

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, October 5, 2020 – 6:00 p.m.
Depot Beach, 307 Chicago Avenue, Charlevoix, MI

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 (remote), Janet Kalbfell, Tom Oleksy, Brian Slater
Members Absent: None
City Manager: Mark L. Heydlauff
City Clerk: Joyce Golding

3. Presentations

- A. Airport Update
Airport Manager Wyman presented an Airport operations update.

4. Inquiry Regarding Conflicts of Interest

Hagen stated that he would recuse himself from Item 7.B.

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 – September 21, 2020
- B. Accounts Payable and Payroll Check Registers
 - a. Special Accounts Payable Check Register – September 23, 2020
 - b. Special Accounts Payable Check Register – September 29, 2020
 - c. Regular Accounts Payable Check Register – October 6, 2020
 - d. ACH Payments – September 21, 2020 to October 2, 2020
 - e. Off Cycle Payroll Check Register FRHPPP Grant/First Responder Hazard Pay – September 25, 2020
 - f. Payroll Check Register – October 2, 2020
 - g. Payroll Transmittal – October 2, 2020
 - h. Tax Disbursement – October 6, 2020
- C. Confirm Approval for CHS Homecoming Parade on October 9, 2020

Sandra Witherspoon questioned how public comments were recorded in the minutes.

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

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

Nays: None

6. Public Hearings & Actions Requiring Public Hearings

- A. Public Hearings for Ordinances 821 and 822
Mayor Kurtz opened the public hearings at 6:14 p.m. Planner Egan stated that the Planning Commission held a public hearing at their August 10, 2020 meeting for two proposed Zoning Ordinance Amendments. She stated that the first relates to Rooftop Uses and currently there is no language to guide any activities on rooftops. This language would apply to all districts. Council posed several questions and agreed to obtain additional information.

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

Motion by Cole, second by Oleksy to table the public hearings for Ordinances 821 and 822 until the October 19, 2020 meeting. Motion carried by unanimous voice vote.

The public hearings were closed by the Mayor at 6:25 p.m.

- B. Set Public Hearing: Authorize Deer Cull

Chief Doan recalled that since the fall of 2018 we have been discussing concerns that there are too many deer within the City. He recapped the timeline of discussions and meetings for the last two years.

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

Motion by Kalbfell, second by Oleksy to set a public hearing on October 19, 2020 at 6:00 pm in the location and manner then used by

Council to receive input on conducting a deer cull. Motion carried by unanimous voice vote.

7. All Other Actions & Requests

A. Pilot Runway Deicing Program

Airport Manager Wyman stated that last winter, Zotec Partners, LLC had to use the Pellston Airport because of lack of runway deicing at our Airport. He noted that Zotec would prefer using our Airport and is proposing to purchase a truck, spreader, loader forks and deicing material. Airport staff would use this equipment and deicing material prior to the arrival of Zotec aircraft.

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

Motion by Cole, second by Kalbfell to approve the Runway De-Icing Service Agreement pending FAA approval. Motion carried by unanimous voice vote.

B. Long Road Distillers Charlevoix – Local Government Approval for Off-Premises Tasting Room

Hagen recused himself. DDA Director Dotson stated that Long Road Distillers (LRD) is leasing 109 Bridge Park Drive from the DDA and is seeking Council approval for an Off Premise Tasting Room License with the goal of opening in Spring 2021. She noted that an Off-Premises Tasting Room License is issued to a manufacturer licensee that operates a tasting room that is not located on the licensed manufacturing premises. An applicant for an Off-Premises Tasting Room Licenses must obtain approval from the legislative body of the local governmental unit where the licensed premises will be located.

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

Jon O'Connor, co-owner LRD, addressed MLCC violations and how they were resolved. He stated the proposed hours of operation.

Motion by Bryan, second by Cole to approve Resolution 2020-03-01 in support of an Off-Premises Tasting Room License and Small Wine Maker License for Long Road Distillers LLC.

CITY OF CHARLEVOIX
RESOLUTION NO. 2020-10-01
MICHIGAN LIQUOR CONTROL COMMISSION
LOCAL GOVERNMENT APPROVAL FOR OFF-PREMISES TASTING ROOM LICENSE
(Authorized by MCL 436.1501)

At a regular meeting of the City of Charlevoix City Council called to order by Mayor Luther Kurtz on October 5, 2020 at 6:00 p.m., the following resolution was offered:

Moved by Bryan and supported by Cole that the application from Long Road Distillers LLC for a new Off-Premises Tasting Room License; Small Wine Maker License to be located at 109/111 Bridge Park Drive, Charlevoix, MI 49720.

It is the consensus of this body that it recommends this application be considered for approval by the Michigan Liquor Control Commission.

RESOLVED this 5th day of October, 2020 A.D.

Resolution was adopted by the following yea and nay vote:

Yeas: Cole, Slater, Bryan, Kalbfell

Nays: Oleksy

Abstain: Hagen

Absent: None

C. Council Goals for Golf Course Property Housing

Hagen returned to the meeting. Mayor Kurtz recalled that at the last meeting, Council discussed establishing goals for the potential development of housing around the Charlevoix Golf Course. He explained the need for written goals to inform Ballot Proposal 1 voters of Council's intentions for the proposed development. Mayor Kurtz gave the floor to Grand Traverse Band of Ottawa and Chippewa Indians Tribal Chairman David Arroyo. Chairman Arroyo read his letter to Council which requested that they take federal law into account when considering any development should the proposal pass. He answered several questions from Council and he stated that he was not in favor of developing this land. Council discussed the potential development of the property and they generally indicated that they were cognizant and would be respectful of any tribal burial sites in the area.

Mayor Kurtz opened the item to public comment and ten were heard, the majority of which were not in favor of the proposed development.

Motion by Slater, second by Cole to follow the wishes stated in the letter submitted by GTB Tribal Chairman Arroyo [dated October 5, 2020.] Motion carried by unanimous voice vote.

D. Michigan Natural Resources Trust Fund Ballot Proposal Support

Community Development Fellow Martin stated that the ballot proposal would seek to increase the flexibility of expenditures to be used for park development purposes from a maximum of 25% of grant funding to a minimum of 25%, while also increasing total funding

available by removing the funding cap on the state program. He stated that approving the resolution would symbolically show the Council's support for the proposal.

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

Motion by Kalbfell, second by Cole to approve Resolution 2020-10-02.

**CITY OF CHARLEVOIX
RESOLUTION NO. 2020-10-02**

RESOLUTION SUPPORTING THE BALLOT PROPOSAL TO AMEND THE MICHIGAN NATURAL RESOURCES TRUST FUND

WHEREAS, *the Michigan Natural Resources Trust Fund (MNRTF) has funded public land acquisition and recreation projects with royalties from oil, gas and minerals from public lands in all eighty-three counties in the state since its founding in 1976; and*

WHEREAS, *projects supported by the MNRTF help Michigan communities protect the state's lakes, streams, lands and wildlife habitats and build recreational facilities like parks, trails and river and beach access for the enjoyment of Michigan residents and visitors, with economic, quality-of-life and public health benefits; and*

WHEREAS, *every Michigan resident is within a one-hour drive of a state park or recreation area, which are critical contributors to Michigan's \$25.7 billion tourism industry that supports 237,733 direct jobs; and*

WHEREAS, *the City of Charlevoix has received \$1,431,855 from MNRTF to create park and recreation opportunities such as Ferry Beach Park, Depot Beach Park, Michigan Beach Park, and East Park; and*

WHEREAS, *the Michigan Legislature unanimously voted to allow the MNRTF to again receive royalties from oil, gas and mining on public land to fund land conservation and recreation, to commit at least 25% of Trust Fund dollars to building and renovating public recreation facilities like trails, parks and rivers and lake access and at least 25% for land conservation, and requiring 20% of State Parks Endowment Fund expenditures be for improvements at state parks, without raising taxes; and*

WHEREAS, *Michigan voters will now have the opportunity to approve these changes in the 2020 general election, thus amending Article IX, Section 35 and 35a of the Michigan Constitution.*

NOW THEREFORE BE IT RESOLVED, *that the City of Charlevoix City Council supports the ballot question placed before voters in the 2020 general election to update and expand the MNRTF, guaranteeing investment in conservation and outdoor recreation for generations to come, protecting our natural resources and invigorating our local economies.*

RESOLVED *this 5th day of October, 2020 A.D.*

Resolution was adopted by the following yea and nay vote:

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

Nays: None

E. Fence Regulation Request for Planning Commission

Motion by Slater, second by Cole to table this agenda item until the October 19, 2020 meeting. Motion carried by unanimous voice vote.

F. Commission Appointments

Motion by Kalbfell, second by Cole to appoint Mary Millington to the Planning Commission, term expiring April 2021. Motion carried by unanimous voice vote.

Motion by Kalbfell, second by Cole to appoint Laura Podob to the Historic District Commission, term expiring June 2023. Motion carried by unanimous voice vote.

8. Reports & Communications

A. Public Comments

B. City Manager Comments

C. Mayor & Council Comments

- Slater thanked members of GTB for participating in the meeting

9. Other Council Business

10. Adjourn

The Mayor adjourned the meeting at 8:10 p.m.

Joyce M. Golding	City Clerk	Luther Kurtz	Mayor
Special Accounts Payable – 09/23/2020			
AT&T	1,495.23	STANDARD INSURANCE CO	2,843.40
AT&T LONG DISTANCE	39.09	VERIZON WIRELESS	88.27
CHARLEVOIX STATE BANK	4,894.37	VSP INSURANCE CO. (CT)	579.85
CHARTER COMMUNICATIONS	706.11	WEX BANK	1,165.65
DELTA DENTAL	3,611.58	TOTAL	64,832.70
HOLIDAY COMPANIES	6,131.13		
MONY LIFE INSURANCE	247.96		
PRIORITY HEALTH	43,030.06		
Special Accounts Payable – 09/29/2020			
226 W CARPENTER	3,000.00	TOTAL	3,000.00
Regular Accounts Payable – 10/06/2020			
ALL-PHASE ELECTRIC	227.64	LAKESHORE TIRE & AUTO SERVICE	24.95
AMERICAN WATER WORKS ASSN	224.00	LANDSCAPE FORMS INC.	8,640.00
ANDERSON, ELIZABETH A.	50.00	LAVENDER, JOSEPH E.	50.00
ANZELL, BETH A.	50.00	LIVINGSTON, BRIAN D.	50.00
AT YOUR SERVICE PLUS INC	625.00	LOTTIE'S BAGELS	187.00
AT&T MOBILITY	577.52	MACGREGOR PLUMBING & HEATING	390.00
AVFUEL CORPORATION	41,655.77	MAYER, SHELLEY L.	50.00
BEAVER RESEARCH COMPANY	257.08	McGINN, KELLY A.	50.00
BELL EQUIPMENT COMPANY	376.73	MCLEAN ENGINEERING CO INC	1,906.50
BERG, REBECCA	40.00	MCMULLEN, DONALD R.	50.00
BOUND TREE MEDICAL LLC	169.55	MDC CONTRACTING LLC	51.25
CANTINA, THE	75.00	MICHIGAN ELECTRIC	17,900.00
CHARLEVOIX TOWNSHIP	20,627.47	MICHIGAN MUNICIPAL LEAGUE	4,998.09
CHARTER COMMUNICATIONS	994.68	MILLER, WILLIAM S.	50.00
CINTAS	111.82	MINERAL MASTERS	1,849.00
CINTAS CORPORATION	101.73	MUNSON HEALTHCARE CHX HOSPITAL	2,638.70
CLEAR WATER PLUMBING & HEATING	2,800.00	MUNSON HOME SERVICES	344.97
CONWAY PROFESSIONAL SERVICES	11,045.00	NORTHERN SAFETY CO INC	50.86
DALEY, IRVING	28.99	NORTHWEST FIRE	654.00
DCL INC	833.76	OHM ADVISORS	33,939.65
DeROSIA, PATRICIA E.	50.00	OLESON'S FOOD STORES	208.84
DHASELEER, CARL	289.00	OUDBIER INSTRUMENT CO	4,047.50
DITCH WITCH SALES OF MICHIGAN	2,004.26	PAYMENT RESOLUTION SERVICES	445.15
DOAN, GERARD P.	50.00	PICTURE THIS	164.75
DORAN, JUSTIN J.	50.00	POWER LINE SUPPLY	4,968.00
DORNBOS SIGN INC.	70.85	PREIN & NEWHOF	30.00
DOTSON, LINDSEY J.	50.00	PRESTON FEATHER	245.59
EDGEWATER RESOURCES LLC	4,554.38	PRODUCTIVITY PLUS ACCOUNT	737.40
EJ USA INC.	5,021.91	PURITY CYLINDER GASES INC	83.00
ELLIOTT, PATRICK M.	50.00	QUALITY CAR & TRUCK REPAIR INC	1,046.50
ELLSWORTH FARMER'S EXCHANGE	150.00	REHMANN-ROBSON & CO	4,400.00
EMERGENCY MEDICAL PRODUCTS INC	179.70	ROTARY CLUB OF CHARLEVOIX	37.50
ETNA SUPPLY	9,708.40	S&W HEALTHCARE CORPORATION	256.86
EVANS, ERIN	48.00	SEA BAGS	50.00
E-Z-GO A TEXTRON COMPANY	45.68	SILVA, JESSE L.A.	50.00
FARMER WHITE'S	228.00	STAFFORD'S WEATHERVANE	50.00
FASTENAL COMPANY	3.33	STATE AND MASON LLC	1,000.00
FAULKNER, CHRISTOPHER	50.00	STATE FARM	728.99
FISHER SCIENTIFIC	363.35	STATE OF MICHIGAN	203.16
GA GA FOR KIDS	100.00	STATE OF MICHIGAN	95.00
GAPUTIS, KELLY	50.00	STRICKER'S OUTDOOR POWER EQUIP	385.94
GERBER HOMEMADE SWEETS	96.00	STRIKER SUPPLY	44.00
GOLDING, JOYCE M.	50.00	SWANSON K & D INC	2,465.00
GRAINGER	104.35	SWEM, DONALD L.	50.00
GREAT LAKES ENERGY	184.08	TELNET GROUP INC	203.50
GREAT LAKES PIPE & SUPPLY	404.12	TELNET WORLDWIDE	446.23
GRP ENGINEERING INC.	8,658.68	TERMINAL SUPPLY CO	75.00
HACH COMPANY	291.00	TRAVERS, MANUEL J.	50.00
HANKINS, SCOTT A.	50.00	UNIFIRST CORPORATION	576.61
HARRELL'S	3,635.79	USA BLUE BOOK	592.23
HEYDLAUFF, MARK L.	50.00	VILLAGE GRAPHICS INC.	252.00
IPS GROUP INC	1,203.23	WATERWAY OF MICHIGAN	1,869.40
JACK DOHENY COMPANIES	792.28	WORK & PLAY SHOP	18.74
JOHNSON, MELISSA A.	50.00	WURST, RANDALL W.	50.00
KLOOSTER, ALIDA K.	50.00	WYMAN, MATTHEW A.	50.00
KLOOSTER, PATRICK H.	50.00	ZIIBIMIJWANG INC	275.00
KNORR, KENT J.	50.00	TOTAL	220,792.04
KSS ENTERPRISES	957.05		

ACH Payments – 09/21/2020 to 10/02/2020

MI PUBLIC POWER AGENCY	35,374.28	VANTAGEPOINT (401 ICMA PLAN)	912.08
IRS (PAYROLL TAX DEPOSIT FRHPPP)	6,996.62	VANTAGEPOINT (457 ICMA PLAN)	21,015.41
STATE OF MI (WITHHOLD. TAX FRHPPP)	1,214.08	VANTAGEPOINT (ROTH IRA)	1,155.76
MI PUBLIC POWER AGENCY	210,223.30	TOTAL	346,070.68
MI PUBLIC POWER AGENCY	14,202.23		
IRS (PAYROLL TAX DEPOSIT)	47,729.46		
ALERUS FINANCIAL (HCSP)	350.00		
STATE OF MI (WITHHOLDING TAX)	6,897.46		

Off-Cycle Payroll – FRHPPP Grant/1st Responder Hazard Pay – Check Date 09/25/2020

DOAN, GERARD P.	850.68	MATZ, EMILY S.	786.13
UMULIS, MATTHEW T.	793.89	MOYER, DAVID T.	776.77
HANKINS, SCOTT A.	826.77	WHEELER, MICHAEL W.	786.13
ORBAN, BARBARA K.	826.77	CORNELL, BRITTA J.	874.61
FLICKEMA, ANDREW M.	826.77	MISHLER, MICHAEL J.	786.13
MUNK, CHRISTOPHER J.	826.77	AZZOPARDI, ANTHONY J.	867.37
SCHICK, TIELER R.	786.13	DEKORNE, ELIZABETH A.	786.13
STEWART, MORGAN J.	786.13	MCCRANEY, RUSSELL R.	826.77
MCMULLEN, DONALD R.	912.06	PECK, JARICA L.	786.13
SILVA, JESSE L.A.	736.13	DIETZ, AMANDA M.	786.13
JOHNSON, MELISSA A.	766.13	MOYER, NATHAN I.	923.50
STEPHENS, LYON G.	746.13	FLORE, ROBERT A.	805.52
TRAVERS, MANUEL J.	826.77	MOORE, SASHA L.	786.13
FAULKNER, CHRISTOPHER J.	881.00	SPREEMAN, ASHLEY M.	786.13
STEVENS, JEFFREY W.	850.68	TOTAL	25,160.80
RILEY, CASEY W.	813.28		
JONES, LARRY M.	741.13		

Payroll Net Pay – Check Date 10/02/2020

KURTZ, LUTHER J.	851.92	SCHWARTZFISHER, JOSEPH	1,123.74
HAGEN, AARON W.	489.45	BRADLEY, KELLY R.	1,253.98
OLEKSY, THOMAS M.	389.83	HART II, DELBERT W.	2,035.75
KALBFELL, JANET P.	454.82	JONES, ROBERT F.	1,271.90
BRYAN JR, GREGORY T.	356.81	FARRELL, MITCHELL L.	1,322.55
SLATER, JOHN B.	290.72	THORP JR, WILLIAM D.	1,694.96
HEYDLAUFF, MARK L.	3,171.17	LEITNER, RYAN S.	1,277.00
GOLDING, JOYCE M.	2,085.86	FERGUSON, ROYCE L.	2,072.57
DEROSIA, PATRICIA E.	789.14	DORAN, JUSTIN J.	2,107.26
DOTSON, LINDSEY J.	1,421.40	MANKER SR, DAVID W.	725.92
KLOOSTER, ALIDA K.	2,129.16	NEDWICK, DAVID J.	870.87
GOLOVICH, KAREN J.	1,005.65	FREY, DYLAN V.	667.32
BARNEVELD, RICHELLE L.	1,208.53	HART III, DELBERT W.	950.51
EDWARDS, MACKENZIE R.	1,674.87	FINNERTY, HOLLY E.	858.01
MILLER, FAITH G.	52.41	CRANDELL, ZACKARY R.	754.50
MCGINN, KELLY A.	2,518.09	KNORR, KENT J.	1,958.91
LAVENDER, JOSEPH E.	1,728.58	ANZELL, BETH A.	1,318.21
DOAN, GERARD P.	2,406.48	KLOOSTER, PATRICK H.	1,655.71
UMULIS, MATTHEW T.	1,200.75	EVANS JR, HALBERT K.	633.78
HANKINS, SCOTT A.	1,692.27	DAVIS, LEAH R.	454.33
ORBAN, BARBARA K.	1,142.94	TELGENHOF, WILL G.	161.44
FLICKEMA, ANDREW M.	1,807.30	WHITE III, MARCUS W.	576.47
RILEY, DENISE M.	454.71	GREYERBIEHL, KELLY M.	95.14
MUNK, CHRISTOPHER J.	1,256.35	KIRINOVIC, THOMAS F.	423.36
SCHICK, TIELER R.	1,260.30	HART, DAVID R.	60.95
MATELSKI, KRISTEN L.	1,355.87	MCDONNELL, JENNA N.	710.03
BINGHAM, LARRY E.	1,006.88	GILL, DAVID R.	784.00
MACGILLIVRAY, ROGER	411.65	MASSON, DONALD J.	563.95
AZZOPARDI, LAUREN E.	156.76	KUSINA, DENNIS W.	187.44
WURST, RANDALL W.	1,226.68	LABLANCE, MAUREEN J.	195.20
MAYER, SHELLEY L.	1,552.78	LIVINGSTON, BRIAN D.	1,708.92
HILLING, NICHOLAS A.	1,415.31	WAY, KRISTINA M.	177.02
MEIER III, CHARLES A.	1,424.69	WYMAN, MATTHEW A.	1,647.33
ZACHARIAS, STEVEN B.	1,697.41	MILLER, WILLIAM S.	1,408.94
NEWMAN, MARK J.	1,156.36	DOUGLAS, MARK	945.89
SWEM, DONALD L.	3,086.31	PRIOR, ERIN C.	1,000.51
EATON, BRAD A.	3,327.89	FRATRICK, JOSEPH W.	509.50
WILSON, TIMOTHY J.	4,371.62	MCMULLEN, DONALD R.	2,492.63
LAVOIE, RICHARD L.	2,272.18	SILVA, JESSE L.A.	1,293.89
STEVENS, BRANDON C.	3,747.40	JOHNSON, MELISSA A.	1,707.74
DRAVES, MARTIN J.	2,488.95	STEPHENS, LYON G.	204.34
ANDERSON, ELIZABETH A.	1,233.97	TRAVERS, MANUEL J.	1,523.63
KENWABIKISE, DAVID L.	1,315.37	FAULKNER, CHRISTOPHER J.	2,605.23
ELLIOTT, PATRICK M.	2,739.34	STEVENS, JEFFREY W.	457.21

RILEY, CASEY W.	591.06	MOYER, NATHAN I.	780.28
JONES, LARRY M.	405.91	COLE, SHANE	651.07
VANZANDT, ZORRAN C.	355.53	WHITLEY, ANDREW T.	3,662.75
MATZ, EMILY S.	1,172.10	MORRISON, KEVIN P.	1,460.32
LEPIRD, KATIE A.	483.22	BISHAW, JAMES H.	858.01
WHEELER, MICHAEL W.	1,894.65	SEROUR III, MICHAEL J.	322.28
MISHLER, MICHAEL. J.	1,057.43	TOTAL	129,990.03
AZZOPARDI, ANTHONY J.	1,138.62		
PECK, JARICA L.	498.47		
DIETZ, AMANDA M.	382.86		

Payroll Transmittal – 10/02/2020

4FRONT CREDIT UNION	943.00	MI STATE DISBURSEMENT UNIT	209.65
AMERICAN FAMILY LIFE	608.28	MONEY LIFE INSURANCE	380.82
CHAR EM UNITED WAY	90.00	POLICE OFFICERS LABOR COUNCIL	251.25
CHARLEVOIX STATE BANK	967.00	PRIORITY HEALTH	1,499.08
CHEMICAL BANK	25.00	TOTAL	5,646.55
COMMUNICATION WORKERS OF AMER	672.47		

Tax Disbursement – 10/06/2020

CHARLEVOIX COUNTY TREASURER	40,355.89	CHARLEVOIX PUBLIC SCHOOLS	1,892.06
CHARLEVOIX PUBLIC SCHOOLS	51,800.80	CITY OF CHARLEVOIX - TAXES DUE	47,153.10
CHARLEVOIX PUBLIC SCHOOLS	1,930.67	TOTAL	145,062.83
CHARLEVOIX PUBLIC SCHOOLS	1,351.36		
CHARLEVOIX PUBLIC SCHOOLS	578.95		