



AGENDA
CITY OF CHARLEVOIX CITY COUNCIL REGULAR MEETING
Monday, August 19, 2019- 6:00 PM
Council Chambers, 210 State Street, Charlevoix, MI

- 1. Pledge of Allegiance**
- 2. Roll Call**
- 3. Presentations**
- 4. Inquiry Regarding Conflicts of Interest**
- 5. Consent Agenda**
 - A. City Council Meeting Minutes - August 5, 2019
 - B. Accounts Payable and Payroll Check Registers
 - C. Revised Employee Handbook, dated August 19, 2019
- 6. Public Hearings and Actions Requiring Public Hearings**
 - A. Set Zoning Ordinance Amendments Public Hearings
Mark L. Heydlauff, City Manager
- 7. All Other Actions and Requests**
 - A. Parking Meter and Pay Station Purchase
Mark L. Heydlauff, City Manager; Gerard Doan, Chief of Police
 - B. Apple Fest Street Closure Decision
Mark L. Heydlauff, City Manager
 - C. Set Short Term Rental Work Session
Mark L. Heydlauff, City Manager
- 8. Reports and Communications**
 - A. Public Comments
 - B. City Manager's Comments
 - 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.

CHARLEVOIX CITY COUNCIL

Consent Agenda

TITLE: City Council Meeting Minutes - August 5, 2019

DATE: August 19, 2019

RECOMMENDATION:

Motion to approve City Council minutes.

ATTACHMENTS:

- ▣ Draft Council Minutes

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, August 5, 2019 – 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: Greg Bryan, Shane Cole, Aaron Hagen, Janet Kalbfell, Tom Oleksy, Leon Perron
Members Absent: None
City Manager: Mark L. Heydlauff
City Clerk: Joyce Golding
City Attorney: Scott Howard

3. Presentations

A. EMS Operations Update – item postponed

4. Inquiry Regarding Conflicts of Interest

City Attorney Howard indicated that Bryan and the Mayor did not have conflicts regarding the short-term rental topic.

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 – July 15, 2019
- B. Accounts Payable and Payroll Check Registers
 - a. Special Accounts Payable Check Register – July 22, 2019
 - b. Regular Accounts Payable Check Register – August 6, 2019
 - c. ACH Payments – July 11, 2019 to July 29, 2019
 - d. Payroll Check Register – July 26, 2019
 - e. Payroll Transmittal – July 26, 2019
 - f. Tax Disbursement – August 6, 2019
- C. Designate Representative to MML Annual Meeting – Mark Heydlauff and Luther Kurtz alternate
- D. Resolution to Adopt the PA 152 Annual Exemption Option for the 2019-20 Medical Benefit Plan

CITY OF CHARLEVOIX
RESOLUTION 2019-08-01

**RESOLUTION TO ADOPT THE ANNUAL EXEMPTION OPTION AS SET FORTH IN 2011 PUBLIC ACT 152,
THE PUBLICLY FUNDED HEALTH INSURANCE CONTRIBUTION ACT**

WHEREAS, 2011 Public Act 152 (the “Act”) was passed by the State Legislature and signed by the Governor on September 24, 2011;
and

WHEREAS, the Act contains three options for complying with the requirements of the Act; and

WHEREAS, the three options are as follows:

- 1) Section 3 - “Hard Caps” Option - limits a public employer’s total annual health care costs for employees based on coverage levels, as defined in the Act;
- 2) Section 4 - “80%/20%” Option - limits a public employer’s share of total annual health care costs to not more than 80%. This option requires an annual majority vote of the governing body;
- 3) Section 8 - “Exemption” Option - a local unit of government, as defined in the Act, may exempt itself from the requirements of the Act by an annual 2/3 vote of the governing body; and

WHEREAS, the City Council has decided to adopt the annual Exemption option as its choice of compliance under the Act.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Charlevoix elects to comply with the requirements of 2011 Public Act 152, the Publicly Funded Health Insurance Contribution Act, by adopting the annual Exemption option for the medical benefit plan coverage year October 1, 2019 through September 30, 2020.

RESOLVED, this 5th day of August, 2019 A.D.

Resolution was adopted by the following yea and nay vote:

DRAFT

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

E. Greg Withrow Resignation, ZBA – accept resignation

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

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

6. Public Hearings & Actions Requiring Public Hearings

7. All Other Actions & Requests

A. Charter Amendments

City Attorney Howard stated that he has been working with the Attorney General's office on ballot wording for the potential amendments to the City Charter. Council discussed each of the 19 resolutions at length. Mayor Kurtz recused himself during the discussion regarding Airport leases.

Mayor Kurtz opened each proposed resolution to public comment. Buck Stout, Laura Stout, Leilani Durbin, Del Terrill, and Larry Sullivan made multiple comments to the majority of the proposals. The items were closed to the public.

Motion by Kalbfell, second by Cole, to adopt Resolution 2019-08-02, as follows:

CITY OF CHARLEVOIX
RESOLUTION NO. 2019-08-02
COUNCIL – TERMS SECTION 2.4, ELECTION OF COUNCIL MEMBERS SECTION 4.8, AND INITIAL ELECTION
AND TERMS OF OFFICE SECTION 14.3F BALLOT LANGUAGE

WHEREAS, the City of Charlevoix City Council desires to amend the existing city charter; and

WHEREAS, under state law, an amendment to an existing city charter may be proposed by the legislative body of a city on a 3/5 vote of the members-elect; and

WHEREAS, state law requires that if the amendment is proposed by the legislative body of the city, the amendment shall be submitted to the electors of the city at the next regular municipal or general state election, or at a special election, held not less than 60 days after the proposal of the amendment; and

WHEREAS, state law requires that the proposed charter amendments to be submitted to the electors shall be published in full with existing charter provisions that would be altered or abrogated by the proposed charter amendment; and,

WHEREAS, state law requires the purpose of the proposed charter amendment to be designated on the ballot in not more than 100 words; and

WHEREAS, state law requires that the form in which a proposed charter amendment shall appear on the ballot shall be determined by resolution of the legislative body; and

WHEREAS, state law requires that a proposed charter amendment shall be confined to 1 subject, but may include more than 1 related proposition if each proposition is separately stated to afford an opportunity for an elector to vote for or against each proposition;

NOW THEREFORE BE IT RESOLVED, that the City of Charlevoix City Council hereby adopts the following ballot language for the potential amendment of the City Charter and directs the Clerk to take appropriate action to put the proposed amendment on the ballot for the November 2019 general election:

Shall Article II Section 2.4 Council – Terms, Article IV Section 4.8 Election of Council Members, and Article XIV Section 14.3 of the City Charter be amended to increase the term for each Council member from 2 years to 4 years with elections for 4 year terms to occur every other year starting in 2022?

RESOLVED this 5th day of August, 2019 A.D.

Resolution was adopted by the following yea and nay vote:

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

Motion by Perron, second by Kalbfell, to adopt Resolution 2019-08-03, as follows:

CITY OF CHARLEVOIX
RESOLUTION NO. 2019-08-03
COUNCIL - MEETINGS - MINUTES AND NOTICES THEREOF SECTION 2.15G BALLOT LANGUAGE

DRAFT

WHEREAS, the City of Charlevoix City Council desires to amend the existing city charter; and

WHEREAS, under state law, an amendment to an existing city charter may be proposed by the legislative body of a city on a 3/5 vote of the members-elect; and

WHEREAS, state law requires that if the amendment is proposed by the legislative body of the city, the amendment shall be submitted to the electors of the city at the next regular municipal or general state election, or at a special election, held not less than 60 days after the proposal of the amendment; and

WHEREAS, state law requires that the proposed charter amendments to be submitted to the electors shall be published in full with existing charter provisions that would be altered or abrogated by the proposed charter amendment; and,

WHEREAS, state law requires the purpose of the proposed charter amendment to be designated on the ballot in not more than 100 words; and

WHEREAS, state law requires that the form in which a proposed charter amendment shall appear on the ballot shall be determined by resolution of the legislative body; and

WHEREAS, state law requires that a proposed charter amendment shall be confined to 1 subject, but may include more than 1 related proposition if each proposition is separately stated to afford an opportunity for an elector to vote for or against each proposition;

NOW THEREFORE BE IT RESOLVED, that the City of Charlevoix City Council hereby adopts the following ballot language for the potential amendment of the City Charter and directs the Clerk to take appropriate action to put the proposed amendment on the ballot for the November 2019 general election:

Shall Article II Section 2.15g Council - Meetings - Minutes and Notices Thereof of the City Charter be amended to delete the entire paragraph and thereby remove the requirement to publish Council proceedings, showing the substance of each separate action of Council, in a newspaper of general circulation within ten days after each meeting of the Council?

RESOLVED this 5th day of August, 2019 A.D.

Resolution was adopted by the following yea and nay vote:

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

Nays: None

Motion by Kalbfell, second by Hagen, to adopt Resolution 2019-08-04 as amended, as follows:

**CITY OF CHARLEVOIX
RESOLUTION NO. 2019-08-04
COUNCIL - POWERS AND LIMITATIONS SECTION 2.16H BALLOT LANGUAGE**

WHEREAS, the City of Charlevoix City Council desires to amend the existing city charter; and

WHEREAS, under state law, an amendment to an existing city charter may be proposed by the legislative body of a city on a 3/5 vote of the members-elect; and

WHEREAS, state law requires that if the amendment is proposed by the legislative body of the city, the amendment shall be submitted to the electors of the city at the next regular municipal or general state election, or at a special election, held not less than 60 days after the proposal of the amendment; and

WHEREAS, state law requires that the proposed charter amendments to be submitted to the electors shall be published in full with existing charter provisions that would be altered or abrogated by the proposed charter amendment; and,

WHEREAS, state law requires the purpose of the proposed charter amendment to be designated on the ballot in not more than 100 words; and

WHEREAS, state law requires that the form in which a proposed charter amendment shall appear on the ballot shall be determined by resolution of the legislative body; and

WHEREAS, state law requires that a proposed charter amendment shall be confined to 1 subject, but may include more than 1 related proposition if each proposition is separately stated to afford an opportunity for an elector to vote for or against each proposition;

NOW THEREFORE BE IT RESOLVED, that the City of Charlevoix City Council hereby adopts the following ballot language for the potential amendment of the City Charter and directs the Clerk to take appropriate action to put the proposed amendment on the ballot for the November 2019 general election:

Shall Article II Section 2.16h Council - Powers and Limitations of the City Charter be amended to increase the period for which

the Council may lease land or buildings for airplane hangars at the City owned airport from 5 to 30 years?

RESOLVED this 5th day of August, 2019 A.D.

Resolution was adopted by the following yea and nay vote:

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

Nays: None

Motion by Kalbfell, second by Hagen, to adopt Resolution 2019-08-05, as follows:

**CITY OF CHARLEVOIX
RESOLUTION NO. 2019-08-05**

COUNCIL - OVERALL CONTROL OF MUNICIPAL OPERATIONS SECTION 2.18 BALLOT LANGUAGE

WHEREAS, the City of Charlevoix City Council desires to amend the existing city charter; and

WHEREAS, under state law, an amendment to an existing city charter may be proposed by the legislative body of a city on a 3/5 vote of the members-elect; and

WHEREAS, state law requires that if the amendment is proposed by the legislative body of the city, the amendment shall be submitted to the electors of the city at the next regular municipal or general state election, or at a special election, held not less than 60 days after the proposal of the amendment; and

WHEREAS, state law requires that the proposed charter amendments to be submitted to the electors shall be published in full with existing charter provisions that would be altered or abrogated by the proposed charter amendment; and,

WHEREAS, state law requires the purpose of the proposed charter amendment to be designated on the ballot in not more than 100 words; and

WHEREAS, state law requires that the form in which a proposed charter amendment shall appear on the ballot shall be determined by resolution of the legislative body; and

WHEREAS, state law requires that a proposed charter amendment shall be confined to 1 subject, but may include more than 1 related proposition if each proposition is separately stated to afford an opportunity for an elector to vote for or against each proposition;

NOW THEREFORE BE IT RESOLVED, that the City of Charlevoix City Council hereby adopts the following ballot language for the potential amendment of the City Charter and directs the Clerk to take appropriate action to put the proposed amendment on the ballot for the November 2019 general election:

Shall Article II Section 2.18 Council - Overall Control of Municipal Operations of the City Charter be amended to direct the Council effect management by way of setting compensation and number of staff in the annual budget and other directives the Council may give to the City Manager from time to time, and to require the City Manager to promptly report to the Council, at the Council's request, on management affairs including but not limited to: the organizational structure of the government; job descriptions; employee benefits; and, employee compensation?

RESOLVED this 5th day of August, 2019 A.D.

Resolution was adopted by the following yea and nay vote:

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

Nays: None

Motion by Cole, second by Kalbfell, to adopt Resolution 2019-08-06, as follows:

**CITY OF CHARLEVOIX
RESOLUTION NO. 2019-08-06**

CITY MANAGER - APPOINTMENT SECTION 3.3 AND CITY MANAGER – REMOVAL SECTION 3.4 BALLOT LANGUAGE

WHEREAS, the City of Charlevoix City Council desires to amend the existing city charter; and

WHEREAS, under state law, an amendment to an existing city charter may be proposed by the legislative body of a city on a 3/5 vote of the members-elect; and

WHEREAS, state law requires that if the amendment is proposed by the legislative body of the city, the amendment shall be submitted to the electors of the city at the next regular municipal or general state election, or at a special election, held not less than 60 days after the proposal of the amendment; and

WHEREAS, state law requires that the proposed charter amendments to be submitted to the electors shall be published in full with existing

charter provisions that would be altered or abrogated by the proposed charter amendment; and,

WHEREAS, state law requires the purpose of the proposed charter amendment to be designated on the ballot in not more than 100 words; and

WHEREAS, state law requires that the form in which a proposed charter amendment shall appear on the ballot shall be determined by resolution of the legislative body; and

WHEREAS, state law requires that a proposed charter amendment shall be confined to 1 subject, but may include more than 1 related proposition if each proposition is separately stated to afford an opportunity for an elector to vote for or against each proposition;

NOW THEREFORE BE IT RESOLVED, that the City of Charlevoix City Council hereby adopts the following ballot language for the potential amendment of the City Charter and directs the Clerk to take appropriate action to put the proposed amendment on the ballot for the November 2019 general election:

Shall Article III Sections 3.3 City Manager - Appointment and 3.4 City Manager -- Removal of the City Charter be combined and amended to provide for the appointment of a City Manager solely on the basis of professional merit and ability by majority vote of the entire Council, to provide that the Council may enter into a contract with the City Manager, and to provide that the Council may terminate the City Manager's contract upon its expiration or with a vote of not less than 2/3 of the entire Council?

RESOLVED this 5th day of August, 2019 A.D.

Resolution was adopted by the following yea and nay vote:

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

Nays: None

Motion by Oleksy, second by Hagen, to adopt Resolution 2019-08-07, as follows:

CITY OF CHARLEVOIX
RESOLUTION NO. 2019-08-07
EMPLOYEE CONTRACTS - SEVERANCE PAYMENTS SECTION 3.14 BALLOT LANGUAGE

WHEREAS, the City of Charlevoix City Council desires to amend the existing city charter; and

WHEREAS, under state law, an amendment to an existing city charter may be proposed by the legislative body of a city on a 3/5 vote of the members-elect; and

WHEREAS, state law requires that if the amendment is proposed by the legislative body of the city, the amendment shall be submitted to the electors of the city at the next regular municipal or general state election, or at a special election, held not less than 60 days after the proposal of the amendment; and

WHEREAS, state law requires that the proposed charter amendments to be submitted to the electors shall be published in full with existing charter provisions that would be altered or abrogated by the proposed charter amendment; and,

WHEREAS, state law requires the purpose of the proposed charter amendment to be designated on the ballot in not more than 100 words; and

WHEREAS, state law requires that the form in which a proposed charter amendment shall appear on the ballot shall be determined by resolution of the legislative body; and

WHEREAS, state law requires that a proposed charter amendment shall be confined to 1 subject, but may include more than 1 related proposition if each proposition is separately stated to afford an opportunity for an elector to vote for or against each proposition;

NOW THEREFORE BE IT RESOLVED, that the City of Charlevoix City Council hereby adopts the following ballot language for the potential amendment of the City Charter and directs the Clerk to take appropriate action to put the proposed amendment on the ballot for the November 2019 general election:

Shall Article III Section 3.14 Employee Contracts - Severance Payments of the City Charter, which prohibits Council from paying a City employee a severance payment that exceeds three times the average monthly salary or wages of the employee for the three months prior to termination of employment, be amended to remove this section from the City Charter?

RESOLVED this 5th day of August, 2019 A.D.

Resolution was adopted by the following yea and nay vote:

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

Nays: None

Motion by Cole, second by Kalbfell, to adopt Resolution 2019-08-08, as follows:

CITY OF CHARLEVOIX
RESOLUTION NO. 2019-08-08
ORDINANCES PUBLICATIONS SECTION 5.3D BALLOT LANGUAGE

WHEREAS, the City of Charlevoix City Council desires to amend the existing city charter; and

WHEREAS, under state law, an amendment to an existing city charter may be proposed by the legislative body of a city on a 3/5 vote of the members-elect; and

WHEREAS, state law requires that if the amendment is proposed by the legislative body of the city, the amendment shall be submitted to the electors of the city at the next regular municipal or general state election, or at a special election, held not less than 60 days after the proposal of the amendment; and

WHEREAS, state law requires that the proposed charter amendments to be submitted to the electors shall be published in full with existing charter provisions that would be altered or abrogated by the proposed charter amendment; and,

WHEREAS, state law requires the purpose of the proposed charter amendment to be designated on the ballot in not more than 100 words; and

WHEREAS, state law requires that the form in which a proposed charter amendment shall appear on the ballot shall be determined by resolution of the legislative body; and

WHEREAS, state law requires that a proposed charter amendment shall be confined to 1 subject, but may include more than 1 related proposition if each proposition is separately stated to afford an opportunity for an elector to vote for or against each proposition;

NOW THEREFORE BE IT RESOLVED, that the City of Charlevoix City Council hereby adopts the following ballot language for the potential amendment of the City Charter and directs the Clerk to take appropriate action to put the proposed amendment on the ballot for the November 2019 general election:

Shall Article V Section 5.3d Ordinances - Composition - Hearings - Publications of the City Charter be amended to provide for the publication of summaries of each ordinance in a local newspaper with the full text of each ordinance posted by the City in an electronic conveyance with paper copies available for review in the City Clerk's office instead of requiring publication of the ordinance in full in a local newspaper of general circulation?

RESOLVED this 5th day of August, 2019 A.D.

Resolution was adopted by the following yea and nay vote:

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

Nays: None

B. Short Term Rental Discussion

City Manager Heydlauff recalled that Council approved a moratorium on the approval of new registrations for short term rentals. As part of this, Council wished to study the topic further. The City Attorney answered several questions from Council.

Mayor Kurtz opened the item to public comment.

- Jill Rawley read a prepared statement asking Council to consider limits on short term rentals and a policy for their use.
- Del Terrill felt that he should be able to host events on his property.
- Abraham Dhasaleer asked Council to consider the ancillary companies which are involved in the rental industry.
- Mike Hedges felt Council should not take rights away from rental property owners.

The item was closed.

Council agreed to hold a Work Session in September, the date to be determined.

C. Clinton Street Stoplight

City Manager Heydlauff stated that in 2020, MDOT plans replacement of the stoplight at Clinton and Bridge Street. As part of this, MDOT questioned whether we are interested in paying \$60,000 for a mast arm rather than the standard box span configuration.

Mayor Kurtz opened the item to public comment.

- Bob Timms was not in favor.
- Mike Hedges suggested timing the light so all pedestrians cross simultaneously.

The item was closed.

Council agreed to forego the mast arm option.

D. WTP Filter Rehabilitation: Phase II

City Manager Heydlauff stated that the water filtration plant and equipment have been in service since 1986 and underwent Phase One Filter Rehabilitation in October 2018. He said finishing Phase Two will consist of replacement of media, inspection of the underdrain system, and painting the filter walls and troughs.

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

Motion by Oleksy, second by Kalbfell, to accept the bid from Grand Traverse Construction for \$539,700 under the recommendation of Prein&Newhof and authorize the City Manager to sign all necessary documents. Motion passed by unanimous voice vote.

E. Fiber Service Extension

City Manager Heydlauff recalled that Council authorized an agreement to use one of the existing aerial towers at Mt. McSaubia to serve the internet needs of a private customer on South Fox Island. As a result, we will receive \$40,000 for use of the tower but more importantly, the infrastructure needed to serve this purpose will help us extend our fiber coverage to our facilities at McSaubia, build the coverage to our lift stations in the area, and better extend our reach of City-owned fiber in the area. The proposal from Feyen-Zylstra would accomplish these purposes and mostly round out the project of connecting all of our "office" facilities to the City network. Costs for this work will be primarily paid for by the lease payment from the tower with additional funds from the Wastewater, Electric and Recreation departments.

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

Motion by Kalbfell, second by Perron, to authorize the scope of work with Feyen-Zylstra for north-side fiber installation for \$77,880. Motion passed by unanimous voice vote.

F. Phone System Replacement Consultation

City Manager Heydlauff stated Abilita has been managing our telecommunications contracts on a performance fee to ensure we do not pay more than necessary for services with providers like AT&T; they have been able to help us reduce costs. Our current landline phone system is more than 10 years old and is no longer supported by the manufacturer. We have also, over the past couple of years, built our internal fiber network to cover nearly all our office locations and even some of our lift stations, water tower, and related sites. These locations rely on phone systems to signal operations. He stated that the proposal would retain Abilita to work with the City to explore a voice over IP system saving around \$2,000 per month city-wide.

Mayor Kurtz opened the item to public comment.

- Del Terrill was in support of high speed internet.

The item was closed.

Motion by Cole, second by Hagen, to authorize the City Manager to sign a consultation agreement with Abilita as presented. Motion passed by unanimous voice vote.

G. Neighborhood Speed Signs

Mayor Kurtz stated that several people have asked about the prospect of installing speed signs in their neighborhoods, but paid for by personal funds. The same concept could be used for burying overhead electrical wires.

Mayor Kurtz opened the item to public comment.

- Larry Sullivan felt that the police should write tickets in lieu of installing speed signs.
- Del Terrill felt that there was a safety issue with buried lines and that power poles should be preserved.

The item was closed.

Council directed the City Manager to discuss speed signs with Chief Doan and research a potential underground line policy.

8. **Reports & Communications**

A. Public Comments

- Del Terrill noted voluntary quiet hours policy violations at the Airport.
- Jan Rawley commended the petunia baskets.

B. City Manager Comments

C. Mayor & Council Comments

- Hagen questioned why the shuffleboard project was on hold.
- Council offered kudos to the volunteers and City workers during Venetian.
- Bryan felt that dumpsters on the street should be regulated; he spoke to the Airport Manager about quiet hours

9. **Other Council Business**

10. **Adjourn**

The Mayor adjourned the meeting at 9:41 p.m.

Joyce M. Golding

City Clerk

Luther Kurtz

Mayor

Special Accounts Payable – 07/22/2019

AT&T	4,731.22	PRIORITY HEALTH	40,446.33
AT&T MOBILITY	206.49	RANGE TELECOMMUNICATIONS	524.05
CHARLEVOIX STATE BANK	8,527.18	STANDARD INSURANCE CO	2,445.84
CHARTER COMMUNICATIONS	2,198.88	VERIZON WIRELESS	56.72
DELTA DENTAL	3,522.88	VISION SERVICE PLAN	531.73
METLIFE SMALL BUSINESS CENTER	580.07	TOTAL	63,771.39

Regular Accounts Payable – 08/06/2019

2ND STORY MARKETING LLC	500.00	DOMINIC, JESSICA	75.00
3 J ELECTRIC L.L.C.	1,200.00	DORNBOS SIGN INC.	326.33
ABRAMOWSKI, DWAIN M.	180.00	DOTSON, LINDSEY J.	50.00
ACCESS LOCKSMITHING INC	3,184.50	EAST JORDAN COMMUNITY POOL	250.00
ACUSHNET COMPANY	406.30	ELLIOTT, PATRICK M.	50.00
AIRGAS USA LLC	68.65	ELLSWORTH FARMER'S EXCHANGE	632.20
ALL-PHASE ELECTRIC SUPPLY CO.	659.60	EMBROIDME	48.00
ALTEC INDUSTRIES INC	286.13	EMERGENCY MEDICAL PRODUCTS INC	71.68
AMERICAN WASTE INC.	636.76	EVOLUTION ELECTRIC VEHICLE SYS LLC	317.00
ANDERSON, ELIZABETH A.	50.00	FAIRBAIRN, MEAGAN	31.24
ANZELL, BETH A.	50.00	FARMER WHITE'S	511.00
ARROW INTERNATIONAL INC	1,115.50	FASTENAL COMPANY	437.75
AT YOUR SERVICE PLUS INC	690.00	FIDELITY GOLF SERVICES LLC	232.00
AT&T LONG DISTANCE	1,257.44	FISHER SCIENTIFIC	1,094.98
AUSTIN MUSIC LLC	1,000.00	FOREMOST MEDICAL EQUIPMENT	1,048.33
AVFUEL CORPORATION	107,711.38	FRICKE, GINGER	96.00
BAKER COLLEGE OF CADILLAC	180.00	GALLS AN ARAMARK COMPANY	24.95
BARUZZINI GENERAL CONTRACTORS	165.00	GARCIA, ELIZABETH	23.11
BAY AREA CHIMNEY SERVICES LLC	185.00	GERBER HOMEMADE SWEETS	71.00
BEAVER RESEARCH COMPANY	98.34	GILLESPIE, MURPHY	30.00
BEJO DE CHOCOLAT LLC	38.00	GINOP SALES INC	409.82
BELL, TIM	2.54	GOLDING, JOYCE M.	50.00
BENNETT, VELMA	67.42	GOLOVICH, RENEE	65.00
BINGHAM, KAREN	75.00	GORDON FOOD SERVICE	290.99
BLACKMORE, MARK	100.00	GRAINGER	82.49
BLARNEY CASTLE OIL CO	842.79	GREAT LAKES ENERGY	257.26
BOUND TREE MEDICAL LLC	2,001.44	GREEN GUARD	71.26
BRADFORD'S	62.95	GRIFFIN BEVERAGE CO	106.00
BY THE BAY WINDOW CLEANING SVCS.	714.00	GUNTZVILLER, RHONDA	721.00
CDW GOVERNMENT INC.	1,125.76	HACH COMPANY	447.59
CENTRAL DRUG STORE	28.79	HAGGARD'S INC	100.00
CERTIFIED LABORATORIES	304.17	HANKINS, SCOTT A.	50.00
CHAPDELAINE, EMILY	75.00	HARRELL'S	332.00
CHARLEVOIX COMMUNITY SHOPPER	488.00	HERZOG ELECTRIC	60.00
CHARLEVOIX CONVENTION &	5,000.00	HEYDLAUFF, MARK L.	50.00
CHARLEVOIX COUNTY EQUALIZATION	24.00	HOLIDAY COMPANIES	7,590.88
CHARLEVOIX COUNTY TREASURER	947.40	HOLIDAY LIGHTING SERVICES INC.	464.50
CHARLEVOIX DISTRICT LIBRARY	30,000.00	HYDE SERVICES LLC	242.15
CHARLEVOIX GLASS INC.	291.66	HYDRO CORP	530.00
CHARLEVOIX HARBORWEAR	132.00	IDEXX DISTRIBUTION INC.	240.19
CHARLEVOIX HISTORICAL SOCIETY	30.00	INDEPENDENT DRAFTING SERVICES	1,900.00
CHARLEVOIX PUBLIC SCHOOLS	2,842.20	JACKLIN STEEL SUPPLY CO	69.82
CHARTER COMMUNICATIONS	918.99	JESS, BOB	120.00
CHEMICAL SYSTEMS INC.	3,480.00	JOHN E. GREEN COMPANY	4,997.50
CHEMTRADE CHEMICALS US LLC	5,809.44	JOHNSON, THEODORE	75.00
CINTAS	165.00	JONES & JONES GARAGE DOOR SVCS	2,825.00
CINTAS CORPORATION	118.93	KEYPER SYSTEMS	54.35
COACHING SYSTEMS LLC	403.40	KIWANIS CLUB OF CHARLEVOIX	40.00
COBB COMMUNICATIONS INC.	147.50	KLOOSTER, ALIDA K.	50.00
CONWAY PROFESSIONAL SERVICES	21,072.00	KLOOSTER, PATRICK H.	50.00
COOK FAMILY FARMS	89.00	KNORR, KENT J.	50.00
COOPER, MELANIE SUE	89.00	KODIAK EMERGENCY VEHICLES	264.15
CRANDALL, MITCH	30.00	KSS ENTERPRISES	3,350.89
CRYSTAL FLASH ENERGY	1,030.47	LANDSCAPE FORMS INC.	2,800.00
CWIK, ADOLPH	75.00	LASER PRINTER TECHNOLOGIES	1,679.00
DELL MARKETING L P	935.31	LAVENDER, JOSEPH E.	50.00
DeROSIA, PATRICIA E.	50.00	LEELANAU COFFEE ROASTING CO INC	386.00
DISTRICT 21 SOFTBALL	100.00	LIVINGSTON, BRIAN D.	50.00
DITCH WITCH SALES OF MICHIGAN	3,083.47	LOTTIE'S BAGELS	230.00
DOAN, GERARD P.	50.00	MACKINAC BRIDGE AUTHORITY	99.00

DRAFT

MAGGRET, DAVID	450.00	RESOLUTION G2 LLC	3,795.00
MATELSKI, KRISTEN	126.52	RICHARDS, DENNIS A	700.00
MAYER, SHELLEY L.	50.00	ROBINSON'S LANDSCAPING & NURSERY	1,200.00
McGINN, KELLY A.	50.00	SCOTT, KEITH	150.00
MCMULLEN, DONALD R.	472.66	SHANAHAN, CHERYL J.	75.43
MDC CONTRACTING LLC	177.50	SHARROW MASONRY INC	1,925.00
METTLER TOLEDO INC	725.11	SHARROW, JACOB	1,550.00
MICHAEL MURPHY IV PHOTOGRAPHY	875.00	SHINDORF BUILDERS	1,344.00
MICHIGAN BAIT & FISH FARMS	200.00	SIGN & DESIGN	112.20
MICHIGAN MUSHROOM MARKET LLC	79.00	SILVA, JESSE L.A.	50.00
MICHIGAN WATER ENV ASSOC	150.00	SIMPSON SAWMILL	100.00
MILLER, BLAIR	100.00	SOUTH POINT COLLISION INC	7,775.82
MILLER, WILLIAM S.	50.00	SPARTAN STORES LLC	110.75
MORTENSON, GARY	550.00	STATE OF MICHIGAN	245.00
MPARKS	755.00	STATE OF MICHIGAN	95.00
MUNICIPAL UNDERWRITERS OF MICH	315.00	STRAIN ELECTRIC CO	2,000.00
MUNSON HEALTHCARE CHX HOSPITAL	885.43	STRYKER SALES CORPORATION	45,285.72
MURRAY'S CREATIONS	60.00	SWEM, DONALD L.	50.00
MUTT MITT	1,976.76	SYN-TECH SYSTEMS INC.	89.10
NEWKIRK ELECTRIC	76.74	SYSTEMS SPECIALISTS INC	7,370.00
NORTHERN CREDIT BUREAU	263.24	THORP, ELIZABETH	125.00
NORTHERN MICHIGAN DUST CONTROL	1,820.00	THUNDER BAY TREE SERVICE LLC	10,237.90
NORTHWEST FIRE	68.00	TOP LINE	1,047.27
NW MI COG	36,315.00	TRUCK & TRAILER SPECIALTIES	715.44
OHM ADVISORS	9,420.00	UNIFIRST CORPORATION	988.26
OLESON'S FOOD STORES	308.56	USA BLUE BOOK	1,146.61
OLSON BZDOK & HOWARD	2,710.35	VILLAGE GRAPHICS INC.	1,027.19
OSTLUND PEST CONTROL LLC	425.00	WASHBURNE, BRENDA	72.00
PARASTAR INC.	5,608.72	WEX BANK	126.85
PARKER, MICHAEL	40.00	WHITMAN, LEE A	225.00
PETALS	170.00	WILHELM, GLENDA	12.59
PLUNKETT & COONEY	720.00	WILLSON, BRENDA	19.99
POWER LINE SUPPLY	4,921.23	WILSON, TIMOTHY J.	75.00
PREIN & NEWHOF	3,917.67	WITTHOFT, CHARLES	175.00
PRESTON FEATHER	440.67	WOJAN PLUMBING & HEATING	96.26
PRO WEB MARKETING LLC	20.00	WOJAN WINDOW & DOOR CORP.	25.00
PURITY CYLINDER GASES INC	146.34	WURST, RANDALL W.	50.00
QUILL CORP	716.92	WYMAN, MATTHEW A.	50.00
REHMANN-ROBSON & CO	10,500.00	ZIIBIMIJIWANG INC	322.00
RESCO	7,735.00	TOTAL	424,634.44
RESIDEX LLC	495.00		

ACH Payments – 07/11/2019 to 07/29/2019

STATE OF MI (SALES TAX)	17,571.09	VANTAGEPOINT (457 ICMA PLAN)	18,792.69
MI PUBLIC POWER AGENCY	18,895.74	VANTAGEPOINT (ROTH IRA)	955.76
MI PUBLIC POWER AGENCY	42,051.89	MERS DEFINED BENEFIT PLAN	49,049.13
MI PUBLIC POWER AGENCY	181,635.03	MI PUBLIC POWER AGENCY	16,600.91
IRS (PAYROLL TAX DEPOSIT)	47,194.06	TOTAL	401,058.10
ALERUS FINANCIAL (HCSP)	350.00		
STATE OF MI (WITHHOLDING TAX)	7,159.16		
VANTAGEPOINT (401 ICMA PLAN)	802.64		

Payroll Net Pay – Pay Period Ending 07/20/2019 (Paid 07/26/2019)

HEYDLAUFF, MARK L.	2,557.16	STEWART, SAMUEL D.	1,287.84
GOLDING, JOYCE M.	1,836.29	MATELSKI, KRISTEN L.	1,329.54
DEROSIA, PATRICIA E.	934.49	BINGHAM, LARRY E.	974.69
DOTSON, LINDSEY J.	1,388.96	VANLOO, MEAGAN E.	812.57
KLOOSTER, ALIDA K.	1,735.88	MACGILLIVRAY, ROGER	755.50
GOLOVICH, KAREN J.	996.81	FLOHE, STETHEN R.	1,017.34
BARNEVELD, RICHELLE L.	1,151.58	MUNK, CHRISTOPHER J.	1,043.46
SPENCLEY, PATRICIA L.	1,312.36	WURST, RANDALL W.	1,195.18
MILLER, FAITH G.	39.14	MAYER, SHELLEY L.	1,684.48
McGINN, KELLY A.	2,045.01	HILLING, NICHOLAS A.	2,053.89
JONES, JANET M.	274.59	MEIER III, CHARLES A.	1,454.24
LAVENDER, JOSEPH E.	1,693.05	ZACHARIAS, STEVEN B.	1,683.44
SCHULMAN, BLAKE B.	725.83	NEWMAN, MARK J.	936.20
DOAN, GERARD P.	2,041.12	SWEM, DONALD L.	485.44
SCHLAPPI, JAMES L.	1,087.55	EATON, BRAD A.	1,748.66
UMULIS, MATTHEW T.	1,196.60	WILSON, TIMOTHY J.	2,151.50
HANKINS, SCOTT A.	1,859.67	LAVOIE, RICHARD L.	1,755.24
ORBAN, BARBARA K.	1,133.91	STEVENS, BRANDON C.	2,289.19
FLICKEMA, ANDREW M.	1,389.03	DRAVES, MARTIN J.	1,905.68
RILEY, DENISE M.	470.81	ANDERSON, ELIZABETH A.	1,210.74

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KENWABIKISE, DAVID L.	1,081.25	KLOOSTER, SUSAN E.	18.45
ELLIOTT, PATRICK M.	2,332.83	WISDOM, ADAM W.	194.24
SCHWARTZFISHER, JOSEPH.	1,407.36	HART, DAVID R.	433.15
BRADLEY, KELLY R.	1,709.71	SHANAHAN, CHERYL J.	943.45
HART II, DELBERT W.	1,419.85	GRUNCH, RONALD J.	289.41
JONES, ROBERT F.	1,562.34	DAVIS, RONALD L.	227.12
DORAN, JUSTIN J.	1,177.91	MASSON, DONALD J.	469.96
FARRELL, MITCHELL L.	1,319.17	KUSINA, DENNIS W.	256.81
THORP JR, WILLIAM D.	1,614.27	LABLANCE, MAUREEN J.	452.47
LEITNER, RYAN S.	2,328.63	LIVINGSTON, BRIAN D.	1,390.93
MANKER SR, DAVID W.	785.59	STANLEY, MARK J.	55.76
FREY, DYLAN V.	492.44	WYMAN, MATTHEW A.	1,714.23
HART III, DELBERT W.	563.74	MILLER, WILLIAM S.	1,334.52
STOREY, JAMES W.	485.41	DOUGLAS, MARK	1,127.82
SLADEK, RYLYNN S.	447.99	PRIOR, ERIN C.	1,102.63
DOTSON, WILLIAM R.	296.02	CERTA, BRIAN	765.60
BOEHM, NOAH A.	500.27	SEAUER, WILLIAM F.	509.00
LOUISELLE, ELLIE N.	412.84	MCMULLEN, DONALD R.	1,772.93
KUNKLE, KENNETH E.	603.30	SILVA, JESSE L.A.	2,217.91
BEMIS, JACKSON R.	626.12	WILLSON, BRENDA R.	1,244.95
MUMICH, BARRY J.	664.24	STEVENS, JEFFREY W.	563.89
CRANDELL, ZACKARY R.	527.65	RILEY, CASEY W.	804.92
FERGUSON, ROYCE L.	1,058.33	JONES, LARRY M.	643.31
MUELLER, JASON C.	722.40	FLORE, ROBERT A.	1,310.68
ROSENTHAL, GABRIEL M.	946.75	MATZ, EMILY S.	1,479.81
NOVOTNY, RAIGAN I.	602.21	STEPHENS, LYON G.	675.33
KNORR, KENT J.	1,917.26	BEAN, PETER J.	369.58
ANZELL, BETH A.	975.18	TRAVERS, MANUEL J.	590.51
STEBE, LAURA A.	102.51	MOYER, DAVID T.	248.01
MILAN, JANE E.	1,309.69	RILEY, DANIEL A.	315.31
MCCULLOUGH, SAVHANA C.	589.41	WHEELER, MICHAEL W.	1,161.75
CALO, LEAH M.	569.11	DRAKE, WILLIAM F.	2,072.93
KLOOSTER, PATRICK H.	1,621.93	JOHNSON, MELISSA A.	2,174.93
EVANS JR, HALBERT K.	686.93	AZZOPARDI, ANTHONY J.	963.92
GREENE, GLORIA C.	755.56	DEKORNE, ELIZABETH A.	833.55
DAVIS, LEAH R.	701.34	MATHERS, AMANDA L.	1,050.22
TELGENHOF, WILL G.	709.90	MATHERS, BENJAMIN H.	602.14
WHITE III, MARCUS W.	694.68	PORTMAN, BROOKE A.	391.44
CARLSON, JOSHUA A.	694.68	WELLS, JANNINA J.	177.30
GREYERBIEHL, KELLY M.	816.44	BISHAW, JAMES H.	797.08
CAREY, MADISON Q.	610.96	KISH, ANASTASIA L.	590.03
CUNNINGHAM, ABIGAIL A.	584.27	KLINGER, BRADLEY W.	234.27
CURTIS, LILY E.	705.80	PETERSON, BENJAMIN D.	543.17
MAY, MEREDITH A.	702.14	GILL, DAVID R.	897.84
PETROSKY, JACOB D.	669.57	WATTS, TIMOTHY L.	449.45
WARRINER, RYAN T.	416.54	GERBER, SAMUEL A.	72.03
CHAPDELAINE, EMILY C.	723.26	WHITLEY, ANDREW T.	1,539.46
VRONDRAN, LARISSA M.	729.50	MORRISON, KEVIN P.	1,621.62
KIRINOVIC, THOMAS F.	467.74	TOTAL	136,880.47
SNYDER, JOSHUAH D.	96.97		

Payroll Transmittal – 07/26/2019

4FRONT CREDIT UNION	926.84	COMMUNICATION WORKERS OF AMER	603.73
AMERICAN FAMILY LIFE	148.82	MI STATE DISBURSEMENT UNIT	533.10
AMERICAN FAMILY LIFE	525.04	PRIORITY HEALTH	1,377.76
CHAR EM UNITED WAY	90.00	VELO LAW OFFICE	302.09
CHARLEVOIX STATE BANK	1,161.00	TOTAL	5,818.38
CHEMICAL BANK	150.00		

Tax Disbursement – 08/06/2019

BRIDGE STREET INN	165.01	CITY OF CHARLEVOIX - TAXES DUE	307,239.77
CHARLEVOIX COUNTY TREASURER	381.58	CITY OF CHARLEVOIX/DDA	314,096.33
CHARLEVOIX COUNTY TREASURER	372,571.40	MICHIGAN SCIENTIFIC CORPORATION	160.19
CHARLEVOIX PUBLIC SCHOOLS	479,565.01	STATE OF MICHIGAN	2,572.50
CHARLEVOIX PUBLIC SCHOOLS	79,030.26	WFG LENDER SERVICES LLC	41.71
CHARLEVOIX PUBLIC SCHOOLS	21,951.59	TOTAL	1,599,724.41
CHARLEVOIX PUBLIC SCHOOLS	15,365.20		
CHARLEVOIX PUBLIC SCHOOLS	6,583.86		

CHARLEVOIX CITY COUNCIL

Consent Agenda

TITLE: Accounts Payable and Payroll Check Registers

DATE: August 19, 2019

ATTACHMENTS:

- ▣ Accounts Payable and Payroll Check Registers

Pay Period Date	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
08/03/2019	08/09/2019	127705	4FRONT CREDIT UNION	9024	HSA-EMPLOYEE CONTRIB-4FR	926.84
08/03/2019	08/09/2019	127706	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-POST T	148.82
08/03/2019	08/09/2019	127706	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-PRETA	525.04
08/03/2019	08/09/2019	127707	BARRY COUNTY TRIAL C	9029	Wage Assignment: Case 04-6725	20.00
08/03/2019	08/09/2019	127708	CHAR EM UNITED WAY	9009	UNITED WAY Pay Period: 8/3/20	90.00
08/03/2019	08/09/2019	127709	CHARLEVOIX STATE BAN	9017	HSA - EMPLOYEE CONTRIB - C	1,161.00
08/03/2019	08/09/2019	127710	CHEMICAL BANK	9018	HSA - EMPLOYEE CONTRIB - C	150.00
08/03/2019	08/09/2019	127711	COMMUNICATION WORK	9004	CWA UNION DUES Pay Period:	603.73
08/03/2019	08/09/2019	127712	MI STATE DISBURSEMEN	9012	FRIEND OF THE COURT Pay Pe	533.10
08/03/2019	08/09/2019	127713	POLICE OFFICERS LABO	9003	POL UNION DUES Pay Period: 8	201.00
08/03/2019	08/09/2019	127714	PRIORITY HEALTH	392358	PRIORITY HEALTH Pay Period:	1,391.58
Grand Totals:		11				5,751.11

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

08/09/19 Payroll Transmittal Checks	\$ 5,751.11
08/09/19 Payroll (net pay)	\$ 145,578.55
08/20/19 Regular Accounts Payable	\$ 271,162.27
Checks Sub-Total:	\$ 422,491.93

HUNTINGTON NATIONAL BANK - ACH/WIRE PAYMENTS

08/05/19 MI Public Power Agency	\$ 20,801.66
08/05/19 Payment Service Network	\$ 246.90
08/08/19 State of MI (Sales Tax)	\$ 22,915.43
08/09/19 IRS (Payroll Tax Deposit)	\$ 50,629.33
08/09/19 Alerus Financial (HCSP)	\$ 350.00
08/09/19 State of MI (Withholding Tax)	\$ 7,638.31
08/09/19 Vantagepoint (401 ICMA Plan)	\$ 802.64
08/09/19 Vantagepoint (457 ICMA Plan)	\$ 19,131.22
08/09/19 Vantagepoint (Roth IRA)	\$ 955.76
08/12/19 MI Public Power Agency	\$ 18,001.84
08/14/19 DTE Energy	\$ 1,852.77

ACH Sub-Total: \$ 143,325.86

Huntington National Bank Total: \$ 565,817.79

CHARLEVOIX STATE BANK - CHECKS ISSUED (PROPERTY TAX DISBURSEMENT TO VARIOUS TAXING AUTHORITIES)

08/20/19 Tax Disbursement	\$ 738,988.30
Charlevoix State Bank Total:	\$ 738,988.30

Grand Total: \$ 1,304,806.09

APPROVED:


CITY MANAGER


CITY TREASURER


CITY CLERK

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
08/03/2019	PC	08/09/2019	28886	HEYDLAUFF, MARK L.	102		2,845.62
08/03/2019	PC	08/09/2019	28887	GOLDING, JOYCE M.	106		2,260.16
08/03/2019	PC	08/09/2019	28888	DEROSIA, PATRICIA E.	107		580.87
08/03/2019	PC	08/09/2019	28889	DOTSON, LINDSEY J.	109		1,388.96
08/03/2019	PC	08/09/2019	28890	KLOOSTER, ALIDA K.	121		2,104.05
08/03/2019	PC	08/09/2019	28891	GOLOVICH, KAREN J.	122		996.81
08/03/2019	PC	08/09/2019	28892	BARNEVELD, RICHELLE	123		1,167.96
08/03/2019	PC	08/09/2019	28893	SPENCLEY, PATRICIA L.	136		1,236.28
08/03/2019	PC	08/09/2019	28894	MILLER, FAITH G.	142		14.67
08/03/2019	PC	08/09/2019	28895	MCGINN, KELLY A.	146		2,468.89
08/03/2019	PC	08/09/2019	28896	JONES, JANET M.	148		447.20
08/03/2019	PC	08/09/2019	28897	LAVENDER, JOSEPH E.	153		1,483.90
08/03/2019	PC	08/09/2019	28898	SCHULMAN, BLAKE B.	154		632.66
08/03/2019	PC	08/09/2019	28899	DOAN, GERARD P.	201		2,041.12
08/03/2019	PC	08/09/2019	28900	SCHLAPPI, JAMES L.	204		1,296.17
08/03/2019	PC	08/09/2019	28901	UMULIS, MATTHEW T.	205		1,417.70
08/03/2019	PC	08/09/2019	28902	HANKINS, SCOTT A.	208		2,014.32
08/03/2019	PC	08/09/2019	28903	ORBAN, BARBARA K.	209		1,451.64
08/03/2019	PC	08/09/2019	28904	FLICKEMA, ANDREW M.	211		2,453.42
08/03/2019	PC	08/09/2019	28905	RILEY, DENISE M.	213		477.53
08/03/2019	PC	08/09/2019	28906	STEWART, SAMUEL D.	214		764.83
08/03/2019	PC	08/09/2019	28907	MUNK, CHRISTOPHER J.	215		1,664.22
08/03/2019	PC	08/09/2019	28908	MATELSKI, KRISTEN L.	230		1,329.54
08/03/2019	PC	08/09/2019	28909	BINGHAM, LARRY E.	240		974.69
08/03/2019	PC	08/09/2019	28910	VANLOO, MEAGAN E.	243		788.79
08/03/2019	PC	08/09/2019	28911	MACGILLIVRAY, ROGER	244		641.34
08/03/2019	PC	08/09/2019	28912	FLOHE, STETHEN R.	245		1,072.14
08/03/2019	PC	08/09/2019	28913	WURST, RANDALL W.	411		1,273.31
08/03/2019	PC	08/09/2019	28914	MAYER, SHELLEY L.	412		2,051.58
08/03/2019	PC	08/09/2019	28915	HILLING, NICHOLAS A.	413		1,517.39
08/03/2019	PC	08/09/2019	28916	MEIER III, CHARLES A.	421		1,131.19
08/03/2019	PC	08/09/2019	28917	ZACHARIAS, STEVEN B.	422		1,632.24
08/03/2019	PC	08/09/2019	28918	NEWMAN, MARK J.	424		1,250.56
08/03/2019	PC	08/09/2019	28919	SWEM, DONALD L.	512		306.29
08/03/2019	PC	08/09/2019	28920	EATON, BRAD A.	515		1,786.14
08/03/2019	PC	08/09/2019	28921	WILSON, TIMOTHY J.	516		2,994.43
08/03/2019	PC	08/09/2019	28922	LAVOIE, RICHARD L.	519		1,755.23
08/03/2019	PC	08/09/2019	28923	STEVENS, BRANDON C.	521		1,899.49
08/03/2019	PC	08/09/2019	28924	DRAVES, MARTIN J.	523		2,037.87
08/03/2019	PC	08/09/2019	28925	ANDERSON, ELIZABETH	526		1,210.74
08/03/2019	PC	08/09/2019	28926	KENWABIKISE, DAVID L.	528		1,081.25
08/03/2019	PC	08/09/2019	28927	ELLIOTT, PATRICK M.	600		2,332.82
08/03/2019	PC	08/09/2019	28928	SCHWARTZFISHER, JOS	603		1,628.18
08/03/2019	PC	08/09/2019	28929	BRADLEY, KELLY R.	614		1,498.45
08/03/2019	PC	08/09/2019	28930	HART II, DELBERT W.	616		1,267.86
08/03/2019	PC	08/09/2019	28931	JONES, ROBERT F.	618		1,865.89
08/03/2019	PC	08/09/2019	28932	DORAN, JUSTIN J.	621		2,789.59
08/03/2019	PC	08/09/2019	28933	FARRELL, MITCHELL L.	622		1,675.92
08/03/2019	PC	08/09/2019	28934	THORP JR, WILLIAM D.	623		1,696.03
08/03/2019	PC	08/09/2019	28935	LEITNER, RYAN S.	624		1,806.40
08/03/2019	PC	08/09/2019	28936	MANKER SR, DAVID W.	639		813.71
08/03/2019	PC	08/09/2019	28937	NEDWICK, DAVID J.	642		196.24
08/03/2019	PC	08/09/2019	28938	FREY, DYLAN V.	643		766.12
08/03/2019	PC	08/09/2019	28939	HART III, DELBERT W.	657		682.22
08/03/2019	PC	08/09/2019	28940	STOREY, JAMES W.	659		207.91
08/03/2019	PC	08/09/2019	28941	SLADEK, RYLYNN S.	660		586.93
08/03/2019	PC	08/09/2019	28942	DOTSON, WILLIAM R.	661		296.02

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
08/03/2019	PC	08/09/2019	28943	BOEHM, NOAH A.	662		420.21
08/03/2019	PC	08/09/2019	28944	LOUISELLE, ELLIE N.	664		622.32
08/03/2019	PC	08/09/2019	28945	KUNKLE, KENNETH E.	665		660.37
08/03/2019	PC	08/09/2019	28946	BEMIS, JACKSON R.	667		647.05
08/03/2019	PC	08/09/2019	28947	MUMICH, BARRY J.	671		618.30
08/03/2019	PC	08/09/2019	28948	CRANDELL, ZACKARY R.	691		635.44
08/03/2019	PC	08/09/2019	28949	FERGUSON, ROYCE L.	693		1,333.02
08/03/2019	PC	08/09/2019	28950	MUELLER, JASON C.	694		634.65
08/03/2019	PC	08/09/2019	28951	ROSENTHAL, GABRIEL M.	698		826.08
08/03/2019	PC	08/09/2019	28952	NOVOTNY, RAIGAN I.	699		668.52
08/03/2019	PC	08/09/2019	28953	KNORR, KENT J.	700		1,917.26
08/03/2019	PC	08/09/2019	28954	ANZELL, BETH A.	702		975.17
08/03/2019	PC	08/09/2019	28955	STEBE, LAURA A.	703		210.55
08/03/2019	PC	08/09/2019	28956	MILAN, JANE E.	711		1,309.69
08/03/2019	PC	08/09/2019	28957	MCCULLOUGH, SAVHAN	733		691.96
08/03/2019	PC	08/09/2019	28958	CALO, LEAH M.	734		625.63
08/03/2019	PC	08/09/2019	28959	KLOOSTER, PATRICK H.	743		1,621.93
08/03/2019	PC	08/09/2019	28960	EVANS JR, HALBERT K.	744		841.79
08/03/2019	PC	08/09/2019	28961	GREENE, GLORIA C.	746		787.52
08/03/2019	PC	08/09/2019	28962	DAVIS, LEAH R.	748		799.80
08/03/2019	PC	08/09/2019	28963	TELGENHOF, WILL G.	749		799.80
08/03/2019	PC	08/09/2019	28964	WHITE III, MARCUS W.	754		782.58
08/03/2019	PC	08/09/2019	28965	CARLSON, JOSHUA A.	756		782.58
08/03/2019	PC	08/09/2019	28966	GREYERBIEHL, KELLY M.	757		920.32
08/03/2019	PC	08/09/2019	28967	CAREY, MADISON Q.	758		350.44
08/03/2019	PC	08/09/2019	28968	CUNNINGHAM, ABIGAIL A.	759		629.93
08/03/2019	PC	08/09/2019	28969	CURTIS, LILY E.	770		871.36
08/03/2019	PC	08/09/2019	28970	MAY, MEREDITH A.	771		711.99
08/03/2019	PC	08/09/2019	28971	PETROSKY, JACOB D.	772		615.16
08/03/2019	PC	08/09/2019	28972	WARRINER, RYAN T.	773		679.18
08/03/2019	PC	08/09/2019	28973	CHAPDELAINE, EMILY C.	777		522.97
08/03/2019	PC	08/09/2019	28974	VRONDRAN, LARISSA M.	781		709.80
08/03/2019	PC	08/09/2019	28975	KIRINOVIC, THOMAS F.	790		566.30
08/03/2019	PC	08/09/2019	28976	SNYDER, JOSHUAH D.	792		96.97
08/03/2019	PC	08/09/2019	28977	WISDOM, ADAM W.	796		217.68
08/03/2019	PC	08/09/2019	28978	HART, DAVID R.	836		489.28
08/03/2019	PC	08/09/2019	28979	SHANAHAN, CHERYL J.	838		943.45
08/03/2019	PC	08/09/2019	28980	GRUNCH, RONALD J.	844		294.71
08/03/2019	PC	08/09/2019	28981	DAVIS, RONALD L.	853		292.24
08/03/2019	PC	08/09/2019	28982	MASSON, DONALD J.	861		540.73
08/03/2019	PC	08/09/2019	28983	KUSINA, DENNIS W.	862		256.81
08/03/2019	PC	08/09/2019	28984	LABLANCE, MAUREEN J.	863		342.95
08/03/2019	PC	08/09/2019	28985	LIVINGSTON, BRIAN D.	866		1,390.93
08/03/2019	PC	08/09/2019	28986	STANLEY, MARK J.	867		61.07
08/03/2019	PC	08/09/2019	28987	WYMAN, MATTHEW A.	927		1,600.09
08/03/2019	PC	08/09/2019	28988	MILLER, WILLIAM S.	933		1,796.44
08/03/2019	PC	08/09/2019	28989	DOUGLAS, MARK	935		1,034.75
08/03/2019	PC	08/09/2019	28990	PRIOR, ERIN C.	938		1,455.84
08/03/2019	PC	08/09/2019	28991	CERTA, BRIAN	939		549.00
08/03/2019	PC	08/09/2019	28992	SEAVAR, WILLIAM F.	940		700.76
08/03/2019	PC	08/09/2019	28993	MCMULLEN, DONALD R.	1000		1,772.93
08/03/2019	PC	08/09/2019	28994	SILVA, JESSE L.A.	1001		1,827.87
08/03/2019	PC	08/09/2019	28995	WILLSON, BRENDA R.	1002		1,925.53
08/03/2019	PC	08/09/2019	28996	STEVENS, JEFFREY W.	1028		514.21
08/03/2019	PC	08/09/2019	28997	RILEY, CASEY W.	1052		924.07
08/03/2019	PC	08/09/2019	28998	JONES, LARRY M.	1057		1,174.45
08/03/2019	PC	08/09/2019	28999	FLORE, ROBERT A.	1058		818.32

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
08/03/2019	PC	08/09/2019	29000	MATZ, EMILY S.	1059		1,331.18
08/03/2019	PC	08/09/2019	29001	STEPHENS, LYON G.	1060		1,724.07
08/03/2019	PC	08/09/2019	29002	BEAN, PETER J.	1063		342.64
08/03/2019	PC	08/09/2019	29003	TRAVERS, MANUEL J.	1071		747.49
08/03/2019	PC	08/09/2019	29004	MOYER, DAVID T.	1073		418.69
08/03/2019	PC	08/09/2019	29005	RILEY, DANIEL A.	1102		260.63
08/03/2019	PC	08/09/2019	29006	WHEELER, MICHAEL W.	1103		1,135.12
08/03/2019	PC	08/09/2019	29007	DRAKE, WILLIAM F.	1106		1,838.66
08/03/2019	PC	08/09/2019	29008	JOHNSON, MELISSA A.	1107		1,930.20
08/03/2019	PC	08/09/2019	29009	AZZOPARDI, ANTHONY J.	1108		1,606.87
08/03/2019	PC	08/09/2019	29010	DEKORNE, ELIZABETH A.	1109		505.96
08/03/2019	PC	08/09/2019	29011	MATHERS, AMANDA L.	1114		486.25
08/03/2019	PC	08/09/2019	29012	MATHERS, BENJAMIN H.	1115		278.77
08/03/2019	PC	08/09/2019	29013	PORTMAN, BROOKE A.	1116		253.60
08/03/2019	PC	08/09/2019	29014	WELLS, JANNINA J.	1117		232.37
08/03/2019	PC	08/09/2019	127696	GERBER, SAMUEL A.	147		88.66
08/03/2019	PC	08/09/2019	127697	WHITLEY, ANDREW T.	522		1,864.66
08/03/2019	PC	08/09/2019	127698	MORRISON, KEVIN P.	601		1,762.57
08/03/2019	PC	08/09/2019	127699	BISHAW, JAMES H.	633		811.74
08/03/2019	PC	08/09/2019	127700	KISH, ANASTASIA L.	668		694.68
08/03/2019	PC	08/09/2019	127701	KLINGER, BRADLEY W.	747		322.14
08/03/2019	PC	08/09/2019	127702	PETERSON, BENJAMIN D.	785		745.98
08/03/2019	PC	08/09/2019	127703	GILL, DAVID R.	856		966.49
08/03/2019	PC	08/09/2019	127704	WATTS, TIMOTHY L.	868		364.90
Grand Totals:			138				145,578.55

Km

Report Criteria:

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

Check Number	Payee	Amount
08/20/2019		
127715	ACE HARDWARE	6,416.72
127716	AMERICAN WASTE INC.	3,555.40
127717	APEX SOFTWARE	235.00
127718	AT YOUR SERVICE PLUS INC	115.00
127719	AT&T	599.87
127720	AUTO VALUE	709.01
127721	AVFUEL CORPORATION	125,203.59
127722	B & L SOUND INC	612.85
127723	BASTIANELLI, ANN	8.46
127724	BEIJO DE CHOCOLAT LLC	60.00
127725	BELL EQUIPMENT COMPANY	438.23
127726	BERG, REBECCA	215.00
127727	BOUND TREE MEDICAL LLC	164.90
127728	BRADFORD'S	60.05
127729	CARQUEST OF CHARLEVOIX	2,255.83
127730	CCP INDUSTRIES INC	281.74
127731	CENTRAL DRUG STORE	41.73
127732	CHAPDELAINE, EMILY	75.00
127733	CHARLEVOIX COUNTY TREASURER	292.79
127734	CHARLEVOIX SCREEN MASTERS INC	1,808.89
127735	CHARLEVOIX TOWNSHIP	660.23
127736	CHARTER COMMUNICATIONS	1,179.18
127737	CINTAS	54.09
127738	CITY OF CHARLEVOIX - UTILITIES	38,077.38
127739	COOK FAMILY FARMS	128.00
127740	CREMONTE, TERESA	50.00
127741	CURREY FARMS LLC	183.00
127742	DELL MARKETING L P	1,401.77
127743	DHASELEER, CARL	260.00
127744	DITCH WITCH SALES OF MICHIGAN	264.89
127745	DOMINIC, JESSICA	75.00
127746	DORAN, JUSTIN J.	50.00
127747	DORNBOS SIGN INC.	262.57
127748	ECONO SIGNS LLC	245.65
127749	ELLSWORTH FARMER'S EXCHANGE	1,212.00
127750	EMBROIDME	678.35
127751	EMERGENCY MEDICAL PRODUCTS IN	118.20
127752	ETNA SUPPLY	3,000.00
127753	FAMILY FARM & HOME	569.57
127754	FARMER WHITE'S	218.00
127755	FASTENAL COMPANY	65.08
127756	FEYEN ZYLSTRA LLC	337.82
127757	FLORIGEN GREENHOUSES	36.10
127758	FOX CHARLEVOIX	195.76
127759	FREEDOM MAILING SERVICES INC.	2,288.73
127760	FULLFORD, LARA	50.00
127761	GOLOVICH, RENEE	65.00
127762	GORDON FOOD SERVICE	190.03

Check Number	Payee	Amount
127763	GRAINGER	51.84
127764	GRIFFIN BEVERAGE CO	150.00
127765	GUNTZVILLER, RHONDA	537.00
127766	HACH COMPANY	1,193.66
127767	HARBOR FENCE COMPANY	1,900.00
127768	HARRELL'S	2,376.29
127769	HYDE SERVICES LLC	250.38
127770	HYDRO CORP	530.00
127771	JONES & JONES GARAGE DOOR SVC	110.00
127772	KSS ENTERPRISES	2,512.55
127773	LASER PRINTER TECHNOLOGIES	799.00
127774	LOTTIE'S BAGELS	186.00
127775	MACGREGOR PLUMBING & HEATING	2,158.83
127776	MCCARDEL CULLIGAN-PETOSKEY	50.50
127777	METAL HEAD WELDING LLC	48.84
127778	MICHIGAN MUNICIPAL LEAGUE	19,632.00
127779	MICHIGAN OFFICEWAYS INC	2,248.69
127780	MILAN, JANE	67.91
127781	MUNSON HEALTHCARE CHARLEVOIX	1,861.57
127782	MY TCBD	695.00
127783	NAVIA BENEFIT SOLUTIONS	50.00
127784	NEALIS ENGINEERING	250.00
127785	NORTHERN A-1 ENVIRONMENTAL SE	909.00
127786	NORTHERN CREDIT BUREAU	227.56
127787	NORTHERN LAKES	500.00
127788	NORTHERN MICHIGAN REVIEW INC.	500.00
127789	NORTHERN PUMP SERVICE INC.	1,765.70
127790	NORTHERN SAFETY CO INC	122.62
127791	OLESON'S FOOD STORES	456.75
127792	OLSON BZDOK & HOWARD	3,853.10
127793	OUDBIER INSTRUMENT CO	7,550.00
127794	PARASTAR INC.	2,905.43
127795	POWER LINE SUPPLY	759.09
127796	PREIN & NEWHOF	240.00
127797	PRESTON FEATHER	420.34
127798	PROVIDENCE FARM LLC	337.00
127799	PURE NORTH GOLF CARTS	4,100.00
127800	PURITY CYLINDER GASES INC	94.77
127801	R & R PRODUCTS INC	695.78
127802	RANGE TELECOMMUNICATIONS	281.35
127803	RON'S AUTO & WRECKER	385.00
127804	ROTARY CLUB OF CHARLEVOIX	37.50
127805	RS&H MICHIGAN INC	1,175.00
127806	RYAN, KATHERINE	100.00
127807	SHINDORF BUILDERS	364.00
127808	SNIVELY, KIRBY	75.00
127809	SPARTAN DISTRIBUTORS INC	1,210.88
127810	SPARTAN STORES LLC	174.30
127811	STAFFORD'S WEATHERVANE	984.71

Check Number	Payee	Amount
127812	STANDARD ELECTRIC CO	300.00
127813	STATE AND MASON LLC	1,000.00
127814	STATE OF MICHIGAN	57.00
127815	STATE OF MICHIGAN	454.61
127816	STATE OF MICHIGAN	225.00
127817	STRIKER SUPPLY	44.00
127818	SYN-TECH SYSTEMS INC.	179.55
127819	THE ACCUMED GROUP	1,319.71
127820	THOMAS, DOUG	740.00
127821	THORP, ELIZABETH	50.00
127822	TOP LINE	495.00
127823	TRAVERSE CITY RECORD EAGLE	339.00
127824	TROPHY CASE, THE	40.00
127825	UNIFIRST CORPORATION	701.59
127826	USA BLUE BOOK	949.88
127827	VILLAGE GRAPHICS INC.	162.85
127828	WASHBURNE, BRENDA	45.00
127829	WILMOT ELECTRIC INC	702.68
127830	ZIIBIMIJWANG INC	405.00
Total 08/20/2019:		271,162.27
Grand Totals:		271,162.27

Check Number	Payee	Amount
08/05/2019		
80519001	MICHIGAN PUBLIC POWER AGENCY	20,801.66
80519002	PAYMENT SERVICE NETWORK INC.	246.90
Total 08/05/2019:		21,048.56
Grand Totals:		21,048.56

Check Number	Payee	Amount
08/08/2019		
80819001	STATE OF MICHIGAN	22,915.43
Total 08/08/2019:		22,915.43
Grand Totals:		22,915.43

Check Issue Date	Check Number	Payee	Amount
80919001			
08/09/2019	80919001	**EFTPS* Payroll Taxes	13,162.88
08/09/2019	80919001	**EFTPS* Payroll Taxes	13,162.88
08/09/2019	80919001	**EFTPS* Payroll Taxes	3,078.42
08/09/2019	80919001	**EFTPS* Payroll Taxes	3,078.42
08/09/2019	80919001	**EFTPS* Payroll Taxes	18,146.73
Total 80919001:			
	5		50,629.33
80919002			
08/09/2019	80919002	Alerus Financial	350.00
Total 80919002:			
	1		350.00
80919003			
08/09/2019	80919003	STATE OF MICHIGAN	7,638.31
Total 80919003:			
	1		7,638.31
80919004			
08/09/2019	80919004	Vantagepoint - 401 Plan 109153	802.64
Total 80919004:			
	1		802.64
80919005			
08/09/2019	80919005	Vantagepoint - 457 Plan 300959	5,289.35
08/09/2019	80919005	Vantagepoint - 457 Plan 300959	2,116.84
08/09/2019	80919005	Vantagepoint - 457 Plan 300959	3,745.65
08/09/2019	80919005	Vantagepoint - 457 Plan 300959	7,979.38
Total 80919005:			
	4		19,131.22
80919006			
08/09/2019	80919006	Vantagepoint - Roth IRA 706117	955.76
Total 80919006:			
	1		955.76
Grand Totals:			
	13		79,507.26

xm

Check Number	Payee	Amount
08/12/2019		
81219001	MICHIGAN PUBLIC POWER AGENCY	18,001.84
Total 08/12/2019:		18,001.84
Grand Totals:		18,001.84

Check Number	Payee	Amount
08/14/2019		
81419001	DTE ENERGY	1,852.77
Total 08/14/2019:		1,852.77
Grand Totals:		1,852.77

Check Number	Payee	Amount
08/20/2019		
3260	CHARLEVOIX COUNTY TREASURER	192,026.80
3261	CHARLEVOIX PUBLIC SCHOOLS	270,456.74
3262	CHARLEVOIX PUBLIC SCHOOLS	33,143.28
3263	CHARLEVOIX PUBLIC SCHOOLS	9,205.94
3264	CHARLEVOIX PUBLIC SCHOOLS	6,443.79
3265	CHARLEVOIX PUBLIC SCHOOLS	2,761.19
3266	CITY OF CHARLEVOIX - TAXES DUE	224,950.56
Total 08/20/2019:		738,988.30
Grand Totals:		738,988.30

CHECKS DRAWN ON CHARLEVOIX STATE BANK ACCOUNT

CHARLEVOIX CITY COUNCIL

Consent Agenda

TITLE: Revised Employee Handbook, dated August 19, 2019

DATE: August 19, 2019

BACKGROUND:

We are proposing a revision to the current Employee Handbook to include language authorizing full-time EMS Staff the opportunity to accrue compensatory time in lieu of overtime.

RECOMMENDATION:

Motion to approve the revised Employee Handbook, dated August 19, 2019.

ATTACHMENTS:

- ▣ Employee Handbook - August 19, 2019

City of Charlevoix

Employee Handbook

City of Charlevoix
Charlevoix, Michigan
231-547-3270
www.charlevoixmi.gov
August 19, 2019

Approved by City Council: August 19, 2019

THIS EMPLOYEE HANDBOOK IS NOT INTENDED TO SERVE AS A CONTRACT OF EMPLOYMENT -- EXPRESS OR IMPLIED. Unless otherwise stated by contract, the City of Charlevoix offers all employment “at will”. That is, either the employee or the employer may terminate employment at any time, with or without cause and with or without notice.

This employee handbook is intended solely for informational and guidance purposes with respect to areas of employment relations covered within it. The information in this handbook reflects the policies, procedures, and benefits in publication. THE CITY RESERVES THE RIGHT TO CHANGE, DELETE, OR ADD POLICIES, PROCEDURES OR BENEFITS AT ANY TIME, IN ITS SOLE DISCRETION, WITH OR WITHOUT NOTICE.

THIS EMPLOYEE HANDBOOK IS, AND SHALL REMAIN, THE PROPERTY OF THE CITY OF CHARLEVOIX. THE HOLDER OF THIS HANDBOOK MUST SURRENDER IT UPON TERMINATION/RESIGNATION OR UPON RECEIPT OF A NEW HANDBOOK.

NOTE: The City of Charlevoix is also referred to in this Handbook as “the City”.

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SECTION 1: GENERAL INFORMATION

1.1 APPLICABILITY AND SCOPE OF COVERAGE

This Handbook summarizes personnel policies and benefits that are applicable to all City employees (unless otherwise noted). For example, employees who are members of a union that have a signed current/valid Collective Bargaining Agreement with the City will be entitled only to those benefits specified in the union contract. All other aspects of this Handbook will apply to union employees unless abridged or modified by the Contract: the union contract shall be the governing document for such abridgements or modifications.

Similarly, the City may enter into individual employee contracts at certain levels. In such cases, the contract terms will take precedence; the Handbook will apply only when the contract is silent.

1.2 PURPOSE OF THE HANDBOOK

The Handbook is designed to acquaint the employee with the City, to provide a ready reference for most employment questions, and promote uniform understanding and application of the City's policies, procedures, practices, and benefits. Moreover, the Handbook identifies individual authority for policies, procedures, practices, and benefits.

The contents of this Handbook constitute only a summary of the employee benefits, personnel policies, and employment regulations in effect at the time of publication. In the insurance and benefit plans, the current insurance or benefit plan documents will provide further details.

1.3 RESERVATION OF RIGHTS

The City reserves the right to make changes in policies, procedures, or benefits at any time, with or without notice; however, changes will apply prospectively only. Changes in policies, procedures, or benefits described in this Handbook may be made only by the City Manager with appropriate City Council approval. No one is authorized to add, delete, or otherwise alter the policies stated in the Handbook through oral or written statements except as stated above. This Handbook should not be viewed as creating any kind of employment contract. The employee has the right to terminate his/her employment at any time and the City has the same right.

1.4 EXCLUSIVE POLICY STATEMENT

The policies stated in this employee handbook are the property of the City and supersede all previous policies, practices, and/or verbal statements of anyone associated with the City, its predecessors and/or its authorized agents.

1.5 EMPLOYMENT AT-WILL

This Handbook is not intended nor does it create or imply the existence of a contract of employment. Employment with the City is "at-will" unless covered under a contract. This means that an individual employee or the City may terminate the employment relationship at any time, with or without cause, with or without notice. This standard of employment is applicable to all employees, regardless of status, unless an employee has a written employment contract with the City. No representative of the City has the authority to enter into any agreement for employment for any specified period of time or to make any agreement contrary to the foregoing with the exception of an agreement in writing, signed by the City Manager. The City Charter, however, provides that the City Council may enter into employment contracts with individuals for certain enumerated positions, such as the City Manager position.

1.6 EQUAL EMPLOYMENT OPPORTUNITY

The City is an equal employment opportunity employer and provides employment and advancement opportunities to its employees without discrimination because of race, color, religion, sex, age, national origin, disability, military status, genetic information, or any other protected characteristic established by law. This policy of equal employment opportunity applies to all policies and procedures relating to recruitment and hiring, compensation, promotion, training, benefits, termination, or other terms and conditions of employment. All positions are filled on the basis of the applicant's qualifications for the job: ability, experience, and education required to perform the position.

If an employee believes that he or she has been the victim of discrimination, he/she should bring the matter immediately to the attention of the department head, Human Resources, or the City Manager. After receiving such a complaint, the City will undertake a full and complete investigation of the charges. If it is determined that discrimination has occurred, the City will take steps to eliminate that discrimination and will take disciplinary action against any employee whom it determines engaged in discriminatory behavior. The City prohibits retaliation against any employee who reports discrimination or harassment or who participates in an investigation of such reports.

1.7 AMERICANS WITH DISABILITIES (ADAAA) AND MICHIGAN PERSONS WITH DISABILITIES CIVIL RIGHTS ACT (PWDCRA)

Consistent with the Americans with Disabilities Act and Amendment Act (ADAAA) and the Michigan Persons with Disabilities Civil Rights Act (PWDCRA), the City does not discriminate against qualified individuals with regard to job application procedures, hiring, termination, employee compensation, advancement, job training, or other terms, conditions, and privileges of employment. Moreover, the City will make every effort to make reasonable accommodations for individuals with disabilities.

Pursuant to MCLA 37.1210(18), the PWDCRA, a person with a disability or handicap who requires reasonable accommodation to perform the essential functions of his/her job, must notify the City Manager of that need, in writing, within 182 days after the need is known.

1.8 WORKPLACE HARASSMENT

It is the position of the City that harassment of applicants, employees, and others on the basis of race, religion, color, national origin, ancestry, handicap, medical condition, disability, marital status, age, gender, and genetic information is unacceptable and will not be tolerated. It is also the position of the City that no one will be retaliated against for making a complaint of harassment. This policy applies to all employees, contractors, vendors, and others who represent the City.

Sexual harassment has been defined generally as including "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, whenever (1) submission to the conduct is either an explicit or implicit term or condition of employment; (2) an employee's reaction to the conduct is used as a basis for employment decisions affecting that employee; or (3) the conduct has the purpose or effect of interfering with the employee's work performance or creating an intimidating, hostile, or offensive working environment."

- No employee or applicant should be subjected to unsolicited or unwelcome sexual overtures, nor should any employee or applicant be led to believe that an employment opportunity or benefit will in any way depend upon "cooperation" of a sexual nature.
- Sexual harassment is not limited to demands for sexual favors. It also may include such actions as (1) sexually-oriented verbal "kidding," "teasing," or jokes; (2) repeated offensive sexual flirtations, advances, or propositions; (3) continued or repeated verbal abuse of a

sexual nature; (4) graphic or degrading comments about an individual or his or her appearance; (5) the display of sexually suggestive objects or pictures; (6) subtle pressure for sexual activity; and (7) physical contact or blocking movement.

- Sexual harassment does not refer to occasional compliments of a socially acceptable nature or consensual personal and social relationships (without a discriminatory employment effect). It refers to behavior which is not welcome and which is personally intimidating, hostile, or offensive.

Other prohibited forms of harassment include jokes, verbal abuse and epithets, degrading comments, the display of objects and pictures and other offensive conduct relating to an individual's race, religion, color, national origin, ancestry, handicap, medical condition, disability, marital status, or age as defined and protected by applicable law.

Any employee who feels that he or she has been the subject of harassment (or who has reason to believe that someone else has been the subject of harassment) has the obligation to notify the City Manager or any other department head immediately. The complainant is expected to provide information that the City requests, including a detailed account of the incident(s) complained of, witnesses (if any), dates, and other information considered relevant by the City. A prompt investigation of the matter will be made. All employees - whether complainant, witness or accused - are required to be truthful, accurate, and cooperative during the City investigation(s).

Anyone who is found to have engaged in workplace harassment will be subject to appropriate discipline, which may include termination of employment. Nevertheless, no one should be presumed to be in violation because an investigation is being conducted.

1.9 RELATIVES/NEPOTISM

The City of Charlevoix is committed to a policy of employment and advancement based on qualification and merit and does not discriminate in favor of or in opposition to the employment of relatives.

Definitions:

Relative/Family Member. Family member is defined as one of the following: relationships by blood or adoption – parent, child, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece, first cousin; and relationships by marriage (as defined by state law) – husband, wife, step-parent, step-child, brother-in-law, sister-in-law, father-in-law, mother-in-law, son-in-law, daughter-in-law, half-brother, half-sister, uncle, aunt, nephew, niece, spouse/partner of any of the above, and cohabitating couples/significant others.

Direct Supervisory Position. Direct line of authority through which employees can initiate or participate in decisions directly benefiting the relative. Such decisions include (but are not limited to) hiring, retention, transfer, promotion, wages, training, and leave requests.

Relatives of persons currently employed may be hired only if they will not be working directly for or directly above a relative, or if they will not occupy a position in the same line of authority. Due to the potential for perceived or actual conflicts of interest, the following restrictions apply to the hiring of relatives:

- Individuals will not be hired or promoted into a position that would create a conflict.

- If employees begin a dating relationship or become relatives, partners or members of the same household, and one party is in a supervisory position, the higher ranking person is required to inform the department head and City Manager of the relationship.
- Employees who find themselves in a position of perceived or actual conflict of interest will have 60 days to resolve the situation on their own, for example, by means of a transfer within or employment outside the City. Thereafter, the employees' supervisors will work with the City Manager to determine the most appropriate action for the specific situation. This may include transfer or, if necessary, termination of one of the employees.

If action is taken by the City, such as a reduction-in-force, which results in an involuntary circumstance in which two relatives, partners, or members of the same household report to each other, one of the employees must be reassigned within 60 days. During those 60 days, the senior ranking employee may not have involvement or direct input in the employment decisions of the other employee and must defer such decisions to the City Manager or his/her designee.

Any exceptions to this policy must be approved by the City Manager and must be accompanied by written justification.

SECTION 2: EMPLOYMENT POLICIES

2.1 EMPLOYMENT REFERENCE CHECKS AND BACKGROUND INFORMATION

The City may conduct background checks (including criminal, credit, references, driving record history, et al) of applicants and employees for/in certain positions. An authorization signed by the applicant is required as a prerequisite for employment with the City. This requirement does not change the at-will nature of employment with the City. Similarly, it should not be interpreted as a job offer.

2.2 EMPLOYMENT CLASSIFICATION

Employees are classified by two different categories for payroll and benefit purposes (regular or seasonal). These classifications do not guarantee employment for any specific period of time, and therefore the employee is still at-will.

Each City employee will be classified in one of the following categories:

Regular full-time - An individual who has been hired to work at least 30 hours a week, 130 hours per month, or 1560 hours per year in a position/appointment of indefinite duration. These employees are eligible for benefits.

Regular part-time - An individual who has been hired to work less than 1560 hours a year in a position/appointment of indefinite duration. These employees may be eligible for some benefits as set forth elsewhere in the Handbook.

Seasonal or Temporary - Seasonal or temporary employees are hired for a specific season, a specific task or a specific time, usually less than six months but not to exceed 12 months. All seasonal employees are non-union, at-will, and are not eligible for benefits.

In addition to the above categories, each employee is designated as either EXEMPT or NON-EXEMPT as required by Federal Law. Non-exempt employees are entitled to compensation at

time and a half for each hour worked over 40 in a work week. Exempt employees are paid on a salary basis and are not entitled to overtime.

An employees' EXEMPT/NON-EXEMPT status is determined by the employee's job duties meeting certain tests set forth in the Fair Labor Standards Act and such classification may only be changed by management with written notification.

2.3 INTRODUCTORY PERIOD & PERFORMANCE EVALUATIONS

A specified period of time (normally three months), is set aside during which a newly hired, promoted, or transferred employee's performance is evaluated. However, this period does not alter the at-will nature of employment. One's employment may be terminated by the City or the employee at any time for any reason or no reason, with or without notice.

All employees receive regular performance evaluations.

2.4 ATTENDANCE

The regular, daily attendance of each employee is essential to the successful operation of the City. Regular and prompt attendance at work is required of all employees. However, it is understood that unavoidable circumstances may require an employee to be absent or tardy on occasion. If any employee will be absent/tardy, he/she must notify his/her supervisor within a half hour of his/her scheduled starting time.

An absence may be excused for personal or family illness, jury duty, a death in the immediate family, or several other reasons that require an employee to miss a part of or all of a scheduled workday. An employee must be able to substantiate the reasons for an absence should the City ask him/her to do so. Such absences will be recorded as excused if the employee asks his/her supervisor for the necessary time off in advance and obtains prior approval.

An employee's failure to request advance approval, or to report his/her absence in the manner described above, will result in the absence being recorded as unexcused. All instances of absence/tardiness will be noted in employees' attendance records and may heavily affect his/her evaluation. If an employee's attendance record indicates frequent absences, he/she will be required to document reasons for subsequent absences at the request of management, so the absence can be excused. Unexcused or excessive tardiness or absenteeism could result in disciplinary action up to and including termination.

Unreported absences (no call, no show) for three (3) consecutive days will be deemed an immediate, voluntary resignation.

2.5 ETHICAL CONDUCT

The City Council passed an Ethical Conduct Ordinance (No. 793 of 2018). This ordinance applies to all employees. See Appendix A to view this ordinance.

2.6 RULES OF CONDUCT

As representatives of the City, employees should strive at all times to ensure that their clothing, appearance, and hygiene are appropriate and contribute to a pleasant office atmosphere for both co-workers and customers. Employees are encouraged to consult with their supervisor whenever necessary regarding what is acceptable for their work area.

Employees are required to report to work on time, ready to work in a safe and efficient manner and to follow the rules required of the assigned department, written or implied. Employees will immediately report any safety violation to his/her supervisor. (See Section 5 – Safety Policies.)

Honesty and integrity are important personal qualities. Dishonesty in any form, including but not limited to falsifying one's employment application or any other records connected with one's employment, will not be tolerated, and will be grounds for discipline up to and including immediate termination. The City expects strict adherence to all Federal, State, and Local laws.

Following is a list of unacceptable behaviors which may result in disciplinary action up to and including termination. Other inappropriate behaviors or actions may be subject to disciplinary action up to and including termination as well.

1. Making false statements as to the reasons for being absent or reasons for not properly reporting an absence.
2. Failure to call-in an absence in a timely manner.
3. Leaving work without the supervisor's permission.
4. Abuse of sick/time off policies.
5. Failure to start work promptly after breaks and meal periods.
6. Unauthorized possession of City property or another employee's property.
7. The making or publishing of any vicious, defamatory, malicious, or deliberately false statements concerning any employee, supervisor, the City or its work or services.
8. Theft or misappropriation of City property or another employee's property.
9. Deliberately damaging, misusing, destroying, abusing, or misplacing property/records belonging to the City or another employee.
10. Disorderly conduct, horseplay, threatening, or abusive behavior or interfering with another employee or supervisor.
11. Discourteous conduct toward citizens or other employees.
12. Use of offensive or abusive language.
13. Instigating a fight or fighting on City premises at any time.
14. Sabotage.
15. Refusal to perform a job assignment or insubordination.
16. Carelessness, failure to meet work standards, or failure to follow instructions.
17. Sleeping on City time.
18. Conviction of a felony while a City employee.
19. Violation of the City's Substance Abuse Policy.
20. Smoking in unauthorized places.
21. Causing hazardous or unsafe working conditions.
22. Violation of a safety rule.
23. Violation of the City policy governing telephone, computer, and voicemail usage.
24. Failure to immediately report any work-related injury or illness.
25. Falsification of time card/sheet.

2.7 SUBSTANCE ABUSE

Employees are the City's most valuable resource and employee health and safety are paramount. Hence, the City of Charlevoix is committed to maintaining a workplace free from drugs and alcohol. Moreover, the public has a right to expect that City personnel are physically and mentally prepared to perform their duties at all times. All employees must understand their responsibility to preserve the public's trust and confidence. Therefore, consent to and compliance with this policy is a condition of employment.

Employees are prohibited from the use, possession, storage, manufacture, distribution, or sale of illegal drugs (including marijuana and inhalants), illegal drug paraphernalia and/or alcohol while on duty or when performing or in a state of readiness, such as lunch or rest breaks, and whether on or off City premises. Employees shall not report to or be at work after consuming alcohol and/or after taking illegal drugs. In addition, employees shall not intentionally misuse any prescription or over-the-counter medication. Misuse includes using another individual's prescription medication or providing a prescription medication to an individual other than the one for whom the prescription was written. Employees must notify their department heads of the anticipated use of any medication that can affect the employee's physical or mental ability to perform required work.

Employees shall be subjected to drug and alcohol testing if a reasonable suspicion is presented, if they are involved in a work-related accident, and/or if they are charged with a drug-related criminal offense. Employees normally shall be sent for testing only while reporting to, at work, or on the employer's premises. Reasons for testing shall be documented in writing and provided to the employee.

Employees must notify their department head within five (5) days of any criminal drug statute convictions. Future conviction, guilty plea, or plea of *nolo contendere* (no contest) for a drug-related criminal offense; a refusal by the employee to consent and to cooperate regarding drug and alcohol testing, including without limitation, tampering or substitution of a specimen; testing positive for an illegal drug or alcohol; and any other violation of this policy will result in disciplinary action up to and including immediate termination from employment.

Consistent with the Drug Free Workplace Act, the City of Charlevoix requires all employees to abide by the conditions set forth here.

2.8 POLITICAL ACTIVITIES

All City employees shall be entitled to exercise their rights as citizens subject to applicable State and Federal laws. To the extent political activity of certain kinds and types may interfere with the performance of their duties, employees shall be expected to follow the guidelines below:

- While on City time or in the course of performing their job duties, employees will refrain from all election-related activity, electioneering, and/or campaigning.
- Employees will not work as partisan poll workers or challengers in local City elections.
- No City employee will be required or expected to contribute funds, time, services, or assistance to any election campaign or issue or to support any candidate or issue in any election.
- No employee will serve as an elected official of the City, nor shall he/she serve in any elected position that may produce a conflict of interest with the City.
- Employees are prohibited from using their official capacity as an employee with the City to influence, interfere with or affect the results of an election.

In addition, a City employee is not eligible to be a member of the City Planning Commission [Section 15(5) of the planning enabling act, MCL 125.3815(5)].

2.9 RESIDENCY

Within 90 days of their date of employment, all regular full-time employees are required to reside within twenty (20) miles of the nearest boundary of the City of Charlevoix. The City Manager may allow an additional 90 days for a new employee to comply with residency requirements. If the employee's spouse is employed by a public employer and a conflicting/competing residency requirement results, this section shall not apply to the City of Charlevoix employee (prohibited by MCL 15.602).

2.10 DISSEMINATION OF INFORMATION

When dealing with the public, employees must keep in mind that they should be courteous and provide factual answers to questions. Questions pertaining to areas outside the employee's level of responsibility or expertise are to be referred to the proper department or department head.

All news relating to policy will be released via the City Manager's office. Hence, dissemination of information to the public shall be approved by the City Manager and handled only by those employees with direct knowledge of and responsibility for the subject.

2.11 CONFIDENTIALITY

Employees of the City may, from time to time, come in contact with information that is confidential. Any and all information gathered or heard by employees during their employment will be construed as the property of the City and must be held confidential. Such information may include, but is not limited to, the identity of customers, business plans, financial information, information concerning other employees, or other business-related information. Requests for information that may be confidential will be directed to the City Manager. Moreover, the information remains the property of the City after termination.

2.12 SOCIAL SECURITY NUMBER PRIVACY

In accordance with the Social Security Number Privacy Act, the City will keep all social security numbers confidential and will not disclose social security numbers unlawfully. Personnel and payroll records are kept in locked file cabinets, accessible only to the City Treasurer/payroll, Human Resources, and the City Manager. The City uses one's social security number only for limited administrative purposes, as allowed by law. Currently, these include: to verify employment, to investigate driving history, and to administer City benefit programs. In accordance with record retention guidelines any documents containing social security numbers will be shredded. Any person who violates this privacy policy is subject to discipline up to and including termination.

Note: See Appendix B for City of Charlevoix Resolution No. 2006-03-01, Resolution Establishing Social Security Number Privacy Policy.

2.13 PRIVACY POLICY DISPOSAL/SHREDDING OF SENSITIVE DATA

The City has procedures in place for the disposal of sensitive data in compliance with the Federal Trade Commission regulation of 2004. This regulation dictates the proper disposal of consumer report information and records under the Fair and Accurate Credit Transaction Act of 2003 (FACTA, Pub. L. 108-159, 111 stat. 1952) and the Fair Credit Reporting Act (FCRA 15 USC 1681 et seq.). Accuracy, privacy, limits on information sharing, and new consumer rights to disclosure are included in the FACTA (Pub. L. 108-159, 111 Stat. 1952). These added sections are intended primarily to help consumers fight the growing crime of identity theft.

Sensitive data includes:

1. Personal information including telephone numbers, addresses, and/or social security numbers.
2. Credit checks, background checks, or consumer reports.

All employees that have access to or obtain sensitive data must keep the information confidential. Should any document containing sensitive data need to be disposed of, such document will be shredded. Employees in violation of this policy will be subject to discipline up to and including termination of employment.

2.14 KEEPING US INFORMED

The employee's current address, telephone number, emergency contact, and information about family status must be recorded in the office. Any changes in this information must be reported immediately in writing to Human Resources. This is very important to the employee and the City in the event of an emergency and in connection with such things as Social Security, reporting tax withholding, insurance benefits, correspondence, changes in work schedules, etc. Notify the City whenever changes occur in the following areas:

1. Change of home address and/or telephone number;
2. Marital status (marriage, divorce, or legal separation, etc.)
3. Birth or death in the immediate family;
4. Legal change of name;
5. Changes in citizenship status;
6. Changes affecting insurance programs, such as beneficiaries;
7. Health issues or disabilities that require a workplace accommodation; or
8. Work-related injury or illness.

2.15 SECONDARY EMPLOYMENT AND COMMUNITY INVOLVEMENT

A regular employee may accept secondary employment on his/her own time if it does not interfere or conflict with the employee's performance of his/her primary City job.

This policy also applies to City employees who wish to perform a second City job, such as a seasonal position. The City may also refuse to approve the hiring of a current City employee for a second City position, seasonal or otherwise, for any reason, including but not limited to avoiding overtime liability. Exempt City employees are prohibited from taking a second job with the City.

Similarly, employees are encouraged to engage in community and charitable activities, including directorships in non-profit community organizations, as long as such involvement does not conflict with City interests or create demands that interfere with the employee's primary City job duties.

2.16 JOB POSTINGS

All open positions will be posted at City Hall and on the City's website. Employees are responsible for monitoring job opening notices and for completing and submitting an application form during the posting period for a particular job. All job postings should contain the job title, department, and a brief description of the hiring specifications and duties.

To be eligible to apply for a posted position, the employee must be capable of performing the essential functions of the job, with or without accommodation.

2.17 RESIGNATIONS AND TERMINATIONS

Although the employee or the City may terminate the employment relationship at any time, the City requests that the employee provide a minimum of a two week notice of his/her intent to resign.

Failure to provide this notice will be noted in the personnel file and may affect the employee's eligibility for re-employment with the City.

Upon retirement, resignation, or termination, employees are expected to return the City's equipment (e.g. keys, pagers, files, papers) in good working condition within 24 hours of departure. If equipment is not returned, a payroll deduction may be arranged to recover the replacement cost(s) of said equipment.

If possible, the City Manager or his/her designee will conduct an exit interview with a departing employee.

An employee whose employment ended in good standing may be considered for re-hire.

2.18 PERSONAL PROPERTY

Employees should exercise care over any personal property or effects (purses, money, etc.) they bring onto the City premises. The City is not responsible if such items become damaged, lost, or stolen.

2.19 RIGHT OF INSPECTION AND SEARCH

The City reserves the right to search City vehicles and lockers if a reasonable suspicion exists, based on specific objective facts and reasonable inferences drawn from those facts, that stolen property, unauthorized prescription drugs (prescription drugs not prescribed for the person who has them), illegal drugs, controlled substances, or alcohol will be found on the person or in the particular place to be searched.

2.20 USE OF CITY VEHICLES

City-owned vehicles used by City employees will be available for official use during working hours only. The exceptions to this rule are at the discretion of the City Manager and the department head to determine an employee's access to City vehicles outside working hours. Authorization of extended use will be made in writing. All City employees will pick up and return the City vehicle to the same designated parking area at the beginning and end of each work period (i.e., start of shift to lunch hour; end of lunch hour to end of shift; start to end of any work periods; or in response to emergency service calls).

There will be no smoking or pets allowed in City vehicles. City vehicles interiors will be kept neat and free of garbage. Interiors will be wiped down and exteriors washed as needed.

2.21 VEHICLE SAFETY

When driving City vehicles or when driving any vehicle for the purpose of conducting City business, traffic laws and safety rules must be complied with, as well as the rules stated in the Substance Abuse policy. Also, all employees driving such vehicles must have a valid driver's license and have the valid driver's license on their person at all times.

Under no condition are employees allowed to give non-employees permission to drive City vehicles. The picking up of hitchhikers or transporting unauthorized persons/packages is strictly prohibited. Seatbelts must be worn at all times.

If an employee is involved in any accident while operating a City vehicle, he/she is to notify his/her supervisor immediately. In addition, it is the employee's responsibility to notify the City Manager or department head of any change of status (restriction, suspension, etc.) on his/her driver's

license prior to driving any City vehicle or when driving any vehicle for the purpose of conducting City business.

Cell phone usage while driving greatly compromises reaction time and is a dangerous distraction. Talking on a cell phone while driving is legal, however, texting is illegal. The City highly recommends that employees avoid using their cell phone while driving and instead pull over to a safe area or use a hand-free device.

2.21 (a) IDLING GUIDELINES FOR CITY VEHICLES

On June 20, 2011, City Council passed the following:

I. PURPOSE

These idling guidelines are intended to reduce City operation expenses, lower emissions produced by City vehicles and improve air quality for residents and visitors. The City of Charlevoix strives to improve the quality of life for its residents by protecting the natural environment.

II. RESEARCH

Well-documented research has proven that:

1. Excessive warm-ups are harmful to the engine and the environment.
2. Excessive idling hurts engines and the environment.
3. Block-heaters are good for engines and the environment.

III. GUIDELINES

No City of Charlevoix vehicle or piece of equipment should be left running when the driver is not present after proper start procedures. A City vehicle will not be permitted to idle unnecessarily, unless it is being operated according to the manufacturer's specifications or unless specifically exempted below. Diesel and gas engines are subject to different exemptions. There shall be no idling near air intakes, e.g. ambulance docks, or near groups of people, e.g. parades.

IV. EXEMPTIONS

A. For Police and Public Works Vehicles

1. Police and Public Works vehicles may be allowed to idle at the scene of an emergency response where lights and other accessories are needed in order to respond to the situation. This includes vehicles that need to run in order to charge batteries and run lights, etc. for their primary function.
2. Police and Public Works vehicles may be allowed to idle during non-emergency response situations, such as traffic detail, only when idling is necessary to perform the job at hand.
3. Emergency vehicles, such as ambulance and police vehicles, which may have contents sensitive to extreme heat and cold may be allowed to idle as necessary to maintain adequate internal temperatures.
4. Vehicles with passenger compartments that need to be maintained at a reasonable temperature may be permitted to idle during extremely hot or cold weather conditions.

B. For All Vehicles

1. Any vehicle that needs to be running during service or repair is permitted to idle, but only for as long as absolutely necessary.
2. Any vehicle that needs to defrost its windshield in order to drive safely is permitted to idle, only for as long as it takes to defrost and maintain a clear windshield.

C. Additional Diesel Engine Specific Exemptions

1. Regardless of weather conditions, a diesel engine may be permitted to warm up for no more than five (5) minutes.
2. It is encouraged that block heaters (with timers) be installed and used in diesel-powered vehicles, in which case the above exemption for diesel engines will not apply, except when the vehicle is away from its garage.

3. Exemption C.1, above, does not apply if a vehicle is already warmed up and an operator stops the vehicle for a short time (i.e. quick coffee break) or if the diesel vehicle is stored inside and the inside temperature is substantially higher than outside.

There will be an educational period of fifteen (15) calendar days during which supervisors should educate their employees regarding these guidelines. After this period, it will be the responsibility of supervisors to enforce these guidelines. Department heads will be asked to monitor compliance and report to the City Manager within six (6) months of these guidelines taking effect. Department heads will also be encouraged to make suggestions for improvements or changes, especially in cases where the guidelines cause hardships, and are unworkable or lead to unsafe conditions.

2.22 USE OF OTHER CITY PROPERTY

Personal use of other City property (e.g., copy machine, cell phone) is permitted only with approval by the City Manager or his/her designee. Permission to use the City's property must be approved prior to use. Failure to obtain permission to use City property for personal use while on the job may result in discipline, up to and including immediate termination.

2.23 PERSONAL TELEPHONE CALLS & TEXTS

Employees may make local calls/texts (or receive personal calls/texts) only in case of emergency or on work breaks. Lengthy or frequent calls may result in the loss of this privilege. Violation of this policy will result in discipline up to and including immediate termination.

2.24 COMPUTERS, EMAIL, AND INTERNET USAGE

The City's computers, internet, email system, software, electronic files, and telephone systems are intended for City business only. All information on City computers, network, email and voicemail systems are the sole and exclusive property of the City.

Because of the nature of this data, the City reserves the right to examine, monitor, regulate, and access all information on the City computers, network, files, email and voicemail systems, internet usage, and any information transmitted by or stored in its technology systems, whether onsite or offsite, even if personal passwords have been assigned.

Internal and external e-mail, voice mail, text messages and other electronic communications are considered business records and may be subject to legal discovery so employees must be aware of this possibility when communicating electronically within and outside the company.

Employees do not have a personal privacy right to any matter created, received, or sent from the City's telephone, network, Internet or email systems. Therefore, employees should not put personal data or other information on these computers.

Employees are prohibited from downloading, copying, or acquiring any software without prior written consent from their department head. Copyrighted materials belonging to entities other than the City's may not be transmitted by employees on the company's network without permission of the copyright holder.

Due to the significant risk of harm to the City's electronic resources, employees should not bring personal computers or data storage devices (such as CDs/DVDs, external hard drives, USB / flash drives, "smart" phones, iPods/iPads/iTouch or similar devices, laptops or other mobile computing devices, or other data storage media) to the workplace and connect them to the City's electronic systems unless expressly permitted to do so by their Department Head.

Email may not be used to solicit or to advocate non-city or purely personal interests, religious or political causes. Employees may not use the City's Internet, e-mail or other electronic communications to transmit, retrieve or store any communications or other content of a defamatory, discriminatory, harassing or pornographic nature. Messages with derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, physical attributes or sexual preference is strictly prohibited.

An employee must receive permission from his/her manager to have his/her personal cell phone access his/her City's email account.

Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment. Employees should notify their department head upon learning of violations of this policy.

2.25 CELL PHONE AND PAGER USE, LAPTOPS, AND GAS CARDS

Personal cell phones may be used during business hours when business needs require immediate access to a co-worker. The City may issue a business cell phone for work-related communications. Use of City cell phones for personal use other than in emergency situations is prohibited. In order to avoid incurring a tax liability for the personal use of this equipment, the employee should use such phones for business purposes only.

Note, however, that unless approved by the City Manager, the use of personal cell phones rather than City-provided phones for City business is not reimbursable.

Employees who are provided with City equipment are expected to protect equipment from loss, damage, or theft. The employee may be held responsible for any unauthorized charges and for replacement/repair charges incurred from the loss, damage, theft, or negligent use of the equipment.

2.26 SOCIAL MEDIA/NETWORKING

This policy covers employee activity on all social networking sites including, but not limited to, LinkedIn, Facebook, Twitter, YouTube, blogs, and any other online social networking or any other form of online publishing or discussion.

Social-networking activities by City employees are subject to all existing policies that govern the use of the City's rules of conduct, communication, and computer systems, as well as those policies that protect the confidentiality of City information, and those which prohibit unlawful discrimination or harassment.

If an employee participates in social networking online, he/she must make it clear in his/her on-line activity that the views and opinions expressed are his/her own, have not been reviewed by the City, and do not represent the views and opinions of the City. Consequently, employees should not use the name, logos, or copyright protected material of the City.

The following additional prohibitions apply:

- Employees are prohibited from listing the City email address unless the social networking site is used purely for City business or professional purposes.
- Employees are prohibited from disclosing information about City business or details of particular projects.

- Employees are prohibited from posting anything obscene, vulgar, defamatory, threatening, discriminatory, harassing, abusive, hateful or embarrassing about a fellow employee. Employees must remain respectful of the City and its services.
- Failure to obey this policy will lead to discipline.

Any information an employee creates, transmits, downloads, exchanges, or discusses on any social media site is subject to compliance monitoring and may be accessed by the City at any time without prior notice.

2.27 SMOKING POLICY

In compliance with the Public Health Clean Indoor Air Regulation, the City is a smoke-free working environment. The Clean Indoor Air Regulation states: "Smoking is prohibited in all enclosed areas within this worksite without exception. This includes common work areas, auditoriums, classrooms, conference and meeting rooms, private offices, elevators, hallways, medical facilities, cafeterias, employee lounges, stairs, restrooms, employer owned or leased vehicles if occupied by more than one employee, and all other enclosed facilities."

The regulation further states: "Smoking shall be prohibited near entrances, windows and ventilation systems of all worksites and public places where smoking is prohibited by this regulation. Any individual who owns, manages, operates or otherwise controls the use of any premises subject to jurisdiction under this regulation shall establish a no smoking area which extends a reasonable distance from any entrances, windows and ventilation systems to any enclosed areas where smoking is prohibited; such reasonable distance shall be a distance sufficient to insure that persons entering or leaving the building or facility shall not be subjected to breathing tobacco smoke and to insure that tobacco smoke does not enter the building or facility through entrances, windows, ventilation systems or any other means. All smoking trash receptacles shall be placed outside the no smoking area in order to discourage smoking in these areas."

This policy applies to all employees, volunteers, citizens, vendors, or contractors.

Persons observing a violation of this policy should bring it to the attention of the City Manager. Complaints will be investigated and action taken to resolve the issue as soon as possible.

Persons found to have violated this policy will be subject to disciplinary action. Any fines directed to the City will be the fiscal responsibility of the person or persons in violation of this ordinance.

2.28 WORKPLACE VIOLENCE

The City is committed to providing a safe, secure work environment for its employees and to helping prevent violence, threats, or intimidating actions by or against any employee or visitor on or off the premises while engaged in business.

The City may, in its sole discretion,

- Conduct pre-employment criminal background investigations before extending an offer of employment (or make an offer of employment contingent upon the results of a criminal background check).
- Implement security measures to restrict unauthorized entry to the premises, allow security surveillance of the premises, and otherwise foster an orderly and safe working environment.

- Promote through education and practices the value of a nonviolent environment and lifestyle.
- Discipline employees, up to and including termination of employment, who threaten or commit acts of violence, abuse, or intimidation. Threats and acts of violence include, but are not limited to, acts communicated orally, graphically, electronically, nonverbally or in written form, with or without acts of force.
- Remove immediately any City visitor or employee who threatens or commits an act of violence on the employer's premises.
- Pursue criminal prosecution as appropriate of employees or others who commit criminal offenses against the City or its employees.
- Encourage all employees to promptly notify management of any work-related threats or acts of aggression, abuse, or intimidation by employees or non-employees. Such reports will be treated in a confidential manner, to the extent feasible. The City will not permit or condone any retaliation against any employee who makes a report in good faith pursuant to this policy.
- Provide counseling, medical, security, or other services as needed to employees who are victims or witnesses of work-related violence.

SECTION 3: HOURS AND PAY PROCEDURES

3.1 WORK SCHEDULES

Work Day - The standard work day consists of eight (8) hours, although actual starting and ending times are dependent upon the needs of the various City departments.

Work Week - The standard work week is forty (40) hours, consisting of five (5) work days of eight (8) hours per day.

Police and EMS Personnel – Police and EMS Departments schedules will vary.

Flex Time - In some instances, when mutually agreed upon by the employee and the department head, the standard work day and work week schedule can be modified to provide for a “flex time” schedule which can include increasing the number of hours within a work day and decreasing the number of days in a work week.

Telecommuting - In some instances, when mutually agreed upon by the employee and the department head, a regular employee may perform all or a portion of his/her job duties from a location other than his/her regular work site.

3.1 (a) CITY EMPLOYEES RESPONDING TO EMERGENCIES

City employees who are also Paid-On-Call employees of the Charlevoix EMS Department and the Charlevoix Township Fire Department shall be allowed to respond to emergencies while at work under the following conditions:

1. The employee is engaged in a task that will not endanger a fellow employee or the public if the employee does not stay at their post.
2. The employee will only respond to true emergencies where lives are thought to be in danger, or there is a reasonable likelihood of significant property damage (no duty crew runs).

3. The incident commander shall allow that employee to return to their regular job as quickly as practical.

Note: Since EMS crews (unless there is a general call for all EMS personnel, which only happens in the case of a mass casualty incident) are scheduled in advance, this process does not include EMS runs.

When called to respond to an emergency while at work, the employee will clock out of their regular department. Upon returning to their regular job shift, the employee will clock back in.

3.2 TIME RECORDING

Accurate records of time worked are essential to both the employee and the City. The City has provided a means for accurately recording time worked, lunch periods, overtime, absences, etc. Accordingly, work performed by hourly employees must be recorded in accordance with specific departmental practice. Employees must “record in” when their shift/work day starts and “record out” at the end of their working time. All employees are required to record in and out using their own time card/sheet. Under no circumstances is an employee to record another employee’s time or permit another employee to record his/her time. If an employee forgets to record in or out, he/she must see his/her supervisor in order to record the correct time.

3.3 COMPENSATION/PAY

The City strives to ensure that all employees are paid fairly and that internal and external equity are maintained within the limits of its revenue stream. Hence, the City participates in and reviews the results of periodic salary surveys.

Pay will be at the rate provided on the “Employee Change of Status Report” form.

All employees are subject to deductions from pay for State and Federal income tax and Social Security/Medicare. In addition, regular full-time employees may be subject to deductions from pay for retirement. No other deductions will be made unless authorized by the employee or required by a governmental unit.

The work week for hourly employees begins Sunday at 12:01 a.m. and ends the following Saturday at midnight. The pay period shall be composed of two work weeks and the work year is 26/27 pay periods. Employees will be paid on Friday of every other week for work performed the preceding pay period. If the regular pay day falls on a holiday or weekend, pay will be received on the prior working day.

Employees should review their pay stubs regularly and report any discrepancies or errors to the City within 14 days of receipt of an erroneous paycheck, so that the City can investigate and issue a corrected check in a timely fashion.

3.4 OVERTIME

Non-exempt employees shall receive time and one-half (1½) at their straight-time rate for all hours worked in excess of forty (40) in one work week. Sick, vacation, personal, and holiday will be counted as hours worked for the purpose of computing overtime payments. For EMS employees working 24 hour shifts under the Kelly schedule, sick, vacation, personal, compensatory leave usage and holiday not worked will not be counted as hours worked for the purpose of computing overtime payments due to scheduled overtime. Unpaid leave shall not count as hours worked.

Exempt employees are paid on a salary basis and are not entitled to overtime. Refer also to Section 3.5 (a) Compensatory Time for Exempt Employees.

Overtime will only be approved when it is not possible to adjust work schedules to provide essential staffing. All overtime must be approved in advance by the employee's supervisor.

An employee who works overtime without prior approval from his/her supervisor will be subject to discipline, up to and including termination.

Training and Travel - Time spent in approved training activities, meetings, and conferences is considered compensable for the purposes of calculating non-exempt overtime; however, time spent in travel is considered compensable time worked only in so far as it meets certain conditions.

Home-to-work travel – Generally home-to-work travel is not considered compensable time, regardless of how long the commute or whether the employee travels to a different worksite for the job.

Overnight travel – Travel away from home is work time when it crosses the employee's work day because it merely replaces other duties. Overnight travel outside the employee's normal work schedule is not compensable (in terms of calculating overtime pay) unless it is active/productive. That is, the time an employee spends traveling is considered active work and compensable. Similarly, time spent driving oneself (versus traveling as a passive passenger on a public conveyance) is also considered time worked. Again, meals and sleep time are not considered compensable hours worked in the calculation.

3.5 COMPENSATORY TIME FOR NON EXEMPT EMPLOYEES

The determination to use compensatory time is left to the discretion of each department head. If the decision is made to allow the use of compensatory time, it must be administered in the same manner for each non-union non-exempt employee in that department.

All non-union non-exempt employees will be allowed to earn compensatory time, in lieu of overtime pay, at the rate of one and one-half (1½) hours for each hour worked in excess of 40 hours in a workweek, and must be approved in advance by the department head.

The use of compensatory time will be scheduled within each department between the department head and the employee involved. An employee must be permitted to use accumulated compensatory time unless it would unduly disrupt the department's operations.

Non-exempt employees may accumulate a maximum of forty (40) hours of earned compensatory time and carry forward a maximum of sixteen (16) hours into the next calendar year. EMS non-exempt employees may accumulate a maximum of sixty (60) hours of earned compensatory time and can carry forward a maximum of 24 hours into the next calendar year. Any unused hours above the maximum will be paid to the employee in the first pay of that next calendar year.

Upon termination or retirement, the employee will be paid for each hour of accumulated compensatory time at their final regular rate of pay. This payment will be made as a part of the final paycheck.

3.5 (a) COMPENSATORY TIME FOR EXEMPT EMPLOYEES

In special situations, an exempt employee may earn compensatory time with the prior approval of his/her supervisor.

All exempt employees who work on a holiday will receive compensatory time for hours worked.

Exceptions include Premium Pay situations and special employment agreements. Exempt employee comp time is earned at the rate of one hour for each hour worked.

Exempt employees may accumulate a maximum of forty (40) hours of earned compensatory time and may carry forward a maximum of sixteen (16) hours into the next calendar year and will not receive payment for unused compensatory time under any circumstances. Special or extenuating circumstances will be addressed on an individual basis and with the approval of the City Manager.

3.6 PREMIUM PAY/ON CALL/PER DIEM PAY FOR EXEMPT EMPLOYEES

Exempt employees may be eligible for additional compensation for performing work in addition to their normal job duties. In certain circumstances, such work may qualify the employee for premium pay defined as financial compensation in addition to the employee's annual salary. Such compensation must be approved in advanced by the City Manager.

When a department is lacking sufficient staffing for proper operations, an exempt employee, with the appropriate qualifications, may be required to fill in for a pre-determined amount of time. In such cases the employee will be paid time and a half (1½) at their base rate of pay for any hours beyond the normal workweek.

There may be situations that require an exempt employee to devote time and/or effort above and beyond the normal course of business. In those situations where such special circumstances exist, an exempt employee may be eligible to receive compensation at a per diem rate. The City Manager will determine eligibility and rate of compensation in advance on a case-by-case basis.

All forms of premium pay will be paid as part of the pay period in which the time or effort were incurred.

SECTION 4: EMPLOYEE BENEFITS

4.1 PAID TIME OFF

4.1 (a) HOLIDAYS

The City recognizes the following nine holidays each year.

New Year's Day	Thanksgiving Day
Good Friday	Day after Thanksgiving
Memorial Day	Day before Christmas
Fourth of July	Christmas Day
Labor Day	

Regular full-time are granted 8 hours of pay at their regular pay for the following days: Part-time employees who are regularly scheduled on one of the recognized holidays will receive holiday pay at their regular rate for their normal work schedule (i.e. normally work 4.5 hours per day they would receive 4.5 holiday pay)

All exempt employees who work on a recognized holiday will receive compensatory time for hours worked.

All non-exempt who work on a recognized holiday will receive “premium pay” which is paid at time and a half of employee’s regular rate of pay for hours worked up to a maximum of eight (8) hours.

Whenever a holiday falls on a Saturday, the preceding day will be recognized as a holiday and when a holiday falls on a Sunday, the following day will be recognized as a holiday. However, the holiday will be recognized on the calendar day that it falls for EMS staff who work 24 hour shifts under the Kelly schedule.

4.1 (b) PERSONAL LEAVE

Regular full-time employees are credited twenty four (24) hours of personal leave hours each calendar year (on January 1). Personal leave hours are prorated for new or returning (from leave of absence) employees on the basis of hire or return date. These hours must be taken in the calendar year in which they are credited or they are forfeited. Personal leave hours must be scheduled with and approved by the department head or the City Manager. Personal leave hours can be used in one-quarter hour (1/4) increments. No payment for unused personal leave hours is made upon an employee’s departure.

Hire Date or Date Returned to Work	Number of Personal Hours
January through April	24
May through August	16
September through December	8

FULL-TIME EMS – WORKING UNDER THE KELLY SCHEDULE	
Hire Date or Date Returned to Work	Number of Personal Hours
January through April	36
May through August	24
September through December	12

4.1 (c) VACATION LEAVE

New employees, upon completion of 6 months of employment, who work a forty (40) hour workweek schedule, shall be credited with forty (40) hours of vacation leave. Once the new employee has completed one full year (2080 hours) of employment, they shall be credited with an additional forty (40) hours of vacation leave.

New EMS employees, who work 24 hour shifts under the Kelly schedule, shall be credited with sixty (60) hours of vacation leave upon completion of six months of employment. Once the new EMS employee has completed one full year of employment, they shall be credited with an additional sixty (60) hours of vacation leave.

Upon completion of two full years of employment, the employee will be credited with vacation leave based on the following scale.

Regular full-time employees, who normally work a forty (40) hour workweek schedule or EMS employees who work 24 hour shifts under the Kelly schedule, shall be credited with vacation leave at their anniversary date based on the following scale.

In consideration of transitioning from a calendar year accrual to an anniversary date accrual,

employees will be credited in 2019 as follows:

1. On January 1, 2019, current employees will be credited with vacation hours according to years of employment identified in the scale below. Upon employee's 2019 anniversary date, employee will also receive a prorated credit to make them whole.

Example: An employee who on December 31, 2018, has reached seven (7) years of employment, will be credited with 152 vacation hours according to the scale below. Credit will occur on January 1, 2019. This employee, who has an April hire date, will also be credited with an additional 41 vacation hours on their April 2019 anniversary date. As a result, this employee would have a total of 193 vacation hours available to use until their April 2020 anniversary date.

2. Employee will follow the scale below on their 2020 anniversary date.

Credited Years of Full Time Employment as of Employee's Anniversary Date	Vacation Leave Hours Credited on Employee's Anniversary Date
6 months	40
1	40
2	80
3	120
4	128
5	136
6	144
7	152
8	160
9	168
10	176
11	184
12	192
13	200

FULL-TIME EMS – WORKING UNDER THE KELLY SCHEDULE	
Credited Years of Full Time Employment as of Employee's Anniversary Date	Vacation Leave Hours Credited on Employee's Anniversary Date
6 months	60
1	60
2	120
3	180
4	192
5	204
6	216
7	228
8	240
9	252
10	264
11	276
12	288

13	300
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3. Vacation leave shall be the employee's regular straight-time hourly rate at the time the vacation leave is taken. An employee who works eight (8) hours a day, five days a week, shall record eight (8) hours of leave time when taking a day off on vacation leave. If the employee works a ten (10) hour day, four (4) day workweek, and takes a day off for vacation, he/she shall record ten (10) hours of vacation leave. EMS employees who work 24 hour shifts on the Kelly schedule shall record twenty-four (24) hours of leave time when taking a day/shift off on vacation leave.
4. Employees who lose time from work or who do not complete a scheduled work year due to a layoff or any unpaid leave of absence, shall have vacation benefits determined on a pro rata basis of the months or parts of months worked during the calendar year. Illustratively, an employee who returns on August 14th of a given year will receive a vacation benefit equal to 5/12ths of that provided in the schedule above.
5. Unused and accrued vacation hours are paid upon an employee's departure.
6. When an employee leaves active employment or retires from City service, accrued and carry over vacation will not be considered as pay for the purpose of extending or further accumulating benefits, including health care, sick leave, vacation, etc.
7. All vacation will be taken at the convenience of the department and must have prior approval of the department head; department head vacation is subject to prior approval of the City Manager.
8. Vacation leave hours can be used in one-quarter hour ($\frac{1}{4}$) increments.
9. A maximum of eighty (80) hours of vacation leave may be carried forward from one calendar year to the next and any unused hours in excess of eighty (80) are forfeited. EMS employees who work 24 hour shifts under the Kelly schedule may only carry a maximum of 120 hours of vacation leave from one calendar year to the next and any unused hours in excess of 120 are forfeited. Special or extenuating circumstances will be addressed on an individual basis and with the approval of the City Manager.

4.1 (d) SICK LEAVE - Year-Round Full-Time Employees

1. Starting January 1, 2019, and each year thereafter, eligible full-time employees are credited with ninety-six (96) hours of sick leave. Full-time EMS employees who work 24 hours shifts under the Kelly schedule are credited with 144 hours of sick leave. Sick leave hours are prorated for new or returning (from leave of absence) employees on the basis of hire or return date identified below.

Hire Date or Date Returned to Work	Sick Leave Hours	Hire date or Date Returned to Work	Sick Leave Hours
January - February	96	July – August	48
March - April	80	September- October	32
May – June	64	November - December	16

EMS Employees who work on the Kelly Schedule			
Hire Date or Date Returned to Work	Sick Leave Hours	Hire date or Date Returned to Work	Sick Leave Hours
January - February	144	July – August	72
March - April	120	September- October	48
May – June	96	November - December	24

- a) Unused paid sick leave hours may be accumulated from year to year up to a maximum of 248 hours. EMS employees, who work 24 hour shifts under the Kelly schedule, unused paid sick leave hours may be accumulated from year to year up to a maximum of 372 hours

On December 31st of each year, if the number of hours for an individual exceeds 152 hours, then the employee will be paid for those hours in excess of 152 at half (1/2) the employee's current rate of pay. If the number of hours for an EMS employee, who works 24 hour shifts under the Kelly schedule exceeds 228 hours, the employee will be paid for those hours in excess of 228 at half (1/2) the employee's current rate of pay.

- b) Employees are eligible to use sick leave hours for personal illness, injury, serious health condition, or temporary disability that necessitates absence from work. Employees can also use sick leave hours to attend doctor, dentist, or other recognized practitioner to the extent required to complete such appointments. Sick leave should not be used as "Personal Leave".
- c) Employees are eligible to use sick leave hours for illness or injury in the immediate family necessitating absence from work. Employees can also use sick leave hours to accompany an immediate family member to a doctor, dentist, or other recognized practitioner to the extent required to complete such appointments. Immediate family is defined as the employee's spouse, child, step-child, grandchild, parent, step-parent, sister, sister-in-law, brother, brother-in-law, mother-in-law, father-in-law, grandparents and grandparents-in-law of the employee.
- d) In order to qualify for sick leave or sickness and accident benefits, an employee must contact his/her supervisor as soon as possible prior to the beginning of a work day or scheduled shift. If the circumstances surrounding the absence make the timely reporting extremely difficult, then the employee must notify his/her supervisor as soon as possible.
- e) All sick leave usage requires the submission and approval of a "Request for Absence Report" form.
- f) Employees may use sick leave in increments of one quarter (1/4) hour increments.
- g) In the event of an absence of more than five (5) regularly scheduled working days, or in the event of hospitalization for any period of time, or if the Employer has reason to believe an employee is misusing sick leave or disability benefits, the employee will be required to provide a medical certification signed by the physician indicating the specific diagnosis

and prognosis necessitating the employee's absence from work and the expected return to work date. The City also reserves the right to require periodic medical reports during leaves under this provision. Before the employee returns to work he/she must present a fitness for duty medical statement from his physician.

- h) When an employee's absence from work is due to an illness or injury arising out of and in the course of his/her employment by the City and which is compensable under the Michigan Workers' Compensation Act, after the first day of absence necessitated thereby he/she shall be entitled to utilize his/her unused sick leave hours to make up the difference between the amount of daily benefit to which he/she is entitled under such Act and the amount of daily salary he/she would have received in his/her own job classification had he/she worked, but not to exceed the total equivalent of what he/she would have received in daily pay on an eight (8) hour per day basis. Employees may also use frozen sick leave hours to make up the difference but only after they have exhausted their regular sick leave hours.
- i) An employee who makes a false claim for paid sick leave shall be subject to disciplinary action or dismissal depending upon the circumstances involved.
- j) When an employee resigns or is discharged, all benefits under this section are null and void and the employee will not be reimbursed for any accumulated sick leave.
- k) If an employee who has quit, retired or been discharged from his/her employment is subsequently rehired, such employee shall, as any other new employee, only accumulate paid sick leave hours as set forth in Section 4.1 (d).
- l) In the event an employee is laid off from work, he/she shall, upon his/her return to work, be credited with all of his/her unused sick leave hours that he/she had prior to his/her layoff.
- m) When an employee retires under the City's retirement program, he/she shall be entitled to be paid one-half (½) of his/her accumulated unused paid sick leave hours as of the date of retirement. Payment is at the employee's last rate of pay.

NOTE: The 1983 Frozen Bank - Subject to the restrictions specified above for regular sick leave, employees hired before January 1, 1983, have sick leave credits from preceding years in a frozen bank for their use if their annual allotment or accumulation of fifty six (56) hours does not cover an extended illness and their Short Term Disability cannot be used until the fourteenth (14th) calendar day of an illness. Frozen bank hours from 1983 or earlier will be paid to an employee at the hourly rate the employee was earning on January 1, 1983 or the date they became department heads. Upon retirement, an employee with frozen bank hours from 1983 will be paid for half of the hours remaining in the bank at the wage rate the employee was earning on January 1, 1983.

2. SICK LEAVE – Part-Time, Seasonal, Temporary, Variable

The Paid Medical Leave Act (PMLA), 2018 Public Act 338, as amended by 2018 Public Act 369, provides for paid medical leave (sick leave) for eligible employees as described below. Paid medical leave accrual begins March 29, 2019, or upon commencement of the employee's employment, whichever is later.

- a) Current year-round, part-time or variable, non-exempt employees, who worked at least 26 weeks with an average of 25 hours a week during their look-back period, will receive 40 hours of sick leave credits on March 29, 2019. The look back period for these employees is the previous calendar year.

Effective January 1, 2020, and each January 1st thereafter, eligible year-round, part-time, variable, and temporary, non-exempt employees will receive 40 hours of sick leave credits provided that they worked at least 26 weeks with an average of 25 hours a week during their look-back period.

- b) Upon date of hire, new year-round, part-time, variable, and temporary, non-exempt employees who are expected to work at least 26 weeks with an average of 25 hours a week, will receive a prorated credit of sick leave based on an annual credit of 40 hours and their hire date.
- c) Returning seasonal, non-exempt employees, who worked at least 26 weeks with an average of 25 hours a week during their look-back period, will receive a credit of 40 hours of sick leave on their rehire date. The look-back period for returning seasonals is one year back from their date of rehire.
- d) New seasonal, non-exempt employees, who are expected to work at least 26 weeks with an average of 25 hours a week, will receive a credit of 40 hours of sick leave on their hire date.
- e) Unused sick leave credits will not carry over into the next year.
- f) Unused sick leave credits will not be paid off at separation.
- g) Employees may take sick leave under the PMLA for any of the following reasons:
 - (1) Physical or mental illness, injury, or health condition of the employee or his or her family member,
 - (2) Medical diagnosis, care, or treatment of the employee or employee's family member,
 - (3) Preventative care of the employee or his or her family member,
 - (4) Closure of the employee's primary workplace by order of a public official due to a public health emergency,
 - (5) The care of his or her child whose school or place of care has been closed by order of a public official due to a public health emergency,
 - (6) The employee's or his or her family member's exposure to a communicable disease that would jeopardize the health of others as determined by health authorities or a health care provider,
 - (7) For domestic violence and sexual assault situations, employees may use paid medical leave (sick leave) for any of the following:
 - (a) Medical care or psychological or other counseling,

- (b) Receiving services from a victim services organization,
 - (c) Relocation and obtaining legal services.
 - (d) Participation in civil or criminal proceedings related to or resulting from the domestic violence or sexual assault
- h) Whenever the need to use sick leave under the PMLA is known in advance, employees should complete the Request for Absence Report and submit it to their supervisor for approval.
- i) When an employee is unable to report to work due to a qualified reason under the PMLA, the employee must contact his/her supervisor as soon as possible prior to the beginning of a work day or scheduled shift. If the circumstances surrounding the absence make the timely reporting extremely difficult, then the employee must notify his/her supervisor as soon as possible.
- j) Sick leave may be used in quarter (1/4) hour increments.
- k) If the Employer has reason to believe an employee is misusing PMLA (sick leave), the employee will be required to provide a medical certification signed by the physician indicating the specific diagnosis and prognosis necessitating the employee's absence from work and the expected return to work date. Before the employee returns to work he/she must present a fitness for duty medical statement from his/her physician.
- l) An employee who makes a false claim for paid sick leave shall be subject to disciplinary action or dismissal depending on the circumstances involved.

4.1 (e) SHORT TERM AND LONG TERM DISABILITY PLANS.

The City agrees, at its expense, to establish and maintain for all eligible full-time employees a short-term and long-term disability program through an insurance carrier of the City's selection. Disability benefits are governed by the Plan Document and/or the Summary Plan Description.

1. The Short Term Disability Plan will provide weekly benefits equal to 66 2/3% of the first \$2250 of weekly pre-disability earnings as of the date of disability, reduced by deductible income (e.g., work earnings, workers' compensation, state disability, social security, etc.) With a maximum weekly benefit of \$1500
2. The Long Term Disability Plan will provide monthly benefits equal to 60% of the first \$8,333 of monthly pre-disability earnings, reduced by deductible income (e.g., work earnings, workers' compensation, state disability, etc.)
3. Your weekly benefit becomes payable after you have been continuously disabled for 14 calendar days for disability caused by accidental injury and after 14 calendar days of disability caused by physical disease, pregnancy or mental disorder. Employees may use sick, personal, vacation leave hours to satisfy the waiting period. Frozen sick leave hours can also be used, but only if regular sick leave hours have been exhausted. If applicable, parental leave may also be used to satisfy the waiting period.
4. Employees may also use available sick, vacation, personal leave hours to make up the difference between the amount of daily benefit to which he/she is entitled under the Disability Plan and the amount of daily salary he/she would have received in his/her own

job classification had he/she worked, but not to exceed the total equivalent of what he/she would have received in daily pay on an eight (8) hour per day basis. Employees may use frozen sick leave hours, if applicable, once the regular sick leave benefits are exhausted, to supplement the disability plan; however those hours will be paid at the frozen rate of pay.

4.1 (f) CONFERENCES AND TRAINING

Leave with pay will be granted while employees (exempt and/or non-exempt) attend conferences or training sessions which have been approved in advance by the City Manager or department head. However, only non-exempt travel time is compensable if it meets the requirements specified by the Fair Labor Standards Act (FLSA). (See Overtime.) Employees who drive their own vehicle are reimbursed at the standard mileage rate.

4.1 (g) LEAVES OF ABSENCE

FUNERAL LEAVE

In the event of a death in the immediate family of an employee, up to 3 working days with pay shall be allowed for personal matters relating to the death. Immediate family shall include: spouse, child, step-child, grandchild, parent, step-parent, sister, sister-in-law, brother, brother-in-law, mother-in-law, father-in-law, grandparents and grandparents-in-law of the employee. Additional personal, sick or vacation leave may be granted from the employee's unused leave banks, not to exceed sixteen (16) hours or twenty-four (24) hours for an EMS employee working under the Kelly schedule. Additional hours may be granted without pay when extenuating circumstances warrant same.

JURY DUTY LEAVE

The regular full-time, part-time, and seasonal employee will be "kept whole" while performing jury duty. Consequently, employees on jury duty will be required to surrender/endorse over any checks received from the court(s) for services rendered. When not assigned to cases, employees must report to work for the remainder of the day. The City's obligation to pay an employee for jury duty is limited to a maximum of 20 work days in any calendar year.

MILITARY LEAVE

The City follows State and Federal law with respect to military service. Federal and State statutes mandate that the City grant unpaid leave to employees who voluntarily choose to serve in the Armed Forces and National Guard. Military leave must be allowed for active duty, training, or to meet military-related obligations, such as reporting for periodic physical fitness examinations. Employees who are members of the reserve components of the Armed Forces will be granted leave of absence without pay for summer components and/or other periods of activation and reactivation upon presentation of substantiating documentation. It is recommended that leaves of absence for this purpose be taken as a vacation whenever possible.

The City is required under the Federal Uniformed Services Employment and Reemployment Rights Act (USERRA) to reinstate those returning from services to their former job following discharge or release from active duty, reserve duty, or training.

Upon returning from military service, the employee's rate of pay will be adjusted to recognize any changes that would have occurred had the employee continued working for the City.

1. If the pay range increased, the rate of pay will be set at the point in the range that the employee would have reached if he/she had not left for military service.

2. If the employee returns to a more responsible job, the rate of pay will be based on the present rate for the position and will be at least the same as the lowest paid qualified person in a comparable position.

The USERRA requires the City to offer continuous medical coverage for up to eighteen (18) months to employees who were previously covered by the City's health plan and who are absent due to military service. Moreover, if the military service does not exceed thirty-one (31) days, the employee cannot be required to pay more than had he/she remained actively employed.

The time spent on military leave will be treated as continuous employment for the purpose of accruing credited service for vacation leave, personal leave hours, retirement plans, et al. The City must also allow returning employees the chance to make up missed employee contributions to defined contribution pension plans and must make corresponding City contributions.

PARENTAL LEAVE

An employee shall, after the birth of his/her child or adoption of a child, be granted eighty (80) hours of paid parental leave to bond with the child or (120) hours for EMS employees who work 24 hour shifts under the Kelly schedule. This time can be taken in a block of time or intermittently as needed. This grant will expire and must conclude within twelve (12) months after the birth or adoption. In those instances where both spouses are covered by this provision, such leaves may be taken either concurrently or consecutively. Requests for time off must follow the same process as requests for sick, personal and vacation leave.

4.1 (h) REQUESTS FOR TIME OFF

A "Request for Absence Report" form must be completed by the employee when requesting time off (with or without pay).

4.1 (i) LEAVE OF ABSENCES – WITHOUT PAY

Regular full-time employees may be granted leaves of absence without pay as determined by the City Manager. All requests for leave shall be in writing with the terms of the leave set forth in writing when approved.

4.1 (j) MEDICAL COVERAGE DURING LEAVES OF ABSENCE

If an employee is provided group health insurance prior to the leave of absence, the employee is entitled to the continuation of the group health insurance coverage during an approved FMLA leave. If family member coverage is provided to an employee, family member coverage will also be maintained during the FMLA leave. Employees on workers compensation, who have a qualifying "serious health condition" under FMLA, are also entitled to continue their group health insurance coverage.

If leave hours are being used during the FMLA leave, the employee's share of group health plan premiums will be deducted through payroll deduction. If the employee is not using leave hours, and is therefore on an unpaid FMLA leave, the employee must make arrangements to pay the normal employee portion of the insurance premiums in order to maintain insurance coverage. Other authorized deductions (i.e. FSA contributions, co-pays, etc.) still apply during the leave period and will be billed to the employee as necessary.

Group health insurance coverage shall terminate after the first thirty (30) days when an employee is on an unpaid, non-FMLA leave of absence, or any other unpaid leave of absence except in a worker's compensation related situation where sixty (60) days shall govern rather than thirty (30)

days. For leaves in excess of 30/60 calendar days, the employee will be required to pay the full premium. (See also COBRA.)

4.2 BENEFIT PLANS

4.2 (a) RETIREMENT BENEFITS

Defined Benefit Plan

For all regular full-time non-union employees, the City contributes to the Municipal Employees Retirement System (MERS) C-1 Plan (1.5 factor). Vesting is ten (10) years of service. (Employees hired prior to April 1, 2012 have a bridged benefit that has a B-4 Plan (2.5 factor) with a frozen Final Average Compensation (FAC) until April 1, 2012 and continue with the C-1 Plan after that date). Both plans have a five (5) year FAC.

Defined Contribution Plan

For all regular full-time non-union employees, the City also contributes 5.6% of gross wages and 3% of base wages to the 457 Deferred Compensation Plan. In addition, the City will match up to an additional 1.9%, equal to the employee's contribution, whichever is less.

All employees and elected officials are eligible to participate through payroll deduction (without a City match) in the 457 Deferred Compensation Plan.

4.2 (b) MEDICAL/DENTAL/VISION INSURANCE

The City offers the option for regular full-time active employees, who are normally scheduled to work 30 hours or more per week, to participate in one of at least two health plans which include medical, dental, and vision coverage. Plan descriptions and options may vary from year-to-year. Selection is made at time of hire, or thereafter, during the annual open enrollment. The City and employees share premium costs, which are subject to change. The insurance policies themselves govern the terms and conditions of benefits. Contact Human Resources for complete plan details.

Part-time employees who average 30 or more hours per week during their measurement period may be eligible for the City's health plan; however the employee would be required to pay 100% (of full) cost. (For more details on the eligibility period, please see the Plan Document and Summary Plan Description for the City of Charlevoix Health and Welfare Benefit Plan available in Human Resources or the Treasurer's Office.)

Beginning October 1, 2014, retired employees (union and non-union) will not have access to the City's health care plans, unless employee elects COBRA as defined in Section 4.12.

4.2 (c) SECTION 125 PLAN AND FLEXIBLE SPENDING ACCOUNT

If offered, all regular full-time employees have access to a pre-tax Section 125 Plan and the option to establish a Flexible Spending Account (FSA) for the employee and dependent.

4.2 (d) MEDICAL OPT-OUT REIMBURSEMENT

The City will pay an annual cash reimbursement, based on the single coverage limit (set annually) that a public employer may contribute to a medical benefit plan set forth in MCL 15.563, as

amended by 2013 Public Act 270, for the employee who elects not to participate in 1-Person (single), 2-Person (double) or family coverage.

To be eligible the employee must provide written certification that they waive their right to enroll in a City health care plan and proof of the employee's non-City provided health care insurance coverage.

Payment of the reimbursement will be made in twelve equal payments in the first paycheck of each month. (These reimbursement amounts are not wages for purposes such as retirement, overtime, etc., and are taxable income unless they are directly deposited into the City provided Section 125 Plan.)

4.3 HEALTH SAVINGS ACCOUNT (HSA)

The HSA is an employee-owned, IRS-defined, savings account for use on eligible medical expenses. It is used in conjunction with a High Deductible Health Plan (HDHP). This policy applies to all regular full-time employees covered by the City's HSA/HDHP health insurance plan option. Current employees who select the HSA/HDHP option may be offered a City HSA lump sum contribution of \$2500.00 for double or family (D & F) coverage and \$1350.00 for single (S) coverage. The payment would be effective the date of qualified plan coverage.

New employees selecting HSA/HDHP coverage will receive a prorated HSA contribution at hire, payable on the first paycheck of the next month.

The City will deposit HSA contributions to a City-approved participating bank of the employee's choice. Employees may contribute additional pre-tax monies into their HSA through payroll deduction, up to the legal limits imposed by the IRS. Changes to the payroll deduction amount may be made during open enrollment and/or no more than two other times during the plan year.

All rules pertaining to the use of HSA accounts and funds are governed by current IRS regulations and are the responsibility of the employee. Nothing in this policy creates an obligation on the part of the City which is inconsistent or prohibited by current State or Federal rules, regulations or laws regarding such plans.

4.4 LIFE INSURANCE

The City shall provide group life insurance benefits to regular full-time employees in the amount of their yearly salary up to a maximum of \$50,000 with an accidental death and dismemberment rider. Life insurance benefits will gradually reduce once the employee reaches age 65.

Beginning May 1, 2014, all future retired employees (union and non-union) will not have access to the City's life insurance plan.

4.5 OTHER INSURANCE

The City may offer regular employees (either regular full-time or part-time or both) the ability to purchase other forms of insurance, such as AFLAC, at the employee's own expense. Such offerings are approved by the City Manager and subject to change.

4.6 MEMBERSHIPS

The City will pay dues for membership in trade or professional organizations and service clubs as approved in advance by the City Manager or department head. Attendance at related meetings during regular work hours must be approved in advance by the City Manager or department head.

4.7 EDUCATION/TUITION ASSISTANCE

The City is interested in supporting the growth and development of its employees. As a means to this end, the City may provide education/tuition assistance to regular full-time employees who have a minimum of one year (12 months) of continuous service. Assistance includes tuition costs associated with formal education beyond the ongoing certification and training required or mandated to remain up-to-date or advance in an employee's current position.

Application must be made to the department head for job-related or otherwise appropriate coursework from an accredited institution of higher education utilizing the approved request form. Advance approval from the department head is required. Scheduling of classes may also require prior approval of the department head if the class may interfere with a work schedule.

Requests will be considered for approval based on the following:

- Relevance to the employee's current position
- Whether or not the employee is on an associate, baccalaureate or advanced (master, doctorate) degree track. Such tracks will receive preference.
- Available funding
- Applications will be processed based on each department's budgeted amount for employee education/tuition.

All costs for registration, application, fees, books, supplies, deposits, and the like, shall be paid by the employee. The City will reimburse 50% of tuition costs only, provided that

- A grade of "C" or better is received in an undergraduate or professional-level course.
- A grade of "B" or better is received in a graduate level course.
- The college bill, receipt of payment, and academic grade are submitted to the supervisor for final approval within 30 days of completion of a class.
- The course or tuition is not eligible for reimbursement under the G.I. Bill, scholarships, grants, or by any other organization.

The City will not reimburse for classes graded "incomplete" or "withdrawn" under any circumstances.

No more than four (4) credit hours per semester or term, and a total of no more than two (2) courses or eight (8) credit hours each fiscal year for each employee will be approved (subject to the departmental educational allotment). Under unusual circumstances or conditions, exceptions to this policy or procedures may be considered by the City Manager providing the requisite department budget has funds available to cover the associated costs.

There will be no requirement for the employee to repay the City for coursework, except as provided below:

- If the City provides financial support for an individual employee for an associate, bachelor, or advanced degree, the employee agrees to remain a City employee for two (2), four (4) and five (5) years respectively upon completion of the degree.
- Should the employee leave active employment, or conduct him/herself in a manner that results in termination with the City within two (2), four (4) and five (5) years of completion of the program, as described above, he/she agrees to reimburse the City for all actual costs expended by the City for the program on a pro-rated/percentage of time remaining on the original commitment. (For example, if an employee completes a bachelor's degree and then leaves after two years, the employee is responsible for repaying the City 50% of the funds expended by the City for the education.)

4.8 MISCELLANEOUS EMPLOYEE BENEFITS/DISCOUNTS

Employment at various recreational facilities owned by the City of Charlevoix bring with it the ability for employees to utilize these facilities at times when they are not on the time clock at the facility. Those opportunities include:

- Mt. McSaubia Ski Area employees and one dependent are allowed to ski for free.
- Charlevoix Municipal Golf Club employees will be allowed to golf for free.

City 10% Employee Discounts* on the following:

- One (1) pavilion rental per year at 10% off. Employee must sign the agreement and be present during the rental.
- 10% off registered programs over \$5 (for employee or dependents). Discount excludes trips, extra material fees, tournaments and leagues. Certain programs are not eligible for 10% discount due to instructor contracts, registrants will be informed at the time of registration.
- 10% off employee admission to the Charlevoix Golf Club, Mt. McSaubia Ski Hill, Ice Rink and Skate Park.
- 10% off employee season passes to the Charlevoix Golf Club, Mt. McSaubia Ski Hill, Ice Rink and Skate Park.

**10% City Employee Discount cannot be combined with other discounts or promotions*

4.9 SOCIAL SECURITY AND MEDICARE

Each employee contributes a percentage of earnings to Social Security/Medicare through payroll deduction. The City contributes similar amounts to the employee's Social Security/Medicare accounts with the U.S. Government. Benefits include retirement income, survivor benefits, and medical benefits. Questions concerning Social Security accounts or benefits should be directed to the Social Security Administration, U.S. Government (www.socialsecurity.gov).

4.10 UNEMPLOYMENT AND WORKER COMPENSATION

The City participates in Michigan's unemployment program as required by law. Questions regarding the unemployment program should be directed to the Unemployment Insurance Agency (www.michigan.gov/uia). Questions regarding worker compensation should be directed to the Workers Compensation Coordinator.

4.11 FAMILY AND MEDICAL LEAVE ACT (FMLA)

Eligible employees may take up to 12 weeks of unpaid, job-protected leave in any 12 month period, known as "family and medical leave." The 12 month period is determined based on a rolling 12-month period measured backward from the date an employee uses his/her FMLA leave.

Eligibility

To be eligible for family and medical leave, employees must:

1. Have been employed for at least 12 months in the last seven years (which do not need to be consecutive) by the City; and,
2. Have worked at least 1,250 hours for the City during the twelve months immediately preceding the beginning of requested leave; and
3. Be employed at a worksite where 50 or more employees are located within 75 miles of the worksite.

An eligible part-time employee (less than 40 hours a week for purposes of this policy) is entitled to FMLA leave on a pro-rata basis only.

Reasons for Taking Leave Family and medical leave may be taken for any one, or for a combination of the following reasons:

1. The birth and newborn care of an employee's child after birth, or placement of a child with the employee for adoption or foster care or
2. To care for an employee's spouse, child or parent (but not in-law) who has a serious health condition; or
3. For the employee's own serious health condition that makes the employee unable to perform one or more of the essential functions of the employee's job; and/or
4. Because of any qualifying exigency arising out of the fact that an employee's spouse, son, daughter or parent is a covered military member on covered active duty (any deployment of an Armed Service member to a foreign country) or in the National Guard or Reserves who has been notified of an impending call or order to covered active duty status (deployment to a foreign country).
5. To care for the employee's spouse, son, daughter, parent or next of kin who is a covered service member.

A Serious Health Condition means an illness, injury, impairment or physical or mental condition which involves either inpatient care at a medical facility or continuing treatment by a licensed health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days for an incapacity that requires at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. The first treatment must be within 7 days of the first day of incapacity, and the two treatments must occur within 30 days of the first day of incapacity unless there are extenuating circumstances. Treatment by a health care provider means an in person visit.

A Qualifying Exigency In general, leave may be taken because of a "Qualifying Exigency" where the team member's spouse, son, daughter or parent is on active duty or is called to active duty for any of the following reasons:

- To address issues that arise from an impending call or order to active duty 7 or less calendar days before deployment during that 7 day notice period.
- To attend an official ceremony, program or event sponsored by the military that is related to the call to active duty or active duty of the Military Member.
- To attend certain family support or assistance programs and informational briefings related to the call to active duty or active duty of the Military Member.
- To arrange for alternative child care when the call to duty or active duty necessitates a change in existing arrangements.
- To provide child care on an urgent, immediate basis (but not on a routine, regular or everyday basis), when the need arises because of the call to active duty or active duty.
- To enroll in or transfer a child to a new school or day care facility when necessitated by the call to active duty or active duty.

- To attend meetings with team member at a school or day care facility when attendance is necessary due to circumstances arising from the call to active duty or active duty.
- To make or update financial or legal arrangements to address the covered Military Member's absence caused by the call to active duty or active duty.
- To act as the Military Member's representative before a government agency concerning military service benefits while he/she is called to active duty and for 90 days following termination of active duty.
- To attend counseling for the covered Military Member or his/her child or certain other dependents.
- To spend up to 15 calendar days with the Military Member or his/her child or certain other dependents on leave for rest and recuperation.
- To attend ceremonies and reintegration briefings and events sponsored by the military during the 90 day period following termination of active service.
- To attend to issues surrounding the death of the Military Member.
- To care for a Military Member's parent who is incapable of self-care when the care is necessitated by the member's covered active duty (including making arrangements for alternative care, providing care on an immediate basis, admitting or transferring the parent to a care facility, or attending meetings with team member at a care facility.
- To address miscellaneous matters which arise out of the call to active duty or active duty provided the team member and FCB agree that such leave is a "qualifying exigency" and further agree as to the timing, frequency and duration of the leave.

Injured Service Member Leave/Additional Military Family Leave Entitlement

An eligible employee who is the spouse, son, daughter, parent or next of kin of a covered service member is entitled to take up to 26 weeks of leave during a single 12 month period to care for the service member with a serious injury or illness. Leave to care for a service member shall only be available on a per injury basis during a single 12 month period and when combined with other FMLA-qualifying leave, may not exceed 26 weeks during the single 12 month period. The single 12 month period begins on the first day an eligible employee takes leave to care for the injured service member. Additional leave may be granted during a subsequent 12 month period for a different injury to the same covered Military Member or for an injury to a different Military Member.

A covered service member means a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is on the temporary retired list, for a serious injury or illness; and veterans who are undergoing medical treatment for a serious injury or illness sustained in the line of duty and who were members of the armed forces within five years preceding the need for such treatment. A member of the Armed Forces would have a serious injury or illness if he/she has incurred an injury or illness in the line of duty while on active duty in the Armed Forces provided

that the injury or illness may render the service member medically unfit to perform duties of the member's office, grade, rank or rating.

Duration of Leave Eligible employees may receive up to 12 workweeks of unpaid leave during any "rolling" 12 month period, measured backward from the date of any family or medical leave requested and/or used. Family and medical leave involving the birth or placement of a child for adoption or foster care must be concluded within 12 months of the birth or placement. Each time an individual takes such a leave, the individual's remaining entitlement would be any balance of the 12 weeks which has not been used during the immediately preceding 12 months. When both spouses are employed by the City, they are entitled to a total of twelve weeks of leave (rather than 12 weeks each) for the birth or placement of a child.

In addition, as outlined above, an employee may be entitled to an additional 14 weeks to care for an injured service member.

Eligible employees may take family and medical leave intermittently – which means taking leave in blocks of time, or by reducing one's normal weekly or daily work schedule – whenever it is medically necessary to care for a seriously ill family member, because the employee is seriously ill and unable to work, for qualified exigency leave or for military caregiver leave. Intermittent leave is not permitted for the birth of a child or placement of a child for adoption or foster care.

No Work While on Leave – working for another employer or taking another job while on family/medical leave or any other authorized leave of absence is grounds for immediate termination, to the extent permitted by law.

Pay and Benefits - time off during the FMLA Leave will be unpaid. The individual's coverage under the City's group health plan will be maintained during the leave. Vacation and personal time for employees will not accrue during the unpaid FMLA Leave. An employee may choose to use any available accrued sick, personnel or vacation time while the employee is on FMLA.

Health Benefits Eligible employees and (if applicable) their families remain eligible to participate as employees under the group health plan during one's family and medical leave. This coverage will be provided if the employee or the employee's family was covered under the plan before the leave was taken and on the same terms as if the employee had continued to work. Under this leave the employee can continue to maintain medical insurance coverage at regular employee rates by paying the employee's share of health plan premiums while on leave.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family for a circumstance beyond the employee's control, the City will require the employee to reimburse the City the amount it paid for the employee's health insurance premium during the leave period.

Job Restoration Upon returning from a family and medical leave, eligible employees will normally be restored to their original job, or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions, the same as if they had not taken the leave of absence. The purpose is for employees to be in as good a position as they would have been if they had not needed to take this leave.

In addition, use of family and medical leave cannot result in the loss of any employment benefit that employees earned or were entitled to before using family and medical leave.

The exception to this is situations where job restoration of key employees will cause substantial and grievous economic injury. In such situations, the City will notify employees if they qualify as “key employees” if it intends to deny reinstatement, and of their rights in such instances.

Notice of Eligibility For and Designation of FMLA Leave

Employees requesting FMLA leave are entitled to receive written notice from the City telling them whether they are eligible for FMLA leave and, if not eligible, the reasons why they are not eligible. When eligible for FMLA leave, employees are entitled to receive written notice of their rights and responsibilities in connection with such leave; the City designation of leave as FMLA qualifying or non-qualifying, and if not FMLA qualifying, the reasons why; and the amount of leave, if known, that will be counted against the employee’s leave entitlement. The City will provide the employee with the Department of Labor (DOL) Notice of Eligibility and Rights Form WH381 (<http://www.dol.gov>) and provide a written response to the employee’s request for FMLA leave using the DOL Designation Notice Form WH-382 (<http://www.dol.gov>).

The City may retroactively designate leave as FMLA leave with appropriate written notice to employees provided the City’s failure to designate leave as FMLA-qualifying at an earlier date did not cause harm or injury to the employee. In all cases where leaves qualify for FMLA protection, the City and employee can mutually agree that leave be retroactively designated as FMLA.

Employee Obligations

Provide Notice – Employees who take FMLA leave must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, or the approximate timing of the need for leave is not foreseeable, employees must provide the City with notice of the need for leave as soon as practicable under the facts and circumstances of the particular case. Employees who fail to give 30 day notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA notice obligations, may have FMLA leave delayed or denied.

Notice Content – Employees must inform the FMLA Coordinator of the need for FMLA-qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this either by requesting FMLA leave specifically, or explaining the reasons for leave so as to allow the City to determine that the leave is FMLA-qualifying.

Calling in sick without providing the reasons for the needed leave will not be considered sufficient notice for FMLA leave under this policy. Employees must respond to the City’s questions to determine if absences are potentially FMLA-qualifying.

If employees fail to explain the reasons for FMLA leave, the leave may be denied. When employees seek leave due to FMLA-qualifying reasons for which the City has previously provided FMLA-protected leave, they must specifically reference the qualifying reason for the leave or the need for FMLA leave.

When Requesting Intermittent or Reduced Schedule Leave – When requesting intermittent or reduced schedule leave for planned medical treatment for the employee or a family member, including during a period of recovery from a serious health condition or to care for a covered service member, employees must consult with the City and make a reasonable effort to schedule treatment so as not to unduly disrupt the City operations, subject to approval from the health care provider. Employees must consult with the City prior to the scheduling of treatment to work out a treatment schedule that best suits the needs of both the City and the employees, subject to the approval of an employee’s health care provider. If employees providing notice of the need to

take FMLA leave on an intermittent basis for planned medical treatment neglect to fulfill this obligation, the City may require employees to attempt to make such arrangements, subject to the approval of the employee's health care provider.

The City may temporarily transfer employees during the period that the intermittent or reduced leave schedules are required to alternative positions with equivalent pay and benefits for which the employees are qualified and which better accommodate recurring periods of leave.

When employees seek intermittent leave or a reduced leave schedule for reasons unrelated to the planning of medical treatment, employees must advise the City of the reason why such leave is medically necessary, upon request. When intermittent or reduced schedule need is sought, the City and employee shall attempt to work out a leave schedule that meets the employee's needs without unduly disrupting the City operations, subject to the approval of the employee's health care provider.

Submit Medical Certifications

Depending on the type of FMLA leave sought, employees may be required to submit medical certifications supporting their need for FMLA leave. The certifications may include an initial certification, a re-certification and a return to work/fitness for duty certification.

It is the employee's responsibility to provide the City with timely, complete and sufficient medical certifications. Whenever the City requests employees to provide FMLA medical certifications, the employee must provide it within 15 calendar days after the request unless it is not practicable to do so despite an employee's diligent, good faith efforts. The City shall inform employees if submitted certifications are incomplete or insufficient and provide employees at least seven calendar days to cure deficiencies. The City will deny FMLA leave to employees who fail to timely cure deficiencies or otherwise fail to timely submit requested medical certifications.

With the employee's permission, the City (through individuals other than the employee's direct supervisor) may contact the employee's health care provider to authenticate or clarify completed and sufficient medical certifications. If employees choose not to provide the City with authorization allowing it to clarify or authenticate certifications with health care providers, the City may deny FMLA leave if certifications are unclear. In its sole discretion, the City may waive its right to receive timely, complete and/or sufficient FMLA medical certifications.

Initial Medical Certifications – Employees requesting leave because of their own, or a covered relative's serious health condition, or to care for a covered service member, must supply medical certification supporting the need for such leave from their health care provider or, if applicable, the health care provider of the covered family or service member. The certification must state the date when the serious health condition commenced; probable duration of the employee or family member's condition or the estimated period of time during which the employee will be needed to care for the family member; and all appropriate medical facts upon which the opinion is based. Medical certification for employee's serious health condition will be provided using the DOL Certification of Health Care Provider for Employee's Serious Health Condition Form WH-380-E (<http://www.dol.gov/>). Medical certification for the family member's serious health condition will be provided using the DOL Certification of Health Care Provider for Family Member's Serious Health Condition Form WH-380-F (<http://www.dol.gov/>).

If the employee has provided 30 day notice of the need for leave, certification should be submitted before the leave begins. A new initial medical certification will be required on an annual basis for serious medical conditions lasting beyond a single leave year.

Certification must be provided within 15 calendar days of the request, unless not feasible under the circumstances. Failure to provide timely certification will result in denial of leave until the certification is provided.

The City may require a second medical opinion by an independent physician of its choice (and, in some cases a third opinion by a mutually agreeable physician) at the City's expense as a condition of the granting of FMLA Leave based on a serious health condition.

Medical Recertification – Depending on the circumstances and duration of FMLA leave, the City may require employees to provide recertification of medical conditions giving rise to the need for leave. The City will notify employees if recertification is required and will give employees at least 15 calendar days to provide medical recertification.

Keeping in contact with the City while on a FMLA Leave is important. Individuals are required to contact the Human Resources at least every 14 days regarding the expected length of the leave and when he/she intends to return to work. The City may require re-certification by the individual's health care provider every 30 days to support continuation of a leave based on a serious health condition.

Certifications for Military Family Leave (Exigency) – When employees seek leave due to qualifying exigencies arising out of the active duty or call to active duty status of a covered military member, the City may require employees to provide: 1) a copy of the covered military member's active duty orders or other documentation issued by the military indicating the covered military member is on active duty or call to active duty status and the dates of the covered military member's active duty service; and 2) a certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. Employees shall provide a copy of new active duty orders or other documentation issued by the military for leaves arising out of a different active duty or call to active duty status of the same or a different covered military member.

When leave is taken to care for a covered service member with a serious injury or illness, the City may require employees to obtain certifications completed by an authorized health care provider of the covered service member. This certification will be provided using the DOL Certification for Serious Injury or Illness of Covered Service Member Form WH-385 (<http://www.dol.gov/>). In addition, and in accordance with the FMLA regulations, the City may request that the certification submitted by employees set forth additional information provided by the employee and/or the covered service member confirming entitlement to such leave.

Return to Work/Fitness for Duty Medical Certifications

Certification to return to work - Before returning to work, an individual who has been on FMLA Leave because of the individual's serious health condition must provide a certification from the individual's licensed health care provider that the individual is able to resume work and perform the essential functions of the job, with or without reasonable accommodation. Reinstatement will be denied until the required certification is provided.

Returning to work - Upon completion of FMLA Leave, an employee will be restored to the position held when the leave began, or to an equivalent position with the same or substantially equivalent position with the same or substantially similar benefits, pay and working conditions. Reinstatement to the same position with the same benefits may not be available in such a case

where the employee's position or benefits change or have been eliminated during the employee's FMLA Leave.

If an exempt employee is among the highest paid ten percent of the City's employees and within 75 miles of his/her worksite, such an individual may be denied reinstatement if it would impose a substantial economic injury to the City. The City will notify the employee if he/she is a "highly compensated" employee, if the City intends to deny reinstatement, and of one's rights in such instances.

Failure to return to work - An employee who fails to return to work after the expiration of FMLA Leave will be considered a voluntary resignation. The City may recover from the employee the cost of any payments made to maintain the individual's health care coverage during the leave, unless the failure to return to work was due to reasons beyond the employee's control.

General Rules of Leave

Employees may elect to use or the City may require employee to use, any accrued paid time while taking unpaid FMLA Leave. The substitution of paid time for unpaid FMLA leave time does not extend the length of FMLA Leave and the paid time will run concurrently with an employee's FMLA entitlement.

Upon written request where allowed by law, the City will allow employees to use accrued paid time to supplement any paid benefits the employee is receiving while on leave.

Leaves of absence taken in connection with a disability leave plan (e.g. sick and accident) or worker's compensation injury/illness shall run concurrently with any FMLA Leave entitlement.

Vacation and personal time for non-exempt employees will not accrue during the FMLA Leave.

Employees will be subject to immediate termination of employment for:

1. Failure to return to work as scheduled following the end of a medical or family leave;
2. Failure to return to work within the maximum time allowed for a leave;
3. Providing false or misleading information or omitting certain information in connection with a family or medical leave;
4. Working for any other business or entity unless prior approval is given by the City Manager in writing;
5. Failure to provide any periodic updates required by the City; or,
6. Violation of any of the City's rules and regulations relating to a family or medical leave (or any other policy).

Intent to Return to Work From FMLA Leave

On a basis that does not discriminate against employee on FMLA leave, the City may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

4.12 COBRA

There is a Federal law called COBRA (Consolidated Omnibus Reconciliation Act) which requires the City to offer employees and/or their dependents the opportunity to continue their own health care and dental care benefits when certain events occur that would terminate participation under the plan. The City does not pay any COBRA costs.

Initial notice of continuation coverage rights under COBRA

For employees covered by one of the City's health care plans (the Plan), this notice contains important information about the employee's right to COBRA continuation coverage, which is a temporary extension of coverage under the Plan. The right to COBRA continuation coverage was created by the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). COBRA continuation coverage can become available to employees and to other members of their family who are covered under the Plan when the employee would otherwise lose their group health coverage. The purpose of this notice is to generally explain COBRA continuation coverage, when it may become available to the employee and their family, and what the employee needs to do to protect the right to receive it. This notice gives only a summary of COBRA continuation coverage rights. For more information about rights and obligations under the Plan and under Federal law, review the Summary Plan Description which can be obtained from the Plan Administrator. The Plan Administrator contact is the City Manager, 210 State Street, Charlevoix, Michigan, 49720, (231) 547-3270. The Plan Administrator is responsible for administering COBRA continuation coverage.

COBRA continuation coverage is a continuation of Plan coverage when coverage would otherwise end because of a life event known as a "qualifying event." Specific qualifying events are listed later in this notice. COBRA continuation coverage must be offered to each person who is a "qualified beneficiary." A qualified beneficiary is someone who will lose coverage under the Plan because of a qualifying event. Depending on the type of qualifying event, employees, spouses of employees, and dependent children of employees may be qualified beneficiaries. Under the Plan, qualified beneficiaries who elect COBRA continuation coverage must pay for COBRA continuation coverage.

An employee will become a qualified beneficiary if the employee will lose his/her coverage under the Plan because either one of the following qualifying events happens:

1. Hours of employment are reduced, or
2. Employment ends for any reason other than gross misconduct.

The spouse of an employee will become a qualified beneficiary if he/she will lose coverage under the Plan because any of the following qualifying events happens:

1. Spouse dies;
2. Spouse's hours of employment are reduced;
3. Spouse's employment ends for any reason other than his/her gross misconduct;
4. Spouse becomes enrolled in Medicare (Part A, Part B, or both); or
5. Divorced or legally separated.

Dependent children will become qualified beneficiaries if they will lose coverage under the Plan because any of the following qualifying events happens:

1. The parent-employee dies;
2. The parent-employee's hours of employment are reduced;
3. The parent-employee's employment ends for any reason other than his/her gross misconduct;
4. The parent-employee becomes enrolled in Medicare (Part A, Part B, or both);
5. The parents become divorced or legally separated; or
6. The child stops being eligible for coverage under the plan as a "dependent child."

The Plan will offer COBRA continuation coverage to qualified beneficiaries only after the Plan Administrator has been notified that a qualifying event has occurred. When the qualifying event is the end of employment or reduction of hours of employment, death of the employee, or

enrollment of the employee in Medicare (Part A, Part B, or both), the City must notify the Plan Administrator of the qualifying event within 30 days following the date coverage ends.

For the other qualifying events (divorce or legal separation of the employee and spouse or a dependent child's losing eligibility for coverage as a dependent child), the City must notify the Plan Administrator. The Plan requires the employee to notify the Plan Administrator within 60 days after the qualifying event occurs. Notice must be sent to: City Manager, 210 State Street, Charlevoix, Michigan, 49720, (231) 547-3270.

Once the Plan Administrator receives notice that a qualifying event has occurred, COBRA continuation coverage will be offered to each of the qualified beneficiaries. For each qualified beneficiary who elects COBRA continuation coverage, COBRA continuation coverage will begin on the date that Plan coverage would otherwise have been lost.

COBRA continuation coverage is a temporary continuation of coverage. When the qualifying event is the death of the employee, enrollment of the employee in Medicare (Part A, Part B, or both), divorce or legal separation, or a dependent child losing eligibility as a dependent child, COBRA continuation coverage lasts for up to 36 months.

When the qualifying event is the end of employment or reduction of the employee's hours of employment, COBRA continuation coverage lasts for up to 18 months. There are two ways in which this 18 month period of COBRA continuation coverage can be extended.

1. If the employee or anyone in his/her family covered under the Plan is determined by the Social Security Administration to be disabled at any time during the first 60 days of COBRA continuation coverage and the employee notifies the Plan Administrator in a timely fashion, the employee and his/her entire family can receive an additional 11 months of COBRA continuation coverage, for a total maximum of 29 months. The employee must make sure that the Plan Administrator is notified of the Social Security Administration's determination within 60 days of the date of determination and before the end of the 18 month period of COBRA continuation coverage. This notice should be sent to: City Manager, 210 State Street, Charlevoix, Michigan, 49720, (231) 547-3270.
2. If the employee's family experiences another qualifying event while receiving COBRA continuation coverage, the spouse and dependent children in the employee's family can get additional months of COBRA continuation coverage, up to a maximum of 36 months. This extension is available to the spouse and dependent children if the former employee dies, enrolls in Medicare (Part A, Part B, or both), or gets divorced or legally separated. The extension is also available to a dependent child when that child stops being eligible under the Plan as a dependent child. In all of these cases, the employee must make sure that the Plan Administrator is notified of the second qualifying event within 60 days of the second qualifying event. This notice should be sent to: City Manager, 210 State Street, Charlevoix, Michigan, 49720, (231) 547-3270.

The employee must keep the Plan Administrator informed of any address changes for the employee and his/her qualified beneficiaries.

Questions about COBRA continuation coverage should be directed to the City Manager, 210 State Street, Charlevoix, Michigan, 49720, (231) 547-3270 or an employee may contact the nearest Office of the U.S. Department of Labor Employee Benefits Security Administration (EBSA), the addresses of which can be found at www.dol.gov.

It is imperative that an employee notify the City immediately of any of the above changes that the City would not already know about, such as divorce or dependent child eligibility. Additional information will be provided at that time with instructions regarding application, payment, and deadlines.

4.13 LONGEVITY

Full-time and *part-time year-round employees shall be paid an annual longevity payment based on length of service with the City of Charlevoix according to the following schedule:

<u>Years of Service As of December 1st</u>	<u>Annual Payment</u>
Five (5)	\$200.00
Ten (10)	\$300.00
Fifteen (15)	\$400.00
Twenty (20)	\$500.00
Twenty-Five (25)	\$600.00
Thirty (30)	\$700.00

This payment will be made on the first pay period following December 1st of each year.

*If employee was at seasonal status and changes to year-round part-time status, the City will use the date employee changed their status to Part-time as the hire date for longevity purposes.

SECTION 5: SAFETY POLICIES

5.1 EQUIPMENT

Employees should operate machinery only when they have been instructed in its safe use. This includes all City vehicles, powered grounds keeping equipment, and power tools. Employees are expected to report all equipment damage, defects and/or problems to their supervisor as soon as possible so that appropriate repairs are made.

5.2 PROTECTIVE DEVICES

Protective devices such as safety glasses, hard hats, and other safety equipment are provided as required to regular employees and must be worn as required.

Proper goggles will be provided and must be worn when grinding, chipping, welding, solvent cleaning, or doing any work where flying particles may cause injury to the eyes. Safety glasses are REQUIRED in the shop (MUST be OSHA approved). If the employee wears prescription glasses, he/she MUST have OSHA approved prescription lenses and side shields, or wear safety glasses over his/her prescription glasses.

Disposable hearing protection is provided upon request and non-disposable types may be available by special request.

Leather shoes which have low heels, rubber heels and soles, or any other common shoe that enclose the feet are required in the shop. However, tennis shoes are not allowed for sheet metal shop personnel. Steel-toed work shoes are encouraged for all sheet metal shop personnel or persons working around any type of power equipment.

Seasonal employees shall be required to wear protective (steel-toed) footwear in any City department that requires the same of regular employees and/or if the seasonal employee is engaged in lawn-mowing, weed whipping, or any other activities which may cause injury to feet. The seasonal employee is responsible for providing their own protective footwear and will be forbidden from performing any task that requires same until appropriately protected. All other required safety equipment for the seasonal employee will be provided by the City.

5.2 (a) PROTECTIVE DEVICE REIMBURSEMENT

The City will reimburse a full-time regular employee for the cost incurred for the "safety lens option" (must provide a doctor receipt specifying the additional cost of the safety lens) if the employee is required to wear safety glasses and the department head has determined "generic" non-prescription glasses are not appropriate.

The City will pay an annual flat amount to full-time regular employees required to wear safety shoes.

5.3 REPORTING ACCIDENTS, INJURIES, AND SAFETY VIOLATIONS

All accidents involving City employees or City vehicles must be reported to the employee's department head and then to the Treasurer, and an Incident Report must be completed on each accident. It is especially important to complete an Incident Report if there is damage to property or any possible indication of liability on the part of the City, its employees, or its agents.

In case of any injury, NO MATTER HOW SLIGHT, the injury must be reported to one's supervisor or a manager immediately. An employee should not treat one's own or a co-workers injuries or remove foreign particles from the eye, unless under emergency circumstances. Failure to report injuries promptly may exclude the employee from benefits to which he/she may otherwise be entitled.

The City's number one priority is to create the safest working environment for all employees. The City is committed to fully investigate any and all claims of safety violations. The City expects all employees to immediately report any safety violation to his/her supervisors. Failure to do so endangers not only the employee but co-workers.

5.4 HAZARDOUS MATERIALS

All pertinent information concerning chemicals used by the City is included in a Material Safety Data Sheet (MSDS) located in a notebook in City Hall and at appropriate City buildings. The City's written Hazard Communication Program is also included in the MSDS notebook.

5.5 SAFETY RULES

It is the policy of the City to provide and maintain safe working conditions, to follow operating practices that will safeguard all employees, and to create safe working conditions and efficient operations.

The City expects all employees to be safety conscious and to assist in finding conditions at work sites and offices that might cause an accident. If the employee notices or suspects unsafe conditions, he/she should notify one's supervisor or a manager immediately.

1. Horseplay (including throwing of objects or water), and practical joking can result in serious injuries or death and are strictly prohibited and punishable. Yelling, whistling, loud radio playing or any other kind of confusion that could cause a delay in calling for assistance is not allowed.
2. Equipment is to be used only for its intended purpose.
3. Poor housekeeping can be the cause of accidents, wasted material, and wasted time. Maintain clear aisles, stack material neatly and solidly, return tools and equipment to their proper storage places, and keep floors clean and clear of debris. Stairways and exits must be clear at all times.
4. Report any irregularity in equipment immediately to one's supervisor or a manager. Do NOT operate until inspected and/or repaired.
5. Keep tools and equipment in clean, good condition and ensure that they are properly positioned to avoid slipping.
6. Do NOT use chairs or stools to stand on. Use approved ladders; ensure that they are properly positioned to prevent slipping.
7. When repairing any power equipment the employee must be authorized to work on such equipment and follow proper lockout and blocking procedures.

City of Charlevoix
Employee Handbook
APPENDIX A

The Charlevoix City Council met on Monday, June 18, 2018 with Mayor Luther Kurtz presiding. All Councilmembers were present. The following is an excerpt from the official records of said meeting:

Motion by Cole, seconded by Kalbfell, to approve Ordinance No. 793 of 2018, as follows:

**CITY OF CHARLEVOIX
ORDINANCE NO. 793 of 2018**

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

THE CITY OF CHARLEVOIX ORDAINS:

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

**CHAPTER 10
ETHICAL CONDUCT**

1.801. Ethical Conduct.

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

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

1.802. Conflicts of Interest.

- (1) Conflicts of interest will naturally occur from time to time and in such cases when they may or do in fact arise, should be presented publicly to diminish the potential of actual or perceived special interests.
- (2) *Definitions.* For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.
 - (a) "Conflict of interest" may occur when action by the city, either through its employees, its boards, committees, commissions or other such bodies, or the City Council, could be construed as impacting negatively or positively an interest of an employee or Council Member, his or her relatives, business or financial investments, property, or other interests.
 - (b) "Immediate family" shall mean the spouse, child, parents, brother, sister, half- sister, half-brother or the spouses of any listed relatives. All relationships shall include those arising from adoption and marriage.

- (c) "City Council", except where specifically referred to, shall refer to the Mayor and each member of the City Council.
 - (d) "Boards, Commissions, Committees" shall refer to those boards, committees, commissions, or other bodies created by statute, local ordinance, resolution, local policy and any and all subcommittees those bodies may, from time to time, create.
- (3) City Council reporting of conflicts of interest.
- (a) If a case may arise when a Council Member or the Mayor has a conflict of interest, he or she shall make known the potential conflict in open session when City Council business might involve such interest. The Council Member or Mayor need not provide detail on the potential conflict so as to injure a client or patient relationship.
 - (b) In addition to the general rule on conflicts of interest above, the following specific conflicts of interest are specifically prohibited:
 - (i) *Holding of other offices.* No Council Member shall hold any other city office or employment during the term for which they were elected to the Council except where specifically allowed by the Charter and/or statute.
 - (ii) *Voting involving a conflict of interest.* No member of the Council shall vote on any question in which he, she or a member of their immediate family as defined in this subchapter, has a financial interest, other than the common public interest, or on any question concerning his or her own conduct. Council Members who may have a financial interest shall state such interest and then refrain from debating, commenting, or otherwise seeking to influence the Council on such question.
 - (iii) If a member of City Council believes that another member of City Council has a conflict, he or she shall raise such perceived conflict. If the member in question does not concede a conflict, the majority of the remaining Council Members may vote to prohibit that Council Member or the Mayor who may have a conflict from participating in that item of business. The Council shall solely be the judge of its own members and the Mayor.
- (4) Board, Committee, Commission Conflicts of interest.
- (a) If a case may arise when a member of a board, committee, or commission has a conflict of interest, he or she shall make known the potential conflict in open session when the body might conduct business involving such interest. The member need not provide detail on the potential conflict so as to injure a client or patient relationship.
 - (b) In addition to the general rule on conflicts of interest above, the following specific conflicts of interest are specifically prohibited:
 - (i) *Voting involving a conflict of interest.* No member of the body shall vote on any question in which he, she or a member of their immediate family as defined in this subchapter, has a financial interest, other than the common public interest, or on any question concerning his or her own conduct. Members who may have a financial interest shall state such interest and then refrain from debating, commenting, or otherwise seeking to influence the Council on such question.
 - (ii) If a member believes that another member has a conflict, he or she shall raise such perceived conflict. If the member in question does not concede a conflict, the majority of the remaining body members may vote to prohibit that member who may have a conflict from participating in that item of business.
- (5) City Manager reporting of conflicts of interest.

- (a) If a case may arise when the City Manager has a conflict of interest, he or she shall make written notification of such conflict to the Mayor and the City Clerk. To the extent possible, the City Manager's involvement in the situation will be minimized to avoid the appearance of impropriety. The City Manager's conduct shall at all times be in accord with the ICMA Code of Ethics.
- (b) It shall not be deemed a conflict of interest by the City Manager to enforce or cause to be enforced zoning or ordinance violations in keeping with standard practice. It shall also not be deemed a conflict of interest for action to be taken by the city to improve or otherwise conduct normal public activities in the neighborhood where the City Manager may reside.
- (6) *Employee reporting of conflicts of interest.* If a case may arise when an employee of the city or the city's Attorney, Auditor, or other professional contractor may have a conflict of interest, he, she, or the corporation, partnership or entity shall promptly report such conflict or potential conflict to the City Manager. The City Manager shall determine what steps if any may be necessary to avoid the potential for preferential or adverse action because of the conflict.
- (7) *Council appearance before other bodies.* City Council shall not appear before or seek to influence members of other Boards, Commissions, or Committees except when they may be appointed to such body, serve as a member by virtue of statute or Charter, or may be invited to address the body by a majority vote of the body.
- (8) *General prohibition.* The City Council, board, committee, and commission members, the City Manager, and city employees should not take any special advantage of services, goods or opportunity for personal gain that is not available to the public in general.

1.803. Statutory Prohibitions.

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

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

the discharge of the officer or employee's official duties or when that employment may tend to impair his or her independence of judgment or action in the performance of official duties.

- (7) *Negotiation for private gain.* Except in cases of an employment agreement or contract, the City Council, the City Manager, or an employee shall not participate in the negotiation or execution of contracts, making of loans, granting of subsidies, fixing of rates, issuance of permits or certificates, or other regulation or supervision relating to a business entity in which the person has a financial or personal interest.

1.804. Non-Discrimination.

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

1.805. Promulgation.

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

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

- Recognize the worth of all individuals and appreciate their individual talents, perspectives, and contributions;
- Help create an atmosphere of respect and civility where individual members, City staff, and the public are free to express their ideas and work to their full potential;
- Respect the dignity and privacy of individuals and organizations;
- Respect and maintain the nature of confidential and privileged information and opinions acquired as a result of my position;
- Conduct my public affairs with honesty, integrity, fairness and respect for others;
- Avoid and discourage conduct that is divisive or harmful to the best interests of Charlevoix; and
- Keep the common good as my highest purpose and focus on achieving constructive solutions for the public benefit.

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

Signed

Dated

1.806. Penalty.

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

SECTION 2. Severability.

No other portion, paragraph or phase of the Code of the City of Charlevoix, Michigan shall be affected by this Ordinance except as to the above sections, and in the event any portion, section or subsection of this Ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this Ordinance or of the Code of the City of Charlevoix, Michigan.

SECTION 3. Effective Date.

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

Ordinance No. 793 of 2018 was adopted on the 18th day of June, 2018 A.D., by the Charlevoix City Council as follows:

Motion by: Cole
Seconded by: Kalbfell

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

State of Michigan } §
City of Charlevoix }

Luther Kurtz, Mayor
Joyce M. Golding, Clerk

CERTIFICATION

I, the undersigned, City Clerk of the City of Charlevoix, Charlevoix County, Michigan, do hereby certify that the foregoing is a true and complete copy of Ordinance No. 793 of 2018 adopted by the City Council of the City of Charlevoix, County of Charlevoix, State of Michigan, at a regular meeting held on June 18, 2018 and published in the *Charlevoix Courier* on June 22, 2018, the original of which is on file in my office and available to the public. Public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267 of the Michigan Public Acts of 1976.

Dated: June 22, 2018

Joyce M. Golding
Joyce M. Golding, City Clerk

City of Charlevoix
Employee Handbook
APPENDIX B

Motion by Councilmember Bob Timms, seconded by Councilmember Sherm Chamberlain to approve 2006-03-01 as follows:

CITY OF CHARLEVOIX
RESOLUTION No. 2006-03-01
RESOLUTION ESTABLISHING
SOCIAL SECURITY NUMBER PRIVACY POLICY

At a regular meeting of the Charlevoix City Council held in the Charlevoix City Hall located at 210 State Street, Michigan, on March 6, 2006.

PRESENT: Council members Gabe Campbell, Sherm Chamberlain, Shirley Gibson, Bill Haggard, Bob Timms, and Gene Beer
ABSENT: None

Recitals

WHEREAS, the Michigan Social Security Number Privacy Act, Public Act 454 of 2004, MCL 445.81 *et seq.*, (the "Act") requires a person who obtains one or more social security numbers in the ordinary course of business (including a local unit of government) to create a privacy policy concerning social security numbers that complies with the requirements of the Act; and

WHEREAS, the Charlevoix City Council desires to comply with the Act and hereby creates the following Social Security Number Privacy Policy.

Resolution

NOW, THEREFORE, BE IT RESOLVED that the Charlevoix City Council hereby establishes the following Social Security Number Privacy Policy for the City:

1. Purpose:

The City of Charlevoix (the "City") is required by the Michigan Social Security Number Privacy Act, Public Act 454 of 2004, MCL 445.81 *et seq.*, (the "Act") to create a privacy policy concerning the social security numbers that it possesses or obtains. This Privacy Policy, therefore, sets forth the City's policies and procedures regarding how social security numbers are obtained, stored, transferred, used, disclosed and disposed.

2. Policy:

It is the policy of the City to protect the confidentiality of social security numbers obtained in the ordinary course of city business from employees, vendors, contractors, customers or others. No city official or employee shall knowingly obtain, store, transfer, use, disclose, or dispose of a social security number that the City obtains or possesses, except in accordance with the Act and this Privacy Policy.

3. Procedure:

A. Obtaining Social Security Numbers. Social security numbers should be collected only where required by Federal and state law or as otherwise permitted by Federal and state law for legitimate reasons consistent with the Act and this Privacy Policy. When the City obtains a social security number, the individual from whom the social security is obtained shall be entitled to know the purpose, intended use, whether the number is required to be provided by law, and the consequences of not providing the number.

Legitimate reasons for collecting a social security number include, but are not limited to:

- Applicants may be required to provide a social security number for purposes of a pre-employment background check.
- Copies of social security cards may be obtained for purposes of verifying employee eligibility for employment in accordance with the Immigration Reform and Control Act.
- Social security numbers may be obtained from employees for tax reporting purposes (i.e., IRS Form W-4), for new hire reporting or for purposes of enrollment in any City employee benefit plans.
- Social security numbers may be obtained from creditors or vendors for tax reporting purposes (i.e., IRS Form 1089).

- Social security numbers may be obtained to verify an individual's identity related to accounts, transactions and services with the City.
 - Social security numbers may be obtained to investigate an individual's claim, credit, criminal, or driving history.
 - Social security numbers may be obtained to detect, prevent, or deter identity theft or another crime.
 - Social security numbers may be obtained to lawfully investigate, collect, or enforce a child or spousal support obligation or tax liability.
- B. Public Display.** All or more than four sequential digits of a social security number shall not be publically displayed and shall not be placed on identification cards, badges, time cards, employee rosters, bulletin boards, permits, licenses or any other materials or documents designed for public display. Documents, materials or computer screens that display all or more than four sequential digits of a social security number shall be kept out of public view at all times.
- C. Account Numbers.** Except as permitted by the Act, all or more than four sequential digits of a social security number shall not be used as a primary account number for an individual.
- D. Computer Transmission.** All or more than four sequential digits of a social security number shall not be used or transmitted on the Internet or on a computer system or network and shall not be used to gain access to a computer system or network, unless the connection is secure or the transmission is encrypted.
- E. Mailed Documents.** City documents containing all or more than four sequential digits of a social security number shall not be intentionally mailed to a person, unless one of the following exceptions apply. In addition, any document or information mailed or otherwise sent to an individual shall not have all or more than four sequential digits of a social security number visible on or, without manipulation, from outside of the envelope or packaging.
- (i) State or Federal law, rule, regulation, or court order or rule authorizes, permits, or requires that a social security number appear on the document.
 - (ii) The document is sent as part of an application or enrollment process initiated by the individual.
 - (iii) The document is sent to establish, confirm the status of, service, amend, or terminate an account, contract, policy, or employee or health insurance benefit or to confirm the accuracy of a social security number of an individual who has an account, contract, policy, or employee or health insurance benefit.
 - (iv) The document or information is a public record and is mailed by the City in compliance with the Michigan Freedom of Information Act.
 - (v) The document or information is a copy of a vital record as provided by law and is mailed to a person entitled to receive that record.
 - (vi) The documentation or information is mailed by or at the request of an individual whose social security number appears in the document or information or his or her parent or legal guardian.
 - (vii) State or Federal law authorizes, permits or otherwise requires the mailing of the document containing all or more than four sequential digits of the social security number.
- F. Freedom of Information Act.** Where all or more than four sequential digits of a social security number are contained within a document subject to disclosure under the Freedom of Information Act, the social security number shall be redacted or otherwise rendered unreadable before the document or copy of a document is disclosed.
- G. Storage.** All documents containing social security numbers shall be stored in a physically secure manner. Social security numbers shall not be stored on computers or other electronic devices that are not secured against unauthorized access.
- H. Retention and Access to Social Security Numbers.**
- (i) All records containing social security numbers (whether partial or complete) will be maintained in secured files.
 - (ii) All paper records containing social security numbers must be stamped "Confidential," "Controlled Document," or some similar identifying mark.

- (iii) Only personnel who have a legitimate business reason will have access to records containing social security numbers. The department heads having access to records containing social security numbers shall determine which other personnel within their departments have a legitimate reason in the City's ordinary course of business to have access to such social security numbers.
 - (a) Employees whose jobs entail regular access to records containing social security numbers shall be trained in the requirements of the Act and this Privacy Policy.
 - (b) Where a record containing a social security number is to be disseminated to persons outside of the City of Charlevoix, to persons within the City of Charlevoix who are not authorized or trained in the Act and this Privacy Policy, or where the social security number is not relevant to the purpose for which the record is being shared, the social security number shall be redacted or otherwise rendered unreadable.
 - (iv) Employees using records containing social security numbers will take appropriate steps to secure such records when not in immediate use. Such steps may include:
 - (a) Placing such records in a locked desk or file drawer when not in use.
 - (b) Using password protection or screen-savers on computers and computerized records to prevent unauthorized access to or viewing of such records by others.
 - (v) Inactive records containing social security numbers will be retained in accordance with the requirements of state and Federal laws and then destroyed in a manner that continues to ensure this confidentiality. For purposes of this Privacy Policy, "inactive records" are those where there is no longer a current employee, supplier or customer relationship.
- I. Disposal.** Documents containing social security numbers shall be retained in accordance with the requirements of state and Federal laws. At such time as documents containing social security numbers are disposed of, such disposal shall be accomplished in a manner that protects the confidentiality of the social security numbers, such as shredding.
- J. Unauthorized Use or Disclosure of Social Security Numbers.** The City shall take reasonable measures to enforce this Privacy Policy and to correct and prevent the reoccurrence of any known violations. Any employee, who knowingly obtains, uses or discloses social security numbers for unlawful purposes or contrary to the requirements of this Privacy Policy shall be subject to discipline up to and including discharge. Additionally, certain violations of the Act carry criminal and/or civil sanctions. The City will cooperate with appropriate law enforcement or administrative agencies in the apprehension and prosecution of any person who knowingly obtains, uses or discloses social security numbers through the City for unlawful purposes.

4. Exceptions to Privacy Policy:

- A. Authorized Use of Social Security Numbers.** This Privacy Policy shall not apply to the use of all or more than four sequential digits of a social security number that is authorized or required by state or Federal law, by court order or rule, or pursuant to legal discovery or process.
- B. Agencies Authorized to Use Social Security Numbers.** This Privacy Policy shall not apply to the use of all or more than four sequential digits of a social security number by officers of the Charlevoix City Police and the City Attorney as part of a criminal investigation.
- C. Authorized Disclosure of Social Security Numbers.** This Privacy Policy shall not apply to the disclosure of all or more than four sequential digits of a social security number to a title IV-D agency, law enforcement agency, court, or prosecutor as part of a criminal investigation or prosecution.

RESOLVED this 6th day of March, 2006.

Resolution adopted by the following yeas and nay votes:

Yeas: Campbell, Chamberlain, Gibson, Haggard, Timms, and Beer
 Nays: None
 Absent: None

RESOLUTION DECLARED ADOPTED.

CITY OF CHARLEVOIX

By: _____
Norman Carlson, Jr., Mayor

CERTIFICATION

I, the undersigned, the Clerk of the City of Charlevoix, Charlevoix County, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Charlevoix, County of Charlevoix, State of Michigan, at its regular meeting held on March 6th, 2006, the original of which is on file in my office and available to the public. Public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267 of the Michigan Public Acts of 1976.

Dated: 07/03/06

Carol A. Ochs, Clerk

CHARLEVOIX CITY COUNCIL

Public Hearings and Actions Requiring Public Hearings

TITLE: Set Zoning Ordinance Amendments Public Hearings

DATE: August 19, 2019

PRESENTED BY: Mark L. Heydlauff, City Manager

BACKGROUND:

The Planning Commission is proposing three distinct amendments to the Zoning Code. The first deals with Council's request to expand housing opportunities in the City and also clarify definitions around boarding houses and room rentals.

The second amendment deals with the issue of outdoor storage of vehicles and recreation equipment. You previously considered language on this topic and sent it back to the Planning Commission for further revision and consideration.

The final amendment considers revisions to parking rules by generally reducing the number of spaces required for various uses and continuing to encourage the use of shared parking spaces rather than consuming land with parking.

Pursuant to the City Charter, amendments to the Zoning Ordinance must first be considered by the Planning Commission and then considered by City Council following an advertised public hearing. We propose the public hearing be held at your next regular meeting which is the Tuesday after Labor Day.

RECOMMENDATION:

Motion to set Public Hearings for Tuesday, September 3, 2019 at 6:00 p.m. in Council Chambers to consider Ordinances 805, 806, and 807.

ATTACHMENTS:

- ❑ Zoning Ordinance Housing Amendments
- ❑ Ordinance 805
- ❑ Zoning Ordinance Vehicle Storage Amendments
- ❑ Ordinance 806
- ❑ Zoning Ordinance Parking Amendments
- ❑ Ordinance 807

City of Charlevoix
Zoning Ordinance Amendment - Housing
Planning Commission Public Hearing August 12, 2019
Recommend adoption to City Council

Section '153.005 Definitions

Amended:

Boarding/Rooming House. A building, structure, or portion thereof, where individual rooms are rented to separate parties **for more than thirty (30) consecutive days**, such as **seasonal worker housing**, transitional homes, ~~hostels~~, or similar uses.

Amend Section '153.070 (B)

R2, Medium Density ~~Single~~-Family Residential District. The R2 District **is intended to provide for residential neighborhoods where a mix of single-family residential, accessory dwelling units, single multiple-family dwellings, and attached dwellings are located.**

Amend Section '153.071 Schedule of Uses (chart)

To allow these building types in R2

- Single-family Attached
- Two-family
- Single Multiple-family building

Portion of Table

Dwellings	Single family, detached	P	P	P	P	P	Section 5.47(1)
	Single family, attached	-	P	P	P	P	Section 5.47(1)
	Two family	-	P	P	P	P	
	Multiple family	-	-	-	P	P	
	Single Multiple Family building	-	P	-	-	-	Section 153.117(G)
	Accessory Dwelling Unit	-	P	-	-	-	Section 153.116(D)
	Home Conversion	-	P	-	-	-	Section 153.117(F)

Amend Section '153.086 Schedule of Uses

Change "Notes to Table" that references "Multiple-family dwellings shall be developed to the requirements of the R4 District" to "**Developments of a single multiple-family dwelling may be developed to the requirements of the R2 District, while Developments of more than one Multiple-family dwellings shall be developed to the requirements of the R4 District**"

New section

153.117 (E) Boarding/Rooming House

There shall be not more than four (4) rooms occupied by tenants, subject to the following:

- (1) Parking meets the requirements of '153.187.
 - (2) Occupancy by tenants shall be for expected durations longer than thirty (30) days.
 - (3) Individual rooms shall not contain independent cooking facilities. This requirement shall not prohibit the serving of meals to tenants or the use of a single kitchen by tenants.
 - (4) Rooming and boarding houses shall be owner occupied and serve as the principal residence of the owner.
-

New Section

153.117 (F) Home Conversions

An existing detached single-family dwelling built prior to 2019 that is located within the required setbacks of the district may be converted to multiple permanent dwelling units subject to the following:

- (1) Lot area meets the minimum requirements for the district.
 - (2) The exterior appearance of the structure is not altered from its single-family character.
 - (3) Parking meets the requirements of '153.187.
 - (4) Access to any second floor dwelling unit is provided from the interior of the structure.
 - (5) The minimum square footage required for a studio or one bedroom unit shall be 300 square feet.
 - (6) The minimum square footage required for a 2 bedroom unit shall be 650 square feet.
 - (7) No unit may have more than 2 bedrooms.
 - (8) All units have construction code-approved egress.
-
-

New Section

153.117 (G) Single-family attached and single Multiple-family buildings

- (1) Single-family attached buildings and single multiple-family buildings are subject to all applicable regulations of the zoning district in which they are located unless otherwise expressly stated in this ordinance.
- (2) The main entrance is located in the building façade of the principal frontage.
- (3) A maximum of two entrances per building façade.
- (4) Parking is located in the rear or on the side of the building.
- (5) Parking access is from the alley where available, otherwise access may be from the side or front lot line.
- (6) The principal building façade shall have a minimum of 20% glazing (windows).
- (7) There shall be a minimum of two windows per non-street facing building façade.
- (8) Porches and stoops may project into the yards.
- (9) Façade elements above the ground floor may project into the yards

**CITY OF CHARLEVOIX
ORDINANCE NO. 805 of 2019**

AN ORDINANCE TO AMEND TITLE XV, CHAPTER 153, SECTIONS 153.005, 153.070, 153.071, 153.086, and 153.117 OF THE
CHARLEVOIX CITY CODE

THE CITY OF CHARLEVOIX ORDAINS:

SECTION 1. Title XV, Chapter 153, Section 153.005 is hereby amended as follows:

BOARDING/ROOMING HOUSE. A building, structure, or portion thereof, where individual rooms are rented to separate parties for more than thirty (30) consecutive days, such as seasonal worker housing, transitional homes, or similar uses.

SECTION 2. Title XV, Chapter 153, Section 153.070(B) of the City of Charlevoix Code is hereby amended as follows:

(B) R2, Medium Density Family Residential District. The R2 District is intended to provide for residential neighborhoods where a mix of single-family residential, accessory dwelling units, single multiple-family dwellings, and attached dwellings are located.

SECTION 3. Title XV, Chapter 153, Table 153.071 Residential Dwellings portion of the City of Charlevoix Code is amended as follows:

<i>Table 153.071: Allowed Uses in Residential Zones</i>						
<i>P = Permitted Use by Right S = Special Land Use</i>						
	<i>R1</i>	<i>R2</i>	<i>R2A</i>	<i>R4</i>	<i>PC</i>	<i>Specific Requirements</i>
RESIDENTIAL						
Dwellings						
Single-family, detached	P	P	P	P	P	§ 153.117(A)
Single-family, attached	-	P	P	P	P	§ 153.117(A)
Two-family	-	P	P	P	P	
Multiple-family	-	-	-	P	P	
Single Multiple Family building	-	P	-		-	§ 153.117(G)
Accessory Dwelling Unit		P				§ 153.116(D)
Home Conversion		P	-	-	-	§ 153.117(F)

SECTION 4. Title XV, Chapter 153, Table 153.086 Notes to Table 4 of the City of Charlevoix Code is hereby amended as follows:

4 Developments of a single multiple-family dwelling may be developed to the requirements of the R2 District, while Developments of more than one Multiple-family dwellings shall be developed to the requirements of the R4 District.

SECTION 5. Title XV, Chapter 153, Section 153.117 Residential Uses of the City of Charlevoix Code is hereby amended by adding Subsections (E), (F), and (G) as follows:

- (E) *Boarding/Rooming house.* There shall be not more than four (4) rooms occupied by tenants, subject to the following:
- (1) Parking meets the requirements of §153.187.
 - (2) Occupancy by tenants shall be for expected durations longer than thirty (30) days.
 - (3) Individual rooms shall not contain independent cooking facilities. This requirement shall not prohibit the serving of meals to tenants or the use of a single kitchen by tenants.
 - (4) Rooming and boarding houses shall be owner occupied and serve as the principal residence of the owner.
- (F) *Home conversions.* An existing detached single-family dwelling built prior to 2019 that is located within the required setbacks of the district may be converted to multiple permanent dwelling units subject to the following:
- (1) Lot area meets the minimum requirements for the district.
 - (2) The exterior appearance of the structure is not altered from its single-family character.
 - (3) Parking meets the requirements of §153.187.
 - (4) Access to any second floor dwelling unit is provided from the interior of the structure.
 - (5) The minimum square footage required for a studio or one bedroom unit shall be 300 square feet.
 - (6) The minimum square footage required for a 2 bedroom unit shall be 650 square feet.
 - (7) No unit may have more than 2 bedrooms.
 - (8) All units have construction code-approved egress.

(G) *Single-family attached and single multiple-family buildings.*

- (1) Single-family attached buildings and single multiple-family buildings are subject to all applicable regulations of the zoning district in which they are located unless otherwise expressly stated in this ordinance.
- (2) The main entrance is located in the building façade of the principal frontage.
- (3) A maximum of two entrances per building façade.
- (4) Parking is located in the rear or on the side of the building.
- (5) Parking access is from the alley where available, otherwise access may be from the side or front lot line.
- (6) The principal building façade shall have a minimum of 20% glazing (windows).
- (7) There shall be a minimum of two windows per non-street facing building façade.
- (8) Porches and stoops may project into the yards.
- (9) Façade elements above the ground floor may project into the yards

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. 805 was adopted on the 3rd day of September, 2019 A.D., by the Charlevoix City Council as follows:

Motion by:

Seconded by:

Yeas:

Nays:

Absent:

State of Michigan }
City of Charlevoix } §

Joyce M. Golding

Clerk

Luther Kurtz

Mayor

City of Charlevoix
Zoning Ordinance Amendment - Recreational Equipment and Vehicle Storage
Planning Commission Public Hearing August 12, 2019
Recommend adoption to City Council

Current Language

‘ ‘ 153.153(C) Outdoor Storage

~~A) Inoperable or unlicensed motor vehicles shall not be kept, parked or stored in any residential district, except within a completely enclosed building. The purpose of this provision is to prevent the accumulation of junk motor vehicles and, therefore, it shall not apply to any motor vehicle ordinarily used, but temporarily out of running condition. If the motor vehicle is being kept for actual use, but is temporarily unlicensed, the Zoning Administrator may grant the owner a reasonable time, not to exceed two months, to procure a license.~~

~~(B) Likewise, old, rusty and unsightly machinery, machines not suited for use upon the premises or quantities of used building materials not fit to be used to improve the premises shall not be kept or stored outside a building; provided, however, that, building materials fit to be used to improve the premises may be kept on site for one year if they are piled off the ground so as not to become a harbor for vermin.~~

~~(C) The open parking or storage of any recreational vehicle not owned by a resident or owner of the property on which it is located shall not be permitted for periods in excess of 24 hours, except on property specifically approved for that purpose. The Zoning Administrator, however, may permit the temporary parking or storage of a recreational vehicle in a rear yard on private property for a period not to exceed two weeks. In any case, no recreational vehicle located outside an approved campground shall be connected to sanitary facilities.~~

~~(Prior Code, ' 5.73) Penalty, see ' 153.999~~

New Language

153.153 (C) Recreational Equipment and Vehicle Storage

The standards of this section apply to all Residential Districts.

- (1) All recreational equipment and vehicles that are stored outside of a structure shall be maintained in good condition, shall be operable and shall have a current license and/or registration.
- (2) Recreational equipment and vehicles parked or stored outside shall not be connected to electricity, water, gas or sanitary facilities for living or lodging purposes other than allowed for in ‘ ‘ 153.153.(C)(8)
- (3) The parking and/or storage of buses and converted buses in excess of 18 feet in length, and boats in excess of 30 feet in length, is prohibited.
- (4) Outdoor storage of not more than two recreational equipment or vehicles shall be permitted on any parcel of property.

- (5) Off-season storage of recreational equipment and vehicles shall be parked completely in an enclosed structure or within the side or rear yards, except that they may not be parked in required setbacks, and such recreational equipment and vehicles shall not be closer than five feet from any lot line, unless otherwise provided by this section.
- (6) Such recreational equipment and vehicles shall be placed or parked on a lot with a principal building, structure or use unless it is a lot which is attached to an occupied lot under the same ownership.
- (7) Seasonal parking of recreational equipment and vehicles may be within any front yard, or front or side setback provided that public streets and sidewalks are not blocked to vehicular or pedestrian traffic.
- (8) Recreational equipment and vehicles may be used for living or lodging purposes on a parcel with a principal building for no more than seven days within any 60-day period.

CITY OF CHARLEVOIX
ORDINANCE NO. 806 of 2019
AN ORDINANCE TO AMEND TITLE XV, CHAPTER 153, SECTION 153.153 OF THE CHARLEVOIX CITY CODE

THE CITY OF CHARLEVOIX ORDAINS:

SECTION 1. Title XV, Chapter 153, Section 153.153(C) is hereby replaced as follows:

(C) *Recreational Equipment and Vehicle Storage.* The standards of this section apply to all Residential Districts.

- (1) All recreational equipment and vehicles that are stored outside of a structure shall be maintained in good condition, shall be operable and shall have a current license and/or registration.
- (2) Recreational equipment and vehicles parked or stored outside shall not be connected to electricity, water, gas or sanitary facilities for living or lodging purposes other than allowed for in §153.153(C)(8).
- (3) The parking and/or storage of buses and converted buses in excess of 18 feet in length, and boats in excess of 30 feet in length, is prohibited.
- (4) Outdoor storage of not more than two recreational equipment or vehicles shall be permitted on any parcel of property.
- (5) Off-season storage of recreational equipment and vehicles shall be parked completely in an enclosed structure or within the side or rear yards, except that they may not be parked in required setbacks, and such recreational equipment and vehicles shall not be closer than five feet from any lot line, unless otherwise provided by this section.
- (6) Such recreational equipment and vehicles shall be placed or parked on a lot with a principal building, structure or use unless it is a lot which is attached to an occupied lot under the same ownership.
- (7) Seasonal parking of recreational equipment and vehicles may be within any front yard, or front or side setback provided that public streets and sidewalks are not blocked to vehicular or pedestrian traffic.
- (8) Recreational equipment and vehicles may be used for living or lodging purposes on a parcel with a principal building for no more than seven days within any 60-day period.

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. 806 was adopted on the 3rd day of September, 2019 A.D., by the Charlevoix City Council as follows:

Motion by:

Seconded by:

Yeas:

Nays:

Absent:

State of Michigan }
City of Charlevoix } §

Joyce M. Golding

Clerk

Luther Kurtz

Mayor

City of Charlevoix
Zoning Ordinance Amendment - Parking
Planning Commission Public Hearing August 12, 2019
Recommend adoption to City Council

OFF-STREET PARKING, LOADING, ACCESS AND CIRCULATION

' 153.185 DESCRIPTION AND PURPOSE.

(A) The purpose of this subchapter is to prescribe regulations for off-street parking of motor vehicles in residential and non-residential zoning districts, to ensure that adequate parking and access are provided in a safe and convenient manner and to afford reasonable protection for adjacent land uses from light, glare, noise, air pollution and other effects of parking concentrations.

(B) It is the further intent of these regulations to:

- (1) Implement the goals and policies of the city=s Master Plan;
- (2) Reduce the impacts associated with parking lots through minimum and maximum parking requirements; and
- (3) Accommodate shared parking to limit the extent of paved and impervious surfaces.

(Prior Code, ' 5.90)

' 153.186 APPLICABILITY.

(A) For all buildings and uses established after the effective date of this chapter, off-street parking shall be provided as required by this section, except in the CBD Central Business District ~~where all or part of the parking requirement may be fulfilled through the payment in lieu of parking fee option, pursuant to ' 153.188(F) of this chapter.~~ Parking spaces provided in this manner shall be unreserved and generally available to the public. ~~Payments into the parking fund shall be made prior to the issuance of a zoning permit.~~

(B) If the intensity of the use of any building or site is increased by adding floor area, increasing seating capacity or employees, or by any other means, additional off-street parking shall be provided to the extent required by this subchapter.

(C) For off-street parking facilities that exist on the effective date of this chapter, their capacity shall not be reduced below the requirements of this subchapter, nor shall the capacity of non-conforming parking facilities be further reduced or made more non-conforming.

(D) Required off-street parking shall not be changed to another use unless equal facilities are provided elsewhere, in accordance with the provisions of this subchapter.

(E) Changes in use or new uses of existing buildings or floor area shall require parking in accordance with this subchapter, except in the CBD Central Business District the requirement for additional parking due to a legal commercial use change shall be waived.

(Prior Code, ' 5.91)

' 153.187 PARKING REQUIREMENTS AND LIMITATIONS.

(A) Off-street parking shall only be used for temporary vehicle parking related to the activities on the premise. The storage of merchandise, motor vehicles for sale, recreational vehicles, limousines, trucks and trailers is prohibited, except under the conditions of ' 153.153 of this chapter. Use of off-street parking to store or park wrecked or junked cars, or to repair vehicles is prohibited.

(B) When calculations for required parking spaces result in a fraction over one-half, one full parking space shall be required.

(C) For a use not specifically included in Table 153.187, off-street parking requirements shall be in accordance with a

use determined by the Zoning Administrator to have comparable parking characteristics. For any use determined as not having a comparable parking requirement, it shall be determined by the Planning Commission based on recent and published parking research, or by accepting the findings of a parking study provided by the applicant in accordance with ' 153.188(B)(6) of this chapter.

(D) For benches, pews or similar seating, each 24 inches shall be counted as one seat unless plans filed with the city specify a maximum seating capacity, which shall then be used to determine parking requirements.

(E) Unless otherwise indicated, floor area shall refer to usable floor area (UFA).

(F) Where parking requirements are established by maximum building seating or occupancy, capacity shall be based on the building and/or fire code, whichever is more restrictive.

(G) Minimum parking space requirements shall not be exceeded unless approved by the Planning Commission based on documented evidence that additional spaces are required to accommodate parking demand on a typical day. The Planning Commission may require any additional spaces to be constructed using alternate paving materials, such as pervious pavers or concrete. A required or requested use of alternative paving materials shall include a maintenance plan and agreement from the property owner deemed satisfactory to the Planning Commission.

(H) The minimum required number of off-street parking spaces shall be determined based on the requirements listed in Table 153.187.

<i>Table 153.187: Parking and Access Requirements by Use</i>	
<i>Use</i>	<i>Number of Parking Spaces</i>
RESIDENTIAL USES	
Bed and breakfast	See ' 153.116(C)
Boarding or rooming house	Minimum of 2 off-street parking spaces required
Dwellings above first floor businesses	1 space per dwelling unit
Multiple-family residential dwellings	Minimum of 2 off-street parking spaces required
Senior apartments and senior independent living	0.5 space per unit, and 1 space per employee. Should units revert to general occupancy, the requirements for multiple-family residential dwellings shall apply
Single-family and two-family dwellings	Minimum of 2 off-street parking spaces required
INSTITUTIONAL USES	
Auditoriums, assembly halls, meeting rooms, theaters and similar places of assembly	1 space per 4 seats, based on maximum seating capacity in the main place of assembly, as established by the city=s Fire and Building Codes
Day care facility, nursery school, child care center, family day care home, group day care home	1 per 700 sq. ft. of UFA, plus 1 per employee. Sufficient area shall be designated for drop-off of children or adults in a safe manner that will not result in traffic disruptions
Elementary and middle schools	1 per teacher, employee or and administrator
Convalescent or nursing home	1 per <u>63</u> beds or occupants and 1 space per staff member or employee on the largest shift
Hospitals and similar facilities for human care	1 per <u>53</u> beds, plus 1 per employee on the largest shift
Churches and customary related uses	1 for every <u>54</u> seats in the main place of assembly
High schools; colleges and universities; business, trade, technical, vocational or industrial schools; performing and fine arts schools	1 per teacher, employee or and administrator, and 1 for every 10 students
RETAIL USES	
Retail stores, except as otherwise specified	<u>1 per employee on the largest shift</u> , <u>plus</u> 1 for every 500 sq. ft. of UFA

Table 153.187: Parking and Access Requirements by Use

<i>Use</i>	<i>Number of Parking Spaces</i>
Multi-tenant shopping centers	
With 60,000 sq. ft. or less of retail	<u>1 per employee on the largest shift</u> , plus 1 for every 350 sq. ft. of retail UFA
With over 60,000 sq. ft. of retail	<u>1 per employee on the largest shift</u> , plus 1 for every 300 sq. ft. of retail UFA
With restaurants	If more than 20% of the shopping center=s floor area is occupied by restaurants or entertainment uses, parking requirements for these uses shall be calculated separately. Where the amount of restaurant space is unknown, it shall be calculated at 20%
Agricultural sales, greenhouses and nurseries or roadside stands	1 per employee <u>on the largest shift</u> , plus 1 per 350 300 sq. ft. of permanent or temporary area devoted primarily to sales
Animal grooming, training, day care and boarding	<u>1 per employee on the largest shift</u> , plus 1 for every 1,000 600 sq. ft. of UFA
Furniture and appliance, household equipment, show-room of a plumber, decorator, electrician, hardware, wholesale and repair shop or other similar uses	<u>1 per employee on the largest shift</u> , plus 1 for every 1,000 sq. ft. of net UFA, plus 1 additional space per employee
Grocery store/supermarket	<u>1 per employee on largest shift</u> , plus 1 for every 500 sq. ft. of UFA
Home improvement centers	<u>1 per employee on the largest shift</u> , plus 1 for every 1,000 600 sq. ft. of UFA
Open air businesses, except as otherwise specified	<u>1 per employee on the largest shift</u> , plus 1 for every 500 sq. ft. of lot area for retail sales, uses and services
Vehicle dealerships, including automobiles, RVs, motorcycles, snowmobiles, ATVs and boats	<u>1 per employee on the largest shift</u> , plus 1 for every 1,000 500 sq. ft. of floor space of sales room, plus 1 per employee
SERVICE USES	
Banks and other financial institutions	<u>1 per employee on the largest shift</u> , plus 1 per 500 sq. ft. of UFA for the public. Drive-up windows/drive-up ATMs shall be provided with 2 stacking spaces per window or drive-up ATM
Beauty parlor or barber shop	<u>1 per employee on the largest shift</u> , plus 1 parking space per chair/station
Dry cleaners	<u>1 per employee on the largest shift</u> , plus 1 per 500 sq. ft. of UFA
Laundromats	<u>1 per employee on the largest shift</u> , plus 1 per 4 combinations of washer-dryer machines, plus 1 space per employee
Mortuary, funeral home	<u>1 per employee on the largest shift</u> , plus 1 per 3 patron seats at largest capacity, + for every 200 sq. ft. of assembly room or parlor floor space
Motel, hotel or other commercial lodging establishment	<u>1 per employee on the largest shift</u> , plus 0.5 space per unit, plus 1 per employee during largest shift -In addition, spaces required for ancillary uses such as lounges, restaurants or places of assembly shall be provided and determined on the basis of the individual requirements for that use
Motor vehicle service stations (gas stations and truck stops)	<u>1 per employee on the largest shift</u> , +per employee , plus additional parking required for other uses within an automobile service station, such as the retail floor area, restaurants or vehicle repair stalls
Vehicle repair establishment, major or minor	<u>1 per employee on the largest shift</u> , plus 1 per service stall, plus 1 per employee
Vehicle wash	
Self-service (coin operated)	4 spaces, plus 2 stacking spaces for every washing stall
Full-service	<u>1 per employee on the largest shift</u> , plus 4 spaces, and plus 1 per employee . 3 stacking spaces for every washing stall or line
Restaurants, bars and clubs	
Standard sit-down restaurants with liquor license	<u>1 per employee on the largest shift</u> , plus 1 per 300 sq. ft. of UFA
Carry-out restaurant (with limited or no seating for	<u>1 per employee on the largest shift</u> , plus 4 per service or counter station, plus 1 per

<i>Table 153.187: Parking and Access Requirements by Use</i>	
<i>Use</i>	<i>Number of Parking Spaces</i>
eating on premises)	employee
Open front restaurant/ice cream stand	<u>1 per employee on the largest shift</u> . <u>plus</u> 5 spaces, plus 1 per employee and 1 per 6 seats
Drive-through restaurant	1 for every 2 employees, plus 1 for every 6 seats intended for patrons within the building, plus 4 stacking spaces per food pickup window
Bars, lounges, taverns, nightclubs (majority of sales consist of alcoholic beverages)	<u>1 per employee on the largest shift</u> , <u>plus</u> 1 per 200 sq. ft. of UFA
Private clubs, lodge halls or banquet halls	<u>1 per employee on the largest shift</u> , <u>plus</u> 1 for every 6 persons allowed within the maximum occupancy load as established by the city=s Fire and Building Codes
RECREATION	
Athletic clubs, exercise establishments, health studios, sauna baths, martial art schools and other similar uses	<u>1 per employee on the largest shift</u> , <u>plus</u> 1 per 4 persons allowed within the maximum occupancy load as established by city=s Fire and Building Codes, plus 1 per employee
Billiard parlors	1 per 3 persons allowed within the maximum occupancy load as established by city=s Building and Fire Codes, or 1 per 500 sq. ft. of gross floor area, whichever is greater
Bowling alleys	4 per bowling lane plus additional for accessory uses such as bars
Indoor recreation establishments including gymnasiums, tennis courts and handball, roller or ice-skating rinks, exhibition halls, dance halls and banquet halls	1 space for every 6 persons allowed within the maximum occupancy load as established by the city=s Fire and Building Codes
Miniature or Apar-3@ courses	<u>1 per employee on the largest shift</u> , <u>plus</u> 1 per 2 holes, plus 1 per employee
Commercial marinas	0.25 space for every boat slip based on the permitted slips by the state=s Department of Natural Resources
OFFICES	
Business offices, post offices or professional offices of lawyers, architects or similar professionals	<u>1 per employee on the largest shift</u> , <u>plus</u> 1 for every 300 sq. ft. of UFA, but no less than 5 parking spaces
Medical offices of doctors, dentists, veterinarians or similar professions	<u>1 per employee on the largest shift</u> , <u>plus</u> 1 for every 300 sq. ft. of UFA
INDUSTRIAL USES	
Industrial establishments, including manufacturing, research and testing laboratories, creameries, bottling works, printing, plumbing or electrical workshops	1 for every 2 employees or 700 sq. ft. of UFA, whichever is greater
Warehouses and storage buildings	<u>1 per employee on the largest shift</u> 1 per employee computed on the basis of the greatest number of persons employed at any one time during the day or night
Mini warehouses/self-storage	Unobstructed parking area equal to 1 for every 10 door openings, plus parking for other uses on site such as truck rental
Truck terminal	<u>1 per employee on the largest shift</u> 1 per employee , plus 2 truck spaces of 10 x 70 ft. per truck berth or docking space
Air freight forwarders/distribution facilities	1 per employee <u>on the largest shift</u>

(Prior Code, ' 5.92)

' 153.188 PARKING ALTERNATIVES.

(A) *Shared/common parking.*

Shared parking, or an arrangement in which two or more nonresidential uses with different peak parking demands (hours of operation) uses the same off-street parking spaces to meet their off-street parking requirements, may be allowed.

1. The Zoning Administrator may approve an adjustment to the parking requirements allowing shared parking arrangements for nonresidential uses with different hours of operation.
2. Applicant must provide that there is no substantial conflict in the principle operating hours of the uses for which the shared parking is proposed.
3. Shared parking must be within fifty (50) feet walking distance, measured from the entrance of the use to the nearest parking space in the shared lot.
4. An agreement providing for the shared use of the parking, executed by the parties involved, must be filed with the Zoning Administrator, in a form approved by the Zoning Administrator upon consultation with the township attorney.

~~(1) Two or more buildings or uses may share a common parking facility provided the total number of parking spaces is equal to the required number of spaces for all the uses computed separately.~~

~~(2) Cumulative parking requirements for mixed use developments or shared facilities may be reduced by the Planning Commission subject to one or more of the factors listed in division (B) below.~~

~~(3) Shared parking shall only be permitted if there is a shared parking agreement which provides for parking as required by this chapter and which constitutes a written contract binding on the affected lots or parcels until such time as the parking requirements of this chapter can be met without the shared parking agreement. The shared parking agreement shall be reviewed by the Zoning Administrator, who shall approve the agreement if it complies with the requirements of this chapter.~~

(B) *Modification of parking requirements.* The Planning Commission may reduce the parking space requirements of this section for any use, based upon one or more of the following.

(1) Shared parking by multiple uses is expected due to the likelihood of numerous multipurpose visits, or if uses have peak parking demands during different times of the day or days of the week; subject to the following.

(a) Sidewalks shall be maintained or established between the uses.

(b) Pedestrian connections, both within and to the site, shall provide safe and convenient access to building entrances.

(c) For separate properties, shared parking lots shall be within 300 feet adjacent to one another with vehicular and pedestrian access.

(d) Unless the multiple uses are all under single ownership and within a unified business or shopping center, office park or industrial park, shared parking agreements shall be filed with the City Clerk after approval by the Zoning Administrator.

(2) Convenient municipal off-street parking facilities or on-street spaces are located no further than 600 feet from the subject properties.

(3) An expectation of walk-in trade is reasonable due to the proximity of residential neighborhoods, downtown or employment areas that are interconnected with sidewalks.

(4) Other forms of travel such as bicycle or transit are available and are reasonable alternatives.

(5) The Planning Commission may require a parking study to document that the above divisions (B)(1)(a) through (B)(1)(d) have been addressed.

(6) Where the applicant has provided a parking study, it shall demonstrate that a standard other than that required

by this subchapter would be more appropriate based on the number of employees, expected level of customer traffic, or actual counts at a similar establishment. Parking studies shall be prepared by a qualified expert, such as a professional transportation engineer or professional transportation planner, based upon standards, manuals and research published by professional organizations, such as the Institute of Transportation Engineers, the Transportation Research Board or Urban Land Institute. The Planning Commission may require parking studies of comparable uses in the general area as part of the study.

(C) *Deferred parking.*

(1) Where a reduction in parking spaces is not warranted, but an applicant can demonstrate the parking requirements for a proposed use may be excessive given the particular circumstances of the use and property, the Planning Commission may defer some of the required parking. The site plan shall designate an area to accommodate its future construction, if and when it is needed, meeting the design standards and dimensional requirements of this subchapter. In the interim, the deferred parking area shall be landscaped and maintained and shall not occupy required setbacks, buffers or landscaped areas or be used for any other purpose.

(2) Construction of the deferred parking spaces may be initiated by the owner or required by the city based on conditions affecting on-site parking needs or observations, and shall require administrative approval of an amended site plan.

(D) *Downtown parking.* The minimum number of off-street parking spaces ~~and payment in lieu of parking (division (F) below)~~ required by this section shall be waived for all buildings fronting Bridge Street between the Pine River Channel and Antrim Street.

(E) *Proposed developments.* The Planning Commission may require parking in the side or rear of a building where possible, if a proposed development fronts a public street. In these instances the Planning Commission may waive or reduce landscaping or screening requirements in ' 153.171 of this chapter.

~~(F) *Payment in lieu of parking.* The creation of commercial or accessory residential floor space or uses in the Central Business District, unless exempt under division (D) above, shall require the provision for parking in accordance with this chapter; provided that the Planning Commission may approve a site plan as required by ' 153.233, as amended, if the property owner pays on a one-time basis to the City Central Business District Parking Improvement Fund the sum of \$3,000 adjusted on an annual basis in accord with the consumer price index, based on the year 1991 for each parking space which cannot be provided on site. Such funds shall be used to benefit the provision of public parking in the Central Business District. Parking spaces thus provided shall be unreserved and generally available to the public. Payments into the parking fund shall be made prior to the issuance of a land use permit for the proposed project by the Zoning Administrator. (Prior Code, ' 5.93) (Ord. 794, passed 9-17-2018)~~

' 153.189 OFF-STREET PARKING FACILITY DESIGN.

(A) *Off-street parking location and setbacks.*

(1) *Side and rear yard limitation.* Off-street parking lots shall meet the side setback requirements as specified in the zoning district and shall not be closer than 15 feet from the rear property line.

(2) *Front yard limitation.* In the CBD, GC, PO and CM Districts, the required front yard setback shall not be used for off-street parking, loading or unloading and shall remain open, unoccupied and unobstructed, except for landscaping or vehicle access drives.

(3) *Proximity.* Required off-street parking facilities for all uses, other than ~~residential single and two family~~ dwellings, shall be located on the same lot as the use, or within 300 feet of the building(s) or use they are intended to serve. Distance shall be measured from the nearest point of the building to the nearest point of the off-street parking lot.

(a) Required off-street parking facilities for ~~residential single and two family~~ dwellings shall be located on the same property as the premises they are intended to serve and shall consist of a driveway, a parking apron and/or a garage.

(b) In the CBD District, parking facilities shall be located within 600 feet of the building or use to be served. Distance shall be measured from the nearest point of the building to the nearest point of the off-street parking lot.

(B) *Parking construction and development.* The construction of a parking lot shall require an approved site plan, in accordance with ' ' 153.230 through 153.239 of this chapter. Construction shall be completed and approved by the Zoning

Administrator.

(C) *Pavement.* Unless alternative materials are specifically permitted as provided in this division (C), all parking lots and vehicle and equipment storage areas shall be hard-surfaced using asphalt, concrete or concrete or brick pavers and shall be appropriately graded and drained. The Planning Commission may approve permeable paving for all or part of a parking lot. For storage areas, a substitute for hard surface paving may be allowed if the Planning Commission finds adjoining properties will not be adversely affected.

(D) *Curbs.* A parking lot shall be surrounded by a six-inch concrete curb, except for driveway openings, sidewalk cut-ins and approved drainage systems, to protect landscaped or pedestrian areas, buildings or adjacent property from potential vehicle encroachment. The Planning Commission may approve an alternative to a fully curbed parking facility as long as the intent of this division (D) is achieved. To avoid conflicts with swinging car doors and overhanging bumpers, in such circumstances all plants shall be set back at least two feet from the edge of pavement.

(E) *Dimensions.* Table 153.189 specifies applicable parking space and aisle dimension requirements.

(1) Angled parking between the specified ranges shall be to the nearest degree.

(2) The length of a parking stall may be reduced by up to two feet if the parked vehicle can overhang an unobstructed landscaped area or sidewalk by not less than two feet. In such instances a sidewalk shall be at least seven feet wide.

(3) At least seven feet shall be maintained between a parking lot and building.

(4) All parking lots shall be striped and maintained showing individual parking bays in accordance with the following dimensions:

[TABLE FOLLOWS ON NEXT PAGE]

<i>Table 153.189: Dimensional Requirements (Feet)</i>					
<i>Parking Pattern (Degree)</i>	<i>Parking Space</i>		<i>Maneuvering Lane Width</i>	<i>Total 1 Row of Parking and Maneuvering Lane</i>	<i>Total Bay (2 Rows of Parking and Maneuvering Lane)</i>
	<i>Width</i>	<i>Length</i>			
0 degree (parallel)	8	23	12	20	28
30 to 53	9	20	12	32	52
54 to 74	9	20	15	36.5	58
75 to 90	9	18	24	42	60

(F) *Stacking spaces.* Waiting/stacking spaces for a drive-through use (such as a bank, restaurant, car wash, pharmacy, dry cleaner or oil change establishment) shall be at least 24 feet long and ten feet wide and shall not block off-street parking spaces. Where the waiting/stacking lane is a single lane accommodating five or more vehicles, an escape lane shall be provided for vehicles wishing to by-pass the drive-up window.

(G) *Ingress and egress.* Clearly defined and limited driveways shall provide adequate vehicular access to a parking lot. Interior access and circulation aisles for all parking spaces shall be provided. A public street shall not be used as a maneuvering space for a vehicle to get into or out of an off-street parking space. Access drives serving a parking lot in a non-residential zoning district shall not cross a residential district, except when access is provided by means of an alley that forms a boundary between a residential and non-residential district.

(H) *Landscaping.* Off-street parking areas shall be landscaped in accordance with the requirements of ' 153.171(H) of this chapter.

(I) *Fire lanes.* All fire lanes shall be designated on a site and posted with signs prior to occupancy.

(J) *Barrier free parking.* Signed and marked barrier free parking spaces shall be provided at convenient locations in a parking lot in accordance with the state barrier free parking requirements. Barrier free spaces shall be located as close as possible to building entrances.

(K) *Maintenance.* All parking lots and structures shall be maintained free of trash and debris and all surfaces, curbs, light fixtures and signs shall be maintained in good condition.

(Prior Code, ' 5.94) Penalty, see ' 153.999

' 153.190 OFF-STREET LOADING REQUIREMENTS.

(A) *Uses requiring loading area.* To avoid interference with the use of public streets, alleys and parking spaces, adequate space for standing, loading and unloading shall be provided and maintained on the same lot as the premises.

(B) *Loading area requirements.* A loading and unloading space shall be paved, and unless otherwise provided, shall be ten feet by 40 feet, with a 15-foot height clearance, according to Table 153.190:

<i>Table 153.190: Minimum Off-Street Loading Requirements</i>	
<i>Building Net GFA</i>	<i>Minimum Truck Loading Spaces</i>
0 - 1,400 sq. ft.	None
1,401 - 20,000 sq. ft.	1 space
20,001 - 100,000 sq. ft.	1 space, plus 1 space for each 40,000 sq. ft. in excess of 20,000 sq. ft.
100,001 - 500,000 sq. ft.	5 spaces, plus 1 space for each 40,000 sq. ft. in excess of 100,000 sq. ft.

(C) *Orientation of overhead doors.* Overhead doors for a truck loading area shall not face a public right-of-way and shall be screened so they are not visible from a public street or an adjacent residential district.
(Prior Code, ' 5.95) Penalty, see ' 153.999

CITY OF CHARLEVOIX
ORDINANCE NO. 807 of 2019
 AN ORDINANCE TO AMEND TITLE XV, CHAPTER 153, SECTIONS 153.186, 153.187, 153.188, and 153.189
 OF THE CHARLEVOIX CITY CODE

THE CITY OF CHARLEVOIX ORDAINS:

SECTION 1. Title XV, Chapter 153, Section 153.186(A) is hereby amended as follows:

(A) For all buildings and uses established after the effective date of this chapter, off-street parking shall be provided as required by this section, except in the CBD Central Business District. Parking spaces provided in this manner shall be unreserved and generally available to the public.

SECTION 2. Title XV, Chapter 153, Table 153.187 of the City of Charlevoix Code is hereby replaced as follows:

<i>Table 153.187: Parking and Access Requirements by Use</i>	
<i>Use</i>	<i>Number of Parking Spaces</i>
RESIDENTIAL USES	
Bed and breakfast	See § 153.116(C)
Boarding or rooming house	1 space per 2 beds, plus 1 additional space for owner or employee use
Dwellings above first floor businesses	1 space per dwelling unit
Multiple-family residential dwellings	1.5 spaces per dwelling unit
Senior apartments and senior independent living	0.5 space per unit, and 1 space per employee. Should units revert to general occupancy, the requirements for multiple-family residential dwellings shall apply
Single-family and two-family dwellings	2 spaces per dwelling unit
INSTITUTIONAL USES	
Auditoriums, assembly halls, meeting rooms, theaters and similar places of assembly	1 space per 4 seats, based on maximum seating capacity in the main place of assembly, as established by the city's Fire and Building Codes
Day care facility, nursery school, child care center, family day care home, group day care home	1 per 700 sq. ft. of UFA, plus 1 per employee. Sufficient area shall be designated for drop-off of children or adults in a safe manner that will not result in traffic disruptions
Elementary and middle schools	1 per teacher, employee and administrator
Convalescent or nursing home	1 per 6 beds or occupants and 1 space per staff member or employee on the largest shift
Hospitals and similar facilities for human care	1 per 5 beds, plus 1 per employee on the largest shift
Churches and customary related uses	1 for every 5 seats in the main place of assembly
High schools; colleges and universities; business, trade, technical, vocational or industrial schools; performing and fine arts schools	1 per teacher, employee and administrator, and 1 for every 10 students
RETAIL USES	
Retail stores, except as otherwise specified	1 per employee on the largest shift, plus 1 for every 500 sq. ft. of UFA
Multi-tenant shopping centers	
With 60,000 sq. ft. or less of retail	1 per employee on the largest shift, plus 1 for every 350 sq. ft. of retail UFA
With over 60,000 sq. ft. of retail	1 per employee on the largest shift, plus 1 for every 300 sq. ft. of retail UFA
With restaurants	If more than 20% of the shopping center's floor area is occupied by restaurants or entertainment uses, parking requirements for these uses shall be calculated separately. Where the amount of restaurant space is unknown, it shall be calculated at 20%
Agricultural sales, greenhouses and nurseries or roadside stands	1 per employee on the largest shift, plus 1 per 350 sq. ft. of permanent or temporary area devoted primarily to sales
Animal grooming, training, day care and boarding	1 per employee on the largest shift, plus 1 for every 1,000 sq. ft. of UFA
Furniture and appliance, household equipment, show-room of a plumber, decorator, electrician, hardware, wholesale and repair shop or other similar uses	1 per employee on the largest shift, plus 1 for every 1,000 sq. ft. of net UFA, plus 1 additional space per employee
Grocery store/supermarket	1 per employee on the largest shift, plus 1 for every 500 sq. ft. of UFA
Home improvement centers	1 per employee on the largest shift, plus 1 for every 1,000 sq. ft. of UFA

Table 153.187: Parking and Access Requirements by Use	
Use	Number of Parking Spaces
Open air businesses, except as otherwise specified	1 per employee on the largest shift, plus 1 for every 500 sq. ft. of lot area for retail sales, uses and services
Vehicle dealerships, including automobiles, RVs, motorcycles, snowmobiles, ATVs and boats	1 per employee on the largest shift, plus 1 for every 1,000 sq. ft. of floor space of sales room
SERVICE USES	
Banks and other financial institutions	1 per employee on the largest shift, plus 1 per 500 sq. ft. of UFA for the public. Drive-up windows/drive-up ATMs shall be provided with 2 stacking spaces per window or drive-up ATM
Beauty parlor or barber shop	1 per employee on the largest shift, plus 1 parking space per chair/station
Dry cleaners	1 per employee on the largest shift, plus 1 per 500 sq. ft. of UFA
Laundromats	1 per employee on the largest shift, plus 1 per 4 combinations of washer-dryer machines, plus 1 space per employee
Mortuary, funeral home	1 per employee on the largest shift, plus 1 per 3 patron seats at largest capacity
Motel, hotel or other commercial lodging establishment	1 per employee on the largest shift, plus 0.5 space per unit. In addition, spaces required for ancillary uses such as lounges, restaurants or places of assembly shall be provided and determined on the basis of the individual requirements for that use
Motor vehicle service stations (gas stations and truck stops)	1 per employee on the largest shift, plus additional parking required for other uses within an automobile service station, such as the retail floor area, restaurants or vehicle repair stalls
Vehicle repair establishment, major or minor	1 per employee on the largest shift, plus 1 per service stall
Vehicle wash	
Self-service (coin operated)	4 spaces, plus 2 stacking spaces for every washing stall
Full-service	1 per employee on the largest shift, plus 4 spaces and 3 stacking spaces for every washing stall or line
Restaurants, bars and clubs	
Standard sit-down restaurants with liquor license	1 per employee on the largest shift, plus 1 per 300 sq. ft. of UFA
Carry-out restaurant (with limited or no seating for eating on premises)	1 per employee on the largest shift, plus 4 per service or counter station
Open front restaurant/ice cream stand	1 per employee on the largest shift, plus 5 spaces and 1 per 6 seats
Drive-through restaurant	1 for every 2 employees, plus 1 for every 6 seats intended for patrons within the building, plus 4 stacking spaces per food pickup window
Bars, lounges, taverns, nightclubs (majority of sales consist of alcoholic beverages)	1 per employee on the largest shift, plus 1 per 200 sq. ft. of UFA
Private clubs, lodge halls or banquet halls	1 per employee on the largest shift, plus 1 for every 6 persons allowed within the maximum occupancy load as established by the city's Fire and Building Codes
RECREATION	
Athletic clubs, exercise establishments, health studios, sauna baths, martial art schools and other similar uses	1 per employee on the largest shift, plus 1 per 4 persons allowed within the maximum occupancy load as established by city's Fire and Building Codes
Billiard parlors	1 per 3 persons allowed within the maximum occupancy load as established by city's Building and Fire Codes, or 1 per 500 sq. ft. of gross floor area, whichever is greater
Bowling alleys	4 per bowling lane plus additional for accessory uses such as bars
Indoor recreation establishments including gymnasiums, tennis courts and handball, roller or ice-skating rinks, exhibition halls, dance halls and banquet halls	1 space for every 6 persons allowed within the maximum occupancy load as established by the city's Fire and Building Codes
Miniature or "par-3" courses	1 per employee on the largest shift, plus 1 per 2 holes
Commercial marinas	0.25 space for every boat slip based on the permitted slips by the state's Department of Natural Resources
OFFICES	
Business offices, post offices or professional offices of lawyers, architects or similar professionals	1 per employee on the largest shift, plus 1 for every 300 sq. ft. of UFA, but no less than 5 parking spaces

Table 153.187: Parking and Access Requirements by Use	
Use	Number of Parking Spaces
Medical offices of doctors, dentists, veterinarians or similar professions	1 per employee on the largest shift, plus 1 for every 300 sq. ft. of UFA
INDUSTRIAL USES	
Industrial establishments, including manufacturing, research and testing laboratories, creameries, bottling works, printing, plumbing or electrical workshops	1 for every 2 employees or 700 sq. ft. of UFA, whichever is greater
Warehouses and storage buildings	1 per employee on the largest shift
Mini warehouses/self-storage	Unobstructed parking area equal to 1 for every 10 door openings, plus parking for other uses on site such as truck rental
Truck terminal	1 per employee on the largest shift, plus 2 truck spaces of 10 x 70 ft. per truck berth or docking space
Air freight forwarders/distribution facilities	1 per employee on the largest shift

SECTION 3. Title XV, Chapter 153, Section 153.188(A) of the City of Charlevoix Code is replaced as follows:

- (A) *Shared/common parking.* Shared parking, or an arrangement in which two or more nonresidential uses with different peak parking demands (hours of operation) uses the same off-street parking spaces to meet their off-street parking requirements, may be allowed.
1. The Zoning Administrator may approve an adjustment to the parking requirements allowing shared parking arrangements for nonresidential uses with different hours of operation.
 2. Applicant must provide that there is no substantial conflict in the principle operating hours of the uses for which the shared parking is proposed.
 3. Shared parking must be within fifty (50) feet walking distance, measured from the entrance of the use to the nearest parking space in the shared lot.
 4. An agreement providing for the shared use of the parking, executed by the parties involved, must be filed with the Zoning Administrator, in a form approved by the Zoning Administrator upon consultation with the city attorney.

SECTION 4. Title XV, Chapter 153, Table 153.188(B)(c) of the City of Charlevoix Code is hereby replaced as follows:

- (c) For separate properties, shared parking lots shall be within 300 feet to one another with vehicular and pedestrian access.

SECTION 5. Title XV, Chapter 153, Section 153.188(D) of the City of Charlevoix Code is hereby replaced as follows:

- (D) *Downtown parking.* The minimum number of off-street parking spaces required by this section shall be waived for all buildings fronting Bridge Street between the Pine River Channel and Antrim Street.

SECTION 6. Title XV, Chapter 153, Section 153.188(F) of the City of Charlevoix Code is hereby deleted.

SECTION 7. Title XV, Chapter 153, Sections 153.189(A)(3) and 153.189(A)(3)(a) of the City of Charlevoix Code is hereby replaced as follows:

- (3) *Proximity.* Required off-street parking facilities for all uses, other than residential dwellings, shall be located on the same lot as the use, or within 300 feet of the building(s) or use they are intended to serve. Distance shall be measured from the nearest point of the building to the nearest point of the off-street parking lot.
- (a) Required off-street parking facilities for residential dwellings shall be located on the same property as the premises they are intended to serve and shall consist of a driveway, a parking apron and/or a garage.

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. 807 was adopted on the 3rd day of September, 2019 A.D., by the Charlevoix City Council as follows:

Motion by:

Seconded by:

Yeas:

Nays:
Absent:

State of Michigan } §
City of Charlevoix }

Joyce M. Golding Clerk

Luther Kurtz Mayor

CHARLEVOIX CITY COUNCIL

All Other Actions and Requests

TITLE: Parking Meter and Pay Station Purchase

DATE: August 19, 2019

PRESENTED BY: Mark L. Heydlauff, City Manager; Gerard Doan, Chief of Police

BACKGROUND:

Since January, Council has been discussing the prospect of purchasing new parking meters for the spaces on Bridge Street and adding pay stations for the Acacia Lot. The quote from IPS Group has been revised based on their current pricing as Council requested in mid-July. IPS Group seemed to be the preferred vendor of Council based on our RFQ process this spring.

Timing did not work to have new meters installed to start this season; if we act soon, we should have plenty of time to be up and running with the new equipment in the spring of 2020.

Also included in your packet is a letter from Charlevoix State Bank outlining terms of a potential lease-purchase agreement we could execute to pay for the new meters. Act 99 is a provision in state law that allows municipalities to get a loan with a tax-advantaged interest rate without pursuing bond funding.

RECOMMENDATION:

Council discussion and direction.

ATTACHMENTS:

- ▣ IPS Meter/Pay Station Quote
- ▣ IPS Enforcement System Quote
- ▣ CSB Loan Approval Letter



CHARLEVOIX, MI

Date: 8/2/2019
 Quote #: MW08022019Q1
 Exp. Date: 9/1/2019

The Next Generation in Parking

IPS Group, Inc
 7737 Kenamar Court
 San Diego, CA 92121
 Michael Wilson
 p. 858-371-2028
michael.wilson@ipsgroupinc.com

TO: City of Charlevoix, MI
 210 State St.
 Charlevoix, MI 49720
 Mark L. Heydlauff
 p. (231) 547-3270
markh@charlevoixmi.gov

Salesperson	Contract	Shipping Method	Payment Terms	
MW	NCPA	Ground		Net-30
Qty	Item #	Description	Unit Price	Line Total
<u>SINGLE-SPACE PARKING METERS</u>				
96	895	M5™ IPS Credit Card-Enabled Single-Space Meter (includes 12-month warranty, RFID tag, meter top)	\$455.00	\$43,680.00
9		M5™ IPS Meters - Spares	\$455.00	\$4,095.00
105		NFC Enabled	\$50.00	\$5,250.00
20		3-Cell Battery Packs	\$30.00	\$600.00
1		Battery Charger Assembly (11 Meters per Assembly)	\$115.00	\$115.00
105		Shipping	\$10.00	\$1,050.00
96		Installation Services	\$10.00	\$960.00
			Sub-Total:	\$55,750.00
<u>METER SENSORS</u>				
96		Dome Mount Vehicle Detection Sensors (includes 12-month warranty)	\$250.00	\$24,000.00
9		Dome Sensor Spares	\$250.00	\$2,250.00
105		Shipping	\$7.50	\$787.50
96		Installation Services	\$10.00	\$960.00
			Sub-Total:	\$27,997.50
<u>PARK SMARTER</u>				
210		Stickers (Per Meter) with Spares	\$2.00	\$420.00
210		myparkingreceipts - Stickers	\$2.00	\$420.00
			Sub-Total:	\$840.00

<u>HOUSING (NEW)</u>				
96		Model 90 Housing (Zinc top over Iron vault, Standard color)	\$205.00	\$19,680.00
105		Sealed Coin Cans with stanard lock: Tall	\$35.00	\$3,675.00
96		Shipping	\$15.00	\$1,440.00
96		Installation Services	\$10.00	\$960.00
50		Extended Yoke	\$69.00	\$3,450.00
50		Shipping (Yokes)	\$7.50	\$375.00
Sub-Total:				\$29,580.00
<u>COLLECTIONS</u>				
1		Collection Cart; Standard Head, Trolley, Cannister	\$1,395.00	\$1,395.00
Sub-Total:				\$1,395.00
<u>SURFACE LOTS</u>				
2		MS1 (Pay-by-plate)	\$5,882.00	\$11,764.00
2		NFC Enabled	\$399.00	\$798.00
2		Closed Coin Cannister	\$75.00	\$150.00
2		Installation Services	\$250.00	\$500.00
2		Shipping	\$250.00	\$500.00
1		SPARE: Main Operating Board (with LCD and modem) (800-001)	\$749.00	\$749.00
1		SPARE: Pay-by-plate Alphanumeric Keypad Assembly (767-019)	\$175.00	\$175.00
1		SPARE: 1x6- Horizontal Keypad Complete Assembly (810-002)	\$69.00	\$69.00
2		SPARE: MS1 Card Reader Assembly (767-032)	\$135.00	\$270.00
1		SPARE: Multi-Space Tandem/Dual Pack Battery Backup (767-622-2P)	\$300.00	\$300.00
1		Dual bank Battery Recharger	\$115.00	\$115.00
Sub-Total:				\$15,390.00
<u>INSTALLATION SERVICES T&L</u>				
1		Travel & Living / Day-1	\$900.00	\$900.00
2		Additional Day	\$600.00	\$1,200.00
Sub Total:				\$2,100.00
<u>*BUDGETED Recurring Meter Fees:</u>				
96		SSPM - Monthly Fees, Reports and Communication (per meter)	\$5.75	\$552.00
2		MSPM - Monthly Fees, Reports and Communication (per meter)	\$25.00	\$50.00
96		On-going Real-time reporting Fee for DMS (Park Smarter / Coin)	\$2.75	\$264.00
96		Sensor Management System/Base Data Fee	\$3.50	\$336.00
		Gateway Fee (Per Credit card Transaction for M5's and MS1's)	\$0.13	
Price Sheet prepared by: Michael Wilson, Director Regional Sales			Sub Total	\$133,052.50
Per meter / per Transaction - Secure Credit Card Gateway Fee: \$.13			Sales Tax	TBD
All Recurring fees combined, per meter / per pole, average 7% per month			TOTAL:	\$133,052.50
			Monthly Fees	\$1,202.00

To accept this quotation, sign here and return:

Name	Date
------	------

Charlevoix MI.

ENFORCEMENT/PERMITTING SYSTEMS

Our Mobile Enforcement Solution puts you in charge. Select a 1-piece or 2-piece design, Android or iOS operating system. IPS provides a quick and efficient citation issuance process. Electronic citations are immediately loaded into the Enforcement Management System (EMS) allowing timely access to citation information for your Agency and the public. **IPS can also utilize existing agency Android and/or iOS devices or can supply new ones as provided below.** Paper rolls subject to final volume, approval of artwork design and layout. Pricing does not include any applicable sales tax.

Handheld Enforcement Solutions

MOBILE ENFORCEMENT 1-PIECE SOLUTION LEASE PACKAGE OPTIONS	GOLD	PLATINUM
1 piece N5 Mobile Enforcement Device with built in Printer	X	X
Mobile Enforcement Software	X	X
Remote Management Suite	X	X
Comprehensive Phone Support	X	X
General Maintenance	X	X
Data Plan	X	X
Installation and Training	X	X
Carrying Case, Spare Battery & Cradle	X	X
Warranty	12 months	36 months
Automatic Hardware Refresh (after three years)		X
LEASE PRICING (per device/month)	\$205.00	\$235.00

IPS can utilize existing agency Android and/or iOS devices or can supply new ones as provided below. City can provide equipment separately if desired. IPS also supports 1-piece and 2-piece devices or any combination thereof.

1 PIECE ENFORCEMENT SOLUTION	UNIT PRICE
N5 Print Mobile Enforcement Device	\$2,950.00
N5 Charging Cradle	\$299.00
N5 Spare Battery	\$199.00
N5 Carrying Case	\$50.00
N5 3-Year Warranty (Optional)	\$795.00
2 PIECE ENFORCEMENT SOLUTION	UNIT PRICE
Samsung Note 8 with ruggedized case, charger, and cradle	\$995.00
iOS iPhone 10 with ruggedized case and charger, and cradle	\$1,495.00
Zebra ZQ510 3in BT Printer (or equivalent)	\$1200.00
Additional warranties or items to be priced as requested	To be quoted

Handheld Enforcement Support

Mobile Enforcement Solution	Units	Unit Price
Mobile Data Plan	Per unit /per month	\$50.00
Handheld Support	Per unit/Per month	\$60.00
Software License (one-time fee)	Per Unit	Included
Mobile Citation Paper (per roll) QTY 200	Per roll	\$7.95
Mobile Citation Paper (per roll) QTY 500	Per roll	\$5.95
Mobile Citation Paper (per roll) QTY 1000	Per roll	\$4.95
Plate Charges for Ticket Customization (One-time fee)	Per plate	\$75.00
Estimated Travel Expenses for Installation	Per trip	\$2,000.00
On-site training and installation	Per day	\$600.00

Enforcement Back Office and Processing Services

Enforcement Management System	Units	Unit Price
One Time Setup	Per Unit	\$5,000.00
Annual System License for EMS	Per user	Included
Citation Processing Fee	Per unit	\$1.50
Manual Citation Entry Fee	Per unit	\$1.50
RO Acquisition (local)*	Per unit	\$1.00
RO Acquisition (out of state)	Per unit	30%
Mail-in Payments	Per Unit	\$0.50
Online Payments	Per Unit	\$1.00
Delinquent Notice Processing fee (Includes Postage)	Per unit	\$0.96
Online & IVR Secure Credit Card Payments - Gateway Fee Note: Charged to the Public - assumes the use of the Client Merchant Account	Per transaction	\$2.00 or 3% whichever is higher
Optional: Hosted Merchant Account- Interchange Plus Fees referenced Note: Charged to the Public	Per transaction	\$2.00 or 3% whichever is higher
Additional Letters and Correspondence	Per unit	\$1.25
1st Level Manual Adjudication Services (Online Appeals)	Per unit	Included
2nd Level Adjudication Hearing Services	Per hour	To be quoted

*Local DMV rates may be free based on Agency relationship with DMV. Pricing can vary based on this relationship.

Ticket Collection Services

Collections	Units	Unit Price
Advanced/Delinquent Collections After 90 days	% of amount collected	35% of amount collected

Public Customer Support and Call Center Service (Optional)

Phone, Email and Web Chat	Minutes	Billing Period	Cost
	100	Per Month	\$162.50
	130	Per Month	\$195.00
	230	Per Month	\$325.00
	300	Per Month	\$416.00
	375	Per Month	\$520.00
	580	Per Month	\$780.00
	1000	Per Month	\$1,300.00
	+1000	Per Month	TBD

Permit Management System Fee Schedule

Permits	Units	Unit Price
One Time Setup	Per unit	\$4,000.00
Physical Permit (City needs to choose a permit type)	Per Unit	TBD
Per Permit	Per unit	\$2.00
Permit Fulfillment	Per unit	\$2.25
Per Letter (Includes postage)	Per unit	\$1.25
Online & IVR Secure Credit Card Payments - Gateway Fee *Charged to the Public - assumes the use of the Client Merchant Account	Per transaction	\$2.00 or 3% whichever is higher
Optional: Hosted Merchant Account– Interchange Plus Fees referenced Note: Charged to the Public	Per Transaction	\$2.00 or 3% whichever is higher
Customization per hour	Per Hour	\$175.00

NOTE: Pricing does not include any applicable state or local taxes that are required to be paid by the City currently or in the future. This pricing is FOB, IPS Group, San Diego, CA. Sales taxes and shipping charges will be added to the final invoice. IPS shall have the right to adjust Agreement pricing due to increases in Inflation as published by the US Bureau of Labor Statistics for All Items Consumer Price Index for All Urban Consumers (CPI-U) for the U.S. City Average, and will not exceed 3% compounded annually.

IPS Limited Warranty

IPS will provide a limited parts warranty for any new meter or sensor product manufactured and supplied by IPS for 12 months under normal use. The warranty protects against defects in materials and workmanship from the point of installation or 15 months from the date of delivery, whichever is sooner, and 90 days from the date of delivery received in the case of spare or repaired products.

Additional Warranty Provisions:

IPS must have the opportunity to assist in the initial deployment and system installation.

Repair or replacement under warranty of any defective product (including any meter or subcomponent) does not extend the warranty period for that product or subcomponent.

IPS will either repair or replace products or subcomponents, at our discretion, that are found to be defective within the defined warranty period, with transportation costs pre-paid by the customer.

Returns for credit will only apply once IPS has received defective product (including any meter or subcomponent) and confirmed that defects were within the warranty period and are covered under the terms and conditions of the warranty provided.

IPS strongly recommends that customers pre-purchase spare parts inventory for immediate access. Defective parts can be replaced immediately from customer stock and IPS shall replace such components upon receipt and determination of defect.

On-site labor is explicitly not included in this limited warranty. Customer shall be sufficiently trained to perform all on-site work, including meter or sub-component removal/replacement. IPS can provide additional on-site services under a separate maintenance agreement or quoted on an as-needed basis.

THE WARRANTIES CONTAINED IN THE AGREEMENT DOCUMENTS ARE IPS'S SOLE AND EXCLUSIVE WARRANTIES. THE EXTENT OF IPS'S LIABILITY FOR A WARRANTY CLAIM IS LIMITED TO THE REPAIR OR REPLACEMENT OF THE DEFECTIVE EQUIPMENT OR DEFECTIVE SERVICE AT THE SOLE OPTION OF IPS. IPS AFFIRMATIVELY EXCLUDES ANY AND ALL OTHER WARRANTIES, CONDITIONS, OR REPRESENTATIONS (EXPRESS OR IMPLIED, ORAL OR WRITTEN), WITH RESPECT TO THE EQUIPMENT AND/OR SERVICES PROVIDED INCLUDING ANY AND ALL IMPLIED WARRANTIES OR CONDITIONS OF TITLE, MERCHANTABILITY, OR FITNESS OR SUITABILITY FOR ANY PURPOSE (WHETHER OR NOT IPS KNOWS, HAS REASON TO KNOW, HAS BEEN ADVISED, OR IS OTHERWISE IN FACT AWARE OF ANY SUCH PURPOSE) WHETHER ARISING BY LAW OR BY REASON OF CUSTOM OF THE TRADE.

NOTWITHSTANDING ANYTHING CONTAINED IN THIS AGREEMENT TO THE CONTRARY, IN NO EVENT SHALL EITHER PARTY BE RESPONSIBLE FOR SPECIAL, INDIRECT, INCIDENTAL, CONSEQUENTIAL, EXEMPLARY OR PUNITIVE DAMAGES OF ANY KIND OR NATURE, INCLUDING WITHOUT LIMITATION, LOST PROFITS, LOST REVENUES OR OTHER MONETARY LOSS, ARISING OUT OF OR RELATED TO THIS AGREEMENT AND ANY ACTIONS OR OMISSIONS WITH RESPECT THERETO, WHETHER OR NOT ANY SUCH MATTERS OR CAUSES ARE WITHIN A PARTY'S CONTROL OR DUE TO NEGLIGENCE OR OTHER FAULT ON THE PART OF A PARTY, ITS AGENTS, AFFILIATES, EMPLOYEES OR OTHER REPRESENTATIVES, AND REGARDLESS OF WHETHER SUCH LIABILITY ARISES IN TORT, CONTRACT, BREACH OF WARRANTY OR OTHERWISE. ANY LIABILITY INCURRED BY IPS IN CONNECTION WITH THIS AGREEMENT SHALL BE LIMITED TO THE CONTRACT VALUE AS SET FORTH IN THIS AGREEMENT.

Exclusions: Warranty voided with use of imitation or non-genuine IPS replacement parts, un-authorized alterations, abuse, vandalism, improper installation by customer, handling or general misuse to the equipment (hardware or software), including attempted repairs that result in damage. Warranty specifically excludes any consumable items such as paper, batteries, etc. Force Majeure: IPS shall not be liable for any warranty provisions where such product failure is as a result of Acts of Nature (including fire, flood, earthquake, storm, hurricane or other natural disaster), war, invasion, act of foreign enemies, hostilities (whether war is declared or not), civil war, rebellion, revolution, insurrection, military or usurped power or confiscation, terrorist activities, nationalization, government sanction, blockage, embargo, labor dispute, strike, lockout or interruption or failure of electricity [or cellular telecommunication failures caused by any of the events or causes described above). IPS provides no warranty with respect to any 3rd party hardware or software, whether supplied in connection with this Agreement or otherwise.

Preventative Maintenance: The primary operational elements will be a working battery, card reader, coin validator and printer (if applicable). All product surfaces should be kept clean with mild soap and water. No harsh chemicals should be used on any plastic surfaces. The card reader heads should be cleaned with a cleaning card every 1-2 months to ensure optimum performance. Cleaning cards may be purchased from IPS. Batteries should be replaced when notified by the IPS Data Management System. At 6 month increments, the coin validator shall be visually inspected for any damage or debris. Compressed air may be used to keep the card reader, coin acceptor or printer (if applicable) clear of debris, every 6 months. Additional preventative maintenance shall be administered by customer staff at such time as it is apparent to be necessary, even if it should occur on a more frequent basis than described herein.



111 State Street · P.O. Box 217 · Charlevoix, Michigan 49720 · (231) 547-4411 · FAX (231) 547-1840

August 14, 2019

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

HAND DELIVERD

Dear Mr. Heydlauff:

Please be advised that Charlevoix State Bank has approved a loan for up to \$150,000 to the City of Charlevoix for the purchase of parking meters. The loan will be for a five-year term, fully amortizing, and will carry a tax exempt interest rate (under Act 99) of no more than 2.875%. This proposal will expire in 30 days.

Please call if you have any questions or concerns.

Respectfully,

A handwritten signature in black ink, appearing to read "MR Hinkle", written over a horizontal line.

Michael R. Hinkle
President and CEO

CHARLEVOIX CITY COUNCIL

All Other Actions and Requests

TITLE: Apple Fest Street Closure Decision

DATE: August 19, 2019

PRESENTED BY: Mark L. Heydlauff, City Manager

BACKGROUND:

Last fall, Council placed a full closure of Bridge Street in our annual MDOT permit. This would have Bridge Street closed from Friday morning through late Sunday/early Monday morning. Following the street closure earlier this summer for Boyne Thunder and the Chamber's Summer Art and Craft show, there was Council discussion of reducing or eliminating this closure for Apple Fest. Chamber President Sarah Hagen requested to me this week that the street not be closed at all for this year's event; they request to know Council's decision by the end of this month for their planning purposes.

RECOMMENDATION:

Council discussion and direction.

CHARLEVOIX CITY COUNCIL

All Other Actions and Requests

TITLE: Set Short Term Rental Work Session

DATE: August 19, 2019

PRESENTED BY: Mark L. Heydlauff, City Manager

BACKGROUND:

At your last meeting, you discussed holding a Work Session on September 16 to discuss short term rentals and potential changes to our regulatory structure for them. I would suggest you formally set this time and advise me of other research you'd like in advance of this. Council Member Hagen mentioned the regulatory method in Marquette; I've attached their ordinance amendment related to short term rentals for your information.

RECOMMENDATION:

Motion to set a Work Session for the purpose of discussing Short Term Rentals for xxpm on September 16, 2019

ATTACHMENTS:

- ▣ Marquette Vacation Home Ordinance

ORDINANCE #668

AN ORDINANCE TO AMEND THE MARQUETTE CITY CODE, TITLE XII, CHAPTER 80 - THE ZONING ORDINANCE, BY AMENDING THE FOLLOWING SECTIONS:

80.02 DEFINITIONS, Vacation Home Rental

80.20 RS-SINGLE FAMILY RESIDENTIAL DISTRICT 1. Intent, 3.) Requirements for Principal Uses

80.21 RG-GENERAL RESIDENTIAL DISTRICT, 3.) Requirements for Principal Uses

80.22 RM-MULTIPLE FAMILY RESIDENTIAL DISTRICT, 3.) Requirements for Principal Uses, A.) Short Term Rentals, 1-2

80.24 BC-COMMUNITY BUSINESS DISTRICT, 3.) Requirements for Principal Uses, "C"

80.25 CBD-CENTRAL BUSINESS DISTRICT; 3.) Requirements for Principal Uses, "C"

80.35 DOWNTOWN MARQUETTE WATERFRONT FORM BASED CODE (NL SUBDISTRICT), B. Parking Regulations, 5-6

80.36 SOUTH MARQUETTE WATERFRONT FORM BASED CODE (TN-R SUBDISTRICT), Elements and Use, Standards for Permitted Uses

AND 80.42 OFF-STREET PARKING AND LOADING ZONE REQUIREMENTS, 2. A. (1.) Residential, B. Parking Regulations 5-6

The City of Marquette Ordains:

SECTION 1: The following Sections are hereby repealed:

80.02 DEFINITIONS, Vacation Home Rental

80.20 RS-SINGLE FAMILY RESIDENTIAL DISTRICT 1. Intent, 3.) Requirements for Principal Uses

80.21 RG-GENERAL RESIDENTIAL DISTRICT, 3.) Requirements for Principal Uses

80.22 RM-MULTIPLE FAMILY RESIDENTIAL DISTRICT, 3.) Requirements for Principal Uses, A.) Short Term Rentals, 1-2

80.24 BC-COMMUNITY BUSINESS DISTRICT, 3.) Requirements for Principal Uses, "C"

80.25 CBD-CENTRAL BUSINESS DISTRICT; 3.) Requirements for Principal Uses, "C"

80.35 DOWNTOWN MARQUETTE WATERFRONT FORM BASED CODE (NL SUBDISTRICT), B. Parking Regulations, 5-6

80.36 SOUTH MARQUETTE WATERFRONT FORM BASED CODE (TN-R SUBDISTRICT), Elements and Use, Standards for Permitted Uses

AND 80.42 OFF-STREET PARKING AND LOADING ZONE REQUIREMENTS, 2. A. (1.) Residential, B. Parking Regulations 5-6

SECTION 2: New Sections are adopted as follows:

80.02 Definitions.

Vacation Home Rental: A single-family home, or a dwelling unit in a duplex or multi-family dwelling structure, or any other dwelling unit, in which up to four bedrooms are rented by a single lessee or renter for overnight accommodations, for periods as short as one overnight stay. Meals are not provided with rental, but kitchen and/or dining facilities are available for guests to prepare their own meals. The property owner may or may not live in the dwelling unit for part of the year, but the property owner may not live in the unit concurrently with any lessee. Only properties that have received approval of a rental registration application are recognized as a Vacation Home Rental for purposes of complying with City of Marquette ordinances.

80.20 RS-Single Family Residential District.

1. Intent. To establish and preserve quiet, attractive neighborhoods of detached single family dwellings with a low to medium density. Some additional non-commercial, compatible uses

may be allowed.

3. Requirements for Principal Uses.

A. No more than one single family dwelling unit may be located on a lot.

B. Registered Short-term Rentals (Homestays and Vacation Home Rentals) shall be limited in proximity to one another by the following standards:

1. One registered Homestay and/or one registered Vacation Home Rental may be permitted (by application) per street segment or block face between intersections, except where the street segment or block face exceeds 500 linear feet in length, in which case an additional Short-term Rental of each type is allowed for each exceedance of 500 linear feet of the street segment/block face between intersections. Corner houses are assigned to the block face/street segment that corresponds to the property street address; the Zoning Administrator shall keep a map of the registered and approved short-term rentals for purposes of verifying their location and reviewing applications for short-term rentals.
2. Registered Short-term Rentals (Vacation Home or Homestay) must be separated from one another by a minimum of one parcel of developable property not registered or intended for use as a Vacation Home or Homestay, and/or by a public street corridor (right-of-way).
3. If in compliance with 80.20.3.B. and other Zoning Ordinance requirements, up to three dwelling units on one parcel may be registered as vacation home rentals.
4. A Vacation Home Rental that is in compliance with sec. 80.20.3.B. and other Zoning Ordinance requirements may also be a Homestay if it meets the Homestay requirements and is approved by the Zoning and Fire Departments as both a Vacation Home Rental and a Homestay. The proximity standards specified (sec. 80.20.3.B.) would be applied only as a Vacation Home Rental to such a property, not as both a Vacation Home and a Homestay.

80.21 RG-General Residential District.

3. Requirements for Principal Uses.

A. No more than one single family dwelling unit may be located on a lot.

B. Registered Short-term Rentals (Homestays and Vacation Home Rentals) shall be limited in proximity to one another by the following standards:

1. One registered Homestay and/or one registered Vacation Home Rental may be permitted (by application) per street segment or block face between intersections, except where the street segment or block face exceeds 500 linear feet in length, in which case an additional Short-term Rental of each type is allowed for each exceedance of 500 linear feet of the street segment/block face between intersections. Corner houses are assigned to the block face/street segment that corresponds to the property street address; the Zoning Administrator shall keep a map of the registered and approved short-term rentals for purposes of verifying their location and reviewing applications for short-term rentals.
2. Registered Short-term Rentals (Vacation Home or Homestay) must be separated from one another by a minimum of one parcel of developable property not registered or intended for use as a Vacation Home or Homestay, and/or by a public street corridor (right-of-way).
3. If in compliance with 80.21.3.B. and other Zoning Ordinance requirements, up to three dwelling units on one parcel may be registered as vacation home rentals.
4. A Vacation Home Rental that is in compliance with sec. 80.21.3.B. and other Zoning Ordinance requirements may also be a Homestay if it meets the

Homestay requirements and is approved by the Zoning and Fire Departments as both a Vacation Home Rental and a Homestay. The proximity standards specified (sec. 80.21.3.B.) would be applied only as a Vacation Home Rental to such a property, not as both a Vacation Home and a Homestay.

80.22 RM-Multiple Family Residential District.

3. Requirements for Principal Uses.

A. Short-term rentals.

2. A maximum of four units may be rented for a short-term basis in housing structures/complexes that have up to forty-nine (49) units; a maximum of ten percent of units may be rented for a short-term basis in housing structures/complexes that have fifty (50) or more units.

80.24 BC-Community Business District.

3. Requirements for Principal Uses.

- C. 1.125 parking spaces for each residential dwelling unit shall be provided.

80.25 CBD-Central Business District.

3. Requirements for Principal Uses.

- C. 1.125 parking places shall be provided for each residential dwelling unit.

80.35 Downtown Marquette Waterfront Form Based Code (NL subdistrict).

Marquette Waterfront – North Lakeshore Frontages

Standards for Permitted Uses

1. Short-term rentals.

- B. A maximum of four units may be rented for a short-term basis in housing structures/complexes that have up to forty-nine (49) units; a maximum of ten percent of units may be rented for a short-term basis in housing structures/complexes that have fifty (50) or more units.

80.36 South Marquette Waterfront Form Based Code (TN-R subdistrict).

Elements and Use

Standards for Permitted Uses

2. Registered Short-term Rentals (Homestays and Vacation Home Rentals) shall be limited in proximity to one another by the following standards:
 - a. One registered Homestay and/or one registered Vacation Home Rental may be permitted (by application) per street segment or block face between intersections, except where the street segment or block face exceeds 500 linear feet in length, in which case an additional Short-term Rental of each type is allowed for each exceedance of 500 linear feet of the street segment/block face between intersections. Corner houses are assigned to the block face/street segment that corresponds to the property street address; the Zoning Administrator shall keep a map of the registered and approved short-term rentals for purposes of verifying their location and reviewing applications for short-term rentals.
 - b. Registered Short-term Rentals (Vacation Home or Homestay) must be separated from one another by a minimum of one parcel of developable property not registered or intended for use as a Vacation Home or Homestay, and/or by a public street corridor (right-of-way)

- c. If in compliance with Standards for Permitted Uses and other Zoning Ordinance requirements, up to three dwelling units on one parcel may be registered as vacation home rentals.
- d. A Vacation Home Rental that is in compliance with the Standards for Permitted Uses and other Zoning Ordinance requirements may also be a Homestay if it meets the Homestay requirements and is approved by the Zoning and Fire Departments as both a Vacation Home Rental and a Homestay. The proximity standards specified in this section would be applied only as a Vacation Home Rental to such a property, not as both a Vacation Home and a Homestay.

80.42 Off-Street Parking and Loading Zone Requirements.

2. Required Parking. (For uses in the Central Business District see also Sec. 80.25.4)

A. SCHEDULE OF PARKING REQUIREMENTS

In all districts there shall be provided off-street parking for motor vehicles. When a public parking lot has been provided by special assessment, the required parking may be reduced by the number of spaces in the public lot representing the same percentage as the property's participation in the special assessment district costs. The number of spaces to be provided shall be based on the following schedule:

(1) Residential.

Short-term rental – single bedroom dwelling unit	1 space per dwelling unit.
Single Family and two family units	2 spaces per dwelling unit, except BC and CBD Zoning Districts.
Multiple family units with 3 or 4 dwelling units	Two spaces per dwelling unit, minus one from the total; except BC and CBD Zoning Districts.
Multiple family units with 5 or more dwelling units	Two spaces per dwelling unit, minus 2 from the total; except BC and CBD Zoning Districts.
Hotels, motels	1.25 spaces per rental unit
Fraternities, Sororities, and rooming houses	1 Space for each capacity occupant
Nursing/Convalescent Homes	1 space for each three units
Homeless shelter	Established based on the needs of each facility. As a general rule, shelter facilities providing services to families will require more parking than emergency shelters that serve homeless individuals exclusively.

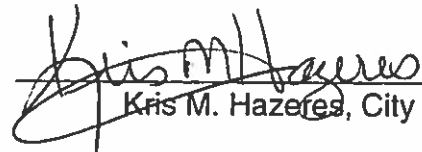
B. PARKING REGULATIONS

- (5) In single family residential districts (RS, RG), off-street parking may be located on a site other than the site to which it pertains, and within the City limits or in an adjacent township. In multi-family districts (RM) and new multi-family developments in mixed-use zoning districts, the required off-street parking shall be located on the same site as the use to which it pertains.
- (6) In all districts except the residential districts parking shall be located within 2,000 feet of the lot on which the use is located measured from lot corner along a street or

streets. If the use is located in a building the distance shall be measured along streets from the nearest point of the building to the nearest corner of the lot on which the parking is located.

SECTION 3: EFFECTIVE DATE. This ordinance shall become effective ten days after adoption but not before publication.


David J. Campana, Mayor


Kris M. Hazeres, City Clerk

Adopted: May 29, 2018

Published: June 1, 2018

CHARLEVOIX CITY COUNCIL

Reports and Communications

TITLE: City Manager's Comments

DATE: August 19, 2019

PRESENTED BY: Mark L. Heydlauff, City Manager

BACKGROUND:

A. Interactive Water Fountain Inspection

Thanks to Joe Schwartzfisher who helped us pass our annual inspection with flying colors. This is a great feature in our downtown and I'm thankful for our staff who help it function safely for all to enjoy.

B. Potential Expansion of Farmer's Market

I had a couple folks tell me recently they wished we better utilized Ferry Beach Park. One resident in the area suggested we move the Farmer's Market there from downtown. During our Mayor's Exchange, I chatted with one Council member from Holland who mentioned they recently began an evening Farmer's Market with great success from those who are not able to attend during the day. Given all of this, I've asked our Rec Department to study the options of creating an evening Farmer's Market based at Ferry Beach. We'll be surveying our vendors and exploring whether this is feasible before bringing it back to Council for a decision. I envision this as an additional market beyond our traditional Thursday time as well.

C. Public Housing Information

I joined two of our Housing Commissioners last week at a forum at Pine River Place hosted by the Housing and Urban Development Department. They discussed different options the federal government now offers for managing public housing and how this could be a resource to improve the quality of housing offered at Pine River Place. I expect the Housing Commission will continue to review these options and may request action from Council in the future if they determine a change in the Deed of Trust would be beneficial.

D. Public Service Facility Update

We have released the requirements for bidding and held a pre-bid meeting for contractors on August 8 for the proposed Public Service Facility. We were pleased at the number of potential bidders who attended the meeting. We have delayed bid opening for one week until September 5; this was done to provide potential bidders a bit more time to plan work schedules and other work they are bidding.

Pat Elliott met this week with MDOT regarding the potential they would pay a portion of the cost for the new salt and sand storage building. Since we provided maintenance on state trunk lines, MDOT may be willing to cover a proportional cost of this structure tied to the amount of product we use to clean their roads as a percentage of our overall product use.

E. Storm Water Control Ordinance

In conjunction with our colleagues in Boyne City and East Jordan along with the Tip of the Mitt Watershed Council, we are working to complete an ordinance that can be adopted by all three cities to jointly address storm water run off. This will compliment the ordinance in place in all the townships in Charlevoix County. We hope to have Charlevoix County enforce the ordinance on our behalf through the Building Department. I expect to bring you a draft of the ordinance early this fall.

F. Charter Amendment Problem

You will see a letter from City Attorney Scott Howard attached to this item outlining the lack of time between Council action on submitting Charter amendments to the County Clerk and the required reviews by state officials. I would suggest we plan a time this fall or winter to meet with the City Attorney to discuss Council's wishes regarding potential amendments for the ballot in 2020.

ATTACHMENTS:

- ▣ Scott Howard Letter RE: Charter Amendments
- ▣ Recreation Advisory Committee Minutes
- ▣ Housing Commission Minutes
- ▣ DDA Minutes
- ▣ DDA Minutes



August 15, 2019

City of Charlevoix
Attn: Mark Heydlauff
210 State Street
Charlevoix, MI 49720

Via Email: markh@cityofcharlevoixmi.gov

RE: Charter Amendments
Our File No: 5984.00

Dear Mark:

I am writing in regards to the proposed Charter amendments discussed by Council and submitted to the State of Michigan for review and approval. Unfortunately, the time between Council's approval on August 5, 2019 of the actual ballot language to be submitted to the State and the August 13, 2019 deadline for submission to the County Clerk of the approved ballot language did not allow for sufficient time to get final State review and approval of all five ballot initiatives. Of particular concern to the State was to make sure the language and process for changing from two year terms to four year terms was done through the appropriate process.

Because we could not get approval for the actual ballot language from the state prior to August 13, 2019, I instructed the City Clerk that we would need to wait for a subsequent election to have approved ballot language for the Charter amendments. The State will review and provide any required revisions to the ballot language well in advance of the date for the publication of the ballot for the next regularly scheduled election and Council will have the option of choosing the election date for the amendment ballot questions, along with just how many amendments Council would like on any given ballot at a time. Finally, we will have the state review all of the additional non-substantive amendments discussed in case Council decides it would like to submit any of these other revisions to the voters.

I apologize for the delay in the process of amending the Charter. I should have realized that the State would need more time with the actual ballot language for the proposed Charter amendment and should have had proposed ballot language approved by Council with more time for the State to fully review the language. However, we will have plenty of time for the State to fully vet any proposed amendment ballot language before the next regular election and Council can proceed forward with revisions to the Charter in an orderly and deliberate fashion. This will also allow the City time to solicit additional feedback from residents and explain the rationale for any proposed Charter amendments well in advance of the actual election.

City of Charlevoix
August 15, 2019
Page 2

Please provide this correspondence to Council and let them know I am available to answer any questions they may have.

Sincerely,

A handwritten signature in blue ink, appearing to read "S.W. Howard", is positioned above the printed name.

Scott W. Howard
scott@envlaw.com



CITY OF CHARLEVOIX RECREATION ADVISORY COMMITTEE

Wednesday, April 10, 2019

Meeting Minutes

I. Call to Order/Roll Call

Member Gowell (for absent Chair Seely) called the meeting to order at 6:00PM.

Members Present: Gowell, Matye, Joy, Bryan, Vollmer, Kelly, Fruk

Staff Present: Knorr, Anzell

Members Absent: Seely, Cunningham

II. Inquiry Regarding Possible Conflicts of Interest

None.

III. Determination of a Quorum

Yes.

IV. Motion to Approve Minutes

A. December 12, 2018 Meeting Minutes

Member Gowell called for a motion to approve the December 12, 2018 meeting minutes. Member Kelly noted that he was present at the December meeting but marked as absent. Anzell noted the change. Motion made by Member Vollmer, second by Member Bryan. Motion passed by a unanimous voice vote.

V. Old Business

A. Kayak Launch Update

Director Knorr reported that Leadership Charlevoix County has an upcoming fundraiser – Notta Regatta - for the Kayak Launch. Their goal is to raise \$25,000 for the project.

B. Candlelight Hikes

Knorr noted that each of the hikes had good turn outs. Survey responses were very positive with most everyone wanting the hikes to continue for longer into the season. The only negative was the lack of help we had in set up and tear down. More volunteers are needed along with a few other adjustments for next year.

C. Mt. McSaubia

Numbers were down despite the promotional efforts. We included adult lessons this year. Next year we need to expand promotion to neighboring communities.

D. Shuffleboard Update

Director Know reported that Bob Jess created a conceptual drawing on top of Bridge Park near BIBCO. The thought is that it would be used for shuffleboard in the summer and curling in the winter. We have a private citizen as a source of financing the project. For now, the project is on hold.

E. Golf Course Update

Cheryl Shanahan has replaced Tom Heid as Golf Club Manager and Brian Livingston is our Grounds Supervisor. Both are energetic and have already hit the ground running. Brian and Kent are looking at ways to 'grow' parts of the course back to a natural habitat – a natural setting to view birds. Business After Hours on June 5 will be at the Golf Club. Knorr let the committee know that the Junior Golf Program needs volunteers. Member Joy said she would help and maybe other high school students would as well.

VI. New Business

A. Beach Clean-Up

A community member reached out to Director Knorr with the idea of having a community beach clean-up. While a good idea. Knorr felt it may be something we take on down the road. Member Kelly suggested we utilize people needing community service hours. The topic will come up again at a later date.

B. Dog Park

Ginger Stevens reached out to the City regarding creating a dog park. While this is a popular idea, the problem comes down to location. Director Knorr wonders if a separate committee should be formed to look at the logistics of the idea. It is a discussion item that has been called out in our Master Plan.

C. Day Camp

Knorr passed out the new camp brochures and talked about the new changes being introduced this year. We have added new curriculum, a training component for the Counselors and an after program called Camp Chill.

D. McSauba Improvements

Knorr reported that we are looking to move the ski racks to a better location. We have a community member that volunteered to make some needed improvements to the warming hut at the ice rink.

E. Summer Programs

Director Knorr is planning family camping nights at McSauba that would include movies, camp fires and breakfast. Member Fruk suggested we include a recreation equipment swap during the camping event.

F. Bike to Work Day

Director Knorr reported that the Recreation Department is sponsoring Bike to Work Day – May 17, which is National Bike to Work Day. There will be designated areas outside of town for people to park and then ride into work from there. The Rec Department will set up a tent on Bridge Street and pass out water bottles to all who bike or walk that day.

G. Venetian Games

The Recreation Department will be more involved with the Venetian Games this year. We have agreed to take on registration via RecDesk for 5 games – 3 on 3 basketball, 3 on 3 soccer, tennis, pickleball and beach volleyball. The Rec Department will be acknowledged as a Game Sponsor.

VII. Miscellaneous Business

We are hiring a part-time seasonal worker to maintain the ball fields.

VIII. Call for Public Comment

None.

IX. Adjournment

With no other business to discuss, Member Gowell called for a motion to adjourn at 7:46PM. Motion made by Member Kelly, second Member Vollmer. Motion passed by a unanimous voice vote.

Future meeting schedule: June 12, September 11 and December 11, 2019



CHARLEVOIX HOUSING COMMISSION

210 WEST GARFIELD ST.

CHARLEVOIX, MICHIGAN 49720

(231) 547-5451

REGULAR MEETING

PROJECT
PINE RIVER PLACE

CHARLEVOIX HOUSING COMMISSION

WEDNESDAY, JUNE 18, 2019

2:00 P.M.

PINE RIVER PLACE COMMUNITY ROOM

Commissioners present: Joan Buday, Mitts Lee, Laurene Crandall, Lillian Left, R. J. Waddell

Commissioners absent:

Others present: Cindy Morris, Occupancy Specialist, Kerry Hocquard, Maintenance Supervisor, Annessa Haist, Interim Director, Mt. Pleasant Housing Commission, Mark Little, Mt. Pleasant Housing Commission.

Chairperson M. Lee called the meeting to order at 2:00 p.m.

The agenda was accepted as presented with the addition of one item, review of the Interim Maintenance Service Contract.

Kerry Hocquard was introduced as the new Maintenance Supervisor. A. Haist explained that the Maintenance Service Contract was no longer needed to be in full effect and suggested it be terminated as of the end of the month.

After a complete discussion, L. Crandall moved, Seconded by L. Left to terminate the MPHC Interim Maintenance Service Contract effective June 30, 2019.

Ayes: Buday, Lee, Crandall, Left

Nays: none

J. Buday moved, seconded by L. Left to accept the regular meeting minutes of May 21, 2019 as presented.

Ayes: Buday, Lee, Crandall, Left

Nays: none

Interim Executive Director Report: A. Haist reported that the domestic hot water boiler repair and replacement was completed. Capital Funds will be used for payment as it was an

emergency repair. The project is still eligible for the DTE incentive program and we are hoping that funds are available through that.

A. Haist introduced the new maintenance supervisor Kerry Hocquard.

The office is being relocated to the old office space and the converted unit will be restored so it can be rented to a tenant. The unit was incorrectly taken off-line and we are reporting back to HUD regarding this.

The Audit for FYE 03/31/19 is scheduled for the week of August 9, 2019.

Year End GAAP Accounting/CHC Budget and CFP – Information and reports were submitted to HUD. Budget revisions are being made with staffing, contracts, and capital fund projects. Work is being done on completing the 5 year plan.

eLOCCS – The eLOCCS system is being successfully utilized for drawing down funds. We are still working to update the authorizing official for Charlevoix to be the board president, Mitts Lee.

MPHC Board Update – An executive director search is being done and the position has been posted on the NAHRO National and Michigan chapter websites and also on Indeed.com.

DTE – DTE is working on installing programable thermostats. CHC is at the top of the list for rebates. A current proposal was reissued after the domestic hot water heater broke down. Bid on the other boilers is moving forward.

Old Business:

None

New Business:

L. Left moved, seconded by L. Crandall to accept the financial statements for March and April 2019 as presented.

Ayes: Buday, Lee, Crandall, Left, ~~Wadden~~

Nays: none

CGE – A. Haist reported that MPHC is the lead agency for the project. There will be discussion at the MPHC June 19, 2019 Board meeting on how to proceed and the CHC Board will be updated at the next meeting.

Resolution VI-19 – Flat Rent Update

L. Crandall moved, seconded by L. ~~Crandall~~ ^{Left} to accept the flat rents as presented to be effective August 1, 2019.

Ayes: Buday, Lee, Crandall, Left

Nays: none

Public Comment:

Resident praised A. Haist for being the CHC Interim Director. Resident inquired as to when the boiler heat issue will be addressed. M. Little commented on the process of getting the boiler replaced. He also discussed the leaking roof, stating that it has been fixed. The roof will be replaced as soon as money is available.

Adjournment: M. Lee introduced the new Board Member, R.J. Waddell. Meeting was adjourned at 2:31 p.m.

Respectfully submitted,

Board Chairperson Signature



The next Board Meeting is July 16, 2019 at 2:00 p.m. at the Pine River Place Community Room at 210 W. Garfield St., Charlevoix, MI 49720.

Mission Statement: To promote adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination.

CITY OF CHARLEVOIX
DOWNTOWN DEVELOPMENT AUTHORITY / MAIN STREET SPECIAL MEETING
Monday, June 24, 2019 at 5:30 p.m.
210 State Street, City Hall, Charlevoix, Michigan

1. Call to Order

2. Pledge of Allegiance

3. Roll Call

Chair: Maureen Owens

Members Present: Sam Bingham, Sean Bradley, Richard Christner, Kirby Dipert, Luther Kurtz, Paul Silva, Amanda Wilkin

Members Absent: Rick Wertz

City Staff: Lindsey Dotson, Executive Director

4. Inquiry into Potential Conflicts of Interest

5. Consent Agenda

6. Reports

A. Informational Meeting

Director Dotson stated that pursuant to Act 57 of 2018, the DDA had to hold two public information sessions each year. She proceeded to review every aspect of what the DDA is responsible for including a brief timeline of the DDA projects that align with the TIFF Plan updates which equated to over \$12 million dollars invested in the District. She presented a brief summary of the DDA budget. She stated that they became a *Select Level Michigan Main Street Community* and the DDA was in their 4th year of programming with the *Main Street Program*.

Director Dotson proceeded to describe the DDA's organizational structure. She stated as part of participating in the *Main Street Program* they were also affiliated with *Main Street America*. She stated the total volunteer hours since 2014 were over 11,000 which equates to nearly \$300,000. She further reviewed in-kind services they have received from the *Michigan & National Main Street Centers*. The DDA adopted their *Transformation Strategy of Health & Wellness and Entrepreneurial Ecosystems*. Director Dotson stated that they received a Business Recruitment Strategy and they have since created property information sheets for available property downtown. They also received a Communications Plan.

Director Dotson provided information on the recently adopted Downtown Plan which will help Charlevoix become a Redevelopment Ready Community. She stated that last month they had a technical assistance visit from the *National Main Street Center* focusing on building an Entrepreneurial Ecosystem in Charlevoix. She stated in 2018, the DDA received accreditation from the *National Main Street Center*. The DDA hosted the *Connecting Entrepreneurial Communities Conference* and they were honored by the *University of Michigan Dearborn E-Cities* which recognized Charlevoix as a top performing entrepreneurial place. Director Dotson stated that she received the *Main Street American Revitalization Professional* certification this year.

Director Dotson stated that they have tracked over five million dollars of private investment in the District since 2015, 35 new businesses have opened in the District, 27 façade improvements, creation of *Life in Charlevoix* app, email newsletter, Downtown Charlevoix Facebook page, and an Instagram account.

7. Old Business

8. New Business

9. Public Comment

Gene Dixon, Clinton Street, suggested was there was a need for a dog park in Charlevoix. He noted that the alley running from State Street to the Library needs to be resurfaced, and there were a couple of unkempt houses across from the Library that need to be addressed.

10. Request for Future Agenda Items

11. Board Comments

12. Adjourn

Clerk's Note: No formal adjournment; at 5:58pm the Board moved on to the Consent Agenda of the Regular Meeting.

Joyce Golding/fgm

City Clerk

Maureen Owens

Chair

CITY OF CHARLEVOIX
DOWNTOWN DEVELOPMENT AUTHORITY / MAIN STREET MEETING
Monday, June 24, 2019 at 6:00 p.m.
210 State Street, City Hall, Charlevoix, Michigan

1. Call to Order

2. Pledge of Allegiance

3. Roll Call

Chair: Maureen Owens

Members Present: Sam Bingham, Sean Bradley, Richard Christner, Kirby Dipert, Luther Kurtz, Paul Silva, Amanda Wilkin

Members Absent: Rick Wertz

City Staff: Lindsey Dotson, Executive Director

4. Inquiry into Potential Conflicts of Interest

5. Consent Agenda

A. Committee Minutes

B. Minutes

C. Monthly Reports

D. Memorandum of Understanding with CEDAM

Motion by Member Dipert, second by Member Christner to approve the Consent Agenda items as presented. Motion passed by unanimous voice vote.

6. Reports

A. Director's Report

Director Dotson stated that she added important dates to the Report including the Bridge Lighting Ceremony.

7. Old Business

8. New Business

A. Summary of Work Session & Establishment of Updated Goals

Chair Owens recalled that at their last Work Session the Board agreed to focus their efforts on the SBEI study recommendations and workforce housing. Member Wilkin questioned if they had heard anything about the SBEI funding and Director Dotson stated that the response was not positive at this point.

Motion by Member Dipert, second by Mayor Kurtz to establish two priorities of the Main Street DDA Board including the implementation of the SBEI study recommendations and addressing workforce housing issues in the downtown. Motion passed by unanimous voice vote.

B. Façade Grant Applications

Director Dotson felt that Member Silva had a conflict of interest and he recused himself.

Director Dotson stated that the Design Committee received two applications for the first round of funding in the 19/20 fiscal year: Hotel Earl and the building where North Coast Properties and Morning Dew Café is located. The Design Committee recommended a \$2,300 grant for Morning Dew Cafe (LSB Ventures) and a \$10,000 grant for Hotel Earl. The item was opened and closed for public comments as there were none.

Motion by Member Bradley, second by Member Christner to award a Façade Grant to Hotel Earl in the amount of \$10,000 and LSB Ventures in the amount of \$2,300.

Yeas: Bingham, Bradley, Christner, Dipert, Kurtz, Wilkin, Owens

Nays: None

Absent: Wertz

Abstain: Silva

C. Coworking/Business Incubator Space

Member Silva returned to the dais. Director Dotson stated that the office space below the Huntington Bank Building is currently available for rent for \$1,000 per month including utilities. She described the 2,000 square foot space and the available parking. She stated that she had worked up a rough budget and that upfront costs would include decorating to make the space attractive to entrepreneurs. She felt that it was essentially a breakeven proposition.

Member Christner questioned if there was any current interest in renting the spaces. Laura Simmons, Economic Vitality Committee member, stated that she had a home office and would love to have such a space and she felt that others in her network would be able to recruit people to fill the spaces. Director Dotson responded to questions as the Board discussed the pros and cons. Mayor Kurtz and Member Wilkin expressed their concerns.

Motion by Member Bingham, second by Member Christner to authorize the Executive Committee to enter into a lease for the office space at 201 State Street to be used as a coworking/business incubator for Charlevoix and to amend our 2019/2020 budget to include a line for this project in both the expense and income sections with expenses not to exceed \$26,000.

Yeas: Bingham, Bradley, Christner, Dipert, Wilkin, Owens, Silva

Nays: Kurtz

Absent: Wertz

Chair Owens noted that the Executive Committee would meet to review the lease and make plans to move. Director Dotson suggested that they could coordinate a site visit.

9. Public Comment

10. Request for Future Agenda Items

Member Silva explained that some cities have a live traffic person directing pedestrians and cars at busy intersections and he felt that was needed at Clinton and Bridge Streets. Chair Owens recalled the City Manager advising Council that MDOT would be reviewing that intersection in 2020. The Board supported the idea and asked the Director to speak to the Police Chief about the proposal. Mayor Kurtz questioned if the DDA would consider paying a portion of the cost to have a traffic control person during the summer months. Member Wilkin stated that they need to be aware that online complaints are becoming more common.

11. Board Comments

12. Adjourn

Motion by Member Dipert, second by Mayor Kurtz to adjourn the meeting. Motion passed by unanimous voice vote. Meeting adjourned at 6:45 p.m.

Joyce Golding/fgm

City Clerk

Maureen Owens

Chair