

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, November 16, 2020 – 6:00 p.m.
210 State Street, 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 (remote from home), Aaron Hagen, Janet Kalbfell, Mark Knapp, Phil Parr, Brian Slater
Members Absent: None
City Manager: Mark L. Heydlauff
City Clerk: Joyce Golding

3. Presentations

A. Green Storm Water Infrastructure on Lake Charlevoix

Don Carpenter, Drummond Carpenter, stated that his company and the Watershed Council have worked to assess opportunities for integrating green stormwater infrastructure (GSI) with existing gray stormwater infrastructure in the three Lake Charlevoix communities of Boyne City, Charlevoix, and East Jordan. He presented various options and noted that the project team will provide each city with the results of a survey along with design plans of proposed GSI options and preliminary cost estimates. These plans will guide future water quality protection efforts and position the communities to move forward with GSI for the benefit of Lake Charlevoix.

B. MDARD 2021 Rural Development Fund Grant

Community Development Fellow Martin stated that the DDA Board will be reviewing an upper floor housing incentive program. The Upper Floor Housing Grant will serve to create housing specifically for year-round residents, which will expand options for those living and working in our community and it aligns with the MDARD grant through the emphasis on housing.

C. Mayoral Proclamation – End Violence Against Women Day

MAYORAL PROCLAMATION

WHEREAS, *the Charlevoix Zonta Club annually advocates for awareness on the topic of gender-based violence; and*

WHEREAS, *gender-based violence affects persons throughout the Charlevoix community and harms our entire society; and*

WHEREAS, *there were 187 victims of domestic violence in Charlevoix County in 2019; and*

WHEREAS, *the Charlevoix Zonta Club will be demonstrating against violence against women during the period of November 25th through December 10th.*

NOW THEREFORE, I, LUTHER KURTZ, MAYOR OF THE CITY OF CHARLEVOIX, *do hereby join the Zonta Club of Charlevoix in saying NO to violence against women in our community; and*

FURTHERMORE, *I applaud the Zonta Club of Charlevoix for their advocacy in stopping gender-based violence and supporting the victims of this crime; and*

FURTHERMORE, *I encourage all residents of Charlevoix to stand up against gender-based violence; and*

FINALLY, *I declare December 10, 2020 to be End Violence Against Women Day in Charlevoix to recognize the end of the “Tied Together by Violence” campaign of the Charlevoix Zonta Club.*

Given under my hand this 16th day of November, 2020.

Luther Kurtz, Mayor

4. Inquiry Regarding Conflicts of Interest

Kalbfell stated she would recuse herself from the three marina agenda items.

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 – November 2, 2020
- B. Accounts Payable and Payroll Check Registers
 - a. Regular Accounts Payable Check Register – November 17, 2020
 - b. ACH Payments – November 2, 2020 to November 13, 2020

- c. Payroll Check Register – November 13, 2020
- d. Payroll Transmittal – November 13, 2020
- e. Tax Disbursement – November 17, 2020
- C. November 2020 Local Election Results
The November local election results are as follows:
WARD 1: Janet Kalbfell 392
WARD 2: Mark Knapp 321
WARD 3: Phil Parr 341
MAYOR: Luther Kurtz 805 and Norman "Boogie" Carlson 655
Proposal 1 Use City Golf Course Vacant Land for Housing: YES 367 NO 1232
Proposal 2 Airport Hangar Lease Term City Charter Amendment: YES 699 NO 808
Proposal 3 Publish Summary of Adopted Ordinances City Charter Amendment: YES 1149 NO 367
Proposal 4 City Clerk & Assessor to Attend Board of Review Meetings Upon Request City Charter Amendment: YES 1237 NO 147
- D. Set Council Work Session for December 7, 2020 – define 2021 City Council goals

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

Yeas: Kalbfell, Slater, Bryan, Parr, Knapp, Hagen

Nays: None

6. Public Hearings & Actions Requiring Public Hearings

7. All Other Actions & Requests

A. City Marina Commercial RFP

Kalbfell recused herself. Recreation Director Knorr stated that the marina was approved by the Michigan Waterways Commission to offer a total of 3 commercial slips for a period of 3 years 2021-2023 thus offering Request for Proposals for two unused commercial slips. The Recreation Director suggested releasing the RFP immediately and ask that proposals be returned by December 14th. All qualifying proposals will be submitted to the City Council at the December 21st meeting for consideration.

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

Motion by Parr, second by Slater to approve the Commercial Slip RFP Fall 2020. Motion carried by unanimous voice vote with Kalbfell abstaining.

B. Marina Waiting List

Recreation Director Knorr stated the marina has eight seasonal slips allocated equally to resident and non-resident boat owners and a waiting list is maintained for both. He suggested that in order for boaters to remain on either list, that beginning on October 1st of each year, they will be invoiced a \$50 "maintenance fee" to remain on the list and all collected maintenance fees will be credited to the first year's dockage. With this change, we are prepared to offer anyone that wishes to opt off the current list a one-time refund of their \$100 deposit.

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

Motion by Parr, second by Hagen to direct the Recreation Department to make changes to the Marina Seasonal Wait List to include an annual \$50 maintenance fee beginning at the end of the 2021 season. Motion carried by unanimous voice vote with Kalbfell abstaining.

C. City Marina Fees 2021

Recreation Director Knorr stated that currently transient boaters are charged rate level "H" and seasonal boaters are charged level "E" multiplied by 156 days. At the Burns Street Dock the current rate is \$49 per foot. He recommended that the seasonal rate remain the same in 2021 and the transient rate remain the same with the exception of Boyne Thunder and Venetian Festival weekends moving to level "J". He also suggested increasing the Burns Street Dockage to \$50 per foot.

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

Motion by Hagen, second by Slater to set Marina Transient Fees at level "H" and to set the seasonal rate at level "E" multiplied by 156 days and to set the Burns Street Dock rate at \$50 per foot. Motion carried by unanimous voice vote with Kalbfell abstaining.

Motion by Parr, second by Hagen to prioritize the dockage at Burns Street to city residents first. Motion carried by unanimous voice vote with Kalbfell abstaining.

Motion by Knapp, second by Parr to set Transient Fees for the weekends of Boyne Thunder and Venetian Festival at level "J" and to direct the Recreation Department to book both Boyne Thunder and Venetian weekends via email system for the 2021 season. Motion carried by unanimous voice vote with Kalbfell abstaining.

D. Interlocal Agreement for County Designated Assessor

Kalbfell returned to the meeting. City Manager Heydlauff explained that the Designated Assessor is a part of property assessing reform approved in Lansing. If a local assessing unit (like the City) failed to properly manage and execute assessing services, the State Tax Tribunal would assume responsibility for the tax roll. He stated that this agreement between the assessing units in Charlevoix County and the Charlevoix County Board of Commissioners would appoint Emily Selph, the County Equalization Director, as the Designated Assessor for the County. This agreement will be valid once it is signed by the County and a majority of the assessing units within the County.

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

Motion by Parr, second by Kalbfell to approve Resolution 2020-11-01 authorizing the approval and signing of an interlocal agreement for the Charlevoix County Designated Assessor.

**CITY OF CHARLEVOIX
RESOLUTION NO. 2020-11-01
AUTHORIZE THE APPROVAL AND SIGNING OF AN INTERLOCAL AGREEMENT FOR THE
CHARLEVOIX COUNTY DESIGNATED ASSESSOR**

- WHEREAS,** MCL 211.10g establishes the requirement for a designated assessor in each county and that such designation should be made before December 31, 2020; and
- WHEREAS,** to meet the requirement of appointing a Designated Assessor for Charlevoix County, the assessing districts in Charlevoix County and the County of Charlevoix have agreed to designate Emily Selph as Designated Assessor; and
- WHEREAS,** the Interlocal Agreement naming the designated assessor shall be binding upon all assessing districts upon its approval by the County Board of Commissioners, Emily Selph, a majority of the assessing districts, and the State Tax Commission; and
- WHEREAS,** the Designated Assessor shall only act as the assessor of record for an assessing district when required to by the State Tax Commission pursuant to MCL 211.10g or upon direct action of the governing board of an assessing district.
- NOW THEREFORE BE IT RESOLVED,** that the City Council of the City of Charlevoix approves the Interlocal Agreement naming Emily Selph, an individual qualified and certified by the State Tax Commission as a Michigan Advanced Assessing Officer, to be the County Designated Assessor for Charlevoix County; and

BE IT FURTHER RESOLVED THAT, the Mayor is authorized to sign the Interlocal Agreement.

RESOLVED this 16th day of November, 2020 A.D.

Resolution was adopted by the following yea and nay vote:

Yeas: Kalbfell, Slater, Bryan, Parr, Knapp, Hagen

Nays: None

E. Withdrawal of Norwood Township from EMS Agreement

City Manager Heydlauff stated that Norwood Township wishes to exercise their ability to exit the mutual EMS agreement. While they are bound to give six months' notice, he suggested they be granted the exit on December 31, 2020 as requested and they must pay any outstanding costs they owe now and in the future for this period of service.

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

Motion by Kalbfell, second by Parr to allow Norwood Township to withdraw from the 2019 Charlevoix Emergency Medical Service Agreement for Ambulance Services pursuant to section 5 effective December 31, 2020 at 11:59pm and require full payment for outstanding and future invoices for costs up until December 31, 2020. Motion carried by unanimous voice vote.

F. Snow Removal RFP

City Manager Heydlauff recalled that Council asked him to research options for expanding snow removal on the sidewalks downtown by partnering with a private firm. He drafted a request for proposals that would solicit contractors to perform extra clearing in the area from State Street to Round Lake and Hurlbut to Dixon Avenue. Snow would be cleared twice per day. Council held discussion and asked several questions.

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

Motion by Hagen, second by Slater to approve the Snow Removal RFP, ask the City Manager to work with the DPW Superintendent to see what other options are available and ask the DDA to discuss whether they want to share in the cost. Motion carried by unanimous voice vote.

G. Organizational Meeting

Clerk Golding stated that Section 2.15 of the City Charter requires that Council hold an organizational meeting at the first meeting of the Council after the November General Election. The purpose of the meeting is to establish the regularly scheduled meetings for the 2021 calendar year and to appoint a Deputy Mayor.

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

Motion by Parr, second by Knapp to set 2020 City Council meetings for the first and third Mondays of the month at 6:00 p.m. Motion carried by unanimous voice vote.

Motion by Knapp, second by Parr to appoint Councilmember Hagen as Deputy Mayor. Motion carried by unanimous voice vote with Hagen abstaining.

H. Mayoral Appointments

Motion by Parr, second by Hagen to appoint Ron Way to the Downtown Development Authority, term expiring April 2024. Motion carried by unanimous voice vote.

Motion by Hagen, second by Kalbfell to appoint Reid Beegeer to the Planning Commission, term expiring April 2022. Motion carried by unanimous voice vote.

8. **Reports & Communications**

A. Public Comments

- Darlene Klien felt crosswalk safety should be reviewed; suggested that members should identify themselves when speaking; noted that there was damage to the split rail fence and trees at Michigan Beach Park

B. City Manager Comments

- Latest changes from MDHSS regarding COVID-19 pause were issued to City Staff
- Wind damage over the last several days was being assessed
- Leaf collection should be complete by the end of the week, thus reducing seasonal staff
- Rain gardens at the boat launch should be finished by Thanksgiving
- Looking at collaborative recycling options with Boyne City and East Jordan

C. Mayor & Council Comments

- Hagen is looking forward to working with the new Council members
- Parr extended thanks to Third Ward constituents
- Slater commented on an exciting meeting
- Kalbfell stated the Commission on Aging will re-engage their snow removal program for seniors; collaboration with County Transit to deliver groceries begins in December

9. **Other Council Business**

The Mayor suggested that due to the MDHSS pause limiting indoor dining, it may be a good idea to consider allowing outdoor structures such as igloos to assist the downtown restaurants. After discussion, Council agreed to have the DDA and the Main Street Design Committee weigh in on the topic.

10. **Adjourn**

The Mayor adjourned the meeting at 8:17 p.m.

Joyce M. Golding	City Clerk	Luther Kurtz	Mayor
Regular Accounts Payable – 11/17/2020			
ACCUMED GROUP, THE	4,199.62	CINTAS	72.39
ACE HARDWARE	1,315.66	CONWAY PROFESSIONAL SERVICES	1,261.00
ALL-PHASE ELECTRIC	130.44	CROSS III, JOHN H.	6,500.00
AT&T MOBILITY	577.64	CURREY FARMS LLC	30.00
AUTO VALUE	235.32	DITCH WITCH SALES OF MICHIGAN	272.01
AVFUEL CORPORATION	13,723.66	DUTCH OVEN, THE	401.00
BELL EQUIPMENT COMPANY	1,621.00	EJ USA INC.	1,983.53
BOEHMER, SHELLE	50.00	EMERGENCY MEDICAL PRODUCTS INC	316.50
BOUND TREE MEDICAL LLC	431.59	ETNA SUPPLY	316.39
BS& A SOFTWARE	1,213.00	FAMILY FARM & HOME	821.66
BY THE BAY CLEANING	754.00	FASTENAL COMPANY	48.86
CARQUEST OF CHARLEVOIX	1,338.33	FERGUSON, ROYCE L	109.00
CDW GOVERNMENT INC.	534.39	FLECK, WILLIAM	50.00
CHARLEVOIX ROD & GUN CLUB	130.00	FREEDOM MAILING SERVICES INC.	2,265.19
CHARLEVOIX TOWNSHIP	28.14	GALLS AN ARAMARK COMPANY	138.99
CHARTER COMMUNICATIONS	147.15	GERBER HOMEMADE SWEETS	98.00
CHERRY REPUBLIC	25.00	GOLDING, JOYCE M.	15.96

GREENVIEW DATA INC	700.42	QUALITY CAR & TRUCK REPAIR INC	183.12
HARRELL'S	645.00	QUILL CORP	54.92
INDEPENDENT DRAFTING SERVICES	1,976.00	RANGE TELECOMMUNICATIONS	179.60
INHABITECT LLC	2,500.00	RCL CONSTRUCTION CO INC	442,627.33
IPS GROUP INC	932.31	SCOTT T. BEATTY	722.00
J. PHILLIPS	100.00	SHARROW MASONRY INC	1,650.00
JACK DOHENY COMPANIES	262.89	SIEGRIST, DAVID	112.00
KIWANIS CLUB OF CHARLEVOIX	40.00	STATE AND MASON LLC	1,000.00
KSS ENTERPRISES	74.72	STATE OF MICHIGAN	237.00
LAMAR COMPANIES	770.00	STATE OF MICHIGAN	70.00
LOTTIE'S BAGELS	20.00	STATE OF MICHIGAN	50.00
LOUIS A. HOFFMAN NURSERY INC	37,710.00	STATE OF MICHIGAN	70.00
MICHIGAN MUNICIPAL LEAGUE	14,134.00	STRICKER'S OUTDOOR POWER EQUIP	79.30
MICHIGAN OFFICEWAYS INC	1,189.26	TAYLOR 12501 LLC	4,417.50
MILLINGTON, MARY F.	37.00	TELNET WORLDWIDE	124.63
NAVIA BENEFIT SOLUTIONS	50.00	THORP JR, WILLIAM D.	105.00
NORTHERN MICHIGAN REVIEW INC.	1,817.25	VILLAGE GRAPHICS INC.	267.00
OLSON BZDOK & HOWARD	1,457.00	WOLTERS KLUWER LAW & BUSINESS	620.50
OMS COMPLIANCE SERVICES INC	56.25	XEROX FINANCIAL SERVICES	168.84
PARKER, MICHAEL	25.00	ZIIBIMIJWANG INC	57.00
PEASE ENTERPRISE INC	279.84	UP NORTH ASSESSING INC	5,100.00
POWER LINE SUPPLY	1,026.96	TOTAL	570,532.11
PREIN & NEWHOF	660.00		
PRICE BUILDING AND REMODELING	3,760.00		
PROVIDENCE FARM LLC	1,205.00		
PURITY CYLINDER GASES INC	52.05		

ACH Payments – 11/02/2020 to 11/13/2020

MI PUBLIC POWER AGENCY	10,079.29	ALERUS FINANCIAL (HCSP)	350.00
NEOFUNDS BY NEOPOST (ACH FEE)	50.00	STATE OF MI (WITHHOLDING TAX)	6,364.95
PROXIMITY SPACE INC	102.20	VANTAGEPOINT (401 ICMA PLAN)	912.08
AMG PAYMENT SOLUTIONS	482.27	VANTAGEPOINT (457 ICMA PLAN)	20,421.46
PAYMENT SERVICE NETWORK INC	275.01	VANTAGEPOINT (ROTH IRA)	1,080.75
DTE ENERGY	2,467.13	TOTAL	116,045.93
MI PUBLIC POWER AGENCY	9,811.27		
STATE OF MI (SALES TAX)	19,765.21		
IRS (PAYROLL TAX DEPOSIT)	43,884.30		

Payroll Net Pay – Check Date 11/13/2020

OLEKSY, THOMAS M.	145.26	SCHWARTZFISHER, JOSEPH	1,305.57
HEYDLAUFF, MARK L.	3,171.17	BRADLEY, KELLY R.	1,913.55
GOLDING, JOYCE M.	2,085.85	HART II, DELBERT W.	1,562.89
DEROSIA, PATRICIA E.	914.66	JONES, ROBERT F.	1,584.63
DOTSON, LINDSEY J.	1,421.40	FARRELL, MITCHELL L.	1,346.26
KLOOSTER, ALIDA K.	2,129.16	THORP JR, WILLIAM D.	1,962.72
GOLOVICH, KAREN J.	980.66	LEITNER, RYAN S.	1,768.57
BARNEVELD, RICHELLE L.	1,231.28	FERGUSON, ROYCE L.	2,363.07
EDWARDS, MACKENZIE R.	1,706.81	DORAN, JUSTIN J.	2,107.26
MILLER, FAITH G.	37.42	MANKER SR, DAVID W.	661.42
MCGINN, KELLY A.	2,578.97	NEDWICK, DAVID J.	969.79
LAVENDER, JOSEPH E.	1,230.59	FREY, DYLAN V.	350.44
DOAN, GERARD P.	2,413.82	HART III, DELBERT W.	767.87
UMULIS, MATTHEW T.	1,200.75	FINNERTY, HOLLY E.	736.17
HANKINS, SCOTT A.	1,692.27	KNORR, KENT J.	1,958.91
ORBAN, BARBARA K.	1,772.70	ANZELL, BETH A.	1,318.21
RILEY, DENISE M.	463.87	GILL, DAVID R.	546.58
MUNK, CHRISTOPHER J.	1,300.44	LIVINGSTON, BRIAN D.	1,708.92
SCHICK, TIELER R.	1,544.06	WYMAN, MATTHEW A.	1,647.33
MATELSKI, KRISTEN L.	1,355.87	MILLER, WILLIAM S.	1,441.98
AZZOPARDI, LAUREN E.	34.35	DOUGLAS, MARK	945.90
WURST, RANDALL W.	1,161.67	FRATRICK, JOSEPH W.	504.84
MAYER, SHELLEY L.	1,595.06	MCMULLEN, DONALD R.	1,800.39
HILLING, NICHOLAS A.	1,420.05	SILVA, JESSE L.A.	1,526.32
MEIER III, CHARLES A.	1,400.58	JOHNSON, MELISSA A.	1,793.67
ZACHARIAS, STEVEN B.	1,642.74	STEPHENS, LYON G.	73.49
NEWMAN, MARK J.	1,056.43	TRAVERS, MANUEL J.	1,704.08
SWEM, DONALD L.	3,086.31	FAULKNER, CHRISTOPHER J.	3,287.74
EATON, BRAD A.	2,976.18	RILEY, CASEY W.	486.04
WILSON, TIMOTHY J.	3,033.31	JONES, LARRY M.	335.09
LAVOIE, RICHARD L.	2,494.70	VANZANDT, ZORRAN C.	606.51
STEVENS, BRANDON C.	2,985.02	MATZ, EMILY S.	1,289.78
DRAVES, MARTIN J.	2,736.18	LEPIRD, KATIE A.	1,444.35
ANDERSON, ELIZABETH A.	1,233.97	MOYER, DAVID T.	455.39
KENWABIKISE, DAVID L.	1,105.17	WHEELER, MICHAEL W.	1,960.75
ELLIOTT, PATRICK M.	2,739.34	MISHLER, MICHAEL. J.	759.36

AZZOPARDI, ANTHONY J.	1,123.37	NEMEC, AARON D.	84.00
PECK, JARICA L.	580.65	BRADLEY, SEAN P.	114.00
DIETZ, AMANDA M.	970.16	WAY, HILARY G.	108.00
MOYER, NATHAN I.	1,721.44	FOCHTMAN, MICHAEL A.	204.00
DALY, SUZETTE M.	214.50	HENNE, BETTY M.	78.00
DUERR, JANE R.	104.00	COLE, SHANE	242.58
HERDER, DIANE M.	238.00	WHITLEY, ANDREW T.	3,162.83
OHALLORAN, LINDA J.	238.00	MORRISON, KEVIN P.	1,715.88
DIPERT, ANNE M.	110.50	BISHAW, JAMES H.	472.19
HAVEMAN, NANCY A.	102.00	SEROUR III, MICHAEL J.	242.63
LINKLATER, LINDA K.	84.00	BUDAY, JOAN E.	108.00
SUAREZ PAWLICKI, EMMA	69.00	CAMPBELL, KAREN L.	96.00
DISANTE, SANDRA A.	105.00	LALEWICZ, AMELIA M.	84.00
LEGENZA, TAMMY L.	108.00	CIUK, JULIA A.	165.00
EATON, JOHN R.	210.00	TOTAL	120,211.64
VOORHEIS, MARGARET A.	105.00		
KOZLAUSKOS, KENDRA J.	177.00		

Payroll Transmittal – 11/13/2020

4FRONT CREDIT UNION	943.00	MI STATE DISBURSEMENT UNIT	209.65
AMERICAN FAMILY LIFE	608.28	MONY LIFE INSURANCE	380.82
CHAR EM UNITED WAY	90.00	POLICE OFFICERS LABOR COUNCIL	201.00
CHARLEVOIX STATE BANK	967.00	PRIORITY HEALTH	1,464.72
COMMUNICATION WORKERS OF AMER	672.47	TOTAL	5,536.94

Tax Disbursement – 11/17/2020

CHARLEVOIX COUNTY TREASURER	19,317.27	GRUNCH, RICHARD	24.85
CHARLEVOIX PUBLIC SCHOOLS	17,564.63	JONES, SUSAN	556.92
CHARLEVOIX PUBLIC SCHOOLS	924.18	TOTAL	63,142.59
CHARLEVOIX PUBLIC SCHOOLS	646.87		
CHARLEVOIX PUBLIC SCHOOLS	277.15		
CHARLEVOIX PUBLIC SCHOOLS	905.67		
CITY OF CHARLEVOIX - TAXES DUE	22,925.05		