

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, May 2, 2016 – 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 Gabe Campbell.

I. Pledge of Allegiance

II. Roll Call of Members Present

Mayor: Gabe Campbell
City Manager: Mark Heydlauff
City Clerk: Joyce Golding
Members Present: Councilmembers Shane Cole, Shirley Gibson, Aaron Hagen, Luther Kurtz, Leon Perron, Bill Supernaw
Absent: None

III. Inquiry Regarding Possible Conflicts of Interest

Councilmember Hagen recused himself from items G and I.

Mayor Campbell requested a moment of prayer for former Mayor Norm Carlson who experienced a health issue last week.

IV. Consent Agenda

The following items were approved and filed:

- A. Approval of Minutes – April 18, 2016 Regular Meeting Minutes
Councilmember Supernaw questioned Councilmember Gibson's statement regarding Miscellaneous Business agenda items being "abused in the past by many Councils". Mayor Campbell and Councilmember Gibson responded that this statement was reflected accurately in the minutes. Councilmember Supernaw felt "abuse" was a strong term and requested examples to support the statement.
- B. Special Accounts Payable Check Register – April 21, 2016
- C. Regular Accounts Payable Check Register – May 3, 2016
- D. ACH Payments – April 18, 2016–April 22, 2016
- E. Tax Disbursement – May 3, 2016
- F. Payroll Check Register – April 22, 2016
- G. Payroll Transmittal – April 22, 2016
- H. Mayor Proclamation – Charlevoix City Band

V. Public Hearings

None.

VI. Reports

City Manager Heydlauff reported that Howard Kohn, Chesapeake Group, would be visiting on May 26th to present the Downtown Charlevoix Market Study; details to follow. Charlevoix County Community Foundation approved a \$5,000 grant for the Recreation Department Master Plan. South Arm Construction advised the replacement of rotten wood on the back roof of the Chamber building for an additional cost of \$4,900. It was the general consensus of Council to approve this additional work. City Manager Heydlauff stated that community events are scheduled every weekend through the season.

VII. Requests, Petitions and Communications and Actions Thereon

A. Concession Agreement with Jack and Annie Russell

Recreation Director Kirinovic stated that Jack and Annie Russell requested a concession agreement for Lake Michigan Beach, Ferry Beach, and the Carpenter Street ball field. The proposed concession agreement will take effect May 15, 2016 and conclude November 14, 2019. The days and hours of operation will be set forth at the discretion of the concessionaire and Recreation Director.

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

Motion by Councilmember Gibson, second by Councilmember Hagen, to approve the concession stand agreement with Jack and Annie Russell to operate the Lake Michigan Beach, Ferry Beach, and the Carpenter Street Ball Field concessions (contingent upon receipt of liability insurance validation, purchase of a business license) and authorize the City Manager to sign the concession agreement.

Yeas: Gibson, Cole, Supernaw, Hagen, Kurtz, Perron
Nays: None
Absent: None

B. Mt. McSaubia Assistant Camp Director Job Description

Recreation Director Kirinovic requested the approval of a part-time, seasonal Assistant Camp Director job description. This position will assist our Camp Director with oversight of Camp McSaubia and extended day camp activities.

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

Motion by Councilmember Hagen, second by Councilmember Kurtz, to approve the Mt. McSaubia Assistant Camp Director (seasonal, part-time) job description as presented.

Yeas: Gibson, Cole, Supernaw, Hagen, Kurtz, Perron
Nays: None
Absent: None

C. Lake Charlevoix Mariners License and Stand Agreements

Recreation Director Kirinovic stated that the Lake Charlevoix Mariners are seeking approval to renew their contract for their sailing school at Depot Beach. The Mariners also rent stands for kayak and stand up paddle board storage.

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

Motion by Councilmember Cole, second by Councilmember Perron, to approve the agreements with Lake Charlevoix Mariners, Inc. as presented and authorize the Mayor and City Clerk to sign all necessary agreements.

Yeas: Gibson, Cole, Supernaw, Hagen, Kurtz, Perron
Nays: None
Absent: None

D. Charlevoix City Band Contract

Gary Stutzman, Band Director, thanked the City for its Proclamation and he gave a brief history of the Charlevoix City Band along with upcoming events. The Charlevoix City Band uses the City's contribution to help defray the costs of providing its musical programs to Charlevoix residents and visitors. Mr. Stutzman introduced the new band director Tom Harder.

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

Motion by Councilmember Kurtz, second by Councilmember Gibson, to approve the draft contract for the Charlevoix City Band and authorize the Mayor to sign the contract.

Yeas: Gibson, Cole, Supernaw, Hagen, Kurtz, Perron
Nays: None
Absent: None

E. Sea Scout Ship 11 Use of Marina Slip

City Manager Heydlauff stated that Scott Stebe, representing local Sea Scout Ship 11, would like the City to consider waiving docking fees for the summer months.

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

Motion by Councilmember Perron, second by Councilmember Cole, to approve free dockage for the Sea Scouts for the 2016 Boating Season when the marina is not full, contingent upon support from the Waterways Commission and approval from the DNR.

Yeas: Gibson, Cole, Supernaw, Hagen, Kurtz, Perron
Nays: None
Absent: None

F. Resolution to Waive Parking Fees at Ferry Beach Boat Launch for Lake Charlevoix Area Trout Tournament

City Manager Heydlauff stated that the Charlevoix Area Trout Tournament wishes to host a fishing tournament from June 10–12, 2016 and recommended waiving the parking fees as done in the past.

Mayor Campbell opened the item to public comment.

Dean Davenport thanked Council for their support and briefly explained the event.

The item was closed to the public.

Action by Resolution.

G. Charlevoix Craft Brew Festival

City Manager Heydlauff spoke on behalf of DDA Director Doyle who was not in attendance. He stated that the Charlevoix Main Street along with Bridge Street Tap Room and the Lake Charlevoix Brewing Company will be presenting the 3rd Annual Charlevoix Craft Beer Festival on Saturday, June 4, 2016 in Robert Bridge Memorial Park. City Manager Heydlauff recommended waiving the restriction of alcohol consumption within one thousand feet of US-31.

Councilmember Supernaw questioned why the event was only one day. Adam Engelman, Round Lake Group, responded that the logistics of Brewers traveling from around the state proves challenging.

Councilmember Gibson read from the March DDA minutes whereby the Round Lake Group requested that the DDA facilitate the licensing process for this event and questioned whether this was completed. City Manager Heydlauff responded that his office coordinated with the Chamber to complete the licensing process.

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

Motion by Councilmember Supernaw, second by Councilmember Cole, to allow the City Manager to waive the provision in the City Code under Title III: Parks and Public Grounds, Chapter 31, Section 3.14.

Yeas: Gibson, Cole, Supernaw, Kurtz, Perron
Nays: None
Absent: None
Abstain: Hagen

H. Planter Design in East Park

City Manager Heydlauff stated that John Campbell of Site Planning brought forth a proposal to update the plantings in East Park. Due to the design of the Harbormaster Building, there are unique challenges for these planters because of the weight of soil and water. He said rather than do a full-scale redesign of all planters, it may be best to redo one planter to see how the plants performed, consider the maintenance time requirements for those plantings, and plan our way forward.

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

Motion by Councilmember Gibson, second by Councilmember Hagen, to authorize the redesign as presented.

Yeas: Gibson, Cole, Supernaw, Hagen, Kurtz, Perron
Nays: None
Absent: None

- I. Food Truck Pilot Program Policy
City Manager Heydlauff recalled that Council appointed a committee last fall to study the issue of food trucks. The Committee met extensively over the past several months. The policy includes a provision for the City Manager to place certain other requirements and qualifications into effect based on further discussion by the Committee. The policy would expire October 31, 2016 giving Council the option to reconsider the issue in the fall.

Mayor Campbell thanked Maureen Owen for her work and City Manager Heydlauff acknowledged the other Committee members as well. Councilmember Perron congratulated the Committee for working well together.

City Manager Heydlauff confirmed that the two Thursday food trucks would be located together at Plaza B.

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

Action by Resolution.

- J. Amendment to Rules of Procedure for City Council
City Manager Heydlauff recalled that Council requested the City Attorney, City Clerk, and himself to develop a draft amendment to the *Rules of Procedure for City Council*. The amendment was developed with an eye toward making Council meetings smooth and concise. In addition, minor amendments to remove language regarding the election of the City Clerk, to clarify all resolutions need not be read aloud and delete the 8 p.m. notation in Rule 1. C were proposed.

Pursuant to Rule 20 of the *Rules of Procedure for City Council*, this amendment can be approved at the May 16th meeting.

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

Motion by Councilmember Gibson, second by Councilmember Cole, to introduce Resolution 2016-05-03 and lay it upon the table in accord with Rule 20 of the *Rules of Procedure for City Council*.

Yeas: Gibson, Cole, Supernaw, Hagen, Kurtz, Perron
Nays: None
Absent: None

VIII. **Introduction and Initial Actions Relating to Ordinances or to Resolutions That Require Publication or Hearings Prior to Final or Further Action**
None.

IX. **Resolutions**

- A. Charlevoix Trout Tournament Parking Fee
Motion by Councilmember Kurtz, second by Councilmember Hagen, to adopt Resolution 2016-05-01 Waive Parking Fees for Trout Tournament, as follows:

**CITY OF CHARLEVOIX
RESOLUTION NO. 2016-05-01
WAIVE PARKING FEES FOR TROUT TOURNAMENT**

WHEREAS, the Lake Charlevoix Area Trout Tournament will be held on June 10, 11 and 12, 2016; and
WHEREAS, the Lake Charlevoix Area Trout Tournament is requesting that parking fees be waived for the tournament; and
WHEREAS, the Charlevoix Area Trout Tournament is requesting parking fees to be waived for a practice fishing day on June 9, 2016; 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 Lake Charlevoix Area Trout Tournament from June 9 to June 12, 2016.

RESOLVED this 2nd day of May, 2016, A.D.

Resolution was adopted by the following yea and nay vote:

Yeas: Gibson, Cole, Supernaw, Hagen, Kurtz, Perron
Nays: None
Absent: None

- B. Food Truck Pilot Program Policy
Motion by Councilmember Gibson, second by Councilmember Cole, to adopt Resolution 2016-05-02 Food Truck Pilot Program Policy, as follows:

**CITY OF CHARLEVOIX
RESOLUTION NO. 2016-05-02
FOOD TRUCK PILOT PROGRAM POLICY**

WHEREAS, the City Council appointed a committee to study how and where food trucks might be permitted in Charlevoix; and
WHEREAS, the Committee has met frequently over the past several months to discuss these matters.

NOW THEREFORE BE IT RESOLVED, that the City of Charlevoix City Council hereby adopts the following pilot program policy regarding food trucks on City property:

FOOD TRUCK PILOT PROGRAM POLICY

Food trucks, food carts, and other mobile food vendors (collectively hereafter referred to as vendors) shall be permitted at certain locations and certain days on City-owned property according to the following rules:

- Vendors shall obtain a business license from the City Clerk in accord with City Code.
- Vendors shall pay a fee of \$450 for a license to operate on City property and fulfill all requirements for vendors; the City Manager is directed to develop reasonable standards for vendors in consultation with the Food Truck Committee. Vendors shall be required to obtain appropriate health department certifications and provide to the City certificates of insurance. Failure to adhere to these standards shall be cause for termination of the license to operate without a refund of fees paid.
- The City Manager shall cause a schedule to be created and maintained permitting vendors to register their location based on the following stipulations from May 1-October 31:
 - On Thursdays, two vendors shall be permitted downtown in the parking lane in the vicinity of Plaza B from 9am until 8pm.
 - On Tuesdays, one vendor each shall be permitted at Lake Michigan Beach and Ferry Beach and shall park in the parking lot near the concession stands. Such vendors are permitted from 10am until 10pm. The Recreation Director may specify exact parking locations and may move this location as necessary based on events and activities in the parks.
 - One vendor may locate at Depot Beach in the parking lot on any day from 10am-9pm.
 - One vendor may locate at the Charlevoix Golf Club in the parking area near the clubhouse on any day from 10am-8pm.
 - One vendor may locate at the Charlevoix Municipal Airport in a parking spot designated by the Airport Manager from 9am-8pm. A vendor parking at the Airport shall be responsible to pay applicable parking fees.
 - The City Manager is permitted to restrict scheduling based on community events, inclement weather, or reasons as necessary.
- This policy shall expire October 31, 2016.

Vendors locating on private property shall be subject to the provisions of the Charlevoix City Code relative to temporary business licenses. Vendors used during festivals and events not sponsored by the City of Charlevoix but which occur on City property shall be subject to the terms of use for those festivals and events.

RESOLVED this 2nd day of May, 2016 A.D.

Resolution was adopted by the following yea and nay vote:

Yeas: Gibson, Cole, Supernaw, Kurtz, Perron
Nays: None
Absent: None
Abstain: Hagen

X. Ordinances
None.

XI. Miscellaneous Business
Councilmember Supernaw questioned why the Ferry Beach Dock was closed. City Manager Heydlauff will discuss with Chief Doan. Mayor Campbell reminded the public that there are memorial bricks available in East Park.

XII. Audience - Non-agenda Input (written requests take precedent)
None.

XIII. Adjourn
Motion by Councilmember Kurtz, second by Councilmember Perron, to adjourn. Motion passed by unanimous voice vote. Meeting adjourned at 7:44 p.m.

Joyce M. Golding	City Clerk	Gabe Campbell	Mayor
Special Accounts Payable – 04/21/2016			
AT&T LONG DISTANCE	39.88	PRIORITY HEALTH	38,800.78
CHARLEVOIX STATE BANK	5,526.41	STATE OF MICHIGAN	100.00
DELTA DENTAL	3,756.80	VERIZON WIRELESS	56.72
GREAT LAKES ENERGY	294.65	VISION SERVICE PLAN	495.36
METLIFE SMALL BUSINESS CENTER	705.61	TOTAL	49,776.21
Regular Accounts Payable – 05/03/2016			
ABILITA	292.50	BARRETT'S AUTO & MARINE TRIM	430.00
AIRGAS USA LLC	58.43	BELLEROC TIRE/GAYLORD	295.00
ALEXANDER, TOM	300.00	BOSS, KEN	8.50
ALL-PHASE ELECTRIC SUPPLY CO.	546.32	CANNON EQUIPMENT	54.71
ALTEC INDUSTRIES INC	337.50	CHANNING BETE COMPANY INC.	540.37
AVFUEL CORPORATION	2,270.00	CHARLEVOIX DISTRICT LIBRARY	70.00

CHARLEVOIX GLASS INC.	230.64	MASSON, DONALD J.	132.24
CHARLEVOIX SCREEN MASTERS INC	461.00	MATELSKI, KIM	14.00
CHARLEVOIX TOWNSHIP	15.23	MAYER, SHELLEY L.	41.00
CHESAPEAKE GROUP INC.	4,400.00	McGINN, KELLY	272.74
CINTAS CORPORATION #729	118.23	METAL HEAD WELDING LLC	963.90
CITY OF CHARLEVOIX - PETTY CASH	264.00	MI-AWWA	155.00
CLOTHING COMPANY, THE	1,905.00	MICHIGAN WATER ENV ASSOC	200.00
DCASSESSING SERVICES	4,371.08	MYER, ELIZABETH A.	41.00
DELL MARKETING L P	1,567.55	N M A C P	50.00
DeROSIA, PATTY	41.00	NORTHERN LAKES	60.00
DITCH WITCH SALES OF MICHIGAN	26.34	NORTHERN PUMP SERVICE INC.	3,908.23
DOAN, GERARD	41.00	OLSON BZDOK & HOWARD	1,066.60
DOYLE, ANNIE	41.00	ORBAN, BARBARA	14.00
ELECTION SYSTEMS & SOFTWARE	31.60	OTEC	1,591.25
ELHORN ENGINEERING COMPANY	942.10	OVERHEAD DOOR COMPANY	675.00
ELLIOTT, PATRICK M.	41.00	PANOFF, ZACH	41.00
ELLSWORTH FARMER'S EXCHANGE	366.01	PARASTAR INC.	723.06
EVANS, HAL	41.00	PLUNKETT & COONEY	582.63
FASTENAL COMPANY	40.07	PRO WEB MARKETING LLC	50.00
FREIDINGER, REED	33.00	PURITY CYLINDER GASES INC	49.15
GEMPLER'S	519.15	QUILL CORP	716.67
GOLDING, JOYCE	41.00	REHMANN-ROBSON & CO	11,483.20
GORDON FOOD SERVICE	212.95	ROLOFF, ROBERT	41.00
GOVERNMENT FINANCE	160.00	SHORELINE POWER SERVICES INC.	634.50
GRAINGER	448.09	SPARTAN DISTRIBUTORS INC	137.18
GREAT LAKES PIPE & SUPPLY	110.20	STATE OF MICHIGAN	14,723.17
HACH COMPANY	1,190.10	SUPERIOR MECHANICAL	556.93
HANKINS, SCOTT	223.00	SWEM, DONALD L.	41.00
HARRELL'S	290.00	TERMINAL SUPPLY CO	35.58
HEID, THOMAS J.	41.00	TRI-TURF	188.89
HELNER, JOHN	12.81	UNITED STATES PLASTIC CORP.	259.15
HEYDLAUFF, MARK L	41.00	UP NORTH PROPERTY SERVICES LLC	434.00
HYDE SERVICES LLC	332.57	USA BLUE BOOK	308.23
INDEPENDENT DRAFTING SERVICES	1,225.00	WELLER, LINDA	41.00
JONES & JONES GARAGE DOOR SVCS.	434.40	WHARFSIDE ENT. LTD.	1,100.00
KIRINOVIC, THOMAS	41.00	WILMOT ELECTRIC INC	119.69
KIWANIS CLUB OF CHARLEVOIX	39.00	WURST, RANDALL W.	41.00
KLOOSTER, ALIDA K.	41.00	WYMAN, MATTHEW A.	41.00
KSS ENTERPRISES	705.99		
LALONDE, GEORGE	38.50	TOTAL	67,859.93

ACH Payments – 04/18/2016–04/22/2016

MI PUBLIC POWER AGENCY	35,564.66	VANTAGEPOINT (ROTH IRA)	261.53
DTE ENERGY	7,161.30	MERS (DEFINED BENEFIT PLAN)	29,163.78
IRS (PAYROLL TAX DEPOSIT)	30,340.14	DEVERE CONSTRUCTION COMPANY	251,080.84
ALERUS FINANCIAL (HCSP)	420.00	MI PUBLIC POWER AGENCY	237,685.49
STATE OF MI (WITHOLDING TAX)	4,319.77	MI PUBLIC POWER AGENCY	29,402.29
VANTAGEPOINT (401 ICMA PLAN)	699.94		
VANTAGEPOINT (457 ICMA PLAN)	12,391.23	TOTAL	638,490.97

TAX DISBURSEMENT – 05/03/2016

CHARLEVOIX COUNTY TREASURER	436.84	RECREATIONAL AUTHORITY	30.12
CHARLEVOIX DISTRICT LIBRARY	165.24		
CITY OF CHARLEVOIX - TAXES DUE	97.54	TOTAL	729.74

PAYROLL: NET PAY

Pay Period Ending 04/16/2016 – Paid 04/22/2016

WELLER, LINDA JO	1,481.58	DRAVES, MARTIN J.	1,703.08
HEYDLAUFF, MARK L.	2,118.60	BROWN, STEPHANIE C.	1,020.24
GOLDING, JOYCE M.	1,082.62	ELLIOTT, PATRICK M.	1,961.37
DEROSIA, PATRICIA E.	894.15	SCHWARTZFISHER, JOSEPH L.	984.13
DOYLE, ANNE E.	1,387.69	BRADLEY, KELLY R.	1,363.14
LOY, EVELYN R.	1,029.15	HART II, DELBERT W.	821.21
KLOOSTER, ALIDA K.	1,554.10	JONES, ROBERT F.	1,375.70
GOLOVICH, KAREN J.	985.42	DORAN, JUSTIN J.	1,203.59
SPENCLEY, PATRICIA L.	1,249.37	MANKER JR, DAVID W.	24.94
PANOFF, ZACHARY R.	1,180.04	HAWKINS, JAMES S.	39.65
MILLER, FAITH G.	111.83	MCGHEE, ROBERT R.	419.47
LEESE, MERRI C.	262.02	KIRINOVIC, THOMAS F.	312.79
MCGINN, KELLY A.	1,492.91	BITELY, KATHERINE A.	433.30
DOAN, GERARD P.	1,558.33	MILAN, JANE E.	420.10
SCHLAPPI, JAMES L.	956.47	HEID, THOMAS J	1,272.04
UMULIS, MATTHEW T.	1,219.71	LEESE, ALAN K.	398.03
HANKINS, SCOTT A.	1,494.68	DAVIS, RONALD L.	115.02
ORBAN, BARBARA K.	1,355.76	DAKROUB, JOSEPH E.	106.78
TRAEGER, JASON A.	1,098.76	MASSON, DONALD J.	231.10
FLICKEMA, ANDREW M.	1,241.80	MYER, ELIZABETH A.	1,653.03
MATELSKI, KIMBERLY A.	1,118.59	VANLOO, JOSEPH G.	613.18
ROLOFF, ROBERT P.	3,327.37	WYMAN, MATTHEW A.	1,006.89
RILEY, DENISE M.	418.25	SCHRADER, LOU ANN	467.36
LOPER II, GARY D.	906.09	BOSS, RYDER S.	294.85
WURST, RANDALL W.	1,317.21	MILLER, WILLIAM S.	960.02
MAYER, SHELLEY L.	1,486.95	FUNKEY, KRAIG R.	92.35
HILLING, NICHOLAS A.	1,266.18	MEGGISON, JERRY B.	87.66
MEIER III, CHARLES A.	1,244.18	RILEY, CASEY W.	406.82
ZACHARIAS, STEVEN B.	1,479.08	JONES, LARRY M.	1,242.91
EATON, BRAD A.	1,771.19	WILLSON, BRENDA R.	153.29
WILSON, TIMOTHY J.	1,962.89	BEAN, PETER J.	338.95
LAVOIE, RICHARD L.	1,662.97	OCHS, THOMAS F	30.01
STEVENS, BRANDON C.	1,821.51	TRAVERS, MANUEL J.	453.32

RILEY, DANIEL A.	542.41	TODD, RICHARD D.	191.89
SWEM, DONALD L.	1,833.28	STEVENS, JEFFREY W.	420.16
WHITLEY, ANDREW T.	1,603.09	ROLOFF, AUDREY M.	1,501.43
MORRISON, KEVIN P.	1,255.24	MATTER, DAWSON K.	26.42
HODGE, MICHAEL J.	1,284.79	SCOTT JR., WINFIELD	35.24
JOHNSON, STEVEN P.	1,271.07		
GILL, DAVID R.	968.20	TOTAL	76,476.99

PAYROLL: TRANSMITTAL – 04/22/2016

4FRONT CREDIT UNION	248.46	CHEMICAL BANK	150.00
AMERICAN FAMILY LIFE	166.74	COMMUNICATION WORKERS OF AMER	489.93
AMERICAN FAMILY LIFE	379.74	MI STATE DISBURSEMENT UNIT	652.06
CHAR EM UNITED WAY	56.00	PRIORITY HEALTH	1,858.52
CHARLEVOIX STATE BANK	1,286.16	TOTAL	5,287.61