

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, May 4, 2020 – 6:00 p.m.
Virtual Meeting Held via Zoom

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

1. Pledge of Allegiance

2. Roll Call

Mayor: Luther Kurtz
Members Present: Greg Bryan, Shane Cole, Aaron Hagen, Janet Kalbfell, Tom Oleksy, Brian Slater
Members Absent: None
City Manager: Mark L. Heydlauff
City Clerk: Joyce Golding

3. Inquiry Regarding Conflicts of Interest

4. Consent Agenda

All items listed under Consent Agenda are considered routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion of an item is required, it will be removed from the Consent Agenda and considered separately.

- A. City Council Meeting Minutes – April 20, 2020
- B. Accounts Payable and Payroll Check Registers
 - a. Special Accounts Payable Check Register – April 20, 2020
 - b. Regular Accounts Payable Check Register – May 5, 2020
 - c. ACH Payments – April 20, 2020 to May 1, 2020
 - d. Payroll Check Register – May 1, 2020
 - e. Payroll Transmittal – May 1, 2020
- C. Garden Plot Fee Waiver – eight plots for the food bank
- D. Fuel Farm Sponsor Contract - \$85,424

CITY OF CHARLEVOIX
RESOLUTION NO. 2020-05-02
EXECUTION OF SPONSOR CONTRACT WITH THE STATE OF MICHIGAN DEPARTMENT OF TRANSPORTATION
FOR A FEDERAL/STATE/LOCAL AIRPORT PROJECT
(Federal Project No. B-26-0017-0620 MDOT Contract No. 2020-0523)

WHEREAS, *the City is entering into a contract with the State of Michigan Department of Transportation for the Construction Fuel Farm-Expand Jet A (20,000 gallons) including Card Reader-Design and Construction; and*

WHEREAS, *the Contract agreement will be in the amount of eight hundred twenty-eight thousand dollars. (\$828,000) with the contract agreement funding breakdown of 90% Federal, 5% State (MDOT) and 5% Local match; and*

WHEREAS, *the City of Charlevoix Local Share of the project will be eighty-five thousand four hundred and twenty-four dollars (\$85,424) of which, the City of Charlevoix will seek reimbursement in the amount of forty-six thousand three hundred and forty-one dollars (\$46,341).*

NOW THEREFORE BE IT RESOLVED, *that the City of Charlevoix City Council hereby authorizes the City Manager to execute the MDOT Sponsor Contract agreement after review by City Staff and the City Attorney.*

RESOLVED *this 4th day of May 2020 A.D.*

Resolution was adopted by the following yea and nay vote:

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

- E. Approval of Pavement Marking Proposal – PK Contracting \$16,664.96
- F. Approval of 2020 Restroom Cleaning Proposal – Conway Professional Services

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

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

5. Actions Laid Upon the Table

A. Amend Council Rules of Procedure: Remote Participation

City Manager Heydlauff stated that the draft amendment to Council's Rules of Procedure would not permit on-going remote meetings. It would, however, permit members to participate remotely so long as a quorum could be constituted in the meeting room. This may be necessary for folks faced with a stay-at-home requirement. This amendment would also open the door for Council to stream meetings and/or post recordings on our website or another method.

Mayor Kurtz opened the item to public comment and none was heard.

Motion by Kalbfell, second by Hagen to approve Resolution 2020-05-01 and direct City Staff to further develop technological procedures to enact it.

CITY OF CHARLEVOIX
RESOLUTION NO. 2020-05-01
AMENDMENT TO THE RULES OF PROCEDURE FOR CITY COUNCIL

WHEREAS, *the Charlevoix City Council adopted "Rules of Procedure for City Council" on November 4, 1996 and has subsequently amended them from time to time; and*

WHEREAS, *pursuant to Rule 20 of the Rules, they may be amended by resolution voted upon at any meeting but shall be tabled until the next regular meeting thereof or at such other time as the Council shall determine; and*

WHEREAS, *the COVID-19 pandemic caused the Governor to declare a State of Emergency and public health authorities recommended social distancing guidelines. While virtual meetings were recommended during the State of Emergency, it is likely social distancing measures will be warranted for some time to come. Furthermore, technological options used during this time demonstrate how members can participate in a meeting even when they are not physically present in the same room; and*

NOW THEREFORE BE IT RESOLVED, *Rule 2 of the "Rules of Procedure for City Council" shall be amended by striking all language and should read:*

Four members of the City Council (which may include the Mayor) shall be present in the appointed meeting location to constitute a quorum for the transaction of business. Beyond the four necessary to be present in the room, other Council Members and the Mayor may, with notice given as to purpose for absence with as much notice as possible to the City Manager, join via remote methods which allow two-way communication between themselves, other Council Members, and the public. City staff will assist in setting-up remote methods when given reasonable notice.

In the absence of a constituted quorum, two or more members may adjourn any regular or special meeting to a later date. In the event of such adjournment, the City Clerk shall notify the absent members, and as soon as reasonably possible, but failure of such other members to receive notice shall not excuse them from attending such adjourned meeting.

*Issues requiring a majority of Council require four votes to enact and, when applicable, are shown herein as **majority**. Issues requiring only a majority of the quorum present are shown as majority. Members present via remote means shall be deemed present in both circumstances.*

Annually at their organizational meeting, Council shall affirm the ability of members to participate remotely in accordance with this rule.

BE IT FURTHER RESOLVED, *Rule 3 of the "Rules of Procedure for City Council" shall be amended by adding a new section f:*

In times of unique public health conditions, when space limitations may inhibit public participation, or any other ongoing time when the Council so desires, Council may, by majority vote cause meetings to be transmitted electronically by audio and/or visual methods to such platforms deemed advisable in real-time or recording after the fact. Recordings notwithstanding, the minutes approved by Council shall be the official legal record of the proceedings of Council action.

RESOLVED *this 4th day of May, 2020 A.D.*

Resolution was adopted by the following yea and nay vote:

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

Nays: None

6. Public Hearings & Actions Requiring Public Hearings

7. All Other Actions & Requests

A. Brookside Chapel Restoration: Phase I

City Manager Heydlauff stated that last fall, Silver Linings Charlevoix presented their goal of raising funds and seeking donated labor to improve the Chapel at Brookside Cemetery. Some flaws in the original design have caused structural deterioration over the years. He noted that before more in-depth restoration work can begin, the structure needs to be secured for long-term viability. Performance Engineers structural engineer Bob Bomier answered questions from Council.

City Manager Heydlauff stated that these improvements would be funded from the Cemetery Perpetual Care Trust Fund which is a dedicated fund only to be used for ongoing and long-term improvements at the Cemetery. As part of the Silver Linings Charlevoix restoration and improvement plan, a columbarium would be added in the basement area of the Chapel that would allow cremains to be interred. The upstairs of the Chapel could be returned for use for small services and also a more dignified setting for cemetery staff to meet with grieving families or those planning their arrangements.

Mayor Kurtz opened the item to public comment and two comments were heard.

Motion by Hagen, second by Kalbfell to approve the bid from Spence Brothers Construction in an amount not to exceed \$39,700, authorize the City Manager to sign all necessary agreements, and commence construction upon the lifting of any limitations on non-essential construction.].

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

Nays: None

8. Reports & Communications

A. Public Comments

B. City Manager Comments

- Thanks to the Golf Course maintenance staff for prepping the course for play
- Thanks to the Charlevoix Bridge Cam group and their recognition of the high school prom which was cancelled
- City Clerk explained the mail-in voting process for tomorrow's election

C. Mayor & Council Comments

- Council collectively felt the community was doing their share and working collectively to follow social distancing protocols
- Bryan requested a clarification on Short Term Rentals: City Manager Heydlauff replied that in 2020 no inspections are required and owners can choose when to register and pay the registration fee
- Oleksy expressed safety concerns over customers standing close to the street in front of Dairy Grille; City Manager Heydlauff will check with MDOT whether anything can be done to improve safety
- Mayor met with the messaging committee twice with another meeting scheduled for tomorrow; he voiced his appreciation for essential workers

9. Other Council Business

The Mayor requested that there be a standard procedure for how to initiate and hold remote meetings subject to the Open Meetings Act.

Motion by Kalbfell, second by Cole to direct our City board Staff Advisors to coordinate with the City Manager and City Clerk to ensure meetings are posted and set up correctly and to coordinate with Council member Slater to ensure the City's Zoom account is being used and the meeting is set up to mitigate meeting interruptions.

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

Nays: None

10. Adjourn

The Mayor adjourned the meeting at 6:39 p.m.

Joyce M. Golding	City Clerk	Luther Kurtz	Mayor
Special Accounts Payable – 04/20/2020			
AT&T	4,630.71	VERIZON WIRELESS	118.50
CHARLEVOIX STATE BANK	5,136.45	VSP INSURANCE CO. (CT)	552.78
CHARTER COMMUNICATIONS	922.73	WEX BANK	426.98
DELTA DENTAL	3,437.68	TOTAL	60,517.02
HOLIDAY COMPANIES	3,868.13		
MONY LIFE INSURANCE	132.34		
PRIORITY HEALTH	38,576.35		
STANDARD INSURANCE CO	2,714.37		
Regular Accounts Payable – 05/05/2020			
ALLSHRED SERVICES	196.00	CCI SOUTH LLC	635.00
AMERICAN WASTE INC.	46.76	CDW GOVERNMENT INC.	827.21
ANDERSON, ELIZABETH A.	50.00	CENTRAL DRUG STORE	36.64
ANZELL, BETH A.	50.00	CINTAS	94.32
APX INC.	82.58	DELL MARKETING L P	6,362.52
AT&T LONG DISTANCE	138.19	DeROSIA, PATRICIA E.	50.00
AT&T MOBILITY	2,034.53	DITCH WITCH SALES OF MICHIGAN	146,957.44
AVFUEL CORPORATION	32,777.76	DOAN, GERARD P.	50.00
BOUND TREE MEDICAL LLC	1,025.73	DORAN, JUSTIN J.	50.00

DOTSON, LINDSEY J.	50.00	MCMULLEN, DONALD R.	261.60
ELLIOTT, PATRICK M.	50.00	MICHIGAN SECTION AWWA	100.00
ELLSWORTH FARMER'S EXCHANGE	21.39	MILLER, WILLIAM S.	50.00
EMERGENCY MEDICAL PRODUCTS INC	642.30	NORTH CENTRAL MICHIGAN COLLEGE	2,177.50
GOLDING, JOYCE M.	50.00	NORTHERN CREDIT SERVICES	77.01
GORDON FOOD SERVICE	73.06	OLESON'S FOOD STORES	468.08
GRAINGER	142.24	PLUNKETT & COONEY	920.00
GREAT LAKES ELEVATOR LLC	408.93	PREIN & NEWHOF	2,958.67
GREAT LAKES ENERGY	309.68	PRODUCTIVITY PLUS ACCOUNT	885.78
GRP ENGINEERING INC.	135.00	QUALITY CAR & TRUCK REPAIR INC	22,685.56
HANKINS, SCOTT A.	50.00	R & R PRODUCTS INC	275.71
HARRELL'S	6,603.87	RESOLUTION G2 LLC	7,158.00
HEYDLAUFF, MARK L.	50.00	SCHWARTZFISHER, JOSEPH L.	150.00
IDEXX DISTRIBUTION INC.	1,518.21	SHANAHAN, CHERYL J.	50.00
INDEPENDENT DRAFTING SERVICES	1,672.00	SILVA, JESSE L.A.	191.45
JOHNSON, MELISSA A.	50.00	STATE OF MICHIGAN	517.55
JOHNSTONE SUPPLY #383	262.52	STEPHENS, LYON G.	50.00
KENNEDY INDUSTRIES INC	6,590.00	SWEM, DONALD L.	50.00
KIWANIS CLUB OF CHARLEVOIX	40.00	TARGETSOLUTIONS LEARNING LLC	1,689.97
KLOOSTER, ALIDA K.	50.00	TAYLOR 12501 LLC	4,417.50
KLOOSTER, PATRICK H.	50.00	TRAVERS, MANUEL J.	100.00
KNORR, KENT J.	50.00	UNIFIRST CORPORATION	744.60
KSS ENTERPRISES	1,245.43	USA BLUE BOOK	326.12
LAMAR COMPANIES	770.00	VILLAGE GRAPHICS INC.	90.00
LAVENDER, JOSEPH E.	50.00	WURST, RANDALL W.	50.00
LIVINGSTON, BRIAN D.	50.00	WYMAN, MATTHEW A.	50.00
MACGREGOR PLUMBING & HEATING	342.00	XEROX FINANCIAL SERVICES	168.84
MAYER, SHELLEY L.	50.00	TOTAL	259,940.25
McGINN, KELLY A.	50.00		
MCLEAN ENGINEERING CO INC	385.00		

ACH Payments – 04/20/2020 to 05/01/2020

MI PUBLIC POWER AGENCY	21,182.28	STATE OF MI (WITHHOLDING TAX)	5,969.27
MI PUBLIC POWER AGENCY	7,548.75	VANTAGEPOINT (401 ICMA PLAN)	858.02
MI PUBLIC POWER AGENCY	166,083.53	VANTAGEPOINT (457 ICMA PLAN)	20,029.17
PROXIMITY SPACE INC	99.00	VANTAGEPOINT (ROTH IRA)	1,186.522
IRS (PAYROLL TAX DEPOSIT)	41,261.95	TOTAL	264,469.49
ALERUS FINANCIAL (HCSP)	350.00		

Payroll Net Pay – Check Date 05/01/2020

HEYDLAUFF, MARK L.	3,012.48	BRADLEY, KELLY R.	1,473.00
GOLDING, JOYCE M.	2,085.85	HART II, DELBERT W.	1,330.85
DEROSIA, PATRICIA E.	1,084.34	JONES, ROBERT F.	1,240.55
DOTSON, LINDSEY J.	1,422.46	FARRELL, MITCHELL L.	1,709.10
KLOOSTER, ALIDA K.	2,129.16	THORP JR, WILLIAM D.	1,334.07
GOLOVICH, KAREN J.	985.70	LEITNER, RYAN S.	1,466.16
BARNEVELD, RICHELLE L.	1,140.77	FERGUSON, ROYCE L.	1,756.82
EDWARDS, MACKENZIE R.	1,674.88	DORAN, JUSTIN J.	2,107.26
MCGINN, KELLY A.	2,518.09	KNORR, KENT J.	1,953.46
LAVENDER, JOSEPH E.	1,728.90	ANZELL, BETH A.	1,318.58
DOAN, GERARD P.	2,407.55	MAY, MEREDITH A.	99.11
UMULIS, MATTHEW T.	1,351.47	GILL, DAVID R.	624.50
HANKINS, SCOTT A.	1,693.34	LIVINGSTON, BRIAN D.	1,708.92
ORBAN, BARBARA K.	1,134.77	WYMAN, MATTHEW A.	1,648.40
FLICKEMA, ANDREW M.	1,821.00	MILLER, WILLIAM S.	1,413.28
RILEY, DENISE M.	450.14	DOUGLAS, MARK	886.47
MUNK, CHRISTOPHER J.	1,859.47	PRIOR, ERIN C.	924.61
SCHICK, TIELER R.	1,336.41	MCMULLEN, DONALD R.	2,864.56
MATELSKI, KRISTEN L.	1,356.19	SILVA, JESSE L.A.	1,706.73
WURST, RANDALL W.	1,646.25	JOHNSON, MELISSA A.	1,689.39
MAYER, SHELLEY L.	1,707.44	STEPHENS, LYON G.	1,363.57
HILLING, NICHOLAS A.	1,469.58	TRAVERS, MANUEL J.	1,910.53
MEIER III, CHARLES A.	1,427.17	STEVENS, JEFFREY W.	596.47
ZACHARIAS, STEVEN B.	1,472.31	RILEY, CASEY W.	470.42
NEWMAN, MARK J.	931.35	JONES, LARRY M.	629.01
SWEM, DONALD L.	2,352.03	FLORE, ROBERT A.	618.31
EATON, BRAD A.	2,391.23	MATZ, EMILY S.	1,688.27
WILSON, TIMOTHY J.	3,019.22	RILEY, DANIEL A.	52.86
LAVOIE, RICHARD L.	2,377.34	WHEELER, MICHAEL W.	1,370.48
STEVENS, BRANDON C.	2,266.32	MISHLER, MICHAEL. J.	1,217.49
DRAVES, MARTIN J.	2,193.48	AZZOPARDI, ANTHONY J.	1,614.76
ANDERSON, ELIZABETH A.	1,209.90	DIETZ, AMANDA M.	1,324.06
KENWABIKISE, DAVID L.	1,097.59	MOYER, NATHAN I.	1,199.21
ELLIOTT, PATRICK M.	2,381.83	MARIHUGH, ANDREW J.	100.22
SCHWARTZFISHER, JOSEPH	1,246.04	FAULKNOR, CHRISTOPHER J.	2,325.36

WHITLEY, ANDREW T.	2,199.18	TOTAL	109,247.08
MORRISON, KEVIN P.	929.01		

Payroll Transmittal – 05/01/2020

4FRONT CREDIT UNION	952.01	MI STATE DISBURSEMENT UNIT	209.65
AMERICAN FAMILY LIFE	608.28	MONEY LIFE INSURANCE	350.85
CHAR EM UNITED WAY	90.00	POLICE OFFICERS LABOR COUNCIL	201.00
CHARLEVOIX STATE BANK	967.00	PRIORITY HEALTH	1,449.89
CHEMICAL BANK	175.00		
COMMUNICATION WORKERS OF AMER	659.38	TOTAL	5,663.06