

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, October 15, 2018 – 6:00 p.m.
Council Chambers, 210 State Street, Charlevoix, MI

The meeting was called to order at 6:00 p.m. by Mayor Luther Kurtz.

1. Pledge of Allegiance

2. Roll Call

Mayor: Luther Kurtz
Members Present: Shane Cole, Aaron Hagen, Janet Kalbfell, Tom Oleksy, Leon Perron
Members Absent: Greg Bryan
City Manager: Mark L. Heydlauff
City Clerk: Joyce Golding

3. Presentations

4. Inquiry Regarding Conflicts of Interest

The Mayor disclosed that he has a business at the Airport. Oleksy felt this was a conflict of interest for Item 7.B. Cole, Kalbfell, Hagen and Perron disagreed and felt there was no issue. Oleksy opted not to make a motion to that effect.

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 – October 1, 2018
- B. General Liability & Property Insurance 2018-19 Renewal: Michigan Township Participating Plan \$98,536 & Hiscox Pro Cyber Coverage \$1,487.54
- C. Accounts Payable and Payroll Check Registers
 - a. Special Accounts Payable Check Register – September 27, 2018
 - b. Regular Accounts Payable Check Register – October 16, 2018
 - c. ACH Payments – October 1, 2018 to October 9, 2018
 - d. Payroll Check Register – October 5, 2018
 - e. Payroll Transmittal – October 5, 2018
 - f. Tax Disbursement – October 16, 2018
- D. 2018 Fleet Fuel Contract – Holiday Companies \$0.08 discount
- E. Set Rate for Weddings Performed by Mayor – Resolution 2018-10-03

CITY OF CHARLEVOIX
RESOLUTION NO. 2018-10-03
AMMENDED MISCELLANEOUS FEES ASSOCIATED WITH THE 2018-19 BUDGET

WHEREAS, *the City of Charlevoix annually must adopt a balanced budget to comply with the City Charter; and*

WHEREAS, *the City of Charlevoix in preparing the budget, assumes the adoption of rates and fees for various services they provide in order to pay for those services in whole or in part as proposed in their annual budget; and*

WHEREAS, *the City of Charlevoix defines all of their rates and fees in the rate section of the proposed budget; and*

WHEREAS, *Mayors were given the authority to perform marriages in Michigan in 1972 when Public Act 211 was signed into law [MCL 551.7(1)(f)]; and*

WHEREAS, *the City Council is required to set the fee for the Mayor to perform a Marriage Ceremony [MCL 551.7(3)]; and*

WHEREAS, *the City of Charlevoix proposes to make this fee effective on October 15, 2018.*

NOW THEREFORE BE IT RESOLVED *that the City of Charlevoix sets the rate of \$40 per wedding the mayor performs and such funds shall be deposited into the General Fund as required by law.*

RESOLVED, *this 15th day of October, 2018 A.D.*

Resolution adopted by the following yea and nay votes:

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

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

Yeas: Hagen, Kalbfell, Cole, Perron, Oleksy

Nays: None

Absent: Bryan

6. Public Hearings & Actions Requiring Public Hearings

A. Set Public Hearing: Hotel Earl, LLC CFEC Request

City Manager Heydlauff stated that Public Act 255 of 1978 encourages the replacement, restoration and new construction of commercial property by abating the property taxes generated from new investment for a period up to 12 years in a designated redevelopment district. On October 17, 2016, City Council established a Commercial Redevelopment District for the City. He noted that the local legislative body is authorized to exempt a commercial property from certain parts of the General Property Tax Act. A facility issued a certificate is exempt from real property taxes and is instead subject to a new commercial facilities tax. Hotel Earl, LLC has submitted an Application for Commercial Facilities Exemption Certificate for the former The Lodge property. A public hearing is part of the application approval process.

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

Motion by Kalbfell, second by Cole, to set a public hearing to receive input on the Application for Commercial Facilities Exemption Certificate submitted by Hotel Earl, LLC for November 5, 2018 at 6:00 p.m. at Charlevoix City Hall, 210 State Street, Charlevoix, MI, 49720.

Yeas: Hagen, Kalbfell, Cole, Perron, Oleksy

Nays: None

Absent: Bryan

7. All Other Actions & Requests

A. Renewable Energy Generator Procedures

Electric Superintendent Swen recalled that last year, City Council approved new electric rates to be used to reimburse customers that install wind or solar powered generators. The City needs procedures to control the physical interconnection to the City electric system as well as an administrative agreement to cover the legal and financial details. The City Attorney reviewed the documents.

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

Motion by Hagen, second by Kalbfell, to approve the adoption of the Renewable Energy Generator Metering Agreement, the Expedited Generator Interconnection Requirements, and the Generator Interconnection Requirements as presented.

Yeas: Hagen, Kalbfell, Cole, Perron, Oleksy

Nays: None

Absent: Bryan

B. Airport Staffing Changes and Revised Job Descriptions

In an effort to retain a core group of experienced employees, Airport Manager Wyman proposed the replacement of two part-time Airport Attendant positions with two full-time Airport Attendant positions. The airport would be staffed with four full-time positions supplemented with two seasonal employees during the summer and one seasonal employee during the winter. To offset additional costs, he also proposed an increase to landing, overnight, and ground handling fees, as well as, proposed increases to our contract fuel reimbursement fees and an increase in our retail margin.

Mayor Kurtz opened the item to public comment.

- Gabe Campbell felt the Mayor had a conflict of interest and should recuse himself.

The item was closed to the public.

Motion by Perron, second by Cole, to approve the proposed Charlevoix Municipal Airport staffing change and revised Airport Attendant job description.

Yeas: Hagen, Kalbfell, Cole, Perron, Oleksy

Nays: None

Absent: Bryan

Motion by Kalbfell, second by Hagen, to approve Resolution 2018-10-02.

CITY OF CHARLEVOIX
RESOLUTION NO. 2018-10-02
AMENDED AIRPORT RATES & FEES ASSOCIATED WITH THE 2018-19 BUDGET

WHEREAS, *the City of Charlevoix annually must adopt a balanced budget to comply with the City Charter; and*

WHEREAS, *the City of Charlevoix in preparing the budget, assumes the adoption of rates and fees for various services they provide in order to pay for those services in whole or in part as proposed in their annual budget; and*

WHEREAS, the City of Charlevoix defines all of their rates and fees in the rate section of the proposed budget; and

WHEREAS, the Airport Manager and City Manager have reviewed and revised the fees and recommend that City Council approve them for adoption; and

WHEREAS, the fees to be increased with their new rate are as follows:

- Ground Handling \$ 30.00
- Landing Fee Twin Turbo Prop \$ 75.00
- Landing Fee Jet Type 1 \$105.00
- Landing Fee Jet Type 2 \$145.00
- Landing Fee Jet Type 3 \$175.00
- Overnight Fee Twin Turbo Prop \$ 50.00
- Overnight Fee Jet Type 1 \$ 55.00
- Overnight Fee Jet Type 2 \$ 70.00
- Overnight Fee Jet Type 3 \$ 95.00
- Contract Fuel Reimbursement
 - Tier 1 (1-400 gallons) \$ 1.87/gallon
 - Tier 2 (401-800 gallons) \$ 1.62/gallon
 - Tier 3 (801+ gallons) \$ 1.37/gallon
- Retail Fuel
 - Jet Fuel Margin \$ 2.108/gallon; and

WHEREAS, the City of Charlevoix proposes to make these rates and fees effective on October 15, 2018.

NOW THEREFORE BE IT RESOLVED that the City of Charlevoix adopts the revised Airport rates and fees.

RESOLVED, this 15th day of October, 2018 A.D.

Resolution adopted by the following yea and nay votes:

Yeas: Hagen, Kalbfell, Cole, Perron, Oleksy

Nays: None

Absent: Bryan

C. Bridge Rails

City Manager Heydlauff recalled that several weeks ago, Kay Heise provided information on the history of painting the bridge rails. He stated that MDOT owns the bridge but they allowed the City to paint decorative railings on the bridge in the 1990's. Following the bridge maintenance in 2017 and with the aging of this paint, it is peeled and scuffed. He suggested that we could solicit bids for repainting or some kind of sandblasting.

Mayor Kurtz opened the item to public comment.

- Rick Wertz questioned the original cost to paint the railings.
- John Haggard felt Council should contact John Hess before making a decision.

The item was closed to the public.

Council consensus was to direct the City Manager to pursue sandblasting the bridge railings to bare metal.

8. **Reports & Communications**

A. Public Comments

- John Haggard discussed his proposed recreational marijuana resolution. He requested that Council pass the resolution opposing State Proposal 18-1 tonight.

B. City Manager Comments

- Fiber optic discussion continues with Michigan Scientific.
- Rented goats from Munchers on Hooves were successful in eradicating invasive plants at Michigan Beach Park. Thanks to the neighbors for making owner Garrett Fickle feel welcome.
- New website went live last week and we will continue adding content. Thanks to the Clerk and Recreation Assistant Anzell.
- The lack of bids for the Solid Waste Hauling RFP was discussed.

C. Mayor & Council Comment

- Kalbfell thanked Airport Manager Wyman for his work; website looks good.
- Cole liked the website and felt the goats and Apple Fest were successful.
- Mayor Kurtz noted that it was Domestic Abuse Awareness Month. He was disappointed in the lack of waste hauling bids. The Mayor suggested closing Bridge Street during Apple Fest for safety reasons; Council concurred to petition MDOT for all large festivals.

9. Other Council Business

Council addressed the proposed resolution brought forth by John Haggard. Mr. Haggard placed literature opposing State Proposal 18-1 (legalizing recreational marijuana) at the dais for the members immediately prior to tonight's meeting. Council was unwilling to make a quick decision on this matter.

Motion by Cole, second by Oleksy, to call a Special Meeting tomorrow at 6 o'clock to discuss the resolution brought before us.

Yeas: Hagen, Kalbfell, Cole, Oleksy

Nays: Perron

Absent: Bryan

10. Adjourn

The Mayor adjourned the meeting at 6:57 p.m.

Joyce M. Golding	City Clerk	Luther Kurtz	Mayor
Special Accounts Payable – 09/27/2018			
PRIORITY HEALTH	36,639.32	TOTAL	36,639.32
Regular Accounts Payable – 10/16/2018			
ACCESS LOCKSMITHING INC	137.50	KSS ENTERPRISES	1,257.35
ACE HARDWARE	1,631.72	LASER PRINTER TECHNOLOGIES	598.00
AMERICAN WASTE INC.	3,318.36	LOTTIE'S BAGELS	107.00
APX INC.	32.72	LUDWIG, ROBERT	74.95
ARTAZA, JUDY	300.00	MACKINAC ENVIRONMENTAL TECH IN	1,492.00
AT YOUR SERVICE PLUS INC	5,741.82	MAP-DYNAMICS, MOBILE TOWN GUIDE	750.00
AUTO VALUE	1,395.00	McGINN, KELLY A.	222.20
AVFUEL CORPORATION	13,221.50	MDC CONTRACTING LLC	175.00
B & L SOUND INC	487.83	MICHIGAN STATE UNIVERSITY	80.00
BEAVER RESEARCH COMPANY	217.14	MIGCSA	100.00
BEHAN WINDOW CLEANING	320.00	MILLER, PAULETTE	14.50
BERG, REBECCA	85.00	MUNETRIX LLC	4,188.55
CARQUEST OF CHARLEVOIX	1,522.28	NEWKIRK ELECTRIC	100.00
CCI SOUTH LLC	26.25	NORTHERN CREDIT BUREAU	380.41
CDW GOVERNMENT INC.	212.25	NORTHERN MICHIGAN REVIEW INC.	1,467.25
CHARLEVOIX COURIER	67.00	NORTHERN PUMP SERVICE INC.	1,541.20
CHARLEVOIX SCREEN MASTERS INC	127.70	NW MI COG	44,773.32
CHARLEVOIX TOWNSHIP	15.00	OLESON'S FOOD STORES	115.29
CHARTER COMMUNICATIONS	1,071.30	OLSON BZDOK & HOWARD	3,076.75
CINTAS CORPORATION #729	90.30	O'REILLY AUTOMOTIVE INC	5.14
CITY OF CHARLEVOIX - UTILITIES	46,583.22	OTEC	175.00
CIVICPLUS	8,582.50	PALMER, VIRGINIA	75.00
COOK FAMILY FARMS	82.00	PARASTAR INC.	2,706.64
DELL MARKETING L P	1,777.20	PHYSICIAN'S CLINIC OF CHARLEVOIX	116.00
DHASELEER, CARL	139.00	PIAZZA, ANTHONY M.	1,850.00
DORNBOS SIGN INC.	95.25	POWER LINE SUPPLY	3,775.46
EJ USA INC.	1,497.66	PREIN & NEWHOF	43,644.46
EMERGENCY MEDICAL PRODUCTS INC	34.15	PRO IMAGE DESIGN INC	42.40
FARMER WHITE'S	62.00	PRO WEB MARKETING LLC	200.00
FASTENAL COMPANY	113.79	PROVIDENCE FARM LLC	641.00
FICK & SONS DIESEL GARAGE	548.16	PURITY CYLINDER GASES INC	180.75
FILIPIAK, CHRIS	100.00	R & R PRODUCTS INC	154.40
FOREMOST MEDICAL EQUIPMENT	2,002.00	RESCO	28,299.18
FREEDOM MAILING SERVICES INC.	2,335.20	ROTARY CLUB OF CHARLEVOIX	37.50
GINOP SALES INC	252.54	SCIENTIFIC BRAKE & EQUIP CO	61.52
GRAHAM, SHERYL	75.00	SHINDORF BUILDERS	182.00
GREAT LAKES COCA-COLA DISTR	358.08	SIEGRIST, DAVID	158.00
GREAT LAKES ELEVATOR LLC	370.91	SOCIAL ECONOMIC ENTERPRISES	300.00
HACH COMPANY	2,318.41	SOUND ENVIRONMENTS	460.00
HARJU, WILLARD	50.11	STATE OF MICHIGAN	50.00
HEYDLAUFF, MARK L	1,303.36	SUMMIT COMPANIES	179.95
HILLING, NICHOLAS A.	52.54	SWANSON K & D INC	2,000.00
HOLTZMAN, TODD	75.00	SYN-TECH SYSTEMS INC.	33.75
HYDE SERVICES LLC	6,975.09	TELE-RAD INC	305.54
INTERWATER FARMS INC	232.00	TOWSLEY, DAVID	75.00
JOHN E. GREEN COMPANY	966.00	TROPHY CASE, THE	10.00
KALBFELL, JANET P.	250.38	UNIFIRST CORPORATION	607.98
KENDALL ELECTRIC INC.	147.44	UP NORTH PROPERTY SERVICES LLC	2,334.50
KNORR, KENT	710.12	USA BLUE BOOK	694.26

VILLAGE GRAPHICS INC.	19.50	YP	212.12
WILBERT BURIAL VAULT CO	571.76	ZOERNER, LORI	75.00
WORK & PLAY SHOP	31.06	TOTAL	258,888.42

ACH Payments – 10/01/2018 to 10/09/2018

MI PUBLIC POWER AGENCY	14,409.75	VANTAGEPOINT (457 ICMA PLAN)	18,619.70
IRS (PAYROLL TAX DEPOSIT)	41,654.33	VANTAGEPOINT (ROTH IRA)	936.53
ALERUS FINANCIAL (HCSP)	400.00	MI PUBLIC POWER AGENCY	26,935.25
STATE OF MI (WITHHOLDING TAX)	6,236.52	STATE OF MI (SALES TAX)	13,408.99
VANTAGEPOINT (401 ICMA PLAN)	802.64	TOTAL	123,403.71

Payroll Net Pay – Pay Period Ending 09/29/2018 (Paid 10/05/2018)

PERRON, LEON R.	460.98	MCGHEE, ROBERT R.	1,102.92
KURTZ, LUTHER J.	828.84	MUMICH, BARRY J.	252.39
HAGEN, AARON W.	420.19	CRANDELL, ZACKARY R.	523.68
OLEKSY, THOMAS M.	367.81	FERGUSON, ROYCE L.	652.45
KALBFELL, JANET P.	431.73	BOSS, SHERRY M.	767.91
BRYAN JR, GREGORY T.	334.78	SAYWARD, MADISON E.	718.44
HEYDLAUFF, MARK L.	2,822.91	ZIPP, BRANDON M.	464.70
GOLDING, JOYCE M.	2,177.85	ROSENTHAL, GABRIEL M.	778.38
DEROSIA, PATRICIA E.	1,320.93	KNORR, KENT J.	1,866.41
DOTSON, LINDSEY J.	1,463.21	ANZELL, BETH A.	803.49
LOY, EVELYN R.	1,091.21	KLOOSTER, PATRICK H.	1,465.01
KLOOSTER, ALIDA K.	2,012.54	EVANS JR, HALBERT K.	859.08
GOLOVICH, KAREN J.	993.40	KIRINOVIC, THOMAS F.	638.75
SPENCLEY, PATRICIA L.	61.34	HEID, THOMAS J.	1,315.38
MILLER, FAITH G.	11.94	LEESE, ALAN K.	485.62
MCGINN, KELLY A.	1,814.43	DAVIS, RONALD L.	115.25
JONES, JANET M.	508.32	FAIRCHILD, GALEN W.	159.79
LAVENDER, JOSEPH E.	1,722.03	MASSON, DONALD J.	561.50
DOAN, GERARD P.	1,862.89	LIVINGSTON, BRIAN D.	1,018.10
SCHLAPPI, JAMES L.	722.69	STANLEY, MARK J.	35.55
UMULIS, MATTHEW T.	975.85	WYMAN, MATTHEW A.	1,517.82
HANKINS, SCOTT A.	1,571.62	MILLER, WILLIAM S.	1,638.17
ORBAN, BARBARA K.	1,298.87	DOUGLAS, MARK	700.90
WILLIAMS, ASHLEY M.	1,184.73	PRIOR, ERIN C.	565.47
FLICKEMA, ANDREW M.	1,730.61	CERTA, BRIAN	514.00
RILEY, DENISE M.	457.14	MCMULLEN, DONALD R.	1,883.17
MATELSKI, KRISTEN L.	1,258.28	TRAVERS, MANUEL J.	1,954.53
BINGHAM, LARRY E.	941.64	STEVENS, JEFFREY W.	1,305.99
MACGILLIVRAY, ROGER	231.19	RILEY, CASEY W.	943.32
WURST, RANDALL W.	1,130.38	JONES, LARRY M.	897.93
MAYER, SHELLEY L.	1,621.94	WILLSON, BRENDA R.	1,269.51
HILLING, NICHOLAS A.	1,709.23	BEAN, PETER J.	1,870.43
MEIER III, CHARLES A.	1,429.91	RILEY, REBECCA J.	500.03
ZACHARIAS, STEVEN B.	1,288.32	ERWIN, RACHELLE L.	200.71
NEWMAN, MARK J.	816.99	SILVA, JESSE L.A.	1,907.08
SWEM, DONALD L.	1,973.85	SEHL, JENNA R.	292.72
EATON, BRAD A.	1,789.17	RILEY, DANIEL A.	606.10
WILSON, TIMOTHY J.	2,656.86	WHEELER, MICHAEL W.	1,910.54
LAVOIE, RICHARD L.	1,752.93	SNYDER, CORY G.	945.77
STEVENS, BRANDON C.	2,649.84	PEARSALL, KRISTA M.	450.56
DRAVES, MARTIN J.	1,802.97	DRAKE, WILLIAM F.	769.23
ANDERSON, ELIZABETH A.	1,270.44	JOHNSON, MELISSA A.	1,755.48
LEITNER, RYAN S.	1,150.39	AZZOPARDI, ANTHONY J.	806.80
ELLIOTT, PATRICK M.	2,225.84	DEKORNE, ELIZABETH A.	423.16
SCHWARTZFISHER, JOSEPH L.	1,217.23	VOUSBOUKIS, AUTUMN M.	431.91
BRADLEY, KELLY R.	1,566.37	McRANEY, RUSSELL R.	79.28
HART II, DELBERT W.	1,676.58	FILIPIAK, CHRISTOPHER D.	79.28
JONES, ROBERT F.	1,389.35	BELMONTE, ANTONIO F.	14.65
DORAN, JUSTIN J.	1,705.55	COLE, SHANE	662.61
FARRELL, MITCHELL L.	1,733.78	GERBER, SAMUEL A.	83.11
THORP JR, WILLIAM D.	1,481.13	WHITLEY, ANDREW T.	2,022.91
MANKER JR, DAVID W.	507.55	MORRISON, KEVIN P.	1,765.67
MANKER SR, DAVID W.	796.03	BISHAW, JAMES H.	783.49
BECKER, MICHAEL S.	760.98	KLINGER, BRADLEY W.	37.88
NEDWICK, DAVID J.	821.57	GILL, DAVID R.	1,308.16
FREY, DYLAN V.	552.87		
HART III, DELBERT W.	648.42	TOTAL	118,689.59

Payroll Transmittal –10/05/2018

4FRONT CREDIT UNION	635.00	CHAR EM UNITED WAY	52.00
AMERICAN FAMILY LIFE	198.66	CHARLEVOIX STATE BANK	1,028.00
AMERICAN FAMILY LIFE	372.78	CHEMICAL BANK	150.00
BARRY COUNTY TRIAL COURT	20.00	COMMUNICATION WORKERS OF AMER	582.62

MI STATE DISBURSEMENT UNIT	866.89	VELO LAW OFFICE	217.49
POLICE OFFICERS LABOR COUNCIL	201.00		
PRIORITY HEALTH	1,497.57	TOTAL	5,822.01

	Tax Disbursement – 10/16/2018		
CHARLEVOIX COUNTY TREASURER	22,774.32	CHARLEVOIX PUBLIC SCHOOLS	1,089.93
CHARLEVOIX PUBLIC SCHOOLS	34,892.72	CITY OF CHARLEVOIX - TAXES DUE	26,644.58
CHARLEVOIX PUBLIC SCHOOLS	4,403.70	RAKE PAUL ALEXANDER & JILL SISSON	12.54
CHARLEVOIX PUBLIC SCHOOLS	272.33	TOTAL	90,090.12