

City of Charlevoix
City Council Regular Meeting Minutes
Monday, June 19, 2023 - 6:00 PM
Council Chambers, 210 State Street, Charlevoix, MI

1. Pledge of Allegiance

The meeting was called to order at 6:00 p.m. by Mayor Gennett. The Council, staff, and members of the public rose and recited the Pledge of Allegiance.

2. Roll Call

Mayor: Lyle Gennett

Members Present: Shane Cole, Aaron Hagen, Janet Kalbfell, Mark Knapp, Phil Parr, Richard Spring

Members Absent: None

City Manager: Mark L. Heydlauff

City Clerk: Sarah J. Dvoracek

3. Presentations

4. Inquiry Regarding Conflicts of Interest

5. Consent Agenda

Mayor Gennett opened the item for public comment. None were heard.

Motion by Parr, seconded by Spring to approve the consent agenda as presented.

Yeas: Cole, Knapp, Parr, Kalbfell, Hagen, Spring

Nays: None

Absent: None

Motion carried.

A. City Council Meeting Minutes - June 5 and 6, 2023

Motion to approve the minutes as presented.

B. Accounts Payable and Payroll Check Registers

Motion to approve the accounts payable and payroll check registers as presented.

Dates	Description	Amount
06/12/2023	Special Accounts Payable Run	\$800.00
06/09/2023	Payroll (net pay)	\$128,760.67
06/09/2023	Payroll Transmittal Checks	\$5,551.67
06/20/2023	Regular Accounts Payable	\$777,620.13
06/05/2023-06/12/2023	ACH/WIRE Payments	\$177,132.23
06/20/2023	Tax Disbursement	\$4,612.39
Grand Total		\$1,094,477.09

To view the entire accounts payable and payroll check registers, [please Click here.](#)

- C. Emergency Purchase of Irrigation Pump for Golf Course: \$46,389.25
Motion to approve the emergency purchase of a new pump and motor for the Charlevoix Golf Course from Ramsby Drilling Inc. at the estimated cost of \$46,389.25.
- D. Prein&Newhof Construction Engineering Proposal for Bridge Park Lift Station Project: \$18,000
Motion to approve the Construction Engineering Agreement with Prein & Newhof for an amount not to exceed \$18,000 for the Bridge Park Lift Station Slide Gate Repair and Bypass Improvement Project.
- E. Transformer Purchase from Emerald Transformer: \$33,875
Motion to approve the purchase of a rebuilt transformer from Emerald Transformer for the amount of \$33,875.

6. Public Hearings and Actions Requiring Public Hearings

- A. Public Hearing: Zoning Ordinance Amendments: Accessory Dwelling Units and Bed and Breakfast Parking Requirements
Jonathan Scheel
Zoning Administrator, Jonathan Scheel stated in Ordinance Amendment 839 the table labeled 153.187 was corrected to reference the correct section of ordinance language, which was 153.116 (7).

Mayor Gennett opened the item for public comment. None were heard.

Motion by Kalbfell, seconded by Spring to approve ordinance amendments 839 and 840 as presented.

CITY OF CHARLEVOIX

Ordinance No. 839 of 2023

AN ORDINANCE TO AMEND TITLE XV, LAND USAGE, SECTIONS 153.116 AND 153.187 OF THE CHARLEVOIX CITY CODE

THE CITY OF CHARLEVOIX ORDAINS:

SECTION 1. Title XV, Chapter 153, Section 153.116 Accessory Buildings and Uses (D) Bed and Breakfast Establishments (2) (a)-(d) of the City of Charlevoix Code is hereby repealed and replaced, and shall read as follows:

(2) The rental rooms within the establishment shall be part of the principal dwelling. Bed and breakfast establishments shall not contain more than five rental rooms, however the Planning Commission may approve additional rooms based on the following criteria:

(a) The existing single-family home has the capacity for more than five rental rooms;

(b) It is a single-family home which has been operated as a bed and breakfast establishment in the past;

(c) The Planning Commission finds that the additional rooms will not have an adverse impact on the residential character of the neighborhood.

SECTION 2. Title XV, Chapter 153, Section Table 153.116 Accessory Building and Uses (D) Bed

and Breakfast Establishments of the City of Charlevoix Code is hereby amended by adding a section, which shall be labeled (7) and shall read as follows:

(7) A minimum of one (1) parking space per rental room is required. Parking may include street spaces in front of the property according to City parking rules. Off-street parking shall be subject to the requirements of Off-Street Parking, Loading, Access and Circulation requirements (§153.185-153.190).

SECTION 3. Title XV, Chapter 153, Section 153.187 Parking Requirements and Limitations, Table 153.187: Parking and Access Requirements by Use; Section Labeled Use; Bed and Breakfast; Table header labeled Number of Parking Spaces of the City of Charlevoix Code is hereby repealed and replaced and shall read as follows:

<i>Table 153.187: Parking and Access Requirements by Use</i>	
Use	Number of Parking Spaces
Residential Uses	
Bed and Breakfast	See 153.116 (7)

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.

Ordinance No. 839 was adopted on the 19th day of June 2023 A.D., by the Charlevoix City Council as follows:

Motion by: Kalbfell

Seconded by: Spring

Yeas: Cole, Knapp, Parr, Kalbfell, Hagen, Spring

Nays: None

Absent: None

Motion carried.

CITY OF CHARLEVOIX

Ordinance No. 840 of 2023

AN ORDINANCE TO AMEND TITLE XV, LAND USAGE, SECTIONS 153.071, 153.072, AND 153.116 OF THE CHARLEVOIX CITY CODE

THE CITY OF CHARLEVOIX ORDAINS:

SECTION 1. Title XV, Chapter 153, Section 153.071 Schedule of Uses; Table 153.071: Allowed

Uses in Residential Zones of the City of Charlevoix Code is hereby amended; under the Section heading labeled *Residential*; under Section Subheading labeled *Dwellings*, under Detailed Subheading labelled *Accessory dwelling unit* shall read as follows:

Table 153.071: Allowed Uses in Residential Zones						
P = Permitted Use by Right						
S =Special Land Use						
	R1	R2	R2A	R4	PC	Specific Requirements
<i>RESIDENTIAL</i>						
Accessory dwelling unit	P	P	P			

SECTION 2. Title XV, Chapter 153, Section 153.072 (c) Dimensional Requirement: Square footage for Accessory Dwelling Units and Home Conversion Units of the City of Charlevoix Code is hereby amended; under the Section heading labeled *Zoning District* shall read as follows:

Table 153.072 (c): Dimensional Requirement: Square footage for Accessory Dwelling Units and Home Conversion Units		
Zoning Districts	Minimum	Maximum
R1, R2, and R2A	300	900

SECTION 3. Title XV, Chapter 153, Section Table 153.116 Accessory Building and Uses (A) Accessory Buildings and Structures items (3), (4), and (9) City of Charlevoix Code is hereby repealed and replaced and shall read as follows:

(3) In the R1, R2, and R2A Residential Districts, if the principal building has an attached accessory building, only one detached accessory building shall be permitted.

(4) Lots in the R1, R2, and R2A Zones shall be permitted to have a secondary detached accessory building, such as storage shed. Secondary accessory buildings shall meet all the requirements of this section and not exceed 200 square feet in area.

(9) Prohibited uses within detached accessory structures or accessory structures connected by a breezeway or similar structure in all districts except the R1, R2, and R2A Zones:

(a) May not contain features that form a habitable dwelling unit or create a second dwelling unit;

(b) These structures may contain utility sinks, one bathroom, and refrigeration units. Full kitchen facilities that include a range or stove are prohibited; and

(c) Rooms within accessory structures may be used for additional sleeping quarters for the owner, or resident, and their immediate family provided that these rooms may not be rented out as short- or long-term rentals for any length of time.

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.

Ordinance No. 840 was adopted on the 19th day of June 2023 A.D., by the Charlevoix City Council as follows:

Motion by: Kalbfell

Seconded by: Spring

Yeas: Cole, Knapp, Parr, Kalbfell, Hagen, Spring

Nays: None

Absent: None

Motion carried.

7. All Other Actions and Requests

A. Council Appointment

Janet Kalbfell-1st Ward Council Member

Mayor Gennett opened the item for public comment. None were heard.

Motion by Kalbfell, seconded by Knapp to appoint David Miles to the Historic District Commission for a term to expire June of 2026.

Yeas: Cole, Hagen, Kalbfell, Knapp, Parr, Spring

Nays: None

Absent: None

Motion carried.

8. Reports and Communications

A. Public Comment

B. City Manager's Comments

- Mason Street Project is on track to finish on time, asphalt is scheduled for this week

C. Mayor and Council Comments

9. Other Council Business

10. Adjourn

Mayor Gennett adjourned the meeting at 6:05 p.m.

Sarah J. Dvoracek

City Clerk

Lyle Gennett

Mayor