

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, May 18, 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, Janet Kalbfell, Tom Oleksy, Brian Slater
Members Absent: Shane Cole, Aaron Hagen
City Manager: Mark L. Heydlauff
City Clerk: Joyce Golding

3. Presentations

4. Inquiry Regarding Conflicts of Interest

Kalbfell recused herself from Item 7.C.

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 – May 4, 2020
- B. Accounts Payable and Payroll Check Registers
 - a. Regular Accounts Payable Check Register – May 19, 2020
 - b. ACH Payments – May 4, 2020 to May 15, 2020
 - c. Payroll Check Register – May 15, 2020
 - d. Payroll Transmittal – May 15, 2020
 - e. Tax Disbursement – May 19, 2020
- C. EMS 2% Grand Traverse Band Grant – funds application for Stryker power stretcher \$26,253
- D. Airspace Agreement – between Charlevoix Municipal Airport and Dvoracek Field (Dana Dvoracek)
- E. Fish Cleaning Station Waste Removal Bid – award two-year contract to John Cross Fisheries for \$6,500 per year

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

Yeas: Slater, Oleksy, Kalbfell, Bryan

Nays: None

Absent: Cole, Hagen

6. Public Hearings & Actions Requiring Public Hearings

A. Set Public Hearing: Small Wireless and Pole Attachment Ordinance

City Manager Heydlauff stated that the proposed ordinance regulates the installation of small cell wireless communication facilities and closely matches the state law. It covers cases where the equipment is placed on existing poles as well as placement of new poles. He stated that the proposed ordinance does not cover the fiber or other communication lines between antennas. The lines themselves are covered by the Metro Act or the Cable Communications Policy Act, while attachments to our poles are not covered. Because of that, we have drafted agreements for any attachers that want to use our right of ways and poles. The Standard Pole Attachment Agreement covers all communication attachments to our poles and the Wireless Addendum covers antennas attached to our poles.

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

Motion by Kalbfell, second by Slater to approve the Pole Attachment Agreement and the Wireless Addendum Agreement as presented and authorize the use of these agreements going forward.

Yeas: Slater, Oleksy, Kalbfell, Bryan

Nays: None

Absent: Cole, Hagen

Motion by Slater, second by Bryan to set a Public Hearing to consider Pole Attachment Ordinance 820 of 2020 on June 1, 2020 at 6:00 p.m. at City Hall or remotely via Zoom.

Yeas: Slater, Oleksy, Kalbfell, Bryan

Nays: None

Absent: Cole, Hagen

B. Set Public Hearing: Fireworks Ordinance

Chief Doan stated that the proposed ordinance would be consistent with the current Michigan Fireworks Safety Act of 2011 (Public Act 256). The proposed ordinance outlines days and times fireworks may be used within the City and also includes rules and regulations adopted by the State.

Mayor Kurtz opened the item to public comment and one comment was heard.

Motion by Kalbfell, second by Slater to set a Public Hearing to consider Fireworks Ordinance 819 of 2020 on June 1, 2020 at 6:00 p.m. at City Hall or remotely via Zoom.

Yeas: Slater, Oleksy, Kalbfell, Bryan

Nays: None

Absent: Cole, Hagen

7. All Other Actions & Requests

A. Spring/Fall 2020 Refuse Collection Bid

City Manager Heydlauff stated that Staff released a bid request for a spring/fall large item refuse collection. This service would be a curbside pickup and would be limited to two cubic yards per household. On May 11, 2020 we opened two sealed bids from American Waste and Little Traverse Disposal. He stated that the bids were very close in overall cost with the main difference between the two bids being the timing for the proposed pick up dates. Little Traverse Disposal proposed an early spring and late fall pickup which Council felt was beneficial.

Mayor Kurtz opened the item to public comment and one was heard.

Motion by Kalbfell, second by Slater to approve the refuse bid from Little Traverse Disposal.

Yeas: Slater, Oleksy, Kalbfell, Bryan

Nays: None

Absent: Cole, Hagen

B. Summer Staff Reductions

City Manager Heydlauff stated that with the onset of COVID-19, stay home orders, and reduction of non-essential services meant that in late March and much of April, we delayed the return of seasonal staff who would normally begin spring maintenance activities and preparations for summer. Going forward, he recommended trimming some seasonal hires in part because we will likely have reduced use of some assets like our marina. He noted that the revenue picture going forward is uncertain and there are some areas where he expected increased costs in response to the need for PPE and other items.

After discussion with Staff, City Manager Heydlauff recommended reducing cemetery operations by one person, DPW operations by four people, golf course operations by one person, and modify staffing at the marina as needed. He also noted that specific work items would be directly affected by reduced staff levels. Altogether, he felt this would save roughly \$40,000-50,000. As a result of the Venetian Festival cancellation, he anticipated an additional \$20,000 in savings.

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

Motion by Kalbfell, second by Bryan to authorize the City Manager to reduce seasonal and part-time staff and services as needed in the 2020-2021 Budget to conserve resources and respond to evolving health conditions.

Yeas: Slater, Oleksy, Kalbfell, Bryan

Nays: None

Absent: Cole, Hagen

C. Marina Commercial Dockage RFP

Kalbfell recused herself. Recreation Director Knorr stated that due to the current COVID-19 conditions, we have already experienced a number of operational changes at the City Marina for the 2020 season. The City published a request for proposal for Commercial Dockage that was due on March 18, 2020 and we received two responses. The first proposal was from our current vendor, Captain John Kalbfell of Little Traverse Charters LLC and the second from Captain Kent Seymour of Whitecap Charters. He stated that both submitted proposals for charter services which are intended to cater to primarily the tourist industry.

Mayor Kurtz opened the item to public comment:

- Josh Mack, Sunshine Charters, expressed concerns over his experience with Little Traverse Charters.
- Tom Kapanoske questioned how long Whitecap Charters has been in business.
- Kent Seymour, Whitecap Charters, commented that he has been in business for about 15 years, purchased a larger boat and does about 50-70 charters a year.
- John Kalbfell, Little Traverse Charters, explained his experience with Mr. Mack, stated his business model is different than fishing charters and had about 27 charters last year.

Motion by Slater to require the selected charter service to be available 5 days a week. Motion died for lack of support.

Motion by Bryan, second by Slater to award Little Traverse Charters, LLC the Commercial Dockage and authorize the City Manager to move forward with signing a Boat Docking agreement with the selected vendor.

Yeas: Slater, Oleksy, Bryan

Nays: None
Absent: Cole, Hagen
Abstain: Kalbfell

D. Community Foundation Grant Application: Public Hand Sanitizing

City Manager Heydlauff stated that the Charlevoix County Community Foundation opened an Organizational Support Fund to assist with the response to COVID-19. The need for additional hand sanitizer stations around the community seems like a logical way to help stop the spread of the virus and provide an extra level of comfort for folks to enjoy outdoor spaces. He requested authorization to apply for a grant of between \$4,000 and \$5,000 to purchase 20-30 dispensing stands from our existing supplier. City funds would then be used to buy sanitizer and to fill them throughout the coming months. These stands would be placed strategically around the downtown and in our parks and public areas.

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

Motion by Kalbfell, second by Bryan to authorize the application to the Charlevoix County Community Foundation Organizational Support Grant Cycle and authorize the City Manager to sign all necessary documents.

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

E. Community Foundation Grant Application: DDA

DDA Director Dotson stated that Charlevoix Main Street DDA will be applying for the Organizational Support grant made available by the Charlevoix County Community Foundation. If awarded, the funds will be used to supplement a crowdfunding campaign that will be launching soon to create a grant program that will work to directly assist our small businesses through the COVID-19 crisis. She stated that the Economic Vitality Committee created a task force to manage this grant, and ultimate approval will lie with the Main Street DDA Board of Directors.

Mayor Kurtz opened the item to public comment:

- Chamber President Sarah Hagen, DDA Chair Maureen Owens, and Perry Irish Hodgson were in support.

Motion by Kalbfell, second by Oleksy to approve Charlevoix Main Street DDA's grant application to the Charlevoix County Community Foundation requesting \$5,000 to assist small businesses through the COVID-19 crisis.

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

F. Keep Charlevoix Beautiful Watering Agreement

City Manager Heydlauff stated that Keep Charlevoix Beautiful proposed to conduct all watering work associated with the petunias this year. We would still support them with water and some equipment but they would find the labor, thus reducing some of our staffing and related costs. In support of this, he noted that we would cover their watering costs of \$8,400. As they are transitioning to baskets and the added expense of them, the City Manager also suggested we add an additional \$1,600 to this request for an even \$10,000.

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

Motion by Kalbfell, second by Slater to authorize the City Manager to enter into an agreement on the City's behalf with Keep Charlevoix Beautiful for the provision of water and flowers in public spaces for \$10,000.

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

G. Social Distancing and Parking Modifications

Mayor Kurtz stated that many parts of Charlevoix will be different as we re-open and welcome second home owners back to our community. In order to accommodate social distancing along Bridge Street, he recommended the following plan:

- Starting May 22, from Friday morning until Monday morning (Tuesday for the Memorial Day weekend), parking spaces in front of Bridge Street businesses along the west side from the bridge to Antrim Street and the east side from Park Avenue to Antrim Street, will be converted to pedestrian walking areas and to allow for more outdoor dining.
- Starting June 26, this arrangement will move to seven days a week.
- Staff will find strategic locations for curbside pickup service throughout the City within a block of each business.
- This plan will remain flexible so that if there is a need to move the June 26th date forward or back, we can.
- Staff will prepare language to amend the ordinance allowing retail merchandise outside.

Mayor Kurtz opened the item to public comment and one was heard.

Motion by Bryan, second by Slater to approve the [Bridge Street social distancing] plan.

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

H. Boat Launch Stormwater Retrofits

City Manager Heydlauff stated that the Great Lakes Protection Fund approached us this winter about the prospect of installing bioretention cells at the Ferry Avenue Boat Launch in place of the existing landscaping islands. Staff has reviewed and believe this would be beneficial. He stated that there is no cost for the City to have this installed.

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

Motion by Kalbfell, second by Slater to authorize the Great Lakes Protection Fund Green Infrastructure installation at the Ferry Avenue Boat Launch and authorize the City Manager to sign all necessary documents.

Yeas: Slater, Oleksy, Kalbfell, Bryan

Nays: None

Absent: Cole, Hagen

8. **Reports & Communications**

A. Public Comments

- Darlene Klein commented on the Courier's article regarding the DDA and the Open Meetings Act.

B. City Manager Comments

- Reviewing the latest Executive Order with respect to re-opening the City
- Army Corps of Engineers began work on repairing the pier
- New phone system will be installed next week
- Utility shutoff and late fee moratorium ended on May 31; a repayment plan is being developed

C. Mayor & Council Comments

- Oleksy questioned Hotel Earl's parking; the City Manager replied that the Planning Commission approved the site plan
- General thanks to City employees and first responders
- Bryan questioned the status of the redesign of Ferry Beach

9. **Other Council Business**

Motion by Kalbfell, second by Oleksy to extend [the shutoff and late fee moratorium] until July 31, 2020.

Yeas: Slater, Oleksy, Kalbfell, Bryan

Nays: None

Absent: Cole, Hagen

10. **Adjourn**

The Mayor adjourned the meeting at 8:46 p.m.

Joyce M. Golding	City Clerk	Luther Kurtz	Mayor
Regular Accounts Payable – 05/19/2020			
ACCUMED GROUP, THE	2,329.52	FREEDOM MAILING SERVICES INC.	2,253.42
ACE HARDWARE	1,127.65	GEMPLER'S	106.93
AIMESBURY, RACHAEL	75.00	GREAT LAKES PIPE & SUPPLY	520.64
AMERICAN LEGAL PUBLISHING CORP	292.70	HYDRO CORP	539.50
AMERICAN WASTE INC.	1,060.00	JOHN E. GREEN COMPANY	2,496.24
AT YOUR SERVICE PLUS INC	345.00	JONES & JONES GARAGE DOOR SVCS	250.00
AUTO VALUE	290.92	KSS ENTERPRISES	537.97
AVFUEL CORPORATION	720.00	LASER PRINTER TECHNOLOGIES	299.00
BEAVER RESEARCH COMPANY	161.22	MCCARDEL CULLIGAN-PETOSKEY	50.50
BOUND TREE MEDICAL LLC	142.67	MCMULLEN, DONALD R.	83.22
BRADFORD'S	19.50	MI-AWWA	100.00
BRANIGAN, HANNAH	10.50	MICHIGAN MUNICIPAL LEAGUE	17,996.00
BS& A SOFTWARE	1,786.00	MICHIGAN OFFICEWAYS INC	1,763.94
CARQUEST OF CHARLEVOIX	2,024.70	NAVIA BENEFIT SOLUTIONS	50.00
CHARLEVOIX COUNTY TREASURER	1,327.22	NESTLE, HAROLD	85.53
CHARLEVOIX SCREEN MASTERS INC	687.00	NORTHERN A-1 ENVIRONMENTAL SVCS	10,979.00
CHARLEVOIX TOWNSHIP	29.21	NORTHERN MICHIGAN REVIEW INC.	662.88
CHARTER COMMUNICATIONS	5,005.23	NORTHERN PUMP & WELL	1,200.00
CITY OF CHARLEVOIX - PETTY CASH	489.60	NORTHWEST ELECTRONICS & REPAIR	98.93
CITY OF CHARLEVOIX - UTILITIES	32,902.37	NORTHWEST FIRE	63.00
COVELL, JESSICA	96.54	OHM ADVISORS	34,444.25
DUNKEL EXCAVATING SERVICES INC.	300.00	OLESON'S FOOD STORES	42.97
ELLSWORTH FARMER'S EXCHANGE	451.28	OLSON BZDOK & HOWARD	12,302.00
EMERGENCY MEDICAL PRODUCTS INC	259.98	OTEC	1,516.56
EYES ONLY MEDIA LLC	2,670.00	PINE COVE APARTMENTS	39.26
FASTENAL COMPANY	109.72	POLYDYNE INC	266.41

POWER LINE SUPPLY	7,535.52	TAYLOR 12501 LLC	4,417.50
POWERPLAN	938.88	TAYLOR, PATRICIA	18.63
PREIN & NEWHOF	240.00	TELE-RAD INC	47.99
PRIORITY HEALTH	887.90	UNIFIRST CORPORATION	426.10
PURITY CYLINDER GASES INC	120.20	UPPER CASE PRINTING INK.	1,091.35
RANGE TELECOMMUNICATIONS	188.75	USA BLUE BOOK	146.99
RCL CONSTRUCTION CO INC	475,139.81	UWC	2.37
ROWE, DONNA	75.00	VANWIJEREN, GORDON	137.48
SITE ONE LANDSCAPE SUPPLY	92.50	WORK & PLAY SHOP	503.94
STAFFEL, BONNIE	250.00	TOTAL	638,372.59
STATE AND MASON LLC	1,000.00		
SYSTEMS SPECIALISTS INC	1,650.00		

ACH Payments – 05/04/2020 to 05/15/2020

MI PUBLIC POWER AGENCY	15,236.90	STATE OF MI (WITHHOLDING TAX)	5,825.12
PROXIMITY SPACE INC	99.26	VANTAGEPOINT (401 ICMA PLAN)	858.02
PAYMENT SERVICE NETWORK INC	247.30	VANTAGEPOINT (457 ICMA PLAN)	20,108.98
STATE OF MI (SALES TAX)	14,922.88	VANTAGEPOINT (ROTH IRA)	1,186.52
MI PUBLIC POWER AGENCY	19,991.74	TOTAL	124,029.18
DTE ENERGY	5,295.17		
IRS (PAYROLL TAX DEPOSIT)	39,907.29		
ALERUS FINANCIAL (HCSP)	350.00		

Payroll Net Pay – Check Date 05/15/2020

HEYDLAUFF, MARK L.	2,724.04	HART III, DELBERT W.	481.73
GOLDING, JOYCE M.	1,653.61	BEMIS, JACKSON R.	362.46
DEROSIA, PATRICIA E.	1,219.89	FINNERTY, HOLLY E.	451.89
DOTSON, LINDSEY J.	1,422.46	MUELLER, JASON C.	323.99
KLOOSTER, ALIDA K.	1,753.72	KNORR, KENT J.	1,953.46
GOLOVICH, KAREN J.	985.70	ANZELL, BETH A.	1,318.58
BARNEVELD, RICHELLE L.	1,140.78	MAY, MEREDITH A.	63.44
EDWARDS, MACKENZIE R.	1,299.42	MCDONNELL, JENNA N.	219.62
MILLER, FAITH G.	14.97	GILL, DAVID R.	639.33
MCGINN, KELLY A.	2,085.83	LIVINGSTON, BRIAN D.	1,708.92
LAVENDER, JOSEPH E.	1,728.90	WYMAN, MATTHEW A.	1,648.39
DOAN, GERARD P.	2,407.55	MILLER, WILLIAM S.	1,047.62
UMULIS, MATTHEW T.	1,251.92	DOUGLAS, MARK	943.54
HANKINS, SCOTT A.	1,693.34	PRIOR, ERIN C.	962.83
ORBAN, BARBARA K.	1,212.39	FRATRICK, JOSEPH W.	272.72
FLICKEMA, ANDREW M.	1,425.30	MCMULLEN, DONALD R.	2,271.21
RILEY, DENISE M.	450.14	SILVA, JESSE L.A.	1,557.86
MUNK, CHRISTOPHER J.	1,235.15	JOHNSON, MELISSA A.	1,184.42
SCHICK, TIELER R.	1,571.85	STEPHENS, LYON G.	1,188.50
MATELSKI, KRISTEN L.	1,356.19	TRAVERS, MANUEL J.	1,739.26
WURST, RANDALL W.	1,385.39	STEVENS, JEFFREY W.	84.66
MAYER, SHELLEY L.	1,661.47	RILEY, CASEY W.	510.25
HILLING, NICHOLAS A.	1,649.87	JONES, LARRY M.	1,268.15
MEIER III, CHARLES A.	1,820.62	FLORE, ROBERT A.	442.36
ZACHARIAS, STEVEN B.	1,281.76	MATZ, EMILY S.	966.49
NEWMAN, MARK J.	1,048.03	WHEELER, MICHAEL W.	1,472.28
SWEM, DONALD L.	2,466.17	CORNELL, BRITTA J.	82.65
EATON, BRAD A.	2,442.36	MISHLER, MICHAEL. J.	1,271.27
WILSON, TIMOTHY J.	2,752.04	AZZOPARDI, ANTHONY J.	1,618.24
LAVOIE, RICHARD L.	2,383.01	DEKORNE, ELIZABETH A.	292.27
STEVENS, BRANDON C.	2,691.70	DIETZ, AMANDA M.	1,074.61
DRAVES, MARTIN J.	2,487.16	MOYER, NATHAN I.	1,658.83
ANDERSON, ELIZABETH A.	1,209.90	MARIHUGH, ANDREW J.	121.14
KENWABIKISE, DAVID L.	1,097.59	SPREEMAN, ASHLEY M.	144.66
ELLIOTT, PATRICK M.	2,381.82	FAULKNER, CHRISTOPHER J.	2,496.31
SCHWARTZFISHER, JOSEPH	1,138.27	DALY, SUZETTE M.	140.00
BRADLEY, KELLY R.	1,294.68	CURREY-KOLB, KAY E.	140.00
HART II, DELBERT W.	1,768.96	WHITLEY, ANDREW T.	2,101.66
JONES, ROBERT F.	1,616.95	MORRISON, KEVIN P.	1,230.77
FARRELL, MITCHELL L.	1,356.93	TOTAL	107,996.48
THORP JR, WILLIAM D.	1,279.38		
LEITNER, RYAN S.	1,275.84		
FERGUSON, ROYCE L.	1,309.80		
DORAN, JUSTIN J.	2,107.26		

Payroll Transmittal – 05/15/2020

4FRONT CREDIT UNION	1,002.01	CHARLEVOIX STATE BANK	967.00
AMERICAN FAMILY LIFE	608.28	CHEMICAL BANK	25.00
CHAR EM UNITED WAY	90.00	COMMUNICATION WORKERS OF AMER	659.38

MI STATE DISBURSEMENT UNIT	209.65	PRIORITY HEALTH	1,449.89
MONY LIFE INSURANCE	350.85	TOTAL	5,362.06
Tax Disbursement – 05/19/2020			
CHARLEVOIX COUNTY TREASURER	1,774.55	CHARLEVOIX-EMMET ISD	953.32
CHARLEVOIX DISTRICT LIBRARY	434.65	CITY OF CHARLEVOIX - TAXES DUE	3,310.40
CHARLEVOIX PUBLIC SCHOOLS	456.78	RECREATIONAL AUTHORITY	84.22
CHARLEVOIX PUBLIC SCHOOLS	126.88	STATE OF MICHIGAN	6,029.72
CHARLEVOIX PUBLIC SCHOOLS	88.82	TOTAL	13,297.40
CHARLEVOIX PUBLIC SCHOOLS	38.06		