

AGENDA
CITY OF CHARLEVOIX CITY COUNCIL MEETING

Monday, May 15, 2017 - 7:00 p.m.
City Hall Council Chambers, 210 State Street Charlevoix, Michigan

- 1. Pledge of Allegiance**
- 2. Roll Call**
- 3. Presentations**
- 4. Inquiry regarding conflicts of interest**
- 5. Consent Agenda**
 - A. City Council Meeting Minutes May 1, 2017 PG 1-10
 - B. Accounts Payable Check Registers & Payroll Check Registers PG 11-19
 - C. Purchase 1/0 Kerite Cable PG 20
 - D. Electric Department Safety Meeting Agreement PG 21-25
 - E. Resolution to Waive Parking Fees at Ferry Beach Boat Launch for Charlevoix Trout Tournament PG 26-28
 - F. Craft Beer Festival Approval PG 29
 - G. New Voting System Grant Agreement PG 30-33
- 6. Public Hearings and Actions Requiring Public Hearings**
 - A. Single Room Rental Zoning Ordinance Amendment PG 34-37
 - B. Lake Michigan Beach/Park Avenue Fence Donation PG 38-42
- 7. All Other Actions & Requests**
 - A. East Park Planter Design and Planting Donation PG 43-45
 - B. 2017 Infrastructure Construction PG 46-49
 - C. Motor Pool Vehicle Purchases PG 50
 - D. Pavement Marking 2017 PG 51-52
 - E. Solid Waste Collection Discussion PG 53
 - F. US 31 Configuration Recommendation to MDOT PG 54
 - G. Venetian Festival Road Closure PG 55-56
 - H. Park Land Sale Protection Charter Amendment Discussion PG 57
 - I. Water Treatment Plant Stand-by Generator Purchase and Internal Loan PG 58-61
 - J. Council Appointments PG 62-67
- 8. Reports & Communications**
 - A. Public Comments
 - B. City Manager Comments PG 68-110
 - 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.

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, May 1, 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. Junior Main Street Committee Project

High school seniors from Ms. Ann Marie Conway's class presented a project that they are proposing for the Junior Main Street Committee that includes the development of an interactive downtown Charlevoix mobile app titled "Life in Charlevoix." The app would be built by a company called Mobile Town Guide and have several beneficial features including a business directory, interactive walking tours, events calendar, job opportunities, etc. Some additional features could allow businesses to offer specials that are exclusive to app users and push notifications to all app users about festivals, road closures, etc.

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 – April 17, 2017 Regular Meeting
- B. Special Accounts Payable Check Register – April 20, 2017
- C. Regular Accounts Payable Check Register – May 2, 2017
- D. ACH Payments – April 17, 2017 to April 25, 2017
- E. Payroll Check Register – April 21, 2017
- F. Payroll Transmittal – April 21, 2017
- G. Tax Disbursement – May 2, 2017
- H. Revised Signature Card for Huntington Bank

CITY OF CHARLEVOIX
RESOLUTION NO. 2017-05-01
Resolution to Open and Maintain a Huntington Bank Account

The undersigned hereby certifies to The Huntington National Bank that: I am the Mayor of the City of Charlevoix and, as such, I am familiar with the records and proceedings of the City of Charlevoix (the "Public Entity"), a governmental entity duly organized and existing under the laws of the State of Michigan; 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 endorsements 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;
- (iv) Names or Titles of Authorized Signatories:
Kelly McGinn- Treasurer
Alida K. Klooster- Asst. Treasurer
Joyce Golding- Clerk

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 be modified or rescinded and are in full force and effect.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 1st day of May, 2017.

Public Official: Luther Kurtz, Mayor

Witness: Joyce M. Golding, City Clerk

RESOLVED this 1st day of May, 2017 A.D.

Resolution was adopted by the following yea and nay vote:

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

Nays: None

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

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

Nays: None

6. Public Hearings & Actions Requiring Public Hearings

A. Ethical Conduct Ordinance

City Manager Heydlauff stated that after several weeks, the final draft of the Ethical Conduct Ordinance is being presented this evening for consideration.

Mayor Kurtz opened public hearing at 7:14 p.m.

John Haggard shared some history related to former Council members and their potential conflicts of interest over the years. He noted that none ever had a problem. He felt that this ordinance would impose harsh restrictions and would hamper people from running for public office. Mr. Haggard also felt that it was inappropriate to even consider the proposed ordinance.

Scott Beatty cited several examples of potential conflicts of interests with the current Council. He stated that Council should be recused from deliberating or voting on an issue but their freedom of speech should be preserved. Mr. Beatty stated that "we are all entitled to express our views and simply because you are elected to Council, doesn't mean your right to express that view should be cut off." He felt that the language in the ordinance was unclear therefore the ordinance should not be passed in its current form.

The public hearing was closed at 7:23 p.m.

Councilmember Oleksy read the first paragraph of the proposed Ordinance.

Councilmember Gibson stated that the ordinance was "good government".

Motion by Councilmember Gibson, second by Councilmember Perron, to adopt Ordinance 782 of 2017.

Councilmember Kalbfell agreed with Mr. Beatty in so much as a Council member who recuses themselves from a topic should be allowed their free speech just as any other citizen. She agreed that some language in the ordinance needed to be deleted.

Councilmember Gibson stated "I don't think when you're elected, that when you step down [from the dais], all of a sudden you are a private citizen." She respectfully disagreed.

Councilmember Perron commented that there was a disagreement on the definition of "recusal." He felt that a recused Council member should not take any actions that influence the debate.

Councilmember Hagen agreed with Mr. Beatty's suggestion of clarifying the verbiage in the ordinance.

Councilmember Kalbfell reiterated Mr. Beatty's comment that if a recused Council member has knowledge that is needed by Council to make a decision the member should be allowed to speak as a member of the public.

Councilmember Gibson felt that a recused Council member should not debate or answer questions. She felt all pertinent information should be included in the agenda packet so no one has to ask a question.

Councilmember Kalbfell stated that if Council cannot separate public comments from being influenced, it is not the fault of the recused member. Councilmember Cole agreed.

Yeas: Perron, Gibson, Oleksy

Nays: Hagen, Kalbfell, Cole

Motion failed.

**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.

7. All Other Actions & Requests

A. City Band Contract

Band Director Tom Harder recalled the history of the City Band and noted that there are operational costs associated with the band which the City has contributed toward in the past.

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 contract [\$3,000] with the City Band and authorize the Mayor to sign the agreement.

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

B. Charlevoix Historical Society Depot Beach Request

City Manager Heydlauff stated that the Charlevoix Historical Society is celebrating the 125th anniversary of the historic railroad Depot. As part of the event, they also seek approval to paint temporary "railroad tracks" on the Depot Beach access road in front of the depot.

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

Motion by Councilmember Hagen, second by Councilmember Kalbfell, to approve the Charlevoix Historical Society's event requests for June 2017 at Depot Beach Park.

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

C. Road Closure Signage Purchase

Mayor Kurtz read a statement which discussed more benefits to year-round residents during festivals including the street closure during Venetian Festival and he noted that collaboration between the Township and City is a major Council goal. He expressed appreciation for the Township, City Staff and volunteers that create this successful event.

City Manager Heydlauff stated that the City generally rents signage from MDOT for \$7,000-\$8,000. MDOT estimates that purchasing the signage would cost \$7,500-\$10,000. The Charlevoix Township Fire Department agreed to facilitate the installation of the signage for events.

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

Motion by Councilmember Cole, second by Councilmember Gibson, to authorize City Staff to purchase road closure signage for downtown events and split the cost with the Downtown Development Authority.

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

Nays: None

D. Lake Michigan Beach Clean Up

Councilmember Perron explained that Lake Michigan Beach Park has a large number of dead, dying or fallen trees and cleaning the area by hand would prove to be very time consuming. Councilmembers Perron, Hagen and Oleksy requested that Council consider granting City Staff a one-time waiver of the Forestry Management Plan to have this area cleaned up using mechanical equipment after which it would be regularly maintained.

Mayor Kurtz opened the item to public comment.

John Campbell stated that the Shade Tree Commission will be discussing this topic at their May 4th meeting. He recalled the history of the park and provided an update on the trees at the park, replanting plans and invasive species management. Mr. Campbell suggested that the fall tree planting may include replacement trees at the park.

Mike Doherty stressed that Lake Michigan Beach is a park and should be maintained as a park.

The item was closed to the public.

Councilmember Perron did not want to wait until summer and was not in favor of using an outside contractor to perform the work.

Motion by Councilmember Perron, second by Councilmember Oleksy, to authorize City Staff to clean up dead, dying, and fallen trees from Lake Michigan Beach Park.

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

Nays: None

E. Schedule Public Hearing: Lake Michigan Beach/Park Avenue Fence Donation

City Manager Heydlauff recalled the Donation Acceptance Policy and he noted that the Planning Commission declined to make a recommendation regarding acceptance of the donation and handed the decision to Council.

John Campbell felt the public hearing was a good idea. He suggested that the City could install temporary flags defining the fence location and proposed parking area.

Councilmember Kalbfell questioned whether the Conservation Easement Committee would be amenable to moving the fence to the ridge. Mr. Campbell replied that the fence is intended to protect the park from vehicles parking helter-skelter on the property. Councilmember Kalbfell noted that the Police Chief did not confirm a parking problem. Mr. Campbell stated that parking was part of the Forestry Management Plan, but Councilmember Kalbfell cited the plan which only made general recommendations. She noted that visitors parked along Park Avenue to view the Earl Young homes or use the beach and she felt that "fences to me say stay in or stay out" and when it's that close to the road it tells people to stay out.

Mr. Campbell noted that there were problems with people visiting the mushroom houses and with traffic in the area. He stated that the area between the proposed fence and the beach would be replanted.

Mayor Kurtz opened the item to public comment.

Mary Millington, Park Avenue, felt that the street was not safe for pedestrians or bicycles and installing a fence would create additional danger to those trying to avoid vehicles. She stated that residents on Park Avenue wanted pedestrian traffic and a fence says "go away". She was not in favor of the fence and a parking lot in front of her home.

Larry Sullivan noted that the City is losing parking throughout downtown at a dramatic rate and expressed concern with losing another 30-40 spaces because of the proposed fence. He noted several potential issues which included parking in a 'no parking' area and snow removal. He suggested installing the fence at the top of the ridge.

Bob Timms felt that it would be a hardship to eliminate parking on the north side of the road and was not in favor of the fence.

Jeanne White, Park Avenue, agreed with the previous speakers and was not in favor of the fence. She wondered where residents and tenants will park their vehicles.

Mike Doherty felt that Council would be setting a bad precedence if they consider the fence donation. He noted that there are only a few days a year where parking is a problem along Park Avenue and he felt that the City should promote tourism.

The item was closed to the public.

Motion by Councilmember Hagen, second by Councilmember Gibson, to set a Public Hearing regarding the proposed donation of a fence in Lake Michigan Beach Park along Park Avenue for May 15th [at 7 p.m. in Council Chambers at City Hall.]

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

Nays: None

F. Schedule Public Hearing: Single Room Rental Zoning Ordinance Amendment

City Manager Heydlauff stated that the Main Street Economic Vitality Committee proposed a single room amendment to the Planning Commission for their review. Currently, the Zoning Ordinance does not allow renting of individual rooms on residentially zoned lots. If Council chooses to schedule the public hearing, Staff Planner Lucas will be available to field questions.

Councilmember Gibson felt that this ordinance is "putting a band aid on an amputation" and stated that we should recodify the entire Zoning Ordinance. City Manager Heydlauff explained that single room rentals are illegal currently and this ordinance will allow additional housing options. Councilmember Gibson felt that this was an unneeded law.

Mayor Kurtz opened the item to public comment.

Maureen Owens, Main Street Economic Vitality Committee, explained that her committee brought single room rentals to the Planning Commission for discussion to address summer interns and jobs. She stated that the purpose of the ordinance was to legalize rentals and create a positive statement for the City.

John Campbell stated that there was a need for housing for interns and felt the ordinance was a good idea.

Councilmember Hagen suggested that single room rentals would be a driver to work in Charlevoix. Mayor Kurtz explained how owner occupied housing would be a benefit.

The item was closed to the public.

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

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

Nays: None

8. Reports & Communications

A. Public Comments

Larry Sullivan thanked Council and City Staff for providing public Wi-Fi in City Hall.

Jodi Laurent, 1st Ward, felt that Council should consider local transportation for a nominal fee to alleviate some parking and congestion issues.

B. City Manager Comments

City Manager Heydlauff noted that today was the first day of the new Fire Department merger with Charlevoix Township and he acknowledged Chief Dan Thorp. Chief Thorp thanked Council for their support and he discussed mutual training efforts.

City Manager Heydlauff noted that the DDA did not have a quorum at their April 24th meeting therefore another meeting is scheduled for May 4th at 5:30 p.m.

He informed Council that he has been in discussion with the City Attorney and will be providing proposed conservation easement language for the Charter. He noted that Council will be moving toward paperless agenda packets in the near future. City Manager Heydlauff referenced a letter regarding the skate park on page 56 in the packet.

C. Mayor & Council Comments

None.

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 8:29 p.m.

Special Accounts Payable – 04/20/2017

AT&T	2,707.20	METLIFE SMALL BUSINESS CENTER	710.90
AT&T LONG DISTANCE	40.62	PRIORITY HEALTH	41,181.38
AT&T MOBILITY	89.21	VERIZON WIRELESS	56.72
CHARLEVOIX STATE BANK	8,166.79	VISION SERVICE PLAN	518.88
DELTA DENTAL	3,579.16		
GREAT LAKES ENERGY	290.18	TOTAL	57,341.04

Regular Accounts Payable – 05/02/2017

a5 Branding & Design	1,905.00	KIRINOVIC, THOMAS F.	50.00
ACCESS LOCKSMITHING INC	246.50	KLOOSTER, ALIDA K.	50.00
AIRGAS USA LLC	68.01	KSS ENTERPRISES	1,598.42
ALL STAR PRO GOLF INC	204.52	LABLANCE, LUKE	65.47
ALLER, GINNY	125.00	LAKESHORE TIRE & AUTO SERVICE	90.00
ALL-PHASE ELECTRIC SUPPLY CO.	429.15	LEGENDS AUTO GLASS	381.80
AMERICAN LEGION AUXILIARY	166.98	MASSON, DONALD J.	64.73
APPLIED CONCEPTS INC	7,027.00	MAYER, SHELLEY L.	50.00
ARBOR DAY FOUNDATION	20.00	MCGINN, KELLY A.	50.00
ARCADIA BENEFITS GROUP INC	25.00	MCGRAW, MARY BETH	165.00
ASPLUNDH TREE EXPERT CO	5,290.00	MICHIGAN ASSN/CHIEFS OF POLICE	115.00
AT YOUR SERVICE PLUS INC	115.00	MICHIGAN MUNICIPAL LEAGUE	16,049.00
BOB MATHERS FORD	426.00	MICHIGAN MUNICIPAL LEAGUE	134.00
BRADFORD'S	52.00	MICHIGAN NURSERY LANDSCAPE ASSOC	70.00
BROWN MOTORS	633.65	MICHIGAN OFFICEWAYS INC	2,844.85
CCP INDUSTRIES INC	528.03	MILLER, WILLIAM S.	50.00
CENTRAL DRUG STORE	19.55	MURRAY, JOHN	15.00
CHARLEVOIX COMMUNITY SHOPPER	184.00	NORTHERN PUMP SERVICE INC.	4,400.63
CHARLEVOIX SCREEN MASTERS INC	110.00	NORTHERN SAFETY CO INC	260.26
CHARLEVOIX SEWER & DRAIN	103.00	NW MI COG	6,180.00
CHARLEVOIX TOWNSHIP	88.88	O'REILLY AUTOMOTIVE INC	10.99
CHARTER COMMUNICATIONS	1,554.39	PANOFF, ZACHARY R.	50.00
CHEMSEARCH	181.80	PERFORMANCE ENGINEERS INC	17,393.75
CITY OF PETOSKEY	40.00	POWER LINE SUPPLY	2,449.19
CLEAN HARBORS ENV. SERVICES	3,290.76	PREIN & NEWHOF	9,335.42
DCASSESSING SERVICES	4,371.08	PRESTON FEATHER	1,984.58
DeROSIA, PATRICIA E.	50.00	QUICK CARE MEDICAL CENTER	110.00
DOAN, GERARD P.	148.21	R & S AUTO AND TRUCK PARTS	100.00
DOTSON, LINDSEY J.	50.00	RESIDEX LLC	206.00
DROST LANDSCAPE INC.	1,820.00	RIETH-RILEY CONST CO INC	311.52
EASYPRO POND PRODUCTS	117.81	ROTARY CLUB OF CHARLEVOIX	37.50
ELLIOTT, PATRICK M.	50.00	SHORELINE POWER SERVICES INC.	390.00
ELLSWORTH FARMER'S EXCHANGE	260.00	SIGMA-ALDRICH RTC	792.00
EVANS, HAL	50.00	SITE PLANNING DEVELOPMENT INC	2,300.00
FERGUSON & CHAMBERLAIN	2,619.00	STATE OF MICHIGAN	509.08
FLICKEMA, ANDREW M.	70.00	STRICKER'S OUTDOOR POWER	8,973.90
FOX CHARLEVOIX FORD	389.34	EQUIPMENT	40.00
FREIDINGER, REED	71.50	STRIKER SUPPLY	120.00
GEMPLER'S	251.31	SUPERIOR MECHANICAL	50.00
GOLDING, JOYCE M.	50.00	SWEM, DONALD L.	185.68
GORDON FOOD SERVICE	100.33	TERMINAL SUPPLY CO	114.07
GREAT LAKES PIPE & SUPPLY	88.50	TRI-TURF	9,234.00
GRIFFIN BEVERAGE CO	150.00	TURFCO MFG. INC.	449.00
GRP ENGINEERING INC.	707.01	UP NORTH PROPERTY SERVICES LLC	187.54
HANKINS, SCOTT A.	50.00	USA BLUE BOOK	25.00
HARRELL'S	4,120.00	VANCE, RICHARD	25.90
HEADY, KATE	23.92	VAN'S BUSINESS MACHINES	150.00
HEID, THOMAS J.	50.00	WALLACE, JEANNINE	50.00
HERZOG ELECTRIC	296.80	WELLER, LINDA J.	490.98
HEYDLAUFF, MARK L	50.00	WEST SHORE FIRE INC	75.00
HOLIDAY COMPANIES	3,108.14	WILKINSON, SHIRLEY	304.98
HOWLAND, JEFFERY H.	1,100.00	WURST, RANDALL W.	50.00
HYDE SERVICES LLC	35.02	WYMAN, MATTHEW A.	50.00
JOHNNY MAC'S SPORTING GOODS	95.44	TOTAL	132,367.87

ACH Payments – 04/17/2017 to 04/25/2017

MI PUBLIC POWER AGENCY	20,416.87	VANTAGEPOINT (401 ICMA PLAN)	713.94
IRS (PAYROLL TAX DEPOSIT)	31,274.14	VANTAGEPOINT (457 ICMA PLAN)	13,008.74
ALERUS FINANCIAL (HCSP)	420.00	VANTAGEPOINT (ROTH IRA)	911.53
STATE OF MI (WITHHOLDING TAX)	4,492.31	MERS DEFINED BENEFIT PLAN	29,487.56

MI PUBLIC POWER AGENCY	3,447.14		
MI PUBLIC POWER AGENCY	252,156.23	TOTAL	356,328.46

Payroll Net Pay – Pay Period Ending 04/15/2017 (Paid 04/21/2017)

WELLER, LINDA JO	1,499.88	BITELY, KATHERINE A.	17.88
HEYDLAUFF, MARK L.	2,161.23	MILAN, JANE E.	84.04
GOLDING, JOYCE M.	1,132.70	ANZELL, BETH A.	540.42
DEROSIA, PATRICIA E.	932.48	BERNIER, RACHEL M.	11.09
DOTSON, LINDSEY J.	1,421.14	BOSS, BEAU J.	96.33
LOY, EVELYN R.	1,050.16	HEID, THOMAS J.	1,299.22
KLOOSTER, ALIDA K.	1,566.57	LEESE, ALAN K.	399.98
GOLOVICH, KAREN J.	970.67	GRUNCH, RONALD J.	109.10
SPENCLEY, PATRICIA L.	1,266.62	DAVIS, RONALD L.	200.26
PANOFF, ZACHARY R.	1,192.91	FAIRCHILD, GALEN W.	321.25
MILLER, FAITH G.	74.88	DAKROUB, JOSEPH E.	235.89
LEESE, MERRI C.	523.99	MASSON, DONALD J.	497.99
MCGINN, KELLY A.	1,618.00	LABLANCE, MAUREEN J.	195.95
DOAN, GERARD P.	1,603.59	LIVINGSTON, BRIAN D.	895.19
SCHLAPPI, JAMES L.	1,215.95	VANLOO, JOSEPH G.	640.12
UMULIS, MATTHEW T.	1,529.71	WYMAN, MATTHEW A.	1,450.92
HANKINS, SCOTT A.	1,486.24	BOSS, RYDER S.	626.10
ORBAN, BARBARA K.	1,390.06	MILLER, WILLIAM S.	1,006.85
TRAEGER, JASON A.	1,519.04	DOUGLAS, MARK	522.44
FLICKEMA, ANDREW M.	1,850.12	STEVENS, JEFFREY W.	27.70
MATELSKI, KIMBERLY A.	1,188.90	MEGGISON, JERRY B.	171.13
RILEY, DENISE M.	430.50	RILEY, CASEY W.	621.96
WURST, RANDALL W.	1,220.68	THORMAN, MIKAYLA R.	188.47
MAYER, SHELLEY L.	1,625.64	JONES, LARRY M.	763.25
HILLING, NICHOLAS A.	1,378.49	FLORE, ROBERT A.	902.53
MEIER III, CHARLES A.	1,044.41	WILLSON, BRENDA R.	702.41
ZACHARIAS, STEVEN B.	1,361.67	BEAN, PETER J.	1,156.64
EATON, BRAD A.	1,958.89	FENNELL, DREW M.	127.75
WILSON, TIMOTHY J.	2,111.86	RILEY, REBECCA J.	418.62
LAVOIE, RICHARD L.	1,630.19	WHITLEY, TYLER J.	208.79
STEVENS, BRANDON C.	1,788.00	MCCALIB, RACHELLE L.	469.80
DRAVES, MARTIN J.	1,647.10	MCMULLEN, DONALD R.	433.12
BROWN, STEPHANIE C.	1,042.19	TRAVERS, MANUEL J.	579.97
ANDERSON, ELIZABETH A.	1,151.81	SILVA, JESSE L.A.	90.86
ELLIOTT, PATRICK M.	2,004.05	RILEY, DANIEL A.	1,315.18
SCHWARTZFISHER, JOSEPH L.	1,156.07	SWEM, DONALD L.	1,878.07
BRADLEY, KELLY R.	1,278.86	WHITLEY, ANDREW T.	1,754.79
HART II, DELBERT W.	1,214.72	MORRISON, KEVIN P.	903.99
JONES, ROBERT F.	1,128.21	HODGE, MICHAEL J.	1,259.66
DORAN, JUSTIN J.	1,368.71	JOHNSON, STEVEN P.	984.83
BECKER, MICHAEL S.	669.97	BISHAW, JAMES H.	253.72
MCGHEE, ROBERT R.	980.51	BOSS JR, DALE E.	138.52
CRANDELL, ZACKARY R.	600.59	GILL, DAVID R.	1,024.37
LEITNER, RYAN S.	344.84	WHITLEY, ADAM T.	497.76
KIRINOVIC, THOMAS F.	547.39	TOTAL	82,905.10

Payroll Transmittal – 04/21/2017

4FRONT CREDIT UNION	307.69	CHEMICAL BANK	150.00
AMERICAN FAMILY LIFE	191.88	COMMUNICATION WORKERS OF AMER	537.32
AMERICAN FAMILY LIFE	461.64	MI STATE DISBURSEMENT UNIT	323.45
CHAR EM UNITED WAY	59.00	PRIORITY HEALTH	2,014.96
CHARLEVOIX STATE BANK	1,284.62	TOTAL	5,330.56

Tax Disbursement – 05/02/2017

CHARLEVOIX COUNTY TREASURER	345.45	CHARLEVOIX PUBLIC SCHOOLS	0.52
CHARLEVOIX DISTRICT LIBRARY	117.52	CHARLEVOIX PUBLIC SCHOOLS	0.24
CHARLEVOIX PUBLIC SCHOOLS	6.47	CITY OF CHARLEVOIX - TAXES DUE	88.27
CHARLEVOIX PUBLIC SCHOOLS	1.95	RECREATIONAL AUTHORITY	23.05
CHARLEVOIX PUBLIC SCHOOLS	0.14	TOTAL	583.61

Pay Period Date	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
04/29/2017	05/05/2017	120057	4FRONT CREDIT UNION	9024	HSA-EMPLOYEE CONTRIB-4FR	307.69
04/29/2017	05/05/2017	120058	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-POST	191.88
04/29/2017	05/05/2017	120058	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-PRETA	461.64
04/29/2017	05/05/2017	120059	BARRY COUNTY TRIAL C	9029	Wage Assignment: Case 04-6725	20.00
04/29/2017	05/05/2017	120060	CHAR EM UNITED WAY	9009	UNITED WAY Pay Period: 4/29/2	59.00
04/29/2017	05/05/2017	120061	CHARLEVOIX STATE BA	9017	HSA - EMPLOYEE CONTRIB - C	1,284.62
04/29/2017	05/05/2017	120062	CHEMICAL BANK	9018	HSA - EMPLOYEE CONTRIB - C	150.00
04/29/2017	05/05/2017	120063	COMMUNICATION WORK	9004	CWA UNION DUES Pay Period:	537.32
04/29/2017	05/05/2017	120064	MI STATE DISBURSEME	9012	FRIEND OF THE COURT Pay P	401.83
04/29/2017	05/05/2017	120065	POLICE OFFICERS LABO	9003	POL UNION DUES Pay Period: 4	251.25
04/29/2017	05/05/2017	120066	PRIORITY HEALTH	392358	PRIORITY HEALTH Pay Period:	2,014.96
Grand Totals:						5,680.19



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

05/05/17 Payroll Transmittal Checks	\$	5,680.19
05/05/17 Payroll (net pay)	\$	85,381.14
05/16/17 Regular Accounts Payable	\$	230,764.72
Checks Sub-Total:	\$	321,826.05

HUNTINGTON NATIONAL BANK - ACH/WIRE PAYMENTS

05/01/17 MI Public Power Agency	\$	9,672.29
05/04/17 Payment Service Network	\$	235.70
05/05/17 IRS (Payroll Tax Deposit)	\$	31,583.93
05/05/17 Alerus Financial (HCSP)	\$	420.00
05/05/17 State of MI (Withholding Tax)	\$	4,589.47
05/05/17 Vantagepoint (401 ICMA Plan)	\$	713.94
05/05/17 Vantagepoint (457 ICMA Plan)	\$	12,854.13
05/05/17 Vantagepoint (Roth IRA)	\$	911.53
05/08/17 MI Public Power Agency	\$	17,935.39

ACH Sub-Total: \$ 78,916.38

Huntington National Bank Total: \$ 400,742.43

CHARLEVOIX STATE BANK - CHECKS ISSUED

(PROPERTY TAX DISBURSEMENT TO VARIOUS TAXING AUTHORITIES)

05/16/17 Tax Disbursement	\$	-
Charlevoix State Bank Total:	\$	-

Grand Total: \$ 400,742.43

APPROVED:



CITY MANAGER



CITY TREASURER



CITY CLERK

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
04/29/2017	PC	05/05/2017	23281	WELLER, LINDA JO	101		1,499.87
04/29/2017	PC	05/05/2017	23282	HEYDLAUFF, MARK L.	102		2,445.18
04/29/2017	PC	05/05/2017	23283	GOLDING, JOYCE M.	106		1,132.69
04/29/2017	PC	05/05/2017	23284	DEROSIA, PATRICIA E.	107		941.36
04/29/2017	PC	05/05/2017	23285	DOTSON, LINDSEY J.	109		1,421.14
04/29/2017	PC	05/05/2017	23286	LOY, EVELYN R.	117		1,050.16
04/29/2017	PC	05/05/2017	23287	KLOOSTER, ALIDA K.	121		1,763.44
04/29/2017	PC	05/05/2017	23288	GOLOVICH, KAREN J.	122		970.67
04/29/2017	PC	05/05/2017	23289	SPENCLEY, PATRICIA L.	136		1,160.14
04/29/2017	PC	05/05/2017	23290	PANOFF, ZACHARY R.	141		1,192.91
04/29/2017	PC	05/05/2017	23291	MILLER, FAITH G.	142		95.93
04/29/2017	PC	05/05/2017	23292	LEESE, MERRI C.	145		477.13
04/29/2017	PC	05/05/2017	23293	MCGINN, KELLY A.	146		1,618.00
04/29/2017	PC	05/05/2017	23294	DOAN, GERARD P.	201		1,603.59
04/29/2017	PC	05/05/2017	23295	SCHLAPPI, JAMES L.	204		1,047.58
04/29/2017	PC	05/05/2017	23296	UMULIS, MATTHEW T.	205		1,255.27
04/29/2017	PC	05/05/2017	23297	HANKINS, SCOTT A.	208		1,486.25
04/29/2017	PC	05/05/2017	23298	ORBAN, BARBARA K.	209		1,192.25
04/29/2017	PC	05/05/2017	23299	TRAEGER, JASON A.	210		1,085.18
04/29/2017	PC	05/05/2017	23300	FLICKEMA, ANDREW M.	211		1,501.32
04/29/2017	PC	05/05/2017	23301	MATELSKI, KIMBERLY A.	212		1,188.90
04/29/2017	PC	05/05/2017	23302	RILEY, DENISE M.	306		434.62
04/29/2017	PC	05/05/2017	23303	WURST, RANDALL W.	411		945.38
04/29/2017	PC	05/05/2017	23304	MAYER, SHELLEY L.	412		1,380.84
04/29/2017	PC	05/05/2017	23305	HILLING, NICHOLAS A.	413		1,197.08
04/29/2017	PC	05/05/2017	23306	MEIER III, CHARLES A.	421		1,363.11
04/29/2017	PC	05/05/2017	23307	ZACHARIAS, STEVEN B.	422		1,440.43
04/29/2017	PC	05/05/2017	23308	EATON, BRAD A.	515		2,053.68
04/29/2017	PC	05/05/2017	23309	WILSON, TIMOTHY J.	516		2,294.71
04/29/2017	PC	05/05/2017	23310	LAVOIE, RICHARD L.	519		1,652.85
04/29/2017	PC	05/05/2017	23311	STEVENS, BRANDON C.	521		1,629.38
04/29/2017	PC	05/05/2017	23312	DRAVES, MARTIN J.	523		1,588.42
04/29/2017	PC	05/05/2017	23313	BROWN, STEPHANIE C.	524		1,042.18
04/29/2017	PC	05/05/2017	23314	ANDERSON, ELIZABETH	526		1,151.81
04/29/2017	PC	05/05/2017	23315	ELLIOTT, PATRICK M.	600		2,004.05
04/29/2017	PC	05/05/2017	23316	SCHWARTZFISHER, JOS	603		973.54
04/29/2017	PC	05/05/2017	23317	BRADLEY, KELLY R.	614		1,565.17
04/29/2017	PC	05/05/2017	23318	HART II, DELBERT W.	616		1,188.05
04/29/2017	PC	05/05/2017	23319	JONES, ROBERT F.	618		1,233.92
04/29/2017	PC	05/05/2017	23320	DORAN, JUSTIN J.	621		1,454.31
04/29/2017	PC	05/05/2017	23321	MANKER JR, DAVID W.	638		596.77
04/29/2017	PC	05/05/2017	23322	MANKER SR, DAVID W.	639		796.02
04/29/2017	PC	05/05/2017	23323	BECKER, MICHAEL S.	641		710.17
04/29/2017	PC	05/05/2017	23324	HAWKINS, JAMES S.	662		346.70
04/29/2017	PC	05/05/2017	23325	MCGHEE, ROBERT R.	663		1,079.93
04/29/2017	PC	05/05/2017	23326	CRANDELL, ZACKARY R.	691		604.34
04/29/2017	PC	05/05/2017	23327	LEITNER, RYAN S.	692		805.15
04/29/2017	PC	05/05/2017	23328	FERGUSON, ROYCE L.	693		392.53
04/29/2017	PC	05/05/2017	23329	NEMECEK, ANDREW R.	694		281.92
04/29/2017	PC	05/05/2017	23330	KIRINOVIC, THOMAS F.	700		537.72
04/29/2017	PC	05/05/2017	23331	SROUFE, MARC E.	705		323.70
04/29/2017	PC	05/05/2017	23332	SROUFE, PAMELA B.	707		99.73
04/29/2017	PC	05/05/2017	23333	MILAN, JANE E.	711		60.03
04/29/2017	PC	05/05/2017	23334	ANZELL, BETH A.	712		545.50
04/29/2017	PC	05/05/2017	23335	HEID, THOMAS J	802		1,299.22
04/29/2017	PC	05/05/2017	23336	LEESE, ALAN K.	835		408.18
04/29/2017	PC	05/05/2017	23337	GRUNCH, RONALD J.	844		213.33

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
04/29/2017	PC	05/05/2017	23338	DAVIS, RONALD L.	853		185.91
04/29/2017	PC	05/05/2017	23339	FAIRCHILD, GALEN W.	855		219.71
04/29/2017	PC	05/05/2017	23340	DAKROUB, JOSEPH E.	860		280.82
04/29/2017	PC	05/05/2017	23341	MASSON, DONALD J.	861		432.89
04/29/2017	PC	05/05/2017	23342	KUSINA, DENNIS W.	862		248.87
04/29/2017	PC	05/05/2017	23343	LABLANCE, MAUREEN J.	863		249.64
04/29/2017	PC	05/05/2017	23344	LIVINGSTON, BRIAN D.	866		879.83
04/29/2017	PC	05/05/2017	23345	VANLOO, JOSEPH G.	902		629.86
04/29/2017	PC	05/05/2017	23346	WYMAN, MATTHEW A.	927		1,505.74
04/29/2017	PC	05/05/2017	23347	BOSS, RYDER S.	932		438.47
04/29/2017	PC	05/05/2017	23348	MILLER, WILLIAM S.	933		1,344.58
04/29/2017	PC	05/05/2017	23349	DOUGLAS, MARK	935		526.81
04/29/2017	PC	05/05/2017	23350	STEVENS, JEFFREY W.	1028		68.34
04/29/2017	PC	05/05/2017	23351	FUNKEY, KRAIG R.	1034		235.49
04/29/2017	PC	05/05/2017	23352	MEGGISON, JERRY B.	1036		118.05
04/29/2017	PC	05/05/2017	23353	RILEY, CASEY W.	1052		298.06
04/29/2017	PC	05/05/2017	23354	THORMAN, MIKAYLA R.	1055		200.20
04/29/2017	PC	05/05/2017	23355	JONES, LARRY M.	1057		251.25
04/29/2017	PC	05/05/2017	23356	FLORE, ROBERT A.	1058		906.19
04/29/2017	PC	05/05/2017	23357	WILLSON, BRENDA R.	1059		443.43
04/29/2017	PC	05/05/2017	23358	BEAN, PETER J.	1060		1,215.22
04/29/2017	PC	05/05/2017	23359	FENNELL, DREW M.	1062		242.27
04/29/2017	PC	05/05/2017	23360	RILEY, REBECCA J.	1063		293.92
04/29/2017	PC	05/05/2017	23361	WHITLEY, TYLER J.	1065		317.34
04/29/2017	PC	05/05/2017	23362	MCMULLEN, DONALD R.	1067		689.98
04/29/2017	PC	05/05/2017	23363	TRAVERS, MANUEL J.	1071		345.67
04/29/2017	PC	05/05/2017	23364	SILVA, JESSE L.A.	1073		66.07
04/29/2017	PC	05/05/2017	23365	RILEY, DANIEL A.	1079		704.46
04/29/2017	PC	05/05/2017	117581	OCHS, GRACE L.	2037		(55.00) VOID
04/29/2017	PC	05/05/2017	120047	SWEM, DONALD L.	512		1,878.07
04/29/2017	PC	05/05/2017	120048	WHITLEY, ANDREW T.	522		1,958.72
04/29/2017	PC	05/05/2017	120049	MORRISON, KEVIN P.	601		1,106.28
04/29/2017	PC	05/05/2017	120050	HODGE, MICHAEL J.	606		1,259.66
04/29/2017	PC	05/05/2017	120051	JOHNSON, STEVEN P.	617		1,207.39
04/29/2017	PC	05/05/2017	120052	BISHAW, JAMES H.	633		693.99
04/29/2017	PC	05/05/2017	120053	GILL, DAVID R.	856		1,024.37
04/29/2017	PC	05/05/2017	120054	MATTER, DAWSON K.	1038		678.36
04/29/2017	PC	05/05/2017	120055	OCHS, GRACE L.	2037		55.00
04/29/2017	PC	05/05/2017	120056	BURNS, ANDREW J.	1082		411.80
Grand Totals:			96				85,381.14

Km

Report Criteria:

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

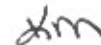
Check Number	Payee	Amount
05/16/2017		
120067	ABILITA	975.00
120068	ACE HARDWARE	3,123.42
120069	ALL AREA TOWING	65.00
120070	ALL-PHASE ELECTRIC SUPPLY CO.	161.15
120071	ALTEC INDUSTRIES INC	1,252.47
120072	AMERICAN WASTE INC.	2,095.16
120073	ARROW UNIFORM-TAYLOR L.L.C.	1,080.50
120074	AT YOUR SERVICE PLUS INC	115.00
120075	AUTO VALUE	436.97
120076	AVFUEL CORPORATION	30,654.72
120077	BARNES, GLORIA	75.00
120078	BELLEFONTAINE, SARA	49.67
120079	BLOXSOM ROOFING & SIDING CO.	32,370.00
120080	BREATHING AIR SYSTEMS	65.56
120081	BREITHAUP, GLORIA	436.32
120082	BS& A SOFTWARE	1,676.00
120083	BY THE BAY WINDOW CLEANING SVC	357.00
120084	CARQUEST OF CHARLEVOIX	959.46
120085	CHARLEVOIX AGENCY	462.56
120086	CHARLEVOIX COTTAGE CARE INC.	1,350.00
120087	CHARLEVOIX COUNTY NEWS	551.10
120088	CHARLEVOIX COUNTY TREASURER	377.42
120089	CHARLEVOIX GLASS INC.	280.38
120090	CHARLEVOIX SEWER & DRAIN	2,912.00
120091	CHARLEVOIX TOWNSHIP	22,066.24
120092	CHARTER COMMUNICATIONS	1,169.60
120093	CINTAS CORPORATION	116.08
120094	CINTAS CORPORATION #729	74.33
120095	CITY OF CHARLEVOIX - UTILITIES	36,183.74
120096	ELLIS, JESSICA	100.00
120097	ELLSWORTH FARMER'S EXCHANGE	167.05
120098	EMERGENCY MEDICAL PRODUCTS I	691.20
120099	EMILY PANTERA CONSULTING	1,650.00
120100	FAMILY FARM & HOME	976.67
120101	FICHTNER, KRISTIE	50.00
120102	FIDELITY GOLF SERVICES LLC	227.00
120103	FISHER SCIENTIFIC	383.92
120104	FREEDOM MAILING SERVICES INC.	2,263.43
120105	GCSAA	380.00
120106	GRAINGER	163.60
120107	HACH COMPANY	3,914.65
120108	HAMMERSMITH EQUIPMENT CO	5,095.10
120109	HARDY DIAGNOSTICS	178.68
120110	HARRELL'S	6,033.13
120111	HART II, DELBERT W.	168.68
120112	HERZOG, JOHN	50.00
120113	HYDE SERVICES LLC	76.80
120114	HYDRO CORP	515.00

Check Number	Payee	Amount
120115	IDEXX DISTRIBUTION INC.	2,388.78
120116	JOHNNY MAC'S SPORTING GOODS	192.02
120117	KERR, LORI	250.00
120118	KSS ENTERPRISES	440.83
120119	LAKESHORE TIRE & AUTO SERVICE	52.87
120120	LIVE FROM CHARLEVOIX INC	500.00
120121	MAXX SUNGLASSES	358.89
120122	MCCARDEL CULLIGAN-PETOSKEY	50.00
120123	McGINN, KELLY A.	230.28
120124	METTLER TOLEDO INC	419.68
120125	MICHIGAN OFFICEWAYS INC	2,358.42
120126	MILTONA TURF TOOLS & ACC	86.44
120127	MINE SAFETY APPLIANCES CO. LLC	534.73
120128	MUNSON HEALTHCARE CHARLEVOIX	119.30
120129	MURRAY'S CREATIONS	120.00
120130	NATIONAL PEN	219.49
120131	NETSOURCE ONE INC.	451.00
120132	OLD DOMINION BRUSH	1,822.51
120133	OLESON'S FOOD STORES	74.93
120134	OVERHEAD DOOR COMPANY	615.44
120135	PARASTAR INC.	1,079.05
120136	PERFORMANCE ENGINEERS INC	29,531.34
120137	POWER LINE SUPPLY	14,764.00
120138	PREIN & NEWHOF	240.00
120139	PRESTON FEATHER	77.76
120140	PRO WEB MARKETING LLC	30.00
120141	PUTMAN, JODY	50.00
120142	QUICK CARE MEDICAL CENTER	105.00
120143	RANGE TELECOMMUNICATIONS	116.40
120144	RESIDEX LLC	646.50
120145	ROWE PROFESSIONAL SERVICES CO	110.00
120146	RTI LABORATORIES INC.	100.00
120147	SCHOOL OF PLANNING, DESIGN & C	2,500.00
120148	SHORELINE POWER SERVICES INC.	351.96
120149	SIGMA-ALDRICH RTC	54.22
120150	SOUND ENVIRONMENTS	826.84
120151	STRICKER'S OUTDOOR POWER EQUI	376.60
120152	STUART C IRBY CO	56.68
120153	TERMINAL SUPPLY CO	488.94
120154	TRUCK & TRAILER SPECIALTIES	1,498.72
120155	U S BANK	161.63
120156	UP NORTH PROPERTY SERVICES LL	602.00
120157	USA BLUE BOOK	694.07
120158	VILLAGE GRAPHICS INC.	184.00
120159	VRONDRAN, CAYTEE	50.00
120160	WILBERT BURIAL VAULT CO	206.64
Total 05/16/2017:		230,764.72

Check Number	Payee	Amount
05/01/2017		
50117001	MICHIGAN PUBLIC POWER AGENCY	9,672.29
Total 05/01/2017:		9,672.29
Grand Totals:		9,672.29

Check Number	Payee	Amount
05/04/2017		
50417001	PAYMENT SERVICE NETWORK INC.	235.70
Total 05/04/2017:		235.70
Grand Totals:		235.70

Check Issue Date	Check Number	Payee	Amount
50517001			
05/05/2017	50517001	**EFTPS* Payroll Taxes	8,019.90
05/05/2017	50517001	**EFTPS* Payroll Taxes	8,019.90
05/05/2017	50517001	**EFTPS* Payroll Taxes	1,875.63
05/05/2017	50517001	**EFTPS* Payroll Taxes	1,875.63
05/05/2017	50517001	**EFTPS* Payroll Taxes	11,792.87
Total 50517001:			
	5		31,583.93
50517002			
05/05/2017	50517002	Alerus Financial	420.00
Total 50517002:			
	1		420.00
50517003			
05/05/2017	50517003	STATE OF MICHIGAN	4,589.47
Total 50517003:			
	1		4,589.47
50517004			
05/05/2017	50517004	Vantagepoint - 401 Plan 109153	713.94
Total 50517004:			
	1		713.94
50517005			
05/05/2017	50517005	Vantagepoint - 457 Plan 300959	4,893.59
05/05/2017	50517005	Vantagepoint - 457 Plan 300959	866.71
05/05/2017	50517005	Vantagepoint - 457 Plan 300959	1,872.06
05/05/2017	50517005	Vantagepoint - 457 Plan 300959	5,221.77
Total 50517005:			
	4		12,854.13
50517006			
05/05/2017	50517006	Vantagepoint - Roth IRA 706117	911.53
Total 50517006:			
	1		911.53
Grand Totals:			
	13		51,073.00



Check Number	Payee	Amount
05/08/2017		
50817001	MICHIGAN PUBLIC POWER AGENCY	17,935.39
Total 05/08/2017:		17,935.39
Grand Totals:		17,935.39

**CHARLEVOIX CITY COUNCIL
CONSENT AGENDA ITEM**

AGENDA ITEM TITLE: Purchase 1/0 Kerite Cable

DATE: May 15, 2017

PRESENTED BY: Consent Agenda

ATTACHMENTS: None

BACKGROUND INFORMATION:

In the past couple of decades, the City has purchased all of our underground primary cable exclusively from the Kerite Corporation. We have never had a problem with Kerite cable, and in fact, the manufacturer claims that Kerite has never suffered a failure anywhere in the country due to manufacturing defects. Because of this, they warranty this cable for life. The Kerite Corporation does not even predict how long it will last as they have had their cable operating in the ground for over fifty years now without a failure. We want the most dependable cable we can get to build our underground system, which leads us to choosing Kerite over the competition. The Kerite cable is available in this area from only one supplier.

We received a quote for 8,250 feet of 1/0 Kerite cable for \$2.55 per foot, which comes to a total of \$21,037.50. This unit price is the exact same as 2015 when we last purchased it. It is also 7% cheaper than the prices we paid in 2012 and 2013.

We also got prices from Okonite. Okonite bid comparable cable for 31% less money – this is a very significant price difference. Okonite also claims their cable has never had a failure in the field, but they are not as old a company as Kerite and haven't had as much experience. We still feel that Kerite is best. I compare the cost difference to what the cost would be if we have just one underground primary cable failure. Since I have been here, we have had one such failure where an installation error caused the underground cable to go bad several years later. It took a \$20,000 machine just to locate the fault, and then roughly another \$20,000 to replace the section that had gone bad. An extra \$6,500 up front to try and prevent this occurrence seems well worth it.

This cable is needed to continue the construction of the underground primary electrical system. The purchase is covered in the Capital Budget. Purchases of cable are approximate as the actual cable length varies somewhat from reel to reel, so the quantity could go over the bid quantity by up to 5%. Because of this, the maximum we would spend on the cable is 5% over the quoted \$21,037.50 for a total not to exceed of \$22,089.

RECOMMENDATION:

Approve the purchase of a maximum of 8,663 feet (5% above 8,250 ft) of 1/0 Kerite cable from the Resco Corporation be approved for \$2.55 per foot for a maximum expenditure of \$22,089.

CHARLEVOIX CITY COUNCIL

CONSENT AGENDA ITEM

AGENDA ITEM TITLE: Electric Department Safety Meeting Agreement

DATE: May 15, 2017

PRESENTED BY: Consent Agenda

ATTACHMENTS: MECA Letter Dated April 25, 2017, Notice of 2018-2020 Safety Program Pricing

BACKGROUND INFORMATION:

For the last six years, the Charlevoix Electric Department has been having safety meetings presented by the Michigan Electric Cooperative Association (MECA) under an agreement approved by Council in late 2011. The original agreement was for three years and it was extended for another three years in 2015 and is now about to expire again.

The MECA Safety Training has been very successful, keeping the Department up to date with OSHA and other safety standards. Without this training we could very easily be in violation of safety codes and subject to fines, besides the fact that we would be less safe on the job.

For the first three years of this Agreement, we paid \$15,000 each year. For the second three years they increased the fee \$15,610. MECA has now sent a notice (attached) that to extend the Agreement for the next three years they are asking \$17,143 per year, an increase of 9.8%. This price will be good through the year 2020. It seems to be a pretty reasonable increase from the price set three years ago.

We have been very satisfied with the MECA Training and feel that there are no comparable training programs available in northern Michigan that would work for us under the same circumstances (holding safety meetings at our shop and hosting major workshops for specialized training). For these reasons we do not want to change vendors.

RECOMMENDATION:

Approve the extension of the MECA Safety Program Agreement for the years 2018 through 2020 at a cost of \$17,143 per year.



April 25, 2017

Don Swern
401 W. Carpenter
Charlevoix, MI 49720

Re: Notice of 2018-2020 Safety Program Pricing

Dear Don:

Thank you for your commitment to workplace safety, and your continued participation in the Michigan Electric Cooperative Association (MECA) safety training program.

Consistent with the Safety Program Agreement between our two organizations, we are writing to inform you of a pricing change for the 2018-2020 programs. The annual fee for Charlevoix will be \$17,143 which provides for 6 traditional safety meetings, plus safety workshops, mutual aid support, accident investigation and other safety support (see Exhibit A, attached). This amount will continue to be payable in advance to MECA by Dec. 1 of each proceeding program year. Changes to the pricing formula are:

- Increased utility fees from \$10,950 to \$14,235 ("large" utility) and from \$5,110 to \$6,643 ("small" utility).
- NO CHANGE to the standard site fee. All utilities receiving services as part of a group share the site fee equally (e.g. if there are three utilities sharing a site, each pays \$4,666, one third of the \$14,000 site fee).

This notice of pricing change is being made in accordance with Section 2 of our signed safety program agreement (attached). No action needs to be taken to continue participation in the MECA safety program for the 2018-2020 term. If you have any questions, please direct them to Joe McElroy, MECA Director of Safety & Loss Control, at jmcelroy@meca.coop or 517-331-4459.

The success of our safety program is based on a foundation of partnership between our electric cooperative members and municipal/private utility partners. We look forward to continuing this strategic partnership. Thank you for your participation in the MECA safety program.

Sincerely,

Craig A. Borr
President/CEO

Joe McElroy
Director of Safety & Loss Control



EXHIBIT "A"
Description of Employee Safety Program Services

SEGMENT PARTICIPANTS: Charlevoix Electric Dept. Annual Program Investment: \$17,143 Proposed Host Location: Charlevoix, MI Term: 2018 - 2020	INCLUDED PROGRAM DELIVERABLES: • Six (6) Traditional Safety Meetings All safety meetings to be delivered at designated host location, topics to be selected from an approved list of available programs. Up to two (2) meetings can be substituted for equal number of Block Training or Crew Observation a la carte items. • Safety Workshops Attendance for up to two (2) utility employees per workshop per year. Pricing for additional participants to be determined. To be held jointly with other safety program participants. • Continued Participant Advantages • Mutual Aid Support • Accident Investigation • Accident and Near-Miss Review and Discussion • Reliable Public Power Provider (RP3) and/or Rural Electric Safety Achievement Program (RESAP) Support and Assistance	A LA CARTE OPTIONS: Annual safety investment amount DOES NOT include the following a la carte items, available upon request: • Block Training Hourly Rate: (TBD) • Crew Observations Hourly Rate: (TBD) • Additional Workshop Participants Cost Per Additional Participant: (TBD)
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Program pricing calculated as follows: **\$10,500** site location fee divided equally among all segment participants, plus a utility fee of **\$14,235** (large utility) or **\$6,643** (small utility).

Michigan Electric Cooperative Association
SAFETY PROGRAM AGREEMENT

The undersigned municipal utility ("Utility") hereby subscribes to participate in the Employee Safety Program described below (the "Program") and provided by the Michigan Electric Cooperative Association ("MECA").

The Utility and MECA hereby agree as follows:

1. The Program.

MECA shall provide the Program services to the Utility as more particularly set forth on Exhibit "A" attached to this Agreement and incorporated herein by reference.

The Program will be provided at a time scheduled by MECA in a single location within the Utility's service territory or in reasonably close proximity. MECA provides the Program services to multiple utilities and, for efficiency, reserves the right to combine the Utility's Program services with other utilities' participation at a more central location.

2. Term.

The initial term of this Agreement is three (3) years beginning January 1, 2012. The Agreement shall thereafter automatically renew for successive three (3) year renewal terms unless either party provides written notice of non-renewal to the other party not less than six (6) months prior to the expiration of the initial term or any renewal term. MECA may change the fees for the Program services for any subsequent renewal term by providing written notice to the Utility not less than eight (8) months prior to the expiration of the then-current term of this Agreement.

The Agreement may be earlier terminated by either party at any time (i) upon a default of the other party after written notice of the default and failure to cure the default within 30 days after receipt of the notice; or (ii) MECA ceasing to provide the Program services.

Upon an early termination based upon MECA ceasing to provide the Program, all pre-paid

Program services shall be provided or the annual payment shall be refunded to the Utility.

3. Fees.

The annual fee for the Program shall be \$15,000, payable in advance to MECA by December 1 of each preceding calendar year during the term of this Agreement. The annual fee is subject to change for each renewal term by written notice to the Utility as provided in Section 2.

4. Liability.

The Utility remains responsible for its compliance with all applicable safety requirements and recommendations. Nothing in this Agreement or in the provision of the Program services to the Utility and its employees shall cause MECA to assume any responsibility or any liability to any third party or to the Utility or its employees for the Utility's compliance with any applicable federal, state, local or industry standards or requirements.

The Utility hereby agrees to indemnify and hold MECA, and its directors, members, employees, contractors and agents, harmless from and against any claims made against MECA for any injury, death or damages, including all costs of defense against any such claim, arising out of or made in connection with the Utility's or its employees' failure to properly comply with any applicable safety standard or requirement.

Neither party shall be liable to the other party for any indirect, incidental or consequential damages related to either party's performance or non-performance of their obligations under this Agreement.

5. Assignment.

This Agreement shall be binding upon the parties hereto and their respective successors and permitted assigns; provided, however, that this Agreement may not be assigned by the Utility to any

unaffiliated person without the prior written consent of MECA.

6. Notices.

Any notice required or permitted to be given under this Agreement shall be in writing and shall be sent by first class mail, postage prepaid, to the addresses set forth below. Notice shall be deemed to be given upon mailing.

7. No Agency.

By entering into this Agreement and performing its obligations hereunder, MECA is acting solely as an independent contractor and shall not be, and shall not be deemed to be, an agent of the Utility for any purpose.

The undersigned parties have caused this Agreement to be executed by their duly authorized officers or representatives as of the date accepted and executed by MECA below.

8. Entire Agreement.

This Agreement contains the entire agreement of the parties with respect to the provision of the Program services and supersedes all prior correspondence, conversations and negotiations with respect thereto. Except as otherwise provided herein, this Agreement may be changed or otherwise modified only in writing and signed by both parties hereto.

9. Governing Law.

This Agreement shall be governed by and interpreted in accordance with the laws of the State of Michigan.

CITY OF CHARLEVOIX

By: 
Its: Norman Carlson Jr.
Mayor

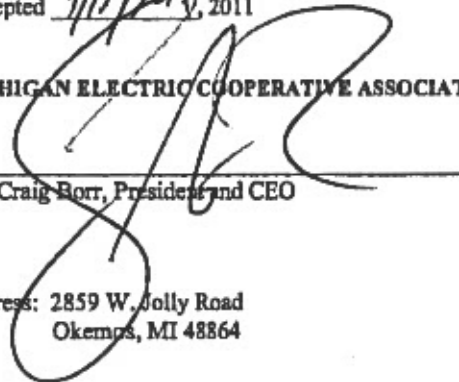
Address: City of Charlevoix
210 State St
Charlevoix, MI 49720

Attest:


Carol Ochs
Its: City Clerk

Accepted 1/12/2011, 2011

MICHIGAN ELECTRIC COOPERATIVE ASSOCIATION

By: 
Craig Borr, President and CEO

Address: 2859 W. Jolly Road
Okemos, MI 48864

**CHARLEVOIX CITY COUNCIL
CONSENT AGENDA ITEM**

AGENDA ITEM TITLE: Resolution to Waive Parking Fees at Ferry Beach Boat Launch for Charlevoix Trout Tournament

DATE: May 15, 2017

PRESENTED BY: Consent Agenda

ATTACHMENTS: April 11, 2017 Letter from Charlevoix Trout Tournament Resolution

BACKGROUND INFORMATION:

The Charlevoix Trout Tournament wishes to host a fishing tournament from June 9-11, 2017. They are asking the City Council to waive the parking fees for a practice fishing day on June 8 and for the tournament on June 9 – 11, 2017.

Section 10.84 of Chapter 148 of the City Code permits the City Council to waive the fees:

“Any person launching a boat from the Ferry Beach boat launch; or parking a vehicle with or without trailer or parking a single trailer shall be required to obtain a permit from the city and display the permit on their vehicle. Charges for the permit shall be set by resolution of the city council. The city council, by resolution, may revise or waive fees for special or public events. The term "special or public events" shall mean a tournament, festival or other type of event, whether or not open to public participation or observation, the occurrence of which will, in the judgment of the city council, benefit the city economically or by virtue of the publicity surrounding the event.”

The Charlevoix Trout Tournament wish to hold their event in East Park. They will be using the Odmark Pavilion for fish displays and registration. The Tournament also wishes to display their sponsor’s boats, trucks, ATV’s in the park during the event.

The Trout Tournament wishes to have a Kid’s Fishing Pond again this year. The trout tournament will purchase additional fish for the trout stream and then whatever fish are left over will be kept in the trout stream for the remainder of the summer. DPW Superintendent Pat Elliott plans to supervise the placement of the fish in the trout stream. Mr. Elliott will also be working with Tournament representatives to ensure that children do not climb on the stream’s rocks and landscaping. The children will be permitted to fish only on the brick paver areas. The stream has a maximum density of 200 fish for a short period of time

RECOMMENDATION:

Approve the draft resolution waiving parking fees for the Charlevoix Trout Tournament from June 8-11, 2017 and to allow children to fish in the trout stream on June 10, 2017.



Charlevoix Trout Tournament Inc.

April 11, 2017

Mark Heydlauff, City Manager
City of Charlevoix
210 State Street
Charlevoix, MI 49720

Dear Mark,

The Charlevoix Area Trout Tournament will take place June 9th through the 11th. The tournament is once again requesting the launch fees to be waived for tournament participants the dates of the tournament and also on June 8th, a practice fishing day.

Thank you for your consideration on this matter and please feel free to contact me if you have any questions regarding the tournament.

Sincerely,

Charlevoix Area Trout Tournament
Kent Seymour, President

CITY OF CHARLEVOIX
RESOLUTION NO. 2017-05-04
WAIVE PARKING FEES FOR TROUT TOURNAMENT

WHEREAS, the Charlevoix Trout Tournament will be held on June 9, 10, and 11, 2017; and

WHEREAS, the Charlevoix Trout Tournament is requesting that parking fees be waived for the tournament; and

WHEREAS, the Charlevoix Trout Tournament is requesting parking fees to be waived for a practice fishing day on June 8, 2017; and

WHEREAS, the City Code permits City Council to waive parking fees for special or public events.

NOW THEREFORE BE IT RESOLVED, that the City of Charlevoix hereby waives parking fees for the Charlevoix Trout Tournament from June 8 to June 11, 2017.

RESOLVED this 15th day of May, 2017, A.D.

Resolution was adopted by the following yea and nay vote:

Yeas:

Nays:

**CHARLEVOIX CITY COUNCIL
CONSENT AGENDA ITEM**

AGENDA ITEM TITLE: Craft Beer Festival Approval

DATE: May 15, 2017

PRESENTED BY: Consent Agenda

ATTACHMENTS: None

BACKGROUND INFORMATION:

The Charlevoix Main Street along with Bridge Street Tap Room and the Lake Charlevoix Brewing Company will be presenting the 4th Annual Charlevoix Craft Beer Festival on Saturday, June 3, 2017 in Robert Bridge Memorial Park. Over 20 Michigan breweries from around the state will be participating.

The City of Charlevoix City Code, Section 3.14 (alcoholic beverages- consumptions prohibited in certain places), states:

It shall be unlawful for any person to consume alcoholic beverages in any part of any park which lies within one thousand (1,000) feet U.S. Highway 31, except that such restriction does not extend to privately owned vessels moored in the yacht basin nor does it extend to any specific function authorized by the city manager, provided, however, that any person or persons or legal entity authorized to control any playground, recreational area or athletic field covered by this chapter which property is not owned, leased or rented by the City of Charlevoix, may extend authority to consume alcoholic beverages on said premises, upon written notification to the city manager.

RECOMMENDATION:

Allow the City Manager to waive the provision in the City Code under *Title III: Parks and Public Grounds, Chapter 31, Section 3.14.*

CHARLEVOIX CITY COUNCIL

CONSENT AGENDA ITEM

AGENDA ITEM TITLE: Voter System Grant Agreement
DATE: May 15, 2017
PRESENTED BY: Consent Agenda
ATTACHMENTS: Resolution 2017-05-02 New Voting System Grant Agreement
Dominion Voting Proposal

BACKGROUND INFORMATION:

In July 2015, the State of Michigan released a Request for Proposal to replace the aging voting equipment throughout the State. After an extensive vetting process, three vendors were approved. County Clerks were asked to select one vendor for their jurisdiction and Charlevoix County chose Dominion Voting. This new equipment is projected to have a ten year lifespan and the City anticipates delivery in time for the November 2017 General Election.

In choosing Dominion Voting, the State has agreed to cover the cost of the City's three tabulators, ballot boxes and handicap accessible device (\$19,400) as well as a five-year maintenance agreement (\$6,825). The City would be responsible for the maintenance agreement in years 6–10.

In order to qualify for \$26,225 in grant monies the State requires City Council to approve a Grant Agreement Resolution.

RECOMMENDATION:

Motion to approve Resolution 2017-05-02 New Voting System Grant Agreement.

PROPOSAL



CHARLEVOIX

Total Registered Voters:
21,665

Date: April 17, 2017

Base System Components - State Funded (Years 1-5)

DESCRIPTION	QTY	UNIT PRICE	STATE FUNDED	NET PRICE	EXTENSION
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Precinct Hardware (Shared Cost, State-Local)

ICP Tabulator w/ Ballot Box	21	\$5,295	\$4,337.66	\$957.34	\$20,104
ICX-BMD-A Accessible Ballot Marking Device (Includes Touchscreen terminal and printer)	19	\$3,515	\$2,879.49	\$635.51	\$12,075

Sub-Total: \$32,179

Election Management System Software (Shared Cost, State-Local)

Accumulation Only EMS	1	\$18,563	\$15,206.81	\$3,356.19	\$3,356
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Sub-Total: \$3,356

Total Initial Purchase Price \$35,535

Discounts

Trade-In discount (Units must be brought to a central location for pickup)	included
System Discount - Price Match	(\$35,535)

Sub-Total: (\$35,535)

Total Initial Purchase Price (Shared Cost, State-Local) \$0

Base System Extended Service and Maintenance for Years 6-10

Extended Service and Maintenance

ICP Tabulator w/ Ballot Box Annual Fee	21	\$375			\$7,875
ICX Accessible Ballot Marking Device Annual Fee	19	\$240			\$4,560
Accumulation Only EMS Annual Fee	1	\$2,500			\$2,500

(Warranty Service and Preventative Maintenance to be completed at local jurisdictions)

Sub-Total: \$14,935

Years 6-10 Base System Annual Fees: \$14,935

Cheryl D. Brown

Authorizing Signature, Title Charlevoix County Clerk

May 2, 2017

Date

Optional Hardware and Software Components

DESCRIPTION	QTY	UNIT PRICE	EXTENSION
Precinct Hardware			
ICP Tabulator w/ Ballot Box	1	\$5,390	\$5,390
ICP Tabulator (spare w/o ballot box)	0	\$4,395	\$0
Discount if purchased with this order	1	(\$57)	(\$57)

Election Management System Hardware

EMS Express Server - Desktop	1	\$1,750	\$1,750
Compact Flash Reader/Writer	1	\$60	\$60
I-Button Programmer with USB Adapter	1	\$50	\$50
ICX Activation Card Programmer	1	\$26	\$26

Sub-Total: \$1,886

Results Transmission (Base - Wireless)

ImageCast Listener Express Server - Desktop	1	\$2,200	\$2,200
ImageCast Listener Express Firewall	1	\$480	\$480
EMS Express Managed Switch	1	\$200	\$200
ICP External Wireless Modem	21	\$295	\$6,195
ImageCast Communications Manager Software	1	\$10,800	\$10,800

(Software covers both base wireless and analog communications)

Sub-Total: \$19,875

Results Transmission (Analog)

ImageCast Listener Express RAS System	1	\$2,165	\$2,165
ImageCast Listener USB Modems (Receiving)	6	\$225	\$1,350

Sub-Total: \$3,515

Results Transmission (VPN/SFTP)

Compact Flash Reader/Writer (per municipality)	1	\$60	\$60
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Note: Results Transfer Manager software is included for municipalities that wish to use VPN/FTP method for transmitting results from memory cards to the county.

Optional Hardware and Software Components Annual Maintenance**Extended Service and Maintenance**

ImageCast Communications Manager Annual Fee	1	\$1,200	\$1,200
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(Fee covers both base wireless and analog communications)



Authorizing Signature, Title Charlevoix County Clerk

Confidential - Not for Redistribution

May 2, 2017

Date

2 of 2

**CITY OF CHARLEVOIX
RESOLUTION NO. 2017-05-02
NEW VOTING SYSTEM GRANT AGREEMENT**

WHEREAS, the City of Charlevoix City Council wishes to apply to the Secretary of State for a grant to purchase a new voting system, which includes precinct tabulators, accessible voting devices for use by individuals with disabilities, and related Election Management System (EMS) software; and

WHEREAS, partial funding for the new voting system will be provided by the State, and will include a combination of Federal Help America Vote Act and State appropriated funds. Local funding obligations are detailed in the attached Dominion Voting quote; and

WHEREAS, the City of Charlevoix plans to begin implementation of the new voting system in 2017; and

WHEREAS, the deadline for submitting the required State Grant Application is April 14, 2017.

NOW THEREFORE BE IT RESOLVED, that the City of Charlevoix City Clerk is authorized to submit the Grant Application on behalf of the City of Charlevoix, Charlevoix County.

RESOLVED this 15th day of May, 2017 A.D.

The foregoing resolution offered by Councilmember xxx and second offered by Councilmember xxx.

Resolution was adopted by the following yea and nay vote:

Yeas:

Nays:

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Single Room Rental Zoning Ordinance Amendment

DATE: May 15, 2017

PRESENTED BY: Sarah Lucas, Networks Northwest/Staff Planner

ATTACHMENTS: Proposed Ordinance

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 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 would clarify rental definitions and allow 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 this amendment will help to diversify housing options. Additionally, changes to the definitions are necessary in options for addressing short-term rentals, which are currently being reviewed by the Rental Committee. The Committee will be forwarding recommendations regarding a short-term rental ordinance to the Planning Commission in June. The proposed definitions are consistent with language that has been developed by the Committee.

If you have any questions about this topic prior to the May 15 meeting, please don’t hesitate to contact me at 231-929-5034, or via email at sarahlucas@networksnorthwest.org.

RECOMMENDATION:

Motion to approve Ordinance 782 of 2017 authorizing single-room rentals.

CITY OF CHARLEVOIX
ORDINANCE NO. 782 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						
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)
Residential						

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/Institutional							
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. 782 was adopted on the 15th 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)

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

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

DATE: May 15, 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

BACKGROUND INFORMATION:

As you know, there is a proposed donation of a fence along Park Avenue in Lake Michigan Beach Park. Pursuant to the Donation Acceptance Policy, the Planning Commission reviewed and extensively discussed this donation but referred it to Council without making a recommendation.

This item has been posted for a Public Hearing and Staff have outlined where the fence would be located in the park as Council requested.

RECOMMENDATION:

Motion to accept the donation of a fence along Park Avenue in Lake Michigan Beach Park and direct staff to make necessary preparations and to install the fence.

Or

Motion to decline the donation of a fence along Park Avenue in Lake Michigan Beach Park.

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.

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 JWX DATE 1/10/2017

CHECKED BY _____ DATE _____

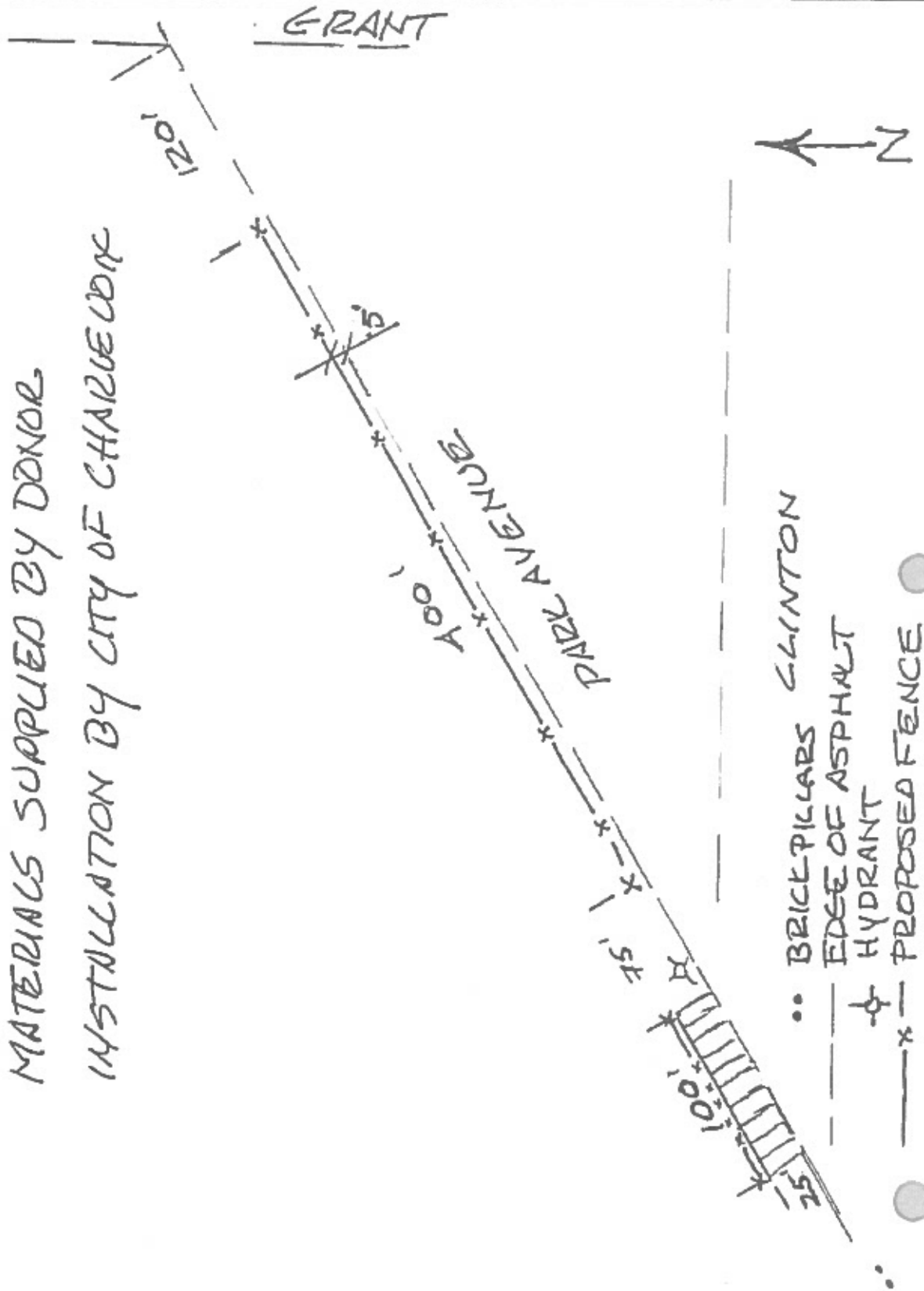
SCALE SKETCH 1"=80'

NOTE: 454 FEET DOUBLE DAIL FENCE

10 PARKING SPACES

MATERIALS SUPPLIED BY DONOR

INSTALLATION BY CITY OF CHARLEVOIX



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

PROPOSED
 10 CAR PARKING

CLINTON ST.

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

LEGEND:

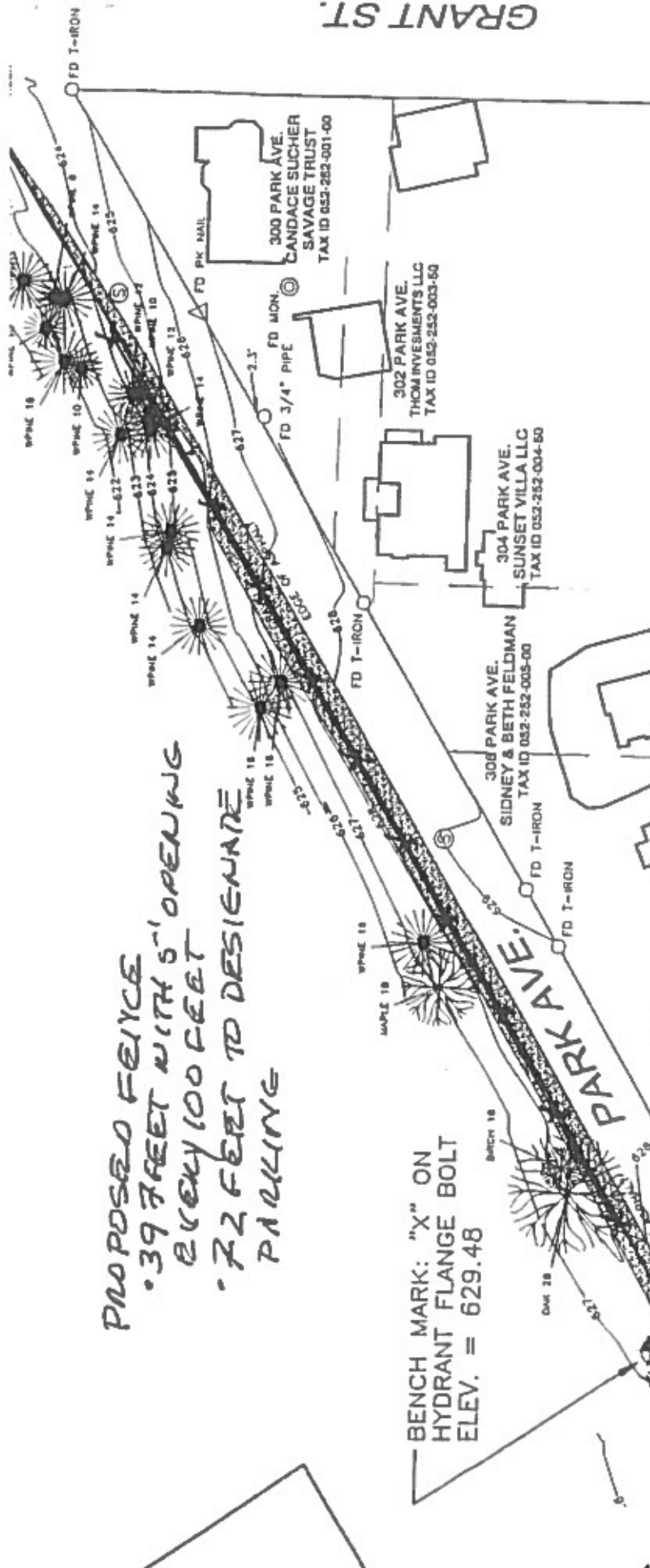
1. ALL DIMENSIONS ARE IN FEET.
2. "O" INDICATES IRON/ROD FOUND
3. 1/2" x 24" STEEL RODS WITH I.D. SET AT ALL POINTS MARKED WITH
4. BEARINGS ARE IN RELATIONSHIP

IRON

PARK AVE.
 JASSEN OFF
 IING TRUST
 052-253-008-00

314 CLINTON ST.
 GEORGE & NANCY
 PETROFF
 TAX ID 052-253-008-00

2702.02 CHAINS
 112' 32' 30" W 49' 30" N



GRANT ST.

CHARLEVOIX CITY COUNCIL

AGENDA ITEM

AGENDA ITEM TITLE: East Park Planter Design and Planting Donation

DATE: May 15, 2017

PRESENTED BY: Mark L. Heydlauff, City Manager

ATTACHMENTS: Correspondence from John Campbell, Site Planning President
East Park/Harbormaster Building Planting Plan

BACKGROUND INFORMATION:

Site Planning has contacted the City about donating design work, materials and installation work for the planters located around, and on top of, the Harbormaster's building in East Park, using donations that they have solicited from various sources. The City would supply the work for clearing out existing materials and watering the new plants upon completion of Site Planning's work. City staff has raised no issue with the project upon review. Last summer, Site Planning completed work on the planter near the Odmark Pavilion using funds raised themselves, and it turned out very well. The Planning Commission reviewed the proposal at their May 8th meeting and unanimously recommended that City Council accept the donation.

Under the Donation Acceptance Policy, proposed donations should be set for a public hearing and then Council may grant final approval. Given the timeline for this donation and the desire to have it complete for the summer season, Council could waive the public hearing requirement and give immediate adoption. This is Council's prerogative.

RECOMMENDATION:

Motion to accept the East Park planter design, material and installation donation from Site Planning.

OR

Motion to set a Public Hearing for June 5, 2017 at 7pm in the Council Chambers of City Hall to consider the East Park planter design, material and installation donation from Site Planning.



Site Planning Development, Inc.
DESIGN CONSTRUCTION MAINTENANCE

April 25, 2017

City of Charlevoix
Attn: Mark Heydlauff, City Manager
210 State St.
Charlevoix, MI 49720

RE: East Park Replanting
Site Planning Development, Inc. plans dated 10/30/15
Project approved by DDA summer 2016
Test project completed May 2016 near Band shell

Dear Mr. Heydlauff,

The proposed project is ready to move forward. Fund raising is 80% complete toward the goal of \$25,000.00. I am confident that the remaining funds will be in hand by the project's completion, I take responsibility for the funds.

The plant material is being ordered and work order prepared by Site Planning Development, Inc.

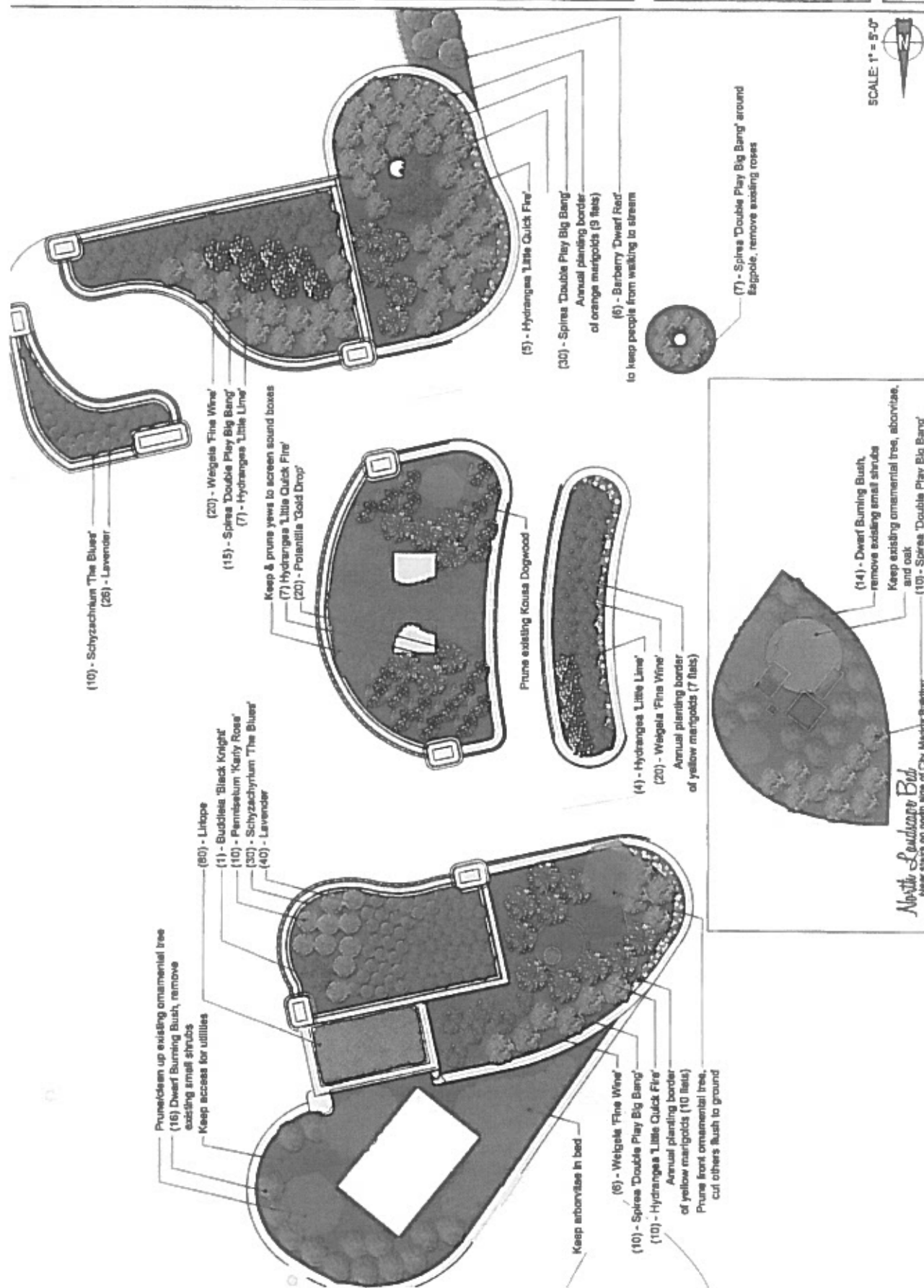
It is time for the Charlevoix City staff to remove the existing perennials and their root systems. Save the existing special soil as much as possible. The existing shrubs and ornamental trees are to be saved.

Site Planning staff will prune and fertilize the save existing plants and the new planting. A pre-emergent herbicide will be applied to the surface of the beds following planting and a 2" layer of shredded bark mulch on top of the herbicide.

The annuals will be the responsibility of the City of Charlevoix staff, a plan to be reviewed with Site Planning Staff.

Respectfully,

JOHN W CAMPBELL
It's President



**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: 2017 Infrastructure Improvements

DATE: May 15, 2017

PRESENTED BY: Patrick Elliott

ATTACHMENTS: Bid Tabulation
Letter of recommendation from Performance Engineers.

BACKGROUND INFORMATION:

As you are aware, we have been planning and engineering for the 2017 infrastructure improvements, which include the 100 block of West Hurlbut Avenue, the 100 block of Antrim Street and the 200 block of Prospect Street.

We advertised for sealed bids for this work and on May 11th we opened four bids, see attached bid tabulation. The low bidder was MDC Contracting for a total price of \$984,242.00. The bid amount is within the budgeted amount and will be paid for out of a combination of funds.

The City has worked with MDC Contracting on numerous projects in the past, and Staff feels very comfortable with them completing all of the proposed work.

RECOMMENDATION:

Motion to accept the proposal from MDC Contracting, Inc. of Charlevoix, Michigan in the amount of \$984,242.00.



CITY OF CHARLEVOIX
2017 Infrastructure Improvements
 Bid Opening at City Hall
 May 11, 2017 – 11:00 a.m.

Bidder Name	Total Cost
Tri County Excavating Harbor Springs, MI	\$1,192,319.00 \$300/hr
J&N Construction Gaylord, MI	\$1,132,618.60 \$265/hr
MDC Contracting LLC Charlevoix, MI	\$984,242.00 \$285/hr
Team Elmer's Petoskey, MI	\$1,082,991.10 \$400/hr



Performance Engineers Inc.

Civil / Structural Engineering

May 11, 2017

Mark Heydlauff
Charlevoix, City Manager
210 State Street
Charlevoix, MI 49720

RE: City of Charlevoix 2017 Infrastructure Improvement Projects

Dear Mr. Heydlauff:

I have reviewed the bids for the 2017 Infrastructure work that includes reconstruction of the following streets: Antrim Street and Hurlbut Streets from State Street to US-31; and Prospect Street from Dixon Avenue to US-31. Please see the attached bid tab.

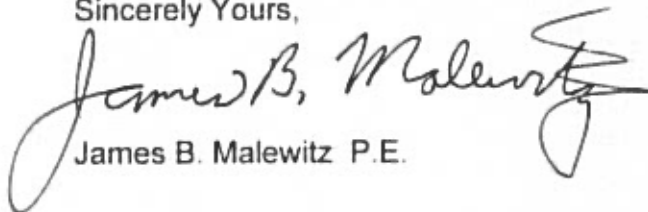
After review of the bids and required bidding documentation, MDC Contracting is the low bidder for this project work at the construction cost of \$984,242.00. The next closest bid following MDC Contracting was Elmer's Crane & Dozer, Inc. at a construction cost of \$1,082,991.10.

It is our recommendation that MDC be chosen for the construction of the 2017 Infrastructure Improvement work due to price and the fact that they have performed very well on many projects with the City of Charlevoix over the past twenty plus years.

According to MDC's construction schedule, they are planning on starting on Prospect Street on the 10th of July. Antrim and Hurlbut construction is not planned to begin until after Labor Day.

Please let me know if you have any questions in regards to this recommendation.

Sincerely Yours,



James B. Malewitz P.E.



MDC Contracting, LLC

05481 US 31 South, Charlevoix, MI 49720

PHONE (231) 547-6595

FAX (231) 547-9171

(800) 678-2235

CITY OF CHARLEVOIX 2017 INFRASTRUCTURE IMPROVEMENTS

Subcontractor Listing:

Staking & Surveying

Ferguson & Chamberlain Associates
Charlevoix, MI

Asphalt Paving

Payne & Dolan, Inc
Gaylord, MI

Concrete

Ryan Brothers, Inc
Petoskey, MI

Trees & Bricks

Robinson's Landscaping
Boyne City, MI

Seeding

North Bay Hydroseed
Boyne City, MI

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Motor Pool Vehicle Purchases

DATE: May 15, 2017

PRESENTED BY: Pat Elliott, DPW Superintendent

ATTACHMENTS: None

BACKGROUND INFORMATION:

The approved 2017/18 Motor Vehicle Pool budget includes the purchase of a two-wheel drive dump truck and utility truck. We have budgeted \$60,000 for the dump truck and \$45,000 for the utility truck.

The dump truck will be replacing the vehicle used for picking up brush and grass clippings. The existing truck is 26 years old and needs weekly maintenance. The utility truck is 17 years old and is rusted out. The new pickup truck will be equipped with a covered storage area to keep tools and parts for repairs to the City's parks out of the elements.

We have researched purchasing these vehicles through the State's MiDEAL program, which competitively bids out vehicles and various other items. We are able to purchase a Ford 550 series dump truck from Signature Ford, of Owosso, Michigan for a total of \$49,111.00. The City can also purchase a Chevrolet 2500 series utility truck with utility box from Berger Chevrolet of Grand Rapids, Michigan for \$46,578.00. The cost of the utility truck is approximately \$1,600.00 more than budgeted while the dump truck is approximately \$10,000 under budget.

There are no local dealerships that participate in the MiDEAL program and these are more specialized than some other vehicles we have purchased before.

RECOMMENDATION:

Motion to authorize the purchase, of a Ford 550 series dump truck from Signature Ford, of Owosso, Michigan for \$49,111.00 and the purchase of a Chevrolet 2500 series utility truck with utility box from Berger Chevrolet of Grand Rapids, Michigan for \$46,578.00.

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: 2017 Pavement Marking Contract

DATE: May 15, 2017

PRESENTED BY: Pat Elliott, DPW Superintendent

ATTACHMENTS: Bid Tabulation

BACKGROUND INFORMATION:

In the approved 2017/18 Budget, we have allocated a total of \$17,000.00 for the purpose of pavement marking. In general this work is for painting all of the parking spaces throughout town, stop bars, turning arrows, etc.

We advertised for sealed bids for this work and on May 4th we opened two bids (see attachment). As you can see, the low bid is under budget by approximately \$1,500.00. We have used PK Contracting in the past and, in general, they have completed the work on time and within budget.

RECOMMENDATION:

Motion to accept the bid from PK Contracting in the amount of \$15,360.35 and have them schedule this work.



CITY OF CHARLEVOIX
Pavement Marking Services
Bid Opening at City Hall
May 4, 2017 – 10:00 a.m.

Bidder Name & Contact Info	Total Cost
M&M Pavement Marking Grand Blanc, MI	\$20,679.95
PK Contracting, Inc. Lake City, MI	\$15,360.35

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Solid Waste Collection Discussion

DATE: May 15, 2017

PRESENTED BY: Sarah Lucas, Networks Northwest/ Staff Planner

ATTACHMENTS: None

BACKGROUND INFORMATION:

The City of Charlevoix currently administers a solid waste ordinance; and solid waste and trash pick-up are also addressed in several other sections of the City Code. Some concerns have been identified by the public and City officials relative to solid waste issues, including trash pick-up schedules and potential inconsistencies regarding solid waste in various sections of the City code.

There has been some discussion among City staff and officials regarding the potential to streamline and/or update the City's ordinances in order to address concerns, including the potential to schedule residential trash pick-up dates in a way that minimizes truck traffic. To obtain additional input in this process, an ad hoc committee is proposed, to be tasked with reviewing the existing solid waste ordinance and identifying solid waste issues that may need to be addressed with ordinance updates.

Staff proposes establishing an ad hoc committee with two Planning Commissioners and one or two City Council members. At their May 8 meeting, the Planning Commission appointed 2 members to an ad hoc committee.

For reference, the City's solid waste ordinance (Chapter 21, Garbage and Rubbish, of Title II, Utilities and Services, of the Charlevoix City Code) is available online at <http://www.cityofcharlevoix.org/city-hall/documents/02TitleII-UtilitiesandServices2015-10-19.pdf>.

If you have any questions about this topic prior to the May 15 meeting, please don't hesitate to contact me at 231-929-5034, or via email at sarahlucas@networksnorthwest.org.

RECOMMENDATION:

Motion establishing an ad hoc solid waste ordinance committee and appoint [City Council representatives] to the Committee.

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: US 31 Configuration Recommendation to MDOT

DATE: May 15, 2017

PRESENTED BY: Mark L. Heydlauff, City Manager

ATTACHMENTS: None

BACKGROUND INFORMATION:

Last month, representatives from the Michigan Department of Transportation presented information to Council regarding the potential reconfiguration of US 31 from four lanes to three lanes. This could occur in two sections of the roadway north and south of downtown. MDOT has data suggesting this configuration reduces traffic crashes and expedites travel through town and it may slow by a few seconds access to the road by those intending to turn onto the highway.

MDOT controls the road and its configuration and any decision made about it is solely the choice of MDOT. However, they would like to see if there is local support for this decision by way of a vote by City Council. They also believe a decision to reconfigure the road could improve the likelihood of MDOT making surface improvements to the road. If they were to improve the surface, it would be an ideal time of the City to consider any underground infrastructure improvements.

It is counterintuitive that shrinking the number of lanes helps traffic flow more smoothly, but it has been demonstrated on other state highways around Michigan and ultimately traffic is constricted to two lanes through our downtown. Segregating left turns into a center turn lane also helps reduce accidents by keeping like traffic together. An added benefit of this would be the effect it would have to improve pedestrian and bicycle mobility. Pedestrians can use the middle lane as a "refuge point" when crossing the busy highway and extra space on the sides of the roadway can be striped for a bike lane. This plan has been endorsed by the Charlevoix Area Trail Ambassadors.

Council could opt to set a public hearing to gain public opinion on this recommendation or simply make your recommendation to MDOT. I would suggest that we direct City Staff to look at potentially needed collaborative infrastructure projects in the US 31 corridor.

COUNCIL GOAL AREA(S): Develop and maintain long-term infrastructure plans

RECOMMENDATION:

Motion that the Charlevoix City Council make known its support of a three lane configuration of US Highway 31, that the Mayor, City Manager, and other officials are directed to convey this message to MDOT, and that City Staff should study infrastructure improvements within the US Highway 31 Right of Way.

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Venetian Festival Street Closure

DATE: May 15, 2017

PRESENTED BY: Dan Barron, Charlevoix Venetian Festival
Mark L. Heydlauff, City Manager

ATTACHMENTS: Detour Route Map

BACKGROUND INFORMATION:

As you know, the Venetian Festival has requested a longer closure of Bridge Street during this year's festival and they plan to hold additional activities on the street. Initially, they requested the street be closed Wednesday evening through Saturday evening though they have scaled this back to a request to close Thursday late afternoon/evening through Saturday evening. After much debate and discussion, this timing for the closure was approved by the DDA/Main Street Board as a recommendation to City Council during their meeting last week. The Charlevoix Township Fire Department will actually place the signs up when the closure is made and remove them after the fireworks on Saturday night. Belvedere Avenue to Antrim Street will remain open, while US 31 traffic will be routed from the highway onto Hurlbut Avenue to State Street to Park Avenue and back to the highway. Some parking will be eliminated along this detour route in order to facilitate the turning radius of trucks.

RECOMMENDATION:

Motion to apply for an MDOT permit for the closure of US 31 on Thursday, July 20, 2017 at 5pm through Saturday, July 22, 2017 at midnight.

Proposed Traffic Flow

Southbound Traffic

Northbound Traffic

Beaver Island/Bridge Park Dr Traffic (Two Way)

Emergency Corridor



**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Park Land Sale Protection Charter Amendment Discussion

DATE: May 15, 2017

PRESENTED BY: Mark L. Heydlauff, City Manager

ATTACHMENTS: None

BACKGROUND INFORMATION:

In January, Council discussed options with the City Attorney for expanding the protections on our parks short of the failed conservation easement proposal last fall. The language below would designate parks based on the recently approved Recreation Master Plan and Council would not be able to "undesignate" a park without voter approval. Once a park (or cemetery) has been designated, it could not be sold, leased, subdivided without the consent of a super-majority of the voters of the city.

Amend Section 2.16(f) of the Charter of the City of Charlevoix to read:

f. The Council shall not have the power to sell, divide, lease, partition, plat, subdivide, or dispose of any City park or cemetery, or any part thereof, unless specifically approved by two-thirds (2/3) of the electors voting thereon at any general or special election, except as provided for in "sub-section h" of this section. A City park shall include any property designated as a City park on the City's Recreation Master Plan or otherwise formally designated as a City park by official action of Council. The designation of property as a City park shall not be removed or changed without first being approved by the electors pursuant to this paragraph.

To place an item on the ballot, you will need to hold a public hearing on the draft language and then forward the language to the Attorney General's office for their review.

COUNCIL GOAL AREA(S):

RECOMMENDATION:

Council discussion and further direction for the City Attorney.

Or

Motion to set a Public Hearing for June 5, 2017 at 7pm in the Council Chambers of City Hall to consider an amendment to the Charter of the City of Charlevoix on enhancing protections against the sale of parks and cemetery lands.

CHARLEVOIX CITY COUNCIL

AGENDA ITEM

AGENDA ITEM TITLE: Water Treatment Plant Stand-by Generator and Internal Loan

DATE: May 15, 2017

PRESENTED BY: Mark L. Heydlauff, City Manager

ATTACHMENTS: Interdepartmental Loan Agreement
Bid Tabulation

BACKGROUND INFORMATION:

The stand-by generator at the Water Treatment Plant is in desperate need of replacement; it was originally built for a World War II era Navy ship. A new generator will be reliable and fully capable of powering the plant in the case of an emergency power failure. Prein & Newhof designed the specifications for a new generator and we have obtained sealed bids (see attached tabulation).

Given the financial condition of the Water Fund, an interdepartmental loan from the Electric Fund would cover the cost of this purchase while amortizing the cost over the next five years; the Electric Fund would receive interest. An internal loan would be structured in compliance with the Internal Loan Policy adopted by Council last year; the resolution is included for your review.

Shoreline Power Services had the lowest bid at \$234,175.00, which was below the \$310,000 estimate for the project.

RECOMMENDATION:

Motion to accept and approve an Interdepartmental Loan Agreement Resolution, as presented.

Motion to accept the bid from Shoreline Power Services in an amount not to exceed \$234,175.00.

April 24, 2017
2160454

Mr. Mark Heydlauff, City Manager
City of Charlevoix
210 State Street
Charlevoix, Michigan 49720

RE: Water Treatment Plant Improvements
Generator Replacement

Dear Mr. Heydlauff:

Bids were received on April 20, 2017 on the above referenced project. Three bids were received on the project and the bid tabulation is attached for reference. Shoreline Power Services was the low bidder with a bid price of \$234,175.00

Post bid Prein&Newhof followed up with Shoreline Power Services to confirm their project understanding and review proposed sub-contractors. Based on the conversation, Shoreline Power Services appears to have a good understanding of the project and have a quality subcontracting team. Ms. Shelley Mayer also indicated her confidence in Shoreline Power Services based on previous experiences.

We recommend awarding the project to Shoreline Power Services.

If you have any questions or need anything further feel free to contact me.

Sincerely,

Prein&Newhof



Catherine A. Prein, P.E.

Enclosure: Bid Tabulation

cc: Ms. Shelley Mayer

Bid Tabulation

Owner: City of Charlevoix		1st	2nd	3rd
Project Title: Water Treatment Plant Improvements - Generator Replacement		Shoreline Power Services 6724 E Railway Commons Williamsburg, MI 49690	Windemuller Electric 1301 Business Park Drive Traverse City, MI 49686	DVT Electric 5151 Division Avenue Wyoming, MI 49548
Bid Date & Time: April 20, 2017 at 2:00 pm	Project #: 2160454			
BID SUMMARY				
Base Bid		\$234,175.00	\$266,527.00	\$319,000.00
Alternate Bid		No	No	No
SUBCONTRACTORS				
Site Work		Elmers	MDC Contracting	DVT Electric
Concrete		Hallmark Construction	MDC Contracting	DVT Electric
Electrical		Shoreline Power Services	Windemuller Electric	DVT Electric
Integration		Shoreline Power Services	Windemuller Electric	Shoreline Power Service
Above Ground Storage Tank Removal		Northern A I Services	Northern A-I	DVT Electric, Inc.
MAJOR EQUIPMENT				
1 Diesel Engine Generator (Section 26 32 13)				
Base Bid: Cummins		\$89,850.00	\$117,325.00	\$95,240.00

**CITY OF CHARLEVOIX
RESOLUTION NO. 2017-05-03**

**CITY OF CHARLEVOIX ELECTRIC DEPARTMENT/FUND TO THE CITY OF CHARLEVOIX WATER DEPARTMENT/FUND
INTERDEPARTMENTAL LOAN AGREEMENT**

WHEREAS, the City of Charlevoix is a Michigan Municipal Corporation with principal offices located at 210 State Street, Charlevoix, Michigan, 49720; and

WHEREAS, the City of Charlevoix Electric Department and the City of Charlevoix Water Department are sub-units of the City of Charlevoix with their offices located in Charlevoix and whose primary mailing addresses are both 210 State Street, Charlevoix, MI 49720; and

WHEREAS, the City of Charlevoix is undertaking a water treatment plant improvement project in the City of Charlevoix; and

WHEREAS, the scope and funding necessary to undertake the water treatment improvement project was more than the City of Charlevoix Water Department/Fund has on hand; and

WHEREAS, all involved desired to undertake the water treatment improvement project; and

WHEREAS, the Electric Department/Fund has available funds on hand to loan funds to the water treatment plant improvement project without impairing its day to day operations; and

WHEREAS, the Electric Department is willing to loan the Water Department/Fund the necessary funds to fund the water treatment plant improvement project for which they do not have available cash; and

WHEREAS, the City of Charlevoix Water Department/Fund desires to borrow funds from the Electric Department/Fund under the interest rate and payment terms detailed below.

NOW THEREFORE BE IT RESOLVED, that

- 1) The City of Charlevoix Electric Department loans an amount not to exceed two hundred thirty-four thousand one hundred seventy-five dollars (\$234,175.00) to the City of Charlevoix Water Department /Fund;
- 2) That the term of the loan shall be for a period of five years commencing May 15, 2017;
- 3) The annual percentage rate of the loan shall be equal to the Annual Applicable Federal Rate established by the Federal Government of 2.05%;
- 4) That payment of principal and interest on the loan shall be made once a year on March 31;
- 5) That there shall be no penalty for pre-payment of the loan.

RESOLVED this 15th day of May, 2017 A.D.

Resolution was adopted by the following yea and nay vote:

Yeas:

Nays:

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Committee/Board Appointments

DATE: May 15, 2017

PRESENTED BY: Joyce M. Golding, City Clerk

ATTACHMENTS: Volunteer Boards and Committees Applications

BACKGROUND INFORMATION:

The following list includes vacancies on City boards/commissions/committees:

- Historic District Commission –member John Campbell requested reappointment Council appointment for a three year term
- Historic District Commission –member David Miles requested reappointment Council appointment for a three year term
- Historic District Commission –member Kay Heise requested reappointment Council appointment for a three year term
- Airport Advisory Committee –member Scott Woody did not request reappointment Council appointment for a two year term

RECOMMENDATION:

Motion to appoint [reappoint] Citizen Name to the Historic District Commission, term expiring June 2020.

Motion to appoint [reappoint] Citizen Name to the Historic District Commission, term expiring June 2020.

Motion to appoint [reappoint] Citizen Name to the Historic District Commission, term expiring June 2020.

Motion to appoint Citizen Name to the Airport Advisory Committee, term expiring June 2019.



CITY OF CHARLEVOIX
VOLUNTEER BOARDS AND COMMITTEES APPLICATION

Thank you for your interest in serving on a volunteer board, commission or committee. The purpose of this form is to provide the Mayor and City Council members with some information about residents considered for appointment. Your application will be kept active for six months and you will be contacted if you are chosen to serve.

☐ AIRPORT ADVISORY COMMITTEE	☐ HISTORIC DISTRICT COMMISSION	☐ SHADE TREE COMMISSION
☐ BOARD OF REVIEW	☐ HOUSING COMMISSION	☐ ZONING BOARD OF APPEALS
☐ COMPENSATION COMMISSION	☐ PLANNING COMMISSION	☐ OTHER _____
☐ DDA/MAIN STREET BOARD	☐ RECREATION ADVISORY COMMITTEE	☐ NO PREFERENCE

PLEASE PRINT

NAME: JOHN W CAMPBELL
ADDRESS: 309 EAST DIXON AVENUE
HOME PHONE: 231.547.2478 CELL PHONE: 231.330.3559
EMAIL: jwc@siteplanning.com
ARE YOU A REGISTERED VOTER IN THE CITY? YES HOW LONG HAVE YOU LIVED IN THE CITY? 45 years
HAVE YOU EVER BEEN CONVICTED FOR ANYTHING OTHER THAN A MINOR TRAFFIC VIOLATION? NO

EDUCATIONAL BACKGROUND: MSU - BA SPECIAL EDUCATION
MSU - BS LANDSCAPE ARCHITECTURE

PROFESSIONAL QUALIFICATIONS AND/OR WORK EXPERIENCE: REGISTERED LANDSCAPE ARCHITECT
AND LICENSED, LICENSED RESIDENTIAL BUILDER

COMMUNITY ACTIVITIES AND/OR OTHER EXPERIENCE: NUMEROUS CITY BOARDS & COMMISSIONS,
NGO'S, STATE BOARDS AND NATIONAL BOARDS

HAVE YOU SERVED ON A BOARD/COMMITTEE OR HELD A CIVIC POSITION IN THE PAST? IF YES, PLEASE EXPLAIN:
YES - PLANNING, COMPENSATION & SHADE TREE,
HISTORICAL CITY OF CHARLEVOIX

DO YOU FORESEE ANY POTENTIAL CONFLICTS OF INTEREST WHILE EXECUTING THE DUTIES OF THIS POSITION? IF YES, PLEASE EXPLAIN:
NO

REASON(S) YOU WISH TO SERVE: I HAVE SERVED ON NUMEROUS
BOARDS AND COMMISSIONS SINCE 1972 AND I
WISH TO CONTINUE. MY BACKGROUND AND EXPERTISE
CONTINUES IN A PROACTIVE DIRECTION FOR OUR
COMMUNITY

HAVE YOU REVIEWED THE CURRENT MEETING SCHEDULE OF THE BOARD/COMMITTEE AND CAN COMMIT TO REGULAR MEETING ATTENDANCE? YES

SIGNATURE: [Signature] DATE: 4/7/2017

RETURN APPLICATION TO THE CITY CLERK'S OFFICE:
210 STATE STREET CHARLEVOIX, MI 49720 - FAX (231) 547-3617 - EMAIL clerk@cityofcharlevoix.org



CITY OF CHARLEVOIX
VOLUNTEER BOARDS AND COMMITTEES APPLICATION

Thank you for your interest in serving on a volunteer board, commission or committee. The purpose of this form is to provide the Mayor and City Council members with some information about residents considered for appointment. Your application will be kept active for six months and you will be contacted if you are chosen to serve.

☐ AIRPORT ADVISORY COMMITTEE
☐ BOARD OF REVIEW
☐ COMPENSATION COMMISSION
☐ CDA/MAIN STREET BOARD

☒ HISTORIC DISTRICT COMMISSION
☐ HOUSING COMMISSION
☐ PLANNING COMMISSION
☐ RECREATION ADVISORY COMMITTEE

☐ SHADE TREE COMMISSION
☐ ZONING BOARD OF APPEALS
☐ OTHER _____
☐ NO PREFERENCE

PLEASE PRINT

NAME: DAVID L. MILES

ADDRESS: 109 PARK AVE

HOME PHONE: 547-6736 WORK PHONE: 547-0373

EMAIL: MILES.DAVID@ATT.NET

ARE YOU A REGISTERED VOTER IN THE CITY? Yes HOW LONG HAVE YOU LIVED IN THE CITY? SINCE 1972

HAVE YOU EVER BEEN CONVICTED FOR ANYTHING OTHER THAN A MINOR TRAFFIC VIOLATION? NO

EDUCATIONAL BACKGROUND: B.A. & M.A. UNIVERSITY OF MICHIGAN, BOTH 1963

PROFESSIONAL QUALIFICATIONS AND/OR WORK EXPERIENCE: CURATOR HISTORICAL SOCIETY

COMMUNITY ACTIVITIES AND/OR OTHER EXPERIENCE: MAIN STREET PROGRAM COMMITTEE

HAVE YOU SERVED ON A BOARD/COMMITTEE OR HELD A CIVIC POSITION IN THE PAST? IF YES, PLEASE EXPLAIN:
MAIN STREET COMMITTEE (DESIGN)

DO YOU FORESEE ANY POTENTIAL CONFLICTS OF INTEREST WHILE EXECUTING THE DUTIES OF THIS POSITION? IF YES, PLEASE EXPLAIN:
NO

REASON(S) YOU WISH TO SERVE: TO HELP FACILITATE IMPROVEMENTS TO DOWNTOWN & TO MAINTAIN CHARLEVOIX'S HISTORIC HERITAGE.

HAVE YOU REVIEWED THE CURRENT MEETING SCHEDULE OF THE BOARD/COMMITTEE AND CAN COMMIT TO REGULAR MEETING ATTENDANCE? YES

SIGNATURE: David L. Miles DATE: MAY 1, 2017

RETURN APPLICATION TO THE CITY CLERK'S OFFICE:
210 STATE STREET CHARLEVOIX, MI 49720 - FAX (231) 547-3617 - EMAIL clerk@cityofcharlevoix.org



CITY OF CHARLEVOIX
VOLUNTEER BOARDS AND COMMITTEES APPLICATION

Thank you for your interest in serving on a volunteer board, commission or committee. The purpose of this form is to provide the Mayor and City Council members with some information about residents considered for appointment. Your application will be kept active for six months and you will be contacted if you are chosen to serve.

☐ AIRPORT ADVISORY COMMITTEE
☐ BOARD OF REVIEW
☐ COMPENSATION COMMISSION
☐ DDA/MAIN STREET BOARD

☒ HISTORIC DISTRICT COMMISSION
☐ HOUSING COMMISSION
☐ PLANNING COMMISSION
☐ RECREATION ADVISORY COMMITTEE

☐ SHADE TREE COMMISSION
☐ ZONING BOARD OF APPEALS
☐ OTHER _____
☐ NO PREFERENCE

PLEASE PRINT

NAME: Kay Heise
ADDRESS: 200 Auld
HOME PHONE: 547-0899 CELL PHONE: _____
EMAIL: kayheise@att.net
ARE YOU A REGISTERED VOTER IN THE CITY? yes HOW LONG HAVE YOU LIVED IN THE CITY? 18 yrs
HAVE YOU EVER BEEN CONVICTED FOR ANYTHING OTHER THAN A MINOR TRAFFIC VIOLATION? no

EDUCATIONAL BACKGROUND: Master's Degree, Univ. of Michigan,
Bachelor's Degree, Michigan State University
PROFESSIONAL QUALIFICATIONS AND/OR WORK EXPERIENCE: 30 yrs teaching - Michigan,
Connecticut, Texas

COMMUNITY ACTIVITIES AND/OR OTHER EXPERIENCE: Historical Society, Bd. of Directors,
Friends of the Library, Char. County Comm. Foundation,
Bd. of Directors

HAVE YOU SERVED ON A BOARD/COMMITTEE OR HELD A CIVIC POSITION IN THE PAST? IF YES, PLEASE EXPLAIN:
Hist. Dist. Commission, Gift Policy Committee for City Council

DO YOU FORESEE ANY POTENTIAL CONFLICTS OF INTEREST WHILE EXECUTING THE DUTIES OF THIS POSITION? IF YES, PLEASE EXPLAIN:

no

REASON(S) YOU WISH TO SERVE: continue work of
identifying and saving historic treasures
of Charlevoix

HAVE YOU REVIEWED THE CURRENT MEETING SCHEDULE OF THE BOARD/COMMITTEE AND CAN COMMIT TO REGULAR MEETING ATTENDANCE? yes

SIGNATURE: Kay Heise DATE: 1-7-2017

RETURN APPLICATION TO THE CITY CLERK'S OFFICE:
210 STATE STREET CHARLEVOIX, MI 49720 - FAX (231) 547-3617 - EMAIL clerk@cityofcharlevoix.org



CITY OF CHARLEVOIX VOLUNTEER BOARDS AND COMMITTEES APPLICATION

Thank you for your interest in serving on a volunteer board, commission or committee. The purpose of this form is to provide the Mayor and City Council members with some information about residents considered for appointment. Your application will be kept active for six months and you will be contacted if you are chosen to serve.

☒ AIRPORT ADVISORY COMMITTEE	☐ HISTORIC DISTRICT COMMISSION	☐ SHADE TREE COMMISSION
☐ BOARD OF REVIEW	☐ HOUSING COMMISSION	☐ ZONING BOARD OF APPEALS
☐ COMPENSATION COMMISSION	☐ PLANNING COMMISSION	☐ OTHER _____
☐ DDA/MAIN STREET BOARD	☐ RECREATION ADVISORY COMMITTEE	☐ NO PREFERENCE

PLEASE PRINT

NAME: DENNIS KUSINA
 ADDRESS: 205 Elm St. CHARLEVOIX MI 49720
 HOME PHONE: 547-4844 CELL PHONE: 231-590-5290
 EMAIL: DKUSINA@charlevoixmi.net
 ARE YOU A REGISTERED VOTER IN THE CITY? Yes HOW LONG HAVE YOU LIVED IN THE CITY? Since 1976
 HAVE YOU EVER BEEN CONVICTED FOR ANYTHING OTHER THAN A MINOR TRAFFIC VIOLATION? NO.

EDUCATIONAL BACKGROUND: BS Northern Michigan Marketing Associate Degree
Northwood Institute Automobile Marketing

PROFESSIONAL QUALIFICATIONS AND/OR WORK EXPERIENCE: Owner & Operator Kusin Motor, Insurance
Agent Farm Bureau Insurance

COMMUNITY ACTIVITIES AND/OR OTHER EXPERIENCE: CHX CHAMBER Ambassador, Saint Mary's Parish
Council

HAVE YOU SERVED ON A BOARD/COMMITTEE OR HELD A CIVIC POSITION IN THE PAST? IF YES, PLEASE EXPLAIN:
CHX DDA, CHX Planning Commission, CHX City Council, Charlevoix
Main Street

DO YOU FORESEE ANY POTENTIAL CONFLICTS OF INTEREST WHILE EXECUTING THE DUTIES OF THIS POSITION? IF YES, PLEASE EXPLAIN:
NO.

REASON(S) YOU WISH TO SERVE: To help to make Charlevoix City Airport
the best airport in Michigan.

HAVE YOU REVIEWED THE CURRENT MEETING SCHEDULE OF THE BOARD/COMMITTEE AND CAN COMMIT TO REGULAR MEETING ATTENDANCE? YES

SIGNATURE: Dennis W Kusina DATE: 4/26/16

RETURN APPLICATION TO THE CITY CLERK'S OFFICE:
 210 STATE STREET CHARLEVOIX, MI 49720 - FAX (231) 547-3617 - EMAIL clerk@cityofcharlevoix.org



CITY OF CHARLEVOIX
VOLUNTEER BOARDS AND COMMITTEES APPLICATION

Thank you for your interest in serving on a volunteer board, commission or committee. The purpose of this form is to provide the Mayor and City Council members with some information about residents considered for appointment. Your application will be kept active for six months and you will be contacted if you are chosen to serve.

☒ AIRPORT ADVISORY COMMITTEE	☐ HISTORIC DISTRICT COMMISSION	☐ SHADE TREE COMMISSION
☐ BOARD OF REVIEW	☐ HOUSING COMMISSION	☐ ZONING BOARD OF APPEALS
☐ COMPENSATION COMMISSION	☐ PLANNING COMMISSION	☐ OTHER _____
☐ DDA/MAIN STREET BOARD	☐ RECREATION ADVISORY COMMITTEE	☐ NO PREFERENCE

PLEASE PRINT

NAME: Charles Scherping
ADDRESS: P.O. Box 67
HOME PHONE: 231 330 0353 CELL PHONE: _____
EMAIL: charlesscherping@BBCGlobal.net
ARE YOU A REGISTERED VOTER IN THE CITY? NO HOW LONG HAVE YOU LIVED IN THE con area - 50 year
HAVE YOU EVER BEEN CONVICTED FOR ANYTHING OTHER THAN A MINOR TRAFFIC VIOLATION? NO

EDUCATIONAL BACKGROUND: BS in Electrical Eng.

PROFESSIONAL QUALIFICATIONS AND/OR WORK EXPERIENCE: Flight Instructor & SINCE 1971

COMMUNITY ACTIVITIES AND/OR OTHER EXPERIENCE: on the zoning Board for 10 year

HAVE YOU SERVED ON A BOARD/COMMITTEE OR HELD A CIVIC POSITION IN THE PAST? IF YES, PLEASE EXPLAIN:

Zoning Board of appeal

DO YOU FORESEE ANY POTENTIAL CONFLICTS OF INTEREST WHILE EXECUTING THE DUTIES OF THIS POSITION? IF YES, PLEASE EXPLAIN:

No

REASON(S) YOU WISH TO SERVE:

concern about Airport

HAVE YOU REVIEWED THE CURRENT MEETING SCHEDULE OF THE BOARD/COMMITTEE AND CAN COMMIT TO REGULAR MEETING ATTENDANCE?

No/yes

SIGNATURE:

C. Scherping

DATE:

7/28/2017

RETURN APPLICATION TO THE CITY CLERK'S OFFICE:

210 STATE STREET CHARLEVOIX, MI 49720 - FAX (231) 547-3617 - EMAIL clerk@cityofcharlevoix.org



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 15, 2017

Date: May 11, 2017

A. Michigan Public Power Association

I joined Electric Superintendent Don Swem in Lansing this week for the Annual Meeting of the Michigan Public Power Association. MPPA is a consortium of public electric utilities in Michigan. Together, we jointly manage and purchase our power supply so that we can efficiently and effectively provide electricity to our customers. MPPA plans to do these educational meetings more frequently in the future and I would recommend Council consider attending in the future.

B. Logo and Branding Update

We had a conference call this week with a5 regarding the next steps for our branding/logo design. The DDA/Main Street Board gave additional feedback toward achieving a design we can embrace. A5 was pleased to get this feedback and plans to modify designs as we find the sweet spot of the design. I think this process continues to move along well and I appreciate the many who have provided feedback on this process.

C. Lake Michigan Beach Clean-up

As directed by Council, City staff completed an extensive clean-up of fallen trees and brush at Lake Michigan Beach Park. The Shade Tree Commission met last week with a representative of the Charlevoix, Antrim, Kalkaska, Emmet Cooperative Invasive Species Management Area (CAKE-CISMA). They discussed ways to control invasive species at the park and also how to control nuisance species (like poison ivy). CAKE-CISMA would like to see a test of using goats for these methods and is researching options for us. Additionally, they will do or provide partial funding for the removal of the invasive species. Progress continues to clean this area up in an efficient and ecologically appropriate way.

D. City Hall HVAC

We received bids this past week for the City Hall HVAC replacement. In general, bids were slightly below or budget expectations. Nealis Engineering is overseeing the project and we anticipate bringing a recommendation on awarding the project at your June 5 meeting.

E. Paperless Packets

We are continuing the process to move toward paperless packets for Council. Novus Agendas is building the system for us and City Clerk Joyce Golding and I have trial access to do some testing. We may begin a parallel paperless packet for the June 5 meeting and more full-scale test for the June 19 meeting. In the next couple of weeks, I'll be contacting each of you about doing some training in small groups of one to two people so that you are comfortable with the process. Please do not worry, we will not eliminate paper until you are comfortable with the paperless alternative and this decision can easily be individualized. However, you will likely notice some different formatting as we move forward.

The following documents are for Council's information:

- Approved Airport Advisory Committee Minutes – February 13, 2017
- Approved Airport Advisory Committee Minutes – March 22, 2017
- Approved Downtown Development Authority/Main Street Board Minutes - March 27, 2017
- Approved Airport Advisory Committee Minutes – March 28, 2017
- Approved Planning Commission Rental Regulations Subcommittee Minutes – April 10, 2017
- Approved Planning Commission Minutes – April 10, 2017
- Approved Airport Advisory Committee Minutes – April 13, 2017
- Approved Downtown Development Authority/Main Street Board Minutes - April 24, 2017

CITY OF CHARLEVOIX
AIRPORT ADVISORY COMMITTEE MINUTES
Monday, February 13, 2017 — 10:00 a.m.
210 State Street, City Hall, Council Chambers, Charlevoix, MI

I. Call to Order

The meeting was called to order at 10:00 a.m. by Vice Chair Woody.

Roll Call of Members Present

Vice Chair: Scott Woody
Members Present: Shirley Gibson, Richie Gillespie, Don Seelye
Member Absent: Ken Tough
City Staff: Mark Heydlauff, City Manager; Matt Wyman, Interim Airport Manager

II. Inquiry Regarding Possible Conflicts of Interest

None.

III. Approval of December 19, 2016 and January 16, 2017 Meeting Minutes

Interim Airport Manager Wyman stated that a correction was needed on the January 16, 2017 minutes, 2nd page, 2nd paragraph under item C, for the 2nd sentence to read: "He also recommended that they adjust the parking rates and do away with the daily rate." Motion by Member Gibson, second by Member Gillespie to approve the minutes of December 19, 2016 as presented and January 16, 2017 as corrected. Motion passed by unanimous voice vote.

IV. Public Comment on Agenda Items

None.

V. Airport Managers Report

Interim Airport Manager Wyman reviewed his report and responded to inquiries.

VI. General Business

A. Hangar Development

Vice Chair Woody stated that RS&H presented schematics for Taxiway A rehabilitation including five phases, mainly to see if it is possible to put hangars in that area. He stated that David Joy proposed 80' x 80' hangars and some aircraft may need larger hangars. Discussion continued regarding the required retention area, existing retention/drainage on the site, space for commercial activity, and beginning any hangar construction at the south end of the available space.

B. Minimum Standards

Vice Chair Woody stated he, Member Gibson, and Interim Airport Manager Wyman reviewed the proposed Minimum Standards and he provided Interim Airport Manager Wyman with a template of Minimum Standards from the Pellston Airport. They discussed creating the Minimum Standards using the existing Standards and amending the Ordinance to reference the new Minimum Standards. He stated that he would forward working documents to Interim Airport Manager Wyman.

C. Annual License Discussion

Vice Chair Woody stated the licenses were due April 1st and if they change the Minimum Standards that may change the licensing. He wondered if the licenses should be delayed, adding a "temporary license" for the operators until the new Standards were adopted. City Manager Heydlauff stated that he would have to check because the licensing was part of the business regulation ordinance which would be separate from the Airport ordinance. Vice Chair Woody stated that they should plan a special meeting to discuss the Minimum Standards tied to the licensing sometime in March. City Manager Heydlauff questioned whether they would have new Minimum Standards in place by April 1st. He suggested that one option was to move forward with the licenses as normal and apply the new Standards once they were adopted.

D. Contracting FBO Update

City Manager Heydlauff stated he and Interim Airport Manager Wyman met to go over the request for proposal and would send it out one last time to the operators for a final review. City Manager Heydlauff indicated he would send it to the Committee as well.

VII. Miscellaneous Business

Vice Chair Woody recalled the noise issue 18 months ago, and the Committee's recommendation to adopt guidelines similar to Harbor Springs. He stated that he and Member Gibson met with the residents of Eaton Street. Vice Chair Woody indicated that Don Exelby contacted him and wanted to know why the noise issue was not discussed at recent meetings. Mr. Exelby also questioned why the website was not updated yet. Vice Chair Woody noted that Delbert Terrill sent a message to his phone at midnight that woke him up, and he felt that Mr. Terrill has threatened this Committee and was harassing him personally. City Manager Heydlauff noted that the guidelines were very similar to Harbor Springs and they were as strict as they could be under the FAA. He said they would update the website.

Member Gillespie stated that the runway was "slushy" yesterday and he wondered if a NOTAM was posted. Interim Airport Manager Wyman replied that a NOTAM was not posted. Member Gillespie commented that 21 people were unable to leave the island because of the runway condition.

VIII. Public Comment

Frederick Rakunas felt that there were pilots who wanted to come into the Airport in the winter, but they do not want to leave the aircraft overnight with no facilities. He suggested that if someone were to build a hangar, an agreement could be worked out to use that hangar during the winter. Mr. Rakunas felt that \$3 million dollars for a city the size of Charlevoix was a lot of money and he hoped that the Committee and Staff were actively trying to restore the AIP money.

Discussion followed regarding skydiving at the Airport. Vice Chair Woody stated the previous Airport Manager limited this activity to non-holidays. He felt that jet traffic may divert to another airport due to the jumpers and the City would never know. He explained that the parachuter signs a liability waiver and the City created a waiver saying they will not be held responsible. Mr. Rakunas suggested that Interim Airport Manager Wyman contact the Hastings Airport Manager who has a large skydiving operation to see how they handle the issue. Vice Chair Woody felt that the skydiving issue needed to be addressed within the Minimum Standards along with any potential changes to the licensing. Vice Chair Woody reiterated that jumping was limited over the past two years and Member Gibson replied "it wasn't limited that much – he still did whatever he wanted to do." Discussion continued regarding busy jump days, some recalling that Saturday afternoons in particular. Vice Chair Woody commented that skydive operations have been successful in Harbor Springs with landing off field and Barnard Road was suggested as a potential landing area here. He suggested that Mr. Kurtz be invited to attend a Committee meeting to discuss. He also felt the skydive fee was exorbitant and if the operation was landing offsite, he shouldn't be paying anything. The group shared their jumper experiences at the Airport. Vice Chair Woody felt that regular Airport users are aware of the jumping, but pilots out of the area will not want to land at Charlevoix due to the parachuting.

Angel Welke, Island Airways, recalled that there were days that she was told that skydiving would be limited, but it did not happen. Vice Chair Woody felt that they should not allow skydiving on holiday weekends unless it was offsite.

Member Seelye questioned the 2018 fence project and Interim Airport Manager Wyman explained that it was to repair some of the existing fence and to continue the new fence down the northwest side of the Airport until it completely encloses the Airport.

Ms. Welke stated that she was approached by Beaver Island Community Center to advertise on a screen in the Airport lobby. The Community Center wanted to have an advertisement regarding events at the Community Center and the island and Ms. Welke stated that Island Airways would pay for the needed equipment. The Committee did not see a problem using the screen. City Manager Heydlauff commented that the City was working with the County on expanding fiber optic coverage with the potential of doing a drop for fiber from Harbor Industries to the terminal building and he would keep the Committee posted on those efforts.

IX. Adjournment

Motion by Member Gillespie to adjourn the meeting. Motion passed by unanimous voice vote. Meeting adjourned at 10:40 a.m.

Joyce Golding/ffgm

City Clerk

Scott Woody

Vice Chair

CITY OF CHARLEVOIX
AIRPORT ADVISORY COMMITTEE MINUTES
Monday, March 22, 2017 — 10:00 a.m.
210 State Street, City Hall, Council Chambers, Charlevoix, MI

I. Call to Order

The meeting was called to order at 10:00 a.m. by Vice Chair Woody.

Roll Call of Members Present

Vice Chair: Scott Woody
Members Present: Shirley Gibson, Richie Gillespie, Don Seelye
Member Absent: Ken Tough
City Staff: Mark Heydlauff, City Manager; Matt Wyman, Interim Airport Manager

Vice Chair Woody introduced Rick Hammond, formerly of the Bureau of Aeronautics, Frederick Rakunas, and Luther Kurtz, owner of Skydive Harbor Springs. Vice Chair Woody stated that at the last City Council meeting Greg Stevens made some strong statements about the Airport Advisory Committee, citing the Committee "was a vigilante group against Luther". Vice Chair Woody felt that everyone would agree that this statement was inaccurate.

Vice Chair Woody stated that Delbert Terrill requested they strike a statement referring to him from the February 13th record. The Committee agreed to leave the statement as is.

II. Inquiry Regarding Possible Conflicts of Interest

None.

III. Approval of February 13, 2017 Meeting Minutes

Vice Chair Woody indicated that Frederick Rakunas was misspelled under Public Comments. Member Gillespie indicated that references on page 2, under Miscellaneous Business, "NODAM" should be "NOTAM".

Interim Airport Manager Wyman commented that he took snow plowing at the Airport very seriously. He noted that some people were stranded on the island on February 12th due to confirmed severe weather conditions— 50 knot winds out of the north and the runway was icy.

Member Gibson felt that the second paragraph under Public Comments should address "a little more verbatim about what was said" regarding the skydiving discussion. Vice Chair Woody stated that they would table approval of the minutes until the next meeting.

IV. Airport Managers Report

Interim Airport Manager Wyman stated that he sent out new land leases to all private hangar owners, but they will inform them that it is now a taxable item. For existing hangar tenants, they were advising them that they could continue with their current contract or convert to the ground lease with ownership of the hangar. City Manager Heydlauff clarified that if the Airport received contracts whereby the owners own the hangar but lease the land, then they would be referred to the City Assessor for the determination of any possible taxes.

V. General Business

A. Business Licenses

Vice Chair Woody noted the general liability reference on the skydiving application should be removed and it should reflect "per the schedule of insurances." City Manager Heydlauff stated that it was their desire to have a continued good relationship with these licensees and he felt that open dialogue regarding changes is the key to keeping all parties informed.

VI. Miscellaneous

Vice Chair Woody (SW): I wanted to talk about skydiving because this committee has really not talked about skydiving directly. And that's the reason I wanted Luther here. It was brought up from a few people last time in the audience about surprise that skydiving is happening here and they were asking a few things. I'll open the floor to anybody that wants to go on about it. I had some statements and I said that on holiday weekends it wasn't a good idea. And one question that I do have as I say I open the floor. Luther is it possible to jump off field here like you did at Harbor Springs for so long?

Luther Kurtz (LK): Anything is possible but I paid for a license to jump on the field and it can be done safely, so I'd like to continue doing that.

SW: Well our issue is, you know, people have choices of airports to go to and when there's skydiving, it's believed that people will go to somewhere else. And you'll never know you lost them. And you can pipe in here Fred if you want.

Fred Rakunas (FR): Continue on.

SW: You and who else in the audience, but so was the American Airlines guy. But since then, we've found out, see we were thinking you were jumping all the time. Liz would, we really didn't talk about it at all. But then since, Matt said that you've limited your times or weekends or something like that and we just wanted us to know what's going on.

LK: Last year, I coordinated an event that we did somewhere else over the Fourth of July weekend.

SW: I remember you and I did that a few years back.

LK: So we did it not here.

SW: Uh hum.

LK: Yeah. So that was to the benefit. I don't know if we'll be able to do that coordination again this year or not but we're open to discussing things that will benefit the airport.

SW: But when I mentioned the holiday weekends, you know the busy Friday and the busy Sunday and I just think, and it's just not myself, but having jumpers at the airport when those jets are coming in. And even the operators. I mean Island Airways is going in a much smaller pattern and the jets are coming from way out. But again I was told that those days weren't going to be operated on. Right?

Interim Airport Manager Wyman (MW): Correct.

SW: Then my point is if Luther is going to be limited or there's weekends or times when he can't, and I told you this, I don't think you should be paying that license. I mean what is your impact to the airport? Then that leads me to what I already said, jumping off field. And it would make everything easy. You could jump every single day. And I don't know if you ever explored that because we never asked you that directly.

LK: You haven't?

SW: Not that I remember. Not at this committee.

LK: I don't know. When I was approached to move to Charlevoix, one of the things was that I would be able to jump on the field like most other skydivers do around the country. And I would like to continue doing that.

SW: And when you came here, it was a very limited basis, correct? That's why you didn't have a license.

LK: But I've been paying now. A license, a year-round license.

SW: No I understand, but you talked about when you came to Charlevoix and you were approached and you remember the negotiations we had with that. But again it was very limited for the reason of the high speed jet traffic. And you know I'm not out there so I don't know. But I just think that's a legitimate safety concern. I'm just speaking as an advisory committee to make a recommendation and if anybody wants to jump in here.

LK: You think it's a safety concern or you think it deters traffic?

SW: I think deters traffic and safety also. Just like I said we have two separate patterns on a busy day here. And I think it's a little bit of both.

Member Gibson (SG): Do you know what your days of operation are going to be for the coming season?

SW: See that's what we're unclear of.

LK: I think for a year-round license, I had the expectation of jumping every day.

SG: Everyday?

LK: Yeah. I paid for a license. I pay the same license as the other operators.

SW: I know. That's why I was saying I don't think you should be paying that license because see we were being told that you were going to limit certain days so you know that was news to me. But now Luther says he can operate any day.

LK: I think I'd be ok with not jumping on Fridays of the holiday weekends and then Mondays of the weekend if it's a Monday.

SW: Because you know the busy day is coming in and going out.

LK: I don't think it's a safety issue. It's more of a convenience for the operators, so I'd like to be compensated for that.

SW: You'd like to be compensated? You mean that the days you don't operate?

LK: Yeah.

SW: Like a proration or something on your license?

LK: I think \$250 a day is good.

SW: Well I just. I keep going back to how you operated so successfully at Harbor Springs for so many years. And I don't think they have the operations there and you landed just north of the field, correct? I just wondered if there's any way you could do that. And it would solve any issues any people would have but again it's Matt's call.

MW: Well Luther and I spoke a little while ago and he had brought up going to concede those Fridays and whatever the busy exit day is for that weekend. I also called the airport manager down in Hastings, Michigan. They have a skydive outfit down there. They've been jumping there for a long time. His overall impression of that activity was that it's very good for his airport. He did have some remarks regarding a previous skydive operation that was there. Basically he had a couple comments and I'll just go through them real quick. Whatever rules and regulations your airport adopts for skydiving, enforce them, keep them tight, and don't let the outfit get, as he says, sloppy. And again that was referring to a past operator that they had at their field. The next comment he had was referring the jet traffic not operating into an airport with the operation being there. I told him that was a concern of some here as well. I also said that I, neither myself or staff, have received any phone calls from any flight departments voicing frustration that they can't come here because of the operation. However, I do concede that this is a real possibility and should be considered. It could be happening. I also sat back and said you know if I had a business that I owned a jet, had an interest here in Charlevoix or home, I would fly into Charlevoix rather than flying into an airport 40 minutes away and driving. But again there may be some larger departments out there that don't allow that. Ultimately with respect to the safety, he said, once you see that they're starting to waiver from the rules, don't let them jump.

SW: They have jets at Hastings, Michigan?

MW: No.

SW: Oh. Ok.

MW: They have King Air traffic. But not the jets we have.

SG: They don't have charter services going in and out daily.

MW: Correct.

SG: So that's a different kind of airport really.

MW: Yeah. I spoke with Luther and my concern and I mentioned this to Mr. Seelye and to Scott, that with respect to the jets, they fly such a larger pattern. With people falling directly over the field, I don't think that's as much as a safety concern as our operators coming on field.

SW: That's what I was talking about, two different traffic patterns.

MW: If we ask him to jump southwest of the field three miles, now you're talking about a very large area that's hard to define. Somebody's coming in on a jet, alright three miles southwest – where am I looking? If they're directly over the airport you can see the airport and you know they're going to be right there. But again with the operators it's different. Not just because of the pattern but because of the volume of times they're coming in and out.

SW: For the record the brief time I worked with Luther there was never an issue, just occasionally a minor thing. But the thing that sticks in my mind, in that construction in that holiday weekend, when I was getting calls from inbound airplanes because they were jumping to the north. And you know that was the busiest day of the year, Friday before the Fourth.

City Manager Heydlauff (MH): That was the summer of '16, is that correct?

SW: I don't remember but I just.

SG: 2015.

SW: And they said that they were landing up to the north. And I said no that's not where they land. But again I wasn't involved and I said call the airport, call the airport. But Fred, go ahead.

FR: I do a fair amount of instructing in the summertime and use your airport quite often and in summer landed in a high performance bush airplane and passed up the intersection and I had the student make a quick 180. He turned around and there was a parachute jumper 50 feet off the side of the runway. We never saw him. Our approach is slow about 70 knots but when you're coming in on a jet, mostly your Lears and straight Citation, 90-110 knots. You're moving two miles a minute. Now a lot of the jumpers if they go with an instructor, they're highly qualified, I'd imagine they are very precise where they land. Then again if you're a novice after one or two instructions and they're going on a solo jump, how much control do they have of their chute? Where're they going to end up? So.

SW: I don't think you do any solo jumps, are you?

LK: We require a B License to jump so you can't even be a A License skydiver which means you've gone through all the training, you have gone on and gotten a B License.

FR: So how many jumps would that be?

LK: 50.

FR: 50 jumps?

LK: Yeah.

FR: So everything below 50 would be attached to a.

LK: We don't do training. Basically so you either have been a skydiver somewhere else and come here to jump. We do a briefing of how the airport works. So we once in a while we get that but most every jump we do is tandem and our instructors have 1000's of jumps. And some are pilots like Don's grandson is a commercial pilot and also a tandem instructor. So am I.

FR: So the point being is that when we came those chutes were awful close to the side of the runway when we were landing.

Member Gillespie (RG): That would go to my point Mr. Chairman is the near miss of the landing zone, the approach and landing zone. Obviously Luther you can admit you don't have a lot of space. You've got to get in on the short

crosswind runway and it makes it tough. And I was startled one day taxiing out, turned to do the clearing turn and what the heck. I mean it was just there. And yeah they call from the plane and say jumpers out and all that but the people in the canopy don't have a chance to call and tell you hey I'm right here. It scared the hell out of me. In my personal opinion I think, you know, we should be landing about in Barnard Road somewhere. But like you said when the jets are coming around it can be a pattern issue too.

SW: That's why we're discussing it. There are many discussions.

LK: Mr. Chairman.

SW: Yep. Go ahead.

LK: The landing area size that we have is the size recommended by the United States Parachute Association and the FAA's advisory circular AC1052E which I think I referenced on my application here.

RG: That was overlaid on this airport?

LK: Yeah.

SW: And he handed out – this was in our packet.

RG: Where is the landing zone?

SW: The circle.

LK: The advisory circular references using the USPA guidelines so we do have a landing area that is considered appropriate.

RG: When they landed, when I was taxiing out they landed on the north side.

SW: Oh I know. That's the weekend I'm talking about.

LK: That was due to construction. We've stopped doing that.

SW: But I don't think the communication was out there to the operators or pilots what was going on. That's where all the stuff was happening.

LK: The north side also complied with the USPA guidelines, but it did make it harder for people to understand so that's something.

RG: That's where they were going the day I taxied out.

LK: That's something we worked through during construction. Maybe we could communicate better I don't know. But now that's not what we're doing.

SW: But that wasn't your job. That was the airport's job to the pilots and operators.

MH: Can I ask maybe a dumb question?

SW: No such thing Mark.

MH: In reference to construction before, I assume that was because of the, was that the building of the new ramp?

SW: Yeah.

MH: The construction slated for this summer on the taxiway, would that have any effect on things?

SW: I don't know. We'd have to work that out when Dave does his safety phasing plan. Right Matt?

MW: Yeah. That's going, that project is going to take place in September I believe.

MH: I just see the jump zone is south of that and I just didn't know how much of clearance was needed.

MW: The staging area for the equipment for this fall's project is going to be located in the same space. So that would be through Gate 5 which is down by Fresh Air's mid-field hangar complex in that open area right by the gate.

SW: Luther I looked at that circular that talked about obstructions and I think even in last year's packet you had those portions of the circular or whatever from the. What is it? USPA. And they talk about obstructions and I thought about having a 45 degree plane coming off the jump. I wondered, because you and I never talked about this. We looked at a wide open area. The proximity to the SRE building and there's a weather tower. The AWOS tower is right near this jump area. At least note it. You know, check and see if it's in there but I would think at least acknowledge that it's there. And another item, airplanes parking up to that ramp is awfully close to that jump zone. Or do you not put. Remember when we always backed in, T tails, backed in there to get them out of the way. Perhaps, and I don't know why that area. I don't know. I'm just saying follow those guidelines as far as the obstructions. And at least note them. Because I believe that weather tower is right next to.

MW: It's pretty close.

SW: And it's pretty substantial.

LK: I don't have the full guidelines in front of me but the radius is just for stuff on the ground so stuff outside of it even if it's tall wouldn't be considered.

SW: No there's a plane a runway. I don't know what the approach is. It's like a 45 degree angle. I don't know what that equates to. But it's in those.

LK: I'm not familiar with that.

SW: Yes that was in with Luther, handed in that packet. But this isn't the exact one from what I looked at in the circular. I think that came from USPA.

LK: This is taken out of AC1052E. Just a general description how of where, this is talking about miles in the air, not 50 feet. This is a description of where you can expect parachutists generally, not a description of how the landing (unintelligible).

SW: I didn't bring that with me. I printed that page out.

LK: One thing Mr. Chair, you might be thinking of, is there was a proposal by the FAA to describe their own style of landing area recommendations and it was a little bit different than the USPA's. It allowed the landing area to be not a circle.

SW: I saw a lot of triangular pieces, is that what you're talking about?

LK: Basically, it would make more sense, so you could make it more like a runway because parachutists landing into the wind and very accurate left-right just like an airplane. But forward and backward, they don't have a motor so they're not quite as accurate forward and back.

SW: Right, right.

LK: So you could create landing areas to be more like what people use.

SW: I gotcha. But these obstructions like the tower, you could do that, narrow it and lengthen it or something to that affect.

LK: Yeah. In this description I was just showing that we did comply with what the USPA guidance was.

SW: Right. Well I remember you and I went through all this together.

LK: Yeah. That's right.

Member Seelye (DS): I think what we have to realize is the landing zone is a landing zone, but you're coming in a like a funnel, so you're coming from lots of other directions.

SW: In the circular it showed trees and described trees and an angle coming in and I don't know what a 45. We're used to a 20/1 or a 40/1. What's a 45 degree angle?

Unidentified male: It's just a different angle.

DS: As you know, my grandson jumps.

SG: You see it's coming right over from here to here. It may be up higher, but.

SW: Right. It depends on the winds.

LK: It depends on the wind. Yeah.

DS: But I just gotta say I've never been in favor of parachuting on airport. Luther knows that.

SW: And I know that.

DS: My grandson is p***ed off at me because I'm not in favor of it.

SW: And I remember Fred and some friends of his. I would take them out there on Saturday morning and they would shake their heads. And I said these guys operate straight, we're doing it on the dead here and it was dead. It's just scares me when I'm hearing the jets coming in and I'm hearing yahoo.

DS: I want to say that I really thoroughly enjoy watching them. It's fun to watch.

SW: So do I.

DS: But this happened before when Luther gave examples of airports and I never found, I don't know if Luther can now give an example of an airport that has the jet traffic that we have that has parachute jumping. I've not been able to find one. The one in Utah that you gave the example of, the tower stops all traffic when they're jumping. The one in San Diego they said that they land off field. There is just no example I found where we have this kind of jet traffic and this kind of traffic period where they allow parachute jumping on the airport.

LK: Mr. Chair. Deland, Florida. I believe I sent all of you.

DS: Deland, Florida doesn't have the jet traffic. I talked to them.

LK: They have jets based on the field.

SW: Let me butt in here. Rick and I had a client on Deland Airport. We were in his office when you sent the email to him. You failed to ask him how much jet traffic do you have? They had one base jet at that time. Deland is massive. It's an old military field. There are multiple runways. And skydiving is the life of that airport and its over in one corner. So compare Deland to Charlevoix is just apples and oranges.

LK: Mr. Chair. Their distance to their main runway to the landing area is the same we use plus they do 50,000 jumps a year.

SW: Right. But they have multiple paved surfaces there. They have a triangular shaped military field.

LK: But they don't use those surfaces generally.

SW: General aviation would use those. But again, they don't have the jet traffic. They have one based Citation there and it doesn't go out that often. Because I looked back and it said they had seven jets but that was from a few years back. So I don't think Deland is a fair comparison and I think Rick would support me on that.

Rick Hammond (RH): Yeah. It's a totally different airport. I go there to watch the skydiving.

SW: We both do. And we had a client.

RH: But they have like we were talking about a runway a chute where whatever they're doing out there when they get out of the plane and get down into the traffic pattern, they are basically coming down the runway or whatever you want to call it which is pretty cool. But it's totally separated from. They have so much more space there and not the volume that you get out here on the busy, during your season.

LK: They claim they have the volume when I sent them the questions and answers.

RH: It's a busy airport.

LK: Don did you get that? You never responded to my email.

DS: Yeah. I didn't have a good response. My response was pretty much what I'm saying now, that it's not the jet traffic we have at Charlevoix. I'd like to see some examples if we're going to go further with this with airports that have the kind of traffic we have on a 600 acre airport with all the jet traffic that we have and see how it works, because I have not seen that. I've not been able to find it so. At this point, I'm not in favor of landing on the airport frankly so.

RG: I can't say I am however, if we had an alternate site at the discretion of the manager, that could be a possibility. But when it is busy, I think it's a danger to many. And I think it would chase. I know a jet operator who I asked to come to the meeting, for personal business interests they declined. But their corporate pilots very much don't like it. And maybe you wouldn't either if you were a jet pilot you know. Another obstacle to dodge.

FR: If my memory serves me, the NOTAMS, just a generic one for the whole summer for parachute jumping in Charlevoix versus a daily one. Check with flight service and they'll tell you about jumping but it's the same recording basically over and over. I would like to see each day be from 9 to 1 on this particular day there is jumping instead of just saying in the summer there's going to be jumping all summer long.

RG: Specify the day.

SW: I think that was done though, wasn't it? Matt?

FR: The couple times I checked it, it wasn't.

SW: Oh, ok.

MW: Do your pilots post the NOTAMS?

LK: Yeah. But we do, we post it for the summer and it's on the chart.

SW: And that's another thing, the 5010 form. Putting a parachute on the sectional lets everyone know that we're a skydiving airport basically year round. I just. And being a private pilot when I was new and flying up north, if I saw a parachute, I wasn't going to go there. I mean I just wasn't. But people who are familiar with the airport probably wouldn't have a problem, but I. We're trying to promote business and getting more and more people coming in here.

LK: A lot of people come into town to skydive.

RG: Agreed.

LK: And we don't really do any advertising in Charlevoix. We advertise downstate, so the kind of people that come here to skydive, they're not like, we're not picking them up out of the current tourists. We're bringing new people in. I think it's a positive impact for the airport and also for the town. And the other thing that I wanted to say is, if we do this

Fridays and Mondays, I'd like the other operators agree to have a safety meeting for all their pilots so we can work out procedures for safety and for convenience of each operator.

SW: That just makes sense. I mean that should.

LK: Certainly does.

SW: Absolutely. Yes Fred.

FR: One of my students, a high-end business man (unintelligible), he just asked me one day, he kind of blew my socks off, he said what if I have an incident with a parachuter? Who do I sue? The parachuter, the operator, the county?

SG: The City.

FR: Where does the liability fall? He just wanted to know. He says well, he checked with his insurance company and I guess he was satisfied with whatever they told him. He never told me so we still came in here. But who holds the liability?

LK: Who holds the liability if you run into another airplane?

FR: Well it's between the two insurance companies after the FAA investigation and all that you know.

DS: It's not so much that in my mind, running into a parachuter, but it's more the distraction of a busy cockpit on a high performance airplane and now he's also having to watch for something outside. And on a big plane like that your roof is over so you're having to go like this to look. You're not just sitting here looking out the window. And you've got gear and flaps and speed and all these things going on in the cockpit and now you've got an extra distraction as well and I foresee a potential of a gear up landing or a collision or a stall. You know when I'm saying high performance it's not just jets, it could be a Bonanza or it could be anything where a guy's got plenty to do in the cockpit and the distraction of the skydiving is real.

MH: Or a woman has plenty to do in the cockpit.

SW: A person. But Don, going into a short runway with a cliff at the other end of it too.

DS: Right. Yeah.

SW: That doesn't.

DS: There's just a whole lot going on.

SW: Right.

DS: You're really multi-tasking and now you've got another thing to worry about and that's always been my concern. I'm not so worried about running into a parachutist as I am just the distraction of the.

FR: Well I think a takeoff would probably be more dangerous than a landing. Landing is a little slower, things aren't that critical. Takeoff, your deck angle could be anywhere and these little jets, 90 degrees if they're really light, probably going to push it up 12 degrees. And that's when they're really busy on takeoff. Landing things are a little slower.

SG: If you were to drop your parachuting people out on Barnard Road, you'd still be bringing people into town.

LK: That's true.

SW: I want to state and I've stated it before. I contacted everyone I knew that flew into the airport and nobody had an issue with skydiving. That is because they know the airport, they know the operation. But we want to promote and expand the airport to people that have never been here. Matt, you've witnessed it. A jet comes and oh when it's a Gulfstream, man this, well the higher speed airplanes, man this little airport and that's people that would say well we're going to steer over to Traverse City or something like that. That's what I'm concerned about. The regulars, and we're

not just going to concentrate on our regulars, we want to expand and get as many people out there as possible. And even though I don't have any documentation, I've been told by an aviation attorney that some corporations write into their specs, and I think Fred and back me up on that, no landing where there is parachute, sail planes and you know balloon activity. Because we are restricted by the short runway for those airplanes so.

LK: It seems like you could find a spec sheet that would say that, if that was true. I've never been shown that.

SW: A corporate flight department. Yeah as I said I've been told that, but I don't have anything on me so. But that's what I. But we encourage jet traffic, that's where the money comes from.

LK: My impression is that if a pilot of a jet came back to the owner and said you know I'd rather not fly into Charlevoix because they have parachute traffic, he would be fired or laughed at.

SW: Well.

LK: Parachuting is part of the national airspace system and pilots need to know how to deal with that just like they have to know how to deal with other aircraft flying the pattern, balloons, other parts of it. You know in AC1052E, I have it in here, it says, I'll just read it verbatim here: Most parachute operations take place at airports including having a parachute landing area located on airport property. That's from the FAA and then the United States Parachute Association, the specialist in studying parachuting and how it interacts with other parts of aviation, also recommends that. So I, I don't make this stuff up. I'm following the guidance from the Federal Aviation Administration and the United States Parachute Association.

DS: But the FAA goes to the minimum safety standard that they have to comply with. They don't go by what the financial impact of the airport and so on is or all the rest of it. They just say this is the minimum you have to have to meet to have this operation so.

SW: Well, another thing too is the FAA again we're talking jet airports. We can't find any that have skydiving activity, like I just can't.

DS: Why don't you jump at Traverse City for example?

LK: Well I live in Charlevoix.

DS: No. Why isn't there parachute operations in Traverse City? Not just you, in general.

LK: Why doesn't somebody jump there?

DS: Yeah. On a regular basis or Grand Rapids or all these bigger jet busy, busy airports.

SW: Well, those are 139 airports Don.

DS: Ok. So let's say Gaylord then.

SW: Charlevoix was one of the only non-139 primary airports so it's in a weird situation but it's no longer a primary because it's not getting the 10,000 enplanements.

RH: I just want to say I love coming up here. I'm happy to be retired from the State and not speak from a position of authority or anything. We're talking about how many of these meetings I must have been to over the years. It's nice to sit here and just kind of have my own little private opinion and not have to speak for the State but I think you're doing the right thing. You have to have this discussion. And the idea of the safety meeting with the operators on some sort of a regular basis, is a super idea. You're airport is unique. I was thinking it was a 139 airport. It's not but it has the traffic of a 139 airport. It's just like a 139 airport but it's not.

SW: Right.

DS: Can I put you on the spot Rick? And ask you, are you aware of an airport like Charlevoix, business wise, jet wise, and so on, that has parachute jumping? Any place, whether it's Michigan or any place else.

RH: No I'm not. And that's not to say that there is one. I mean there's not a ton of parachute sites across the country. But generally they're at an airport. The places I've seen most successful is they pretty much dominate the airport. It's a junky airport.

SG: Right.

SW: And does Charlevoix want to go in that direction?

SG: No.

SW: Three months a year.

RH: That's what you guys are getting paid for, or not get paid for. But I think the Hastings advice too is really smart because the times I got involved over the years with compliance and operational type issues involving skydiving almost 100 percent of the time it involved maybe having a set of rules set up at the airport and just wasn't being followed. And it got out of hand so either from the operational side, airport management, or the skydiving operation. That's why I say this is the right discussion and you really need to nail down your rules and the landing zone and meets standards. It's something you can live with and then you by God have to do it because so many times it just starts to kind of drift in a different direction where all of a sudden you see somebody out on the runway or somebody thinks they can drive their car out there to pick up their stuff. Things start happening and then you've got a real situation. And then you're right, jet traffic is entirely different. It's hard enough to see an airplane when your closure rate is so great, but when you're talking about human beings basically possible, it's very difficult. And I take exception to being fired because you have a operational concern at any airport. Any CEO or whoever runs a flight department for a major corporation that doesn't trust the chief pilot of their operation has the wrong person in the job. It's their job to come to you with those concerns. And I'm not saying, I just, I did that for a lot of years. I never worked for anybody that would of fired me for telling them that we shouldn't be doing this.

LK: You flew jets?

RH: Yeah, for the State.

LK: Did you ever fly into airports that had parachuting?

RH: Oh yeah.

LK: Did you ever tell your boss that you wouldn't fly into an airport with parachuting?

RH: Nope. But I can tell you it's a different animal. It is, I mean, you're. It's a different scan if you will for how to look for traffic. Traffic isn't going like this. It's going like this or like that. And a colorful chute open is relatively easy to see unless the closure rate on it is a couple hundred miles an hour. It's difficult. So when the chute's open over the airport it's a little easier to see them but you don't know where they're coming from. You don't know the pattern. You know the pattern of the aircraft. You don't know the pattern of a skydiver, you just don't, so it's nerve wracking.

SW: Go ahead Fred.

FR: You know one thing about aviation, I've been in it for over 50 years, you could write all the regulations you want and get all the standards, comply with all the standards. Not to pat myself on the back. I flew with the airlines for 38 years with over 30,000 hours of flying, and if I went by the book every single time I wouldn't be here sitting talking to you. There were times I had to stretch the law a little bit. And then if the FAA or NTSB has a go team out, are you familiar? If they have an accident, bus, train, something, the go team's going to the, with all their different experts. Well I was on the original team on accident investigation. When you get there the manufacturer is there covering his butt, the airport people are covering their butt, the FAA is there covering their butt. As you keep digging sometimes it takes a couple of years because a particular case took five years by the time it got to court and it was all straightened out. There were a lot of laws to comply with and guess what? A lot of those were broken but not intentionally. So when you get involved in aviation, you can have all the regulations and everything by the book but things happen.

LK: I'd say that applies to everybody in aviation, not just parachuting.

DS: Well, I'll just say again I'd love to see it work. I mean I thoroughly enjoy watching Ryan jump and everybody else and colors and the whole thing going on. I just don't feel that it's a safest thing and all it's going to take is if we have one accident, whether it's a collision with a parachutist or a gear up landing of a Lear jet or whatever you know. It's just one time, it isn't worth it so.

RG: I agree.

SG: I agree.

SW: I want to clarify a couple of things. We were throwing, I was throwing 139 for whoever doesn't know. A 139 airport basically is an airport with a ten foot fence and ID badges. Airlines and the airlines that fly here are small so they do not have to be, the airport does not have to be a 139 airport. So that was the big difference there Don. But it's so hard to find airports with that much jet traffic and skydiving going on. And like Rick talking about landing at airports with skydiving. I doubt any of them were 4700 feet long, 50 feet wide and.

DS: On 600 acres.

SW: With a wall at the end like that. That is a scary thing. So it's just us as a committee raising these concerns and I appreciate, I let the, did follow the agenda, but Miscellaneous did go into public comments so anybody feel free to speak. And Luther, as far as a CEO firing a pilot, that's not going to happen. The jets I've been involved with, the pilot always says that it's your call, it's your call. That's why they hire those people because they have their life in their hands. So I could never see that happening. I agree with Rick on that one. But anybody else have anything?

SG: I do. Excuse me. I don't know if anyone saw it but I didn't bring it with me but there was an article in the Petoskey News Review a week and a half, two weeks ago, about drones. And Matt and I spoke when he was at the conference there was some forum about that Matt?

MW: Yeah there was a two hour presentation on drones and how they are becoming an increasing potential hazard for airports. They're now called unmanned aircraft systems. They had some pretty scary stories.

SW: I thought they were UAV?

MW: Yep they used to be. And it's something they're trying to address and their rules and regs are developing by the day on how to approach this item. And I highly advise that this body and the City Council address that issue.

SW: See that would be a good thing to put in the Minimum Standards because then the ordinance carries over.

SG: That was going to be my next question. Can it go in the Minimum Standards?

SW: Matt, I sent you that UAV from out west and I believe that was a City Council resolution.

MW: Yes.

SW: Did you by any chance look that up?

MW: No, not yet.

SW: That was Sedona, Arizona and their City Council adopted that resolution within five miles of the airport.

MW: Under Part 107, drone operations or unmanned aircraft systems are permissible in Class B, C and D airspace with air traffic control approval. Class G airspace, you need no permission.

MH: What are we talking about?

FR: Anyone operating within five miles of your airport are required to contact you before they fly.

MW: And just, yes they are required to contact me and just inform me, not ask permission.

FR: Under how many ounces, there's a threshold also on that.

MW: 55.

FR: And they have to be below 400 feet.

MW: Correct.

FR: Now when we were (unintelligible) we had a FAA retired two-star general that came to the college at Northwest, very big in drones and made a presentation. And there was another two-star general who was the head of the Air Force in Iraq, he's very involved in drones. We were very fortunate. We had a very good briefing last week. So the head of the FAA, the guy that's writing all the regulations for drones was in Traverse City.

SW: I think the City should get out in front of that.

SG: I agree.

MW: I think they need to. It's not just for the airport but for the community downtown, the parade. People can fly them over groups of people because people on the ground are not aware of it.

MH: I was just going to ask again, so you reference different kinds of airspace which I don't understand but we get a fair number of calls at our office and we always refer them to the Airport. But one I would act on your question of can a drone regulation be in the Minimum Standards and two is that enough or do we need something? Is an airport regulation enough to do that to follow whatever we have to do citywide because I think a lot of questions we get are people who what to do views over Lake Charlevoix or Round Lake, Lake Michigan, the beach, different things like that? So I don't know what the appropriate place is for it but whatever you or the committee could come up with as guidance. If it can be contained within the Minimum Standards then that's it and that's enough. Or if it's in the Airport Ordinance as a separate stand-alone thing, but I think it would be helpful especially for the non-kind of aviation kind of things to be aware of what we can, guidance we can and cannot give. The standard practice, whenever we get a request, we just refer them to the Airport, but it would be nice if we had a more definitive statement.

SW: It would be good to have a document.

MW: I was going to provide that in the next meeting's packet, the summary of Part 107 and what's permissible and what's not permissible.

SW: Because realtors use those a lot. I noticed that. They're not all that high.

MW: Yep. St. Marys used one last year I believe. One of Island Airways aircraft had a close encounter with one. They were using that for surveying the construction site and they're operating I believe under a Part 3-33 exemption which at that time allowed them to do that. But yeah, I'll be.

DS: But just having the regulation, who enforces it? Do you call the police or what?

MH: Anti-aircraft guns on top of City Hall (general laughter) and I will man them and shoot them down (general laughter).

SW: Drones. They are remote control helicopters.

MH: Actually someone crashed in Round Lake. I think their battery ran out.

MW: They gave an example of a.

DS: What caliber did you use? (general laughter)

MW: They gave an example of a gentleman who flies his drone two houses down over his neighbor's backyard, filming his wife. The husband came out and shot it down.

SW: It was actually his daughter in Kentucky.

MW: Yeah, shot it down and.

SW: Shot the drone down with a shotgun the second time it came back.

MW: They were about to throw the man in prison because you cannot shoot at a U.S. registered aircraft. And that's what they are considered now, but because.

MH: I have a special exemption of Part 431. (more laughter)

MW: Because of the nature of the evolution of the regs, they decided not to do that. But anyway, it's something that should be approached.

SG: Ok.

MW: I guess I have one more comment too regarding the whole skydiving what have you. Luther's idea of a safety meeting, I think it's a great idea. Not necessarily pertaining to skydiving but you look at Oshkosh, you fly in there VFR and there are three airplanes on the runway at the same time. And that's all based on communication. Communication is paramount.

FR: Actually, there is no communication.

MW: It's one way. Correct.

SW: Have you done that Matt?

MW: Yeah, 2007.

Unidentified male: There's a guy out there with a flag.

Rachel Teague (RT): It's an amazing operation.

MW: I was actually told to go around because there were two light sports in front of me that had not cleared so. I wanted to right away but the gentleman next to me had flown in there before, he said you don't do a thing until they tell you to.

DS: I've probably flown in there 20-25 times.

MW: But anyways, communication.

SW: Any other public. Go ahead Tom.

VIII. Public Comment not regarding General Business

Councilmember Tom Oleksy (TO): It's been a very interesting meeting. What I didn't hear, God forbid should it ever happen, who is responsible in case there is an accident or fatality?

SW: That's the big question. You know lawyers go after everybody.

SG: The City.

TO: Everybody just.

SG: They could sue. The City could be sued. Deep pockets.

LK: Like Don crashes into a jet or something?

TO: No. Someone hits a skydiver for example. Not if, when. Like Don's talking about. It's going to happen someday. Accidents happen.

DS: I hope not.

TO: Well I do too. I hope to God that it won't happen but you know that's a pretty hazardous hobby. If you take me up there you'd see a brown streak all the way to the ground. But you know. (general laughter) You didn't hear that did you?

SW: Let's make sure Joyce didn't. Thanks Tom. (more laughter) Go ahead Luther.

LK: Tom, you weren't here last year when we were discussing, maybe two years ago now. One of the things that I brought up was that there's never been a fatality from a collision in a terminal area of an airport between a parachuter and an aircraft.

RG: That might owe to good local regulation too, which is what our responsibility is. But to try to wrap this up Mr. Chairman, I think we should continue to study airports with as many operations as we.

SW: Try to find the jet.

RG: If we can't find any of the, we should react accordingly.

SW: I agree 100 percent.

RG: With all due respect to Luther and everyone else in the room, it's just, it makes good sense.

SW: It does. It does. This is a very unique airport and I think we should be doing our due diligence on that.

DS: I have a different topic. I'm just curious; I know last year you were talking about a zero-turn lawnmower. I wonder if now there is money available to do something about the bigger Kubota to use that eight foot mower or do we have to get a new budget to do that.

MW: We're going to get by this year with the equipment we have. It was struck from the budget, the monies for the zero-turn in hopes that we will have a larger utility tractor that would be more feasible. Our Kubota is the most used piece of equipment out there. It serves both summer and winter operations and.

DS: How long have we had that?

MW: I don't know.

SW: 2012? Did you ever follow up on what Don and I talked to you about, the Kubota dealer's input on the mower?

MW: Oh the use?

SW: No the horsepower rating to the deck.

MW: No.

SW: Because you know we weren't really, we tried to give our input before on that. We were told it overheated. The mower was too big for the tractor and all that. And like Don says, just slow it down. But you might want to talk to Ginops about that just to double check that.

MW: Sure. Yep, certainly will.

SW: Angel.

Angel Welke (AW): Two things. Thank you for being proactive about the drones. You and I talked about that too. Matt called me. It happened to be 24 hours after we were on the 5th story of a hotel in Pensacola and there was a

drone covering at my eye level, taking pictures of the girls on the beach. And I heard it before I saw it and it was just making passes up and down the beach. And he was surprisingly high and he realized people were watching so he went over, it was a 10 or 12 story hotel, he went over it. Who knows where he was but I really like that you're being proactive about that. And number two. You talked about two airports, Hastings and Deland and talking about rules. Do they have samples of what they have that you could review as? You know, you're talking about regulation and you know continue to look for an airport that's more similar to Charlevoix but you got two already that you've talked about. Do you have copies?

SW: But they don't have the jet traffic.

AW: But at least it's a starting point and maybe there's something in there, rules that would help put everyone's mind at ease on the topic.

MW: If I'm not mistaken, Hastings, they set forth only tandem operations if I'm not mistaken. They put a specific rule in there regarding the traffic pattern. The operator that they removed off the field, he would drop in and cut people off. He wouldn't follow a standard traffic pattern for that airport.

AW: This all sort of goes hand in hand with revamp of the Minimum Standards that have been going on. So is this the time that you get, or have you talked to your consultant? They are your guy. Do they have any, you know, maybe they know of an airport that's similar or closer to your, maybe not exact, but you know. If it's pretty serious, so maybe it's time to get other input or see what other airports are doing.

FR: Matt have you gotten much usage out of that donation that Amway Corporation gave you on that ground power unit?

MW: Quite a bit. Last year was a good year for the unit. We had to rebuild some of the drive shaft generator. I'm not a mechanical guy, forgive me. (Unintelligible) We had it after the 2015 season, we had to strip it down and repair a few items. But, no it's been great.

FR: Is it listed in the Michigan directory that it's available?

MW: Should be.

FR: Oh. Check it out.

SW: For the record, that would have never happened unless Fred was involved.

MW: Appreciated.

SW: So thanks Fred.

MW: Now we had it for the first season, not many people knew we had it. And then this last season it really got used.

SW: It would be a great banner on that fence wouldn't it? You know, APU, along with your sewage cart.

MW: Yep. That's another one we need. LAV cart at some point.

RT: I have a couple of comments as well. Fresh Air Aviation absolutely supports a meeting of operators to discuss, I mean, we are, the two operators are the most active users of this airport. So having a clean line of communication and an expectation of how the skydivers can work. We can almost watch each other's backs, as well. Meaning if we're coming in and out and we see something we can address it as well verbally over the radio. We do fly a tighter pattern obviously. We communicate with the other jets as well, fill in, filter in and out. Also a strong force against everybody flying a standard pattern. That is safety, first and foremost, all operators, all times, all year. So seeing that enforced or at least strongly encouraged, it would be highly likeable for all of us and safety for the whole airport so. And also just trying to compare airports. The reality is, is that Charlevoix is a unique entity and operation. I don't think you're going to find an airport exactly like a carbon copy that you can use as a reference. You can use examples from different airports with different types of style, but seeing an exact replica of these types of operations, combinations of operations in an uncontrolled field, it's going to be difficult to say the least. But take the best from different airports, just

like what you're doing with your Minimum Standards. They have to apply to how your operation, what you're going to look like, what your future is going to be. But to think that we're going to find another airport that we copy right off of, it's probably not going to happen. Just throw that out there. So again, your Minimum Standards, just as you're talking about skydiving, just exactly what's happening at your airport, what makes sense to the type of operations that you have. The size of your field, the size of your runway, the type of airplanes you want to attract, etc., just keeping that in mind.

SW: Rachel, when you're talking about enforcing standard practice, landing practices, are you talking the right hand turn issue?

RT: That is a factor for all operators here.

SW: Right, but being a non-controlled field and it's.

RT: You can't enforce it, but you sure can encourage and support it. It's a safety issue.

SW: Oh sure. It's only common sense, pilots going to fly a standard pattern when it's busy.

RT: That's not 100 percent being done actually at the airport by all operators.

SW: Well I was there long enough to get my feel of that so right hand patterns are.

RT: By having a pilot meeting, that would help.

SW: Oh sure. It would be great, absolutely.

RT: So it would encourage and work together for the safety and for the positive improvement of the airport. We're all here for the benefit of the airport. And if the airport is not thriving, we're not thriving.

SW: Common sense. Thank you. Anybody else?

IX. Adjournment

Motion by Member Gibson, second by Member Seelye to adjourn the meeting. Motion passed by unanimous voice vote. Meeting adjourned at 11:13 a.m.

Joyce Golding/fgm

City Clerk

Scott Woody

Vice Chair

CITY OF CHARLEVOIX
CHARLEVOIX DOWNTOWN DEVELOPMENT AUTHORITY/MAIN STREET BOARD MINUTES
Monday, March 27, 2017 at 5:30 p. m.
210 State Street, City Hall, Second Floor Council Chambers, Charlevoix, Michigan

1. Call to Order

2. Pledge of Allegiance

Member Yaroch agreed to Chair the meeting in the absence of Chair Barron and Vice Chair Dipert.

3. Roll Call

Interim Chair: John Yaroch

Members Present: Fred DiMartino, Dianne DuPont, Tami Gillespie, Maureen Owens, Rick Wertz

Members Absent: Dan Barron, Kirby Dipert, Luther Kurtz

City Staff: Lindsey Dotson, Executive Director

4. Inquiry into Potential Conflicts of Interest

Member DiMartino stated that he may have a conflict on the façade grant application item. Director Dotson questioned if it was a conflict for Member DiMartino to answer questions about his application when the façade grant item was discussed. The Boardmembers agreed that Member DiMartino could answer questions as needed.

5. Consent Agenda

a. Minutes of the February 27, 2017 Regular Board Meeting

b. Minutes of the March 8, 2017 DDA Work Session.

c. Committee Meeting Minutes

Member DuPont questioned several items in the Economic Vitality Committee meeting minutes. She addressed the need for more parking in the downtown area. Director Dotson stated that City Manager Heydlauff was working on a shuttle service program as Co-Chair of the Economic Vitality Committee and that there should be a work plan before the DDA Board soon. She stated that the process was starting out slow to see if there is an actual demand for the service and she didn't think the schedule would be conducive to employees working in the downtown area. She stated that they could discuss the project more when City Manager Heydlauff was able to attend the DDA meeting.

d. Main Street Monthly Report for February 2017

e. Updated Job Description – Farmer's Market Manager

Motion by Member Wertz, second by Member DiMartino, to approve the Consent Agenda as presented. Motion passed by unanimous voice vote.

6. Reports

a. Director's Report

Director Dotson announced that she was pregnant and she will be out of the office for a period of time beginning in September. She stated that the location of the National Main Street Center meeting scheduled for April 12th will be at the Circle of Arts. Members DuPont and DiMartino advised that they will be out of town that day. Director Dotson also gave an overview of Junior Main Street Program and ways for high school students to get involved.

b. Branding Update

Director Dotson stated that their timeline has been extended because the research and themes that a5 developed were right on, but the imagery they provided was not what the Committee had expected.

c. Wayfinding Signage Update

Director Dotson stated that wayfinding was on hold until the branding work was complete.

7. Old Business

None.

8. **New Business**

a. Presentation of Donation from Cherry Republic, Inc.

Member Gillespie stated that they were going to wait until the City Council meeting for the presentation.

b. Mission Statement Update

Director Dotson stated that the Organization Committee reviewed the current Mission Statement. She explained that what the DDA created during the 2015 Baseline Assessment was actually a vision statement, not a mission statement. The proposed Mission Statement read:

"The Mission of the Charlevoix Main Street Program is to strengthen the year-round economic vitality of our vibrant historic business district through community efforts, events, public and private partnerships, while fostering a sense of community pride and ownership."

Motion by Member Owens, second by Member Wertz, to adopt the new Mission Statement for the Charlevoix Main Street Program as written. Motion passed by unanimous voice vote.

c. Proposal to Upgrade Performance Pavilion Sound System

Director Dotson stated that when the DDA Board approved the budget for the new fiscal year, she included \$15,000 for the sound system improvements. She stated that Charles Winnell was present to address any questions about the proposal. Discussion followed regarding specifics of the proposal.

Motion by Member DiMartino, second by Member Gillespie, to approve the proposal for the upgrade to the Performance Pavilion Sound System at a cost of \$15,454.17. Motion passed by unanimous roll call vote.

d. Facade Grant Application - DiMartino

Member DiMartino stated that he could answer questions as needed and then he stepped down from the dais. Director Dotson recalled that the Design Committee was mindful of the time sensitivity of the application, calling a special meeting to review the application. It was approved by the Committee and was pending DDA Board approval for the funding. She stated that it was a phased in project of 2-3 years at a cost of \$17,500, but the maximum allowable grant is \$10,000. The Design Committee recommended approval of the \$10,000 for the grant. Director Dotson stated that the applicant was planning to retain as much of the existing facade as possible and the mission was to retain the historical integrity of the building. Member DiMartino stated that he was spending \$66,000 just for the brick. He explained the timeframe for the project and that his goal was to have Cherry Republic back in the building as soon as possible.

Motion by Member Wertz, second by Member DuPont, to approve the facade grant application at the maximum amount of \$10,000. Motion passed by unanimous voice vote with Member DiMartino abstaining from the vote.

e. Facade Grant Application - Kurtz

Director Dotson stated that she received the Kurtz application after the agenda was distributed for the Design Committee special meeting. The Committee decided that since it was not on the agenda that they should not discuss the Kurtz application. She stated that they could not call another special meeting because John Campbell was out of town. Mr. Campbell suggested that because this was also a time sensitive project, the DDA Board could weigh in on the application before the Design Committee meets this week so they can take the DDA's considerations into account when they review the application.

Bryan Noirot, Contractor, stated that he was present to represent the applicant. Director Dotson noted that the application included a sketch of the work to be done on the facade. She stated it was a historic building and it was considered a contributing resource if they were to move forward with a historic district in the future. She emphasized the positive impact of the project, further described the details of the project and Mr. Noirot responded to questions from the Boardmembers.

Motion by Member Owens, second by Member DiMartino, to approve the application as presented pending the Design Committee decision on April 6th. Motion passed by unanimous voice vote.

f. Work Plan Approval – Concert Series.

Director Dotson reported that two Co-Chairs, Sarah Hagan and Jean Musilek were appointed for this season. She stated that they were adding street performers (busking performers) to every week of the series at various locations within the downtown. Member Owens stated that they were also discussing having a movie night once in June and August.

Motion by Member Wertz, second by Member DiMartino, to approve the Work Plan for the Summer Concert Series for 2017 as submitted by the Promotions Committee. Motion passed by unanimous voice vote.

9. **Public Comment**

None.

10. **Request for Future Agenda Items**

None.

11. **Board Comments**

Member DuPont stated that she wanted to thank the City Manager for the signs indicating that the bridge would be closed, but she stated that earlier that day all the signs were still covered up.

Member DiMartino commented that the Design Committee was very helpful when he spoke to them regarding his façade grand application.

Member DuPont stated that she had heard several times that Johan's Bakery was going to move into "Jimmy's" and Director Dotson stated that was not true.

Interim Chair Yaroach questioned if they were doing anything to recognize outgoing Chair Dan Barron, for his work on the DDA for over twenty years. He suggested a plaque from the City Council and possibly a reception after the next DDA Board meeting, and Director Dotson stated that she would see what could be arranged.

12. **Adjourn**

Motion by Member DiMartino, second by Mayor Gillespie, to adjourn the meeting. Motion passed by unanimous voice vote. Meeting adjourned at 6:36 p.m.

Joyce Golding/fgm

City Clerk

John Yaroach

Interim Chair

CITY OF CHARLEVOIX
AIRPORT ADVISORY COMMITTEE MINUTES
Tuesday, March 28, 2017 — 10:00 a.m.
210 State Street, City Hall, Council Chambers, Charlevoix, MI

I. Call to Order

The meeting was called to order at 10:02 a.m. by Vice Chair Woody.

Roll Call of Members Present

Vice Chair: Scott Woody
Members Present: Shirley Gibson, Richie Gillespie (10:30), Don Seelye
Member Absent: Ken Tough
City Staff: Mark Heydlauff, City Manager; Matt Wyman, Interim Airport Manager

Motion by Member Gibson, second by Member Seelye to recess the meeting until 10:45 a.m. due to a fog delay.
Motion passed by unanimous vote. Meeting reconvened at 10:30 a.m.

II. Inquiry Regarding Possible Conflicts of Interest

Member Seelye stated that he would have a conflict on Item VI-B, RTTF Agreement Review.

III. Airport Manager's Report

Interim Airport Manager Wyman stated that air traffic will be paralleling the weather so they should expect to see an increase as the weather improves. He stated that they began spring maintenance of the snow equipment. He reported that he spoke to David Joy about final paint markings on runway 9-27 to be completed in May.

City Manager Heydlauff stated that they held the mandatory pre-bid meeting for the FBO (Fixed Base Operator). He emphasized the fact that the City was interested in the broadest range of ideas and opportunities that firms may propose and to consider those in light of what was currently in their Ordinance or Minimum Standards. He stated the company's represented were: Pellston ARFF, AvFuel, Island Airways and Fresh Air. City Manager Heydlauff stated that he explained to the companies that the City's goal was to improve financial performance, reduce the City's liability, and increase customer service. City Manager Heydlauff explained the bid review and approval process for Member Gibson.

IV. Public Comment regarding General Business

None.

V. General Business

A. Hangar Development

Interim Airport Manager Wyman stated that he met with Jim Malewicz of Performance Engineers regarding the location of Kermit Sutton's 80' x 90' hangar on the southwest corner of the overflow lot. He noted a timing challenge with funding of the taxiway connecting Mr. Sutton's hangar to the west ramp. If they wait for federal grant money the timeline would be fall 2018. Interim Airport Manager Wyman suggested another option was using their \$300,000 State Block Grant money or Mr. Sutton could invest his own money to build the taxiway. He stated that since that area was going to be used for potential growth and development, the taxiway has to be constructed to FAA standards. Vice Chair Woody wondered if he could use temporary asphalt surfacing until the funds become available. Interim Airport Manager Wyman noted that the larger proposed hangar would not be built until later next year.

Interim Airport Manager Wyman explained that the sketch showing the two hangars, one on the east side of the field and one on the west side of the field was requested by 880 Romeo/Juliet, Bay Harbor. He stated that if they were to develop and build on the west side of the field they would have to put in their own taxiway. That taxiway would serve only their hangar and could be a two-track per FAA ruling.

Discussion followed regarding a temporary taxiway for Mr. Sutton's aircraft and possible locations for the hangar. The Committee directed Interim Airport Manager Wyman to determine the best location for the hangar with the engineers.

B. RTTF Agreement Review

Member Seelye moved into the audience. Vice Chair Woody stated that Don Seelye had a verbal agreement with the City for access to the Airport. In recent years the FAA added documentation to prove/justify why someone has this access. The issue is that the FAA says that Mr. Seelye would have to compensate the Airport for access. Vice Chair

Woody stated that a ramp pass for a single engine airplane to access the airport for the whole season was \$250. He stated that the numbers that Mr. Seelye showed him at \$250 a year gave him 30 years of access. The problem was that this was not a written agreement.

Mr. Seelye reviewed the history of his property and summarized that he paid \$18,000 for the gate and access to the Airport from his property. He stated \$18,000 divided by \$250 a year would cover 70 years. He noted that he installed his taxiway at his expense, he paid for the installation of the gate, and he pays for the power to the gate. Member Gillespie stated that Mr. Seelye was a no-load tenant who put in all his own amenities and he questioned if the City had to collect \$1.00 a year for an agreement to make this legal. City Manager Heydlauff suggested an addendum to the 1994 agreement and the Committee agreed. Interim Airport Manager Wyman stated they should include some "grandfather" language in the Minimum Standards regarding Through the Fence (TTF) agreements. Member Seelye returned from the audience.

C. UAS (Unmanned Aircraft System)

Interim Airport Manager Wyman stated that Unmanned Aircraft Systems (UAS) was a hot topic at the conference he attended and the FAA foresees it being an issue going forward. He searched for different cities that were restricting UAS within their City boundary. He referenced an FAA Newsletter that summarized Part 107, Small Unmanned Aircraft Rule. He stated that in Class G airspace prior approval for a UAS was not required. He noted that a hobbyist only had to inform the airport that he would be flying a drone and the airport could not prevent them from flying. Interim Airport Manager Wyman suggested a restricted area by Ordinance where drones could operate within a five-mile radius. City Manager Heydlauff stated that even if they established a five-mile radius they could only enforce the restriction within the City limits. He suggested that the Committee draft an ordinance to present to City Council for their consideration. City Manager Heydlauff indicated that portions of the Airport were not within the City limits so they could restrict activity on the airfield by way of the Minimum Standards, and an Ordinance may/may not apply to the entire Airport.

VI. Miscellaneous Business

Member Gillespie (RG): I have a comment about last week's meeting regarding the skydiving. I would think it's fair to say that the unanimous feeling in the room was that it presents a danger to jets and aircraft and we tend to dance around this for whatever. I don't know if it's concern for the Mayor or whatever. But we have the greatest example in the country right at Harbor Springs. They don't allow it and I think we're too hesitant here to make a decision. I think Harbor Springs is our example and there's plenty of opportunity. Because I want to see skydiving, big time, continue, but as a pilot, it intimidated the hell out of me the day I taxied out and turned into a canopy. I was like.

Vice Chair Woody (SW): And you're not the only one. In the Michigan aviation documents there is only one airport in the State that has jet traffic and skydiving and it is Harbor Springs. And they land offsite and there is no other examples. So I totally agree with you. I made my statements clear. Now it was brought up by Luther, a certain advisory circular he was quoting. At the very least we need to be following that advisory circular. But something I don't know if we addressed, was the hangar construction may interfere. And that advisory circular is very detailed on the drop zone and hazards and all of that so I mean at the very least we should be following that. And that may say there's not enough room. But you know I spoke about it last week and my issues with it. People have choices when they come up north and you know we have a very busy operation here in the summer. And I agree. I mean I don't know this committee can make recommendations to the City. But again, we're in Miscellaneous. If we, I think maybe possibly discussing this further at the next meeting and going over that AC. I will make sure everybody has a copy of it.

RG: I think we need to deal with it. We sort of dance around it and we need to deal with it. Again, if Harbor is not doing it then we probably have three times the jet operations, 25 times the traffic. And in terms of using the shoulders of our Charlevoix Airport, that's not enormously larger than Harbor. It's, we've got a little bit more room on the edge, but like I say with all due respect to Luther or anyone else, it just makes sense to have them drop. And I've had people out Barnard Road way offer to allow it to happen because people would enjoy it. So enough said, but I think we got to quit messing around with it and we gotta deal with it.

SW: I agree with you. I'll send out that AC to everybody and then we'll discuss that AC and that at the next meeting.

RG: So will we meet again before the 17th then?

City Manager Heydlauff (MH): The meeting would be the 24th.

RG: Ok.

SW: And the 17th is the bid that's coming, so we could discuss that too at that meeting.

RG: The bids are finalized or due by the 17th Mark and then you and Council or whomever start breaking them down or how.

MH: The logical next meeting would be the meeting on the 24th.

SW: And getting back to skydiving and that's why I invited Luther to the last meeting.

RG: Right.

SW: Right. I figured he should be here to discuss this but, I asked him three times why he won't operate like he's done successfully at Harbor Springs and if I remember correctly, the only answer I got was I live in Charlevoix.

RG: Well, I don't blame him because it makes the operating easier but the increase in danger to others is very significant and the power lines going up and down, what street is it? To the north of the.

Councilmember Tom Oleksy (TO): The cement plant. There's the cement plant.

SW: Carpenter.

RG: Carpenter. Then the other lines to the south.

TO: That's a 138,000 coming in from the south in that plant. I worked on the secondary and stuff.

RG: I just think there's a lot of, if we want to address all of the safe/non-safe issues.

SW: Right.

RG: Regarding it.

SW: That's why I say the circular may prove it's not a safe place.

RG: But again, just as a pilot. I don't know if it has happened to you Don, but as a pilot it scared the hell out of me.

Member Seelye (DS): My only concern as a pilot is when I know there's a jumper, I'm much more on edge looking. Where is this guy? Which way are they turning because they're not following any pattern? You know they turn this way and that way and they're coming down.

SW: And they're not in communication. There's very strict language on communication too with skydiving operations within that circular.

RG: And lastly, at least for me, now I've forgotten thanks. Now what was it?

SW: The safety and security.

RG: Well no, right, but oh. I mentioned this to a person one day after our meeting three months ago and they said my buddy is just freaked out about it. The pilots are very upset about it and the man's wife was more upset. I asked if she would come to the meeting last week and declined because of their business interests and understandably so. But that says something also. So Luther Kurtz, one man, could make this a lot easier for all of us with a little bit of inconvenience for that one man. And if they did it at Harbor they should be able to do it here. Save a lot of hassle.

SW: My point exactly. Operators up there for many years.

RG: Enough said.

DS: A question I kind of neglected to bring it up. I know Ken can't make it all through the winter here. And I think he's great, a great guy to have on the committee but should we maybe consider somebody else instead that can be here for all meetings?

SW: Possibly. Last winter, this is kind of unique, he, it's not every winter, last winter he was here. He just goes for short periods. But I think he'll be at the next meeting.

DS: Ok. No I have nothing against him but I think more heads are better.

SW: Oh no, absolutely. He'll be here. He comes sometime in April, so maybe if he goes away next year we should think about something. To change now, when he's coming back and do something different, I don't know about that but maybe next, before. That's a very good thought. Don, you had a list of airports that were furnished to you for skydiving. Do you still have that list?

DS: It's in my files.

SW: Ok. Yeah, maybe you could share that with us because I did more research and I found.

DS: You're talking about the list from Luther?

SW: Yes. And I found a Venice airport which I used to spend a lot of time at in Florida, just started to jump. And they have jet traffic. They have a jet center. But they again are much larger, they are an old military airbase so you can't compare that to Charlevoix.

DS: We're in tight space, really we are.

SW: Well the pilots have one choice. And the fact that they have to look out for the canopies are one more, and I can say not a necessity, they have to look out for those and that's what I'm concerned with. The people that never come in here. Short narrow runway, with a 150 drop off at one end.

RG: Two flying services continually.

SW: Exactly.

RG: And all of a sudden someone jumps out of an airplane.

SW: Right. And what surprised me last time and that's why I wanted Luther here, was we kept going around about the dates. And we were told by Liz that he's not going to operate on holidays and last week we were told that he's going to operate any day he wants and wanted compensation if he didn't. So that changed from what we were told.

RG: So it keeps leading back to an offsite landing zone.

SW: It does. That would fix.

RG: And everybody would get along just.

Councilmember Gibson (SG): Then he can operate seven days a week.

SW: Exactly. And the airport would encourage activity like that.

DS: Someplace I saw a video years ago of a dot in the sky and you're flying toward it and how quick you have to react to miss that dot. Now this example was another airplane closing speed, but if it's a person hanging on a string that's pretty small to see. From the time you see it and you don't even know where it's going. I mean an airplane has got a

track that it's following but a parachute can be anywhere. I'd love to find something like that if anybody knows where we can get that as an example of how quick you have to react for this thing to see in front of the airplane.

SW: Angel, do you have anything to add?

Angel Welke (AW): Uhm, I've, I've, that didn't sound very articulate. This has been a very difficult topic for us. We do a lot of flights you know. On a busy July day it's not uncommon that we'll have four planes, four pilots and do 25 flights. I mean, they are long days. The guys have enough to deal with. We typically bring in one or two new pilots a year in the summers and they're new to the area. We're throwing a lot at them. There's a lot of really good guidance, I agree with Scott, there's a lot of really good guidance. I think Mayor Kurtz put some stuff on the table but I don't think that he's maybe following everything. I mean after the meeting last week, I did go home and do some research. Charlevoix, according to the jumping association that he quotes a lot, does not have a special drop zone.

RG: What was that circle on the map?

SW: That's all it was.

AW: When you go to the source that he cites, there isn't actually a drop zone in Charlevoix because it hasn't been officially been pursued. Then you go back track through some of the FAA documents and to have a drop zone you know they have to have ground to air communication. Paul went round and round with Luther last year with respect to being in communication. There's only one radio in his airplane. If he's talking to Center, he's not listening to us. We have two or three radios in the planes because the guys are listening to everything. This is going to make me really unpopular but I don't think it's the safest thing we've ever introduced in Charlevoix. And I'm putting my neck on the line saying this.

RG: Better your neck than the rest of us. (Unintelligible) your airplane.

AW: No. It's better. I think we need to have a honest decision or a discussion about this. This is affecting a lot of people. It's affecting a lot of commerce. You know I've had passengers say to me did you guys see that parachute out there? Yeah. What am I supposed to say? You know we're trying. It changes our flight schedule. We got a schedule down last year that he's not going to jump on these days and by God jumpers away, jumpers away. I went bat s**t crazy. Sorry, sorry I'm on the record.

RG: That's alright.

AW: I called and said what are you doing? You're not supposed to be jumping today. I changed my mind.

SG: Oh my God.

AW: No, no. We had an agreement. That's how I feel.

DS: Who establishes the jump zone? If it was ever established.

AW: It's supposed to be put through with paperwork according to this site the Mayor gave the jumpers USPGA or PG or whatever it's.

SW: Well that advisory circular.

AW: When you go to, here are the jumper zones in Michigan, Charlevoix is not one.

DS: But is it the airport's job or Luther's job or?

AW: It's not clear to me. But the FAA does have guidance. A drop zone has to have a circle mark around it. It has to be either painted in the ground or grass. It has to be delineated. They have to have a radio at their table so they can talk to the airplane. They don't have that.

SG: So, so, what if and I don't want to see us move forward with a drop zone and all that and waste our time with that. I would rather see the drop zone offsite.

AW: I agree whole heartedly.

SG: So I don't want to waste my time with that. But if there were a bonafide drop zone, what means, what if they don't hit that drop zone.

AW: Well and that's the big thing. Richie dealt with it. We've all dealt with it last year. I watched them drop on the grass runway. I watched them drop behind hangars. They were never where they were supposed to be. Ever.

SG: See so.

AW: Well, I shouldn't say ever. They missed a lot. They missed the drop zone a lot. And what are they aiming for? There's no circle out there.

SG: Yeah.

AW: Now George skydiver. You land over there. What does it mean?

DS: And it's not. You don't know so much that it's the tandem guys as it is. They had a lot of sport jumpers.

AW: Right.

SW: I didn't think they had any.

DS: Oh yes they do.

AW: Yeah they got a lot of solo jumpers.

SW: I haven't seen any solos.

DS: Oh, I have.

SW: I thought he said that. They only do tandems. I thought that's what he said.

AW: On those Fridays when he does a lot, he tends, because they do them faster.

DS: They'll go up with tandem guys. And they'll take one or two tandems and then there'll be a single sport guy sometimes. Not a lot.

AW: Not a lot, but they're there.

DS: And those guys don't know that the marking so much of where they're supposed to be so.

AW: Well there really isn't one. On your map over there, well you guys have seen the map that was circulated. It's, it's not. There's no circle in the grass or there's no indication, you know, that's where you're supposed to land. In the pictures in the packet there's no circle, I mean just. What are you aiming for?

RG: And the day that I taxied out they were landing over by Carpenter Street.

AW: Right.

RG: Or that's where their table was. Now I've seen them over at the west end of the ramp.

AW: Right. Some of those had to do with construction and so on. But you know, I guess if we're going to follow rules we're going to follow all of them. I don't get to cherry pick and you know, I just. I didn't realize the official drop zone until the meeting last week and I went home to do some reading on it because I had some questions.

RG: Well quite frankly I think the City should be more concerned about this than anybody. In terms of liability for.

SG: I'm very concerned.

AW: I know my insurance guy is not tickled that it's going on because we have raised our insurance levels because this does add a layer of liability.

RG: Sure.

DS: Everybody needs to understand.

RG: We're beating a perfectly good horse to death.

DS: There's a circle on the airport. That doesn't mean they jump out over the circle.

AW: Right over the circle every time.

DS: They gauge it by wind and they could be two-three miles in any direction from that circle when they get out of the airplane. Then they drift toward it so if they come from the northwest any direction so.

AW: Well the other thing we could do. We talked about a lot of different airports last week so I went back and in one of the FAA publications they talked about some of the same airports. And it's like comparing apples to tennis shoes. You know, there are some of them, they are skydiving airports. That's one that. They want you to skydive every day of the year and drop as many people you can out of an airplane. Well there's no air taxi there, there's no us or Fresh Air, there's no jet, there's. You know all of the enplane or not enplanements, all the operations there are or sorry skydive operations.

Interim Airport Manager Wyman (MW): Dedicated airport.

AW: That's, that, they're more.

RG: They're more dedicated to that than transient traffic.

DS: Right.

AW: Yeah when you look at like the number of based aircraft they're all single engine 182's. Well they're all skydive airplanes. Sure there's 25 of them based there. That's all they do. But when you look at some other airports Harbor Springs. How many based aircraft are there? How many have, you know, it's a very different airport and they jump off the airport. You know it's just, it, it's a very unique airport. I supported too. I think it's good for Charlevoix. I think it's good to have something different to do. I said it from the beginning, the year Scott allowed it for the first time and jumped off airport. We didn't so much as have a blip of a problem, nothing.

RG: Well I think we need to get back to that.

SG: Yeah.

RG: Alright, let's wrap this up or whatever.

DS: Well I was just going to say we have spent hours and days on this with Council the last few years and I think it's time to bring it.

RG: To a head.

DS: To a head. And solve it. Whatever we do we've got to do something so.

SW: Ok. Any public comment?

VII. Public Comment

None.

VIII. Adjournment

Motion by Member Gillespie to adjourn the meeting. Motion passed by unanimous voice vote. Meeting adjourned at 11:40 a.m.

Joyce Golding/fgm

City Clerk

Scott Woody

Vice Chair

CITY OF CHARLEVOIX
PLANNING COMMISSION RENTAL REGULATIONS SUBCOMMITTEE MINUTES
Monday, April 10, 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 Golding.

2. Roll Call

Members Present: RJ Waddell, Rick Golding

Member Absent: None

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

3. Approval of March 13, 2017 Minutes

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

4. Approval of Agenda

Motion by Member Waddell, second by Member Golding, 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 Other Agenda Items

None.

6. New Business

A. Review and Discussion of Draft Ordinance

Member Waddell stated that as directed by Planning Commission Chair Chamberlain, he contacted the Police Chief who said that he would rather not get involved with the situation at this time. He also contacted Mayor Kurtz about having a joint meeting with City Council and the Mayor said he was more than willing to put them on the agenda, but that there had been no Council discussion about short-term rentals so he didn't know where the information came from last month that City Council would be coming up with their own ordinance. He stated that the Mayor really liked the process they were going through and he wanted them to continue before they came before City Council. Subsequent to that conversation, the Mayor contacted Chair Chamberlain who asked that the Subcommittee to continue with the process so a meeting was not scheduled with the City Council. Member Golding indicated that City Council was pleased with their accomplishments to date and he felt that they should take their time to do a thorough job.

Staff Planner Lucas presented a draft ordinance for discussion. She proceeded to go through the definitions and sections included in the draft ordinance in detail:

- *Bed and breakfast* – no clear delineation between the definition of bed and breakfast and short term rental. She stated that the key difference is that a bed and breakfast requires that the residence is owner-occupied. She stated that this definition could be clarified in the Zoning Ordinance rather than in a short-term rental ordinance.
- *Bedroom* – no changes.
- *Good Visitor Guideline Materials* – requires that the Planning & Zoning Department would prepare the Guide. Member Waddell recalled including pet restrictions. Member Golding reiterated that the Guide should be available as a link on the City's website.
- *Local Agent* – no changes.
- *Short-term rental* – Interim Planner Panoff stated that "boarding house" was still proposed to be included in the Zoning Ordinance. Member Waddell felt that they needed to add a definition for "boarding house."
- *Motel/Hotel* – no changes. Member Waddell stated that there may be a concern with the docks at the Northwest Marina which were under the condominium clause and many of them are rented by the week in the summer time. Staff Planner Lucas stated that they may need to include a definition of "dwelling" in the ordinance.
- *Registration required* – change "two (2) or less weeks" to "two (2) or more weeks".
- *Application* –
 - Member Waddell stated as an example a large home had three separate apartment units in it, thus there should be three registration forms completed.

- Agreed to include parking restrictions in Good Visitor Guide.
- Member Waddell felt that owners should provide sleeping accommodation numbers, rather than establishing a rule such as two persons per bedroom. Member Golding stated that they should also ask how many bedrooms in the rental unit. After discussion, the term "occupancy number" was preferred.
- Delete: "the length of typical rental period for which the applicant intends to rent the property."
- Member Golding stated that they should share the recommendation of the National Fire Protection agency with the owners: one smoke detector per bedroom and one carbon monoxide detector per floor. Member Waddell felt that this should not be included in the registration form, but as an outreach to the landlords.
- Member Golding suggested including a tagline under the signature on the registration form that read: "By signing this I certify that I will provide a copy of the Good Visitor Guide to tenants" which would be unenforceable, but it would be a good requirement.
- Discussion regarding whether or not the dwelling unit was used as a short-term rental for at least 15 days during the 2016 calendar year or a previous year; number of weeks available per year; number of weeks rented in previous year as beneficial information for the City to have to determine trends.
- Administrative fee, if any, to be set by City Council.
- Discussion followed regarding whether a business license or tax id number would be required and the members felt that should the City choose to require either one that could be included under the category of "Such other information as the City deems appropriate".
- *Short-term rental regulations:*
 - *Contact information posted in window:* Include local agent contact information only; delete requirement to post maximum occupancy of the dwelling unit in the window.
 - *Street address posted within dwelling unit:* Delete section and include in Good Visitor Guide.
 - *Maximum occupancy:* Delete section and use the number of bedrooms and how many people are sleeping the home.
 - *Smoke detectors and carbon monoxide devices:* Delete section and include in Good Visitor Guide.
 - *Noise and nuisance:* No changes.
 - *Parking:* Delete section.
- *Inspections and Conditions:* No changes.
- *Suspension or Revocation of Short Term Rental Regulations:* No changes.
 - *Revocation Procedure:* Change owner to owner/agent. Member Golding stated that a hearing and an appeal process would need to be established.

B. Review of Other Subcommittee Materials
None.

7. **Old Business**

A. Next Steps for Subcommittee

Member Golding felt the next steps should be a review of the revised ordinance with the changes discussed and review to the registration form. Member Golding stated that the Planning Commission report should indicate they were back on track towards developing an ordinance for a registration process for implementation in 2018.

Leilani Durbin questioned if the Subcommittee would be open to multiple registrations if a dwelling had multiple units, but only one registration fee for the property. Member Golding stated that it could be a consideration. Member Waddell noted that a tri-plex did not have three tax i.d. numbers.

8. **Next Meeting Date**

Staff Planner Lucas asked to change the May 8th meeting time to 2:00 p.m. instead of 10:00 a.m. and the members agreed.

9. **Adjournment**

Motion by Member Waddell to adjourn. Meeting adjourned at 11:24 a.m.

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

C. Inquiry Into Potential Conflicts of Interest

Chair Chamberlain recused himself from the donation discussion as he did the work on the survey for the subject property.

D. Approval of Agenda

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

E. Approval of the March 13, 2017 Minutes

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

F. Call for Public Comment not Related to Agenda Items

None.

G. New Business

1. Consideration of Veterans Memorial Flame Donation from Mike Bartz

a. Staff Presentation

Interim Planner Panoff stated that Mike Bartz submitted a proposal to donate an eternal flame light for the Veterans Memorial. He stated that the Electric Superintendent did not have any issues with the light and he agreed with the \$11.80 annual charge for electricity to run the light.

b. Applicant Presentation

Mr. Bartz introduced Joe Siddell, VFW Post 226 Commander, and stated that a light on the Memorial would be a great benefit. He noted that the veterans would monitor the light.

c. Call for Public Comment

None.

d. Planning Commission Discussion

Member Golding agreed as a 20-year Navy veteran that the light was needed and he recommended approval.

e. Motion

Motion by Member Golding, second by Member Clock, to approve the installation of the eternal flame light on the Veterans Memorial. Motion passed by unanimous roll call vote.

2. Public Hearing: Proposed Zoning Ordinance Amendments for Single Room Rentals in Owner Occupied Structures

a. Staff Presentation

Interim Planner Panoff stated that the City Attorney reviewed the language and there were a few small adjustments, but the intent was the same as previously discussed.

b. Applicant Presentation

None.

c. Call for Public Comment

None.

d. Planning Commission Discussion

Member Clock questioned if window signage was allowed, and Interim Planner Panoff responded that window signage would be considered as exterior signage and was not allowed.

e. Motion

Motion by Member Clock, second by Member Felter, to accept the proposed Zoning amendments regarding single room rentals in owner occupied structures as outlined on pages 8-10 of the agenda packet. Motion passed by unanimous roll call vote.

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. McSaubia 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. McSaubia 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.

2. Zoning Code Review

a. Staff Presentation

Chair Chamberlain rejoined the meeting. Staff Planner Lucas stated at the last couple of meetings the Commission reviewed recommended changes to the Zoning Code that could be submitted for approval and be on the books by September. She introduced Elise Crafts, Networks Northwest. Ms. Crafts reviewed each of the recommended changes in detail and responded to questions from the Commission. She indicated that she based many of these minor changes on Alpena and Rogers City's Zoning ordinances. Discussion followed regarding Section 5.71, Setback Requirements, and the Commission agreed that a house located on a corner lot would have two side setbacks, two front setbacks, and no rear setback. Staff Planner Lucas stated that next month they would review the Sign Ordinance, and the revised draft of revisions to the Zoning Code.

b. Planning Commission Discussion

None.

3. Update on Short Term Rental Subcommittee

a. Staff Presentation

Member Waddell contacted Chief Doan who reiterated that there were only certain short-term rental homes that had issues. Member Waddell spoke to Mayor Kurtz regarding a joint meeting with City Council because they were informed that some Councilmembers were planning their own short-term ordinance if the Subcommittee did not create one. He stated that Mayor Kurtz was agreeable to putting them on the agenda, but Mayor Kurtz said Council hadn't talked about short-term rentals at all and he wasn't certain "where this was coming from". Mayor Kurtz said that he liked what the Subcommittee was doing and he would like to see them go through the process.

Member Waddell stated that the Subcommittee met that morning and decided to prepare a registration ordinance for rental property owners with Council establishing fees and/or penalties related to the registration process. He stated that they were also developing a Good Visitor Guide and he felt that the ordinance would not be in place until 2018.

b. Planning Commission Discussion

Member Waddell stated that as a point of order he was now a Co-Chair and asked that Member Golding serve as Co-Chair as well. With former Member Roth's decision to not request reappointment on the Commission, Chair Chamberlain stated that he wanted to ask Member Halverson to sit on the Subcommittee because of his background as a former Police Chief and his career in real estate. Member Waddell stated that their next meeting would be at 2:00 p.m. on May 8th.

I. **Staff Updates**

Staff Planner Lucas updated the Commission on the Van Pelt Alley issue and noted that at the public hearing there were a lot of questions regarding parking, pedestrian issues, and vehicular traffic. She stated that Staff submitted an application to Michigan State University's Sustainable Building Environment Initiative and she felt that the project was going to go forward.

J. **Request for Next Month's Agenda or Research Items**

Member Halverson questioned if there was a Master Plan on file for the area from Grant to Park to the City limits. Interim Planner Panoff stated that he believed the Shade Tree Commission worked on something for that whole area including Lake Michigan Beach and the two forestry areas. He stated that there were drawings of what they hoped to do with paths, plantings and fences. Member Halverson referenced the previously discussed donation and that it would be good to have the ability to tie that back to a Master Plan for the area

K. **Adjournment**

Motion by Member Halverson to adjourn. Motion passed by unanimous voice vote. Meeting adjourned at 8:55 p.m.

Joyce M. Golding/fgm

City Clerk

Sherm Chamberlain

Chair

CITY OF CHARLEVOIX
AIRPORT ADVISORY COMMITTEE MINUTES
Thursday, April 13, 2017 — 10:00 a.m.
210 State Street, City Hall, Council Chambers, Charlevoix, MI

I. Call to Order

The meeting was called to order at 10:00 a.m. by Vice Chair Woody.

II. Roll Call of Members Present

Vice Chair: Scott Woody
Members Present: Shirley Gibson, Richie Gillespie, Don Seelye
Member Absent: Ken Tough
City Staff: Mark Heydlauff, City Manager; Matt Wyman, Interim Airport Manager

III. Inquiry Regarding Possible Conflicts of Interest

None.

IV. General Business/All Other Actions and Reports

A lengthy discussion was facilitated by Vice Chair Woody regarding how much additional detail to include in the March 22nd and March 28th minutes. It was agreed that Vice Chair Woody would assist Member Seelye in determining what changes should be included in the drafts. It was also agreed to retain the meeting audios until further notice. He stated that "hours and hours have been spent on this subject and the committee's statements should be accurately documented."

A. Skydiving PLA (Parachute Landing Area) Discussion

Vice Chair Woody noted that Luther Kurtz was present at the last meeting, but could not attend today. Vice Chair Woody felt that they all agree "this Airport has limitations basically due to its size and so much activity that it qualifies it as a primary airport, which there were very few in the State". He stated that airports previously referenced were contacted by Member Seelye who determined that they are either larger or primarily used for skydiving. Vice Chair Woody said that no one can find an airport similar to Charlevoix that allows skydiving every day of the year. He noted that "the consensus of this Committee is landing offsite like has been done in Harbor Springs for many years" and that would alleviate all the issues.

City Manager Heydlauff stated in mid-winter 2016, they retained Cliff Main to help them with their schedule of insurances and the skydiving issue was obviously a topic of discussion then. Mr. Main reviewed some cases in other parts of the country of how the FAA and/or the courts had weighed in on what an airport can or cannot do to regulate skydiving and his statement was "that you cannot reasonably deny access".

Vice Chair Woody stated that he was the first one to allow skydiving at the Airport as Manager and they allowed it to operate on the slowest days with no issues. He stated that after he left it turned into a full-time, every day operation. He called it a safety and economic issue. Member Gillespie questioned if Harbor Springs was being unreasonable and City Manager Heydlauff stated that they do not take federal money and he referenced the large number of grant assurances the City has to agree to when they accept federal money for the Airport. Member Gillespie stated that Angel Welke commented at the last meeting that there had to be a marked landing zone and City Manager Heydlauff replied that they do not have one.

Ms. Welke stated that you can't deny access, but they would not be denying full access with allowing him to land and to have the packing area. She stated that when you read about some of these other cases they have had to go as far as getting the FAA involved to say that "you're not denying access to the airport, there are some limitations based on the peculiarities of your airport" so it's a lot like saying there are some gray areas. She stated that the Airport did not have a delineated drop zone. Member Gibson questioned who would contact the FAA regarding some sort of safety impact and Interim Manager Wyman responded, "the Grand Rapids Flight Standards District Office (FSDO)". Vice Chair Woody questioned if getting the FAA involved was really needed. He stated that Mr. Kurtz's "Skydive Arizona is in the middle of a suit against an airport south of Phoenix, and I don't think the FAA has ruled on it yet, and what the FAA does is go back to the airport's own rules, that's what they cite." Member Seelye stated that "he's landing offsite there". Vice Chair Woody agreed and replied "but he wants to land on the airport". Vice Chair Woody stated that the Phoenix Airport was a wide open airport compared to Charlevoix.

Member Gibson questioned if there was a problem with landing on private property. Ms. Welke asked if there would ever be an opportunity for a compromise – "he is operating at the Airport, but something like waive his fee if he agrees

to drop off at the Airport." Vice Chair Woody stated that was what they proposed last time, even the limited days he wasn't charged a fee because he was only going to jump occasionally. Member Seelye stated that he was taking a passenger in an airplane commercially off of the Airport just like the other operators do. Ms. Welke noted that the rules were no different than theirs.

Member Gibson stated that allowing Mr. Kurtz to operate his skydiving at the Airport has opened it up for other skydiving operations to operate. Vice Chair Woody commented that it could all be alleviated if he just operated like he did at Harbor Springs. City Manager Heydlauff questioned if it would be standard at these other airports that suppose you had two parachuting operators that they use the same landing zone and Vice Chair Woody stated that he did not know because very few airports have more than one skydiving operation. Vice Chair Woody stated the Committee was advising that they do not have enough space for the one spot to operate every single day.

Ms. Welke questioned if anyone asked the consultant for input. Interim Manager Wyman stated that the consultant led him to a study done by the Department of Transportation which listed the Deland Airport with three different landing zones based on jumper's experience. He stated that per the Study they came out and gave them minimum landing size area for the jumpers, student training roughly minimum 338,000 sq.ft., tandem jumpers 84,000 sq.ft., and all other activities 5,000 sq.ft. for the different size landing zones. He stated that Charlevoix was at 196,000 sq.ft. "if you take that area that's not marked that he has listed". Vice Chair Woody questioned if that included the tower and the building and Interim Manager Wyman stated "40 feet from the edge of that landing zone that's the minimum distance".

Vice Chair Woody stated that the Deland Airport was probably 3-4 times the size of the Charlevoix Airport and their primary activity is skydiving which is why they do not need any federal funding as they get over \$1.0 million a year from skydiving. Member Gibson questioned if Cliff Main could weigh in on this issue and Interim Manager Wyman stated that he would get as much feedback as possible from the people that know. Interim Manager Wyman stated with respect to the Minimum Standards, it also mentions in the Study the need for a Memo of Understanding (MOU) precisely on how one should operate. He stated that the Hastings Airport had a very bad experience and their advice was to make the rules tight and any wavering from the rules would cancel out the operation. Ms. Welke stated that the Study also discusses ground to air communication and stated if some of the information in the Study was incorporated into a MOU including a marked landing zone and better radio communication, that would start solving a lot of the problems. Member Seelye stated that his problem with the communication was that on a busy day it's like a party line with 500 people on it "and you just can't hear" and if a pilot says "jumpers away" the pilots are saying "what did he say?" Discussion followed regarding communication challenges. Interim Manager Wyman felt that skydiving should not be allowed at all on Fridays in the summer. Ms. Welke stated that would help a lot because Fridays are so busy, but on holiday weekends the traffic can start to ramp up as early as Tuesday. Member Gillespie stated that they could drop at an alternative offsite location on holiday weekends. Interim Manager Wyman stated that he did not think three weekends out of a 15 week season was unreasonable.

Member Gibson stated that there was not a designated landing zone. She questioned what happened during the last two summers and who monitors "where he's even dropping these skydivers, we don't know if it's this kind of fake place." Interim Manager Wyman stated that for the most part they have been landing in that general area, but he knew that there had been a couple of times where they landed outside of that area and if he was not mistaken they landed one time on the approach of runway four. Ms. Welke stated that this has been such a hot topic and now the Committee was getting to the bottom of it now. She stated that the "no go" on Fridays would really help.

Member Seelye referenced the FAA Rules & Regulations, Part 10523, *Parachute Operations Over and Onto Airports*, and read aloud "with airports without an operating control tower prior approval has been obtained from the management of the airport to conduct parachute operations over onto that airport. A parachutist may drift over that airport with fully deployed and properly functioning parachute if the parachutist is at least 2,000 feet above the airport's traffic pattern and avoids creating a hazard to traffic or to persons and property on the ground." He stated that they need to be at 3,500 feet and he has seen them at 1,000 feet coming across the runway trying to get to the drop zone. Member Gibson stated that there was no one to monitor any of that and Ms. Welke stated that it was called self-regulating. Member Seelye stated that the problem is with their small airport and their little landing zone if they had a north wind they need to jump and exit the aircraft north of the airport and he talked to Ryan this morning who said "by the time they do the free fall and deploy the chute they are already at 3,500 feet. and they were just now crossing the end of two-seven so by the time they get into their landing area they were down to 1,000 feet or less."

Vice Chair Woody stated that the economic concern was that there were a lot of jet pilots that come here that have never been in here before, the last thing they need to be looking for is a canopy that they cannot talk to. He noted that they can go to other airports and that's what we don't want to happen. Interim Manager Wyman heard from a turbine pilot who knows the Airport and he said "are the jumpers going to be jumping here this year and if they are that's not good." Member Gillespie stated that the other crew, the business owner who didn't want to go public with it, was also very concerned for the same reason and they fly a Cessna. Member Seelye stated that as simple and slow as his airplane is if he knows there are jumpers on their way down he is very nervous when he takes off. Vice Chair Woody stated that it was an unneeded, unnecessary attention diverter. Interim Manager Wyman stated that his concern was when they have the operators coming mid-field every 30-45 minutes on the busier days he thought there was more of a concern there for safety than a jet that's on a five-mile final approach for two-seven.

Ms. Welke stated that it was not uncommon to have 100-200 operations on a Friday. Member Seelye explained how busy the radio was at 1,000 feet. Interim Manager Wyman stated with the future hangar development, ramp expansion of the airport runway going forward, it will encroach quickly on that area as well. Member Gillespie stated everyone seems to be avoiding the word "liability" and "I think we hang out there a very long way should something happen, something happens between the power lines on Carpenter Street and two-two runway, we know that legal counsel is going to throw a lawsuit at any and everybody." Member Gibson felt that liability has been shifted to the City.

Ms. Welke questioned if the work was continuing on the Minimum Standards and is that going to be the best way to incorporate what's being discussed. Interim Manager Wyman stated that Mr. Zapata from Michigan Aeronautics said that you have to change your rules and regulations to address the issue.

Member Gillespie stated that his position was that they do not have a designated, marked landing zone, "we should not allow landings at least until that's done, I think we should require offsite landing until we get our ducks in a row". Vice Chair Woody stated it was the consensus of the Committee "and all we are is advisory, we don't have any power and if we advise to the City Manager and the Airport Manager that we request an offsite landing zone." Member Gillespie stated that "we should be doing that now and I know asking the FAA to come in and put the fingerprint on you some more is not that much fun, but we should have that study done and we should not have onsite landing until the study's complete and everyone comes to agreement". Member Seelye stated "in all fairness to Luther he needs to know now so he can plan his jumps for the summer, you can't throw this on him when he's already into the season." Interim Manager Wyman stated that his operation right now is the one that's currently under discussion, but he thinks this goes for any and all skydiving. Member Gillespie stated that this wasn't about Mr. Kurtz, it's about the Airport. Vice Chair Woody stated that if he was able to land offsite then they wouldn't have to get the FAA involved.

Member Gillespie stated that they could put a motion into effect, but it is still the Airport Manager's responsibility. Vice Chair Woody questioned if they needed to make a motion since they have all recommended. City Manager Heydlauff stated that they have some good feedback here and from the MDOT contacts and his feeling was that they should look at the Minimum Standards in relation to that as well. Interim Manager Wyman stated that he thought there should also be a MOU and Vice Chair Woody agreed. City Manager Heydlauff questioned how that differed from what they require in the license. Ms. Welke stated that what she thought they were referring to was more formal and she felt that the MOU would have to be filed with the FAA to show they have done their due diligence.

Motion by Member Gillespie, second by Member Gibson, to restrict any onsite landings until such time as we can have a study done and whether the demarcation of a landing zone can be done, and liability and safety-wise that we require offsite landing. Motion passed by unanimous voice vote.

Ms. Welke stated that Paul Welke wanted her to volunteer his services to help with the grass runway to use a roller where the hydroseed took on half of the area and the other half was probably done too late. Interim Manager Wyman stated that they have been in contact with Elmer's and they were going to come out and hydroseed again. Member Seelye stated that the grass never grew where they took the sidewalk out.

Member Gillespie stated that for the record he thought this action was far and away the best thing for the City of Charlevoix.

V. Miscellaneous Business/Reports

Ms. Welke stated that Interim Manager Wyman is doing a really good job. Vice Chair Woody stated that he also understood the benefit of the Airport Advisory Committee.

Interim Manager Wyman stated that a pilot asked if the Airport looked at EMAS (Engineered Material Arresting System). Vice Chair Woody stated that it was \$15 million dollars and they did not have enough traffic to justify it. He explained that EMAS is the engineered material technology that absorbs and reduces the speed of aircrafts that can help the aircraft to stop safely. Discussion continued regarding the short runway length with a cliff at the end, specifics of what EMAS technology can do, and possibilities for extending the runway by 800 feet.

VI. Public Comment Other Than Agenda Items
None.

VII. Adjournment
Motion by Member Gillespie to adjourn the meeting. Motion passed by unanimous voice vote. Meeting adjourned at 10:48 a.m.

Joyce Golding/fgm

City Clerk

Scott Woody

Vice Chair

CITY OF CHARLEVOIX
CHARLEVOIX DOWNTOWN DEVELOPMENT AUTHORITY/MAIN STREET BOARD MINUTES
Monday, April 24, 2017 at 5:30 p. m.
210 State Street, City Hall, Second Floor Council Chambers, Charlevoix, Michigan

1. Call to Order

2. Pledge of Allegiance

3. Roll Call

Vice Chair: Kirby Dipert
Members Present: Richard Christner, Dianne DuPont, Luther Kurtz
Members Absent: Fred DiMartino, Tami Gillespie, Maureen Owens, Rick Wertz, John Yaroch
City Staff: Lindsey Dotson, Executive Director

Vice Chair Dipert stated that there was no quorum present. City Manager Heydlauff explained that regular Board business could not be performed at this evening's meeting, but the scheduled presentations would go forward as planned. He noted that the Board would call a special meeting in the near future to address the business at hand.

4. Presentations

a. a5, Inc. Branding Concepts

Fletcher Martin from a5, Inc. presented information regarding the research conducted thus far, themes that were identified as a result of research ("Beauty" & "Classic") and two draft logo concepts for the new DDA/City Brand. Comments from the public were varied with no obvious choice in favor.

b. Junior Main Street Committee Downtown Mobil App

High school seniors from Ms. Ann Marie Conway's class presented a project that they are proposing for the Junior Main Street Committee that includes the development of an interactive downtown Charlevoix mobile app titled "Life in Charlevoix." The app would be built by a company called Mobile Town Guide and have several beneficial features including a business directory, interactive walking tours, events calendar, job opportunities, etc. Some additional features could allow businesses to offer specials that are exclusive to app users, push notifications to all app users about festivals, road closures, etc. The presenters also showed the Board a video that they made demonstrating how the app would benefit our downtown businesses and users alike.

5. Public Comment

The City Manager and Venetian Festival President Dan Barron gave an overview of the proposed street closure for Venetian Festival and fielded questions from the Board and the public. Vice Chair Dipert expressed his concern as a merchant that a potentially empty street is worse for business than a partially parked street. Discussion will continue at the next DDA Board meeting.

Jodi Bingham, Ga Ga for Kids, was not in favor of the street closure but was willing to 'grow into it' over the course of several years.

Greg Stevens agreed with the proposed street closure from a safety perspective.

Three members of the public made comments however, they did not use the microphone and therefore their dialogue was unintelligible.

6. Adjourn

Meeting was adjourned by Vice Chair Dipert at 7:13 p.m.

Joyce Golding

City Clerk