



AGENDA
CITY OF CHARLEVOIX CITY COUNCIL REGULAR MEETING
Monday, October 19, 2020- 6:00 PM
Council Chambers, 210 State Street, Charlevoix, MI

1. Pledge of Allegiance

- A. Alternate Zoom Participation Instructions

2. Roll Call

3. Presentations

- A. Alley Corridor Vision Draft
Mark L. Heydlauff, City Manager

4. Inquiry Regarding Conflicts of Interest

5. Consent Agenda

- A. City Council Meeting Minutes - October 5, 2020
- B. Accounts Payable and Payroll Check Registers
- C. Historic District Commission Resignation - Vicki Voisin
- D. Planning Commission Resignation - Brian Gelb
- E. Submit Certified Local Government Grant Application to SHPO
- F. MPPA Capacity Purchase

6. Public Hearings and Actions Requiring Public Hearings

- A. Public Hearings for Ordinances 821 and 822
Kathy Egan, Staff Planner
- B. Public Hearing to Conduct a Deer Cull
Gerard Doan, Police Chief

7. All Other Actions and Requests

- A. Assessing Agreement
Mark L. Heydlauff, City Manager
- B. Fence Regulation Request for Planning Commission
Council Member Brian Slater

8. Reports and Communications

- A. Public Comment
- 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

Pledge of Allegiance

TITLE: Alternate Zoom Participation Instructions

DATE: October 19, 2020

BACKGROUND:

The Monday, October 19 City Council meeting will be held in Council Chambers pursuant to the latest guidelines of the Michigan Department of Health and Human Services. Members of the public will be able to participate remotely via Zoom with a limited audience in the Council Chambers.

Join Zoom Meeting

<https://zoom.us/j/96733308218?pwd=OHFsV0hXV0QzZkRlVU5Dc3BMdW9GUT09>

Meeting ID: 967 3330 8218

Passcode: 791675

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Meeting ID: 967 3330 8218

Passcode: 791675

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CHARLEVOIX CITY COUNCIL

Presentations

TITLE: Alley Corridor Vision Draft

DATE: October 19, 2020

PRESENTED BY: Mark L. Heydlauff, City Manager

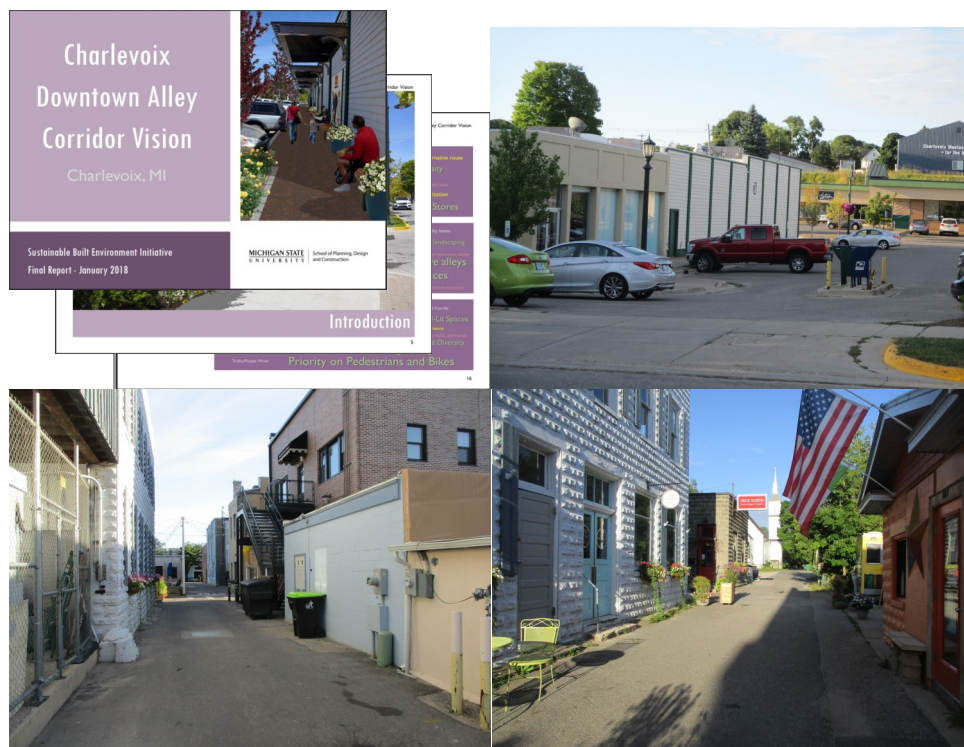
BACKGROUND:

This summer, Council directed me to work on an implementation strategy for the 2018 Downtown Alley Corridor Vision. I've included a draft of this for your review before I share it with the Planning Commission and DDA/Main Street Board. This document is entirely a draft of how we might go about implementing the concepts developed by the SBEI process a couple of years ago.

At your meeting, I welcome your questions about the document and whether it meets your expectations of developing a strategy for implementation. With this feedback, I believe we'll be able to tweak the document before sharing it with the Planning Commission and DDA Board for similar feedback. Once this loop is complete, I'll bring a revised and final draft back to Council, most likely in November.

ATTACHMENTS:

- ▣ Alley Corridor Vision Implementation Plan



Corridor and Alley Implementation of Designs

MEMO

TO: Mayor Kurtz and the Charlevoix City Council
FROM: Mark L. Heydlauff, City Manager
RE: Implementation Strategy for the 2018 Downtown Alley Corridor Vision
DATE: October 15, 2020

In 2018, the City of Charlevoix received the services of the Sustainable Built Environment Initiative at Michigan State University to assist us in developing a consensus vision for the alleys and parking areas to the west of our downtown. In the intervening couple of years, some aspects of this report have been implemented such as the Junior Main Street improvements to Hoop Skirt Alley, the pilot implementation of pedestrian-only portions of Van Pelt Alley this summer, and façade guidelines.

In order to continue the progress toward improvements and implementation of the Alley Corridor Vision, this following document has been created to supplement the original 2018 document and also to give Council and stakeholder clearer guidance on the next steps needed. Primarily, we have added rough budget estimates for engineering, considerations for how underground utilities should be upgraded in concert with above-ground modifications, and broken the project down into segments to guide decision-making for budgeting, capital improvement planning, and the potential of private and grant-supported funding.

This vision began as a collaborative project with the Planning Commission, Shade Tree and Parks Commission, DDA, and City Council. Going forward, I would recommend these groups continue to be engaged along with the business owners in our downtown to achieve the vision originally conceived through a consensus-driven process. Upon initial review by Council, I would suggest this draft be forwarded to the DDA and Planning Commission for their input before returning to Council.

In preparing this document, I appreciate the thoughtful and skillful work of Dean Martin, our Community Development Fellow who managed the process of pulling various documents, diagrams and input together from various staff and sources. I also thank Pat Elliott for his knowledge of our infrastructure and construction projects; Joe Lavender for assisting with maps and plans; and, Lindsey Dotson whose work with our Main Street businesses and programs gives life to the built environment we discuss.

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Cost Breakdowns

Unit Cost Breakdown

- Bike Racks:
 - \$386.76 (single stand)
 - \$1500 (large stand)
- Planters:
 - \$360.39 (small)
 - \$2,513.94 (medium)
 - \$3,041.34 (large, long)
- Outdoor Dining:
 - \$1,089.96 (tables)
 - \$615.30 (chairs)
- Benches:
 - \$2,074.44 (Gretchen)
 - \$1,195.44 (Wellspring)
- Light Pole: \$6,000/unit
- Big Belly Units: \$8,000/2 units
- Electric Car Charger: \$5,000
- Water Main: \$110/Linear Foot
- Sanitary Sewer: \$900/Linear Foot
- Subgrade Undercut: \$27/ Square Yard
- Hot Mix Asphalt (HMA): \$240/ ton
- Brick Pavers: \$35/Square Foot (including HMA removal)
- Water Service Upgrade: \$2,500
- Dumpster Enclosure: \$30,000
- Tree Planting: \$600
- Porous Pave: \$200/Tree
- Landscaping: \$20/Square Foot
- Cement Surfacing: \$500 for the Van Pelt Bike Area
- Brick Wall: \$172/Linear Foot
- Snowmelt System (not including HMA removal and replacement):
 - \$4-6/Square Foot (Electric)
 - \$5-10/Square Foot (Hydronic)
- Tree Lights: \$750/Tree

Total Costs: \$1,861,636.69 (just highlighted changes) - \$3,079,877.81 (complete alley & lot rework)

Currently excluding snowmelt system – total for this system detailed later

- Bike Racks:
 - \$386.76 (single stand) x12
\$4,641.12
 - OR
 - \$1500 (large stand) x3
\$4,500
- Planters:
 - \$360.39 (small) x7
 - \$2,513.94 (medium) x1
 - \$3,041.34 (large, long) x5
\$20,242.37
- Outdoor Dining:
 - \$1,089.96 (tables) x5
 - \$615.30 (chairs) x20
\$17,755.80
- Benches:
 - \$2,074.44 (Gretchen) x5
 - \$1,195.44 (Wellspring) x3
\$13,958.52
- Light Pole: \$6,000
- Water Main: \$110/Linear Foot
840 linear feet | \$92,400
- Sanitary and Storm Sewer: \$900/Linear Foot
270 linear feet | \$330,000
- Subgrade Undercut: \$27/ Square Yard
- Hot Mix Asphalt (HMA): \$240/ ton
- Brick Pavers: \$35/Square Foot (including HMA removal)
Total resurface:
69,800 square feet | \$2,443,000
Highlighted areas:
35,500 | \$1,242,500
- Water Service Upgrade: \$2,500 x2 | \$5,000
- Dumpster Enclosure: \$30,000 x2 | \$60,000
- Electric Car Charger: \$5,000
- Big Belly Units: \$8,000/2 units
- Tree Planting: \$600 x9 - x31
\$5,400 - \$18,600
- Porous Pave: \$200 x9 - x31
\$1,800 - \$6,200
- Landscaping: \$20/square foot
1,483 square feet | \$29,660
- Cement Surfacing: \$500
- Brick Wall: \$172 / linear foot
110 linear feet | \$18,920

Implementation Sequencing

Listed below are a few possible means of implementing the Corridor and Alley Vision. These methods can be viewed as independent projects, with no commitment to further development, or the launching point of a total alley and corridor overhaul. For complete detail on the visual aides, please view previous sections of recommended improvements.

North of Hoopskirt Alley

\$885,000 (+ \$427,400 in utility work)

The benefit of addressing the areas north of Hoopskirt Alley first (lot behind Rexall, Clinton to Park Street) comes in that no underground utility work is currently needed, allowing for a faster impact on the relevant alleys and corridors.

The bulk of streetscape amenities displayed in the renderings of our Alley and Corridor Vision are present in the areas north of Hoopskirt Alley. These streetscape improvements include seating alongside the back of the 200 block of Bridge Street, 2 parklets, 1 of which is used for outdoor dining, and adjacent to Van Pelt Alley, bike racks and increased lighting. Purchasing street furniture for these areas could serve to increase the speed at which pedestrians frequent the areas next to the US 31 corridor, establishing a base pedestrian flow for future improvements to come.



Hoopskirt Alley and South

\$578,000 (+ \$427,400 in utility work)

Hoopskirt Alley and the areas to the South (lot near Pedals, lot & alleyway near the Cinema) should be considered at the same or similar times due to the infrastructure requirements that need to occur underground. New water mains will need to be installed beneath the Mason and Antrim Street parking lots, as well as under Mason Street (with new Sanitary and Storm sewers in addition).

Following the best practice of integrated infrastructure asset management, resurfacing of lots and alleys to brick pavers will occur most efficiently occur in line with the infrastructure maintenance and addition. Doing so will prevent any unnecessary or redundant labor and supplies in removing hot mix asphalt multiple times for different purposes.

The highlighted areas for resurfacing hold less square footage than North of Hoopskirt Alley, reflecting the lower cost. The parking lots in these photos could also be resurfaced to brick pavers, resulting in a far great stormwater runoff impact, but with it greater costs. These higher costs are reflected in the individual breakdowns, and in the Cost Totals section.



Implementation Sequencing

Targeting Potential Pedestrian-Vehicle Overlapping Areas

\$969,000+ (\$427,400 in utility work)

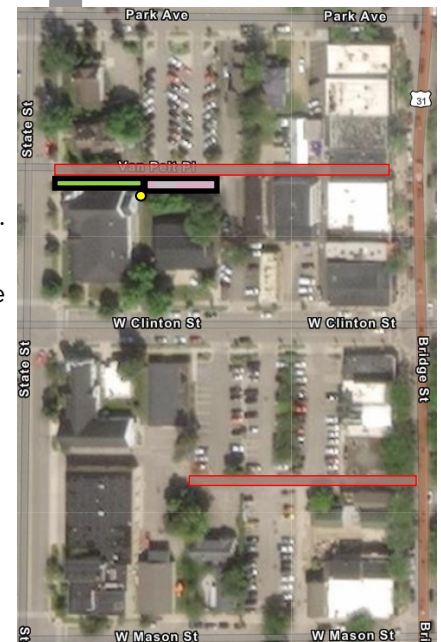
A possible start of implementation, bringing the streetscape improvements to areas with both pedestrian and vehicular traffic first might be beneficial for multiple reasons. The first is that these areas tend to need improvement the most. The alleys that hold the greatest share of pedestrian traffic, Van Pelt and Hoopskirt, both recently had improvements and street furniture additions that are well used and visually appealing. Improving the corridors connecting to these alleys would help create a consistent experience for downtown patrons exploring the Central Business District. Another benefit is found in the current lack of utilization. With less pedestrians and furniture in these corridors, the construction processes will be less invasive to those shopping or recreating in downtown areas. Another impact to consider is the traffic calming abilities that could apply to vehicular traffic in improved areas. With the addition of brick pavers (a different road surface than hot mix asphalt), decorations, and street furniture, drivers will understand that the corridors are pedestrian spaces as well, and treat driving down these corridors more greater caution.



Completing the Investment in Pedestrian Alleys

\$435,000 + (\$427,400 in utility work)

Alternatively, investment in the corridors and alleys could begin with Hoopskirt Alley and Van Pelt Alley as the first targets. Previous alley investment has proven successful, with these public spaces quickly becoming a cornerstone of downtown. Shoppers can often be seen resting with their bought wares, and businesses have opened with store fronts directly serving customers through the alley. Finishing the alleys with brick pavers and better lighting could make the most immediate impact, as these corridors already have a high extent of pedestrian traffic. The addition of bike racks in the Van Pelt Alley would serve as a hub for cyclists, promoting connectivity to the city's downtown by those living distances inconvenient for walking. Seasonality should be considered when conducting the improvements to pedestrian alleys to coincide with times that pedestrian and business use will be least obstructed.



Implementation Sequencing

Focus on High-Use Additions—\$543,000 + (\$427,400 in utility work)

As the brick-pavers account for 66.8% of the alley and corridor improvement costs in plans encompassing just the highlighted areas, it may be more convincing to improve the functional use of the corridors before tackling the surfacing. This low-cost method would also decrease the time needed to bring impact to the downtown system, as the physical changes would involve securing the purchased street furniture, making the needed underground utility improvements, and creating partnerships for the items that require private investment. However, this route still might want to consider some resurfacing improvements; the parklets by the back side of the 200 Bridge Street buildings will not see great use if the surface remains a parking lot with a curb leading to the buildings (however, this resurface makes up the bulk of the estimated costs. Without resurfacing, the estimate drops to \$176,635). Further, while landscaping doesn't provide "use", improving the green infrastructure in these lots will complement the functionality of the alleys and corridors well for the costs involved.

This method of implementation is generally cheaper, but as such the drawbacks of this approach should be clearly stated. Vertical connectivity will be less realized than first planned in the Corridor and Alley Vision, as the lack of brick pavers will not serve to guide pedestrians North-South. The corridor cutting Van Pelt North-South will have no improvements unless amenities are looked at outside of this report, such as small improvements to the back side façade or enhance lighting. Lastly, if resurfacing to pavers does occur after the utility additions are utilized, the money spent on HMA patching will be redundant.



Infrastructure Overhaul— \$1,699,560 (includes utilities work)

Concentrating current funding opportunities on the infrastructure of our corridors and alleys would frontload a majority of the costs, and instantly elevate the aesthetic value of these areas. As mentioned many times prior, resurfacing these lots provides an implicit direction to pedestrians venturing off the US 31 corridor, and would serve to promote private improvements and increase use of the rear entrances to Bridge Street businesses. This implementation sequence also promotes integrated infrastructure management, and will have resurfacing occur during underground utility additions, reducing waste and redundancies. The brick pavers again work as a traffic calming tool, signaling to drivers that these are areas to expect greater pedestrian travel.

A focus on the infrastructure improvements would still have to be segmented rather than attempted all at once, likely considering the utility work as interacting pieces.

The drawbacks to this approach is the strength of the previous; creating a sense of place out of the usage of the area. Improving the infrastructure in this fashion would be great for keeping the charm of Charlevoix consistent in its downtown areas, but the corridors and alleys would still serve as a simple pathway from the parking lots to downtown, much like their current use. Streetscape furniture and amenities are the items that transform a corridor from a pass-through area to a destination. It is highly recommended that the creation of place is considered along with infrastructure improvements.



Snowmelt System Implementation–Memo

Snowmelt Info for Corridor and Alley packet to Council

Prepared by Lindsey Dotson in October 2020

Dating back to recommendations made in the Market Analysis conducted in 2016, heated sidewalks have been on Charlevoix's wish list for some time. To consider all potential when it comes to the implementation of the Downtown Alley Corridor Vision we are including the estimates affiliated with installation of a snowmelt system in conjunction with other possible improvements that would be made. After all, if we are going to be in the business of tearing up sidewalks/concrete, we might as well do this work too.

In 2017 the DDA explored the potential of "testing" snowmelt on Antrim Street during some infrastructure improvements that were being performed by the Department of Public Works. We worked with Nealis Engineering in Traverse City because of their experience doing snowmelt installations there to come up with a rough estimate at that time without knowing what the energy source would be.

At that time it was estimated that in order to install a system it would cost approximately \$164,700 with an estimated annual operating expense of about \$55,000. These figures did not include maintenance expenses. At the time the DDA voted to not make that investment.

Then in 2019 GMB Architecture + Engineering in Holland, MI was engaged to conduct a site visit of Charlevoix to start the process of conducting a feasibility study of snowmelt in our downtown. This firm was selected because of their experience with both the Holland and Grand Haven snowmelt systems. The feasibility study alone would cost \$13,200 which the DDA voted not to spend at that time in order to seek out possible other sources to fund the study.

The feasibility study would help identify a more specific cost associated with installation and operation, comparing both gas and electricity options based on weather data and expected performance. It would also propose locations of the installation, possible phases of the project to consider, sources of heat for the system, etc.

Referring to information shared by Nealis Engineering re: snowmelt installation and combining that with information gathered by our GIS Coordinator on the approximate square footage of sidewalk in the downtown (126,060 - see map on next page for areas included) the following figures have been reached:

Electric snowmelt installation (\$4-6 average cost per sq. ft.): \$756,360

Hydronic (gas) snowmelt installation (\$5-10 average cost per sq. ft.): \$1,260,600

While electric seems to be the more reasonable choice at first glance, these systems can be extremely costly to operate annually.

Electric snowmelt annual operation/utility costs (based on our local commercial utility rates): \$145,000

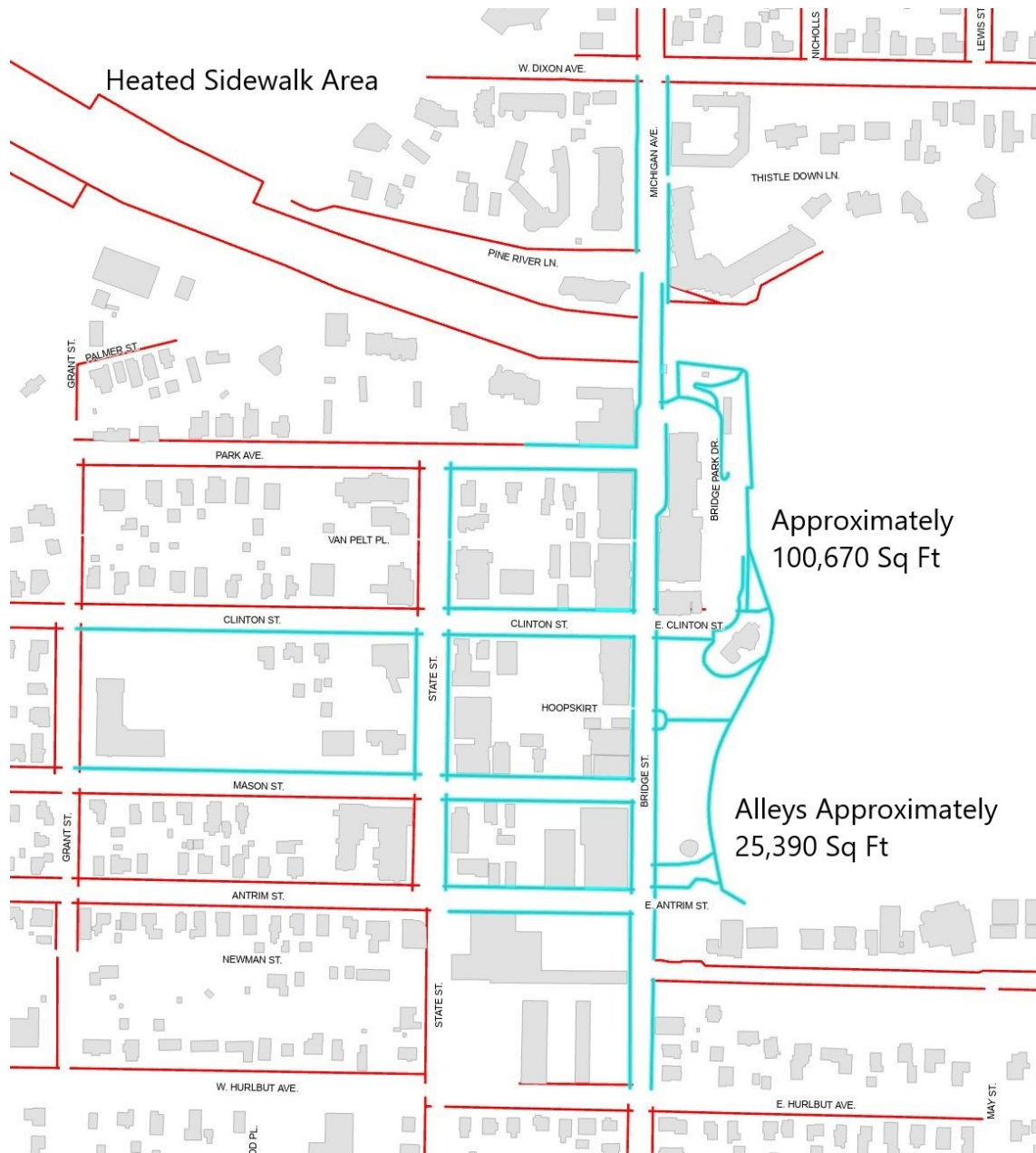
Hydronic snowmelt annual operation cost (gas): \$26,000

One thing worthy of note is that the Hydronic Snowmelt systems are able to use whichever power source is available whether it be natural gas, propane, solar, or even electric. This flexibility is afforded by the design of the system, which are tubes that hold propylene glycol fluid. Electric systems are limited to using electricity as a heat source.

All of the aforementioned numbers are rough estimates without complete information about heat source. While electric systems just plug into junction boxes, a hydronic system needs to have a nearby boiler, circulating pump, and manifold to operate. The further the heat source is from the system the more costly the snowmelt installation and operation will be. In Charlevoix the likely most long-term cost effective scenario is to build a new dedicated boiler plant in the downtown.

While that seems to be outlandish, if we consider the fact that this system could be built into a new mixed use development in the center of town, vs. being a standalone structure, it could be a bit more obtainable.

Snowmelt System Implementation–Memo



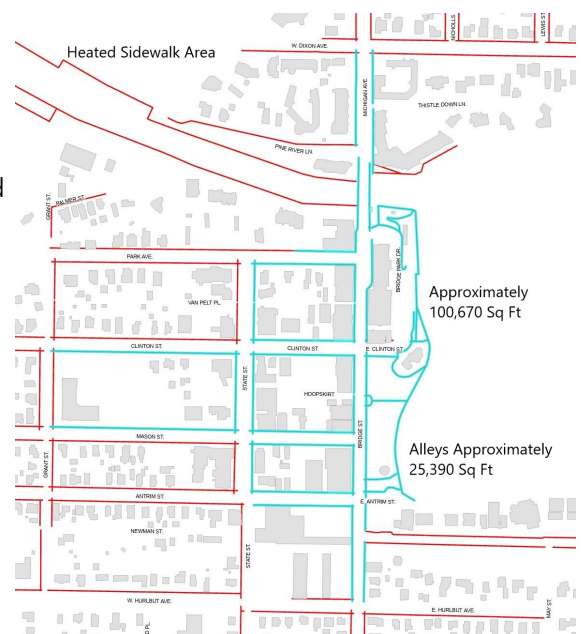
Snowmelt System Implementation

Adding an in-ground snowmelt system has widely been discussed in the past couple of years. It would provide many advantages to the downtown area and various considerations are given below on the inclusion of the framework for a snowmelt system in case sidewalks, alleys and other walkways are improved. However, none of this yet identifies a heat source to power the snowmelt system. This is intended to highlight how thinking ahead of the snowmelt system makes more sense when doing other walkway work than to re-install piping or wiring later.

Complete Snowmelt System Addition

Adding a complete Snowmelt System in the downtown would have tremendous impact not just to the viability of businesses in the winter, but to pedestrians and residents through the retention of East Park's walking amenities. Further, this complete schematic has paths to the library cleared for winter use, integrating this public asset to the downtown businesses and parks.

Covering the highest area, this design is the most costly to install and operate. Installation per square foot could be higher in areas that are not receiving other work, such as brick paver resurfacing or water main installations.



Bridge Street Storefronts

The most economical while still seeking economic development, adding sidewalk heating to the front of businesses on Bridge Street could serve to retain some of the lost consumption that occurs as the peak and shoulder seasons end. With proper marketing to let visitors know that Charlevoix holds a winter-friendly downtown, our seasonal and short-term guests could continue to patronize our businesses in a period which economic activity typically drops for the city.

This being the smallest build, the operation cost too would be the lowest. However, further economic analysis (likely in an feasibility or engineering study) is needed to determine the type of system that would be best implemented in a build of this size. Discussed in the memo, the hydronic method of heating is far cheaper to operate but carries greater fixed costs in both install price (nearly double), and the supplementary equipment and space needed for operation.

There may be concerns of connectability with this design; while the businesses will be clear of snow the walkways directing residents from the neighborhoods and visitors from the parking lots will not be. Patrons will be able to move from store to store free of winter inconvenience, but extra snow removal work could entail to promote organic transitions from the lots, alleys, and corridors to the US 31 business strip.



Snowmelt System Implementation

Bridge Street Storefronts and Prominent Alleys

Following the economic focus of a municipal snowmelt system but doing so in a way that features our prominent alleys (Van Pelt and Hoopskirt) adds an estimated 11,700 square feet for renovation.

The benefits of these additions cover some of what is lacked in the previous design; connection. In this scheme, those who use vehicles to travel to downtown will have an easier time accessing the main economic corridor of Downtown Charlevoix, as pedestrian walkways connecting 2 of the 3 main parking lots will have snow removal systems. Benefit is further found in the seasonal viability of businesses that use these corridors, namely the few that are operating in Van Pelt alley.

One point of consideration is the additional cost for the alleyway components. Square footage of install is increased by 61.5% if opting to cover the alleys, while the additional number of businesses served does not reach that percentage increase. However, a point could be made that the snowmelt system is ineffective if not serving those from the start of their downtown experience.

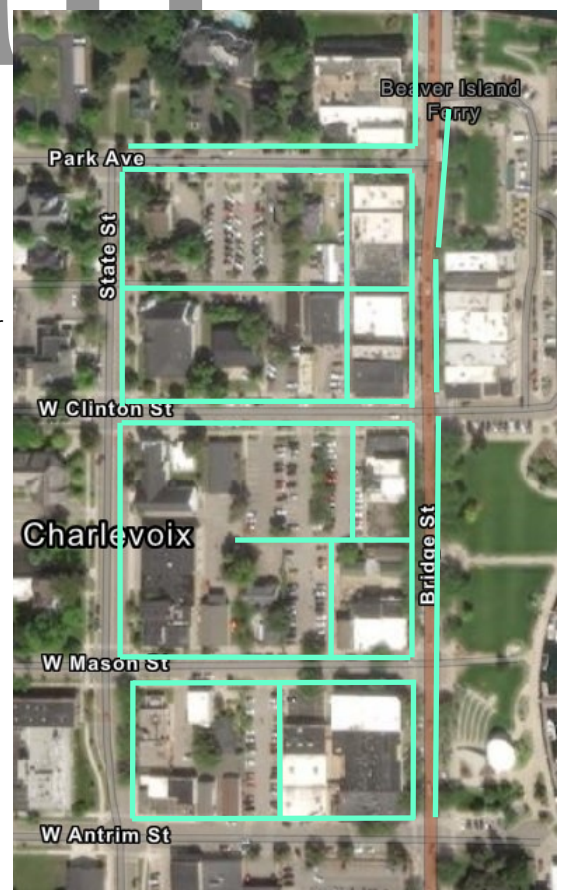
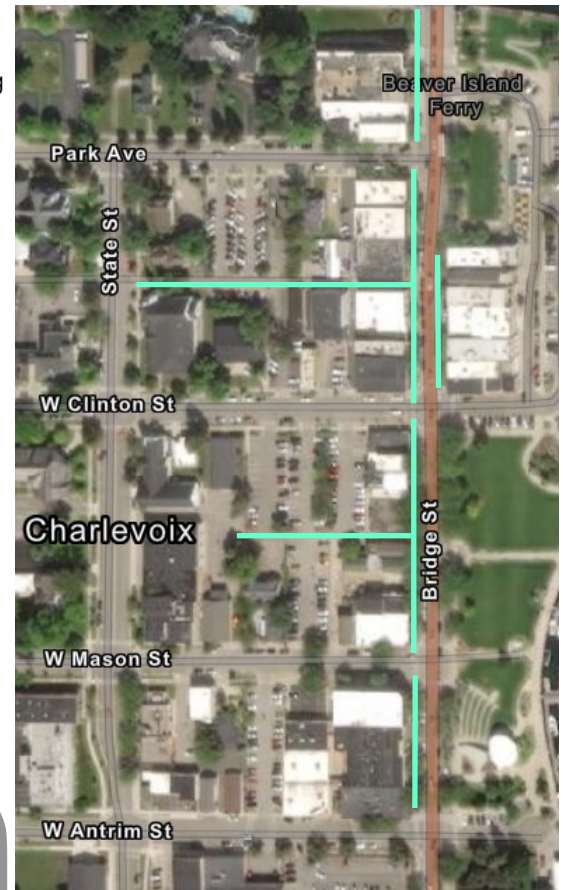
Lastly, the average cost of installation for the alleys may be drastically lower than that other areas if brick paver resurfacing occurs at the same time. The dig and pour that would encompass the snowmelt system could be as high as 3x the cost of the system; if this is already occurring, the snowmelt system in these areas becomes much cheaper.

Downtown Alley and Corridor Project Scope

This sequence would ensure complete winter use for our downtown businesses, alleys, corridors, and lots, while offering partial snowmelt services for the cultural corridor on State Street.

Notable additions from the last sequence include vertical pedestrian flow opportunities in line with infrastructure and streetscape recommendations. The North-South unnamed corridors from Antrim Street to Park Avenue may be a priority for improvement if resurfacing or utility work is already occurring, or if seasonal programming occurs to utilize these areas more in the offseason.

In this schematic, an estimated 23,630 (high-level estimate) square feet of highlighted area (the alleys and corridors) is designated to also have resurfacing occur. This is roughly 26.22% of the total highlighted area. As a result, the implementation of the snowmelt system is higher per average square foot than the "Bridge Street Storefronts and Prominent Alleys" plan, but less so than the "Bridge Street Storefronts" and "Complete Snowmelt System Addition" plans. This is assuming that the highlighted areas for resurfacing occurs; if not, than the averaged per square foot cost of a snowmelt system is the same across all plans.



Corridor Funding Opportunities

GENERAL

USDA Rural Business Development Grant

This grant offers a wide variety of potential uses for our corridor improvement vision, with the relevant ones listed below.

- *Acquisition or development of land, easements, or rights of way; construction, conversion, renovation of buildings; plants, machinery, equipment, access for streets and roads; parking areas and utilities.*
- *Pollution control and abatement.*
- *The capitalization of revolving loan funds, including funds that will make loans for start-ups and working capital.*
- *Community economic development.*
- *Technology-based economic development.*
- *Feasibility studies and business plans.*

There is no maximum award amount, but preference is given to smaller award requests.

MDARD 2021 Rural Development Grants

This state grant provides up to \$100,000 for infrastructure projects (including both transportation and waste water purposes), business development, and rural capacity building (such as tourism and cultural initiatives). A 30% match is required. Applications are due November 19th.

INFRASTRUCTURE

Transportation Alternatives Program

- A grant focused on pedestrian/bicycle usage, there are features to our corridor plans that could develop a competitive TAP grant. Some aspects that increase competitiveness include “(Benefiting) state tourism or economic development initiatives, (including) amenities that increase usability of bicycle and pedestrian facilities, and (addressing) pedestrian safety deficiencies in traditional/historic downtowns.” Other actions that could increase the competitiveness of our grant including connecting our downtown and corridors with MDOT and MDNR priority trails and matching over the minimum requirement for the grant. The minimum amount to be applied for is \$200,000, and the minimum match is 20%.

Transportation Economic Development Fund (TEDF), Michigan Department of Transportation

- **Category B Villages and Small Cities** a grant with the maximum match (50%) of \$250,000, this program can be used for any extent of resurfacing beyond regular maintenance. While the program is solely for road infrastructure/resurfacing, our project will be considered more competitive if the construction overlaps with necessary utility work (funded separately).

Community Development Block Grant

Corridor and alley improvement provides both economic and community development impacts. Economically, drawing investment into the areas surrounding the US 31 corridor will permit our downtown corridor to expand into adjacent streets, making surrounding businesses more viable. The business located in our Central Business District provide competitive and viable job opportunities for low-to-moderate income individuals, providing tangible economic benefits for those in our workforce with hospitality, food, and retail skills. Entrepreneurially, the investment can make surrounding properties more attractive and viable for those looking to start businesses, and with more eyes and great public access, prospective businesses will have more opportunities to find a successful storefront (such as those who are currently launching their start-ups from the city-managed business incubator. From a community development perspective, this project will provide more place-oriented space and offer connectors to our R2 district neighborhood, which contains many LMI individuals this grant and the City of Charlevoix seek to serve.

Corridor Funding Opportunities

Infrastructure Improvement Fund

As stated in the 2019-2020 Annual Budget, the cash balance for the this fund is growing and could be allocated for future projects. Currently, \$547,120 sits in the fund, with transfers regularly occurring for major street improvements and debt servicing. Draining this fund would be ill-advised, so perhaps this could be used for funding gaps or some scale iterations of the project.

Clean Water State Revolving Fund

This fund provides low-interest loans for improving systems and infrastructure as related to wastewater treatment improvement, storm water treatment improvement, and non-point pollution control. \$300 million is available, and at this time there is no required min or max for the loan. This funding source could be used for brick pavers, should we display non-point pollution benefits from this infrastructure design element. The first step to participating in this program is having a pre-application meeting with the Michigan Department of Environment, Great Lakes, and Energy.

Water & Waste Disposal Loan & Grant Program

A long-term, low-interest (based on AMI) loan opportunity for rural communities below 10,000 in population. Loans can be used for storm and waster water collection, transmission, and disposal. Granting may be available based on project need.

STREETSCAPE

Public Spaces, Community Places

Used prior for Hoop Skirt Alley, precedent was created in helping fund streetscape improvements through crowdfunding. With the MEDC matching up to \$50,000 of private donations, this would be a good tool to address any funding gaps in streetscape furniture or amenities. Private interest of alley investment has already been noted, and this could serve to essentially double their investment, while encouraging others.

USDA Rural Economic Development Grant and Loan Program

- The Rural Economic Development Grant and Loan Program can be used as a revolving loan fund that is administered to local businesses through the utility companies. The "grant" is given to the utilities to provide loans at 0% interest for the first round of loans, but interest can be added after. The grant amount must be returned to the USDA at the end of 10 years. The uses for these loans include community development assistance to public bodies or nonprofits for job creation or enhancement, business expansion, and financing fixed assets such as real estate, buildings, equipment, or working capital.

Placemaking Micro-Grants, National Association of Realtors

- **Level 1, \$1,500** This grant can be used on temporary design and demonstration of place-making. The specific activities it can be used on include site preparation, barricades, street furniture, public art, street signs, landscaping, murals, paint, and other amenities. The REALTOR association must be engaged on the project. This could be useful for the Clinton Street Parking Lot outdoor seating area behind restaurants, or for objects needed to promote outdoor vending of retail.
- **Level 2, \$5,000** This grant is less specific on what can be funded, stating that parklets, dog parks, alley activation, plazas, community gardens, and play/fitness areas can all use this grant. As above, the REALTOR association must be engaged or lead this project. There are specific items that the grant cannot be used for, such as infrastructure, sidewalks, restoration, repair, or replacement, singe-activity recreation, building construction, landscaping, or projects over \$200,000. This grant could be pursued for additions to Hoopskirt Alley, the parklets proposed in the schematic plan, or improving the spaces behind the Bridge Street Buildings. 10% match required by the REALTOR Association. Reimbursement must occur within a year of grant approval.

APPENDIX

Corridor and Alley Inventory and Progress Report

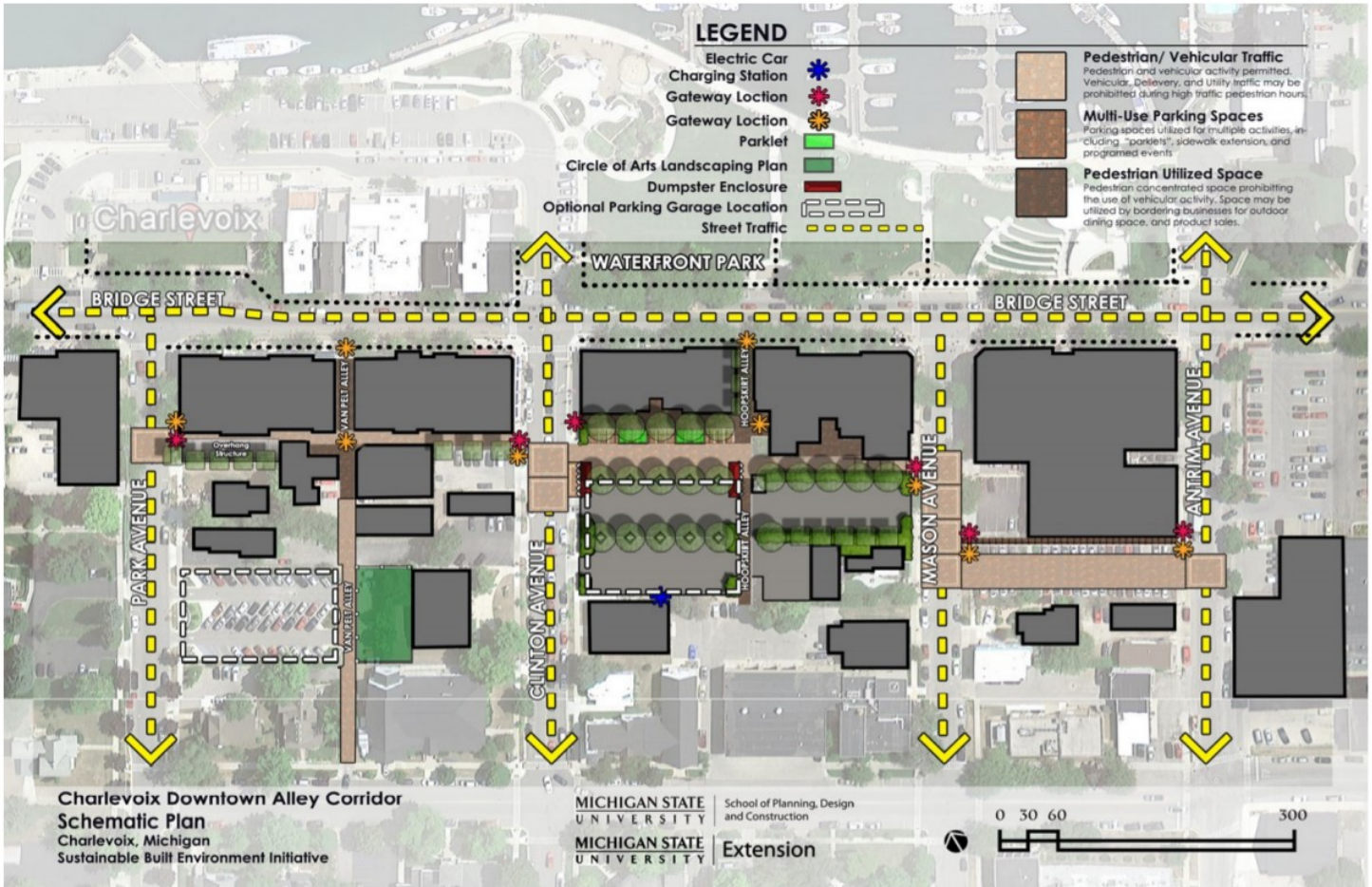
This following section focuses on 3 features of our corridor and alley improvement process: The amenities our alleys currently have, the identified improvements proposed that the city could possibly implement, and the *regional* costs and implementation of these improvements, with regions being different downtown blocks. The regional implementation and costs should be viewed more as itemized descriptors of what was previously presented; implementing these changes sequentially by region may not be viable due to infrastructure and utility additions that need to occur simultaneously across blocks. For better information on implementing alley and corridor changes, please refer back to the core report.

Geographically, this inventory is split into 3 large sections of our alleys and corridors, represented by the boundaries formed from the cross-cutting streets. The sections, from South to North, are Antrim to Mason, Mason to Clinton, and Clinton to Park. All sections are bounded by State to the west and Bridge to the east.

Throughout the appendix, pictures and renderings are presented that display an angled perspective on the specific area of the corridors, alleys, streets, and parking lots being discussed. At the start of each section, there will be a map of the specific block, with circles designating the location of the perspective and arrows giving directionality to the angle that the photo was taken. Each set of pictures and renderings has a colored line to the left of the section, which matches the color of the perspective given at the start of each section.

The implementation report at the end of each section will display the itemized changes recommended in prior design studies. As noted in the letter to council, these changes are not mandatory for corridor or alley use, and can be altered as seen fit. The implementation is simply the itemization and cost descriptions of the changed assets displayed in the alley and corridor renderings.

Schematic Plan



An Overview of Recommended Physical Changes:

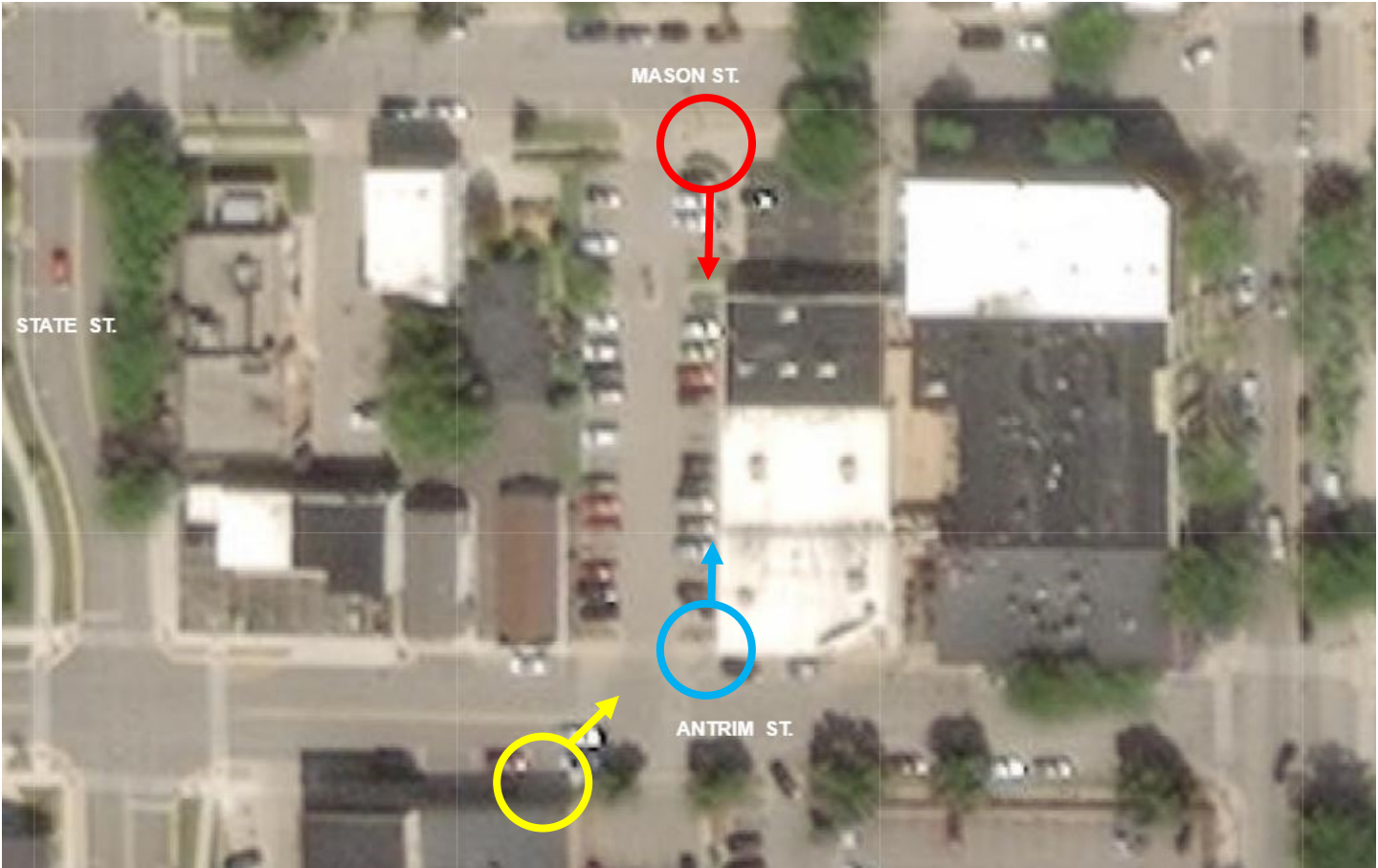
The Schematic Plan, presented on page 11 of the Corridor and Alley Vision Final Report document, offers recommendations to the infrastructure and usage of the corridors being studied. Place-making features are displayed, with gateway entrances noted on all North and South* corridors, and on the East* side of both the Van Pelt and Hoop Skirt Alley Corridors. Parklets are also highlighted; two are proposed in the block between Clinton Avenue and Mason Avenue. Some landscaping features appear overlaying current lots; the Clinton-Mason block has trees/shrubs that would serve as dividers, sectioning off the numerous wide pieces. Further landscaping changes exist by the Circle of Arts building; however these changes are actions that the nonprofit is responsible for rather than the city. Dumpster enclosures are proposed in the Clinton Street lot, on both Southeast* and Northeast sides. The plan also displays an electric car charging station on the West* side of the Clinton Street lot.

Larger physical recommendations include changes to the street infrastructure and parking garages. A wide investment in street pavers is recommended in the schematic plan, with a paver design present on every corridor, and in areas of pedestrian only, street traffic only, and mixed traffic. Two locations are outlined for a potential parking garage, with one over the current Park Avenue parking lot, and the other over the Clinton Lot. If the Clinton lot were to be pursued, the lot would be in conflict with the landscape and enclosed dumpster ideas also proposed.

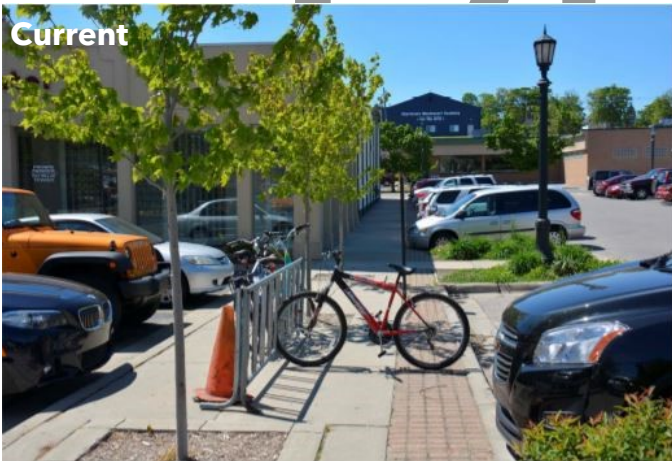
No significant traffic flow changes were presented in the schematic plan; the only change proposed was closing down vehicular traffic prior to the West* gateway on the Van Pelt Alley, which has occurred since the Vision was created.

*The Schematic Map provided is rotated counter-clockwise 90 degrees. As such, north on the map is east, east is south, south is west, and west is north.

Antrim to Mason Street - Design



Current



Proposed



South from the middle of the Mason St. 100 block, there currently exists parking and an underutilized pedestrian walkway. The purpose of this path is to accompany the parking lots while connecting the back/sides of the commercial buildings in these blocks. However, as it currently stands, the path serves no purpose other than as a corridor to exit the area to the north or south. Aesthetically, travelers are better served walking east and traveling north through the vibrant downtown or west and using the cultural corridor of state street. Full utilization of the central business district necessitates a change in this corridor, transforming it beyond a place to park cars to a place for residents to gather. The goal is to do this while still keeping the practicality and use of the lots.

The proposed changes to this pedestrian walkway include resurfacing the path from standard concrete to brick pavers, adding additional benches, and planting flowers in the grass easements by the sidewalks leading to the parking lot. Adding these features would increase usage of this corridor as a connector and a plaza for public space, further amplifying the changes found in the next perspective.

Antrim to Mason Street - Design

Current



Proposed



Looking north from the 100 block of Antrim Street, the corridor leading to Mason street holds opportunity for utilization that would promote both place-making and the business functions of the property occupying 107 Antrim Street. The Vision study saw opportunity for the movie theater to promote films currently airing, providing marketing to those who may be using the space to park downtown, or to walk through to an unrelated business downtown. The movie posters bring a greater sense of vibrancy and activity to the corridor, making those who use this space more comfortable. The intentional marketing of the theater's product to the side street indicates that it is a space where people are, and helps to promote the image

that people belong in this space. Other prescribed amenities include greater foliage, replacing the cement with brick pavers, and building awnings on the theater's side façade. The foliage noted includes additional trees adjacent to the pedestrian path, and flowers, planted both in ground and in fixtures. The brick pavers bring greater aesthetic quality than standard cement sidewalks, are easier to replace, and provide greater water permeability to decrease water runoff and stormwater needs. The awnings can provide light fixtures to make the area safer at night, give shelter to pedestrians during rains, and promote the downtown appeal of the corridor.

Current



A perspective from the south side of Antrim Street

, next to the entrance of Oleson's Food Store, provides a larger inventory of the proposed changes to the built environment of this corridor. There are 4 awnings designed into the side façade of the Charlevoix Cinema, with the movie displays and lights located beneath each. Flowers are planted into soil adjacent (north) of the sidewalk on Antrim street. 3 trees are added following the corridor along the cinema's side. Shrubs are also planted on the west side of the parking lot, next to the Village Graphics building.

Proposed



The largest infrastructure change seen here is the addition of pavers resurfacing a square of Antrim avenue. This plaza-style brickwork could push the downtown visuals further south, further incorporating Antrim street into destination atmosphere found in the other areas of the central business district. Other benefits to this resurfacing can be found in water permeability, which will decrease strain on the wastewater management system, its repairability over standard concrete, and can serve as a visual cue to vehicle operators to slow down for greater pedestrian activity.

Antrim to Mason Street - Implementation



LEGEND

Water Main

Storm Sewer

Sanitary Sewer

Brick Pavers

Landscaping

Tree

Planter (Small)

Awning Façade & Movie Display

Bike Rack

Bench

Antrim to Mason Street - Implementation

INVENTORY & COSTS ESTIMATES - Total regional costs - \$209,049.71 - \$217,649.71

Water Main: 270 linear feet | \$110/LF | total cost: **\$35,100**

Water Service Upgrades: number: 2 | \$2,500 per unit | total cost: **\$5,000**

Move Mailbox Dropoff: **\$1,500** (**\$4,500** if this is standalone)

Brick Pavers:

(Highlighted Areas only): 3,970 square feet | \$35 per square foot | total cost: **\$138,950**

(Parking Lot only): 13,000 square feet | \$35 per square foot | total cost: **\$455,000**

(Highlighted Areas Plus Parking): 16,970 square feet | \$35 per square foot | total cost: **\$593,950**

Landscaping: 400 square feet | \$20 per square foot | total cost: **\$8000**

Trees: number: 3-15 | \$600 per item | total cost: **\$1,800 - \$9,000**

Porous Pave each Tree: number: 3-15 | \$200 per unit | total cost: **\$600 - \$3,000**

Planter (Small): number: x5 | \$360.39 per item | total cost: **\$1,801.95**

Awning Façade & Movie Display: number: 4 | \$ per unit | total cost: (This would likely be private investment)

Bike Rack: number: 1–5 (depends on model) | \$1,500 per unit | total cost: **\$3,000**

Bench: number: x4 | \$2,074.44 per item | total cost: **\$8297.76**

Electric Car Charger: number: 1 | \$5,000 per item | total cost: **\$5,000**

Draft

Mason to Clinton Street - Design



Mason to Clinton Street - Design



Hoopskirt Alley, the corridor centrally located in the 300 block of Bridge Street, was severely underutilized at the time of the Corridor and Alley Vision. With its placement in the center of downtown and beautiful gateway signage, the alley had the capacity to serve as a small plaza complimenting the small businesses and East Park. The visualization called for increased vegetation both in infrastructure and potted, a painted mural and suspended hoops to make the alley more lively in its theme, and benches to transition the alley from an extension of the parking lot to its own place for public gathering. A larger change, the report visualized the surface of the corridor changed to brick pavers and extended down to the end of the parking lot.

Many changes have occurred in line with the SBEI recommendations. In 2019 the Junior Main Street Committee of Charlevoix High School Students partnered with the Downtown Development Authority to bring some of the proposed amenities to life. With crowdfunding and matching support from the DDA and the Michigan Economic Development Corporations, the alley was revitalized. Vegetation was added, as were benches on the left side of the alley and a table on the right. Pictures of historic Charlevoix now line the right side of the corridor, and string lights dangle above. Recycling and Trash receptacles have been added to avoid litter. Stained glass art representing Charlevoix was added to the top of the gateway, and a photo standup sits at the front of the corridor matching its theme.

Mason to Clinton Street - Design



Looking north from Hoopskirt Alley at the backside of the Bridge Street businesses there is opportunity to improve the experiences of both downtown patrons and visitors. An added emphasis on backside facades provides multiple points of contacts for potential customers, allowing business to strengthen their place downtown and optimizing an unused back corridor. The rendering displays the clothing store J Phillips using the corridor as for merchant activity, increasing the life and market feel of this area. As with other renderings, there is an increased focus on adding greenery, with small trees and flowers planted into the infrastructure and potted plants adorning the backside walls and roofs of the businesses. The corridor is resurfaced with brick pavers in the rendering, signaling a more pedestrian aesthetic and providing a greater small town vibrancy. Seating is also added near each of the trees, again to strengthen that this corridor is for pedestrian gathering and use, not just travel. On the very left of the proposed rendering, there appears to be a planter or two extended out of the corridor, with a man sitting. This is likely a representation of the parklet noted in the schematic plan. The parklets serve to give downtown visitors a dedicated space for unwinding, unlike the benches in the corridor, which can be utilized by those shopping or participating in passive recreation.

Mason to Clinton Street - Design



Viewing the immediate rear of the south 300 Bridge Street block, the Vision proposed improvements that would increase utilization for the occupants while improving walkability for pedestrians. Currently, the corridor looks oriented towards vehicular travel, with cracked cement and loose sediment serving as the traveling surface. Likewise, while the guard rail on the right informs parkers of the boundaries of parking, it comes with the unintended consequence of segmenting the parking lot and serving as a barrier to mobility for pedestrian walkers.

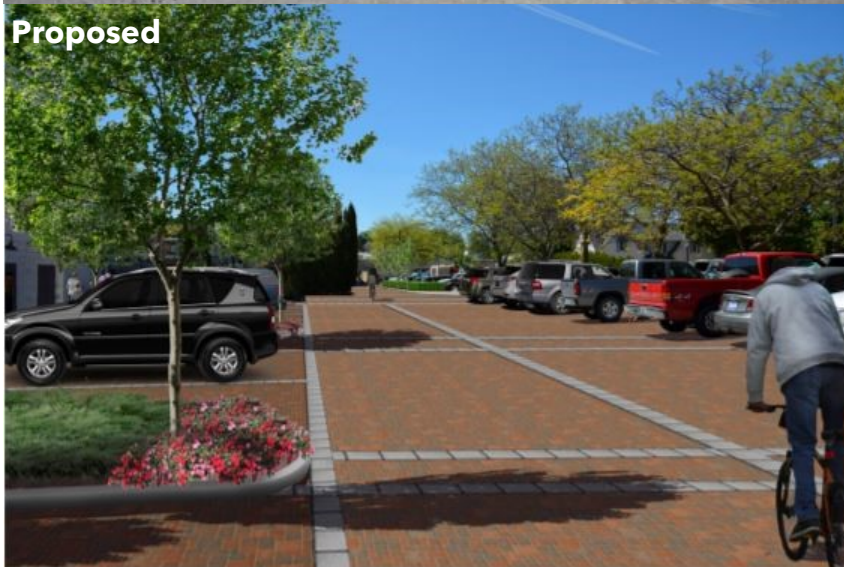
A major change recommended by the study is the resurfacing of this corridor to brick pavers. The pavers will provide a visual cue to drivers that this is a space for pedestrian as well as vehicles, and those partaking in non-motorized transportation will feel more comfortable using this area. Other changes include new fencing, seating and hanging flowers near the privately owned building to increase the vibrancy of the corridor, and replacing the metal guard rail with green infrastructure such as trees, shrubs and flowers. This will require modifying the surface under the barrier to soil to accommodating the plants.

Mason to Clinton Street - Design

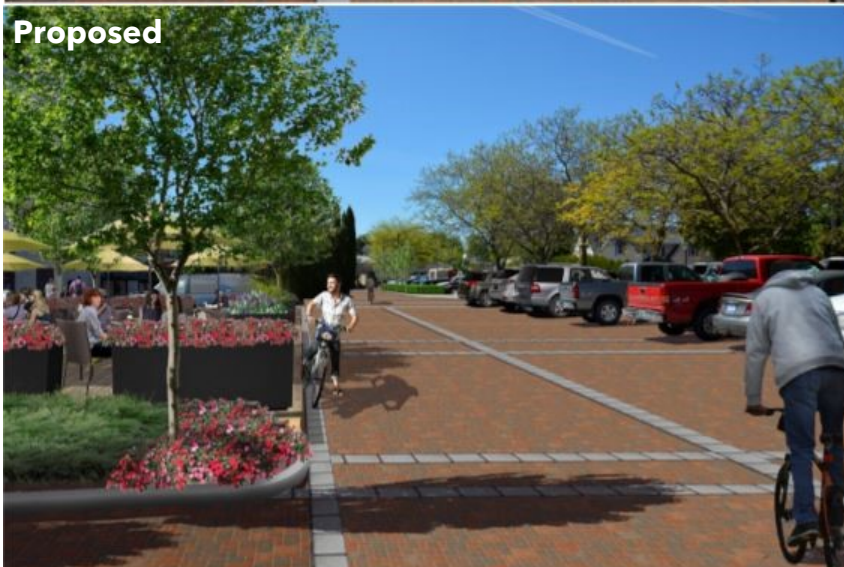
Current



Proposed



Proposed



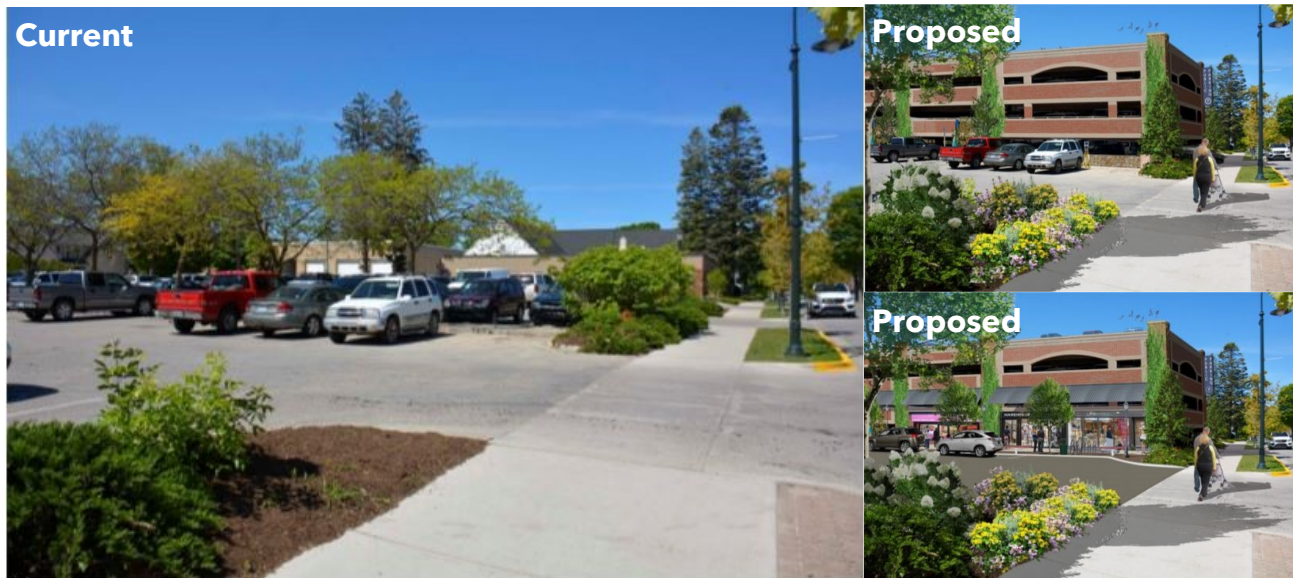
The east side of the Clinton Street Parking Lot, nearest to the Bridge Street Buildings, is an ideal place in the city to park.

With access to the downtown retail environment to the east and city hall, churches, and professional offices to the west, this lot serves a necessary function that compliments the city well. Apparent in the current picture however, is a disconnect from the cultural and thriving atmosphere found elsewhere in Charlevoix's downtown. The activity and wonder of downtown is what makes Charlevoix valuable to all visitors, whether they live 5 minutes away or 5 hours. It doesn't serve the city well if the magical feeling a small town emanates is lost before the visitors leave the parking lot.

To create a consist atmosphere with the downtown and cultural corridors, the Vision study determined that renovations targeting the aesthetic should occur. These improvements include islands with mixed vegetation and a resurfacing of the lot to brick pavers. The brick pavers could serve to not only enhance the visual appeal, but offer environmental benefit in preventing water runoff. When rainfall or spills occur to an impermeable surface, the water can collect harmful chemicals or waste before entering the stormwater collection system. Brick pavers, offering permeability at the joints, can successfully trap and filter water before the contaminants can enter the local water supplies.

Another feature, noted in the second design, is the removal on parking spots to accommodate for patio dining behind the buildings. This can increase the capacity of restaurant dining, provide greater choice for patrons, and increase the vibrancy of the corridor.

Mason to Clinton Street - Design



The Clinton Street parking lot is a location that is visualized with great potential. Currently, the lot often sits below maximum capacity, only filling up during events or during peak seasons. As a result, the parking lot occupies amount of land, underutilized and visually unappealing just seconds away from a thriving downtown.

Two separate views of what the Clinton Street parking lot could be are seen on the right. The first, on the top right, displays a full, 3 (4 if utilizing the roof) floor parking garage in the Western most region of the parking lot. This design would add greater capacity to parking for businesses, visitors, and downtown residents of Charlevoix. Having the full structure available for parking could likely free up spaces in other lots (later described in this report) for development, extending the core of downtown.

The second picture (bottom right) provides retail business opportunities as well as parking. While less spaces would be available than in the first design, it could still increase the capacity of the parking lot compared to where it currently stands. In this design, the parking lot in front of the development has also been resurfaced. A non-built environment benefit of this visualization is the extension of the downtown; by offering businesses a block away from the core retail environment, pedestrian traffic can be dispersed, making other properties more valuable and economically viable for retail practices. Further, the amenities proposed in other sections (such as seating, parklets, pedestrian walkways, and public art) would find greater use if the blocks behind bridge street there were business to pull customers in a east-west direction, rather than the north-south as is the currently the strongest directional flow of pedestrians in the central business district.

One improvement can be found across both renderings: the inclusion of greater vegetation in the parking lot. With the site's current utilitarian purpose of parking and then leaving, it's easy to ignore the aesthetic elements that can give an additional sense of place to the lot. The Vision included a greater emphasis on adding perennial wildflowers to the curbside, smaller trees dotting the front of store entrances, and larger trees climbing the sides of the parking structure.

Mason to Clinton Street - Design

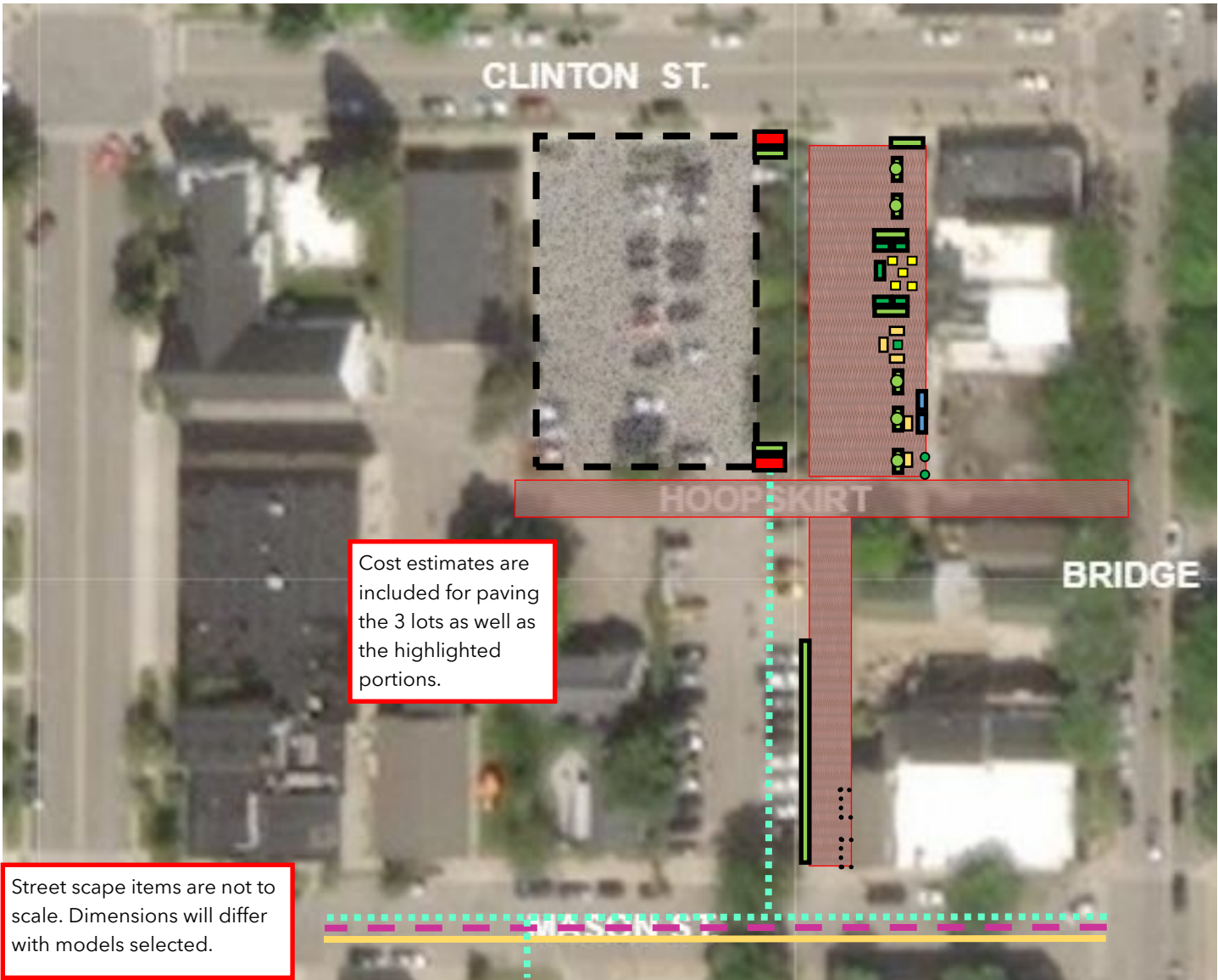


The island in the middle of the Clinton Street parking lot connected to Hoopskirt Alley has been identified as a possible point for shared dumpster use by the businesses of the Bridge Street 300 block. Here, an open brick enclosure could be erected, extending more towards Hoopskirt Alley than the island currently does. Two sets of wooden large wooden double doors would secure the enclosure, reducing the safety risk of dumpster diving. This visualization is also consistent with the perspective looking down Hoopskirt alley, with resurfacing of brick pavers extend through the parking lot. New shrubs are planted on the back side to continue the effort of increase vegetation.

The Vision report does not mention how this would impact the fire hydrant that is placed on the island, or, if it remains, emergency responder's ability to access it. Further, efforts would need to occur to ensure the smell of the dumpsters do not impact the increased traffic on Hoopskirt Alley.

A similar dumpster enclosure is noted on the schematic plan in the same lot, north of this location.

Mason to Clinton Street - Implementation



LEGEND			
 Water Main	 Landscaping	 Outdoor Dining	 Façade
 Storm Sewer	 Tree	 Dumpster Enclosure	
 Sanitary Sewer	 Planter (Small)	 Fencing (private)	 Potential Parking Garage
 Brick Pavers	 Planter (Large)	 Bench	

Mason to Clinton Street - Implementation

INVENTORY & COSTS—Total regional costs (highlighted) – \$1,112,172.81– \$1,115,792.81

Full rehab, water, sanitary, storm, sidewalk, curb (doesn't include electric bury/370', only conduit): \$330,000

Brick Pavers:

(Hoopskirt Alley) - 5,000 square feet | \$35 per square foot | total cost: **\$175,000**

(Alley South of Hoopskirt) - 4,000 square feet | \$35 per square foot | total cost: **\$140,000**

(Parking Lot North-East of Hoopskirt) - 9,900 square feet | \$35 per square foot | total cost: **\$346,500**

(Total highlighted) - 18,900 square feet | \$35 per square foot | total cost: **\$661,500**

(Parking Lot by Petals) - 11,400 square feet | \$35 per square foot | total cost: **\$399,000**

(Parking Lot North-West of Hoopskirt) - 9,900 square feet | \$35 per square foot | total cost: **\$346,500**

(Complete brick paver resurfacing) - 40,200 square feet | \$35 per square foot | total cost: **\$1,407,000**

Landscaping: 669 square feet | \$20 per square foot | **\$13,380**

Trees: number: 5-15 | \$600 per item | total cost: **\$3,000–\$9,000**

Planter (Small): number: 2 | \$360.39 per item | total cost: **\$1,081.17**

Planter (Large): number: 6 | \$2,513.94–3,041.34 per item | total cost: **\$17,720.64**

Awning Façade: number: 2 | \$ per item | total cost: ((This would likely be private investment))

Bench: number: 5 (2 Gretchens, 3 Wellspring | \$1,195.44–\$2,074.44 per item | total cost: **\$7,735.20**

Outdoor Dining Table: number: 5 | \$1,089.96 per item | total cost: **\$5,449.80**

Outdoor Dining Seats: number: 20 | \$615.30 per item | total cost: **\$12,306.00**

Dumpster Enclosure Build: number: 2 | \$30,000 per enclosure | total cost: **\$60,000**

Clinton Street to Park Avenue- Design



Clinton Street to Park Avenue- Design



Van Pelt Alley serves as a connecting corridor between the downtown and Charlevoix's upper South-side residences. The goal of corridor and rear building improvement is not just to create space for visitors, but to encourage increased downtown use from residents as well. As such, improvements made to our alleys and connecting paths should not just target the areas between the parking lots and Bridge Street, but extend all the way to our medium density neighborhoods as well. 61% of residents in the market snapshot responded that they visit downtown at least once a week, with a majority saying they visit frequently. Improving our corridors could make the downtown experience more enjoyable for those that use the paths often, and could possibly expand usage among the minority that don't often visit downtown (20.2% - every couple of weeks, 18.1% - less often).

Multiple changes to the built environment are recommended to make Van Pelt more desirable to pedestrian traffic. The first is the addition of brick pavers from State Street to Bridge Street. The pavers serve to better inform vehicular drivers that it is a shared space with pedestrians, increasing safety, while also amplifying the downtown aesthetic of the path, increasing visual appeal. Further enhancements to visual appeal include planted flowers lining the south side of the path, and a light pole just past the United Methodist Church. More focused on utility, the Corridor Vision also includes bicycling parking area behind the Circle of Arts building, giving those who preferred non-motorized transportation to driving or walking a formal place to park their bikes. This area would be separated from the present parking lot and white a stone wall, as seen just past the bicycles in the rendering.

Clinton Street to Park Avenue- Design



Van Pelt Alley between the Park Street Parking lot and Bridge Street has relatively high activity compared to other areas behind the Bridge Street buildings. While the businesses that inhabit this corridor (currently the Cantina, True North Interior Design, Salon Beautiful You, the Salad Fork, and Cherry Republic) can account for most of the high activity, it does serve a demonstrative purpose in that if there are activities and place-oriented amenities in our alleys, visitors and residents will better use them. Further, the success of these business away from US 31 also proves the viability of commercial expansion; the focus of downtown Charlevoix does not have to lay solely on Bridge Street.

At the time of studying our corridor and alley needs, Van Pelt Alley was severely underutilized and unattractive. There was little in the way of streetscape, with the only objects occupying the corridor including traffic cones, fencing and fencing. The sides of buildings ranged from lacking decoration to near blighted, with 217 Bridge Street (building on the left) lacking any facades or exterior improvements, and 221 Bridge Street (on the right) having boarded windows.

Improvements have occurred that vastly increased the condition of the alley since the first corridor vision. Planter boxes holding flowers now block the alley before the 4 way intersection, designating it as a zone for pedestrians (however, deliveries are still possible north-south through the corridor). A back-side façade has been added to 217 Bridge Street, and flags are now adorned on the side of this building. Since the previous photo, a pick-up eatery was added to the building, and tables in the alley allow for outdoor seating. 221 Bridge street also has a side façade, and serves as the exit for the Cherry Republic store. A pole with hanging string lights stands near the outdoor eating section of the Cantina. Changes proposed that are yet to be made include resurfacing to brick pavers,, and adding wooden beams over the alley between the two bridge street buildings.

Clinton Street to Park Avenue- Implementation



LEGEND



Brick Pavers



Brick Wall



Cement Surfacing



Landscaping



Tree



Street Light



Bike Rack



Potential
Parking
Garage

INVENTORY & COSTS - Complete regional cost - \$477,850

Brick Pavers: (6,630 EW, + 6,000 NS) 12,630 square feet | \$35 per square foot | total cost: **\$442,050**

Landscaping: 414 Square Feet | \$20 per square foot | **\$8,280**

Trees: number: 1 | \$600 per item | total cost: **\$600**

Brick Wall: 110 linear feet | \$172 per linear foot | total cost: **\$18,920**

Cement Surfacing: total cost: **\$500**

Street Light: number: 1 | \$6,000 per item | total cost: **\$6,000**

Bike Rack: number: (depends on model) | \$1500 per item | total cost: **\$1500**

CHARLEVOIX CITY COUNCIL

Consent Agenda

TITLE: City Council Meeting Minutes - October 5, 2020

DATE: October 19, 2020

RECOMMENDATION:

Motion to approve City Council minutes.

ATTACHMENTS:

- ▣ Draft Council Minutes

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 License 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

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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		
MONEY 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	JOHNSON, MELISSA A.	50.00
AMERICAN WATER WORKS ASSN	224.00	KLOOSTER, ALIDA K.	50.00
ANDERSON, ELIZABETH A.	50.00	KLOOSTER, PATRICK H.	50.00
ANZELL, BETH A.	50.00	KNORR, KENT J.	50.00
AT YOUR SERVICE PLUS INC	625.00	KSS ENTERPRISES	957.05
AT&T MOBILITY	577.52	LAKESHORE TIRE & AUTO SERVICE	24.95
AVFUEL CORPORATION	41,655.77	LANDSCAPE FORMS INC.	8,640.00
BEAVER RESEARCH COMPANY	257.08	LAVENDER, JOSEPH E.	50.00
BELL EQUIPMENT COMPANY	376.73	LIVINGSTON, BRIAN D.	50.00
BERG, REBECCA	40.00	LOTTIE'S BAGELS	187.00
BOUND TREE MEDICAL LLC	169.55	MACGREGOR PLUMBING & HEATING	390.00
CANTINA, THE	75.00	MAYER, SHELLEY L.	50.00
CHARLEVOIX TOWNSHIP	20,627.47	McGINN, KELLY A.	50.00
CHARTER COMMUNICATIONS	994.68	MCLEAN ENGINEERING CO INC	1,906.50
CINTAS	111.82	MCMULLEN, DONALD R.	50.00
CINTAS CORPORATION	101.73	MDC CONTRACTING LLC	51.25
CLEAR WATER PLUMBING & HEATING	2,800.00	MICHIGAN ELECTRIC	17,900.00
CONWAY PROFESSIONAL SERVICES	11,045.00	MICHIGAN MUNICIPAL LEAGUE	4,998.09
DALEY, IRVING	28.99	MILLER, WILLIAM S.	50.00
DCL INC	833.76	MINERAL MASTERS	1,849.00
DeROSIA, PATRICIA E.	50.00	MUNSON HEALTHCARE CHX HOSPITAL	2,638.70
DHASELEER, CARL	289.00	MUNSON HOME SERVICES	344.97
DITCH WITCH SALES OF MICHIGAN	2,004.26	NORTHERN SAFETY CO INC	50.86
DOAN, GERARD P.	50.00	NORTHWEST FIRE	654.00
DORAN, JUSTIN J.	50.00	OHM ADVISORS	33,939.65
DORNBOS SIGN INC.	70.85	OLESON'S FOOD STORES	208.84
DOTSON, LINDSEY J.	50.00	OUDBIER INSTRUMENT CO	4,047.50
EDGEWATER RESOURCES LLC	4,554.38	PAYMENT RESOLUTION SERVICES	445.15
EJ USA INC.	5,021.91	PICTURE THIS	164.75
ELLIOTT, PATRICK M.	50.00	POWER LINE SUPPLY	4,968.00
ELLSWORTH FARMER'S EXCHANGE	150.00	PREIN & NEWHOF	30.00
EMERGENCY MEDICAL PRODUCTS INC	179.70	PRESTON FEATHER	245.59
ETNA SUPPLY	9,708.40	PRODUCTIVITY PLUS ACCOUNT	737.40
EVANS, ERIN	48.00	PURITY CYLINDER GASES INC	83.00
E-Z-GO A TEXTRON COMPANY	45.68	QUALITY CAR & TRUCK REPAIR INC	1,046.50
FARMER WHITE'S	228.00	REHMANN-ROBSON & CO	4,400.00
FASTENAL COMPANY	3.33	ROTARY CLUB OF CHARLEVOIX	37.50
FAULKNER, CHRISTOPHER	50.00	S&W HEALTHCARE CORPORATION	256.86
FISHER SCIENTIFIC	363.35	SEA BAGS	50.00
GA GA FOR KIDS	100.00	SILVA, JESSE L.A.	50.00
GAPUTIS, KELLY	50.00	STAFFORD'S WEATHERVANE	50.00
GERBER HOMEMADE SWEETS	96.00	STATE AND MASON LLC	1,000.00
GOLDING, JOYCE M.	50.00	STATE FARM	728.99
GRAINGER	104.35	STATE OF MICHIGAN	203.16
GREAT LAKES ENERGY	184.08	STATE OF MICHIGAN	95.00
GREAT LAKES PIPE & SUPPLY	404.12	STRICKER'S OUTDOOR POWER EQUIP	385.94
GRP ENGINEERING INC.	8,658.68	STRIKER SUPPLY	44.00
HACH COMPANY	291.00	SWANSON K & D INC	2,465.00
HANKINS, SCOTT A.	50.00	SWEM, DONALD L.	50.00
HARRELL'S	3,635.79	TELNET GROUP INC	203.50
HEYDLAUFF, MARK L.	50.00	TELNET WORLDWIDE	446.23
IPS GROUP INC	1,203.23	TERMINAL SUPPLY CO	75.00
JACK DOHENY COMPANIES	792.28	TRAVERS, MANUEL J.	50.00

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UNIFIRST CORPORATION	576.61	WURST, RANDALL W.	50.00
USA BLUE BOOK	592.23	WYMAN, MATTHEW A.	50.00
VILLAGE GRAPHICS INC.	252.00	ZIIBIMIJIWANG INC	275.00
WATERWAY OF MICHIGAN	1,869.40	TOTAL	220,792.04
WORK & PLAY SHOP	18.74		

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

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KUSINA, DENNIS W.	187.44
LABLANCE, MAUREEN J.	195.20
LIVINGSTON, BRIAN D.	1,708.92
WAY, KRISTINA M.	177.02
WYMAN, MATTHEW A.	1,647.33
MILLER, WILLIAM S.	1,408.94
DOUGLAS, MARK	945.89
PRIOR, ERIN C.	1,000.51
FRATRICK, JOSEPH W.	509.50
MCMULLEN, DONALD R.	2,492.63
SILVA, JESSE L.A.	1,293.89
JOHNSON, MELISSA A.	1,707.74
STEPHENS, LYON G.	204.34
TRAVERS, MANUEL J.	1,523.63
FAULKNER, CHRISTOPHER J.	2,605.23
STEVENS, JEFFREY W.	457.21
RILEY, CASEY W.	591.06
JONES, LARRY M.	405.91

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

Payroll Transmittal – 10/02/2020

4FRONT CREDIT UNION	943.00
AMERICAN FAMILY LIFE	608.28
CHAR EM UNITED WAY	90.00
CHARLEVOIX STATE BANK	967.00
CHEMICAL BANK	25.00
COMMUNICATION WORKERS OF AMER	672.47

MI STATE DISBURSEMENT UNIT	209.65
MONEY LIFE INSURANCE	380.82
POLICE OFFICERS LABOR COUNCIL	251.25
PRIORITY HEALTH	1,499.08
TOTAL	5,646.55

Tax Disbursement – 10/06/2020

CHARLEVOIX COUNTY TREASURER	40,355.89
CHARLEVOIX PUBLIC SCHOOLS	51,800.80
CHARLEVOIX PUBLIC SCHOOLS	1,930.67
CHARLEVOIX PUBLIC SCHOOLS	1,351.36
CHARLEVOIX PUBLIC SCHOOLS	578.95

CHARLEVOIX PUBLIC SCHOOLS	1,892.06
CITY OF CHARLEVOIX - TAXES DUE	47,153.10
TOTAL	145,062.83

CHARLEVOIX CITY COUNCIL

Consent Agenda

TITLE: Accounts Payable and Payroll Check Registers

DATE: October 19, 2020

ATTACHMENTS:

- ▣ Accounts Payable and Payroll Check Registers

Check Number	Payee	Amount
09/30/2020		
131613	STATE OF MICHIGAN	50.00
Total 09/30/2020:		50.00
Grand Totals:		50.00

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

09/30/20	Special Accounts Payable Run	\$ 50.00
10/16/20	Payroll (net pay)	\$ 118,505.95
10/16/20	Payroll Transmittal Checks	\$ 5,395.30
10/20/20	Regular Accounts Payable	\$ 699,492.86

Checks Sub-Total: \$ 823,444.11

HUNTINGTON NATIONAL BANK - ACH/WIRE PAYMENTS

10/02/20	Proximity Space Inc	\$ 105.40
10/05/20	MI Public Power Agency	\$ 12,814.02
10/05/20	AMG Payment Solutions	\$ 669.94
10/05/20	Payment Service Network Inc	\$ 249.10
10/08/20	State of MI (Sales Tax)	\$ 21,575.46
10/09/20	DTE Energy	\$ 1,798.51
10/13/20	MI Public Power Agency	\$ 9,893.77
10/16/20	IRS (Payroll Tax Deposit)	\$ 43,219.18
10/16/20	Alerus Financial (HCSP)	\$ 350.00
10/16/20	State of MI (Withholding Tax)	\$ 6,322.34
10/16/20	Vantagepoint (401 ICMA Plan)	\$ 912.08
10/16/20	Vantagepoint (457 ICMA Plan)	\$ 20,519.35
10/16/20	Vantagepoint (Roth IRA)	\$ 1,155.76

ACH Sub-Total: \$ 119,584.91

Huntington National Bank Total: \$ 943,029.02

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

10/20/20	Tax Disbursement	\$ 116,949.48
Charlevoix State Bank Total:		\$ 116,949.48

Grand Total: \$ 1,059,978.50

APPROVED:


CITY MANAGER


CITY TREASURER


CITY CLERK

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
10/10/2020	PC	10/16/2020	31819	HEYDLAUFF, MARK L.	102		2,882.72
10/10/2020	PC	10/16/2020	31820	GOLDING, JOYCE M.	106		1,653.60
10/10/2020	PC	10/16/2020	31821	DEROSIA, PATRICIA E.	107		799.18
10/10/2020	PC	10/16/2020	31822	DOTSON, LINDSEY J.	109		1,421.40
10/10/2020	PC	10/16/2020	31823	KLOOSTER, ALIDA K.	121		1,753.73
10/10/2020	PC	10/16/2020	31824	GOLOVICH, KAREN J.	122		1,005.65
10/10/2020	PC	10/16/2020	31825	BARNEVELD, RICHELLE	123		1,163.10
10/10/2020	PC	10/16/2020	31826	EDWARDS, MACKENZIE	124		1,299.42
10/10/2020	PC	10/16/2020	31827	MILLER, FAITH G.	142		32.43
10/10/2020	PC	10/16/2020	31828	MCGINN, KELLY A.	146		2,085.82
10/10/2020	PC	10/16/2020	31829	LAVENDER, JOSEPH E.	153		1,728.57
10/10/2020	PC	10/16/2020	31830	DOAN, GERARD P.	201		2,406.48
10/10/2020	PC	10/16/2020	31831	UMULIS, MATTHEW T.	205		1,203.53
10/10/2020	PC	10/16/2020	31832	HANKINS, SCOTT A.	208		1,952.22
10/10/2020	PC	10/16/2020	31833	ORBAN, BARBARA K.	209		1,234.27
10/10/2020	PC	10/16/2020	31834	FLICKEMA, ANDREW M.	211		1,589.58
10/10/2020	PC	10/16/2020	31835	RILEY, DENISE M.	213		454.71
10/10/2020	PC	10/16/2020	31836	MUNK, CHRISTOPHER J.	215		1,268.55
10/10/2020	PC	10/16/2020	31837	SCHICK, TIELER R.	216		1,310.55
10/10/2020	PC	10/16/2020	31838	MATELSKI, KRISTEN L.	230		1,355.87
10/10/2020	PC	10/16/2020	31839	BINGHAM, LARRY E.	240		1,006.88
10/10/2020	PC	10/16/2020	31840	MACGILLIVRAY, ROGER	244		371.04
10/10/2020	PC	10/16/2020	31841	AZZOPARDI, LAUREN E.	246		268.45
10/10/2020	PC	10/16/2020	31842	WURST, RANDALL W.	411		1,610.41
10/10/2020	PC	10/16/2020	31843	MAYER, SHELLEY L.	412		1,727.26
10/10/2020	PC	10/16/2020	31844	HILLING, NICHOLAS A.	413		1,404.87
10/10/2020	PC	10/16/2020	31845	MEIER III, CHARLES A.	421		1,195.82
10/10/2020	PC	10/16/2020	31846	ZACHARIAS, STEVEN B.	422		1,566.98
10/10/2020	PC	10/16/2020	31847	NEWMAN, MARK J.	424		965.11
10/10/2020	PC	10/16/2020	31848	SWEM, DONALD L.	512		3,086.32
10/10/2020	PC	10/16/2020	31849	EATON, BRAD A.	515		2,586.02
10/10/2020	PC	10/16/2020	31850	WILSON, TIMOTHY J.	516		2,900.46
10/10/2020	PC	10/16/2020	31851	LAVOIE, RICHARD L.	519		2,272.18
10/10/2020	PC	10/16/2020	31852	STEVENS, BRANDON C.	521		2,566.20
10/10/2020	PC	10/16/2020	31853	DRAVES, MARTIN J.	523		2,385.03
10/10/2020	PC	10/16/2020	31854	ANDERSON, ELIZABETH	526		1,233.97
10/10/2020	PC	10/16/2020	31855	KENWABIKISE, DAVID L.	528		1,161.97
10/10/2020	PC	10/16/2020	31856	ELLIOTT, PATRICK M.	600		2,739.34
10/10/2020	PC	10/16/2020	31857	SCHWARTZFISHER, JOS	603		1,069.98
10/10/2020	PC	10/16/2020	31858	BRADLEY, KELLY R.	614		2,043.63
10/10/2020	PC	10/16/2020	31859	HART II, DELBERT W.	616		1,429.48
10/10/2020	PC	10/16/2020	31860	JONES, ROBERT F.	618		1,276.15
10/10/2020	PC	10/16/2020	31861	FARRELL, MITCHELL L.	622		1,334.39
10/10/2020	PC	10/16/2020	31862	THORP JR, WILLIAM D.	623		1,603.27
10/10/2020	PC	10/16/2020	31863	LEITNER, RYAN S.	624		1,016.11
10/10/2020	PC	10/16/2020	31864	FERGUSON, ROYCE L.	625		1,498.97
10/10/2020	PC	10/16/2020	31865	DORAN, JUSTIN J.	634		2,107.26
10/10/2020	PC	10/16/2020	31866	MANKER SR, DAVID W.	639		554.71
10/10/2020	PC	10/16/2020	31867	NEDWICK, DAVID J.	642		404.93
10/10/2020	PC	10/16/2020	31868	FREY, DYLAN V.	643		493.48
10/10/2020	PC	10/16/2020	31869	HART III, DELBERT W.	657		755.69
10/10/2020	PC	10/16/2020	31870	FINNERTY, HOLLY E.	669		654.95
10/10/2020	PC	10/16/2020	31871	CRANDELL, ZACKARY R.	691		532.52
10/10/2020	PC	10/16/2020	31872	KNORR, KENT J.	700		1,958.91
10/10/2020	PC	10/16/2020	31873	ANZELL, BETH A.	702		1,318.21
10/10/2020	PC	10/16/2020	31874	KLOOSTER, PATRICK H.	743		1,655.71
10/10/2020	PC	10/16/2020	31875	EVANS JR, HALBERT K.	744		648.24

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
10/10/2020	PC	10/16/2020	31876	DAVIS, LEAH R.	748		234.86
10/10/2020	PC	10/16/2020	31877	TELGENHOF, WILL G.	749		82.81
10/10/2020	PC	10/16/2020	31878	WHITE III, MARCUS W.	754		585.23
10/10/2020	PC	10/16/2020	31879	KIRINOVIC, THOMAS F.	790		408.89
10/10/2020	PC	10/16/2020	31880	HART, DAVID R.	836		55.41
10/10/2020	PC	10/16/2020	31881	MCDONNELL, JENNA N.	839		364.50
10/10/2020	PC	10/16/2020	31882	GILL, DAVID R.	856		557.72
10/10/2020	PC	10/16/2020	31883	MASSON, DONALD J.	861		404.03
10/10/2020	PC	10/16/2020	31884	LABLANCE, MAUREEN J.	863		148.69
10/10/2020	PC	10/16/2020	31885	LIVINGSTON, BRIAN D.	866		1,708.92
10/10/2020	PC	10/16/2020	31886	STANLEY, MARK J.	867		63.72
10/10/2020	PC	10/16/2020	31887	WYMAN, MATTHEW A.	927		1,647.33
10/10/2020	PC	10/16/2020	31888	MILLER, WILLIAM S.	933		1,152.94
10/10/2020	PC	10/16/2020	31889	DOUGLAS, MARK	935		1,050.54
10/10/2020	PC	10/16/2020	31890	PRIOR, ERIN C.	938		962.45
10/10/2020	PC	10/16/2020	31891	FRATRICK, JOSEPH W.	940		518.81
10/10/2020	PC	10/16/2020	31892	MCMULLEN, DONALD R.	1000		2,022.91
10/10/2020	PC	10/16/2020	31893	SILVA, JESSE L.A.	1001		1,053.71
10/10/2020	PC	10/16/2020	31894	JOHNSON, MELISSA A.	1004		1,363.60
10/10/2020	PC	10/16/2020	31895	STEPHENS, LYON G.	1005		73.49
10/10/2020	PC	10/16/2020	31896	TRAVERS, MANUEL J.	1006		1,535.87
10/10/2020	PC	10/16/2020	31897	FAULKNER, CHRISTOPH	1007		2,544.80
10/10/2020	PC	10/16/2020	31898	STEVENS, JEFFREY W.	1028		256.64
10/10/2020	PC	10/16/2020	31899	RILEY, CASEY W.	1052		649.67
10/10/2020	PC	10/16/2020	31900	JONES, LARRY M.	1057		614.99
10/10/2020	PC	10/16/2020	31901	VANZANDT, ZORRAN C.	1058		572.65
10/10/2020	PC	10/16/2020	31902	MATZ, EMILY S.	1059		1,058.06
10/10/2020	PC	10/16/2020	31903	LEPIRD, KATIE A.	1061		1,033.50
10/10/2020	PC	10/16/2020	31904	MOYER, DAVID T.	1073		43.61
10/10/2020	PC	10/16/2020	31905	WHEELER, MICHAEL W.	1103		1,769.72
10/10/2020	PC	10/16/2020	31906	MISHLER, MICHAEL J.	1107		1,326.04
10/10/2020	PC	10/16/2020	31907	AZZOPARDI, ANTHONY J.	1108		1,772.99
10/10/2020	PC	10/16/2020	31908	PECK, JARICA L.	1114		387.67
10/10/2020	PC	10/16/2020	31909	DIETZ, AMANDA M.	1115		776.30
10/10/2020	PC	10/16/2020	31910	WELLS, JANINNA J.	1117		168.49
10/10/2020	PC	10/16/2020	31911	MOYER, NATHAN I.	1118		1,724.83
10/10/2020	PC	10/16/2020	31912	MARIHUGH, ANDREW J.	1119		155.20
10/10/2020	PC	10/16/2020	131717	WHITLEY, ANDREW T.	522		2,922.44
10/10/2020	PC	10/16/2020	131718	MORRISON, KEVIN P.	601		1,687.89
10/10/2020	PC	10/16/2020	131719	BISHAW, JAMES H.	633		649.87
10/10/2020	PC	10/16/2020	131720	SEROUR III, MICHAEL J.	693		387.88
Grand Totals:			98				118,505.95

Report Criteria:

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

Pay Period Date	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
10/10/2020	10/16/2020	131721	4FRONT CREDIT UNION	9024	HSA-EMPLOYEE CONTRIB-4FR	943.00
10/10/2020	10/16/2020	131722	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-POST T	127.28
10/10/2020	10/16/2020	131722	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-PRETA	481.00
10/10/2020	10/16/2020	131723	CHAR EM UNITED WAY	9009	UNITED WAY Pay Period: 10/10/	90.00
10/10/2020	10/16/2020	131724	CHARLEVOIX STATE BAN	9017	HSA - EMPLOYEE CONTRIB - C	967.00
10/10/2020	10/16/2020	131725	CHEMICAL BANK	9018	HSA - EMPLOYEE CONTRIB - C	25.00
10/10/2020	10/16/2020	131726	COMMUNICATION WORK	9004	CWA UNION DUES Pay Period:	672.47
10/10/2020	10/16/2020	131727	MI STATE DISBURSEMEN	9012	FRIEND OF THE COURT Pay Pe	209.65
10/10/2020	10/16/2020	131728	MONY LIFE INSURANCE	9008	LIFE - VOLUNTARY Pay Period:	275.55
10/10/2020	10/16/2020	131728	MONY LIFE INSURANCE	9008	SPOUSE LIFE Pay Period: 10/10	51.59
10/10/2020	10/16/2020	131728	MONY LIFE INSURANCE	9008	CHILD LIFE Pay Period: 10/10/2	4.00
10/10/2020	10/16/2020	131728	MONY LIFE INSURANCE	9008	AD&D - VOLUNTARY Pay Period	40.24
10/10/2020	10/16/2020	131728	MONY LIFE INSURANCE	9008	SPOUSE AD&D Pay Period: 10/1	6.85
10/10/2020	10/16/2020	131728	MONY LIFE INSURANCE	9008	CHILD AD&D Pay Period: 10/10/	2.59
10/10/2020	10/16/2020	131729	PRIORITY HEALTH	392358	PRIORITY HEALTH Pay Period:	1,499.08
Grand Totals:		15				5,395.30

Check Number	Payee	Amount
10/20/2020		
131614	ACCESS LOCKSMITHING INC	132.50
131615	ACCUMED GROUP, THE	4,013.49
131616	ACE HARDWARE	1,795.64
131617	ALL-PHASE ELECTRIC	116.67
131618	ALTA CONSTRUCTION EQUIP LLC	3,281.79
131619	AMERICAN WASTE INC.	1,290.00
131620	APX INC.	32.58
131621	ARNST, JEFF	24.84
131622	AUTO VALUE	535.08
131623	AVFUEL CORPORATION	37,623.44
131624	BEAVER RESEARCH COMPANY	217.05
131625	BEHAN WINDOW CLEANING	140.00
131626	BELL EQUIPMENT COMPANY	1,211.85
131627	BLARNEY CASTLE OIL CO	843.43
131628	BLAZING AVIATION	139.58
131629	BOSS, ERICA	200.00
131630	BOUND TREE MEDICAL LLC	469.83
131631	BRADFORD'S	35.75
131632	CARQUEST OF CHARLEVOIX	678.35
131633	CCP INDUSTRIES INC	282.40
131634	CDW GOVERNMENT INC.	170.56
131635	CENTRAL DRUG STORE	42.47
131636	CHARLEVOIX SCREEN MASTERS INC	594.00
131637	CHARLEVOIX STATE BANK	26,885.72
131638	CHARTER COMMUNICATIONS	147.15
131639	CHEMICAL SYSTEMS INC.	3,576.00
131640	CHEMTRADE CHEMICALS US LLC	5,826.40
131641	CINTAS	55.91
131642	CITY OF CHARLEVOIX - MISC	3,688.71
131643	CITY OF CHARLEVOIX - UTILITIES	48,621.72
131644	CONWAY PROFESSIONAL SERVICES	4,280.00
131645	DELL MARKETING L P	1,053.44
131646	DHASELEER, CARL	117.00
131647	DITCH WITCH SALES OF MICHIGAN	2,444.56
131648	DORNBOS SIGN INC.	40.90
131649	DOWNING, DENNIS	50.00
131650	EJ USA INC.	1,006.72
131651	ELECTIONSOURCE	146.06
131652	EMBROIDME	90.90
131653	EMERGENCY MEDICAL PRODUCTS IN	195.15
131654	EMERGENCY VEHICLES PLUS	459.56
131655	ETNA SUPPLY	950.00
131656	FAMILY FARM & HOME	1,294.52
131657	FASTENAL COMPANY	29.97
131658	FREEDOM MAILING SERVICES INC.	2,253.42
131659	GALLS AN ARAMARK COMPANY	1,331.99
131660	GORDON FOOD SERVICE	17.97
131661	GRAINGER	320.59

Check Number	Payee	Amount
131662	GREAT LAKES ELEVATOR LLC	3,408.93
131663	GREAT LAKES PIPE & SUPPLY	319.77
131664	HACH COMPANY	864.25
131665	HERZOG ELECTRIC	297.73
131666	HYDRO CORP	539.50
131667	IDEXX DISTRIBUTION INC.	1,518.98
131668	INDEPENDENT DRAFTING SERVICES	1,938.00
131669	IPS GROUP INC	1,590.43
131670	JACK DOHENY COMPANIES	142.09
131671	JOHN E. GREEN COMPANY	210.00
131672	KEN'S REAL FOOD	75.00
131673	KSS ENTERPRISES	255.34
131674	LAMAR COMPANIES	770.00
131675	LEWIS, JACK & BRENDA	25.00
131676	LITTLE TRAVERSE DISPOSAL LLC	21,803.25
131677	LOTTIE'S BAGELS	84.00
131678	MINERAL MASTERS	1,935.00
131679	MOUSSEAU, BERNARD	270.00
131680	NAVIA BENEFIT SOLUTIONS	50.00
131681	NORTH COAST FASTENERS LLC	384.90
131682	NORTHERN CREDIT SERVICES	430.53
131683	NORTHERN LIGHTS FAMILY	158.00
131684	NORTHERN MICHIGAN REVIEW INC.	372.00
131685	NORTHERN SAFETY CO INC	73.68
131686	NORTHWEST FIRE	273.50
131687	NW MI COG	36,315.00
131688	OLESON'S FOOD STORES	62.85
131689	OLSON BZDOK & HOWARD	2,689.25
131690	PARASTAR INC.	75.80
131691	PARKER, MICHAEL	80.00
131692	PENINSULA FIBER NETWORK LLC	470.00
131693	PHYSICIAN'S CLINIC OF CHARLEVOIX	42.00
131694	PLUNKETT & COONEY	1,840.00
131695	POWER LINE SUPPLY	16,434.04
131696	PURITY CYLINDER GASES INC	278.85
131697	QTPOD	1,425.00
131698	QUALITY CAR & TRUCK REPAIR INC	726.30
131699	RANGE TELECOMMUNICATIONS	503.95
131700	RESCO	8,701.60
131701	RIETH-RILEY CONST CO INC	409,994.91
131702	SHARROW MASONRY INC	450.00
131703	SHINDORF BUILDERS	1,117.00
131704	SPARTAN STORES LLC	49.75
131705	STAPLES	163.88
131706	TAYLOR 12501 LLC	4,417.50
131707	TELNET WORLDWIDE	223.09
131708	THORP, CARLI	75.00
131709	TRUCK & TRAILER SPECIALTIES	64.60
131710	UNIFIRST CORPORATION	477.05

Check Number	Payee	Amount
131711	VILLAGE GRAPHICS INC.	1,574.18
131712	WILBERT BURIAL VAULT CO	591.36
131713	WORK & PLAY SHOP	252.40
131714	XEROX FINANCIAL SERVICES	168.84
131715	ZIIBIMIJIWANG INC	173.00
131716	ZIXCORP	13,510.12
Total 10/20/2020:		699,492.86
Grand Totals:		699,492.86

Check Number	Payee	Amount
10/02/2020		
100220007	PROXIMITY SPACE INC.	105.40
Total 10/02/2020:		105.40
Grand Totals:		105.40

Check Number	Payee	Amount
10/05/2020		
10520001	MICHIGAN PUBLIC POWER AGENCY	12,814.02
100520002	AMG PAYMENT SOLUTIONS	669.94
100520003	PAYMENT SERVICE NETWORK INC.	249.10
Total 10/05/2020:		13,733.06
Grand Totals:		13,733.06

Check Number	Payee	Amount
10/08/2020		
100820001	STATE OF MICHIGAN	21,575.46
Total 10/08/2020:		21,575.46
Grand Totals:		21,575.46

Check Number	Payee	Amount
10/09/2020		
100920001	DTE ENERGY	1,798.51
Total 10/09/2020:		1,798.51
Grand Totals:		1,798.51

Check Number	Payee	Amount
10/13/2020		
101320001	MICHIGAN PUBLIC POWER AGENCY	9,893.77
Total 10/13/2020:		9,893.77
Grand Totals:		9,893.77

Check Issue Date	Check Number	Payee	Amount
101620001			
10/16/2020	10162000	**EFTPS* Payroll Taxes	11,199.32
10/16/2020	10162000	**EFTPS* Payroll Taxes	11,072.74
10/16/2020	10162000	**EFTPS* Payroll Taxes	2,619.21
10/16/2020	10162000	**EFTPS* Payroll Taxes	2,619.21
10/16/2020	10162000	**EFTPS* Payroll Taxes	15,708.70
Total 101620001:			
	5		43,219.18
101620002			
10/16/2020	10162000	Alerus Financial	350.00
Total 101620002:			
	1		350.00
101620003			
10/16/2020	10162000	STATE OF MICHIGAN	6,322.34
Total 101620003:			
	1		6,322.34
101620004			
10/16/2020	10162000	Vantagepoint - 401 Plan 109153	912.08
Total 101620004:			
	1		912.08
101620005			
10/16/2020	10162000	Vantagepoint - 457 Plan 300959	5,512.92
10/16/2020	10162000	Vantagepoint - 457 Plan 300959	2,134.16
10/16/2020	10162000	Vantagepoint - 457 Plan 300959	4,427.92
10/16/2020	10162000	Vantagepoint - 457 Plan 300959	8,444.35
Total 101620005:			
	4		20,519.35
101620006			
10/16/2020	10162000	Vantagepoint - Roth IRA 706117	1,155.76
Total 101620006:			
	1		1,155.76
Grand Totals:			
	13		72,478.71



Check Number	Payee	Amount
10/20/2020		
3490	CHARLEVOIX COUNTY TREASURER	31,160.97
3491	CHARLEVOIX PUBLIC SCHOOLS	44,589.49
3492	CHARLEVOIX PUBLIC SCHOOLS	1,490.86
3493	CHARLEVOIX PUBLIC SCHOOLS	1,043.48
3494	CHARLEVOIX PUBLIC SCHOOLS	447.11
3495	CHARLEVOIX PUBLIC SCHOOLS	1,460.98
3496	CITY OF CHARLEVOIX - TAXES DUE	36,756.59
Total 10/20/2020:		116,949.48
Grand Totals:		116,949.48

CHECKS DRAWN ON CHARLEVOIX STATE BANK ACCOUNT

CHARLEVOIX CITY COUNCIL

Consent Agenda

TITLE: Historic District Commission Resignation - Vicki Voisin

DATE: October 19, 2020

BACKGROUND:

Vicki Voisin has resigned from the Historic District Commission effective August 1, 2020.

RECOMMENDATION:

Motion to accept Vicki Voisin's resignation from the Historic District Commission.

ATTACHMENTS:

- ▣ Resignation

From: Vicki <vvois@aol.com>
Date: October 2, 2020 at 6:52:02 AM EDT
To: "Lindsey J. Dotson" <lindseyd@charlevoixmi.gov>
Subject: Re: URGENT - resignation letter needed

Thank you for getting in touch, Lindsay. My notice of my resignation from the Historic District Commission was submitted earlier and intended to be effective August 1, 2020.

It has been a privilege to serve on the Commission and to assist with its important work.

Sincerely,
Vicki Voisin

CHARLEVOIX CITY COUNCIL

Consent Agenda

TITLE: Planning Commission Resignation - Brian Gelb

DATE: October 19, 2020

BACKGROUND:

Brian Gelb has resigned from the Planning Commission effective September 25, 2020.

RECOMMENDATION:

Motion to accept Brian Gelb's resignation from the Planning Commission.

ATTACHMENTS:

- ▣ Resignation

September 25, 2020

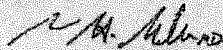
Luther Kurtz
Charlevoix City Hall
210 State Street
Charlevoix, MI 49720

Luther and to whom it may concern,

I have reached the point where I must resign from my position on the Charlevoix planning commission. It has been a learning experience for me both in civic service and the duties entailed in the shaping of the governance our city. I appreciate very much being given the opportunity to contribute.

When I joined, there was no requirement for training which has since been adopted. As my work duties have increased I am not able to dedicate attention to these matters or commit to the training. I lastly, after having now participated, have come to understand better the limitations of the commission and the competing interests in community planning and just am not suited to this role.

Sincerely yours,



Brian Gelb

105 E. DIXON AVE. CHARLEVOIX, MI 49720

CHARLEVOIX CITY COUNCIL

Consent Agenda

TITLE: Submit Certified Local Government Grant Application to SHPO

DATE: October 19, 2020

PRESENTED BY: Lindsey Dotson, Charlevoix Main Street Executive Director

BACKGROUND:

The Historic District Commission wishes to nominate a portion of our downtown to the National Register of Historic Places. A previous attempt to nominate the entire downtown was not successful because there were not a sufficient number of contributing resources to substantiate the nomination. To clarify, a National Register Historic District is not regulatory - it is simply a nod of recognition that the district is important to the history of the town and its development. This application is for a grant to work through the nomination process.

Currently there are 17 commercial buildings proposed to be included in the district nomination, of which 13 are contributing. They include 2 buildings located in Van Pelt Alley, and the rest are on the 200 block of Bridge Street in downtown Charlevoix. The properties that are currently contributing have been well maintained and some have been recently restored. The determination of eligible contributing structures was made by SHPO staff person Debra Johnson back in 2017.

Attached you will find a map of the proposed district with indications of contributing and non-contributing resources. This boundary was chosen because this is the only portion of downtown Charlevoix that still has both sides of the street occupied for commercial use. Since many buildings were demolished for East Park elsewhere in the downtown, this portion signifies the way the town was intended to appear by early investors.

The attempt to nominate this portion of our downtown has been ongoing for years. Most recently, in 2017, City Staff sent letters to property owners informing them of the nomination and also requested written consent/approval. We received several copies back but not all at this point.

This project will help Charlevoix become more comfortable with historic designations affecting privately owned buildings and open doors and create conversations around the value of historic preservation for future efforts of the Historic District Commission, Charlevoix Main Street program, and Charlevoix Historical Society.

There are several possible rehabilitations that could take place in the proposed district that could greatly benefit from Historic Tax Credits. These developments would not only increase the number of contributing resources but they would also add much needed affordable housing to the downtown. As our town becomes more attractive to young families who now find themselves being able to work remotely, we are positioned well in all aspects except for affordable and attainable housing. Our downtown could play a major role in adding affordable housing units while also diversifying our housing mix.

Stakeholders will benefit by potentially being able to tap into additional resources made available to them to incentivize Historic Preservation projects in the downtown. This in turn will reclaim some of the historic character that has been lost over the years and will in turn be more productive commercial properties for whichever business occupies them.

If approved, this grant will assist in many public outreach efforts regarding the prospect of an historic district designation. The public will be informed and engaged with about the purpose of this project and the value of historic preservation by holding several public meetings, a campaign on social media, information on the city's website, and email communications to our mailing lists. A public hearing taking place during a City Council meeting will be a requirement of the nomination process and facilitated by the consultant hired for the project.

There is no matching fund requirement for this grant.

GOALS:

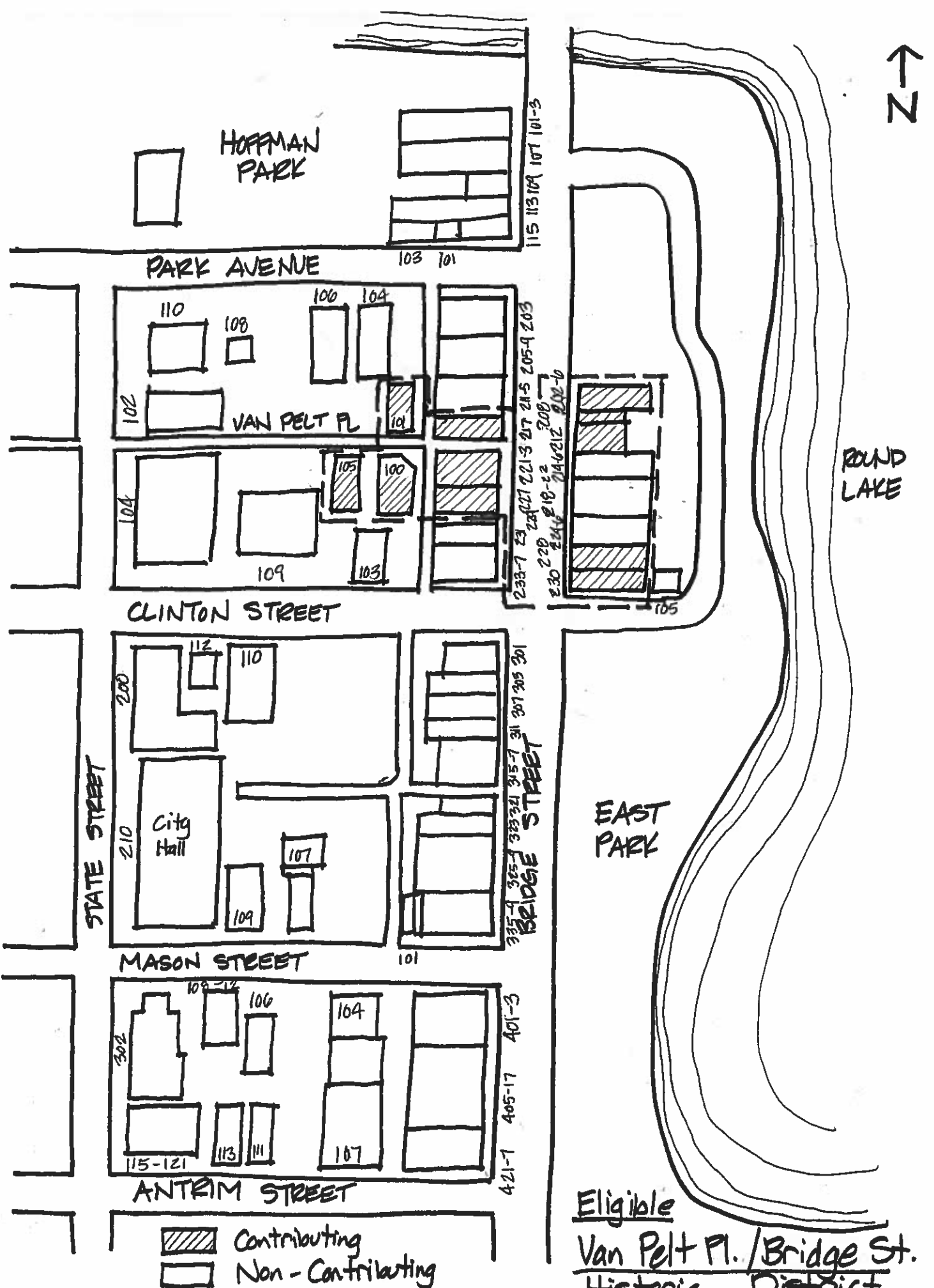
Enhance and showcase the outstanding quality of life in Charlevoix

RECOMMENDATION:

Motion to approve Resolution 2020-10-03 permitting the submission of an application for the Certified Local Government Grant to the Michigan State Historic Preservation Office.

ATTACHMENTS:

- ▣ District Map
- ▣ Resolution



Eligible
Van Pelt Pl. / Bridge St.
Historic District

CITY OF CHARLEVOIX
RESOLUTION NO. 2020-10-03
RESOLUTION TO SUBMIT CERTIFIED LOCAL GOVERNMENT APPLICATION
TO THE MICHIGAN STATE HISTORIC PRESERVATION OFFICE

WHEREAS, the City of Charlevoix DDA and Historic District Commission wish to nominate the 200 block of downtown Charlevoix to the National Register of Historic Places as a means of recognizing the historic significance of our commercial district while also providing resources in the form of Historic Tax Credits to property owners for rehabilitation projects; and

WHEREAS, the City of Charlevoix will file an application to the Michigan State Historic Preservation Office (SHPO) for the Certified Local Government (CLG) Grant in the amount of \$10,000 for the National Register Nomination for the resources located in the 200 block of downtown Charlevoix; and

WHEREAS, Lindsey Dotson from City of Charlevoix is appointed as the Grant Project Manager who will oversee the CLG grant management and grant administration duties; and

WHEREAS, Charlevoix Main Street DDA will receive and pay vendor invoices related to the grant project.

NOW THEREFORE BE IT RESOLVED, that the City of Charlevoix acknowledges that the Certified Local Government (CLG) is an expense reimbursement program. The Charlevoix Main Street DDA authorizes expenditures in the amount of \$10,000 for the project work with the knowledge that eligible expenditures up to the approved grant amount will be reimbursed to Charlevoix Main Street DDA upon SHPO acceptance of final project work, SHPO acceptance of the final completion report, SHPO audit and acceptance of financial documentation for eligible costs.

RESOLVED this 19th day of October, 2020 A.D.

Resolution was adopted by the following yeas and nays vote:

Yeas:

Nays:

Absent:

CHARLEVOIX CITY COUNCIL

Consent Agenda

TITLE: MPPA Capacity Purchase

DATE: October 19, 2020

BACKGROUND:

The State of Michigan is requiring municipal utilities to file resource adequacy reports to the MPSC showing how we plan to meet 95% of our expected capacity requirements. MPPA Staff is recommending that each City target 100% coverage by acquiring the necessary capacity through planning year 2024/2025 before the filing that has to be made in February 2021 due to the reduction in available capacity in MISO Zone 7. MPPA is also recommending that internal transfers be made at fair market value within MPPA so municipals with extra capacity cover those with deficient capacity below the 95% threshold.

Charlevoix has been identified as being one of the cities with deficient capacity. The purchases outlined on the attached Authorization Letter will get us the required capacity. Because the transaction involves more than one year it requires Council approval.

RECOMMENDATION:

Motion to authorize the Electric Department Superintendent to approve the purchase of capacity up to a maximum expenditure of \$79,200.

ATTACHMENTS:

- ▣ Authorization Letter



October 15, 2020

Subject: Letter of Authorization

The City of Charlevoix, through its Member Authorized Representative, hereby authorizes a purchase of Capacity that is intended to meet the compliance requirements of the State of Michigan under Public Act 341. The purchase is made by Michigan Public Power Agency as a Purchase Power Commitment as defined in the Energy Services Agreement on behalf of Charlevoix in the Amount and Term(s) of:

<u>Planning Year</u>	<u>Up to Capacity, KW</u>	<u>Max Authorized Purchase Price, per KW-Month</u>
Jun 1, 2022 to May 31, 2023	100	\$6.00
Jun 1, 2023 to May 31, 2024	200	\$6.00
Jun 1, 2024 to May 31, 2025	800	\$6.00

Maximum commitment = \$79,200

Member Authorized Representative:

Printed

Signature

Date

CHARLEVOIX CITY COUNCIL

Public Hearings and Actions Requiring Public Hearings

TITLE: Public Hearings for Ordinances 821 and 822

DATE: October 19, 2020

PRESENTED BY: Kathy Egan, Staff Planner

BACKGROUND:

At their October 5th meeting, Council tabled this agenda item in order to obtain additional information. A new public notice was published for these postponed hearings.

The Planning Commission held a public hearing at their August 10, 2020 meeting for two proposed Zoning Ordinance Amendments. They are now passing those amendments on to City Council with a recommendation for adoption.

The first relates to Rooftop Uses. Currently there is no language to guide any activities on rooftops and there have been several requests. The Planning Commission researched other communities, ordinances, and standards and came up with some language aimed at addressing safety concerns and which activities could be conducted on rooftops. It should be noted that with regard to sound concerns, they looked to the existing city noise ordinance as already being adequate for any concerns. This language would apply to all districts and has been reviewed by the city attorney.

The second proposed amendment is a review of the Site Plan Review section of the ordinance. This has been on the To-Do List of the Planning Commission for a while now because staff felt that this section needed some clarification and streamlining. The proposed amendment also helps to meet the goals of the Redevelopment Ready Community program by making the review process clear, quick, and transparent. This amendment has also been reviewed by the city attorney.

In order to consider adopting these amendments, City Council must hold a public hearing for each of the amendments.

RECOMMENDATION:

Motion to approve Ordinance 821 amending the Zoning Ordinance for Roof Top Uses.

Motion to approve Ordinance 822 amending the Zoning Ordinance for the Site Plan Review Process.

ATTACHMENTS:

- ❑ Rooftop Uses Proposed Changes
- ❑ Ordinance 821 Roof Top Uses
- ❑ Site Plan Review Proposed Changes
- ❑ Ordinance 822 Site Plan Review

Draft Zoning Ordinance Amendment
City of Charlevoix Planning Commission
Forward to City Council with a recommendation to adopt 8-10-20
(Proposed changes are in colored text)
Roof Top Uses

Section 153.005 DEFINITIONS

Building Height. (a) The vertical distance measured from the average finished grade around the building to the highest point of a flat roof; to the deck line of a mansard roof; and to the average height between the eaves and ridge for a gable, hip and gambrel roof, or to an equivalent point on any other roof, excluding structural elements not intended for habitation and not exceeding six (6) feet above the maximum building height including antenna arrays, smoke and ventilation stacks, flag poles, mechanical equipment and elevator equipment~~life-safety features~~, and parapet walls designed solely to screen mechanical and elevator equipment. (b) For a building located on a sloping site, height shall be measured from the average finished grade. (See : 153.146 of this chapter.)

Deck, Roof Top. A finished surface constructed above any top plate of a structure without a roof or walls, except for railings, and which is designed to function as useable outdoor area for human activity.

Life-Safety Features. A necessary component of a building whose primary use is to eliminate or reduce danger and hazards to occupants and users of a building, including but not limited to enclosed stairwells on a roof, or enclosed elevator systems on a roof, railings on a roof, or fire suppression systems on a roof.

Section 153.118 LODGING, DINING AND ENTERTAINMENT USES

(C) Restaurant with outdoor seating

(1) Restaurants providing outdoor seating within an at-grade deck or patio or a roof top deck, must first acquire a zoning and building permit from the City and Charlevoix County Building Department.

(2) All structures would be subject to review by the Zoning Administrator and shall meet the requirements of the Ordinance.

(3) Restaurant outdoor seating shall be allowed only during normal operating hours of the establishment.

(4) All food preparation shall take place inside the establishment.

(5) If alcoholic beverages are to be served, the current Liquor Control Commission rules and regulations shall apply.

(6) Any music or sound that would violate the City's noise ordinances and restrictions is prohibited.

(7) Lighting shall be shielded and pointed downward and shall not be a nuisance to adjacent properties subject to Section 153.172.

(8) Outdoor seating space is subject to the requirements of Off-Street Parking, Loading, Access and Circulation.

(D) Roof top decks

The following provisions are intended to regulate roof top deck use, permanent or temporary, in all districts to reduce safety concerns, noise and other nuisances, and visual impact on neighboring properties and on the community generally. The use of roof top decks is subject to the following restrictions:

- (1) A zoning and building permit for any roof top deck must be first obtained from the City **Zoning Administrator** and Charlevoix County Building Department and is subject to construction of and maintenance of guardrails and other protective features as required by the Charlevoix County Building Code.
- (2) Any request for a City of Charlevoix zoning permit that includes a roof top deck must undergo site plan review and receive approval by the Planning Commission prior to issuance of a zoning permit.
- (3) Parapet walls and perimeter guardrails shall extend around the perimeter of the **roof top deck** and incorporate exterior building materials consistent with the architectural style of the underlying structure subject to Section 153.170.
- (4) Any structure on a deck or patio must be permitted under the Zoning Code. Portable appurtenances are prohibited. Temporary appurtenances and structures are subject to site plan review to assure public safety.
- (5) Except within the CBD, Central Business District, amplified musical instruments or sounds are prohibited. Any other music or sound that would violate the City's noise ordinances and restrictions is prohibited.
- (6) Lighting shall be shielded and pointed downward and shall not be a nuisance to adjacent properties subject to Section 153.172.
- (7) Roof top deck space is subject to the requirements of **Section 153.185 et seq., Off-Street Parking, Loading, Access and Circulation.**

**CITY OF CHARLEVOIX
ORDINANCE NO. 821 of 2020**

AN ORDINANCE TO AMEND TITLE XV, CHAPTER 153, SECTION 153.005 AND SECTION 153.118 OF THE CHARLEVOIX CITY CODE

THE CITY OF CHARLEVOIX ORDAINS:

SECTION 1. Title XV, Chapter 153, Section 153.005 of the City of Charlevoix Code is hereby amended to repeal and replace the definition of "Building Height" as follows:

BUILDING HEIGHT.

- (a) The vertical distance measured from the average finished grade around the building to the highest point of a flat roof; to the deck line of a mansard roof; and to the average height between the eaves and ridge for a gable, hip and gambrel roof, or to an equivalent point on any other roof, excluding structural elements not intended for habitation and not exceeding six (6) feet above the maximum building height including antenna arrays, smoke and ventilation stacks, flag poles, mechanical equipment and life-safety features, and parapet walls designed solely to screen mechanical and elevator equipment.
- (b) For a building located on a sloping site, height shall be measured from the average finished grade. (See 153.146 of this chapter.)

SECTION 2. Title XV, Chapter 153, Section 153.005 of the City of Charlevoix Code is hereby amended to add the following definitions:

DECK, ROOF TOP. A finished surface constructed above any top plate of a structure without a roof or walls, except for railings, and which is designed to function as useable outdoor area for human activity.

LIFE-SAFETY FEATURES. A necessary component of a building whose primary use is to eliminate or reduce danger and hazards to occupants and users of a building, including but not limited to enclosed stairwells on a roof, or enclosed elevator systems on a roof, railings on a roof, or fire suppression systems on a roof.

SECTION 3. Title XV, Chapter 153, Sections 153.118 (C) and (D) of the City of Charlevoix Code are hereby added as follows:

(C) Restaurant with outdoor seating

- (1) Restaurants providing outdoor seating within an at-grade deck or patio or a roof top deck, must first acquire a zoning and building permit from the City and Charlevoix County Building Department.
- (2) All structures would be subject to review by the Zoning Administrator and shall meet the requirements of the Ordinance.
- (3) Restaurant outdoor seating shall be allowed only during normal operating hours of the establishment.
- (4) All food preparation shall take place inside the establishment.
- (5) If alcoholic beverages are to be served, the current Liquor Control Commission rules and regulations shall apply.
- (6) Any music or sound that would violate the City's noise ordinances and restrictions is prohibited.
- (7) Lighting shall be shielded and pointed downward and shall not be a nuisance to adjacent properties subject to Section 153.172.
- (8) Outdoor seating space is subject to the requirements of Off-Street Parking, Loading, Access and Circulation.

(D) Roof top decks

The following provisions are intended to regulate roof top deck use, permanent or temporary, in all districts to reduce safety concerns, noise and other nuisances, and visual impact on neighboring properties and on the community generally. The use of roof top decks is subject to the following restrictions:

- (1) A zoning and building permit for any roof top deck must be first obtained from the City Zoning Administrator and Charlevoix County Building Department and is subject to construction of and maintenance of guardrails and other protective features as required by the Charlevoix County Building Code.
- (2) Any request for a City of Charlevoix zoning permit that includes a roof top deck must undergo site plan review and receive approval by the Planning Commission prior to issuance of a zoning permit.
- (3) Parapet walls and perimeter guardrails shall extend around the perimeter of the roof top deck and incorporate exterior building materials consistent with the architectural style of the underlying structure subject to Section 153.170.
- (4) Any structure on a deck or patio must be permitted under the Zoning Code. Portable appurtenances are prohibited. Temporary appurtenances and structures are subject to site plan review to assure public safety.
- (5) Except within the CBD, Central Business District, amplified musical instruments or sounds are prohibited. Any other music or sound that would violate the City's noise ordinances and restrictions is prohibited.
- (6) Lighting shall be shielded and pointed downward and shall not be a nuisance to adjacent properties subject to Section 153.172.
- (7) Roof top deck space is subject to the requirements of Section 153.185 et seq., Off-Street Parking, Loading, Access and Circulation.

SECTION 4. 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 5. Effective Date.

This Ordinance shall become effective thirty (30) days after its enactment pursuant to the City Charter.

Ordinance No. 821 was adopted on the 5th day of October, 2020 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

**Draft Zoning Ordinance Amendment
City of Charlevoix Planning Commission
Forwarded to City Council with a recommendation to adopt 8-10-20
Site Plan Review
(Proposed changes are in colored text)**

153.230 Intent

The purpose of this subchapter is to establish uniform requirements for the planning and design of developments within the city in order to achieve the following objectives:

- A. to determine compliance with the provisions of this chapter;
- B. to apply provisions of this ordinance equitably and fairly;
- C. to promote the orderly development of the city;
- D. to prevent depreciation of land values;
- E. to ensure a consistent level of quality throughout the community;
- F. to ensure a harmonious relationship between new development and the existing natural and manmade surroundings;
- G. to achieve the goals and recommendations of the city Master Plan; and
- H. to promote consultation and cooperation between applicants and the city in order that applicants may accomplish their objectives in the utilization of land, consistent with the public purposes of this chapter and the Master Plan.

153.231 APPLICABILITY.

Site plan review shall be required, as applicable, under the following conditions, **or under other circumstances required by the City of Charlevoix Zoning Ordinance or other applicable law**, unless exempted by Section 153.232.

(A) *Level “A” review.* The Zoning Administrator shall review site plans in connection with the creation of a use or the erection of a building or structure in any of the following circumstances:

- (1) Any use permitted by right within any zoning district, if the proposed building is less than 2,000 square feet;
- (2) Additions to existing buildings in any zoning district; provided, the addition is not larger than 20% of the area of the building prior to the expansion or more than 2,000 square feet in area, whichever is less;
- (3) Changes in the use of any existing building in any zoning district; provided, the use is permitted by right in that zoning district; and
- (4) When, in the opinion of the Zoning Administrator, a project which otherwise qualifies for level “A” site plan review may have a significant impact on surrounding properties or the city, the Zoning Administrator may, at their sole discretion, submit the site plan to the Planning Commission for review. In such cases, the Planning Commission shall follow the review procedure for level “B” site plans and may require any additional information needed to make an informed decision.

(B) *Level “B” review.* The Planning Commission shall act upon all site plans, other than those provided for level “A” review, in connection with the creation of a use or the erection of a building or structure in any of the following circumstances:

- (1) Any “permitted” use within any zoning district occupying a building of 2,000 square feet or more;
- (2) Any special use in any district;
- (3) Any planned unit development;
- (4) Any site plan on a waterfront parcel. A waterfront parcel is a parcel of land, or a portion thereof, abutting a water body; and
- (5) As otherwise required by this chapter.

(Prior Code, § 5.116) (Ord. 791, passed 3-19-2018)

§

153.232 EXEMPTIONS.

Site plan review shall not be required for ~~a single~~;

- (A) ~~Developments, expansions, or additions to existing uses within the Charlevoix City Airport.~~
- (B) ~~Single-~~ or two-family dwellings on a lot on which there exists no other principal building or use or for any home occupation or accessory building in a single-family residential district.

(Prior Code, § 5.117)

§

153.233 PRE-APPLICATION CONFERENCE

~~The Charlevoix Zoning Administrator and/or planner shall have the authority to conduct a pre- application meeting with the applicant/developer to assist them in understanding the site plan review process and other ordinance requirements; and to provide insight as to what portions of their proposed development may be of special concern to the Planning Commission.~~

~~This conference is not mandatory, but is recommended for small and large projects alike. For large projects, a pre-application conference should be held several months in advance of the desired start of construction. Such an advance conference will allow the applicant/developer time to prepare the needed information for the Planning Commission to make a proper review.~~

153.234 Site Plan Review Procedures

~~The process for reviewing a the~~ site plan shall be as follows:

- (A) ~~Site Plan and~~ Level "A" reviews shall be performed by the Zoning Administrator as follows:
 - (1) ~~Three (3)~~ ~~Two~~ (2) copies of a complete site plan and an electronic version, in a format specified by the city, shall be submitted along with an application for that purpose and a fee, as established by the City Council.
 - (2) The Zoning Administrator shall review the site plan for completeness ~~and~~.
 - (3) ~~If the site plan is found to be incomplete, the Zoning Administrator shall return the site plan to the applicant with a list of items needed to make the site plan complete.~~
 - (4) ~~Once the site plan is determined to be complete, the Zoning Administrator shall notify and seek comment from other city departments as applicable. A review by all the applicable departments will be held within fourteen (14) days. A report will be drafted by the Zoning Administrator stating a synopsis of the proposal and how the proposal relates to the zoning ordinance standards.~~
 - (5) The Zoning Administrator shall consider the site plan, any comments received and the applicable standards of this ordinance and shall either approve the site plan, as submitted, if all applicable requirements and the standards of Section ~~153.236~~ 153.237 have been met; approve the site plan with conditions; or deny approval of the site plan, if applicable requirements and standards have

not been met.

- (6) The reasons for the Zoning Administrator's action, along with any conditions that may be attached, shall be stated in writing and provided to the applicant.
- (7) If approved, two (2) copies of the final site plan shall be signed and dated by the Zoning Administrator and the applicant. One (1) copy, along with the digital version, shall be kept on file with the city and one (1) copy shall be returned to the applicant or their designated representative. If the plan is approved with conditions, a revised plan shall be submitted reflecting those conditions and signed by the applicant and Zoning Administrator prior to the issuance of any permits.

(B) **Site Plan** and Level "B" reviews shall be performed by the Planning Commission as follows:

- (1) ~~Eighteen (18)~~ Two (2) copies of a complete site plan and an electronic version, in a format specified by the city, shall be submitted ~~to the Zoning Administrator~~ along with an application for that purpose and a fee, as established by the City Council.
- (2) The Zoning Administrator shall review the site plan for completeness. ~~and shall obtain comments as deemed necessary, from the city departments and consultants.~~
- (3) ~~If the site plan is found to be incomplete, the Zoning Administrator shall return the site plan to the applicant with a list of items needed to make the plot plan or site plan complete.~~
- (4) Once the site plan is determined to be complete, the Zoning Administrator shall notify and seek comment from ~~adjoining property owners within 300 feet of the subject property by US mail ten days prior to the Planning Commission meeting;~~ other city departments as applicable. A review by all the applicable departments will be held within fourteen (14) days. A report will be drafted by the Zoning Administrator stating a synopsis of the proposal and how the proposal relates to the zoning ordinance standards.
- (5) The applicant will then submit eleven (11) copies of the complete (revised) site plan; 2 full size, 9 11" x 17" and an electronic version, in a format specified by the city.
- (6) ~~The Zoning Administrator~~ shall transmit the site plan and report to the Planning Commission for consideration at its next meeting ~~that meets the noticing requirements.~~ Comments, if any, from the public, city departments and consultants shall be transmitted to the Planning Commission prior to its review of the plan. ~~Where required by the City of Charlevoix Zoning Ordinance or other applicable law, notice shall be given to all persons to whom real property is assessed within 300 feet of the property that is the subject of the request and to the occupants of all structures within 300 feet of the subject property regardless of whether the property or structure is located in the zoning jurisdiction, and a public hearing held.~~
- (7) The Planning Commission shall consider the site plan and shall either approve the site plan, as submitted, if all applicable requirements and standards have been met; approve the site plan with conditions; or deny the site plan if applicable requirements and standards have not been met. The Planning Commission review shall be based on the requirements of this chapter, comments received from city departments and consultants, and, specifically, the review standards of Section ~~153.235~~ 153.237.
- (8) If approved, two (2) copies of the site plan shall be signed and dated by the Planning Commission chairperson and the applicant. One (1) copy, plus the digital copy, shall be kept on file with the city and one (1) copy shall be returned to the applicant or their designated representative. If the plan is approved with conditions, a revised plan shall be submitted reflecting those conditions and signed by the applicant and the Planning Commission chairperson, prior to the issuance of any permits.

(Prior Code, § 5.118) (Ord. 794, passed 9-17-2018)

153.235 SUBMITTAL REQUIREMENTS

- (A) *Required content.* Each site plan submitted shall contain the information detailed in Table ~~153.234~~ 153.235 as applicable:

Table 153.234 235: Required Site Plan Content

<i>Required Information</i>	<i>Level “A”</i>	<i>Level “B”</i>
GENERAL INFORMATION		
Date, north arrow and scale	X	X
Name and firm address of the professional individual responsible for preparing the site plan	X	X
Name and address of the property owner or petitioner	X	X
Location sketch	X	X
Legal description of the subject property	X	X
Size of subject property in acres or square feet	X	X
Boundary survey dated within 6 years of application	X	X
Preparer’s professional seal		X
Revision block (month, day and year)	X	X
EXISTING CONDITIONS		
Existing zoning classification of subject property	X	X
Property lines and required setbacks (dimensioned)	X	X
Location, width and purpose of all existing easements	X	X
Location and dimension of all existing structures on the subject property	X	X
Location of all existing driveways, parking areas and total number of existing parking spaces on subject property	X	X
Abutting street right-of-way width	X	X
Location of all existing structures, driveways and parking areas within 300 feet of the subject property’s boundary		X
Existing water bodies (rivers, creeks, wetlands and the like)	X	X
Existing landscaping and vegetation on the subject property		X
Size and location of existing utilities		X
Location of all existing surface water drainage facilities	X	X
PROPOSED DEVELOPMENT		
Location and dimensions of all proposed buildings	X	X
Location of all proposed drives (including dimensions and radii), acceleration/deceleration lanes, sidewalks, walls, fences, signs, exterior lighting, curbing, parking areas (including dimensions of a typical parking space and the total number of spaces to be provided) and unloading areas	X	X
Setbacks for all buildings and structures	X	X

Table 153.234 235: Required Site Plan Content

Recreation areas, common use areas, dedicated open space and areas to be conveyed for public use		X
Flood plain areas and basement and finished floor elevations of all buildings	X	X
Landscape plan (showing location of proposed materials, size and type)		X
Layout and typical dimensions of proposed parcels and lots		X
Number of proposed dwelling units (by type), including typical floor plans for each type of unit		X
Number and location (by code, if necessary) of efficiency and 1-, 2- and 3- or more bedroom units		X
All deed restrictions or covenants		X
Brief narrative description of the project including proposed use, existing floor area (sq. ft.), size of proposed expansion (sq. ft.) and any change in the number of parking spaces	X	X
ENGINEERING		
Proposed method of handling sanitary sewage and providing potable water	X	X
Location and size of proposed utilities, including connections to public sewer and water supply systems and/or size and location of on-site systems	X	X
Location and spacing of fire hydrants		X
Location and type of all proposed surface water drainage facilities	X	X
Grading plan at no more than 2-foot contour intervals		X
Proposed streets (including pavement width, materials and easement or right-of-way dimensions)		X
BUILDING DETAILS		
Typical elevation views of all sides of each building		X
Gross and usable floor area	X	X
Elevation views of building additions	X	X
Building height	X	X

(B) *Information waiver.* Specific requirements of either a Level "A" or "B" site plan may be waived by the Zoning Administrator where it is determined that such information is not applicable to the request. **The Planning Commission reserves the right to request the waived information for Level B Site Plan reviews in their decision making process.**

(C) *Additional reports/study.* The Zoning Administrator or Planning Commission may require additional studies, reports or written opinions from qualified consultants to determine compliance with this chapter **or other applicable law** or to ensure negative impacts to public health, safety and welfare are avoided or mitigated. These reports/studies may include, but are not limited to, traffic studies, transportation plans, geotechnical reports, flood hazard evaluations or environmental assessments. The Zoning Administrator, or

Planning Commission, shall have the authority to choose the individual consultant, firm or company. The costs of additional study shall be paid for by the applicant.

(Prior Code, § 5.119)

153.236 COORDINATION WITH OTHER DEPARTMENT AND AGENCIES

(A) The Zoning Administrator shall forward Level "A" and Level "B" site plans and applications to the following departments and agencies where applicable for their information and opportunity to comment:

- (1) City of Charlevoix Fire and Rescue Department
- (2) City of Charlevoix Public Works Department
- (3) Charlevoix County Road Commission
- (4) Michigan Department of Transportation
- (5) Charlevoix District Health Department
- (6) Charlevoix County Drain Commissioner
- (7) City of Charlevoix Police Department
- (8) City of Charlevoix Downtown Development Authority
- (9) Any other agency that may be affected by the Site Plan.

(B) This review does not alleviate the applicant from obtaining any and all required permits and/or approvals from the departments and agencies listed above. Any comments received from the departments and agencies within a reasonable time (14 days) will be reviewed and considered by the Planning Commission and/or the Zoning Board of Appeals ("ZBA").

- (1) The Planning Commission may approve an application conditioned on obtaining agency permits, or may, if the permit is critical to the site plan, require the permit or approval prior to issuance of their approval.
- (2) No construction activity associated with an approved site plan shall be undertaken until permits and approvals from all applicable agencies have been presented to the Zoning Administrator.
- (3) Whenever possible, site plan review by the Zoning Administrator and Planning Commission shall be coordinated and done simultaneously with other reviews by the Zoning Administrator and Planning Commission on the same application.
- (4) When an application is dependent on the need for a dimensional variance from the ZBA, re-zoning of property, or a zoning ordinance text amendment, such action must be completed prior to final site plan approval by the Planning Commission.

153.237 STANDARDS FOR SITE PLAN APPROVAL

A site plan shall be approved or approved with conditions, only upon a finding of compliance with the following standards:

- (A) The site plan must comply with all standards of this Article and all applicable requirements of this chapter, as well as with all other applicable city, county, state and federal laws and regulations.
- (B) The site must be designed in a manner that is harmonious, to the greatest extent possible, with the character of the surrounding area.
- (C) The site must be designed to minimize hazards to adjacent property and to reduce the negative effects of traffic, noise, smoke, fumes and glare to the maximum extent possible.
- (D) The site plan does not have a negative impact on the provisions of human services, housing, transportation needs, and access to food in the community.
- (E) The site plan protects the natural environment and conserves natural resources and energy to the extent possible in light of the proposed development.
- (F) Unless a more specific design standard is required by the city through a different ordinance or regulation, all uses and structures subject to site plan review shall comply with the following design standards:
 - (1) *Traffic circulation.*

- a. The site plan shall comply with the applicable zoning district requirements for minimum floor space, height of building, lot size, yard space, density and all other requirements as set forth in the City of Charlevoix Zoning Ordinance, unless otherwise provided.
 - b. Vehicular and Pedestrian Circulation. Safe, convenient, uncontested, and well-defined vehicular and pedestrian circulation shall be provided for ingress/egress points and within the site. A pedestrian circulation system shall be provided and shall be as insulated as completely as reasonably possible from the vehicular circulation system. The number, location and size of access and entry points, and internal vehicular and pedestrian circulation routes shall be designed to promote safe and efficient access to and from the site, as well as circulation within the site. In reviewing traffic features, the number, spacing and alignment of existing and proposed access points shall be considered relative to their impact on traffic movement on abutting streets and adjacent properties.
 - c. Walkways from parking areas to building entrances
 - a. Internal pedestrian walkways shall be developed for persons who need access to the building(s) from internal parking areas and shall be designed to provide access from these areas to the entrances of the building(s)
 - b. The walkways shall be designed to separate people from moving vehicles.
 - c. These walkways shall have a minimum width of five (5) feet with no car overhang or other obstruction.
 - d. The walkways must be designed in accordance with the Michigan Barrier Free Design Standards.
 - e. The walkways shall be distinguished from the parking and driving areas by use of any of the following materials: special pavers, bricks, raised elevation or scored concrete. Other materials may be used if they are appropriate to the overall design of the site and building and acceptable to the review authority.
- (2) *Storm water.* Storm water retention and drainage systems shall be designed so the removal of surface water will not adversely affect neighboring properties or public storm water drainage systems. Unless impractical, storm water shall be removed from all roofs, canopies and paved areas by an underground surface drainage system. Low impact design solutions such as rain gardens and green roofs are encouraged. **The proposed project will meet the City of Charlevoix Storm Water Ordinance.**
- (3) *Snow Storage.* Proper snow storage areas shall be provided so to not adversely affect neighboring properties, vehicular and pedestrian clear vision, and parking area capacity.
- (4) *Landscaping.* The landscape shall be preserved in its natural state, insofar as practical, by minimizing unnecessary tree and soil removal. Any grade changes shall be in keeping with the general appearance of neighboring developed areas. Provision or preservation of landscaping, buffers or greenbelts may be required to ensure the proposed uses will be adequately buffered from one another and from surrounding property.
- (5) *Screening.* Where non-residential uses abut residential uses, appropriate screening shall be provided in accordance with Section 153.171 to shield residential properties from noise, headlights and glare.
- (6) *Lighting.* Lighting shall be designed to minimize glare on adjacent properties and public streets. As a condition of site plan approval, reduction of lighting during non-business hours may be required.

- (7) *Utility service.* All utility service shall be underground, unless impractical due to engineering difficulties.
 - (8) *Exterior uses.* Exposed storage areas, machinery, heating and cooling units, service areas, loading areas, **waste storage areas**, utility buildings and structures, and similar accessory areas shall be located to have a minimum negative effect on adjacent properties and shall be screened, if reasonably necessary, to ensure compatibility with surrounding properties.
 - (9) *Emergency access.* All buildings and structures shall be readily accessible to emergency vehicles
 - (10) *Water and Sewer.* Water and sewer installations shall comply with all City specifications and requirements.
 - (11) *Signs.* Permitted signs shall be located to avoid creating distractions, visual clutter and obstructions for traffic entering or exiting a site.
- (Prior Code, § 5.120)

153.238 CONDITIONS OF SITE PLAN APPROVAL

- (A) Conditions which are designed to ensure compliance with the intent of this Zoning Ordinance and other regulations of the City of Charlevoix may be imposed on site plan approval.
- (B) Conditions imposed shall be based on the following criteria:
 - (1) Ensure that public services and facilities affected by the proposed land use and site plan will not be adversely affected.
 - (2) Ensure that the use is compatible with adjacent land uses and activities.
 - (3) Protect natural resources, the health, safety, welfare and social and economic well- being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
 - (4) Ensure compatibility between the proposed use or activity and the rights of the city to perform its governmental functions.
 - (5) Meet the intent and purpose of the City of Charlevoix Zoning Ordinance, be related to the regulations and standards established in the ordinance for the land use or activity under consideration and be necessary to ensure compliance with those standards.
 - (6) Ensure compliance with the intent of other city ordinances that are applicable to the site plan.
 - (7) Ensure compatibility with other uses of land in the vicinity.

(Prior Code, § 5.121)

153.239 PERFORMANCE GUARANTEE

To assure compliance with this ordinance and any conditions of approval, performance guarantees may be required. The City Manager may require that a performance guarantee be furnished to ensure compliance with the requirements and conditions imposed under the City's Zoning Ordinance. The amount of the performance guarantee shall be set forth by the City Manager, with input from Council, and shall be an amount acceptable to the city in covering the estimated cost of improvements associated with the project for which zoning approval is sought. This performance guarantee may be in the form of a cash deposit, certified check, irrevocable bank letter of credit, or a surety bond, and shall be deposited with the treasurer of the City. The performance guarantee shall be deposited at the time of issuance of the permit authorizing the activity or project. The City shall not require the deposit of the performance guarantee before the date on which the City is prepared to issue the permit. The City shall rebate any cash deposits in reasonable proportion to the ratio of work completed on the required improvement as work on the required improvements progresses.

(Prior Code, § 5.122) (Ord. 794, passed 9-17-2018)

153.240 AUTHORITY AND LIMITATIONS

- (A) A person aggrieved by a decision of the Zoning Administrator or Planning Commission in granting or denying approval of a site plan, or regarding any conditions attached to an approval, may appeal the decision to the ZBA per the requirements of Section 153.038. A party aggrieved by the decision of the ZBA may appeal to the Charlevoix County Circuit Court.
- (B) Decisions on a Special Use Permit or Planned Unit Development site plan may not be appealed to the ZBA, and may be appealed directly to Circuit Court.
- (C) Land Use Permits associated with an approved site plan will not be issued until permits and approvals from applicable outside agencies have been presented to the Zoning Administrator. Such permits and approvals shall include but not be limited to soil erosion and sedimentation control permits, wetland permits, floodplain permits, driveway and road permits, and Health Department permits.

153.241 AMENDMENT TO APPROVED SITE PLAN

Changes to an approved site plan shall be permitted only under the following circumstances:

- (A) The holder of an approved site plan shall notify the Zoning Administrator of any proposed change to an approved site plan.
- (B) Changes to a Level "A" site plan may be approved by the Zoning Administrator.
- (C) Minor changes to a Level "B" site plan may be approved by the Zoning Administrator upon determining that the proposed revision(s) will not alter the basic design or any specified conditions imposed as part of the original approval. Minor changes shall include the following:
 - (1) Reduction in building size or increase in building size up to five (5) percent of total approved floor area.
 - (2) Movement of buildings or other structures by no more than ten (10) feet.
 - (3) Replacement of plant material specified in the landscape plan with comparable materials of an equal or greater size.
 - (4) Changes in building materials to a comparable or higher quality.
 - (5) Changes in floor plans which do not alter the character of the use.
 - (6) Changes required or requested by a city, county, state or federal regulatory agency in order to conform to other laws or regulations.
- (D) A proposed change to a Level "B" site plan, determined by the Zoning Administrator to not be a minor change, shall be submitted to the Planning Commission as a site plan amendment and shall be reviewed in the same manner as the original application.

(Prior Code, § 5.123)

§

153.242 EXPIRATION

Site plan approval shall expire twelve (12) months after the date of approval, unless substantial construction has been commenced and is continuing. The Zoning Administrator, in the case of a Level "A" site plan, or the Planning Commission, in the case of Level "B" site plan, may grant one extension of up to twelve (12) additional months ; provided the applicant requests an extension in writing prior to the date of expiration of the site plan. The extension shall be approved if the applicant presents reasonable evidence that the development has encountered unforeseen difficulties beyond the control of the applicant and the project will proceed within the extension period. If the above

provisions are not fulfilled or the extension has expired prior to construction, the site plan approval shall become null and void.

(Prior Code, § 5.124)

§

153.243 AS BUILT PLAN

- (A) For a project which requires a detailed site plan review, an as-built site plan shall be submitted to the City within 90 days of completion or occupancy, whichever comes first. This site plan shall be prepared to the same standard as the approved site plan. The Zoning Administrator shall use this as-built site plan as a comparison to the approved site plan, and the actual construction on the ground to ensure compliance with the conditions, and other requirements of the site plan, Planned Unit Development, special use permit, and requirements of this ordinance.
- (B) If the as-built site plan does not show compliance with the conditions, and other requirements of the site plan, Planned Unit Development, special use permit, or other requirements of this ordinance, the deviation shall be considered a violation of this ordinance and shall be subject to any applicable enforcement remedy.

**CITY OF CHARLEVOIX
ORDINANCE NO. 822 of 2020**

AN ORDINANCE TO AMEND TITLE XV, CHAPTER 153, SECTIONS 153.230 THROUGH 153.243 OF THE CHARLEVOIX CITY CODE

THE CITY OF CHARLEVOIX ORDAINS:

SECTION 1. Title XV, Chapter 153, Section 153.230 of the City of Charlevoix Code is hereby repealed and replaced as follows:

The purpose of this subchapter is to establish uniform requirements for the planning and design of developments within the city in order to achieve the following objectives:

- A. to determine compliance with the provisions of this chapter;
- B. to apply provisions of this ordinance equitably and fairly;
- C. to promote the orderly development of the city;
- D. to prevent depreciation of land values;
- E. to ensure a consistent level of quality throughout the community;
- F. to ensure a harmonious relationship between new development and the existing natural and manmade surroundings;
- G. to achieve the goals and recommendations of the city Master Plan; and
- H. to promote consultation and cooperation between applicants and the city in order that applicants may accomplish their objectives in the utilization of land, consistent with the public purposes of this chapter and the Master Plan.

SECTION 2. Title XV, Chapter 153, Section 153.231 of the City of Charlevoix Code is hereby amended so that the first sentence reads as follows:

Site plan review shall be required, as applicable, under the following conditions, or under other circumstances required by the City of Charlevoix Zoning Ordinance or other applicable law, unless exempted by Section 153.232.

SECTION 3. Title XV, Chapter 153, Section 153.232 of the City of Charlevoix Code is hereby repealed and replaced as follows:

Site plan review shall not be required for:

- (A) Developments, expansions, or additions to existing uses within the Charlevoix City Airport.
- (B) Single- or two-family dwellings on a lot on which there exists no other principal building or use or for any home occupation or accessory building in a single-family residential district.
(Prior Code, § 5.117)

SECTION 4. Title XV, Chapter 153, Section 153.233 of the City of Charlevoix Code is hereby repealed and replaced as follows:

153.233 PRE-APPLICATION CONFERENCE

The Charlevoix Zoning Administrator and/or planner shall have the authority to conduct a pre-application meeting with the applicant/developer to assist them in understanding the site plan review process and other ordinance requirements; and to provide insight as to what portions of their proposed development may be of special concern to the Planning Commission.

This conference is not mandatory, but is recommended for small and large projects alike. For large projects, a pre-application conference should be held several months in advance of the desired start of construction. Such an advance conference will allow the applicant/developer time to prepare the needed information for the Planning Commission to make a proper review.

SECTION 5. Title XV, Chapter 153, Section 153.234 of the City of Charlevoix Code is hereby repealed and replaced as follows:

153.234 SITE PLAN REVIEW PROCEDURES

The process for reviewing the site plan shall be as follows:

- (A) Site Plan and Level "A" reviews shall be performed by the Zoning Administrator as follows:
 - (1) Two (2) copies of a complete site plan and an electronic version, in a format specified by the city, shall be submitted along with an application for that purpose and a fee, as established by the City Council.
 - (2) The Zoning Administrator shall review the site plan for completeness.
 - (3) If the site plan is found to be incomplete, the Zoning Administrator shall return the site plan to the applicant with a list of items needed to make the site plan complete.
 - (4) Once the site plan is determined to be complete, the Zoning Administrator shall notify and seek comment from other city departments as applicable. A review by all the applicable departments will be held within fourteen (14) days. A report will be drafted by the Zoning Administrator stating a synopsis of the proposal and how the proposal relates to the zoning ordinance standards.
 - (5) The Zoning Administrator shall consider the site plan, any comments received and the applicable standards of this ordinance and shall either approve the site plan, as submitted, if all applicable requirements and the standards of Section 153.237 have been met; approve the site plan with conditions; or deny approval of the site plan, if applicable requirements and standards have not been met.
 - (6) The reasons for the Zoning Administrator's action, along with any conditions that may be attached, shall be stated in writing and provided to the applicant.
 - (7) If approved, two (2) copies of the final site plan shall be signed and dated by the Zoning Administrator and the applicant. One (1) copy, along with the digital version, shall be kept on file with the city and one (1) copy shall be returned to the applicant or their designated representative. If the plan is approved with conditions, a revised plan shall be submitted reflecting those conditions and signed by the

applicant and Zoning Administrator prior to the issuance of any permits.

(B) Site Plan and Level "B" reviews shall be performed by the Planning Commission as follows:

- (1) Two (2) copies of a complete site plan and an electronic version, in a format specified by the city, shall be submitted along with an application for that purpose and a fee, as established by the City Council.
- (2) The Zoning Administrator shall review the site plan for completeness.
- (3) If the site plan is found to be incomplete, the Zoning Administrator shall return the site plan to the applicant with a list of items needed to make the plot plan or site plan complete.
- (4) Once the site plan is determined to be complete, the Zoning Administrator shall notify and seek comment from other city departments as applicable. A review by all the applicable departments will be held within fourteen (14) days. A report will be drafted by the Zoning Administrator stating a synopsis of the proposal and how the proposal relates to the zoning ordinance standards.
- (5) The applicant will then submit eleven (11) copies of the complete (revised) site plan; 2 full size, 9 11" x 17" and an electronic version, in a format specified by the city.
- (6) The Zoning Administrator shall transmit the site plan and report to the Planning Commission for consideration at its next meeting that meets the noticing requirements. Comments, if any, from the public, city departments and consultants shall be transmitted to the Planning Commission prior to its review of the plan. Where required by the City of Charlevoix Zoning Ordinance or other applicable law, notice shall be given to all persons to whom real property is assessed within 300 feet of the property that is the subject of the request and to the occupants of all structures within 300 feet of the subject property regardless of whether the property or structure is located in the zoning jurisdiction, and a public hearing held.
- (7) The Planning Commission shall consider the site plan and shall either approve the site plan, as submitted, if all applicable requirements and standards have been met; approve the site plan with conditions; or deny the site plan if applicable requirements and standards have not been met. The Planning Commission review shall be based on the requirements of this chapter, comments received from city departments and consultants, and, specifically, the review standards of Section 153.237.
- (8) If approved, two (2) copies of the site plan shall be signed and dated by the Planning Commission chairperson and the applicant. One (1) copy, plus the digital copy, shall be kept on file with the city and one (1) copy shall be returned to the applicant or their designated representative. If the plan is approved with conditions, a revised plan shall be submitted reflecting those conditions and signed by the applicant and the Planning Commission chairperson, prior to the issuance of any permits.

(Prior Code, § 5.118) (Ord. 794, passed 9-17-2018)

SECTION 6. Title XV, Chapter 153, Section 153.235 of the City of Charlevoix Code is hereby repealed and replaced as follows:

153.235 SUBMITTAL REQUIREMENTS

(A) *Required content.* Each site plan submitted shall contain the information detailed in Table 153.235 as applicable:

Table 153.235: Required Site Plan Content		
Required Information	Level "A"	Level "B"
GENERAL INFORMATION		
Date, north arrow and scale	X	X
Name and firm address of the professional individual responsible for preparing the site plan	X	X
Name and address of the property owner or petitioner	X	X
Location sketch	X	X
Legal description of the subject property	X	X
Size of subject property in acres or square feet	X	X
Boundary survey dated within 6 years of application	X	X
Preparer's professional seal		X
Revision block (month, day and year)	X	X
EXISTING CONDITIONS		
Existing zoning classification of subject property	X	X
Property lines and required setbacks (dimensioned)	X	X
Location, width and purpose of all existing easements	X	X
Location and dimension of all existing structures on the subject property	X	X
Location of all existing driveways, parking areas and total number of existing parking spaces on subject property	X	X
Abutting street right-of-way width	X	X
Location of all existing structures, driveways and parking areas within 300 feet of the subject property's boundary		X
Existing water bodies (rivers, creeks, wetlands and the like)	X	X

Table 153.235: Required Site Plan Content		
Existing landscaping and vegetation on the subject property		X
Size and location of existing utilities		X
Location of all existing surface water drainage facilities	X	X
PROPOSED DEVELOPMENT		
Location and dimensions of all proposed buildings	X	X
Location of all proposed drives (including dimensions and radii), acceleration/deceleration lanes, sidewalks, walls, fences, signs, exterior lighting, curbing, parking areas (including dimensions of a typical parking space and the total number of spaces to be provided) and unloading areas	X	X
Setbacks for all buildings and structures	X	X
Recreation areas, common use areas, dedicated open space and areas to be conveyed for public use		X
Flood plain areas and basement and finished floor elevations of all buildings	X	X
Landscape plan (showing location of proposed materials, size and type)		X
Layout and typical dimensions of proposed parcels and lots		X
Number of proposed dwelling units (by type), including typical floor plans for each type of unit		X
Number and location (by code, if necessary) of efficiency and 1-, 2- and 3- or more bedroom units		X
All deed restrictions or covenants		X
Brief narrative description of the project including proposed use, existing floor area (sq. ft.), size of proposed expansion (sq. ft.) and any change in the number of parking spaces	X	X
ENGINEERING		
Proposed method of handling sanitary sewage and providing potable water	X	X
Location and size of proposed utilities, including connections to public sewer and water supply systems and/or size and location of on-site systems	X	X
Location and spacing of fire hydrants		X
Location and type of all proposed surface water drainage facilities	X	X
Grading plan at no more than 2-foot contour intervals		X
Proposed streets (including pavement width, materials and easement or right-of-way dimensions)		X
BUILDING DETAILS		
Typical elevation views of all sides of each building		X
Gross and usable floor area	X	X
Elevation views of building additions	X	X
Building height	X	X

(B) *Information waiver.* Specific requirements of either a Level "A" or "B" site plan may be waived by the Zoning Administrator where it is determined that such information is not applicable to the request. The Planning Commission reserves the right to request the waived information for Level B Site Plan reviews in their decision making process.

(C) *Additional reports/study.* The Zoning Administrator or Planning Commission may require additional studies, reports or written opinions from qualified consultants to determine compliance with this chapter or other applicable law or to ensure negative impacts to public health, safety and welfare are avoided or mitigated. These reports/studies may include, but are not limited to, traffic studies, transportation plans, geotechnical reports, flood hazard evaluations or environmental assessments. The Zoning Administrator, or Planning Commission, shall have the authority to choose the individual consultant, firm or company. The costs of additional study shall be paid for by the applicant.
(Prior Code, § 5.119)

SECTION 7. Title XV, Chapter 153, Section 153.236 of the City of Charlevoix Code is hereby repealed and replaced as follows:

153.236 COORDINATION WITH OTHER DEPARTMENTS AND AGENCIES

(A) The Zoning Administrator shall forward Level "A" and Level "B" site plans and applications to the following departments and agencies where applicable for their information and opportunity to comment:

- (1) City of Charlevoix Fire and Rescue Department
- (2) City of Charlevoix Public Works Department
- (3) Charlevoix County Road Commission
- (4) Michigan Department of Transportation

- (5) Charlevoix District Health Department
 - (6) Charlevoix County Drain Commissioner
 - (7) City of Charlevoix Police Department
 - (8) City of Charlevoix Downtown Development Authority
 - (9) Any other agency that may be affected by the Site Plan.
- (B) This review does not alleviate the applicant from obtaining any and all required permits and/or approvals from the departments and agencies listed above. Any comments received from the departments and agencies within a reasonable time (14 days) will be reviewed and considered by the Planning Commission and/or the Zoning Board of Appeals (ZBA).
- (1) The Planning Commission may approve an application conditioned on obtaining agency permits, or may, if the permit is critical to the site plan, require the permit or approval prior to issuance of their approval.
 - (2) No construction activity associated with an approved site plan shall be undertaken until permits and approvals from all applicable agencies have been presented to the Zoning Administrator.
 - (3) Whenever possible, site plan review by the Zoning Administrator and Planning Commission shall be coordinated and done simultaneously with other reviews by the Zoning Administrator and Planning Commission on the same application.
 - (4) When an application is dependent on the need for a dimensional variance from the ZBA, re-zoning of property, or a zoning ordinance text amendment, such action must be completed prior to final site plan approval by the Planning Commission.

SECTION 8. Title XV, Chapter 153, Section 153.237 of the City of Charlevoix Code is hereby repealed and replaced as follows:

153.237 STANDARDS FOR SITE PLAN APPROVAL

A site plan shall be approved or approved with conditions, only upon a finding of compliance with the following standards:

- (A) The site plan must comply with all standards of this Article and all applicable requirements of this chapter, as well as with all other applicable city, county, state and federal laws and regulations.
- (B) The site must be designed in a manner that is harmonious, to the greatest extent possible, with the character of the surrounding area.
- (C) The site must be designed to minimize hazards to adjacent property and to reduce the negative effects of traffic, noise, smoke, fumes and glare to the maximum extent possible.
- (D) The site plan does not have a negative impact on the provisions of human services, housing, transportation needs, and access to food in the community.
- (E) The site plan protects the natural environment and conserves natural resources and energy to the extent possible in light of the proposed development.
- (F) Unless a more specific design standard is required by the city through a different ordinance or regulation, all uses and structures subject to site plan review shall comply with the following design standards:
 - (1) *Traffic circulation.*
 - a. The site plan shall comply with the applicable zoning district requirements for minimum floor space, height of building, lot size, yard space, density and all other requirements as set forth in the City of Charlevoix Zoning Ordinance, unless otherwise provided.
 - b. Vehicular and Pedestrian Circulation. Safe, convenient, uncontested, and well-defined vehicular and pedestrian circulation shall be provided for ingress/egress points and within the site. A pedestrian circulation system shall be provided and shall be as insulated as completely as reasonably possible from the vehicular circulation system. The number, location and size of access and entry points, and internal vehicular and pedestrian circulation routes shall be designed to promote safe and efficient access to and from the site, as well as circulation within the site. In reviewing traffic features, the number, spacing and alignment of existing and proposed access points shall be considered relative to their impact on traffic movement on abutting streets and adjacent properties.
 - c. Walkways from parking areas to building entrances
 - a. Internal pedestrian walkways shall be developed for persons who need access to the building(s) from internal parking areas and shall be designed to provide access from these areas to the entrances of the building(s)
 - b. The walkways shall be designed to separate people from moving vehicles.
 - c. These walkways shall have a minimum width of five (5) feet with no car overhang or other obstruction.
 - d. The walkways must be designed in accordance with the Michigan Barrier Free Design Standards.
 - e. The walkways shall be distinguished from the parking and driving areas by use of any of the following materials: special pavers, bricks, raised elevation or scored concrete. Other materials may be used if they are appropriate to the overall design of the site and building and acceptable to the review authority.
 - (2) *Storm water.* Storm water retention and drainage systems shall be designed so the removal of surface water will not adversely affect neighboring properties or public storm water drainage systems. Unless impractical, storm water shall be removed from all roofs, canopies and paved areas by an underground surface drainage system. Low impact design solutions such as rain gardens and green roofs are encouraged. The proposed project will meet the City of Charlevoix Storm Water Ordinance.
 - (3) *Snow Storage.* Proper snow storage areas shall be provided so to not adversely affect neighboring properties, vehicular and pedestrian clear vision, and parking area capacity.
 - (4) *Landscaping.* The landscape shall be preserved in its natural state, insofar as practical, by minimizing unnecessary tree and soil removal. Any grade changes shall be in keeping with the general appearance of neighboring developed areas. Provision or preservation of landscaping, buffers or greenbelts may be required to ensure the proposed uses will be adequately buffered from one another and from surrounding property.
 - (5) *Screening.* Where non-residential uses abut residential uses, appropriate screening shall be provided in accordance with Section

- 153.171 to shield residential properties from noise, headlights and glare.
- (6) *Lighting.* Lighting shall be designed to minimize glare on adjacent properties and public streets. As a condition of site plan approval, reduction of lighting during non-business hours may be required.
 - (7) *Utility service.* All utility service shall be underground, unless impractical due to engineering difficulties.
 - (8) *Exterior uses.* Exposed storage areas, machinery, heating and cooling units, service areas, loading areas, waste storage areas, utility buildings and structures, and similar accessory areas shall be located to have a minimum negative effect on adjacent properties and shall be screened, if reasonably necessary, to ensure compatibility with surrounding properties.
 - (9) *Emergency access.* All buildings and structures shall be readily accessible to emergency vehicles.
 - (10) *Water and Sewer.* Water and sewer installations shall comply with all City specifications and requirements.
 - (11) *Signs.* Permitted signs shall be located to avoid creating distractions, visual clutter and obstructions for traffic entering or exiting a site.

(Prior Code, § 5.120)

SECTION 9. Title XV, Chapter 153, Section 153.238 of the City of Charlevoix Code is hereby repealed and replaced as follows:

153.238 CONDITIONS OF SITE PLAN APPROVAL

- (A) Conditions which are designed to ensure compliance with the intent of this Zoning Ordinance and other regulations of the City of Charlevoix may be imposed on site plan approval.
- (B) Conditions imposed shall be based on the following criteria:
 - (1) Ensure that public services and facilities affected by the proposed land use and site plan will not be adversely affected.
 - (2) Ensure that the use is compatible with adjacent land uses and activities.
 - (3) Protect natural resources, the health, safety, welfare and social and economic well-being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
 - (4) Ensure compatibility between the proposed use or activity and the rights of the city to perform its governmental functions.
 - (5) Meet the intent and purpose of the City of Charlevoix Zoning Ordinance, be related to the regulations and standards established in the ordinance for the land use or activity under consideration and be necessary to ensure compliance with those standards.
 - (6) Ensure compliance with the intent of other city ordinances that are applicable to the site plan.
 - (7) Ensure compatibility with other uses of land in the vicinity.

(Prior Code, § 5.121)

SECTION 10. Title XV, Chapter 153, Section 153.239 of the City of Charlevoix Code is hereby repealed and replaced as follows:

153.239 PERFORMANCE GUARANTEE

To assure compliance with this ordinance and any conditions of approval, performance guarantees may be required. The City Manager may require that a performance guarantee be furnished to ensure compliance with the requirements and conditions imposed under the City's Zoning Ordinance. The amount of the performance guarantee shall be set forth by the City Manager, with input from Council, and shall be an amount acceptable to the city in covering the estimated cost of improvements associated with the project for which zoning approval is sought. This performance guarantee may be in the form of a cash deposit, certified check, irrevocable bank letter of credit, or a surety bond, and shall be deposited with the treasurer of the City. The performance guarantee shall be deposited at the time of issuance of the permit authorizing the activity or project. The City shall not require the deposit of the performance guarantee before the date on which the City is prepared to issue the permit. The City shall rebate any cash deposits in reasonable proportion to the ratio of work completed on the required improvement as work on the required improvements progresses.

(Prior Code, § 5.122) (Ord. 794, passed 9-17-2018)

SECTION 11. Title XV, Chapter 153, Section 153.240 of the City of Charlevoix Code is hereby added as follows:

153.240 AUTHORITY AND LIMITATIONS

- (A) A person aggrieved by a decision of the Zoning Administrator or Planning Commission in granting or denying approval of a site plan, or regarding any conditions attached to an approval, may appeal the decision to the ZBA per the requirements of Section 153.038. A party aggrieved by the decision of the ZBA may appeal to the Charlevoix County Circuit Court.
- (B) Decisions on a Special Use Permit or Planned Unit Development site plan may not be appealed to the ZBA, and may be appealed directly to Circuit Court.
- (C) Land Use Permits associated with an approved site plan will not be issued until permits and approvals from applicable outside agencies have been presented to the Zoning Administrator. Such permits and approvals shall include but not be limited to soil erosion and sedimentation control permits, wetland permits, floodplain permits, driveway and road permits, and Health Department permits.

SECTION 12. Title XV, Chapter 153, Section 153.241 of the City of Charlevoix Code is hereby added as follows:

153.241 AMENDMENT TO APPROVED SITE PLAN

Changes to an approved site plan shall be permitted only under the following circumstances:

- (A) The holder of an approved site plan shall notify the Zoning Administrator of any proposed change to an approved site plan.
- (B) Changes to a Level "A" site plan may be approved by the Zoning Administrator.
- (C) Minor changes to a Level "B" site plan may be approved by the Zoning Administrator upon determining that the proposed revision(s) will not alter the basic design or any specified conditions imposed as part of the original approval. Minor changes shall include the following:
 - (1) Reduction in building size or increase in building size up to five (5) percent of total approved floor area.

- (2) Movement of buildings or other structures by no more than ten (10) feet.
 - (3) Replacement of plant material specified in the landscape plan with comparable materials of an equal or greater size.
 - (4) Changes in building materials to a comparable or higher quality.
 - (5) Changes in floor plans which do not alter the character of the use.
 - (6) Changes required or requested by a city, county, state or federal regulatory agency in order to conform to other laws or regulations.
- (D) A proposed change to a Level "B" site plan, determined by the Zoning Administrator to not be a minor change, shall be submitted to the Planning Commission as a site plan amendment and shall be reviewed in the same manner as the original application.
(Prior Code, § 5.123)

SECTION 13. Title XV, Chapter 153, Section 153.242 of the City of Charlevoix Code is hereby added as follows:

153.242 EXPIRATION

Site plan approval shall expire twelve (12) months after the date of approval, unless substantial construction has been commenced and is continuing. The Zoning Administrator, in the case of a Level "A" site plan, or the Planning Commission, in the case of Level "B" site plan, may grant one extension of up to twelve (12) additional months; provided the applicant requests an extension in writing prior to the date of expiration of the site plan. The extension shall be approved if the applicant presents reasonable evidence that the development has encountered unforeseen difficulties beyond the control of the applicant and the project will proceed within the extension period. If the above provisions are not fulfilled or the extension has expired prior to construction, the site plan approval shall become null and void.
(Prior Code, § 5.124)

SECTION 14. Title XV, Chapter 153, Section 153.243 of the City of Charlevoix Code is hereby added as follows:

153.243 AS BUILT PLAN

- (A) For a project which requires a detailed site plan review, an as-built site plan shall be submitted to the City within 90 days of completion or occupancy, whichever comes first. This site plan shall be prepared to the same standard as the approved site plan. The Zoning Administrator shall use this as-built site plan as a comparison to the approved site plan, and the actual construction on the ground to ensure compliance with the conditions, and other requirements of the site plan, Planned Unit Development, special use permit, and requirements of this ordinance.
- (B) If the as-built site plan does not show compliance with the conditions, and other requirements of the site plan, Planned Unit Development, special use permit, or other requirements of this ordinance, the deviation shall be considered a violation of this ordinance and shall be subject to any applicable enforcement remedy.

SECTION 15. 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 16. Effective Date.

This Ordinance shall become effective thirty (30) days after its enactment pursuant to the City Charter.

Ordinance No. 822 was adopted on the 5th day of October, 2020 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

Public Hearings and Actions Requiring Public Hearings

TITLE: Public Hearing to Conduct a Deer Cull

DATE: October 19, 2020

PRESENTED BY: Gerard Doan, Police Chief

BACKGROUND:

The City Council set a public hearing at their October 19, 2020 meeting to discuss the possibility of conducting a deer cull. The deer cull would be conducted in January 2021 if approved. A representative from the USDA will be present to discuss the logistics of conducting a deer cull at this meeting.

A resolution authorizing a deer cull has been prepared. Also attached is a Work Plan and copy of the Urban White Tailed Deer Conflict Management Policy and Procedure. A Cooperative Service Agreement between the City of Charlevoix and the United States Department of Agriculture Wildlife Services and a Financial Plan will be formulized following approval with expenses not to exceed \$7,500.

RECOMMENDATION:

Council discussion and direction.

ATTACHMENTS:

- ❑ Resolution
- ❑ Work Plan
- ❑ Conflict Management Policy and Procedures

CITY OF CHARLEVOIX
RESOLUTION NO. 2020-10-04
RESOLUTION AUTHORIZING DEER CULL

WHEREAS, since 2019 the City of Charlevoix received approximately 52 online submitted deer population complaints, as well as follow-up inquiries regarding the City conducting a deer cull to reduce deer herds within the Charlevoix City limits where our complaints originated; and

WHEREAS, the Chief of Police has proposed that if a deer culling is to be conducted within the City of Charlevoix, it shall be conducted by the U.S. Department of Agriculture Wildlife Services and between 5 and 15 deer will be removed; and

WHEREAS, the U.S. Department of Agriculture Wildlife Services has drafted a Cooperative Service Agreement, which will include a Work Plan and a Financial Plan, that would allow for 3 visits (one site visit prior to removal efforts and two visits to conduct the removal) not to exceed \$7,500; and

WHEREAS, if the deer cull is successful on the first day there will be no need for a second day and the cost will be reduced, whereby the City will only be billed for the work required to harvest an acceptable number of deer; and

WHEREAS, harvested deer would be field dressed by Wildlife Services and turned over to the City for donation to charity; and

NOW THEREFORE BE IT RESOLVED, the Chief of Police is hereby authorized to conduct a deer cull during night time hours in January 2021, within the Charlevoix City limits; and

BE IT FURTHER RESOLVED, a contract be established between the City of Charlevoix and the U.S. Department of Agriculture Wildlife Services for actual expenses incurred and the Chief of Police is authorized to sign said contract.

RESOLVED this 19th day of October, 2020 A.D.

Resolution was adopted by the following yea and nay vote:

Yeas:

Nays:

WORK PLAN

Wildlife Species: White-tailed deer

Description of Damage: The City of Charlevoix has seen an increase in complaints regarding damage to landscaping, vehicle-deer collisions, and damage to native plants and wildflowers. Efforts to alleviate the damage have included educating the public on deer resistant landscaping, managing online submitted deer complaints, and providing education from the Michigan DNR. Despite these efforts, damage and complaints are still occurring and the City of Charlevoix would like to utilize Wildlife Services to remove a limited number of deer.

Location: The City of Charlevoix in Charlevoix, MI

Services Provided: This agreement will allow for 3 visits (one site visit prior to removal efforts and then two visits to conduct the removal). Wildlife Services will utilize suppressed firearms (potentially with night vision equipment) from elevated stands, blinds, and/or vehicles. Wildlife Services will assist with field dressing and removal of the carcasses from the bait sites. The City of Charlevoix's Chief of Police will be responsible for baiting and processing of deer carcasses. Wildlife Services will coordinate with the City of Charlevoix's Chief of Police to locate bait sites and shooting zones on and within the City of Charlevoix. At the completion of this project, the City of Charlevoix may consult with Wildlife Services and the Michigan Department of Natural Resources to determine if another control visit is necessary. If an additional control visit is warranted, a new agreement shall be developed and signed.

This Work Plan is contingent upon the approval of this Cooperative Service Agreement, review of the Work Plan and approval and issuance of a permit by the Michigan Department of Natural Resources.

Wildlife Division  Policy & Procedure	Topic White-Tailed Deer and Urban Conflict	
	Authority MCL 324.40114	Date Drafted:
	Responsible Region/Section/Unit	

Title Urban White-Tailed Deer Conflict Management Policy and Procedures	Number
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DEFINITIONS

Urban/Suburban – The U.S. Census Bureau considers urban and suburban areas as a densely developed territory, and encompass residential, commercial, and other non-residential urban land uses. Often, hunting cannot take place in an effective and efficient traditional manner due to the layout and structure of the land and the proximity to human inhabitants on most or all of the public land.

Damage – One type of urban conflict where a group of animals is engaging in destructive, depredating behavior that results in a loss of public resources or commercial value.

Hunting Seasons – These include the firearm season, muzzleloading season, archery season, early antlerless firearm season, late antlerless firearm season, Liberty Hunt, and Independence Hunt.

Lethal Management – Methods used to remove deer where the final disposition of the animal is mortality, including: hunting, trap and euthanasia, and sharpshooting.

Non-Lethal Management – Tools used to discourage the presence of deer, including: fencing, repellents, scare tactics, habitat alterations, etc.

Nuisance – One type of urban conflict where a group of animals is engaging in undesirable or impeding behaviors.

Hazardous Situations – Areas where the presence of any deer, regardless of number, create potentially dangerous or life-threatening situations.

POLICY

While white-tailed deer are highly valued by Michigan residents, conflicts between deer and humans occur at various levels of intensity across the State. Suppressed forest regeneration, high rates of deer-vehicle collisions, and destruction of landscaping and other property by deer can exceed social tolerances in urban/suburban areas where deer populations are abundant. Many individuals experiencing these conflicts frequently request assistance from their local elected officials, who often lack experience or expertise in solving such problems. These officials often turn to the Department of Natural Resources (DNR) to resolve these conflicts, which in many cases are polarizing and become highly politicized. While the DNR attempts to minimize deer-human conflicts by managing deer at appropriate levels through hunting, development and implementation of new strategies will be necessary to successfully manage deer in areas where hunting may be limited or restricted. The role of the DNR is to provide technical assistance and flexibility in the management options available, within reason. The final decision on which management approach should be pursued is the decision of the municipal/community representative or landowner, pending DNR approval.

One of the primary objectives of Michigan's Deer Management Plan is to increase the effectiveness at managing deer impacts in urban and suburban areas where conflicts with deer can be impactful and potentially hazardous to humans. The Urban White-Tailed Deer Conflict Management Policy and Procedures of the Michigan DNR will:

1. Emphasize the harvest of white-tailed deer during existing deer hunting seasons using legal methods, where applicable.
2. Provide assistance and information in the use of lethal and non-lethal methods of reducing human conflict with white-tailed deer where hunting is not applicable or its impact can be limited.
3. Maintain a permitting system that allows for the expeditious response to potentially hazardous situations.

Title	Urban White-Tailed Deer Conflict Management Policy and Procedures	Number
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4. Provide guidance to landowners and municipalities to resolve conflicts with urban deer through a clearly defined process.

PROCEDURES:

I. Urban Deer Conflicts on Municipal Land and Certain Private Lands

As deer have lost their inhibitions of humans and densely populated areas, they have taken advantage of an environment that provides sufficient cover, abundant food, and freedom from natural and human predators (recreational hunters). Increasing numbers of urban deer-vehicle accidents and excessive damage to plants (landscaping or natural vegetation) are the most common conflicts with deer in these settings. In addition, concerns of disease associated with an abundant deer population living so closely with humans (e.g. bovine tuberculosis, Lyme disease) also arise.

Perhaps the most challenging aspect of deer management is the issue of how to deal with deer in urban and suburban areas where use of lethal control as a management tool has been unavailable. In most cases, municipal/community leaders must work together with stakeholders to gain acceptance of these highly effective, lethal techniques and utilize them in conjunction with a variety of non-lethal techniques to successfully reduce human-deer conflicts in these urban-suburban areas.

A variety of deer management tools, both lethal and non-lethal are available for municipal lands as well as certain privately owned lands. Lethal tools are more effective than others but may be unacceptable in areas where social or safety concerns are an issue. Applying a combination of several techniques specifically tailored for each situation should prove to be more successful than utilizing a single tool.

Municipal/community Representative or Landowner	Acknowledge there is concern amongst their constituency that urban deer may pose a problem. Contact the local wildlife biologist or deer specialist/biologist with supporting documents.
Wildlife Biologist, and/or Deer Specialist/Biologist, Field Operations Manager, Regional Supervisor or appointed Conservation Officer	1. Provide the appropriate municipal representative or landowner with information on urban deer management options once the Michigan DNR has been contacted. a. Provide options for non-lethal management, including fencing, repellents, baiting/feeding bans, etc. If the situation <i>can be resolved</i> through non-lethal management or hunting seasons, no further reporting or action is necessary. b. If the situation <i>cannot be resolved</i> through use of non-lethal means or hunting seasons, the biologist may conduct a site visit and advise the municipal representative of the <u>Damage and Nuisance Animal Control Permit request process</u>. Provide instructions for applying for a <u>Damage and Nuisance Animal Control Permit</u>. The prospective applicant should also be informed of the <u>Prohibited Methods of Deer-Human Conflict Resolution (Appendix A)</u>
Wildlife Biologist	2. The Wildlife Biologist may inform the municipal representative of the options available for deer conflict resolution. The community is strongly encouraged to hold public meetings or determine the support for options that they are willing to consider. <u>If damage due to overabundant deer is being claimed, documentation or proof of damage should be provided to the biologist.</u>
Municipal Representative	Conduct public meetings, issue communications, discuss options with citizens and municipality leaders. Engage DNR experts to address questions and concerns.
Municipal Representative	2. Submit a <u>Damage and Nuisance Animal Control Permit</u> request to the Wildlife Biologist and a conflict resolution plan.

Title		Number
Urban White-Tailed Deer Conflict Management Policy and Procedures		
Wildlife Biologist	3. The Wildlife Biologist will attach a short report accompanying the request that includes a brief history of urban deer management discussions he or she has had with the municipality and whether or not the biologist supports the conflict resolution plan outlined by the request. The Wildlife Biologist will send a copy of the report to the Regional Supervisor, Deer Specialist and/or Program Biologist, and District Law Enforcement Supervisor.	
Regional Supervisor and/or Deer Specialist/Biologist	4. In considering the request, the Regional Supervisor and/or Deer Specialist/Biologist will give major consideration to public health and safety considerations outlined in the application, as well as the use of non-lethal and the use of lethal methods. If the request has merit, issue a <u>Damage and Nuisance Animal Control Permit</u> .	
Municipal Representative/Permittee	5. The permittee must keep record of all animals taken during the valid permit dates. If the use of sharpshooting is approved, the permittee must maintain a current, accurate list of the names of approved, designated sharp shooters. A copy of the <u>Damage and Nuisance Animal Control Permit</u> must be in the possession of each sharp shooter while in the act of taking a deer.	
Municipal Representative/Permittee	Within 30 days after the permit expiration date, the permittee will submit a final report to the Wildlife Biologist. The report will assist in future decision making processes. The report should document all aspects of the deer removal process, including any public reaction to the deer removal or control.	
Wildlife Biologist	Send the report to the Wildlife Permit Specialist.	

II. Urban Deer Conflicts Resulting in Hazardous Situations

Hazardous areas are meant to be free of deer due to the activities that take place on the grounds. These areas are typically airports and automobile proving grounds where collisions with deer at a very high rate of speed could result in serious human injury or fatality.

Wildlife Biologist and/or authorized representative	Any complaint involving a hazardous situation or a public safety issue must be addressed immediately. Under various circumstances, an onsite inspection is not required in order to authorize lethal management. Follow the <u>Instructions for Deer Conflict Permits and Exceptions (IC2018-4)</u> section on <u>Public Safety Issues Regarding Deer</u> .
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III. Permit Not Issued

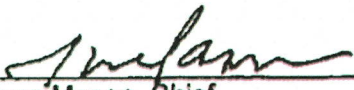
The following procedure should be followed by the Wildlife Biologist when a permit is not issued:

Wildlife Biologist	1. Send a letter to the requestor within 10 business days specifying the exact reasons why the permit was not issued. The format for the Letter is as follows: a. Use official <u>Michigan DNR Letterhead (R1026e)</u>. b. Include the applicant's name, address, and date of the letter. c. The first paragraph should include: i. Personnel involved in overseeing the conflict mitigation and review period of the application. ii. A statement advising the complainant that a permit will not be issued. d. The second paragraph should state the reasons the permit is not being issued and briefly summarize measures that can be used to improve the application status in the future. e. Include the Wildlife Biologist's signature, address, and telephone number in the closing of the letter.
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Title	Number
Urban White-Tailed Deer Conflict Management Policy and Procedures	
	f. Send a copy of the letter to the Regional Supervisor and Law Enforcement District Office. g. The Wildlife Biologist may refer a complainant to the appropriate Regional Supervisor.

REFERENCES

Natural Resources and Environmental Protection Act, Act 451 of 1994.

 _____ Dr. Russ Mason, Chief	12-15-2016 _____ Date
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APPENDIX A. PROHIBITED METHODS OF DEER-HUMAN CONFLICT RESOLUTION

1. Translocation of Deer

The live-capture, translocation and release of deer into a free-ranging situation will not be authorized by this permitting process. Deer will not be translocated and released back into wild populations for the following reasons:

- The State of Michigan will not facilitate the potential spread of any disease or parasite that may be harbored by a deer to another part of the state.
- Translocating deer into a different area is likely to cause stress to and provide competition for resources with resident deer (Scillitani et al 2013).
- Research shows the survival of translocated deer is low largely due to traumatic side effects such as capture myopathy and deer vehicle accidents resulting from unfamiliarity with the new terrain (Jones and Witham 1990).
- Research also shows that translocated animals disperse over greater distances once at release sites than resident populations (Whisson et al 2012).

2. Contraception or Sterilization of Deer

The use of contraception or sterilization of free-ranging white-tailed deer shall not be endorsed as a conflict resolution method authorized by this permitting process. Contraceptive and sterilization research could potentially be approved as a research project given proper funding, research personnel with extensive background and experience, identification of objectives and appropriate methodology, and location of need. Currently, the MDNR is not providing or soliciting funding or research for these techniques. These methods will not be permitted through this process for the following reasons:

- Contracepting or sterilizing deer does not immediately remove deer from a conflict situation.
- Current research has shown that fertility control can limit deer population growth in fenced areas and islands (Merrill et al 2006, Rutberg and Naugle 2008), but has been ineffective at controlling free-ranging deer herds.
- Research by Kirkpatrick et al (2011), indicate the challenges in the development and application of vaccine-based wildlife contraceptives are diverse and include differences in efficacy across species, safety of vaccines during pregnancy, the development of novel delivery systems for wild and wary free-ranging animals, and the constraints of certain non-contraceptive effects, such as effects on behavior.
- Kirkpatrick et. al (2011) also indicated that even when used successfully, challenges remain to improve delivery systems, modify vaccine components to enhance the duration of effectiveness, assure comprehensive safety, develop a sustainable funding base for research, and achieve general social acceptance.
- A study by Gilman et al (2010) show changes in maternal status imposed by sterilization may act to increase movement and mortality rates among sterilized females, resulting in an increase in deer-vehicle collisions.

APPENDIX B: APPROVED LETHAL METHODS OF CONFLICT RESOLUTION

1. Public Hunting

Public hunting, either with selected or state licensed hunters is the most preferred, economical and practical method of removing deer, even in urban areas. Even if firearms cannot be used, or are not feasible, archery hunting can typically be safely used to remove deer in urban areas. Local governments are encouraged to use hunting for deer population management, which may involve reviewing and changing local ordinances if currently prohibited.

2. Sharp Shooting

This technique is sometimes used near human-populated areas to safely, humanely, and efficiently remove deer. Sharp shooting is an intensive method of deer removal by competent marksmen and should not be considered or mistaken for a form of hunting.

- a. The landowner, homeowner's association, or government entity must submit a detailed plan for sharp shooting to the Wildlife Biologist for approval, which reasonably attempts to resolve the problem on a localized scale (per MDNR's discretion) for an extended period of time. The plan must include:
 - i. Introduction - brief history of the conflict and a description of the area, including its location (political township, township, range, and section) or address and size. Describe in detail the extent of damage or conflict caused by the deer, attaching any supporting documentation as an appendix. Any additional problems/issues associated with the deer should be described as well.
 1. Authority -specifically cite your legal authority to act on behalf of those being affected and to conduct such activities on the lands where the sharp shooting will occur.
 2. Goal - describe the long term objectives of the sharp shooting plan
 3. Alternatives - a review of other alternatives (lethal and nonlethal) to sharp shooting including the reasons that these are not viable.
 4. Logistics - describe in detail the following:
 - a. Number of deer to be culled - discuss the number of deer to be removed by sharpshooting and supporting information for the recommendation. (Note: Deer density estimates or counts are not required. Discussion with potential contracted sharpshooters and community involvement will best aid estimated number of deer to remove. Any discussion of age and sex restrictions of the deer to be removed would occur in this section.)
 - b. Timing - when sharpshooting will be conducted
 - c. Personnel - who will be conducting the cull and how/why the individuals were selected.
 - d. Methods - what methods, equipment (ex. type of firearm), and aids or special exceptions will be used to perform the sharp shooting.
 - e. Safety Issues - discuss all safety issues and how these issues will be specifically addressed during sharp shooting operations.
 - f. Utilization plan - describe how the culled deer will be utilized/disposed.
 - g. Long Term Management Plan - proposed management techniques to be employed once sharp shooting has been completed to meet the long term objectives of the sharp shooting plan.
 - h. Public Information Plan - List all efforts that have been undertaken to discuss the problem with affected individuals. List all efforts that will be undertaken to inform affected individuals as the plan is implemented.
 - i. Lead Contact - list the contact information for the designated individual, including a phone number and email address who affected individuals can contact immediately about any concerns during the sharp shooting operation. The Wildlife Biologist will forward the plan to the Deer Specialist/Biologist, Regional Supervisor, and District Lieutenant for review. Upon consensus agreement, a Damage and Nuisance Animal Control Permit will be issued by the Permit Specialist.

3. Trap and Euthanasia

This method is seldom used, but is an option in areas where lethal techniques have been approved but hunting or sharpshooting are not possible due to safety concerns. It is an inefficient, expensive, and controversial method that should only be considered as a last resort.

Deer may be humanely euthanized according to the acceptable methods applicable to free-ranging wildlife as described by the American Veterinary Medical Association. These include:

- Noninhaled agents: Overdoses of injectable anesthetic agents (including barbiturates) and T-61. Other agents may be used that are acceptable for domestic or captive wildlife. Premedication with an injectable or inhaled agent may reduce animal distress and/or human safety risks, under some circumstances. Inhaled agents are less preferred due to the necessity of restraint and proximity to humans. The use of pharmacologic agents often prevents the option for venison to be donated, which is a desirable outcome of any lethal management program.
- Physical methods: Gunshot to the head is acceptable provided the bullet placement can be assured. Gunshot targeted to the heart (chest) or to the neck (vertebrae, with the intent of severing the spinal cord) may also be used for free-ranging or other settings where close approach is not possible or where the head must be preserved for disease testing (rabies, Chronic Wasting, or other suspected neurologic diseases).

REFERENCES

AVMA Guidelines for the Euthanasia of Animals: 2013 Edition

Gilman, R., N. Mathews, B. Skinner, J. V., and J. Paul-Murphy. 2010. Effects of Maternal Status on the Movement and Mortality of Sterilized Female White-Tailed Deer. *Journal of Wildlife Management* 74:1484-1491.

Jones, J.M., and J.H. Witham. 1995. Urban deer "problem solving" in northeast Illinois: An overview. Pages 58-65 in J.B. McAninch, editor. *Urban deer: A manageable resource? Proceedings of the Symposium of the North Central Section, The Wildlife Society, 12-14 December 1993, St. Louis, Missouri, USA.*

Kirkpatrick, J., R. Lyda, and K. Frank. 2011. Contraceptive vaccines for wildlife: a review. *American Journal of Reproductive Immunology* 66: 40-50.

Merrill, J.A., E.G. Cooch, and P.D. Curtis. 2006. Managing an overabundant deer population by sterilization: effects of immigration, stochasticity and the capture process. *The Journal of Wildlife Management* 70(1): 268-277.

Rutberg, A.T. and R.E. Naugle. 2008. Population-level effects of immunocontraception in white-tailed deer (*Odocoileus virginianus*). *Wildlife Research* 35(6): 494-501.

Scillitani, L., D. Darmon, and A. Monaco, G. Cocca, E. Sturaro, L. Rossi and M. Ramanzin. 2013. Habitat Selection in Translocated Gregarious Ungulate Species: An Interplay Between Sociality and Ecological Requirements. *The Journal of Wildlife Management* 77(4): 761-769.

Whisson, D. A., G.J. Holland, and K. Carlyon. 2012. Translocation of Overabundant Species: Implications for Translocated Individuals. *The Journal of Wildlife Management* 76(8): 1661-1669.

CHARLEVOIX CITY COUNCIL

All Other Actions and Requests

TITLE: Assessing Agreement

DATE: October 19, 2020

PRESENTED BY: Mark L. Heydlauff, City Manager

BACKGROUND:

Joe Lavender, our assessor, informed me this month of his desire to transition away from employment with the City and instead transition to an independent contractor so that he can take on additional units. From a service perspective, I do not believe this will change anything except his in-office availability will drop from four days per week to one. I appreciate Joe's work as a professional assessor and especially in helping us solidify our GIS work which he also will continue doing remotely. He has enabled us to better track things from tree planting to infrastructure replacement by digitizing and mapping our work. This transition will be a net-positive for us financially also. The City Attorney has reviewed the agreement with Up North Assessing and we recommend your approval. As you'll recall, the Assessor is a Council-appointed position but since he will remain the assessor, I see no need to modify this but simply to approve the contract in lieu of employment.

RECOMMENDATION:

Motion to Authorize the City Manager to sign the assessing agreement with Up North Assessing as presented.

ATTACHMENTS:

- ▣ Assessing Services Agreement with Up North Assessing

AGREEMENT FOR ASSESSING SERVICES

THIS AGREEMENT shall be deemed effective the 1st day of November 2020 among City of Charlevoix, a Michigan City, within Charlevoix County, MI (City), Up North Assessing, INC., whose address is 350 S Huron St, Cheboygan MI 49721 (the Company).

Recitals

- A. The City desires to engage the services of the Company to perform City property assessment services.
- B. The Company has the time, skills, knowledge and desire to perform assessment duties under the terms and conditions of this Agreement.
- C. The parties, therefore, desire to specify their respective rights and obligations in this Agreement.

Agreement

NOW THEREFORE, in consideration of the mutual promises contained herein, the parties hereby agree as follows:

- 1. Engagement of Services. The City hereby contracts with the Company to perform property assessment services under the terms and conditions of this Agreement.
- 2. Contractor Duties. The Company hereby designates Joe Lavender as the individual to perform the assessing services contemplated under this Agreement on behalf of the Company (collectively the Company), who shall devote his best efforts when performing the property assessing services under this Agreement, including but not limited to the following:
 - a. The Company shall complete fieldwork on all properties within the City every five years. Complete fieldwork is defined as a physical inspection of the property, a sketch and picture of the structures, and the ability to print a card.
 - b. GIS Services. The company will provide various GIS services including the creation of custom maps, applications and analysis through software provided by the City of Charlevoix.
 - c. The Company shall use the State Assessor Manual as a guideline when appraising properties.
 - d. The Company will hold weekly office hours at the City Assessing office. The office hours will be one day each week mutually agreed upon by the City and the Company. The morning will be designated for phones, meetings, processing of paperwork, etc. The afternoon can be designated for conducting property inspections and updating assessing records.

- e. The Company shall designate an Assessing Officer to sign the assessment roll and perform the duties of the City Assessor as stated in the State Tax Commission policy attached as Addendum A.
- f. The Company shall keep all records up to date and have them available for inspection according to the City public records policy. A current backup of the assessing database will be maintained monthly at the City assessing office.
- g. The Company shall annually maintain:
 - 1. Land value rates and economic condition factors for all property in the City
 - 2. Prepare all splits and combinations of property
 - 3. Process all deeds and sales within the City
 - 4. Inventory all new construction annually
 - 5. Process all transfer affidavits
 - 6. Process all principle residence affidavits, qualified agricultural affidavits
- 3. Ownership of Records. The City shall retain ownership of all the materials, files and records pertaining to real and personal property assessments within the City. All records will remain at the City assessing office.
- 4. Software and Required Equipment:
 - a. The City shall maintain the proper licensing from BS&A software including a computer with the recommended hardware requirements set forth by BS&A software.
 - b. The City will provide the sketching software Apex and proper licensing.
 - c. The City will provide the most recent GIS layer that integrates with BS&A software.
- 5. Expenditures. The Company is not authorized to make any purchases or charge any expenditure to the City without prior approval of the City Board or its authorized representative.
- 6. Independent Contractor. The parties hereby acknowledge and agree that the Company is performing assessing services by this Agreement as an independent contractor and is not acting as an employee or agent of the City. As a result of the Company's status as an independent contractor, the City shall not be responsible for any state or federal income tax withholdings and shall not be responsible for providing worker's compensation insurance coverage for the Company.
- 7. No Employment Benefits; Insurance coverage.
- 8. Company Duties and Supervision. Company shall devote their best efforts when performing assessing duties under this Agreement, including but not limited to the following:
 - a. Company shall be responsible for supervising the Employees of the Company and all individuals designated to perform the assessing services contemplated

under this Agreement on behalf of the Company in all aspects of the assessing services to be performed by the Company under this Agreement.

- b. Company shall be responsible to and shall report to the City Manager and will provide a quarterly report to the City Manager on any relative matters if requested.
9. Insurance. Throughout the term of this Agreement and any renewals, the Company shall obtain and maintain public liability insurance in the sum of not less than ONE MILLION and 00/100 DOLLARS (\$1,000,000.00) for damages relating to any one person or for damages relating to any one occurrence. This insurance policy shall name the City as an additional named insured and shall contain a provision that the policy cannot be terminated, canceled, or substantially altered without thirty (30) days written notice to the City. The Company shall provide notice of compliance with this insurance provision.
10. Indemnification. The Company shall indemnify and hold harmless the City, its officers, board members, assigns, agents, servants, employees, and insurance companies from any and all damages, legal fees or expenses, losses, claims and actions which may arise out of performing the services contemplated by this Agreement.
11. Term of Agreement; Renewals. This Agreement shall be for a term beginning November 1, 2020 and ending, October 31, 2023.
12. Annual Renewal: Terms and conditions of the agreement shall be subject to annual review with formal adoption on any changes to terms and conditions of the agreement to be adopted as of September 1, of each year.
13. Contractor Compensation. During the term of this Agreement, the Company shall be paid on this schedule:

11/1/2020-10/31/2021 \$60,200 annually payable in monthly installments of \$5100.00
11/1/2021-10/31/2022 \$61,400 annually payable in monthly installments of \$5200.00
11/1/2022-10/31/2023 \$62,600 annually payable in monthly installments of \$5300.00
14. No Assignment. Because of the personal nature of the services to be provided under this Agreement, the Company may not assign this Agreement to any other person or entity.
15. Background check. Employee and all individuals designated to perform the assessing services contemplated under this Agreement on behalf of the Company shall consent to and will execute any forms necessary for the City to obtain a background check on them by the Michigan State Police.
16. Driver's license and motor vehicle. During the term of this Agreement and any renewals Employee and all individuals designated to perform the assessing services contemplated under this Agreement on behalf of the Company shall maintain a valid Michigan driver's license and shall own or have the right to operate a reliable motor vehicle properly licensed and insured as required under the laws of the State of Michigan.

17. Termination. The City or the Company may terminate this Agreement by given to the other party thirty (30) days written notice of the intent to terminate this Agreement. In the event this Agreement is terminated as provided herein the last month's check due the Company for compensation and expenses may be held by the City until all City property and equipment are returned.
18. Notice. Any notice required under this Agreement by any party shall be in writing to the party to be so notified and sent by certified mail, return receipt requested, to such address as noted herein, unless such address is changed and both parties have been notified consistent with this paragraph.
19. Governing Law. The parties agree that the validity, construction, enforcement and interpretation of this Agreement shall be governed by the laws of the State of Michigan.
20. Amendments. This Agreement may be amended by the mutual consent of all parties that is documented in writing and signed by all parties.
21. Entire Agreement. The Agreement contains the entire Agreement of the parties herein and supersedes all prior agreements and understandings, oral or written, if any, among the parties.
22. Severability. The invalidity or unenforceability of any provision of this Agreement shall not affect the other provisions, and this Agreement shall be construed as if such invalid or unenforceable provision were omitted.

IN WITNESS WHEREOF, the parties have executed this Agreement to be effective the day and year first above written.

CITY OF CHARLEVOIX, a Michigan City

By: _____

Its: Manager

Dated: _____

By: _____

Its: Clerk

Dated: _____

Up North Assessing, INC

By: _____
Joseph Lavender, President

Dated: _____

CHARLEVOIX CITY COUNCIL

All Other Actions and Requests

TITLE: Fence Regulation Request for Planning Commission

DATE: October 19, 2020

PRESENTED BY: Council Member Brian Slater

BACKGROUND:

As the attached letter indicates, some on Council would like to ask the Planning Commission to study further the regulations on fences as a means of controlling nuisance animals.

RECOMMENDATION:

Motion to request the Planning Commission study fence regulations relative to nuisance animals.

ATTACHMENTS:

- ▣ Letter from Council

September 28, 2020

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

Mark,

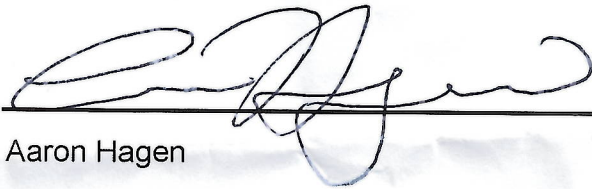
We are requesting that council discuss directing the Planning Commission to look into ways in which fencing ordinances can be augmented such that citizens are allowed to protect their property from animals viewed as a nuisance.



Brian Slater

10/1/2020

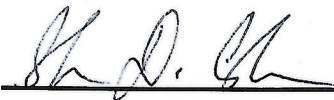
Date



Aaron Hagen

10/1/2020

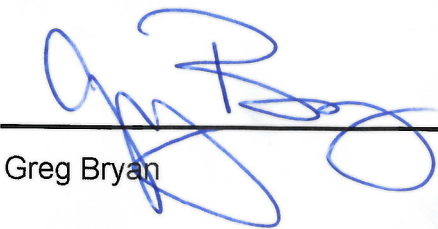
Date



Shane Cole

10/1/2020

Date



Greg Bryan

10/1/2020

Date

CHARLEVOIX CITY COUNCIL

Reports and Communications

TITLE: City Manager's Comments

DATE: October 19, 2020

PRESENTED BY: Mark L. Heydlauff, City Manager

BACKGROUND:

A. Friends of Ferry Beach

I met virtually this week with a small group of folks concerned about Ferry Beach and discussed with them the upcoming Recreation Master Plan review, opportunities to improve the park, and the coming kayak launch. They are interested in how to positively impact the future development and maintenance of the park and the whole Ferry Avenue corridor. I expect we will have future dialogue along with the Shade Tree and Parks Commission and the Recreation Advisory Board.

B. Fall Construction Projects

The Pine River Lane project is slowly wrapping up. Pursuant to new rules from EGLE, we found a lead service line to a home and fully replaced it. We plan to do the first course of asphalt this fall and then finish paving next spring once heavy equipment is out of the area for the new condo complex. We are also creating added green space by reducing the pavement footprint. This should have extra grassy areas at the top of the embankment overlooking the Pine River Channel west of the Weathervane Restaurant. This saves money and will improve the public enjoyment of the area.

Tree removal at the Palmer Street parking lot project has been completed and equipment should be mobilized there soon. Depending on conditions, paving on this project may be held until spring. Since it is currently a gravel lot, this is not really a loss. We are also exploring a plan that would add some paved parking in lieu of some of the existing gravel patches for parking along Park Avenue. This would reduce dust and actually add greenspace in several places.

Our pavement improvement project completed in August came in around \$30,000 under budget and has yielded nice improvements on many well-traveled streets.

ATTACHMENTS:

- ▣ DDA Minutes
- ▣ Shade Tree Minutes
- ▣ Planning Commission Minutes

CITY OF CHARLEVOIX
DOWNTOWN DEVELOPMENT AUTHORITY/MAIN STREET MEETING
Monday, August 24, 2020 at 5:30 p.m.
Council Chambers, City Hall

1. Call to Order

2. Pledge of Allegiance

3. Roll Call

Vice Chair:	Richard Christner
Members Present:	Sean Bradley, Kirby Dipert, Luther Kurtz, Paul Silva, Amanda Wilkin
Members Absent:	Sam Bingham, Maureen Owens
Non-Voting Member:	Liam Dreyer
City Staff:	Lindsey Dotson, Executive Director

4. Inquiry Into Potential Conflicts of Interest

Member Dreyer felt he may have a conflict with Item 7.A. Mayor Kurtz stated that he would also have a conflict of interest with the Charlevoix Cinema item.

5. Consent Agenda

- A. Monthly Report
- B. Committee Minutes
- C. Minutes

Member Bradley stated that on the Regular Meeting Minutes of July 27th, under Item 7-A, New Business, he did not bring up the issue of "estimated annual revenue of \$16,000".

Motion by Member Bradley, second by Member Dipert to approve the Consent Agenda items as presented. Motion passed by unanimous roll call vote.

6. Reports

A. Director's Report

Discussion followed regarding the inclusion of the Director's details regarding weekly activities in the Report. Mayor Kurtz indicated that Chair Owens could not attend this meeting, but wanted to participate in the Executive Director Evaluation at the next meeting.

Motion by Member Wilkin, second by Member Silva to move the Executive Director Evaluation to the September meeting. Motion passed by unanimous roll call vote.

7. New Business

A. Charlevoix Cinema III Fundraiser Event

Non-Voting Member Dreyer and Mayor Kurtz recused themselves. Director Dotson stated that Charlevoix Cinema III was working to raise funds to keep their doors open as ownership transitions from Luther and Mary Kurtz to Tom Jillson and his family. She described the proposed fundraiser event as a way to showcase the theater. Mr. Jillson described other fundraising ideas and he hoped the DDA could generate some interest in the community to help keep the theatre open. He stated that the GoFundMe campaign was asking for \$75,000 to help fund the theatre through November. Mr. Jillson responded to questions from the Board and Members expressed their support for the theatre.

The item was opened to the public.

- Sarah Hagen, Charlevoix Chamber of Commerce, supported the theatre and their request for the special screening.

The item was closed to the public.

Motion by Member Dipert, second by Member Bradley to approve moving forward with a special screening of the documentary *Urban Century, America's Return to Main Street* as a fundraiser for the Charlevoix Cinema III. Motion passed by unanimous roll call vote with Mayor Kurtz abstaining.

B. Charlevoix Partnership Considerations

Mayor Kurtz and Member Dreyer returned to the meeting. Ms. Hagen stated that the Chamber was open to more options and was looking for Board direction to draft an amendment to the agreement for the rest of 2020 to know what the Board wants to exchange, or new events that they want to try to do virtually, more general promotion of downtown businesses or more promotion what the DDA is working on. Discussion followed regarding possible events through the remainder of 2020 and the first half of 2021. Mayor Kurtz felt that there would not be a holiday parade this year and Ms. Hagen felt that there were ways to safely do a parade.

The item was opened for public comment and there was none.

Motion by Member Dipert, second by Member Bradley to table this item to allow Ms. Hagen to return with more information and answers to questions from the Board. Motion passed by unanimous roll call vote.

C. Charlevoix County Community Foundation Grant Application

Director Dotson sought permission to apply for the Geographic Enrichment Cycle grant from the *Charlevoix County Community Foundation* to support the Charlevoix Zoo project or other initiatives that the DDA may discuss. Mayor Kurtz stated that Chair Owens had concerns regarding the amount of staff time involved in writing the grant application. Director Dotson stated that this application was a simpler one and would most likely only take one day of her time.

The item was opened for public comment and there was none.

Motion by Mayor Kurtz, second by Member Wilkin to approve applying for the Geographic Enrichment Cycle Grant through the *Charlevoix County Community Foundation* pending approval of the Charlevoix City Council and pending confirmation that the DDA will have final say on the design before they give out the money. Motion passed by unanimous roll call vote.

D. Goals Discussion and Updates on Progress

Director Dotson outlined the two main goals that the DDA had invested in the Downtown Plan and the Market Analysis Report, and she reviewed the programmatic goals established during the last visioning session in May 2019 and the TIF Plan renewal process. Discussion followed regarding the SBEI Report and Affordable Housing goals. Director Dotson stated that she was working closely with the City Manager, Community Development Fellow, and Department of Public Works to consider all aspects of moving forward with the recommendations of the SBEI Report. She stated that the end result will be a block by block plan that incorporates design element improvements along with infrastructure improvements that are possible. Mayor Kurtz referenced the July City Council meeting where the Walkability Study was discussed in particular regarding the 300 block of Bridge Street.

Director Dotson identified three budget items that have already been cut: AmeriCorps VISTA (\$5,500), Technical support (\$3,700), and Concerts (\$4,510). Discussion followed about Restaurant Week and Director Dotson stated that they were considering a carryout type of event instead of "dine in" and she would bring back more information to the next meeting. Vice Chair Christner asked for more information on the Workforce Housing initiative for the next meeting as well, and what could be accomplished with the SBEI Report.

8. Old Business

A. Long Road Distillers Lease Discussion

Vice Chair Christner recalled that Long Road Distillers asked to remain in a holding pattern for the time being given the COVID-19 uncertainty, and requested a meeting with him in late September. Vice Chair Christner recommended that they post the space for lease and consider utilizing a broker to do so as well as having Long Road Distillers move forward with their liquor license application process. He stated that they would be allowed to show the property at the end of September.

The item was opened for public comment and there was none.

Motion by Mayor Kurtz, second by Member Dipert to post the space and ask the Vice Chair and the Director to find a broker to list it. Motion passed by unanimous roll call vote.

Vice Chair Christner stated that if there were no objections, he proposed to move Item 8-C ahead of 8-B. There were no objections.

A. The Vault Co-Working Space Year in Review

Director Dotson stated that they had 29 paying members and revenues were \$18,102.86. She stated that because of startup costs and the \$6,000 affiliated with the AmeriCorps VISTA program, they were not projected to make a profit until September 2022 if income and expenses were to remain similar to this past year. Director Dotson responded to questions from the Board members.

Motion by Mayor Kurtz, second by Member Bradley to give notice that they were going to cancel the lease and re-negotiate. Member Dipert stated that it doesn't build a lot of confidence in our existing numbers as far as retention. Member Wilkin questioned if they could ask the landlord to extend the lease for one month. Mayor Kurtz amended his motion to request an extension first before going through a cancellation and if they get the extension then they would not do the cancellation. Vice Chair Christner supported the amended motion. Amended motion passed by a 5 to 1 roll call vote with Member Dipert voting Nay.

B. Façade Grant Extension – BLOOM

Mayor Kurtz left the meeting at this time. Director Dotson explained that at the February 24th Board meeting a grant application was approved in the amount of \$7,700 to support the window rehabilitation project on the building that BLOOM occupies. The project had been put on hold due to COVID-19. Director Dotson stated that the Design Committee supported granting the extension.

The item was opened for public comment and there was none.

Motion by Member Bradley, second by Member Wilkin to grant a one year extension to Jennifer Haf for the Façade Grant in the amount of \$7,700 awarded in February of 2020, for work to be completed no later than February 2022. Motion passed by unanimous roll call vote.

9. Public Comments

10. Request for Future Agenda Items

11. Board Comments

A. Closed Session: Executive Director Evaluation MCL15.26(a)
Item moved to the September Board meeting agenda.

12. Adjourn

Motion by Member Bradley, second by Member Dipert to adjourn the meeting at 6:56 p.m.

Joyce Golding/fgm

Richard Christner

Vice Chair

Charlevoix Shade Tree and Parks Commission
Meeting Minutes
August 13, 2020
Ferry Beach Park

Members Present: Perry Hodgson, Chair; David Levy; Jen Muladore; Mark Pawlicki; Ken Polakowski

Members Absent: None

Also present: Mark L. Heydlauff, City Manager; Pat Elliott, DPW Superintendent; Joe Lavender, Assessor/GIS Coordinator

Chair Hodgson called the meeting to order at 11:04am.

Motion by Polakowski, second by Levy to approve the minutes of July 13, 2020.

Motion carried.

Mr. Elliott gave an update on 2020 Tree Planting. This project will be advertised for bids shortly.

Ms. Muladore discussed the use of GIS and an iPad to collect tree data information. Mr. Lavender discussed a bit more of the background and how the software can give clearer directions to the planting contractor. The Commission discussed times for a work session to stake planting locations with the new software solution.

Mr. Elliott discussed tree watering and the challenges of finding enough labor to add water to the bags.

Chair Hodgson discussed high water and the future concerns for this. The Commission discussed a wait and see approach to clean-up.

Chair Hodgson discussed the request received from 1008 Bridge Street. Mr. Levy questioned whether the property owner would be expected to pay in advance for the work.

Motion by Muladore, second by Polakowski to allow the tree to be cut at 1008 Bridge Street with the condition that the property owner pay for the removal of the tree and compensate the city for the average cost of two new trees.

Motion carried.

Chair Hodgson was looking for clarification of who can request what kinds of tree removal and maintenance. The Commission clarified that a resident can request removal or trimming of trees in the right of way, even if it is adjacent to another property owner.

The Commission discussed the north side of the Pine River Channel. Mr. Levy suggested he didn't believe additional trees should be planted there but colorful ground cover would be good. Ms. Muladore believes native dune grass would be good. Mr. Pawlicki just felt existing vegetation should be trimmed. Mr. Polakowski felt that the project was quite large and would require a lot of money to complete and would be a challenge.

Mr. Polakowski believed the Commission should work toward creating a park master plan and to complement the City's capital plan and recreation plan.

Chair Hodgson discussed Water Tower Park and the coming improvements to the Palmer Parking Lot.

Motion by Levy, second Muladore by to ask staff for tree trimming and removal in Water Tower Park with goal of improving views of the water from the top of the hill and the lower levels of the park.

Motion carried.

Mr. Polakowski left the meeting.

The Commission felt the goats were a good success again at Lake Michigan Beach Park. Mr. Elliott discussed the vine removal that was completed in the park also.

The Commission then discussed the parking areas and whether some sections could be paved to better organize parking and control dust. Mr. Levy questioned whether a permeable asphalt product would be viable; Ms. Muladore suggested this method is not effective in our area.

Motion by Levy, second by Muladore to consider asphaltting portions of the large gravel parking areas in Lake Michigan Beach Park and also adding additional grass and plantings in those locations to reduce the overall footprint of parking.

Motion carried.

The Commission then discussed the utility pits in East Park which seem overgrown. Mr. Elliott explained that the high water level is making it difficult to sustain the plantings in the same location.

There was no public comment.

Chair Hodgson adjourned the meeting at 12:10pm.

CITY OF CHARLEVOIX
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS, CITY HALL, 210 STATE STREET
Monday, September 14, 2020 - 6:00 p.m.

A. Call to Order

The meeting was called to order at 6:00 p.m. by Chair Waddell.

B. Roll Call

Chair	RJ Waddell
Vice Chair:	Dennis Halverson
Members Present:	Sherm Chamberlain, Toni Felter, Brian Gelb, David Gray, Jennifer Muladore
Members Absent:	Philip Parr
Staff Present:	Kathy Egan, Community Development Director; Jonathan Scheel, Zoning Administrator, Dean Martin, Community Development Fellow

C. Inquiry into Potential Conflicts of Interest

Member Chamberlain stated he had a conflict of interest in Item G.1.

D. Approval of Agenda

Motion by Member Gray, second by Member Halverson to approve the agenda as presented. Motion passed by unanimous voice vote.

E. Approval of the Minutes

1. August 10, 2020 Meeting Minutes

Motion by Member Gelb, second by Member Felter to approve the minutes of August 10, 2020 as presented. Motion passed by unanimous voice vote.

F. Call for Public Comment Not Related to Agenda Items

Shirley Gibson requested that the Planning Commission review the R-2, Accessory Dwelling Ordinance. She felt 308 May Street was an example of the unintended consequences of this ordinance.

G. New Business

1. Level B Site Plan Review Amendment 2019-3-SPA: Pine River Lane Site Condominium

Member Chamberlain recused himself. Zoning Administrator Scheel stated that the applicant was requesting approval to add six roof decks to the project. He felt there was potential impact on the neighboring properties which is why he decided to bring forth a Level B Site Plan review to the Commission.

Timothy Burden, President of Midtown Development Inc., stated that potential buyers requested more outside space and he would not consider roof decks on the smaller buildings.

Member Halverson stated that this change had potential substantial impact especially to the neighbors. He would have much preferred to have the roof deck as a part of the original site plan. He stated multiple concerns about increased traffic due to the decks, pedestrian safety, and noise. Member Felter expressed concern about allowing barbecues with open flames on a rooftop deck. Mr. Burden stated that the deck would be 12' x 19' or so less the stairwell/door area. Chair Waddell also expressed concerns about any type of cooking grill on a roof, and he also felt that the Fire Marshal should review the request. Mr. Burden stated that the stairway to the roof would be internal.

The public hearing was opened.

Shirley Gibson, 209 E. Upright, questioned when the original site plan was approved, and Mr. Burden responded January.

Ed Shaw, 119 Pine River Lane, reviewed the four items he outlined in his letter to the Planning Commission and asked that the Commission require the developer to submit his mitigations to these issues.

Kristin Jones, 113 Pine River Lane, urged the Commission to consider "respectful honoring of the neighborhood". She stated that the development was proposed, designed, presented and approved as a reasonable, high density R-4 subdivision, and it felt like a hospitality development. She felt this was a very critical time for the project's fire safety, pedestrian safety, courtesy to the neighborhood and to the City.

Dan Beyers, stated that he represented 100 W. Dixon and the adjoining property to the east, and that he felt the request was being rushed for no real demand. He was most concerned with the proposed decks on units 5 & 6. He stated that noise is a concern and the decks being above them is a concern. He recommended that this process be slowed down a bit.

Dan Wausmann, 110 W. Dixon, stated that Mr. Beyers spoke for all of his group.

Anne Marie & Joe Ardens stated they were also part of 100 W. Dixon, and that people have chimineas and fire pits on decks and emphasized that units 5 & 6 are very high over the cottage and garage next door.

The public hearing was closed.

Member Gelb stated that he did not understand the layout of the area well enough to appreciate exactly to what degree these decks will be staring into the face of neighbors or down upon them. He recalled when the Commission approved the plan originally they considered how it was impacting neighbors.

Zoning Administrator Scheel stated that when talking about decks "I stand by 100% my measurements of the 360' sq. ft." and if you subtract out the staircases and another amendments that the developer did verbalize tonight the decks are not 12' x 30' they are substantially smaller so he believed that his report is accurate in the square footage of the decks being asked for.

Motion by Member Halverson, second by Member Gray to deny the site plan for Project 2019-3 SPA. Member Felter stated she wondered if they should have the Fire Department look at the proposal. Motion passed with a unanimous roll call vote (Member Chamberlain abstaining.)

2. Downtown Design Guidelines Presentation

Member Chamberlain returned to the meeting. DDA Director Dotson presented the final adopted Downtown Design Guidelines to the Planning Commission which had been four years in the making. She explained the Guidelines in detail, the function of the buildings and the intention of how the buildings were originally developed and how they have evolved. Community Development Director Egan stated that going forward this is a resource for the Planning Commission as it considers new language for any district in the City.

3. Walkability Study/SBEI Update

Community Development Fellow Martin stated that the new SBEI Study application was submitted that day. The core focuses of the application included:

- sidewalk and parking configuration downtown, balancing the need for ample parking with the need for safe walkways and outdoor spaces for dining, retail businesses and recreation;
- expansion of street amenities such as bike racks, trash receptacles, and outdoor seating; and
- viability of an in-ground snow melting system for downtown sidewalks.

He stated that per Council's request they are also looking into the current under-utilized SBEI Study and what changes can be made to corridors and alleys and this report should be complete mid-October.

Fellow Martin stated the City Manager's letter had some recommendations that the Planning Commission may want to consider which were more programmatic elements of the SBEI Study including:

- consideration of a complete streets ordinance,
- amending the Zoning Ordinance to allow for special licensing for outdoor dining on sidewalks,
- updating the Zoning Ordinance dumpster screen section to include more prescriptive requirements,
- updating the ordinance to include the intent of trees and vegetation in the Central Business District;
- updating the ordinance to specific alleys including safety and aesthetic features, and
- developing form-based code ordinances.

4. Tip of the Mitt Resiliency Master Plan Review

Director Egan stated that the Tip of the Mitt has the ability through a grant to assess our Master Plan "to identify what is working well, what is present but needs improvement, what is missing and what may need clarity" and this is all in regard to water, stormwater, high water levels, etc. This will be another good report and resource that the Commission can use going forward for the Master Plan and also for any other ordinance work.

H. Old Business

1. Setting Priorities for 2021

Director Egan stated that she added under High Effort/High Impact – Water Resource District TIF, and she also discussed with staff and created the idea for two sub-committees: a Technical Sub-Committee and an Infrastructure Sub-Committee.

Member Chamberlain suggested instead of a topic of “Tiny Homes” it should be “seasonal workforce housing”; and he felt that they should start working with the MDNR in regard to year-round campgrounds for seasonal workers. Chair Waddell suggested including Seasonal Workforce Housing/Tiny Homes. Member Halverson suggested including taking a Master Plan approach for the Ferry Beach area. The Commission concurred with the changes.

I. Staff Updates

Motion by Member Chamberlain, second by Member Halverson to thank Ben Edwards for his time as a member of the Planning Commission and that he should continue his public service with Charlevoix Township. Motion passed by unanimous voice vote. Chair Waddell stated that he would send Mr. Edwards an appreciation letter.

J. Request for Next Month’s Agenda or Research Items

Director Egan stated that there was potential for some housekeeping updates for the Zoning Ordinance and a discussion on the International Property Management Code at the next meeting.

K. Adjournment by 8:00 PM Unless Extended by Motion

Motion by Member Chamberlain, second by Member Gelb to adjourn the meeting. Meeting adjourned at 7:57 p.m.

Joyce M. Golding/fgm

City Clerk

R.J. Waddell

Chair