Memorial in Veterans Park. The Electric Superintendent reviewed the proposal and found the estimated yearly cost for supplying electricity to be accurate. The Planning Commission reviewed the proposal at their April 10th meeting and recommended that Council approve the acceptance of the donation.

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

Motion by Councilmember Oleksy, second by Councilmember Gibson, to accept the Veterans Memorial LED "flame" donation.

Yeas: Oleksy, Hagen, Kalbfell, Perron, Gibson, Cole
Nays: None
Absent: None

D. Ethical Conduct Ordinance

City Manager Heydlauff stated that at Council's last meeting, they reviewed an initial draft of an Ethical Conduct Ordinance. Per Council's request, he modified the draft to include some new language regarding its applicability to other boards and commissions and a declaration at the end. He stated that the City Attorney did not recommend splitting an agenda item into two parts and he recommended that it would be better for Councilmembers to have a representative speak for them while they are recused.

Councilmembers Gibson and Hagen agreed that if a question arose that needed to be answered by the recused Councilmember, it could be submitted in writing and answered at the following meeting. It was noted that most questions should be answered in the agenda packet.

Mayor Kurtz suggested that an excerpt from the Michigan Municipal League's (MML) Ethics Handbook should be included as it was relevant to Council. Councilmember Hagen suggested that it be included in the forward of the ordinance. Mayor Kurtz read aloud:

"In making the choice to adopt an ordinance, a community should bear in mind that an ethics ordinance is a tool. While adopted with the intent of improving the government of the municipality, care has to be given to how this tool is used. That is, an ethics ordinance can be a shield—to shield the community from unethical conduct—or it can be used as a sword to unfairly attack municipal officials, and if so used, it can be a detriment to the community."

Mayor Kurtz also suggested that it should be a violation to attempt to create the appearance of a conflict. He felt that Council members should be prohibited from perpetually raising an issue of a perceived conflict once it had been determined that such a conflict did not in fact exist.

Councilmember Gibson strongly disagreed with the Mayor and commented that he was "cherry picking" the MML noting the ethics document was over 70 pages long. Councilmember Oleksy felt it was "ridiculous" to go on and on regarding this topic. Councilmember Perron felt that no one on Council has ever tried to create a conflict – the conflicts have been obvious.

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

Motion by Councilmember Gibson, second by Councilmember Oleksy, to set a Public Hearing for May 1, 2017 at 7pm in the Council Chambers of City Hall to consider Ordinance 782 of 2017- Ethical Conduct Ordinance.

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

Nays: None
Absent: None

8. Reports & Communications

A. Public Comments

Mike Doherty thanked the City Manager for the speed monitoring sign. He expressed concern that no cleanup has started at Lake Michigan Beach Park and would like to see a deadline set.

John Haggard appreciated the City/Township Fire Department agreement and wanted Oscar P. Stroud, former Township Supervisor, to be recognized for the record.

Perry Matthew questioned the status of the Skate Park initiative. City Manager Heydlauff stated that the Recreation Director was researching best practices and would be discussing these with the City Manager in the next week.

B. City Manager Comments

City Manager Heydlauff noted that the American Legion proposed including a Canadian flag at our Veterans monument to recognize Charlevoix residents who fought under the Canadian flag and are identified on the memorial plaque. The Legion also proposed Veterans recognition during Venetian Festival. The City will be participating in the Wreaths Across American program as well.

City Manager Heydlauff updated Council regarding the fence donation at Lake Michigan Beach Park, noted that a multiple day Bridge Street closure during Venetian is proposed, and that he is collaborating with Charlevoix County Transit to establish a local bus route to eliminate some traffic downtown.

C. Mayor & Council Comments

Councilmember Perron commented on the good construction progress in Van Pelt Alley.

Councilmember Cole referenced the police presence at Shelby Township Board meetings and thanked those in attendance this evening for their good behavior.

9. Other Council Business

None.

10. Adjourn

The Mayor stated if there were no objections, the meeting would adjourn. There were no objections. Meeting adjourned at 7:40 p.m.

Joyce M. Golding	City Clerk	Luther Kurtz	Mayor
Special Accounts Payable – 04/03/2017			
STATE OF MICHIGAN	95.00		
WINNELL, CHARLES	15,454.17	TOTAL	15,549.17
Regular Accounts Payable – 04/18/2017			
a5 BRANDING & DESIGN	6,341.16	CITY OF CHARLEVOIX - PETTY CASH	500.00
ACE HARDWARE	1,386.73	CITY OF CHARLEVOIX - UTILITIES	34,789.95
AIS CONSTRUCTION EQUIPMENT	331.84	DELL MARKETING L P	3,070.12
ALTEC INDUSTRIES INC	3,077.28	ELLSWORTH FARMER'S EXCHANGE	50.00
AMERICAN LEGION AUXILIARY	1,066.41	EMERGENCY MEDICAL PRODUCTS INC	434.41
AMERICAN WASTE INC.	208.76	FASTENAL COMPANY	1.77
APX INC.	100.82	FISHER SCIENTIFIC	3,042.91
ARGUS/HAZCO	1,710.97	FLICKEMA, ANDREW M.	160.00
ASPLUNDH TREE EXPERT CO	10,580.00	FREEDOM MAILING SERVICES INC.	2,255.19
AT YOUR SERVICE PLUS INC	345.00	GALPER, RAYMOND	6.40
AUTO VALUE	1,215.87	GRAINGER	380.14
AVFUEL CORPORATION	18,511.17	GRAND TRAVERSE GARAGE DOOR	176.90
B & L SOUND INC	253.91	GREEN GUARD	370.64
BALLARD'S	12,600.00	HACH COMPANY	417.89
BC/BS OF MI REFUNDS	418.52	HEID, THOMAS J.	116.00
BEAVER ISLAND BOAT CO	4,943.58	HYDE SERVICES LLC	166.69
BIOMEDICAL SOLUTIONS	2,227.80	HYDRO CORP	515.00
CARQUEST OF CHARLEVOIX	1,464.04	INDEPENDENT DRAFTING SERVICES	1,995.00
CHARLEVOIX TOWNSHIP	328.50	KASSBOHRER ALL TERRAIN VEHICLE	149.15
CHARTER COMMUNICATIONS	1,134.74	KIWANIS CLUB OF CHARLEVOIX	40.00

KSS ENTERPRISES	185.46	PRIORITY HEALTH	319.05
LAKE SHORE TIRE & AUTO SERVICE	265.98	PURITY CYLINDER GASES INC	157.25
MAILLOUX, MICHELLE	58.78	R & R PRODUCTS INC	559.01
MCCARDEL CULLIGAN-PETOSKEY	50.00	RANGE TELECOMMUNICATIONS	114.00
MCMMASTER-CARR	708.47	ROLOFF, ROBERT	1,500.00
METAL HEAD WELDING LLC	341.29	ROWE PROFESSIONAL SERVICES CO	945.00
MI MUNICIPAL TREASURERS ASSOC	50.00	SAFARILAND	33.04
MI-AWWA	160.00	SCIENTIFIC BRAKE & EQUIP CO	149.00
MITCHELL GRAPHICS INC.	529.00	SPICER GROUP INC	625.50
MUNICIPAL UNDERWRITERS OF MICH	50.00	SPOK INC	566.20
MUTT MITT	1,586.36	STANDARD ELECTRIC CO	1,615.26
N M A C P	50.00	STEVENS FIRE CHEMICAL	142.16
NATIONAL MAIN STREET CENTER	350.00	STUART C IRBY CO	397.94
NEALIS ENGINEERING	6,645.00	T & R ELECTRIC	7,050.00
NORTHERN CREDIT BUREAU	421.92	TERMINAL SUPPLY CO	261.60
NORTHERN MICHIGAN HARDWOODS	2,205.00	TOP QUALITY GLOVE	119.70
NORTHERN MICHIGAN REVIEW INC.	1,342.38	TREDROC TIRE GAYLORD 758	660.00
NORTHERN SAFETY CO INC	100.14	TRUCK & TRAILER SPECIALTIES	2,310.24
OLESON'S FOOD STORES	110.56	U S BANK	500.00
OLSON BZDOK & HOWARD	2,666.00	UP NORTH PROPERTY SERVICES LLC	290.00
OTEC	525.00	UPPER CASE PRINTING INK.	1,105.30
PARASTAR INC.	1,590.49	USA BLUE BOOK	161.25
PERFORMANCE ENGINEERS INC	13,232.50	VILLAGE GRAPHICS INC.	39.00
PERSONAL GRAPHICS	128.98	WELLER TRUCK	4,600.74
PLUNKETT & COONEY	1,300.00	WILHELM, GLENDA	124.09
POWER LINE SUPPLY	12,483.60	TOTAL	188,367.50

ACH Payments – 04/03/2017 to 04/10/2017

MI PUBLIC POWER AGENCY	9,353.20	VANTAGEPOINT (457 ICMA PLAN)	12,764.80
PAYMENT SERVICE NETWORK	242.90	VANTAGEPOINT (ROTH IRA)	911.53
IRS (PAYROLL TAX DEPOSIT)	31,602.92	DTE ENERGY	8,449.04
ALERUS FINANCIAL (HCSP)	420.00	MI PUBLIC POWER AGENCY	16,084.30
STATE OF MI (WITHHOLDING TAX)	4,505.01	STATE OF MI (SALES TAX)	21,239.19
VANTAGEPOINT (401 ICMA PLAN)	699.94	TOTAL	106,272.83

Payroll Net Pay – Pay Period Ending 04/01/2017 (Paid 04/07/2017)

GIBSON, SHIRLEY J.	668.94	EATON, BRAD A.	2,031.40
PERRON, LEON R.	560.09	WILSON, TIMOTHY J.	2,255.61
KURTZ, LUTHER J.	840.38	LAVOIE, RICHARD L.	1,707.07
HAGEN, AARON W.	477.91	STEVENS, BRANDON C.	1,674.70
OLEKSY, THOMAS M.	378.82	DRAVES, MARTIN J.	1,650.53
KALBFELL, JANET P.	627.98	BROWN, STEPHANIE C.	1,088.30
WELLER, LINDA JO	1,469.19	ANDERSON, ELIZABETH A.	1,151.82
HEYDLAUFF, MARK L.	2,405.58	ELLIOTT, PATRICK M.	1,962.28
GOLDING, JOYCE M.	1,080.00	SCHWARTZFISHER, JOSEPH L.	988.21
DEROSIA, PATRICIA E.	750.47	BRADLEY, KELLY R.	1,398.48
DOTSON, LINDSEY J.	1,393.28	HART II, DELBERT W.	1,097.90
LOY, EVELYN R.	1,050.16	JONES, ROBERT F.	1,197.06
KLOOSTER, ALIDA K.	1,736.98	DORAN, JUSTIN J.	1,425.56
GOLOVICH, KAREN J.	970.67	KIRINOVIC, THOMAS F.	505.65
SPENCLEY, PATRICIA L.	1,206.11	BITELY, KATHERINE A.	35.04
PANOFF, ZACHARY R.	1,169.91	MILAN, JANE E.	72.03
MILLER, FAITH G.	130.94	ANZELL, BETH A.	24.01
LEESE, MERRI C.	165.12	BERNIER, RACHEL M.	22.16
MCGINN, KELLY A.	1,564.07	BERTINELLI, DAVID P.	486.21
DOAN, GERARD P.	1,559.33	BOSS, BEAU J.	849.92
SCHLAPPI, JAMES L.	1,046.68	HEID, THOMAS J.	1,273.44
UMULIS, MATTHEW T.	1,180.47	LIVINGSTON, BRIAN D.	694.33
HANKINS, SCOTT A.	1,568.37	VANLOO, JOSEPH G.	477.80
ORBAN, BARBARA K.	1,107.38	WYMAN, MATTHEW A.	1,426.68
TRAEGER, JASON A.	1,161.34	BOSS, RYDER S.	546.20
FLICKEMA, ANDREW M.	1,463.19	MILLER, WILLIAM S.	1,216.66
MATELSKI, KIMBERLY A.	1,143.81	DOUGLAS, MARK	399.62
RILEY, DENISE M.	422.67	STEVENS, JEFFREY W.	72.03
WURST, RANDALL W.	1,151.02	FUNKEY, KRAIG R.	23.09
MAYER, SHELLEY L.	1,732.42	MEGGISON, JERRY B.	44.93
HILLING, NICHOLAS A.	1,137.34	RILEY, CASEY W.	374.21
MEIER III, CHARLES A.	1,151.32	JONES, LARRY M.	534.82
ZACHARIAS, STEVEN B.	1,621.64	FLORE, ROBERT A.	465.69

WILLSON, BRENDA R.	936.85	ORBAN, BARBARA K.	927.01
BEAN, PETER J.	1,031.94	TRAEGER, JASON A.	158.75
FENNELL, DREW M.	654.16	FLICKEMA, ANDREW M.	169.30
RILEY, REBECCA J.	223.62	SWEM, DONALD L.	1,834.08
WHITLEY, TYLER J.	370.38	WHITLEY, ANDREW T.	1,733.88
MCCALIB, RACHELLE L.	262.68	MORRISON, KEVIN P.	969.68
SUTHERLAND, SARA A.	42.28	HODGE, MICHAEL J.	1,259.66
TRAVERS, MANUEL J.	559.66	JOHNSON, STEVEN P.	1,144.97
SILVA, JESSE L.A.	79.13	BOSS JR, DALE E.	1,212.17
RILEY, DANIEL A.	1,417.09	HOLM, ARTHUR R.	192.34
COLE, SHANE	720.33	GILL, DAVID R.	1,065.31
DOAN, GERARD P.	181.89	SCOTT JR., WINFIELD	94.70
SCHLAPPI, JAMES L.	1,514.89	WHITLEY, ADAM T.	269.67
UMULIS, MATTHEW T.	175.84		
HANKINS, SCOTT A.	175.35	TOTAL	84,644.63

Payroll Transmittal - 04/07/2017

4FRONT CREDIT UNION	307.69	COMMUNICATION WORKERS OF AMER	537.32
AMERICAN FAMILY LIFE	191.88	MI STATE DISBURSEMENT UNIT	323.45
AMERICAN FAMILY LIFE	461.64	POLICE OFFICERS LABOR COUNCIL	251.25
CHAR EM UNITED WAY	59.00	PRIORITY HEALTH	2,014.96
CHARLEVOIX STATE BANK	1,284.62		
CHEMICAL BANK	150.00	TOTAL	5,581.81

Check Number	Payee	Amount
04/20/2017		
119931	AT&T	2,707.20
119932	AT&T LONG DISTANCE	40.62
119933	AT&T MOBILITY	89.21
119934	CHARLEVOIX STATE BANK	8,166.79
119935	DELTA DENTAL	3,579.16
119936	GREAT LAKES ENERGY	290.18
119937	METLIFE SMALL BUSINESS CENTER	710.90
119938	PRIORITY HEALTH	41,181.38
119939	VERIZON WIRELESS	56.72
119940	VISION SERVICE PLAN	518.88
Total 04/20/2017:		57,341.04
Grand Totals:		57,341.04

Summary of Check Registers & ACH Payments HUNTINGTON NATIONAL BANK - CHECKS ISSUED

04/20/17 Special Accounts Payable Run	\$	57,341.04
04/21/17 Payroll (net pay)	\$	82,905.10
04/21/17 Payroll Transmittal Checks	\$	5,330.56
05/02/17 Regular Accounts Payable	\$	132,367.87
Checks Sub-Total:	\$	277,944.57

HUNTINGTON NATIONAL BANK - ACH/WIRE PAYMENTS

04/17/17 MI Public Power Agency	\$	20,416.87
04/21/17 IRS (Payroll Tax Deposit)	\$	31,274.14
04/21/17 Alerus Financial (HCSP)	\$	420.00
04/21/17 State of MI (Withholding Tax)	\$	4,492.31
04/21/17 Vantagepoint (401 ICMA Plan)	\$	713.94
04/21/17 Vantagepoint (457 ICMA Plan)	\$	13,008.74
04/21/17 Vantagepoint (Roth IRA)	\$	911.53
04/21/17 MERS Defined Benefit Plan	\$	29,487.56
04/24/17 MI Public Power Agency	\$	3,447.14
04/25/17 MI Public Power Agency	\$	252,156.23

ACH Sub-Total: \$ 356,328.46

Huntington National Bank Total: \$ 634,273.03

CHARLEVOIX STATE BANK - CHECKS ISSUED

(PROPERTY TAX DISBURSEMENT TO VARIOUS TAXING AUTHORITIES)

05/02/17 Tax Disbursement	\$	583.61
Charlevoix State Bank Total:	\$	583.61

Grand Total: \$ 634,856.64

APPROVED:


CITY MANAGER

CITY TREASURER


CITY CLERK

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
04/15/2017	PC	04/21/2017	23201	WELLER, LINDA JO	101		1,499.88
04/15/2017	PC	04/21/2017	23202	HEYDLAUFF, MARK L.	102		2,161.23
04/15/2017	PC	04/21/2017	23203	GOLDING, JOYCE M.	106		1,132.70
04/15/2017	PC	04/21/2017	23204	DEROSIA, PATRICIA E.	107		932.48
04/15/2017	PC	04/21/2017	23205	DOTSON, LINDSEY J.	109		1,421.14
04/15/2017	PC	04/21/2017	23206	LOY, EVELYN R.	117		1,050.16
04/15/2017	PC	04/21/2017	23207	KLOOSTER, ALIDA K.	121		1,566.57
04/15/2017	PC	04/21/2017	23208	GOLOVICH, KAREN J.	122		970.67
04/15/2017	PC	04/21/2017	23209	SPENCLEY, PATRICIA L.	136		1,266.62
04/15/2017	PC	04/21/2017	23210	PANOFF, ZACHARY R.	141		1,192.91
04/15/2017	PC	04/21/2017	23211	MILLER, FAITH G.	142		74.88
04/15/2017	PC	04/21/2017	23212	LEESE, MERRI C.	145		523.99
04/15/2017	PC	04/21/2017	23213	MCGINN, KELLY A.	146		1,618.00
04/15/2017	PC	04/21/2017	23214	DOAN, GERARD P.	201		1,603.59
04/15/2017	PC	04/21/2017	23215	SCHLAPPI, JAMES L.	204		1,215.95
04/15/2017	PC	04/21/2017	23216	UMULIS, MATTHEW T.	205		1,529.71
04/15/2017	PC	04/21/2017	23217	HANKINS, SCOTT A.	208		1,486.24
04/15/2017	PC	04/21/2017	23218	ORBAN, BARBARA K.	209		1,390.06
04/15/2017	PC	04/21/2017	23219	TRAEGER, JASON A.	210		1,519.04
04/15/2017	PC	04/21/2017	23220	FLICKEMA, ANDREW M.	211		1,850.12
04/15/2017	PC	04/21/2017	23221	MATELSKI, KIMBERLY A.	212		1,188.90
04/15/2017	PC	04/21/2017	23222	RILEY, DENISE M.	306		430.50
04/15/2017	PC	04/21/2017	23223	WURST, RANDALL W.	411		1,220.68
04/15/2017	PC	04/21/2017	23224	MAYER, SHELLEY L.	412		1,625.64
04/15/2017	PC	04/21/2017	23225	HILLING, NICHOLAS A.	413		1,378.49
04/15/2017	PC	04/21/2017	23226	MEIER III, CHARLES A.	421		1,044.41
04/15/2017	PC	04/21/2017	23227	ZACHARIAS, STEVEN B.	422		1,361.67
04/15/2017	PC	04/21/2017	23228	EATON, BRAD A.	515		1,958.89
04/15/2017	PC	04/21/2017	23229	WILSON, TIMOTHY J.	516		2,111.86
04/15/2017	PC	04/21/2017	23230	LAVOIE, RICHARD L.	519		1,630.19
04/15/2017	PC	04/21/2017	23231	STEVENS, BRANDON C.	521		1,788.00
04/15/2017	PC	04/21/2017	23232	DRAVES, MARTIN J.	523		1,647.10
04/15/2017	PC	04/21/2017	23233	BROWN, STEPHANIE C.	524		1,042.19
04/15/2017	PC	04/21/2017	23234	ANDERSON, ELIZABETH	526		1,151.81
04/15/2017	PC	04/21/2017	23235	ELLIOTT, PATRICK M.	600		2,004.05
04/15/2017	PC	04/21/2017	23236	SCHWARTZFISHER, JOS	603		1,156.07
04/15/2017	PC	04/21/2017	23237	BRADLEY, KELLY R.	614		1,278.86
04/15/2017	PC	04/21/2017	23238	HART II, DELBERT W.	616		1,214.72
04/15/2017	PC	04/21/2017	23239	JONES, ROBERT F.	618		1,128.21
04/15/2017	PC	04/21/2017	23240	DORAN, JUSTIN J.	621		1,368.71
04/15/2017	PC	04/21/2017	23241	BECKER, MICHAEL S.	641		669.97
04/15/2017	PC	04/21/2017	23242	MCGHEE, ROBERT R.	663		980.51
04/15/2017	PC	04/21/2017	23243	CRANDELL, ZACKARY R.	691		600.59
04/15/2017	PC	04/21/2017	23244	LEITNER, RYAN S.	692		344.84
04/15/2017	PC	04/21/2017	23245	KIRINOVIC, THOMAS F.	700		547.39
04/15/2017	PC	04/21/2017	23246	BITELY, KATHERINE A.	704		17.88
04/15/2017	PC	04/21/2017	23247	MILAN, JANE E.	711		84.04
04/15/2017	PC	04/21/2017	23248	ANZELL, BETH A.	712		540.42
04/15/2017	PC	04/21/2017	23249	BERNIER, RACHEL M.	718		11.09
04/15/2017	PC	04/21/2017	23250	BOSS, BEAU J.	788		96.33
04/15/2017	PC	04/21/2017	23251	HEID, THOMAS J.	802		1,299.22
04/15/2017	PC	04/21/2017	23252	LEESE, ALAN K.	835		399.98
04/15/2017	PC	04/21/2017	23253	GRUNCH, RONALD J.	844		109.10
04/15/2017	PC	04/21/2017	23254	DAVIS, RONALD L.	853		200.26
04/15/2017	PC	04/21/2017	23255	FAIRCHILD, GALEN W.	855		321.25
04/15/2017	PC	04/21/2017	23256	DAKROUB, JOSEPH E.	860		235.89
04/15/2017	PC	04/21/2017	23257	MASSON, DONALD J.	861		497.99

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
04/15/2017	PC	04/21/2017	23258	LABLANCE, MAUREEN J.	863		195.95
04/15/2017	PC	04/21/2017	23259	LIVINGSTON, BRIAN D.	866		895.19
04/15/2017	PC	04/21/2017	23260	VANLOO, JOSEPH G.	902		640.12
04/15/2017	PC	04/21/2017	23261	WYMAN, MATTHEW A.	927		1,450.92
04/15/2017	PC	04/21/2017	23262	BOSS, RYDER S.	932		626.10
04/15/2017	PC	04/21/2017	23263	MILLER, WILLIAM S.	933		1,006.85
04/15/2017	PC	04/21/2017	23264	DOUGLAS, MARK	935		522.44
04/15/2017	PC	04/21/2017	23265	STEVENS, JEFFREY W.	1028		27.70
04/15/2017	PC	04/21/2017	23266	MEGGISON, JERRY B.	1036		171.13
04/15/2017	PC	04/21/2017	23267	RILEY, CASEY W.	1052		621.96
04/15/2017	PC	04/21/2017	23268	THORMAN, MIKAYLA R.	1055		188.47
04/15/2017	PC	04/21/2017	23269	JONES, LARRY M.	1057		763.25
04/15/2017	PC	04/21/2017	23270	FLORE, ROBERT A.	1058		902.53
04/15/2017	PC	04/21/2017	23271	WILLSON, BRENDA R.	1059		702.41
04/15/2017	PC	04/21/2017	23272	BEAN, PETER J.	1060		1,156.64
04/15/2017	PC	04/21/2017	23273	FENNELL, DREW M.	1062		127.75
04/15/2017	PC	04/21/2017	23274	RILEY, REBECCA J.	1063		418.62
04/15/2017	PC	04/21/2017	23275	WHITLEY, TYLER J.	1065		208.79
04/15/2017	PC	04/21/2017	23276	MCCALIB, RACHELLE L.	1066		469.80
04/15/2017	PC	04/21/2017	23277	MCMULLEN, DONALD R.	1067		433.12
04/15/2017	PC	04/21/2017	23278	TRAVERS, MANUEL J.	1071		579.97
04/15/2017	PC	04/21/2017	23279	SILVA, JESSE L.A.	1073		90.86
04/15/2017	PC	04/21/2017	23280	RILEY, DANIEL A.	1079		1,315.18
04/15/2017	PC	04/21/2017	119914	SWEM, DONALD L.	512		1,878.07
04/15/2017	PC	04/21/2017	119915	WHITLEY, ANDREW T.	522		1,754.79
04/15/2017	PC	04/21/2017	119916	MORRISON, KEVIN P.	601		903.99
04/15/2017	PC	04/21/2017	119917	HODGE, MICHAEL J.	606		1,259.66
04/15/2017	PC	04/21/2017	119918	JOHNSON, STEVEN P.	617		984.83
04/15/2017	PC	04/21/2017	119919	BISHAW, JAMES H.	633		253.72
04/15/2017	PC	04/21/2017	119920	BOSS JR, DALE E.	701		138.52
04/15/2017	PC	04/21/2017	119921	GILL, DAVID R.	856		1,024.37
04/15/2017	PC	04/21/2017	119922	WHITLEY, ADAM T.	1089		497.76
Grand Totals:			89				82,905.10

Km

Report Criteria:

☐ Computed checks included
☐ Manual checks included
☐ Supplemental checks included
☐ Termination checks included
☐ Void checks included

Pay Period Date	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
04/15/2017	04/21/2017	119923	4FRONT CREDIT UNION	9024	HSA-EMPLOYEE CONTRIB-4FR	307.69
04/15/2017	04/21/2017	119924	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-POST	191.88
04/15/2017	04/21/2017	119924	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-PRETA	461.64
04/15/2017	04/21/2017	119925	CHAR EM UNITED WAY	9009	UNITED WAY Pay Period: 4/15/2	59.00
04/15/2017	04/21/2017	119926	CHARLEVOIX STATE BA	9017	HSA - EMPLOYEE CONTRIB - C	1,284.62
04/15/2017	04/21/2017	119927	CHEMICAL BANK	9018	HSA - EMPLOYEE CONTRIB - C	150.00
04/15/2017	04/21/2017	119928	COMMUNICATION WORK	9004	CWA UNION DUES Pay Period:	537.32
04/15/2017	04/21/2017	119929	MI STATE DISBURSEME	9012	FRIEND OF THE COURT Pay P	323.45
04/15/2017	04/21/2017	119930	PRIORITY HEALTH	392358	PRIORITY HEALTH Pay Period:	2,014.96
Grand Totals:		9				5,330.56

Xm

Check Number	Payee	Amount
05/02/2017		
119941	a5 Branding & Design	1,905.00
119942	ACCESS LOCKSMITHING INC	246.50
119943	AIRGAS USA LLC	68.01
119944	ALL STAR PRO GOLF INC	204.52
119945	ALLER, GINNY	125.00
119946	ALL-PHASE ELECTRIC SUPPLY CO.	429.15
119947	AMERICAN LEGION AUXILLARY	166.98
119948	APPLIED CONCEPTS INC	7,027.00
119949	ARBOR DAY FOUNDATION	20.00
119950	ARCADIA BENEFITS GROUP INC	25.00
119951	ASPLUNDH TREE EXPERT CO	5,290.00
119952	AT YOUR SERVICE PLUS INC	115.00
119953	BOB MATHERS FORD	426.00
119954	BRADFORD'S	52.00
119955	BROWN MOTORS	633.65
119956	CCP INDUSTRIES INC	528.03
119957	CENTRAL DRUG STORE	19.55
119958	CHARLEVOIX COMMUNITY SHOPPER	184.00
119959	CHARLEVOIX SCREEN MASTERS INC	110.00
119960	CHARLEVOIX SEWER & DRAIN	103.00
119961	CHARLEVOIX TOWNSHIP	88.88
119962	CHARTER COMMUNICATIONS	1,554.39
119963	CHEMSEARCH	181.80
119964	CITY OF PETOSKEY	40.00
119965	CLEAN HARBORS ENV. SERVICES	3,290.76
119966	DCASSESSING SERVICES	4,371.08
119967	DeROSIA, PATRICIA E.	50.00
119968	DOAN, GERARD P.	148.21
119969	DOTSON, LINDSEY J.	50.00
119970	DROST LANDSCAPE INC.	1,820.00
119971	EASYPRO POND PRODUCTS	117.81
119972	ELLIOTT, PATRICK M.	50.00
119973	ELLSWORTH FARMER'S EXCHANGE	260.00
119974	EVANS, HAL	50.00
119975	FERGUSON & CHAMBERLAIN	2,619.00
119976	FLICKEMA, ANDREW M.	70.00
119977	FOX CHARLEVOIX FORD	389.34
119978	FREIDINGER, REED	71.50
119979	GEMPLER'S	251.31
119980	GOLDING, JOYCE M.	50.00
119981	GORDON FOOD SERVICE	100.33
119982	GREAT LAKES PIPE & SUPPLY	88.50
119983	GRIFFIN BEVERAGE CO	150.00
119984	GRP ENGINEERING INC.	707.01
119985	HANKINS, SCOTT A.	50.00
119986	HARRELL'S	4,120.00
119987	HEADY, KATE	23.92
119988	HEID, THOMAS J.	50.00

Check Number	Payee	Amount
119989	HERZOG ELECTRIC	296.80
119990	HEYDLAUFF, MARK L	50.00
119991	HOLIDAY COMPANIES	3,108.14
119992	HOWLAND, JEFFERY H.	1,100.00
119993	HYDE SERVICES LLC	35.02
119994	JOHNNY MAC'S SPORTING GOODS	95.44
119995	KIRINOVIC, THOMAS F.	50.00
119996	KLOOSTER, ALIDA K.	50.00
119997	KSS ENTERPRISES	1,598.42
119998	LABLANCE, LUKE	65.47
119999	LAKESHORE TIRE & AUTO SERVICE	90.00
120000	LEGENDS AUTO GLASS	381.80
120001	MASSON, DONALD J.	64.73
120002	MAYER, SHELLEY L.	50.00
120003	McGINN, KELLY A.	50.00
120004	MCGRAW, MARY BETH	165.00
120005	MICHIGAN ASSN/CHIEFS OF POLICE	115.00
120006	MICHIGAN MUNICIPAL LEAGUE	16,049.00
120007	MICHIGAN MUNICIPAL LEAGUE	134.00
120008	MICHIGAN NURSERY LANDSCAPE AS	70.00
120009	MICHIGAN OFFICEWAYS INC	2,844.85
120010	MILLER, WILLIAM S.	50.00
120011	MURRAY, JOHN	15.00
120012	NORTHERN PUMP SERVICE INC.	4,400.63
120013	NORTHERN SAFETY CO INC	260.26
120014	NW MI COG	6,180.00
120015	O'REILLY AUTOMOTIVE INC	10.99
120016	PANOFF, ZACHARY R.	50.00
120017	PERFORMANCE ENGINEERS INC	17,393.75
120018	POWER LINE SUPPLY	2,449.19
120019	PREIN & NEWHOF	9,335.42
120020	PRESTON FEATHER	1,984.58
120021	QUICK CARE MEDICAL CENTER	110.00
120022	R & S AUTO AND TRUCK PARTS	100.00
120023	RESIDEX LLC	206.00
120024	RIETH-RILEY CONST CO INC	311.52
120025	ROTARY CLUB OF CHARLEVOIX	37.50
120026	SHORELINE POWER SERVICES INC.	390.00
120027	SIGMA-ALDRICH RTC	792.00
120028	SITE PLANNING DEVELOPMENT INC	2,300.00
120029	STATE OF MICHIGAN	509.08
120030	STRICKER'S OUTDOOR POWER EQUI	8,973.90
120031	STRIKER SUPPLY	40.00
120032	SUPERIOR MECHANICAL	120.00
120033	SWEM, DONALD L.	50.00
120034	TERMINAL SUPPLY CO	185.68
120035	TRI-TURF	114.07
120036	TURFCO MFG. INC.	9,234.00
120037	UP NORTH PROPERTY SERVICES LL	449.00

Check Number	Payee	Amount
120038	USA BLUE BOOK	187.54
120039	VANCE, RICHARD	25.00
120040	VAN'S BUSINESS MACHINES	25.90
120041	WALLACE, JEANNINE	150.00
120042	WELLER, LINDA J.	50.00
120043	WEST SHORE FIRE INC	490.98
120044	WILKINSON, SHIRLEY	75.00
120045	WURST, RANDALL W.	304.98
120046	WYMAN, MATTHEW A.	50.00
Total 05/02/2017:		132,367.87
Grand Totals:		132,367.87

Check Number	Payee	Amount
04/17/2017		
41717001	MICHIGAN PUBLIC POWER AGENCY	20,416.87
Total 04/17/2017:		20,416.87
Grand Totals:		20,416.87

Check Issue Date	Check Number	Payee	Amount
42117001			
04/21/2017	42117001	**EFTPS* Payroll Taxes	7,845.64
04/21/2017	42117001	**EFTPS* Payroll Taxes	7,845.64
04/21/2017	42117001	**EFTPS* Payroll Taxes	1,834.89
04/21/2017	42117001	**EFTPS* Payroll Taxes	1,834.89
04/21/2017	42117001	**EFTPS* Payroll Taxes	11,913.08
Total 42117001:			
	5		31,274.14
42117002			
04/21/2017	42117002	Alerus Financial	420.00
Total 42117002:			
	1		420.00
42117003			
04/21/2017	42117003	STATE OF MICHIGAN	4,492.31
Total 42117003:			
	1		4,492.31
42117004			
04/21/2017	42117004	Vantagepoint - 401 Plan 109153	713.94
Total 42117004:			
	1		713.94
42117005			
04/21/2017	42117005	Vantagepoint - 457 Plan 300959	4,893.59
04/21/2017	42117005	Vantagepoint - 457 Plan 300959	859.35
04/21/2017	42117005	Vantagepoint - 457 Plan 300959	1,888.53
04/21/2017	42117005	Vantagepoint - 457 Plan 300959	5,367.27
Total 42117005:			
	4		13,008.74
42117006			
04/21/2017	42117006	Vantagepoint - Roth IRA 706117	911.53
Total 42117006:			
	1		911.53
Grand Totals:			
	13		50,820.66

Check Number	Payee	Amount
04/21/2017		
42117007	MERS	29,487.56
Total 04/21/2017:		29,487.56
Grand Totals:		29,487.56

Check Number	Payee	Amount
04/24/2017		
42417001	MICHIGAN PUBLIC POWER AGENCY	3,447.14
Total 04/24/2017:		3,447.14
Grand Totals:		3,447.14

Check Number	Payee	Amount
04/25/2017		
42517001	MICHIGAN PUBLIC POWER AGENCY	252,156.23
Total 04/25/2017:		252,156.23
Grand Totals:		252,156.23

Check Number	Payee	Amount
05/02/2017		
2887	CHARLEVOIX COUNTY TREASURER	345.45
2888	CHARLEVOIX DISTRICT LIBRARY	117.52
2889	CHARLEVOIX PUBLIC SCHOOLS	6.47
2890	CHARLEVOIX PUBLIC SCHOOLS	1.95
2891	CHARLEVOIX PUBLIC SCHOOLS	.14
2892	CHARLEVOIX PUBLIC SCHOOLS	.52
2893	CHARLEVOIX PUBLIC SCHOOLS	.24
2894	CITY OF CHARLEVOIX - TAXES DUE	88.27
2895	RECREATIONAL AUTHORITY	23.05
Total 05/02/2017:		583.61
Grand Totals:		583.61

CHECKS DRAWN ON CHARLEVOIX STATE BANK ACCOUNT

CHARLEVOIX CITY COUNCIL

CONSENT AGENDA ITEM

AGENDA ITEM TITLE: Revised Signature Card for Huntington Bank

DATE: May 1, 2017

PRESENTED BY: Consent Agenda

ATTACHMENTS: Resolution

BACKGROUND INFORMATION:

With the transition from First Merit Bank to Huntington Bank, they are requesting we file an updated signature card with them. As in the past, we propose to have the Treasurer, Assistant Treasurer, and City Clerk by the authorized signatories on the accounts. Two signatures are required.

RECOMMENDATION:

Approve the signature card resolution as presented and authorize the Mayor to sign the document.



Account Number See Attached

**Copy of Resolution to
Open and Maintain a Bank Account
(Public Entity)**

The undersigned hereby certifies to The Huntington National Bank that: I am the

(insert official title)

and, as such, I am familiar with the records and proceedings of:

City of Charlevoix

(insert name of governmental entity)

(the "Public Entity"), a governmental entity duly organized and existing under the laws of the
State of MI

the following is a true, accurate and compared copy of resolutions duly adopted by the Public Entity, and that the resolutions have not been rescinded, modified or revoked and are in full force and effect.

RESOLVED, that:

- (i) The Huntington National Bank (the "Bank"), as a national banking association, is qualified under applicable law and regulations to be a depository for the Public Entity and is hereby designated as a depository of the Public Entity;
- (ii) one or more account(s) may be opened and maintained in the name of the Public Entity, in accordance with the rules and regulations or procedures of the Bank pertaining to such accounts as amended by the Bank from time to time, or as otherwise amended by a written agreement between the Public Entity and Bank;
- (iii) any of the individuals whose names are set forth in (iv), below or, whose genuine signatures appear on separate cards dated and filed with the Bank, (collectively the "Authorized Signatories" and individually an "Authorized Signatory") are hereby authorized to act individually on behalf of the Public Entity and in its name to:
 - a. sign checks, drafts, notes, bills of exchange, acceptances, or other orders for payment of funds from any account maintained by the Public Entity;
 - b. indorse checks, drafts, notes, bills, certificates of deposit, or other instruments owned or held by the Public Entity for deposit in any such account, or for collection or discount by the Bank;
 - c. identify, approve and guarantee the indorsements of any and all checks and drafts drawn by the Public Entity;
 - d. waive demand, protest, and notice of protest, or dishonor of any check, draft, note, bill, certificates of deposit or other instruments made, drawn, or indorsed by the Public Entity;
 - e. act for the Public Entity in the transaction of all other business (whether or not it is of the kind, nature or character specified in this certificate) on the Public Entity's behalf with the Bank, including but not limited to executing contracts and delegating person to engage in transaction in connection with such contracts;
 - f. open and maintain an account in the name of the Public Entity (any account so opened shall be bound by the provisions of this certificate);
 - g. certify to the Bank the names of the Authorized Signatories and shall certify such change to the Bank, and the Bank shall be fully protected in relying on such certification, or refusing to honor the signature of any individual not so certified;
 - h. delegate other person(s) to perform any of the foregoing acts;

Rev 8/2015

(iv) Names or Titles of Authorized Signatories:

Kelly McGinn- Treasurer

Alida K. Klooster- Asst. Treasurer

Joyce Golding- Clerk

(When only titles are used, this resolution must be accompanied by an Incumbency Certificate)

FURTHER RESOLVED, that:

(i) the Bank is authorized to honor, receive, certify, or pay all instruments signed in accordance with this certificate even though drawn or indorsed to the order of any Authorized Signatory signing the same, tendered for cash, or in payment of a personal obligation or for deposit into a personal account of said Authorized Signatory and the Bank is not required or obligated to inquire into the circumstances of the issuance or use of any instrument signed in accordance with this certificate, or the application, or disposition of such instrument, or the proceeds thereof;

(ii) overdrafts, if any, shall not be considered to be a loan; and

(iii) the provisions of this certificate shall remain in full force and effect until written notice of its amendment or rescission shall have been received by the Bank and the Bank has a reasonable amount of time to act upon such notice, and that receipt of such notice shall not affect any action taken by the Bank prior thereto.

FURTHER RESOLVED, that the undersigned be, and hereby is, authorized and directed to certify to the Bank the foregoing resolutions and that the provisions thereof are in conformity with the laws and regulations governing the Public Entity.

I further certify that there is no provision in the law or regulations governing the Public Entity which limits the power of the Public Entity to pass the foregoing resolutions and that the same are in conformity with the law and regulations governing the Public Entity, have not been modified or rescinded and are in full force and effect.

IN WITNESS WHEREOF, I have hereunto subscribed my name this _____ day of _____, 20_____.

Public Official:

Witness:

CHARLEVOIX CITY COUNCIL

AGENDA ITEM

AGENDA ITEM TITLE: Ethical Conduct Ordinance
DATE: May 1, 2017
PRESENTED BY: Mark L. Heydlauff, City Manager
ATTACHMENTS: Ordinance 782 of 2017 (Draft)

BACKGROUND INFORMATION:

As Council is aware, this is the final draft of the Ethical Conduct Ordinance you have considered for the past couple of meetings. A Public Hearing has been published in accordance with the requirements of the City Charter and you may act to give the ordinance final approval. Once you vote, there is a 30-day waiting period before it becomes effective.

RECOMMENDATION:

Motion to adopt Ordinance 782 of 2017.

**CITY OF CHARLEVOIX
ORDINANCE NO. 782 of 2017**

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF CHARLEVOIX BY ADDING A NEW CHAPTER, WHICH NEW CHAPTER SHALL BE DESIGNATED AS CHAPTER 10 OF TITLE 1 - ADMINISTRATION OF SAID CODE

THE CITY OF CHARLEVOIX ORDAINS:

SECTION 1. Title I, Chapter 10, Sections 1.801 through 1.806 of the City Code are hereby added as follows:

**CHAPTER 10
ETHICAL CONDUCT**

1.801. Ethical Conduct.

- (1) The citizens of Charlevoix are entitled to have fair, ethical and accountable local government that has earned the public's full confidence for integrity.
- (2) Furthermore, the effective functioning of democratic government requires that public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government; public officials be independent, impartial and fair in their judgment and actions; public office be used for the public good, not for personal gain; and public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility
- (3) To this end, the Charlevoix City Council adopts this ordinance to assure public confidence in the integrity of local government and its effective and fair operation. Serving in local government is the holding of public trust. This trust should never be undermined.

In all actions, employees, the City Manager, and City Council members will adhere to all local, state and federal laws regulating ethical action. Various professional codes of ethics and other similar documents may be used to supplement determinations of ethical conduct.

1.802. Conflicts of Interest.

- (1) Conflicts of interest will naturally occur from time to time and in such cases when they may or do in fact arise, should be presented publicly to diminish the potential of actual or perceived special interests.
- (2) *Definitions.* For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.
 - (a) "Conflict of interest" may occur when action by the city, either through its employees, its boards, committees, commissions or other such bodies, or the City Council, could be construed as impacting negatively or positively an interest of an employee or Council Member, his or her relatives, business or financial investments, property, or other interests.
 - (b) "immediate family" shall mean the spouse, child, parents, brother, sister, half-sister, half-brother or the spouses of any listed relatives. All relationships shall include those arising from adoption and marriage.
 - (c) "City Council", except where specifically referred to, shall refer to the Mayor and each member of the City Council.
 - (d) "Boards, Commissions, Committees" shall refer to those boards, committees, commissions, or other bodies created by statute, local ordinance, resolution, local policy and any and all subcommittees those bodies may, from time to time, create.
- (3) City Council reporting of conflicts of interest.
 - (a) If a case may arise when a Council Member or the Mayor has a conflict of interest, he or she shall make known the potential conflict in open session when City Council business might involve such interest. The Council Member or Mayor need not provide detail on the potential conflict so as to injure a client or patient relationship.
 - (b) In addition to the general rule on conflicts of interest above, the following specific conflicts of interest are specifically prohibited:

- (i) *Holding of other offices.* No Council Member shall hold any other city office or employment during the term for which they were elected to the Council except where specifically allowed by the Charter and/or statute.
 - (ii) *Voting involving a conflict of interest.* No member of the Council shall vote on any question in which he, she or a member of their immediate family as defined in this subchapter, has a financial interest, other than the common public interest, or on any question concerning his or her own conduct. Council Members who may have a financial interest shall state such interest and then refrain from debating, commenting, or otherwise seeking to influence the Council on such question.
 - (iii) If a member of City Council believes that another member of City Council has a conflict, he or she shall raise such perceived conflict. If the member in question does not concede a conflict, the majority of the remaining Council Members may vote to prohibit that Council Member or the Mayor who may have a conflict from participating in that item of business. The Council shall solely be the judge of its own members and the Mayor.
- (4) Board, Committee, Commission Conflicts of Interest.
 - (a) If a case may arise when a member of a board, committee, or commission has a conflict of interest, he or she shall make known the potential conflict in open session when the body might conduct business involving such interest. The member need not provide detail on the potential conflict so as to injure a client or patient relationship.
 - (b) In addition to the general rule on conflicts of interest above, the following specific conflicts of interest are specifically prohibited:
 - (i) *Voting involving a conflict of interest.* No member of the body shall vote on any question in which he, she or a member of their immediate family as defined in this subchapter, has a financial interest, other than the common public interest, or on any question concerning his or her own conduct. Members who may have a financial interest shall state such interest and then refrain from debating, commenting, or otherwise seeking to influence the Council on such question.
 - (ii) If a member believes that another member has a conflict, he or she shall raise such perceived conflict. If the member in question does not concede a conflict, the majority of the remaining body members may vote to prohibit that member who may have a conflict from participating in that item of business.
- (5) City Manager reporting of conflicts of interest.
 - (a) If a case may arise when the City Manager has a conflict of interest, he or she shall make written notification of such conflict to the Mayor and the City Clerk. To the extent possible, the City Manager's involvement in the situation will be minimized to avoid the appearance of impropriety. The City Manager's conduct shall at all times be in accord with the ICMA Code of Ethics.
 - (b) It shall not be deemed a conflict of interest by the City Manager to enforce or cause to be enforced zoning or ordinance violations in keeping with standard practice. It shall also not be deemed a conflict of interest for action to be taken by the city to improve or otherwise conduct normal public activities in the neighborhood where the City Manager may reside.
- (6) *Employee reporting of conflicts of interest.* If a case may arise when an employee of the city or the city's Attorney, Auditor, or other professional contractor may have a conflict of interest, he, she, or the corporation, partnership or entity shall promptly report such conflict or potential conflict to the City Manager. The City Manager shall determine what steps if any may be necessary to avoid the potential for preferential or adverse action because of the conflict.
- (7) *Council appearance before other bodies.* City Council shall not appear before or seek to influence members of other Boards, Commissions, or Committees except when they may be appointed to such body, serve as a member by virtue of statute or Charter, or may be invited to address the body by a majority vote of the body.
- (8) *General prohibition.* The City Council, board, committee, and commission members, the City Manager, and city employees should not take any special advantage of services, goods or opportunity for personal gain that is not available to the public in general.

1.803. Statutory Prohibitions.

In accord with Public Act 196 of 1973 (being M.C.L.A. §§ 15.342 et seq) the following shall apply to members of the City Council, the City Manager, and all other employees of the city.

- (1) *Confidential information.* The City Council, the City Manager, or an employee shall not divulge to an unauthorized person, confidential information acquired in the course of employment in advance of the time prescribed for its authorized release to the public.
- (2) *Personal opinions.* The City Council, the City Manager, or an employee shall not represent his or her personal opinion as that of the city.
- (3) *Use of city resources.* The City Council, the City Manager, or an employee shall use city personnel resources, property, and funds judiciously and solely in accordance with prescribed constitutional, statutory, and regulatory procedures and not for personal gain or benefit.
- (4) *Acceptance of gifts.* The City Council, the City Manager, or an employee shall not solicit or accept a gift or loan of money, goods, services, or other thing of value for the benefit of a person or organization, other than the state, which tends to influence the manner in which the public officer or employee or another public officer or employee performs official duties.
- (5) *Use of office for private gain.* The City Council, the City Manager or an employee shall not engage in a business transaction in which the public officer or employee may profit from his or her official position or authority or benefit financially from confidential information which the person has obtained or may obtain by reason of that position or authority. Instruction which is not done during regularly scheduled working hours except for annual leave or vacation time shall not be considered a business transaction pursuant to this division if the instructor does not have any direct dealing with or influence on the employing or contracting facility associated with his or her course of employment with this state.
- (6) *Outside employment.* The City Council, the City Manager, or an employee shall not engage in or accept employment or render services for a private or public interest when that employment or service is incompatible or in conflict with the discharge of the officer or employee's official duties or when that employment may tend to impair his or her independence of judgment or action in the performance of official duties.
- (7) *Negotiation for private gain.* Except in cases of an employment agreement or contract, the City Council, the City Manager, or an employee shall not participate in the negotiation or execution of contracts, making of loans, granting of subsidies, fixing of rates, issuance of permits or certificates, or other regulation or supervision relating to a business entity in which the person has a financial or personal interest.

1.804. Non-Discrimination.

The city will not discriminate against any person in the provision of public service or employment on the basis of gender, race, creed, age, sexual orientation, language proficiency, income level, or any other legally protected classification. Such non-discrimination provisions may be limited by state or federal law.

1.805. Promulgation.

- (1) The City Manager is authorized to draft policies, procedures, and other documents necessary to enforce provisions of this subchapter. To the extent deemed necessary, statements from this subchapter may be appended to contracts with outside vendors and contractors. The City Manager may also revise the city's Personnel Policy as needed to reflect this subchapter.
- (2) Upon approval of this ordinance and upon assuming office, the Mayor, Council Members, board, committee, and commission members, the City Manager and employees the City Manager may designate from time to time shall affirm their commitment to ethical conduct and this ordinance by signing the form below:

As a _____ of the City of Charlevoix, I agree to uphold the Ethical Conduct Ordinance of the City of Charlevoix and conduct myself by the following model of excellence. I will:

- Recognize the worth of all individuals and appreciate their individual talents, perspectives, and contributions;
- Help create an atmosphere of respect and civility where individual members, City staff, and the public are free to express their ideas and work to their full potential;
- Respect the dignity and privacy of individuals and organizations;
- Respect and maintain the nature of confidential and privileged information and opinions acquired as a result of my position;

- *Conduct my public affairs with honesty, integrity, fairness and respect for others;*
- *Avoid and discourage conduct that is divisive or harmful to the best interests of Charlevoix; and*
- *Keep the common good as my highest purpose and focus on achieving constructive solutions for the public benefit.*

I affirm that I have read and fully understand the Code of Ethics for the City of Charlevoix.

Signed

Dated

1.806. Penalty.

- (1) *Violations by Council members and board, commission, and committee members.* Violation of any provision of by a member of the City Council or a board, commission, committee may be punishable by action of the City Council to censure, reprimand, or otherwise discipline its own members or those of a board. Additionally, violations may also be felonies or misdemeanors under state or federal law.
- (2) *Violations by employees.* Violation of any provision may subject an employee to punishment up to and including termination. In addition to employment disciplinary action, the city may seek remedy in a court of competent jurisdiction for damages.

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.

Ordinance No. 782 was adopted on the 1st day of May, 2017 A.D., by the Charlevoix City Council as follows:

Motion by:

Seconded by:

Yeas:

Nays:

Absent:

State of Michigan)
) ss
City of Charlevoix)

Joyce M. Golding

Clerk

Luther Kurtz

Mayor

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Charlevoix City Band Contract

DATE: May 1, 2017

PRESENTED BY: Mark L. Heydlauff, City Manager

ATTACHMENTS: Letter from Charlevoix City Band
Draft Contract

BACKGROUND INFORMATION:

Residents of the City of Charlevoix have been entertained by the Charlevoix City Band for generations. The Charlevoix City Band entertains residents in East Park on Tuesday evenings during the summer. Charlevoix City Band uses the City's contribution to help defray the costs of providing its musical programs to Charlevoix residents and visitors.

The 2017-18 budget has \$3,000 allocated for the Charlevoix City Band.

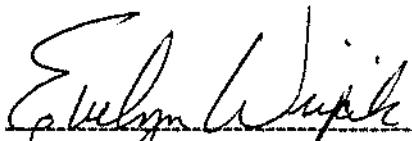
RECOMMENDATION:

Move to approve the contract with the City Band and authorize the Mayor to sign the agreement.

To: City of Charlevoix

From: Charlevoix City Band

This letter constitutes our request for 2017 funding.



Evelyn Wujcik, President

Ron Winchester, Vice President

RECEIVED

APR 1 2017

CITY OF CHARLEVOIX

CONTRACT

THIS CONTRACT is effective on the _____ day of _____, 2017 between the City of Charlevoix, a Michigan home rule city, whose address is 210 State Street, Charlevoix, Michigan 49720 (City) and the Charlevoix City Band, a Michigan nonprofit corporation, whose address is 06685 M-66, Lot #108, Charlevoix, Michigan 49720.

Recitals

- A. Pursuant to MCLA 117.3(j); MSA 5.2073(j) and Article I, Section 1.6 of the City Charter the City is authorized to provide for the peace and health and for the safety of persons and property within the City and to expend funds for that purpose.
- B. Charlevoix City Band provides music in the Clarence Odmark pavilion for the residents and visitors of the City of Charlevoix during the Summer season.
- C. The parties desire to act cooperatively in providing the above musical services to citizens in the City.

Agreement

NOW, THEREFORE, in consideration of the mutual promises contained in this Contract, the parties hereby agree as follows:

- 1. The City shall pay to Charlevoix City Band the sum of Three Thousand and 00/100 Dollars (\$3, 000.00).
- 2. Charlevoix City Band shall provide not less than eight (8) musical programs during the forthcoming summer season and shall use the above money to help defray the costs of providing those musical programs to Charlevoix residents and visitors.

CITY OF CHARLEVOIX

Date

By: _____
Luther Kurtz, Mayor

CHARLEVOIX CITY BAND

Date

By: _____
Evelyn Wujcik, President

Date

By: _____
Ron Winchester, Vice-President

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Charlevoix Historical Society Depot Beach Request

DATE: May 1, 2017

PRESENTED BY: Mark L. Heydlauff, City Manager

ATTACHMENTS: Event Flyer
Event Planning Worksheet
Depot Beach Aerial

BACKGROUND INFORMATION:

The Charlevoix Historical Society is celebrating the 125th anniversary of the historic railroad Depot. On Sunday, June 25th, the Society wishes to hold a community celebration to bring the Depot back to life and re-create events as they happened in 1892. The event includes Depot tours, historic skits, Castle Farms miniature train rides, boat and pony and horse draw wagon rides, vintage games such as croquet, crafts in the pavilion, and food trucks and a lemonade stand.

In addition to routine plans like this, they also seek approval to paint “railroad tracks” on the Depot Beach access road in front of the historic train depot (see aerial for location). Given the rare and unique nature of this event, I think this would be appropriate.

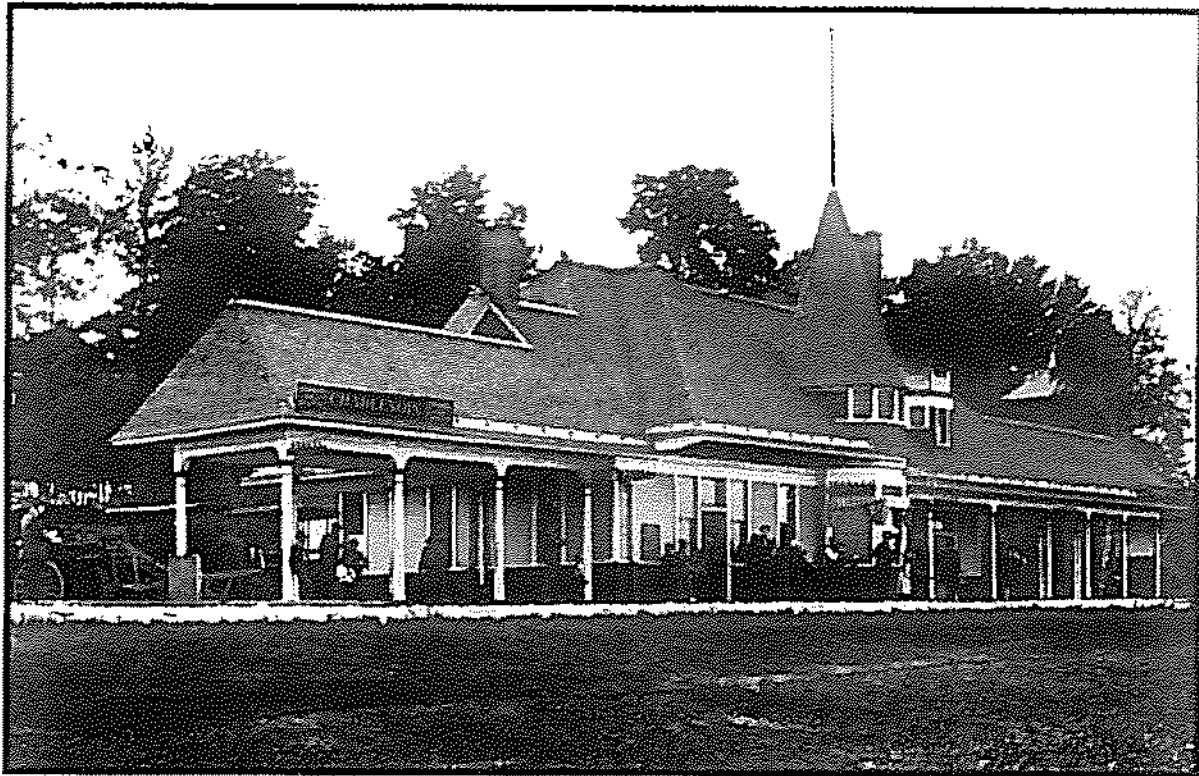
As you may know, the Historical Society owns and maintains the Depot and surrounding gardens while the City owns and maintains the park and beach.

RECOMMENDATION:

Motion to approve the Charlevoix Historical Society’s event requests for June 2017 at Depot Beach Park.

DEPOT 125 ★ AN 1892 EXPERIENCE

Charlevoix Historical Society invites all to Celebrate the
125th Anniversary of the arrival of the Railroad and
Charlevoix's Historic Train Depot

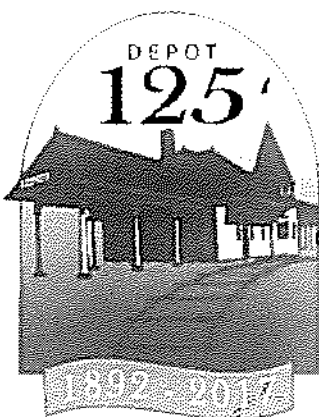


SUNDAY ★ JUNE 25, 2017 ★ NOON - 5PM AT THE DEPOT

FREE ADMISSION

★FAMILY GALA FESTIVITIES★

- Depot tours with "historic passenger" skits
- Music - City Band & "Upper Deck" Barbershop Quartet
- Horse-drawn carriage rides & boat rides
- Rides on the Castle Farms model train
- Vintage games & Children's activities
- Food & Refreshments will be available




CHARLEVOIX
HISTORICAL SOCIETY
Bridging our past with our future
chxhistory.com • 231-547-0373

City of Charlevoix
10 State Street, Charlevoix, Michigan 49720
231-547-3270
.org

Event Planning Worksheet/Schedule

Name of Event: Charlevoix Historical Society: "Depot 125 - An 1892 Experience" Family Gala

Event Contact Person (Available the day of the event): Denise Fate 248-302-9758

Date(s): June 25, 2017

Time(s): 12:00-5:00 pm event (set up 8am, tear down 5pm-7pm)

Location(s) Charlevoix Historic Railroad Depot/Depot Beach 307 Chicago Avenue

Attach a sketch showing the area you wish to hold the event (i.e., location, size of area, etc.)

List of items/support needed:

- 1) Request to have artist paint RR tracks on road in front of depot where tracks were
- 2) Trash cans/ disposal 3) Reserve grounds on depot beach from Shelter to opposite end to set up model train and other games. We will leave room and access for kayak vendor. 4) horse-drawn wagon will provide rides emanating from corner of Mercer/Chicago Ave. 5) parking of flatbed truck for City band near parking lot 6) locate food trucks on grounds or road near shelter 7) parking 8) public safety 9) rest rooms (well stocked & cleaned sun & man)

cones for wagon → contact neighbors
cone at parking early morning
Banners at edge of town
picnic tables in pavilion & park
trash can & extra bags & extra cans
miniature horse in park

grass mowed?

Date of Event Coordination Meeting: semi-monthly



CHARLEVOIX CITY COUNCIL

AGENDA ITEM

AGENDA ITEM TITLE: Road Closure Signage Purchase
DATE: May 1, 2017
PRESENTED BY: Mark L. Heydlauff, City Manager
ATTACHMENTS: None

BACKGROUND INFORMATION:

Currently when US 31 is closed for the Venetian Festival, they rent signage under specifications from the Michigan Department of Transportation. This spring, we have been in discussions with Venetian for a longer road closure. Additionally, as other events have grown downtown, it seems we may want to consider one or two day closures to facilitate pedestrian traffic overflowing from East Park and to expedite through traffic by directing them to State Street.

I spoke with MDOT, who believed purchasing signage once would be more cost effective than regularly renting it. Before we order anything, they will do an on-site review with us and determine the signage requirements for the closure. We can order the signs and know it meets to their standards. They estimate the signage would cost \$7,500 to \$10,000 compared with the current \$7,000 to \$8,000 to rent signage.

The DDA is budgeted to split this expense with the City. I would recommend you approve this purchase for half the cost with the remainder coming from the DDA.

RECOMMENDATION:

Motion to authorize City Staff to purchase road closure signage for downtown events and split the cost with the Downtown Development Authority.

CHARLEVOIX CITY COUNCIL

AGENDA ITEM

AGENDA ITEM TITLE: Lake Michigan Beach Clean-up
DATE: May 1, 2017
PRESENTED BY: Councilmembers Hagen, Perron, and Oleksy
ATTACHMENTS: Letter

BACKGROUND INFORMATION:

Though Council recently approved a Forestry Management Plan, constituents in the area of Lake Michigan Beach Park continue to have concerns on the number of dead, dying and fallen trees. The plan would have these removed only by cutting and removal by hand, which could take a significant amount of time. The three Councilmembers referenced above request Council consider granting City Staff a one-time waiver of the Plan to have this area cleaned up using mechanical equipment.

RECOMMENDATION:

Motion to authorize City Staff to clean-up dead, dying, and fallen trees from Lake Michigan Beach Park.

April 18, 2017

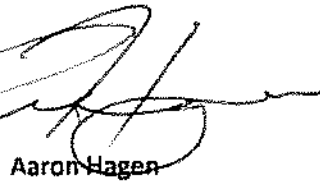
Dear Mark:

Based on the feedback we are continuing to hear from constituents, we would like an item placed on the May 1 City Council agenda that would authorize and direct City Staff to perform a one-time clean-up of dead, dying, and fallen trees in the Lake Michigan Beach Park.

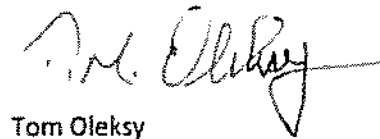
Sincerely,

A handwritten signature in black ink, appearing to read 'Leon Perron', with a stylized, flowing script.

Leon Perron

A handwritten signature in black ink, appearing to read 'Aaron Hagen', with a stylized, flowing script.

Aaron Hagen

A handwritten signature in black ink, appearing to read 'Tom Oleksy', with a stylized, flowing script.

Tom Oleksy

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Lake Michigan Beach Park/Park Avenue Fence Donation

DATE: May 1, 2017

PRESENTED BY: John Campbell
Mark L. Heydlauff, City Manager

ATTACHMENTS: Donation application materials from the Charlevoix Conservation Easement Committee

Lake Michigan Beach Park site plan

Planning Commission meeting minutes

Staff correspondence

BACKGROUND INFORMATION:

In their March and April meetings, the Planning Commission considered a proposed donation from the Charlevoix Conservation Easement Committee of 450+ feet of split rail fence to be placed on the edge of Lake Michigan Beach Park across from the 300 block of Park Avenue. The donation is for fence materials only, with the City being responsible for installing the fence. The fence would be 5-6 feet off the current paved roadway, have openings every 100 feet or so to allow pedestrians to pass through and would direct parking for those using the park further down Park Avenue to a defined area. John Campbell, representing the Charlevoix Conservation Easement Committee at the April meeting, asked that the Commission consider this donation based on the recently approved forestry management plan for Lake Michigan Beach Park and Mt. McSaubia, with the goal of protecting the park from automobile traffic in areas that are already damaged or at risk.

Ultimately, the Planning Commission declined to make a recommendation regarding acceptance of the donation because of a few issues. 1. Several Planning Commission members did not believe it was within their purview to delineate parking/no parking areas, which the placement of a fence in the proposed location would effectively do. After the March meeting, they requested that the City Police Chief give his blessing to the parking configuration change, which he declined to do. 2. Based on an estimate from the DPW Superintendent, the cost to the City to install the fence would be approximately \$3,500 when labor and additional materials are considered. Plus, the fence is proposed in such a location that, when Park Avenue is repaved at an as yet undetermined time, it would need to be removed from the ground and replaced in a different location. Members of the Planning Commission were wary of accepting the donation because of this cost to the City.

Under the Donation Acceptance Policy, item number 9 for acceptance criteria states that City Council shall hold a Public Hearing when donations related to City parks are being considered so that comments from the community can be considered.

RECOMMENDATION:

Set a Public Hearing regarding the proposed donation of a fence in Lake Michigan Beach Park along Park Avenue.

LAKE MICHIGAN BEACH PARK

RE: General Parks Improvement Fund

The Charlevoix Conservation Easement Committee wishes to provide 454 Lineal feet of fencing material to the noted fund. A color photo of the actual materials is attached to this request as well as a site plan which has been presented and approved by the Charlevoix Shade Tree Commission, City Manager and Street Department Superintendent and its staff (snow removal).

Guidelines:

Aesthetics:

The fence is in character of the park

Maintenance & Repair:

The materials are readily available. Life of the material is 30-40 yrs.

Use of the Fence:

Is to protect the park and direct parking to specific areas

Unique:

The fence is a standard element and consistent within the park.

Relocation of existing City Structure:

NO relocation is required.

Impact on Safety, Health, and Welfare:

The proposed fence is specifically designed to promote safety, health and welfare of the community and park.

Associated City Costs:

Installation of posts and rails

Memorials:

None

The park improvement is an initial step to provide designated parking and relieve random parking that is occurring adjacent to Park Avenue.

PROPOSED FENCE
 • 39 FEET WITH 5' OPENING
 EVERY 100 FEET
 • 72 FEET TO DESIGNATED
 PARKING

BENCH MARK: "X" ON
 HYDRANT FLANGE BOLT
 ELEV. = 629.48

39

PROPOSED
 10 CAR PARKING

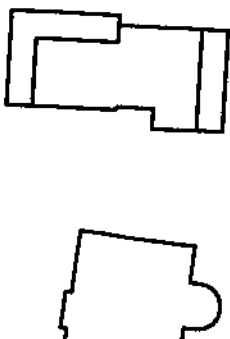
CLINTON ST.

REVISED FENCE PLAN
 AS PER CHANDLER
 PLANNING COMMISSION
 MEETING 3/13/2017
 AND ITS DIRECTION.

LEGEND:

1. ALL DIMENSIONS ARE IN FEET.
2. "O" INDICATES IRON/ROD FOUND
3. 1/2" x 24" STEEL RODS WITH I.D. SET AT ALL POINTS MARKED WITH
4. BEARINGS ARE IN RELATIONSHIP

314 CLINTON ST.
 H JASSENOFF
 GEORGE & NANCY
 JIVING TRUST
 PETROFF
 TAX ID 052-253-008-00



GRANT ST.

300 PARK AVE.
 CANDACE SUCHER
 SAVAGE TRUST
 TAX ID 052-252-001-00

302 PARK AVE.
 THOM INVESTMENTS LLC
 TAX ID 052-252-003-50

304 PARK AVE.
 SUNSET VILLA LLC
 TAX ID 052-252-004-50

306 PARK AVE.
 SIDNEY & BETH FELDMAN
 TAX ID 052-252-005-00

308 PARK AVE.
 MILLS & DEBRA
 SINGER
 TAX ID 052-252-006-00

310 PARK AVE.
 SUSAN BOYD
 TAX ID 052-252-006-50

IRON



TOPOGRAPHIC & BOUNDARY SURVEY

F.C.P.

THE NORTH SIDE OF PARK AVENUE
PORTIONS OF LAKE MICHIGAN BEACH PARK

PART OF GOVT LOT 1, SECTION 27, T34N, R9W
CITY OF CHARLEVOIX, CHARLEVOIX COUNTY, MICHIGAN

LAKE MICHIGAN

CHARLEVOIX WATER PLANT

PARK AVENUE

GRANT ST

CLINTON ST

SHERMAN ST

MASON ST

PART OF GOVT LOT 1,
SECTION 27, T34N, R9W

LOT OF CHARLEVOIX
TAX ID NO. 27 01 00

ANTRIM ST

LAKE ST



LEGEND

- 1. EXISTING LOT LINES
- 2. EXISTING BUILDINGS
- 3. EXISTING DRIVEWAYS
- 4. EXISTING CURBS
- 5. EXISTING SIDEWALKS
- 6. EXISTING STREETS
- 7. EXISTING UTILITIES
- 8. EXISTING TREES
- 9. EXISTING FENCES
- 10. EXISTING EASEMENTS
- 11. EXISTING RIGHT-OF-WAY LINES
- 12. EXISTING ADJACENT PROPERTIES
- 13. EXISTING ADJACENT STREETS
- 14. EXISTING ADJACENT LAKE MICHIGAN
- 15. EXISTING ADJACENT PARK AVENUE
- 16. EXISTING ADJACENT GRANT ST
- 17. EXISTING ADJACENT CLINTON ST
- 18. EXISTING ADJACENT SHERMAN ST
- 19. EXISTING ADJACENT MASON ST
- 20. EXISTING ADJACENT ANTRIM ST
- 21. EXISTING ADJACENT LAKE ST

THIS PLAN IS FOR THE CITY OF CHARLEVOIX, MICHIGAN. IT IS THE PROPERTY OF THE CITY OF CHARLEVOIX, MICHIGAN. IT IS NOT TO BE USED FOR ANY OTHER PURPOSE.

FERGUSON & CHAMBERLAIN ASSOCIATES, INC.
1111 W. JAMES STREET, CHARLEVOIX, MICHIGAN 49716
PHONE: (505) 233-1111 FAX: (505) 233-1112

RECEIVED
CITY OF CHARLEVOIX

SITE PLANNING DEVELOPMENT, INC.

12608 Taylor Rd.
P.O. Box 528
CHARLEVOIX, MICHIGAN 49720
(231) 547-4429

JOB LAKE MICHIGAN BEACH PARK

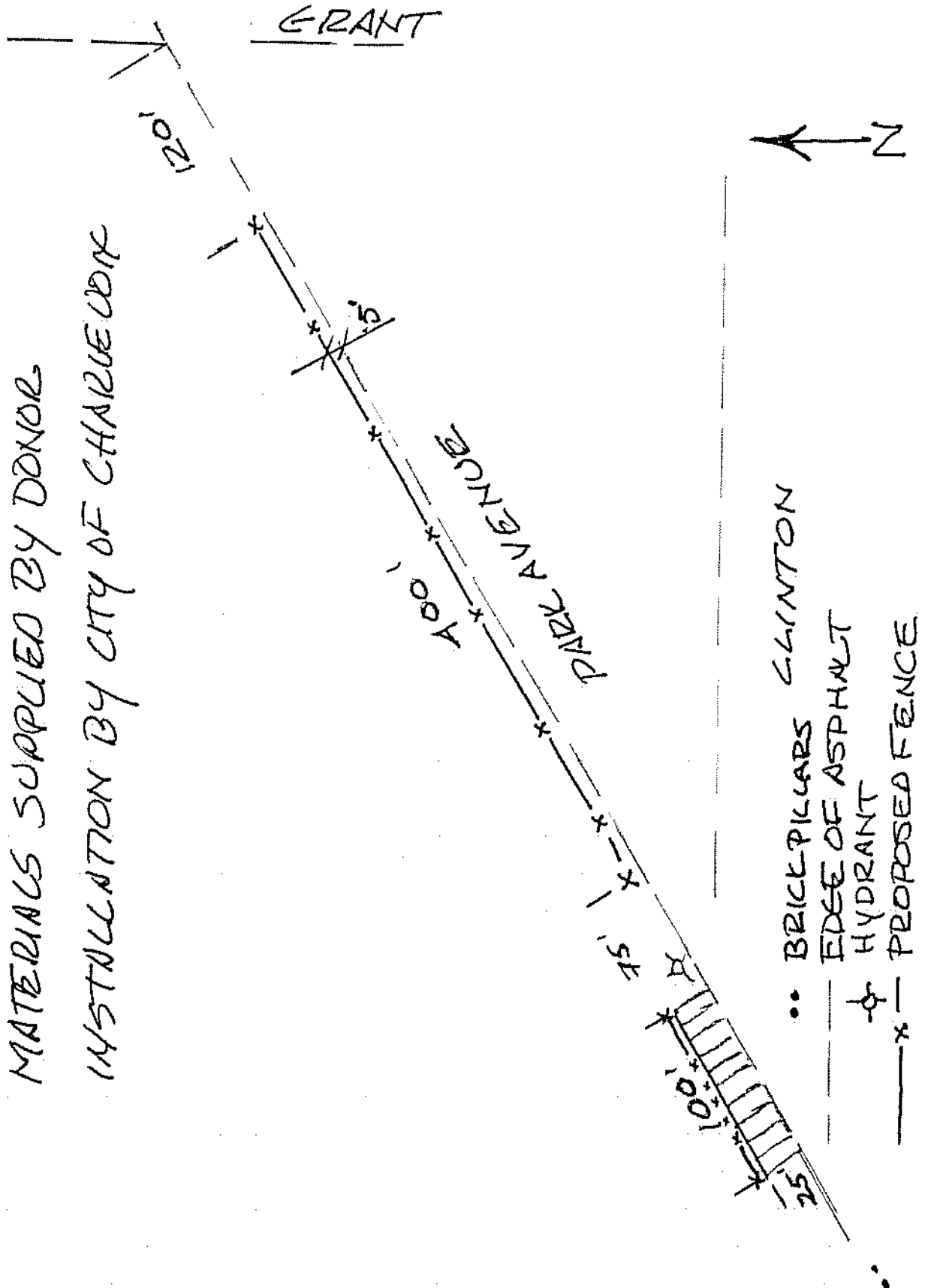
SHEET NO ONE OF ONE

CALCULATED BY JWC DATE 1/10/2017

CHECKED BY _____ DATE _____

SCALE SKETCH 1" = 80'

NOTE: 454 FEET DOUBLE DAIL FENCE
10 PARKING SPACES
MATERIALS SUPPLIED BY DONOR
INSTALLATION BY CITY OF CHARLEVOIX





**CITY OF CHARLEVOIX
PLANNING COMMISSION MEETING MINUTES**

Monday, February 13, 2017 - 7:00 p.m.

210 State Street, City Hall, Council Chambers, Charlevoix, MI

A. Call to Order/Pledge of Allegiance

The meeting was called to order at 7:00 p.m. by Chair Chamberlain who also led the Pledge of Allegiance.

B. Roll Call

Chair:	Sherm Chamberlain
Members Present:	Judy Clock, John Elzinga, Mary Eveleigh, Toni Felter, Nelson Fletcher, Rick Golding, Julee Roth, RJ Waddell
Member Absent:	None
City Staff:	Sarah Lucas, Staff Planner Networks Northwest; Interim City Planner Zach Panoff

G. New Business

1. Consideration of Donation from Charlevoix Conservation Easement Committee

a. Staff Presentation

Interim Planner Panoff stated that John Campbell of the Charlevoix Conservation Easement Committee approached the City with an offer to donate 400' of fence materials to be placed across the street from the 300 block of Park Avenue, in the upper portion of Lake Michigan Beach Park. Area residents reported problems with people parking in the grass where they do damage to the edge of the road, as well as the park itself. The City would need to provide installation of the fence.

b. Applicant Presentation (if requested)

None.

c. Call for Public Comments

None.

d. Planning Commission Discussion

Discussion followed regarding parking in the right-of-way, the number of driveways along Park Avenue and, the location of 'No Parking' signs. Chair Chamberlain stated that the right-of-way was 33' wide. Member Waddell stated that the right-of-way was close to the street and he felt that parking was not a problem except for Apple Fest and Venetian Festival. He noted that this proposal would eliminate parking in the park and he went through a list of questions regarding the proposal. Member Waddell felt he could not recommend this to the Commission without the City's labor cost to install the fence. He also expressed concerns about the disrepair of the existing fence in the park. Member Fletcher agreed with Member Waddell and felt that 'No Parking' signs would be enforceable and have the same effect as a fence. Member Roth suggested that there was a compromise in that the existing fence needing repair could be fixed and that less than 400' of new fence could be installed as one length or staggered. Discussion followed regarding traffic congestion when visitors are trying to view the Earl Young homes, and whether or not 'No Parking' signs would be a better option than fencing.

e. Motion

Motion by Member Waddell, second by Member Elzinga to move this item to the next Planning Commission meeting until they have more information regarding the survey, Street Superintendent's opinion on placement of a fence that

close to the edge of the road, future plans for the area, and the labor costs for installing a fence. Motion passed by unanimous voice vote.

CITY OF CHARLEVOIX
PLANNING COMMISSION MEETING MINUTES
Monday, March 13, 2017 - 7:00 p.m.
210 State Street, City Hall, Council Chambers, Charlevoix, MI

Excerpt

A. Call to Order/Pledge of Allegiance

The meeting was called to order at 7:00 p.m. by Chair Chamberlain.

B. Roll Call

Chair:	Sherm Chamberlain
Members Present:	Judy Clock, Nelson Fletcher, Rick Golding, RJ Waddell
Member Absent:	Toni Felter, John Elzinga, Mary Eveleigh, Julie Roth
City Staff:	Sarah Lucas, Staff Planner Networks Northwest, Interim City Planner Zach Panoff

1. Consideration of Donation from Charlevoix Conservation Easement Committee

a. Staff Presentation

Chair Chamberlain stepped down from the dais.

Interim Planner Panoff advised that DPW Superintendent Elliott's responses to the questions from the last meeting were included in the agenda packet. Superintendent Elliott indicated that the installation of the fence would cost approximately \$3,500 for labor and equipment. Interim Planner Panoff stated that John Campbell of the Charlevoix Conservation Easement Committee supplied a survey of the subject area on Park Avenue.

b. Applicant Presentation (if requested)

John Campbell, Charlevoix Shade Tree Commission, stated that the existing steps located in the park were not passable and parking was an issue on Park Avenue. He reviewed the proposed plan for fencing and ten parking places. Member Fletcher recalled the discussion that posting "no parking" signs may be more of a deterrent than fencing. Mr. Campbell stated that they were looking to have less signage. The Commission asked to have an opening every 100' for pedestrians to get through the fence and Mr. Campbell agreed.

c. Call for Public Comments

Sherm Chamberlain stated that he envisioned a sidewalk along Park Avenue from Grant Street to the hospital as well as a planting program to replace lost trees in addition to a fence. He felt that the access points in the fence line should be where the public roads intersect the park not necessarily every 100'.

Maureen Owens stated that she was not in favor of a lot of signs, but she felt that without "no parking" signs, people are still going to park along that stretch of Park Avenue. She agreed that there should be openings in the fence.

John Campbell stated that they were developing a long range tree planting plan and a plan to address the invasive plant species on the property. He recalled that there was a Management Plan completed by Michigan State University and noted that during the summer they may use goats to take care of the invasive species.

d. Planning Commission Discussion

Member Waddell stated that the cost for installing the fence is \$3,500 and that ten "no parking" signs would cost \$200. He recalled that Superintendent Elliott said that the fence needed to be 6-8' from the future edge of the asphalt rather than 5' from the existing pavement, and the drivable part of the road was 20' wide. He reviewed his discussion with the DPW Superintendent and Police Chief regarding the proposed fence, that there were no parking limitations and potential parking issues that have occurred in the past. He stated that parking was not part of the Planning Commission duties, therefore he wanted to rule the issue as out of order for the Planning Commission to vote on. Discussion followed regarding the no parking issues and whether the Planning Commission had the authority to rule on a parking issue.

Mr. Campbell stated that 6' from the future edge of the asphalt was included on the plan, and the fence was intended to protect Lake Michigan Beach Park. He stated to expand the roadway into the Park is against the gift that was given to the City of Charlevoix by Mr. Fox in 1880 and that will be contested if they try to do that. He stated that the only reason he brought up "parking tonight is that we were trying to designate parking and I went to the City of Charlevoix and the designated people to talk about parking and that was approved by Mr. Elliott". He indicated that the location of the ten parking spaces was approved by Superintendent Elliott. Mr. Campbell stated that the reason for the fence is to protect the Park, not for parking.

Member Fletcher stated that if there were presently no restrictions on parking in that area then the Police Chief and DPW Superintendent should designate parking first, prior to approval of the donation. Member Golding agreed, but he did not want to disregard the donation as he felt the fence was a great addition if they go about it in the right manner.

Mr. Campbell asked what the Planning Commission needed to go forward with this item. Member Waddell stated that it was out of order for them to vote on the donation because they could not determine parking, and he felt if the Police Chief and DPW Superintendent agree with the parking then they could look at it again. He stated that they would have to designate Park Avenue from Grant Street to Clinton Street as a 'no parking' area. Mr. Campbell stated that he wanted to be very clear that the Commission needs a letter from the Police Chief and DPW Superintendent on City stationery "stating that this plan is okay". Member Waddell stated that they would need to know that Park Avenue on the park side of the road from Grant Street to Clinton Street is designated 'no parking.'

e. Motion

None. Chair Chamberlain rejoined the meeting.

**CITY OF CHARLEVOIX
PLANNING COMMISSION MEETING MINUTES
Monday, April 10, 2017 - 7:00 p.m.**

210 State Street, City Hall, Council Chambers, Charlevoix, MI

A. Call to Order/Pledge of Allegiance

The meeting was called to order at 7:00 p.m. by Chair Chamberlain.

B. Roll Call

Chair:	Sherm Chamberlain
Members Present:	Judy Clock, Mary Eveleigh, Toni Felter, Dennis Halverson, Rick Golding, RJ Waddell
Members Absent:	John Elzinga, Nelson Fletcher
City Staff:	Sarah Lucas, Staff Planner Networks Northwest; Interim City Planner Zach Panoff

H. Old Business

1. Consideration of Donation from Charlevoix Conservation Easement Committee

a. Staff Presentation

Chair Chamberlain stepped down from the dais. Interim Planner Panoff stated that the proposed fence location along Park Avenue was revised since the previous meeting and included 397' of fencing with a 5' opening every 100' and a 72' designated parking area (10 parking spaces). He reported that City Council approved a Forestry Management Plan for Lake Michigan Beach Park and Mt. McSauba at a March Council meeting. He stated that Mr. Campbell would like the Commission to consider the donation while considering the Forestry Management Plan.

b. Applicant Presentation

John Campbell, 309 E. Dixon, discussed the Forestry Management Plan and he stated that he reviewed the Plan with Chief Doan. Mr. Campbell's idea was to protect the Park and he referenced photographs of the area. Member Waddell questioned if they discussed changing that area to no parking, and Mr. Campbell replied that City Council makes the decision of where parking should be located.

Member Golding recalled the question from the last meeting regarding restricting parking. Member Waddell felt that the issue was out of order since whether they approve this fence or not, it is eliminating parking which is not part of their job as Planning Commissioners. Mr. Campbell reiterated that the Plan was approved by City Council which states that parking shall be designated and controlled. Member Waddell read "that there should be more public parking lots" on page 23 of the Plan. Mr. Campbell felt that the Plan was applicable to Lake Michigan Beach Park and Mt. McSauba and the Plan was designating parking, "and right now there is none, no designated parking" off of Park Avenue.

c. Call for Public Comment

None.

d. Planning Commission Discussion

Member Waddell recalled that DPW Superintendent Elliott stated that if the City widens the road, the fence will need to be removed. Mr. Campbell stated that was not true and he stated that they also saw the note from DPW Superintendent Elliott "that 6' off the pavement would be fine".

Member Felter questioned why this matter came to the Planning Commission if it was indeed out of order as Member Waddell indicated. Member Clock stated that it was a gift, but the question was whether the Planning Commission had the right to declare this a no parking area. Member Waddell stated that the Department of Public Works and Public Safety determine parking areas, not the Planning Commission. Mr. Campbell stated that the Commission was there to accept the donation and not make a decision on parking.

Discussion followed regarding the Planning Commission's role in making recommendations to accept donations, parking/no parking designations, impact of removing parking from that area, the proposed fence location, the steps in disrepair leading down to the beach, the Management Plan for the Park, and protecting the Park.

Member Halverson questioned accepting a donation with the knowledge that it would have to be removed and replaced if roadwork were to occur on Park Avenue. He questioned if it was the intention of City Council to eliminate or provide parking in this area.

Member Eveleigh felt they could accept the gift with stipulations. Member Clock recalled that the Commission requested at the last meeting that they receive letters from DPW Superintendent Elliott and Chief Doan stating that it would be okay to declare that a no parking area, but they had not received such letters.

e. Motion

Motion by Member Eveleigh to accept the gift and she explained her reasons for supporting the donation. After discussion, motion seconded by Member Felter. Member Waddell stated that he was still concerned that it was a gift with a \$3,500 price tag and if they were eliminating parking then the City would incur the additional cost of 'no parking' signs. Member Halverson questioned the impact of removing parking areas along Park Avenue with the installation of the fence and how that would affect parking during the busy summer season. Member Golding noted that it was unlimited parking along there now and if they recommend to City Council to accept the donation then they would be excluding parking from the section along the fence. Member Eveleigh felt that there were issues with protecting the Park.

Members Eveleigh and Felter withdrew the motion and second.

Member Felter suggested accepting the gift provided that the DPW Superintendent and Police Chief are willing to make this a no parking area. Member Waddell recalled that was what they did last month when they voted out of order unless the two individuals agreed that this was a no parking zone. Member Felter stated that the question was if the Planning Commission would accept the gift. It was clarified that the fence was being donated, but the City's cost to install it was \$3,500.

Staff Planner Lucas suggested two options: 1) the Commission accepts the gift contingent on City Council's consensus on related parking issues or 2) defer any action by stating that the Planning Commission chose not to act on the donation because of questions surrounding parking restrictions. Member Felter suggested that they send information to Council and that they pass on the decision.

Motion by Member Waddell to pass on voting on this gift because there are lingering questions and too many issues that didn't get answered from the questions that were asked last month. Member Golding amended the motion to have Staff include a summary of those related issues to be presented to City Council. Member Halverson seconded the motion. Motion passed by unanimous roll call vote.

Planner

From: Pat Elliott
Sent: Wednesday, March 08, 2017 10:32 AM
To: Planner
Subject: RE: Fence Donation Questions from PC

Zach,

When that road is upgraded it would not include any utilities underground because they have either already been upgraded or they are not there and don't need to be. What we would do is widen the road, define with curbs/gutters where parking would go etc. along with some landscape improvements. I don't know all of the details at this point, but due to all of the foot and vehicular traffic that area gets we would want to make it look very nice for years to come.

Pat Elliott

Public Works Superintendent

Office: (231)547-3276

Fax: (231)547-3601

pate@cityofcharlevoix.org

www.cityofcharlevoix.org

From: Planner
Sent: Wednesday, March 08, 2017 8:34 AM
To: Pat Elliott
Subject: RE: Fence Donation Questions from PC

Thanks Pat,

For the future upgrade to Park Ave., what work would you anticipate being done along there? Talking in terms of curbs, widening, water lines, etc.

Zach Panoff

Interim Planning and Zoning Administrator

City of Charlevoix

210 State Street

Charlevoix, MI. 49720

planner@cityofcharlevoix.org

www.cityofcharlevoix.org

Phone: 231-547-3265

Fax: 231-547-3617

From: Pat Elliott
Sent: Wednesday, March 08, 2017 8:21 AM
To: Planner <planner@cityofcharlevoix.org>
Subject: RE: Fence Donation Questions from PC

Good morning Zach,

Below are answers to your questions.

1. I do think 5' is very close to the edge of the existing road. When John Campbell asked me this question I suggested that it would be best to figure out where the new edge of road will be once the road gets widened and put the fence at least 6' off of the future edge of asphalt.
2. We do have plans to upgrade Park Ave. between Grant and Lake, but at this point I am not sure when that will happen. If the fence is installed 5' off of the current edge of asphalt then yes the fence would need to be removed and reinstalled when that work is completed.
3. A rough estimate for the installation of the fence would be approximately \$3,500.00 for labor and equipment. If you need any additional information don't hesitate to contact me.

Thanks,

Pat Elliott

Public Works Superintendent

Office: (231)547-3276

Fax: (231)547-3601

pate@cityofcharlevoix.org

www.cityofcharlevoix.org

From: Planner

Sent: Monday, March 06, 2017 2:21 PM

To: Pat Elliott

Subject: Fence Donation Questions from PC

Pat,

The planning commission had three main questions for you regarding the donation of a fence along Park Ave.:

1. Do you have any concerns related to plowing, etc. for a fence placed 5' off the edge of the road along Park Ave., especially given that the road itself is rather narrow at that point?
2. Are there currently any plans to redo the section of Park Ave. between Grant and Lake? If there are plans for the streetscape along there, would potential curbs, street widening, etc. conflict with the proposed fence and require that it be moved or removed to make way for improvements?
3. What would you estimate the labor/material costs for your department to be for the installation of the fence and any additional materials that may be required beyond what is provided by the proposed donation?

Thanks for your help,

Zach Panoff

Interim Planning and Zoning Administrator

City of Charlevoix

210 State Street

Charlevoix, MI. 49720

planner@cityofcharlevoix.org

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Phone: 231-547-3265

Fax: 231-547-3617

CHARLEVOIX CITY COUNCIL

AGENDA ITEM

AGENDA ITEM TITLE: Schedule Public Hearing: Single Room Rental Zoning Ordinance Amendment

DATE: May 1, 2017

PRESENTED BY: Mark L. Heydlauff, City Manager

ATTACHMENTS: Proposed amendment language

BACKGROUND INFORMATION:

Currently, the Zoning Ordinance does not allow for the renting of individual rooms on residentially zoned lots, referring to structures that do as bed and breakfasts, which require special land use approval from the City. A proposal was brought before the Planning Commission by the Main Street Economic Restructuring Committee last November to amend that part of the Ordinance in an attempt to diversify the housing options available in town, as many seasonal positions have potentially gone unfilled in recent years because of housing cost, availability, etc.

The proposed amendments deal with clarifying rental definitions and allowing for one room to be rented long term (more than one month) in an owner occupied structure. The Zoning Ordinance definitions would be changed to eliminate “transient housing” and its confusing definition altogether, and establish definitions for short and long term rentals instead. The language in Section 5.78 contains the majority of the substantive changes regarding these types of rentals, with the rest of the attached document mainly eliminating the use of “transient housing” in the ordinance and replacing it with the new rental term accordingly.

The Planning Commission and Staff Planners believe an amendment like this will help to diversify housing options and changes to definitions will apply when a recommendation regarding vacation rentals comes before Council in the future.

RECOMMENDATION:

Motion to set a Public Hearing for May 15, 2017 at 7pm in the Council Chambers of City Hall for proposed Zoning Ordinance amendments regarding the rental of single rooms in owner-occupied structures.

CITY OF CHARLEVOIX
ORDINANCE NO. 783 of 2017
AN ORDINANCE TO AMEND TITLE V, CHAPTER 51,
ARTICLE 2: SECTIONS 5.14 AND 5.15, ARTICLE 4: SECTION 5.26, ARTICLE 7: SECTION 5.46, AND ARTICLE 8: SECTION 5.78

THE CITY OF CHARLEVOIX ORDAINS:

SECTION 1. Amendment to Title V, Chapter 51, Article 2, Section 5.14
The following definitions are hereby added to read in their entirety as follows:

Rentals.

- (1) Long Term Rentals. Any dwelling or condominium or portion thereof, that is available for use for a fee or other compensation for a term of 30 consecutive days or more.
- (2) Short Term Rentals. Any dwelling or condominium or portion thereof, that is available for use for a fee or other compensation for a term of less than 30 consecutive days, but not including hotel rooms, transitional housing operated by a non-profit entity, group homes such as nursing homes and adult foster care homes, and hospitals or other health care related facilities.

SECTION 2. Amendment to Title V, Chapter 51, Article 2, Section 5.15
The following definition is hereby deleted as follows:

~~**Transient Housing.** An apartment, condominium, single family home or similar dwelling unit rented out to individuals or groups. (See Section 5.78)~~

SECTION 3. Amendment to Title V, Chapter 51, Article 7, Section 5.26 is hereby repealed in its entirety and replaced with the following:

5.26. Schedule of Uses

Uses permitted in the R1, R2, R2A, R4 and PC districts are listed in *Table 5.26*. Additional requirements related to a specific use, if any, are referenced in the "Specific Requirements" column.

Table 5.26 Allowed Uses: Residential Zones						
P = Permitted Use by Right S = Special Land Use	R1	R2	R2A	R4	PC	Specific Requirements
Accessory uses, buildings and structures						
Accessory uses, buildings and structures	P	P	P	P	P	Section 5.46(1)
Bed and breakfast establishment	S	S	-	-	-	Section 5.46(3)
Boathouses	S	-	-	-	S	Section 5.46(4)
Day care	Family day care home	S	S	-	-	
	Group day care home	S	S	-	-	Section 5.46(5)
Foster care	Adult foster care family home	S	S	-	-	
	Foster family home and foster family group home	S	S	-	-	
Major home occupation	S	S	S	S	-	Section 5.46(7)
Minor home occupation	P	P	P	P	P	Section 5.46(7)
Solar panels	P	P	P	P	P	Section 5.46(9)
Wind energy conversion systems, single accessory	P	P	P	P	P	Section 5.46(10)
Wind energy						

Table 5.26 Allowed Uses: Residential Zones

P = Permitted Use by Right S = Special Land Use		R1	R2	R2A	R4	PC	Specific Requirements
Adult foster care large group home		-	-	-	S	-	
Adult foster care small group home		S	S	-	-	-	
Convalescent and nursing homes		-	-	-	S	-	
Dwellings	Single family, detached	P	P	P	P	P	Section 5.47(1)
	Single family, attached	-	-	P	P	P	Section 5.47(1)
	Two family	-	-	P	P	P	
	Multiple family	-	-	-	P	P	
Senior housing: Independent living, assisted living and similar facilities		-	-	-	S	-	Section 5.47(2)
Transient housing Rentals		P	P	P	P	P	Section 5.78
Boarding/Rooming House		S	S	-	-	-	
Offices and Services							
Day care center/nursery		S	S	-	-	-	Section 5.51(1)
Recreation and Open Space							
Public parks/playgrounds		P	P	P	P	-	
Athletic courts		P	P	-	P	P	Section 5.55(1)
Public Utilities							
Churches and customary related uses		P	P	P	P	P	
Colleges and universities		-	-	-	S	-	
Community centers		-	-	-	S	-	
Other Uses							
Essential service, publicly owned		P	P	P	P	P	
Site condominium		P	P	P	P	P	Section 5.47(3)

SECTION 4. Amendment to Title V, Chapter 51, Article 7, Section 5.46(1)(j) is hereby repealed in its entirety and replaced with the following:

5.46. Accessory Buildings and Uses¹

- (1) *Accessory Buildings and Structures.*
 - (j) Prohibited uses within detached **accessory structures** or **accessory structures** connected by a breezeway or similar structure:
 1. May not contain features that form a habitable **dwelling unit** or create a second **dwelling unit**.
 2. These **structures** may contain utility sinks, one bathroom, and refrigeration units. Full kitchen facilities that include a range or stove are prohibited.
 3. Rooms within **accessory structures** may be used for additional sleeping quarters for the owner, or resident, and their immediate family provided that these rooms may not be rented out as **transient housing short or long term rentals** for any length of time.

SECTION 5. Amendment to Title V, Chapter 51, Article 8, Section 5.78 is hereby repealed in its entirety and replaced with the following:

5.78. Renting of Residential Properties

Renting of residential properties, including but not limited to homes, condos, apartments, townhouses, and duplexes, as ~~transient-housing~~ **short or long term rentals**, regardless of the underlying zoning district, shall comply with the following standards:

- (1) Short and long term renting of entire residential structures is permitted in any zoning district.
- (2) No exterior signage advertising the rental shall be allowed.
- (3) **Accessory Structures** may not be rented to separate individuals or groups.
- (4) Short term renting of individual rooms to separate individuals or groups is prohibited and shall be considered a **bed and breakfast**, which requires special land use approval under *Article 13*.
- (5) Long term renting of no more than one (1) individual room in a residential structure is permitted, as long as the structure is owner occupied.

SECTION 6. 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 7. Effective Date.

This Ordinance shall become effective thirty (30) days after its enactment.

Ordinance No. 783 was adopted on the xxth day of May, 2017 A.D., by the Charlevoix City Council as follows:

Motion by: Councilmember
Seconded by: Councilmember

Yeas:
Nays:
Absent:

State of Michigan)
) ss
City of Charlevoix)



CITY OF CHARLEVOIX

210 STATE ST. CHARLEVOIX, MICH. 49720

Charlevoix City Manager's Office

231-547-3270 markh@cityofcharlevoix.org

Memo

To: The Honorable Mayor Kurtz and the Charlevoix City Council

From: Mark L. Heydlauff, City Manager

Subject: City Manager's Report for May 1, 2017

Date: April 26, 2017

A. Tennis/Basketball Court Repairs

As you may recall, we retained a firm last fall to upgrade the surfaces of our tennis and basketball courts. That work will be completed this spring and will be done as soon as evening temperatures consistently stay above 50 degrees. This temperature is necessary to ensure the material adheres appropriately.

B. Paperless Packets/Technology Improvements

We are kicking off the movement to paperless Council and Board packets next week. The City Clerk and I will be having a conference call with the company who will host the information. Based on their projections, I anticipate we will roll out our first paperless packet in June.

Also in this realm, we are in the process of applying for a new website name for the City that would better reflect us as a government by using the .gov ending. I'll advise you as this is completed; we will then move toward a full rebuild of our website to enhance the customer service we can provide through it in furtherance of Council's goal. I will keep you updated with our progress.

C. Manufacturing Activity

As part of an upcoming series in the *Charlevoix Courier*, I joined Lonnie Allen on some recent visits to Charlevoix-area manufacturers. It is good to see them remain busy and full of workers. Last week when we visited St. Mary's Cement, they were up to more than 600 people working on-site as construction progresses on their expansion. Michigan Scientific remains busy with 100 employees and they are filling up their new manufacturing space. Wojan Window and Door continues to have strong demand for their windows around the country and are employing 85 full-time employees here in Charlevoix.

D. DDA/Main Street Meeting

As you may know, the DDA/Main Street Board was scheduled to meet this past Monday. They did not have a quorum at the meeting but several presentations were already scheduled. Those presentations went forward anyway and the Board will meet again on May 4 at 5:30pm to conduct the business they

were unable to cover absent a quorum. I believe the branding process is continuing well with more feedback received this past Monday. I now anticipate the matter will come before Council on May 15.

E. May 15 Meeting

In addition to the matter above, I anticipate we will recommend a contract for 2017 Infrastructure Improvements to rebuild portions of Antrim, Hurlbut, and Prospect Streets. Later this spring or early summer, we anticipate bringing a second worklist and plan for just pavement improvements.

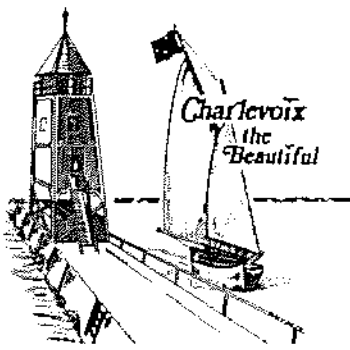
Assuming Council sets the public hearings on Monday's agenda, those two items will be placed on the agenda for May 15 as well. I also would like to discuss with Council the presentation made by MDOT regarding the potential changes for US 31.

The following documents are for Council's information:

- Memo from Recreation Director Tom Kirinovic – Skate Park Rules and Supervision
- Approved Planning Commission Rental Regulations Subcommittee Minutes – March 13, 2017
- Charlevoix Convention & Visitors Bureau Annual Report

The following events are planned in public spaces during the month of May:

- May 4th - National Day of Prayer Service in East Park
- May 13th – Walk-Run-Cure, Sue DeYoung/Judy Edger Breast Cancer 5k Walk and Run
- May 18th – Charlevoix Farmer's Market starts – will be held every Thursday until October
- May 25th – Keep Charlevoix Beautiful Petunia Planting & Picnic
- May 27th – Top of Michigan Community Marathon (Registration May 26th in Bridge Park)
- May 27th & 28th – Live from Charlevoix ...Round Lake Music Festival
- May 29th – Memorial Day Service at Brookside Cemetery
- May 29th – Memorial Day Parade and Service in East Park



CITY OF CHARLEVOIX

210 STATE ST. CHARLEVOIX, MICH. 49720

MEMO

TO: Mark Heydlauff, City Manager

FROM: Tom Kirinovic, Recreation Director

RE: Skate Park Rules and Supervision

DATE: April 26, 2017

ATTACHMENTS: Notes from Laura Stebe
Letter from Allen Telgenhof

I am providing this information per your request to find out how other skate parks in our area are managed. I contacted folks in Traverse City, Petoskey, East Jordan, and Gaylord. In Traverse City, the park is managed by the county. In Petoskey and East Jordan the parks are managed by the city. The Gaylord park, if it is opened this year, appears to have been a city park at one point, but is now run by a private individual/company.

All of these parks have operated in an unsupervised setting in the past. All of the conversations I have had on this topic carry a very similar theme. There were issues with alcohol, bullying, and drug use and sales in the area of these unsupervised activities. The damage, graffiti, and theft that also occurred had either led to the closure of the park in the past or to the individuals managing the venue wishing that the site would be closed.

My research has shown, and the letter you have from Laura Stebe would concur, that these issues have NEVER been a problem at the park in Charlevoix. Last summer on one of my trips to the park, I had a conversation with a mom who brought her kids up to the park from Traverse City. The reason she did that was because she heard it was supervised, the one near their home was not, and she saw which setting she preferred to have her kids participate. I can also provide letters of support from local parents, one from Prosecuting Attorney Allen Telgenhof, speaking to the value of the park for their own children.

Laura has explained in her letter the logic and reasoning for the dates and times for which the park is kept open. I believe she uses solid logic in this decision. The value of the park (approximately \$160,000.00 when constructed) is to great an investment, in my opinion, to leave it open to all of the issues described above that all other local parks have battled.

My recommendation is that we continue to operate our resource in the same manner we have in the past until a time that warrants consideration for change. I do not believe we have reached that point.

April 5 2017

TO: Rec Director

Answers to your questions:

1. Parks in other areas are managed in different ways. Traverse City and Petoskey are both unsupervised. I believe they are city owned. These parks also have major problems occur and create a bullying environment, drugs, tagging/graffiti. We have had none of that and that is something we are very proud of. I have parents drive all the way up to our park because it is supervised and there is no issues. I have provided letters of support in the past.
2. The hours have been a work in progress but are based on the school schedule, event schedules and low usage days. May is typically still busy with school activities so weekends work best to be open. Monday and Tuesday are quiet days. And these were the days chosen when concessions were made to cut hours. The Wednesday through Sunday are the best hours. The rules has been if it is busy at scheduled closing time than stay open because that is what we are there for. We have done 12-9, 12-6, 3- 9 and the 12-6 is best. Due to heat also is a huge factor. The park is weather dependant. We have done 7 days a week and 9 hours a day but there was alot of down time. Kids usually skate for an average of 3-4 hours. The 12- 6 seems to have worked the best. It is always an option to stay open after 6.
3. When we set the park up and wrote grants, Helmets and Supervision were written into those grants and I think for liability. But for safety is the main concern. I have seen many helmets protect many heads. Also the Lions Club donates helmets to the park. We do not charge extra for them. I usually do not get much push back when asked to wear them. Mainly from street skaters. It really is a non-issue.
4. We have never had the park open and unsupervised. That has never been an option due to the way the grants are written. It would create negative issues like drugs, graffiti, lack of maintenance checks for safety, which are done daily. We take pride that we have had no major issues and parents are supportive of it being supervised. We have had no major injuries due to supervision. The park should remain supervised for safety.

We can further discuss.

Sincerely, Laura A Stebe

March 21, 2016

Honorable Charlevoix City Council and City Manager,

I am writing you as a parent of a child who has benefitted from the Charlevoix Skate Park since its inception. I strongly encourage you to continue to support the Skate Park.

As many of you may know, I have three sons – Ty, Will and Luke. Ty and Will played “traditional” sports and both were named All-State in baseball during their high school careers. My youngest son Luke played football, baseball and basketball when he was small, but never took to those sports.

He is more of an individualist, a free spirit. Judy and I were concerned that Luke would not get the benefit of being part of a team, as we had in our high school years.

Luke instead loves skateboarding. He used to suffer in agony played baseball at the Little League fields while his friends were skating at the park. Finally we allowed him to pursue his passion.

We found that, despite our preconceived notions, there was a team atmosphere, even approaching a family atmosphere, at the Skate Park. Luke had and still has, at the age of 17, days when he is the first to arrive at the park in the morning and last to leave in the evening. He has found a home there.

The key for us as parents is the supervision. We have always felt comfortable leaving Luke there, knowing that the kids were not only watched, but cared for by people like Mrs. Stebe and Mrs. Klooster. They don't tolerate misbehavior or even disrespect.

We don't have a drug problem like some towns do with unsupervised skate parks. We don't even have swearing up at our Park. It is popular to support Pop Warner football and Little League baseball, as it should be. It should be just as popular to support the Skate Park.

The passes are already not inexpensive and I don't believe rates can be raised enough to make the Park completely self-sufficient. I would strongly encourage you to invest in this Park and in our kids. It is a safe, fun activity for kids who don't “fit the mold” in our community.

Thank you for your consideration,


Allen Telgenhof

CITY OF CHARLEVOIX
PLANNING COMMISSION RENTAL REGULATIONS SUBCOMMITTEE MINUTES
Monday, March 13, 2017 – 10:00 a.m.
210 State Street, City Hall, Council Chambers, Charlevoix, MI

1. Call to Order

The meeting was called to order at 10:00 a.m. by Co-Chair Roth.

2. Roll Call

Members Present: Rick Golding, Julee Roth, RJ Waddell (10:08 a.m.)

Member Absent: None

City Staff: Sarah Lucas, Staff Planner Networks Northwest; Interim Planner Zach Panoff

3. Approval of February 13, 2017 Minutes

Motion by Member Golding, second by Member Roth, to approve the February 13, 2017 minutes as presented. Motion passed by unanimous voice vote.

4. Approval of Agenda

Motion by Member Golding, second by Member Roth, to approve the agenda as presented. Motion passed by unanimous voice vote.

5. Inquiry Regarding Potential Conflicts of Interest

None.

5. Public Input not Related to Agenda Items

None.

6. New Business

A. Review and Discussion of Subcommittee Materials

Staff Planner Lucas stated that she and Member Roth put together a draft letter to rental property owners, but discovered they could not charge a fee without a City ordinance. She felt that asking property owners to fill out a form would not really be requiring anything. She stated that Member Roth created a report itemizing the questions that the Subcommittee had addressed over the past few months.

Member Roth stated that she had been approached by a couple of City Councilmembers who were expecting an ordinance from the Subcommittee and that "if they don't do it, the Council will do it".

Staff Planner Lucas summarized her report and recommendations that she and Member Roth discussed:

- Update and re-codify the Charlevoix Charter/Code to give clear and concise direction and definitions
- Update and implement a short-term rental ordinance
- Hire a seasonal Code Enforcement officer to assist with compliance
- Form a Citizen's Committee to evaluate the short-term rental ordinance after two summer rental seasons
- Make future updates as needed.

Member Golding stated that he was surprised that there were Subcommittee recommendations and he wondered where the recommendations came from because he did not remember discussing these items. Member Roth explained that this was a draft to discuss. She advocated for the need to define boarding/rooming houses, bed & breakfasts, transient housing, and hotel/motel categories. She stated that their job was to make a recommendation to the Planning Commission who would then in turn make its recommendation to City Council.

Member Waddell referenced the "room rental" that was proposed to the Planning Commission by DDA Chair Barron. He stated that the bed and breakfast definition was much clearer than transient or boarding house. Discussion followed regarding the various types of housing. Staff Planner Lucas stated regardless of whether short-term rentals have their own definition it was more a question of where it is allowed. Member Golding noted that there were several terms that need further definition. Staff Planner Lucas stated that it made more sense for staff to come up with the definitions for review by the Subcommittee.

Discussion followed regarding the proposed definitions. Member Golding referenced the top of page 4 of the handout "whether an ordinance is in fact needed" and he questioned if they were operating under the assumption that they were

going to create a new ordinance or were they going to amend zoning as it stands and create a separate section in the Zoning Ordinance. Interim Planner Panoff recommended a separate Short-term Rental Ordinance. Members agreed that short-term and long-term rentals could be considered transient housing.

Discussion continued regarding the proposed letter and application/questionnaire. Member Roth stated since they needed an ordinance to impose a fee or require owners to respond to a questionnaire, then the letter was moot. Staff Planner Lucas stated that the first question was whether they should draft an ordinance to address short-term rentals. Member Waddell stated that they should forward the information they have collected on short-term rentals. Staff Planner Lucas stated that the Subcommittee could give the Commission a cover sheet that identifies different options, 1) create an ordinance or 2) create an informational letter to short-term rental property owners for this year and see how it goes. She stated that there could be no registration fee without an ordinance imposing such a fee.

Amanda Wilkins commented that if the Subcommittee wanted to require people to register they would need an ordinance to do that, and that one of the Subcommittee's goals was to have a registration process to determine how many short-term rentals were in Charlevoix.

Leilani Durbin felt that there was not a big problem, but there may be an issue with landlords who do not live in Charlevoix without anyone overseeing their rentals. She questioned if there was that much of a problem with vacation rentals or just a few that were causing issues. She did not feel that a fee should be charged.

Staff Planner Lucas felt a joint meeting with Council would be beneficial to ask direction from City Council. Member Golding stated that he has yet to see any formal documentation of problems such as police reports. He stated that only two people voiced their personal experiences at the meetings and that does not justify the "reason that we're here or the reason to develop an ordinance". He felt that if it was such a rampant problem there would be more documentation.

Member Waddell stated that if there were Councilmembers who wanted an ordinance then they needed a joint meeting to determine what City Council wanted in such an ordinance. Member Roth stated that the members called her directly and she was happy to table the matter until they have a joint meeting.

7. Old Business

A. Next Steps for Subcommittee

Member Waddell stated that he intended to report to the Planning Commission that in order to have a registration form it would require an ordinance, otherwise it would just be a survey with a lower return rate. It was their understanding that there were Councilmembers who wanted an ordinance therefore, a need for a joint meeting with City Council to determine what type of ordinance Council wanted. He stated that they had been looking at a less intrusive process with the registration form and Good Neighbor Guide, and how transient housing could be divided into short-term and long-term categories.

8. Next Meeting Date

April 10, 2017, 10:00 a.m.

9. Adjournment

Motion by Member Golding, second by Member Waddell, to adjourn. Motion passed by unanimous voice vote. Meeting adjourned at 11:07 a.m.

Joyce M. Golding/fgm

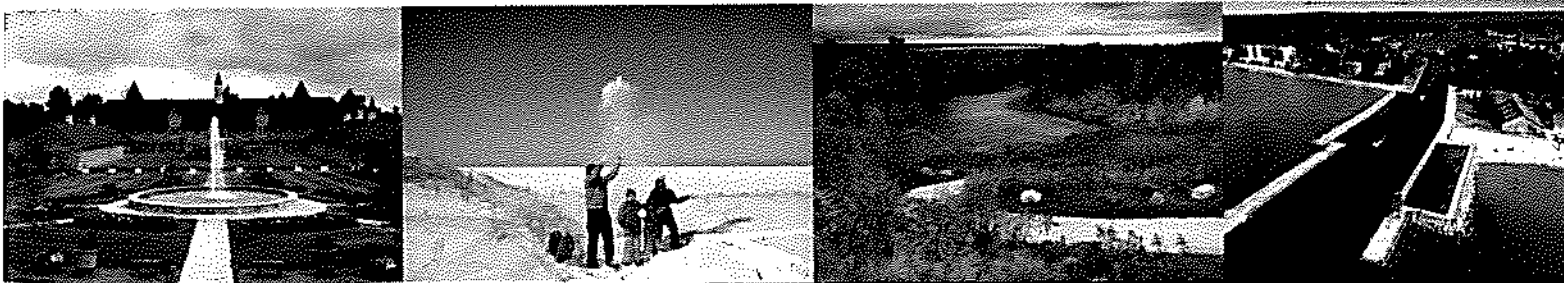
City Clerk

Julee Roth

Subcommittee Co-Chair

Charlevoix Convention & Visitors Bureau

Mission: To positively impact the area's economy by promoting Charlevoix as an overnight travel destination



2016 Highlights

Weekly Visit Charlevoix Blog has become top 10 page

Distributed 32,000 travel planners

Website traffic increased by 38%

Launched a redesign of website including Insta plugin

3,545 new social media followers since 2015

Created a seasonal video series focused on vibrancy

Greater digital media and social media presence

Pure Michigan Partnership radio Summer & Fall and
social media Craft Beer, Golf, Lake Effect

Pure Michigan ROI more than \$8

Assessment Growth

Since 2011 assessments are up by 28%

2015 to 2016 increased by 2.5%

Board of Directors

2017

Jessie Corp, Pres. | AmericInn

Beth Goodwin, V Pres. | Weathervane

Chris Kowal, Treas. | Edgewater

Rani Smith | Charlevoix Inn

Tracy Sell | The Lodge

Alissa Post | Castle Farms

2016 Outgoing

Jonathan Pack, Pres. | Charlevoix Inn

Members

AmericInn Lodge & Suites

Bridge Street Inn

Charlevoix Inn & Suites

Courtside Motel

Edgewater Inn

Inn at Grey Gables

MacDougall House

Northern Michigan Escapes

Pointes North Inn

The Lodge

Villa Moderne Motel

Weathervane Terrace Inn & Suites

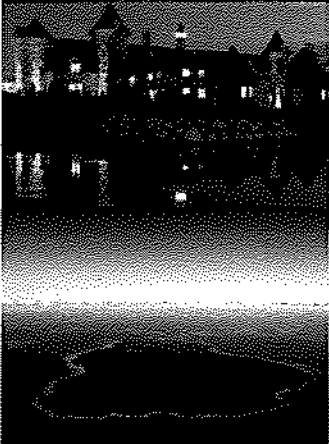
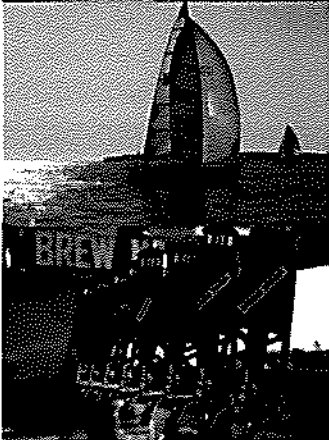
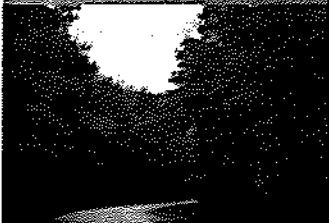
Castle Farms

\$20 million: Charlevoix CVB property guest spend on vacation

\$300 million: Spent by visitors traveling in Charlevoix County

Charlevoix

Convention & Visitors Bureau



2016 Travel Writers/FAMS

- Circle Michigan Group Tours
- Pure Michigan China FAM
- Planet D
- Conde Nast
- Meredith Magazine
- Circle Michigan Conference

2016 Advocacy

- Post Labor Day School Start
- Invasive Asian Carp
- Pure Michigan Funding
- Environmental
- Short-term Rental Properties

Thanks Partners!

- CVB Members
- Charlevoix Chamber
- DDA/Main Street
- City of Charlevoix
- Charlevoix Photography Club
- Castle Farms
- Charlevoix Historical Society
- Charlevoix Public Library
- Charlevoix Circle of Arts
- Charlevoix Restaurants
- Beaver Island Chamber
- BIBCO
- Pure Michigan
- Circle Michigan

2017 Features

- Planet D travel blog
- Matador Network
- USA Today
- Conde Nast
- Pure Michigan
- MLive
- Smitten Mitten
- Only in your State

2017 Outlook

- Rebrand to Visit Charlevoix
- Increase content (written, photo, video)
- Grow social media presence
- Pure Michigan promotions
- Tradeshow
- Increase Year Round Tourism