



Agenda
City of Charlevoix City Council Regular Meeting
Monday, August 7, 2023 - 6:00 PM
Council Chambers, 210 State Street, Charlevoix, MI

- 1. Pledge of Allegiance**
- 2. Roll Call**
- 3. Presentations**
- 4. Inquiry Regarding Conflicts of Interest**
- 5. Consent Agenda**
 - A. City Council Meeting Minutes - July 17, 2023
 - B. Accounts Payable and Payroll Check Registers
 - C. Compensation Commission Report
 - D. Resolution to Adopt the Annual Exemption Option in PA 152 for the 2023-24 Medical Benefit Plan Coverage Year
 - E. Request for use of Odmark Pavilion on August 13, 2023
 - F. 2023/24 Road Salt Purchase for \$18,377.50
 - G. Landscape Planting Contract with Site Planning Development, Inc. for \$19,120.00
- 6. Public Hearings and Actions Requiring Public Hearings**
 - A. Citizen-Initiated Ordinance to Enhance and Preserve Ferry Beach
Mark Heydlauff, City Manager
- 7. All Other Actions and Requests**
 - A. Ballot Question for Citizen-initiated Ordinance to Use of 229 Stover Road for Housing
Mark Heydlauff, City Manager
 - B. Purchase of Foreclosed Parcel on Antrim Street (052-270-001-50)
Mark Heydlauff, City Manager
 - C. Petition from Charlevoix County for Annexation
Mark Heydlauff, City Manager
 - D. Mayoral Appointments
Mayor Lyle Gennett
- 8. Reports and Communications**
 - A. Public Comment

B. City Manager's Comments

C. Mayor and Council Comments

9. Other Council Business

10. Adjourn

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Clerk's Office at 231-547-3250 or by email clerk@charlevoixmi.gov. A 24-hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodations requests.

Charlevoix City Council

Consent Agenda

Title: City Council Meeting Minutes - July 17, 2023

Date: August 7, 2023

Presented By:

Background:

Recommendation:

Motion to approve the minutes as presented.

Attachments:

1. City Council Draft Meeting Minutes 07/17/2023

City of Charlevoix
City Council Regular Meeting Minutes
Monday, July 17, 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 Kalbfell to approve the consent agenda as presented.

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

Nays: None

Absent: None

Motion carried.

A. City Council Meeting Minutes - July 3, 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
06/29/2023	Special Accounts Payable Run	\$4,158.76
07/07//2023	Payroll (net pay)	\$150,830.69
07/07/2023	Payroll Transmittal Checks	\$6,114.90
07/10/2023	Special Accounts Payable	\$2,930.94
07/11/2023	Special Accounts Payable	\$2,962.50
07/18/2023	Regular Accounts Payable	\$247,596.44
07/03/2023-07/11/2023	ACH/WIRE Payments	\$166,702.67

Grand Total		\$581,296.90
To view the entire accounts payable and payroll check registers, Click here .		

- C. MML Worker's Compensation Fund Board of Trustees Election
Motion to direct the City Clerk to cast a ballot for the nominating committee's recommendation of the six members presented.
- D. MERS 2023 Officer and Employee Delegate Certification Form
Motion to approve the MERS 2023 Officer and Employee Delegate Certification Form.

6. Public Hearings and Actions Requiring Public Hearings

- A. Citizen Initiated Ordinance on the Sale of 229 Stover Road
Mark Heydlauff, City Manager
City Manager Heydlauff summarized and explained the options provided in the memo prepared by the City Attorney, Scott Howard. City Manager Heydlauff answered questions from Council.

Mayor Gennett opened the public hearing for public comment, seventeen people were heard. Motion by Knapp, seconded by Cole to reject the Citizen Initiative Ordinance {on the Sale of 229 Stover Road} and send the question to the {November} ballot.

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

Nays: None

Absent: None

Motion carried.

City Manager Heydlauff stated he will have our City Attorney prepare the language for the initiative petition ballot and resolution for Council to approve at their next meeting.

7. All Other Actions and Requests

- A. Citizen Initiated Ordinance to Enhance and Preserve Ferry Beach
Mark Heydlauff, City Manager
City Manager Heydlauff stated that the memo provided by the City Attorney would also apply to this citizen-initiated ordinance. Discussion was held. Mr. Heydlauff answered questions from Council.

Mayor Gennett opened the item for public comment, two were heard.

Motion by Hagen, seconded by Kalbfell to set a public hearing {on August 7, 2023} for the Citizen Initiated Ordinance to Enhance and Preserve Ferry Beach.

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

Nays: None

Absent: None

Motion carried.

- B. Bridge Light Removal and Reattachment
Mark Heydlauff, City Manager
City Manager Heydlauff stated Strain Electric was the original contractor that installed the

bridge lights. However, due to MDOT's scheduled winter maintenance on the bridge, the City is required to remove and then reinstall the lights. Strain Electric is also MDOT's electrical contractor for this upcoming project. The quote also includes some small repairs and updates to the lighting.

Mayor Gennett opened the item for public comment, one was heard.

Motion by Spring, seconded by Kalbfell to approve the quote from Strain Electric for \$30,000 and authorize the City Manager to make all necessary arrangements.

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

Nays: None

Absent: None

Motion carried.

8. Reports and Communications

A. Public Comment

- Jeff Porter complimented City Staff for the Mason Street project, it turned out beautiful
- Annemaire Conway gave a brief update regarding the County's Housing Emergency Fund which helps property owners with potential blight issues, she stated anyone interested should contact Becki King

B. City Manager's Comments

- Happy Venetian Week
- Thanked all First Responders for making Venetian a safe family event
- Reminder Bridge Street will be closed beginning at 2pm on Wednesday and will reopen after fireworks on Saturday
- There is a tax foreclosed property on Antrim Street; Council will have the first right of refusal to purchase

C. Mayor and Council Comments

- Council collectively wished everyone a safe and happy Venetian

9. Other Council Business

10. Adjourn

Mayor Gennett adjourned the meeting at 7:14 p.m.

Sarah J. Dvoracek

City Clerk

Lyle Gennett

Mayor

Charlevoix City Council

Consent Agenda

Title: Accounts Payable and Payroll Check Registers

Date: August 7, 2023

Presented By:

Background:

Recommendation:

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

Attachments:

1. Accounts Payable and Payroll Check Registers 08/07/2023

Check Number	Payee	Amount
07/21/2023		
140065	AT&T	1,574.76
140066	AT&T MOBILITY	827.58
140067	CHARLEVOIX STATE BANK	11,879.53
140068	CHARTER COMMUNICATIONS	696.12
140069	DELTA DENTAL	3,170.15
140070	DLL FINANCE LLC	1,536.78
140071	GREAT LAKES ENERGY	226.05
140072	PRIORITY HEALTH	45,997.48
140073	RANGE TELECOMMUNICATIONS	206.00
140074	REHMANN LLC	11,025.00
140075	UPS	188.44
140076	VSP INSURANCE CO. (CT)	541.25
140077	WEX BANK	7,018.86
Total 07/21/2023:		84,888.00
Grand Totals:		84,888.00

Summary of Check Registers & ACH Payments

HUNTINGTON NATIONAL BANK - CHECKS ISSUED

07/21/23	Special Accounts Payable Run	\$	84,888.00
07/21/23	Payroll (net pay)	\$	141,678.78
07/21/23	Payroll Transmittal Checks	\$	5,371.10
08/04/23	Payroll (net pay)	\$	149,686.37
08/04/23	Payroll Transmittal Checks	\$	5,572.10
08/08/23	Regular Accounts Payable	\$	1,282,423.41
Checks Sub-Total:		\$	1,669,619.76

HUNTINGTON NATIONAL BANK - ACH/WIRE PAYMENTS

07/17/23	MI Public Power Agency	\$	36,293.35
07/20/23	Enterprise FM Trust (fleet lease)	\$	4,326.98
07/21/23	IRS (Payroll Tax Deposit)	\$	50,265.94
07/21/23	Alerus Financial (HCSP)	\$	558.00
07/21/23	Vantagepoint (401 Plan)	\$	1,062.00
07/21/23	Vantagepoint (457 Plan)	\$	21,282.87
07/21/23	Vantagepoint (Roth IRA)	\$	1,220.76
07/21/23	State of MI (Withholding Tax)	\$	7,581.69
07/21/23	MERS (Defined Benefit Plan)	\$	59,510.51
07/24/23	MI Public Power Agency	\$	37,281.38
07/25/23	MI Public Power Agency	\$	227,346.11
07/31/23	MI Public Power Agency	\$	39,476.87
08/04/23	IRS (Payroll Tax Deposit)	\$	53,648.40
08/04/23	Alerus Financial (HCSP)	\$	558.00
08/04/23	Vantagepoint (401 ICMA Plan)	\$	1,062.00
08/04/23	Vantagepoint (457 ICMA Plan)	\$	21,184.39
08/04/23	Vantagepoint (Roth IRA)	\$	1,170.76
08/04/23	State of MI (Withholding Tax)	\$	8,066.33
ACH Sub-Total:		\$	571,896.34

Huntington National Bank Total: \$ 2,241,516.10

CHARLEVOIX STATE BANK - CHECKS ISSUED

(PROPERTY TAX DISBURSEMENT TO VARIOUS TAXING AUTHORITIES)

07/17/23	Special A/P Tax Disbursement	\$	883,257.92
07/27/23	Special A/P Tax Disbursement	\$	863,905.86
Charlevoix State Bank Total:		\$	1,747,163.78

Grand Total: \$ 3,988,679.88

APPROVED:

CITY MANAGER

CITY TREASURER

CITY CLERK

M = Manual Check, V = Void Check

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
07/15/2023	PC	07/21/2023	37724	KALBFELL, JANET P.	58		92.35
07/15/2023	PC	07/21/2023	37725	HEYDLAUFF, MARK L.	102		3,398.24
07/15/2023	PC	07/21/2023	37726	DVORACEK, SARAH J.	105		2,321.14
07/15/2023	PC	07/21/2023	37727	DEROSIA, PATRICIA E.	107		767.10
07/15/2023	PC	07/21/2023	37728	DOTSON, LINDSEY J.	109		1,507.73
07/15/2023	PC	07/21/2023	37729	KLOOSTER, ALIDA K.	121		1,927.46
07/15/2023	PC	07/21/2023	37730	BARNEVELD, RICHELLE	123		1,370.12
07/15/2023	PC	07/21/2023	37731	SCHULZ, GINNY L.	125		1,528.12
07/15/2023	PC	07/21/2023	37732	BRADLEY, KATHLEEN R.	126		1,314.47
07/15/2023	PC	07/21/2023	37733	MILLER, FAITH G.	142		425.03
07/15/2023	PC	07/21/2023	37734	MCGINN, KELLY A.	146		2,296.62
07/15/2023	PC	07/21/2023	37735	SCHEEL, JONATHAN D.	149		1,799.50
07/15/2023	PC	07/21/2023	37736	MCDONNELL, JILL L.	202		2,242.88
07/15/2023	PC	07/21/2023	37737	SCHOLEY, ROBERT W.	204		2,012.92
07/15/2023	PC	07/21/2023	37738	UMULIS, MATTHEW T.	205		1,545.71
07/15/2023	PC	07/21/2023	37739	ORBAN, BARBARA K.	209		1,657.32
07/15/2023	PC	07/21/2023	37740	RILEY, DENISE M.	213		554.60
07/15/2023	PC	07/21/2023	37741	MUNK, CHRISTOPHER J.	215		2,410.24
07/15/2023	PC	07/21/2023	37742	STEWART, MORGAN J.	217		1,682.28
07/15/2023	PC	07/21/2023	37743	CHRISTIENSEN, BRIAN D	218		2,116.31
07/15/2023	PC	07/21/2023	37744	YOUNG, KRISTEN L.	230		1,435.12
07/15/2023	PC	07/21/2023	37745	CONWAY, PATRICK G.	239		762.93
07/15/2023	PC	07/21/2023	37746	BINGHAM, LARRY E.	240		488.09
07/15/2023	PC	07/21/2023	37747	MACGILLIVRAY, ROGER	244		1,105.47
07/15/2023	PC	07/21/2023	37748	DOTSON, WILLIAM R.	249		478.13
07/15/2023	PC	07/21/2023	37749	DAVIS, RONALD L.	250		540.88
07/15/2023	PC	07/21/2023	37750	WURST, RANDALL W.	411		1,728.40
07/15/2023	PC	07/21/2023	37751	HILLING, NICHOLAS A.	413		2,371.24
07/15/2023	PC	07/21/2023	37752	MEIER III, CHARLES A.	421		2,231.29
07/15/2023	PC	07/21/2023	37753	ZACHARIAS, STEVEN B.	422		378.86
07/15/2023	PC	07/21/2023	37754	NEWMAN, MARK J.	424		3,400.49
07/15/2023	PC	07/21/2023	37755	LOUGHMILLER, JOHN A.	425		2,195.79
07/15/2023	PC	07/21/2023	37756	BORTHS, MICHAEL J.	450		794.24
07/15/2023	PC	07/21/2023	37757	GRIFFITH, JOHN J.	500		2,531.86
07/15/2023	PC	07/21/2023	37758	EATON, BRAD A.	515		2,536.75
07/15/2023	PC	07/21/2023	37759	WILSON, TIMOTHY J.	516		2,951.21
07/15/2023	PC	07/21/2023	37760	LAVOIE, RICHARD L.	519		2,489.96
07/15/2023	PC	07/21/2023	37761	STEVENS, BRANDON C.	521		3,324.68
07/15/2023	PC	07/21/2023	37762	WHITLEY, ANDREW T.	522		2,302.88
07/15/2023	PC	07/21/2023	37763	FARRELL, MITCHELL L.	524		2,056.66
07/15/2023	PC	07/21/2023	37764	LEITNER, RYAN S.	525		1,881.57
07/15/2023	PC	07/21/2023	37765	ANDERSON, ELIZABETH	526		1,401.92
07/15/2023	PC	07/21/2023	37766	KENWABIKISE, DAVID L.	528		1,239.32
07/15/2023	PC	07/21/2023	37767	ELLIOTT, PATRICK M.	600		3,201.04
07/15/2023	PC	07/21/2023	37768	SCHWARTZFISHER, JOS	603		1,487.42
07/15/2023	PC	07/21/2023	37769	BRADLEY, KELLY R.	614		1,428.66
07/15/2023	PC	07/21/2023	37770	HART II, DELBERT W.	616		1,985.02
07/15/2023	PC	07/21/2023	37771	JONES, ROBERT F.	618		2,066.37
07/15/2023	PC	07/21/2023	37772	THORP JR, WILLIAM D.	623		1,809.40
07/15/2023	PC	07/21/2023	37773	FERGUSON, ROYCE L.	625		1,686.41
07/15/2023	PC	07/21/2023	37774	REID, ROB A.	632		1,350.21
07/15/2023	PC	07/21/2023	37775	DORAN, JUSTIN J.	634		2,378.61
07/15/2023	PC	07/21/2023	37776	NEDWICK, DAVID J.	642		118.20
07/15/2023	PC	07/21/2023	37777	HART III, DELBERT W.	657		1,167.34
07/15/2023	PC	07/21/2023	37778	PERSONS, CHLOE M.	659		761.43
07/15/2023	PC	07/21/2023	37779	CONWAY, ANNEMARIE	668		779.59
07/15/2023	PC	07/21/2023	37780	FINNERTY, HOLLY E.	669		818.16

Pay Period Date	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
07/15/2023	07/21/2023	140057	4FRONT CREDIT UNION	9024	HSA-EMPLOYEE CONTRIB-4FR	947.98
07/15/2023	07/21/2023	140058	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-POST T	86.90
07/15/2023	07/21/2023	140058	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-PRETA	390.05
07/15/2023	07/21/2023	140059	CHARLEVOIX STATE BAN	9017	HSA - EMPLOYEE CONTRIB - C	1,220.00
07/15/2023	07/21/2023	140060	COMMUNICATION WORK	9004	CWA UNION DUES Pay Period:	671.45
07/15/2023	07/21/2023	140061	MI STATE DISBURSEMEN	9012	FRIEND OF THE COURT Pay Pe	116.55
07/15/2023	07/21/2023	140062	PRIORITY HEALTH	392358	PRIORITY HEALTH Pay Period:	1,591.01
07/15/2023	07/21/2023	140063	THE HARTFORD	9035	LIFE - VOLUNTARY Pay Period:	259.06
07/15/2023	07/21/2023	140063	THE HARTFORD	9035	SPOUSE LIFE Pay Period: 7/15/	44.60
07/15/2023	07/21/2023	140063	THE HARTFORD	9035	CHILD LIFE Pay Period: 7/15/20	9.58
07/15/2023	07/21/2023	140063	THE HARTFORD	9035	AD&D - VOLUNTARY Pay Period	24.61
07/15/2023	07/21/2023	140063	THE HARTFORD	9035	SPOUSE AD&D Pay Period: 7/15	5.26
07/15/2023	07/21/2023	140063	THE HARTFORD	9035	CHILD AD&D Pay Period: 7/15/2	4.05
Grand Totals:		13				5,371.10

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Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
07/29/2023	PC	08/04/2023	37833	BRYAN, BRENDA L.	91		46.17
07/29/2023	PC	08/04/2023	37834	HEYDLAUFF, MARK L.	102		3,686.69
07/29/2023	PC	08/04/2023	37835	DVORACEK, SARAH J.	105		2,321.15
07/29/2023	PC	08/04/2023	37836	DEROSIA, PATRICIA E.	107		570.29
07/29/2023	PC	08/04/2023	37837	DOTSON, LINDSEY J.	109		1,507.73
07/29/2023	PC	08/04/2023	37838	KLOOSTER, ALIDA K.	121		2,335.30
07/29/2023	PC	08/04/2023	37839	BARNEVELD, RICHELLE	123		1,282.80
07/29/2023	PC	08/04/2023	37840	SCHULZ, GINNY L.	125		1,528.11
07/29/2023	PC	08/04/2023	37841	BRADLEY, KATHLEEN R.	126		1,264.58
07/29/2023	PC	08/04/2023	37842	MILLER, FAITH G.	142		338.68
07/29/2023	PC	08/04/2023	37843	MCGINN, KELLY A.	146		2,704.46
07/29/2023	PC	08/04/2023	37844	SCHEEL, JONATHAN D.	149		2,269.02
07/29/2023	PC	08/04/2023	37845	MCDONNELL, JILL L.	202		2,712.40
07/29/2023	PC	08/04/2023	37846	SCHOLEY, ROBERT W.	204		2,012.92
07/29/2023	PC	08/04/2023	37847	UMULIS, MATTHEW T.	205		1,721.36
07/29/2023	PC	08/04/2023	37848	ORBAN, BARBARA K.	209		1,668.81
07/29/2023	PC	08/04/2023	37849	RILEY, DENISE M.	213		548.50
07/29/2023	PC	08/04/2023	37850	MUNK, CHRISTOPHER J.	215		1,803.58
07/29/2023	PC	08/04/2023	37851	STEWART, MORGAN J.	217		1,782.29
07/29/2023	PC	08/04/2023	37852	CHRISTIENSEN, BRIAN D	218		1,810.59
07/29/2023	PC	08/04/2023	37853	YOUNG, KRISTEN L.	230		1,922.03
07/29/2023	PC	08/04/2023	37854	CONWAY, PATRICK G.	239		654.34
07/29/2023	PC	08/04/2023	37855	BINGHAM, LARRY E.	240		577.95
07/29/2023	PC	08/04/2023	37856	MACGILLIVRAY, ROGER	244		910.65
07/29/2023	PC	08/04/2023	37857	DOTSON, WILLIAM R.	249		584.35
07/29/2023	PC	08/04/2023	37858	DAVIS, RONALD L.	250		230.78
07/29/2023	PC	08/04/2023	37859	WURST, RANDALL W.	411		1,754.76
07/29/2023	PC	08/04/2023	37860	HILLING, NICHOLAS A.	413		2,661.88
07/29/2023	PC	08/04/2023	37861	MEIER III, CHARLES A.	421		1,729.80
07/29/2023	PC	08/04/2023	37862	ZACHARIAS, STEVEN B.	422		850.70
07/29/2023	PC	08/04/2023	37863	NEWMAN, MARK J.	424		2,188.60
07/29/2023	PC	08/04/2023	37864	LOUGHMILLER, JOHN A.	425		2,841.57
07/29/2023	PC	08/04/2023	37865	GRIFFITH, JOHN J.	500		2,531.86
07/29/2023	PC	08/04/2023	37866	EATON, BRAD A.	515		2,645.69
07/29/2023	PC	08/04/2023	37867	WILSON, TIMOTHY J.	516		3,529.68
07/29/2023	PC	08/04/2023	37868	LAVOIE, RICHARD L.	519		2,486.13
07/29/2023	PC	08/04/2023	37869	STEVENS, BRANDON C.	521		2,956.02
07/29/2023	PC	08/04/2023	37870	WHITLEY, ANDREW T.	522		2,940.35
07/29/2023	PC	08/04/2023	37871	FARRELL, MITCHELL L.	524		1,977.56
07/29/2023	PC	08/04/2023	37872	LEITNER, RYAN S.	525		1,841.99
07/29/2023	PC	08/04/2023	37873	ANDERSON, ELIZABETH	526		1,538.82
07/29/2023	PC	08/04/2023	37874	KENWABIKISE, DAVID L.	528		1,264.28
07/29/2023	PC	08/04/2023	37875	ELLIOTT, PATRICK M.	600		3,201.04
07/29/2023	PC	08/04/2023	37876	SCHWARTZFISHER, JOS	603		1,910.35
07/29/2023	PC	08/04/2023	37877	BRADLEY, KELLY R.	614		2,158.77
07/29/2023	PC	08/04/2023	37878	HART II, DELBERT W.	616		1,627.85
07/29/2023	PC	08/04/2023	37879	JONES, ROBERT F.	618		1,890.78
07/29/2023	PC	08/04/2023	37880	THORP JR, WILLIAM D.	623		1,893.63
07/29/2023	PC	08/04/2023	37881	FERGUSON, ROYCE L.	625		2,116.14
07/29/2023	PC	08/04/2023	37882	REID, ROB A.	632		1,139.84
07/29/2023	PC	08/04/2023	37883	DORAN, JUSTIN J.	634		2,378.61
07/29/2023	PC	08/04/2023	37884	NEDWICK, DAVID J.	642		720.72
07/29/2023	PC	08/04/2023	37885	HART III, DELBERT W.	657		1,280.46
07/29/2023	PC	08/04/2023	37886	PERSONS, CHLOE M.	659		585.91
07/29/2023	PC	08/04/2023	37887	CONWAY, ANNEMARIE	668		549.39
07/29/2023	PC	08/04/2023	37888	FINNERTY, HOLLY E.	669		1,071.19
07/29/2023	PC	08/04/2023	37889	WILSON, SAMUEL J.	672		1,159.92

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
Grand Totals:			113				149,686.37

km

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
07/29/2023	08/04/2023	140081	4FRONT CREDIT UNION	9024	HSA-EMPLOYEE CONTRIB-4FR	947.98
07/29/2023	08/04/2023	140082	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-POST T	86.90
07/29/2023	08/04/2023	140082	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-PRETA	390.05
07/29/2023	08/04/2023	140083	CHARLEVOIX STATE BAN	9017	HSA - EMPLOYEE CONTRIB - C	1,220.00
07/29/2023	08/04/2023	140084	COMMUNICATION WORK	9004	CWA UNION DUES Pay Period:	671.45
07/29/2023	08/04/2023	140085	MI STATE DISBURSEMEN	9012	FRIEND OF THE COURT Pay Pe	116.55
07/29/2023	08/04/2023	140086	POLICE OFFICERS LABO	9003	POL UNION DUES Pay Period: 7	201.00
07/29/2023	08/04/2023	140087	PRIORITY HEALTH	392358	PRIORITY HEALTH Pay Period:	1,591.01
07/29/2023	08/04/2023	140088	THE HARTFORD	9035	LIFE - VOLUNTARY Pay Period:	259.06
07/29/2023	08/04/2023	140088	THE HARTFORD	9035	SPOUSE LIFE Pay Period: 7/29/	44.60
07/29/2023	08/04/2023	140088	THE HARTFORD	9035	CHILD LIFE Pay Period: 7/29/20	9.58
07/29/2023	08/04/2023	140088	THE HARTFORD	9035	AD&D - VOLUNTARY Pay Period	24.61
07/29/2023	08/04/2023	140088	THE HARTFORD	9035	SPOUSE AD&D Pay Period: 7/29	5.26
07/29/2023	08/04/2023	140088	THE HARTFORD	9035	CHILD AD&D Pay Period: 7/29/2	4.05
Grand Totals:		14				5,572.10

Jm

Check Number	Payee	Amount
08/08/2023		
140089	ADVANCED PAVEMENT MARKING LLC	28,747.92
140090	ALL-PHASE ELECTRIC SUPPLY CO	1,621.12
140091	AMAZON CAPITAL SERVICES	2,114.87
140092	AMERICAN LEGAL PUBLISHING CORP	20.00
140093	AMERICAN LEGION AUXILLARY	885.03
140094	ANDERSON, ELIZABETH A.	50.00
140095	ANZELL, BETH A.	50.00
140096	ART'S AUTO & TRUCK PARTS	454.12
140097	AT YOUR SERVICE PLUS INC	8,485.00
140098	AVFUEL CORPORATION	139,999.49
140099	BALLARD'S PLUMBING AND HEATING	353.56
140100	BARUZZINI AQUATICS	4,936.50
140101	BD WELDING	180.00
140102	BEAVER RESEARCH COMPANY	529.96
140103	BELL EQUIPMENT COMPANY	7,343.72
140104	BOLLMAN, JOSIE	125.00
140105	BRADFORD MASTER DRYCLEANERS	80.25
140106	BRADY'S CARPET CLEANING INC	175.00
140107	CARQUEST OF CHARLEVOIX	428.96
140108	CDW GOVERNMENT	162.96
140109	CHARLEVOIX CHEESE COMPANY	58.00
140110	CHARLEVOIX CITY BAND	5,000.00
140111	CHARLEVOIX COUNTY TREASURER	1,403.42
140112	CHARLEVOIX SCREEN MASTERS INC	5,703.35
140113	CHARLEVOIX TOWNSHIP TREASURE	38,300.00
140114	CHARLEVOIX TOWNSHIP TREASURE	77.31
140115	CHARTER COMMUNICATIONS OPERA	109.98
140116	CINTAS	30.00
140117	CINTAS CORPORATION	184.57
140118	CITY OF STURGIS	892.24
140119	CIVIC SYSTEMS LLC	9,451.00
140120	CONWAY PROFESSIONAL SERVICES	22,527.00
140121	COOPER, MELANIE S	165.00
140122	DELL MARKETING LP	31.04
140123	DeROSIA, PATRICIA E.	50.00
140124	DEWOLF & ASSOCIATES	150.00
140125	DHASELEER EVENTS BARN	475.00
140126	DITCH WITCH SALES OF MICHIGAN	1,708.25
140127	DORAN, JUSTIN J.	50.00
140128	DOTSON, LINDSEY J.	394.91
140129	DOUGLAS, MARK	50.00
140130	DRENTH, DOUGLAS A	50.00
140131	DROST LANDSCAPE	5,196.60
140132	DVORACEK, SARAH	50.00
140133	ECONO SIGNS LLC	311.67
140134	EDGEWATER RESOURCES LLC	1,015.00
140135	ELLIOTT, PATRICK M.	50.00
140136	ELMER'S CRANE & DOZER INC	712,683.05

Check Number	Payee	Amount
140186	MCDERMOTT, DENNIS J.	132.74
140187	MCDONNELL, JILL L	50.00
140188	McGINN, KELLY A.	50.00
140189	METAL HEAD WELDING LLC	1,391.00
140190	MICHIGAN MUSHROOM MARKET	107.00
140191	MILLARD, CHARLES LAWRENCE	1,800.00
140192	MILLER, FAITH G	24.89
140193	MILLER, SEAN	400.00
140194	MISSION COMMUNICATIONS LLC	910.80
140195	NAVIA BENEFIT SOLUTIONS	100.00
140196	NORTH COAST FASTENERS LLC	80.00
140197	NORTHERN MONUMENT	90.00
140198	NORTHERN PUMP SERVICE INC	9,913.11
140199	NORTHERN SAFETY CO INC	72.80
140200	NORTHWEST ELECTRONICS & REPAI	39.99
140201	NW MI COG	6,514.75
140202	OHM ADVISORS	7,257.00
140203	OLSON BZDOK & HOWARD PC	3,906.00
140204	OMS COMPLIANCE SERVICES INC	212.25
140205	OTHERSIDE FERTILIZER COMPANY, T	5,220.00
140206	OUDBIER INSTRUMENT CO	1,450.00
140207	PENINSULA FIBER NETWORK LLC	470.00
140208	PERFORMANCE ENGINEERS INC	39,920.00
140209	POWER LINE SUPPLY	8,689.80
140210	POWER SYSTEM ENGINEERING INC	10,577.50
140211	POWERPLAN	2,782.78
140212	PREIN & NEWHOF	1,362.00
140213	PREMIER POWER MAINTENANCE	4,337.25
140214	PRICE, JESSICA	48.50
140215	PRO IMAGE DESIGN - PETOSKEY	505.61
140216	PROVIDENCE ORGANIC FARM	582.00
140217	PVS TECHNOLOGIES INC	11,216.95
140218	R & R PRODUCTS INC	541.90
140219	RAMSBY DRILLING INC.	41,781.25
140220	SCHEEL, JONATHAN D	50.00
140221	SCHOLEY, ROBERT W.	50.00
140222	SHARROW, JACOB	1,500.00
140223	SITE PLANNING DEVELOPMENT INC	1,200.00
140224	SITEONE LANDSCAPE SUPPLY LLC	184.89
140225	SPARTAN DISTRIBUTORS INC	566.10
140226	SPRINGFIELD INC	1,725.00
140227	STATE OF MICHIGAN	560.49
140228	STITCH N LYDS LLC	2,077.15
140229	SUN BADGE CO	164.50
140230	SWEET MARIA'S LLC	536.00
140231	TELE-RAD INC	8,220.57
140232	TOP LINE ELECTRIC LLC	241.31
140233	TRACE ANALYTICAL LABORATORIES I	1,103.80
140234	TRANSUNION RISK AND ALTERNATIV	75.00

M = Manual Check, V = Void Check

Check Number	Payee	Amount
07/17/2023		
71723001	MICHIGAN PUBLIC POWER AGENCY	36,293.35
Total 07/17/2023:		36,293.35
Grand Totals:		36,293.35

Check Number	Payee	Amount
07/20/2023		
72023001	ENTERPRISE FM TRUST	4,326.98
Total 07/20/2023:		4,326.98
Grand Totals:		4,326.98

Check Issue Date	Check Number	Payee	Amount
72123001			
07/21/2023	72123001	**EFTPS* Payroll Taxes	13,224.49
07/21/2023	72123001	**EFTPS* Payroll Taxes	13,224.49
07/21/2023	72123001	**EFTPS* Payroll Taxes	3,092.83
07/21/2023	72123001	**EFTPS* Payroll Taxes	3,092.83
07/21/2023	72123001	**EFTPS* Payroll Taxes	17,631.30
Total 72123001:			
	5		50,265.94
72123002			
07/21/2023	72123002	Alerus Financial	558.00
Total 72123002:			
	1		558.00
72123003			
07/21/2023	72123003	MissionSquare - 401 Plan 109153	1,062.00
Total 72123003:			
	1		1,062.00
72123004			
07/21/2023	72123004	MissionSquare - 457 Plan 300959	4,636.00
07/21/2023	72123004	MissionSquare - 457 Plan 300959	2,776.47
07/21/2023	72123004	MissionSquare - 457 Plan 300959	4,662.42
07/21/2023	72123004	MissionSquare - 457 Plan 300959	9,207.98
Total 72123004:			
	4		21,282.87
72123005			
07/21/2023	72123005	MissionSquare - Roth IRA 706117	1,220.76
Total 72123005:			
	1		1,220.76
72123006			
07/21/2023	72123006	STATE OF MICHIGAN	7,581.69
Total 72123006:			
	1		7,581.69
Grand Totals:			
	13		81,971.26



Check Number	Payee	Amount
07/21/2023		
72123007	MERS	59,510.51
Total 07/21/2023:		59,510.51
Grand Totals:		59,510.51

Check Number	Payee	Amount
07/24/2023		
72423001	MICHIGAN PUBLIC POWER AGENCY	37,281.38
Total 07/24/2023:		37,281.38
Grand Totals:		37,281.38

Check Number	Payee	Amount
07/25/2023		
72523001	MICHIGAN PUBLIC POWER AGENCY	227,346.11
Total 07/25/2023:		227,346.11
Grand Totals:		227,346.11

Check Number	Payee	Amount
07/31/2023		
73123001	MICHIGAN PUBLIC POWER AGENCY	39,476.87
Total 07/31/2023:		39,476.87
Grand Totals:		39,476.87

Check Issue Date	Check Number	Payee	Amount
80423001			
08/04/2023	80423001	**EFTPS* Payroll Taxes	13,925.14
08/04/2023	80423001	**EFTPS* Payroll Taxes	13,925.14
08/04/2023	80423001	**EFTPS* Payroll Taxes	3,256.75
08/04/2023	80423001	**EFTPS* Payroll Taxes	3,256.75
08/04/2023	80423001	**EFTPS* Payroll Taxes	19,284.62
Total 80423001:			
	5		53,648.40
80423002			
08/04/2023	80423002	Alerus Financial	558.00
Total 80423002:			
	1		558.00
80423003			
08/04/2023	80423003	MissionSquare - 401 Plan 109153	1,062.00
Total 80423003:			
	1		1,062.00
80423004			
08/04/2023	80423004	MissionSquare - 457 Plan 300959	4,636.00
08/04/2023	80423004	MissionSquare - 457 Plan 300959	2,682.74
08/04/2023	80423004	MissionSquare - 457 Plan 300959	4,603.11
08/04/2023	80423004	MissionSquare - 457 Plan 300959	9,262.54
Total 80423004:			
	4		21,184.39
80423005			
08/04/2023	80423005	MissionSquare - Roth IRA 706117	1,170.76
Total 80423005:			
	1		1,170.76
80423006			
08/04/2023	80423006	STATE OF MICHIGAN	8,066.33
Total 80423006:			
	1		8,066.33
Grand Totals:			
	13		85,689.88

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Check Number	Payee	Amount
07/17/2023		
4006	CHARLEVOIX COUNTY TREASURER	422.33
4007	CHARLEVOIX COUNTY TREASURER	151,655.06
4008	CHARLEVOIX PUBLIC SCHOOLS	334,596.59
4009	CITY OF CHARLEVOIX - TAXES DUE	18,984.76
4010	CITY OF CHARLEVOIX/DDA	374,752.00
4011	STATE OF MICHIGAN	2,847.18
Total 07/17/2023:		883,257.92
Grand Totals:		883,257.92

CHECKS DRAWN ON CHARLEVOIX STATE BANK ACCOUNT

Check Number	Payee	Amount
07/27/2023		
4012	CHARLEVOIX COUNTY TREASURER	233,533.07
4013	CHARLEVOIX PUBLIC SCHOOLS	367,449.68
4014	CITY OF CHARLEVOIX - TAXES DUE	262,923.11
Total 07/27/2023:		863,905.86
Grand Totals:		863,905.86

CHECKS DRAWN ON CHARLEVOIX STATE BANK ACCOUNT

Charlevoix City Council

Consent Agenda

Title: Compensation Commission Report

Date: August 7, 2023

Presented By:

Background:

Pursuant to the Charlevoix City Charter (Section 2.11) and the Charlevoix City Code (Section 32.091), the Compensation Commission met on August 1. The Commission meets every odd year to determine the pay of our elected officials. The Commission decided not to change pay rates for the Mayor and City Council. This decision will take effect unless you act to reject it.

Recommendation:

Motion to accept the Compensation Commission's recommendation.

Attachments:

1. 2023.08.01 Compensation Commission Minutes

City of Charlevoix
Elected Officials Compensation Commission Regular Meeting Minutes
Tuesday, August 1, 2023 - 3:00 PM
Council Chambers, 210 State Street, Charlevoix, MI

1. Call to Order and Roll Call

The meeting was called to order at 3 p.m.

Chair: Dale Meredith

Members Present: Bridget Martin, Marianne Mast

City Clerk: Sarah J. Dvoracek

2. Appointment of Chair

Motion by Mast, seconded by Martin to appoint Meredith as Chair of the Compensation Commission.

Motion carried by unanimous voice vote.

3. Inquiry into Potential Conflicts of Interest

None.

4. Welcome Newest Member: Bridget Martin

Commission welcomed Bridget Martin as the newest member.

5. New Business

A. History of the Compensation Commission

Clerk Dvoracek stated she included portions of the Home Rule City Public Act, the City Ordinance and the City Charter which provides the Compensation Commission with the authority to set the pay for our elected officials. Ms. Dvoracek stated she also included the Compensation Commission's minutes from 2019 and 2021 to provide Member Martin with a brief history of the Commission in recent years. Discussion was held regarding the Compensation Commission's history.

B. Elected Officials Per Diem/Annual Compensation

Discussion was held regarding elected officials' wages in nearby communities and the data provided. The Commission analyzed the current pay of the elected officials. After discussion, the Commission all concurred that the compensation should remain the same.

6. Public Comment

None.

7. Motion to Appoint Chair to Approve Minutes

Motion by Martin, seconded by Mast to appoint the Chair to approve the minutes {according to the Roberts Rules of Order, Newly Revised, 10th Edition}.

Motion carried by unanimous voice vote.

8. Adjourn

Chair Meredith adjourned the meeting at 3:20 p.m.

Sarah J. Dvoracek City Clerk

Dale Meredith Chair

Charlevoix City Council

Consent Agenda

Title: Resolution to Adopt the Annual Exemption Option in PA 152 for the 2023-24 Medical Benefit Plan Coverage Year

Date: August 7, 2023

Presented By:

Background:

Public Act 152 (PA 152) or the Publicly Funded Health Insurance Contribution Act limits the amount public employers pay toward employee medical benefits.

The City has three options for complying with the requirements of PA 152, which it must do on an annual basis. The three options are:

1. “Hard Cap” Option – limits the amount the City may contribute annually to employees’ medical benefit plans based on coverage levels, as defined by the State Treasury on an annual basis. The contribution limits for CY 2023 are included in your agenda packets.
2. “80%/20%” Option – limits the City’s share of total annual health care costs to not more than 80%. This option requires a majority vote by the Council annually.
3. “Exemption” or “Opt Out” Option – the City may exempt itself from the requirements of PA 152 by an annual 2/3 vote of Council.

Since the law has been in effect, Council has voted unanimously to exempt the City from the requirements of PA 152. For the upcoming 2023-24 medical benefit plan coverage year which starts October 1st, staff recommends Council again vote to exempt the City from the PA 152 requirements.

The City of Charlevoix uses a hybrid approach to sharing costs with employees. Non-union, PLC, and CWA employees will pay 20% for the higher cost \$1,000/\$2,000 deductible plan and 5% for the lower cost HSA plan.

For the 2023-24 insurance plan year, the City will still maintain two insurance plans. There are currently 4 employees on the higher cost \$1,000/\$2,000 deductible plan, 37 employees on the lower cost HSA plan, 1 employee that picks up Dental and Vision services only, and 5 employees that Opt-Out of health insurance.

The HSA plan was modified this year by changing the Copay, Out-of-pocket maximum, and the Employer Contribution in order to reduce the impact of the increased premiums on the City and the employees.

- The Copay percentage was changed from 20% to 30%
- The Out-of-Pocket Maximum was increased from \$2,500 (individual) / \$5,000 (Double/Family) to \$3,000 / \$6,000 respectively.
- The City Contribution increased from \$1,550 (individual) / \$3,100 (Double/Family) to \$1,650 / \$3,300 respectively.

With the modifications, the premiums for the HSA plan reduced 0.2%.

The higher cost \$500/\$1,000 plan was also modified this year by changing the Deductible and Copay in order to reduce the impact of the increased premiums on the City and the employees.

- The Deductible was changed from \$500 (individual) / \$1,000 (Double/Family) to \$1,000 / \$2,000 respectively.
- The Copay was changed from 20% (\$2,000 individual / \$4,000 Double/Family) to 20% (\$2,500/\$5,000) respectively.

With the modifications, the premiums for this plan decreased 1.1%.

Recommendation:

Motion to approve Resolution 2023-08-01 adopting the annual exemption option as set forth in PA 152 for the City's medical benefit plan coverage year October 1, 2023 through September 31, 2024.

Attachments:

1. Resolution 2023-08-01 PA 152
2. 2023 and 2024 Public Employer Contribution to Medical Benefit Plans Annual Cost Limitations - signed

**CITY OF CHARLEVOIX
RESOLUTION NO. 2023-08-01**

RESOLUTION TO ADOPT THE ANNUAL EXEMPTION OPTION AS SET FORTH IN 2011 PUBLIC ACT 152,
THE PUBLICLY FUNDED HEALTH INSURANCE CONTRIBUTION ACT

WHEREAS, 2011 Public Act 152 (the "Act") was passed by the State Legislature and signed by the Governor on September 24, 2011; and

WHEREAS, the Act contains three options for complying with the requirements of the Act; and

WHEREAS, the three options are as follows:

- 1) Section 3 - "Hard Caps" Option - limits a public employer's total annual health care costs for employees based on coverage levels, as defined in the Act;
- 2) Section 4 - "80%/20%" Option - limits a public employer's share of total annual health care costs to not more than 80%. This option requires an annual majority vote of the governing body;
- 3) Section 8 - "Exemption" Option - a local unit of government, as defined in the Act, may exempt itself from the requirements of the Act by an annual 2/3 vote of the governing body; and

WHEREAS, the City Council has decided to adopt the annual Exemption option as its choice of compliance under the Act.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Charlevoix elects to comply with the requirements of 2011 Public Act 152, the Publicly Funded Health Insurance Contribution Act, by adopting the annual Exemption option for the medical benefit plan coverage year October 1, 2023 through September 31, 2024.

RESOLVED this 7th day of August, 2023 A.D.

Resolution was adopted by the following yeas and nays vote:

Yeas:

Nays:

Absent:



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TREASURY

RACHAEL EUBANKS
STATE TREASURER

March 21, 2023

**PUBLIC EMPLOYER CONTRIBUTIONS TO MEDICAL BENEFIT PLANS
ANNUAL COST LIMITATIONS – CALENDAR YEAR 2024**

For a medical benefit plan coverage year beginning on or after January 1, 2012, MCL 15.563, as last amended by 2018 Public Act 477, sets a limit on the amount that a public employer may contribute to a medical benefit plan.

For medical benefit plan coverage years beginning on or after January 1, 2013, MCL 15.563 provides that the dollar amounts that are multiplied by the number of employees with each coverage type be adjusted annually. Specifically, the dollar amounts shall be adjusted, by October 1 of each year after 2011 and before 2019, by the change in the medical care component of the United States consumer price index for the most recent 12-month period for which data are available. By April 1 of each year after 2018, the dollar amounts shall be adjusted by the change in the medical care component of the U.S. consumer price index for the most recent 12-month period for which data are available. For calendar year 2023, the limit on the amount that a public employer may contribute to a medical benefit plan was set to the sum of the following:

- \$7,399.47 times the number of employees and elected public officials with single-person coverage
- \$15,474.60 times the number of employees and elected public officials with individual-and-spouse coverage or individual-plus-1-nonspouse-dependent coverage
- \$20,180.43 times the number of employees and elected public officials with family coverage.

The limits for 2024 equal the 2023 limits increased by **4.1 percent**. The 4.1 percent is the percentage change in the medical care component from the period March 2021-February 2022 to the period March 2022-February 2023.

Thus, for medical benefit plan coverage years beginning on or after January 1, 2024, the limit on the amount that a public employer may contribute to a medical benefit plan equals the sum of the following:

- \$7,702.85 times the number of employees and elected public officials with single-person coverage
- \$16,109.06 times the number of employees and elected public officials with individual -and-spouse coverage or individual-plus-1-nonspouse-dependent coverage
- \$21,007.83 times the number of employees and elected public officials with family coverage.

Rachael Eubanks

Rachael Eubanks
State Treasurer

March 21, 2023

Charlevoix City Council

Consent Agenda

Title: Request for use of Odmark Pavilion on August 13, 2023

Date: August 7, 2023

Presented By:

Background:

There has been a request put in to use Odmark Pavilion for a short concert on Saturday, 8/13/23.
Details are attached.

Recommendation:

Motion to approve use of Odmark Pavilion for concert on 8/13/23.

Attachments:

1. Sam Woolf - Performance

The event will run approximately an hour and a half and will feature American Idol finalist Sam Woolf as he performs a live acoustic set of original music. The performance will feature songs written by Sam to be released later this year as part of an upcoming solo album, along with some cover songs as well. We intend to book the pavilion from 5pm until 8:30pm on Sunday, August 13th. This will allow us an hour or so of setup and rehearsal time and the remaining time to play the show. This event will be open and free to all residents/non-residents of Charlevoix County. Sam Woolf was raised in Charlevoix as a child before moving to Florida then New York City as an adult. He still spends his summers in Northern Michigan with Charlevoix holding a special place in his heart. He was a former top 5 finalist on American Idol and currently resides in East Village, New York fostering a successful solo career. He is a regular performer in the Magic Room of the famous Ned Hotel in New York City—whose weekly guests include A list celebrities and high profile politicians. Sam will be in Charlevoix the weekend of August 11th and would love to hold a non-ticketed show downtown for the city as a way of fulfilling a childhood dream.

Charlevoix City Council

Consent Agenda

Title: 2023/24 Road Salt Purchase for \$18,377.50

Date: August 7, 2023

Presented By:

Background:

Each spring we submit to the State of Michigan the estimated amount of winter road salt that we anticipate utilizing for the upcoming winter. Once all municipalities have submitted their requests to the State, the State then bids out the total amount of salt that will be needed throughout Michigan for the upcoming winter season. This process is bid out by the MIDEAL program.

This year we submitted a request for 250 tons of the early delivery road salt. The bids for this material have come back and our cost per ton is \$73.51 for a total of \$18,377.50. This material is paid for out of the winter maintenance budget through the major and local street funds.

Recommendation:

Motion to approve the 2023/24 road salt purchase in the amount of \$18,377.50

Attachments:

None

Charlevoix City Council

Consent Agenda

Title: Landscape Planting Contract with Site Planning Development, Inc. for \$19,120.00

Date: August 7, 2023

Presented By:

Background:

During the summer months, City staff along with the Shade Tree and Parks Commission have been working with Site Planning Development, Inc. (SPD) to create an updated landscape plan for the four planting areas along the marina in East Park. These areas are where the existing electrical transformers are located, along with the submariners' memorial area.

The existing plantings have either died due to the extremely high water levels from a couple of years ago, or they have become overgrown and are unsightly. The overall project would include the removal of the existing plant material, preparation of the bed areas and ultimately planting all new plants in these locations. The plants that have been chosen are hardy plants that can withstand the environment that they will be growing in. The plantings will be similar and style to what SPD installed on the top of the Performance Pavilion and the Harbor Master Building a number of years ago.

The funding for this project will come out of the tree maintenance budgets. By completing this work, we will still be able to plant approximately 20 street trees out of the tree maintenance budget as well.

Recommendation:

Motion to accept the proposal as submitted by SPD for \$19,120.00 and authorize the City Manager to sign all required documents.

Attachments:

1. City CHX_East Park_Proposal_Planting



Site Planning Development, Inc.
DESIGN • CONSTRUCTION • MAINTENANCE

July 28, 2023

City of Charlevoix, Street Department
C/O Pat Elliott
210 State St.
Charlevoix, MI 49720

pate@cityofcharlevoix.org
(231) 330-0842 (C)

Proposal: East Park – Four Plant Beds Improvements

Dear Pat,

Site Planning Development, Inc. proposes to furnish all labor, materials and equipment to complete the work described below.

North Transformer Bed

Estimated Cost: \$1,450.00

- Remove existing groundcover by hand for new plants to be installed
- Install plants per plan dated 6/13/23 with slow release granular fertilizer, pre-emergent weed control, 2" triple-ground hardwood mulch and shoveled bed edge
- Provide initial water to plants after installation
- Restore site upon completion
- Clean up all construction debris generated by Site Planning Development, Inc.

Middle Transformer Bed

Estimated Cost: \$6,050.00

- Apply herbicide to kill all weeds, cattails and groundcover within existing bed limits
- Remove and dispose of existing plants within bed
- Prep bed for new plant installation; add topsoil as necessary
- Install plants per plan dated 6/13/23 with slow release granular fertilizer, pre-emergent weed control, 2" triple-ground hardwood mulch
- Provide initial water to plants after installation
- Restore site upon completion
- Clean up all debris generated by Site Planning Development, Inc.

Submarine Memorial Bed

Estimated Cost: \$6,510.00

- Apply herbicide to kill all weeds and groundcover within existing beds limits
- Remove and dispose of existing plants within beds
- Prep bed for new plant & sod installation; add topsoil as necessary
- Install plants per plan dated 6/13/23 with slow release granular fertilizer, pre-emergent weed control, 2" triple-ground hardwood mulch
- Restore south bed along stairway to lawn with Kentucky Bluegrass sod
- Provide initial water to plants after installation
- Restore site upon completion
- Clean up all construction debris generated by Site Planning Development, Inc.

South Transformer Bed

Estimated Cost: \$5,110.00

- Apply herbicide to kill all weeds and groundcover within existing beds limits
- Remove and dispose of existing plants within beds
- Prep bed for new plant installation; add topsoil as necessary
- Install plants per plan dated 6/13/23 with slow release granular fertilizer, pre-emergent weed control, 2" triple-ground hardwood mulch
- Provide initial water to plants after installation
- Restore site upon completion
- Clean up all construction debris generated by Site Planning Development, Inc.

Terms: The estimated cost of work described above is **\$19,120.00**. We request a 30% down payment (**\$5,736.00**) before work commences. Actual cost may vary due to changes in work and/or unanticipated conditions or underground variables. Monthly progress payments for work completed and materials delivered will follow, the amount calculated on a time and materials basis. Final payment is calculated likewise and due upon completion.

Insurances: Site Planning Development, Inc. and all of our sub-contractors carry all required liability, workers compensation and other insurances. Certificates of insurance are available upon request.

Acceptance: You may authorize us to schedule the work by returning a signed copy of this proposal, which will constitute your acceptance and agreement with the terms of this proposal.

Respectfully submitted,

Acceptance:

Tressa Poole

TRESSA POOLE, PLA

PAT ELLIOTT

Date: _____

Charlevoix City Council

Public Hearings and Actions Requiring Public Hearings

Title: Citizen-Initiated Ordinance to Enhance and Preserve Ferry Beach

Date: August 7, 2023

Presented By: Mark Heydlauff, City Manager

Background:

At your last meeting, you were presented with a citizen-initiated ordinance to make the former DPW Site on Stover Road part of Ferry Beach Park. Attached is the language of the ordinance from the Initiative Committee and a memo from the City Attorney on Council's options for this item. The Council set a public hearing to receive public comment on this matter. After you receive the comment, you can proceed to adopt the ordinance, reject the ordinance (thus sending it immediately to the ballot), or take no action (which holds it in limbo until 60 days have elapsed from its declaration of sufficiency).

If Council decides to reject the ordinance and send it to the ballot in November, Council is required to approve the ballot language by resolution. Scott Howard, City Attorney, has provided Council with a draft resolution if they choose this option. Below is the text of the ballot question contained within this resolution:

Shall the City of Charlevoix adopt an ordinance that designates City owned vacant property at 229 Stover Road as a City park named Ferry Beach Park, subject to the requirements of Section 2.16(f) of the City Charter which requires a majority vote of the electors voting thereon in order for the City to remove the park designation for the property or to sell, divide, lease, partition, plat, subdivide, or dispose of any part of the property?

Recommendation:

Council discussion and direction.

Attachments:

1. Copy of Proposed Initiative Ordinance
2. Copy of Petition Circulated
3. Certificate of Sufficiency from City Clerk
4. Memo from Scott Howard, City Attorney
5. Draft Resolution 2023-08-07 Use of 229 Stover as Ferry Beach Park

LOCAL PROPOSAL PETITION

An initiative ordinance that designates the property located at 229 Stover Rd. as part of Ferry Beach Park

CITY OF CHARLEVOIX ORDINANCE NO. ___ OF 2023

AN ORDINANCE TO DESIGNATE THE PROPERTY LOCATED AT 229 STOVER RD. AS PART OF FERRY BEACH PARK

THE CITY OF CHARLEVOIX ORDAINS:

Section 1: Purpose

For decades, the City of Charlevoix Street Department (now known as the Department of Public Works), ran all operations from the "Property", as defined in Section 2 of this Ordinance. The structures on the Property were removed, and the City hired consultants to evaluate the Property and develop recommendations on the best future use for the Property. On October 27, 2022, the consultants finalized the Ferry Avenue Corridor Study, which recommended that the best future use of the Property was passive park use that includes open lawn spaces, seating and viewing areas, and limited parking. The purpose of this Ordinance is to designate the Property as part of Ferry Beach Park to implement the recommendations of the Ferry Avenue Corridor Study.

Section 2: Property description

As used in this Ordinance, the "Property" means the parcel of land owned by the City commonly known as 229 Stover Rd., Charlevoix, MI 49720 and legally described and depicted on Exhibit A, and subject to all easements, covenants, restrictions, and conveyances previously granted, including but not limited, to the use and enjoyment of Ferry Avenue as a public road.

Section 3: Designation as city park

Under Section 2.16(f) of the Charter, the Property is hereby designated as part of Ferry Beach Park.

Section 4: Approval of majority of electors

As required by Section 2.16(f) of the Charter, the following actions require the specific approval of a majority of electors voting thereon at any general or special election:

- A. The removal of or any change to the designation of the Property as part of Ferry Beach Park.
- B. To sell, divide, lease, partition, plat, subdivide, or dispose of Ferry Beach Park or any part thereof, including but not limited to, the Property, except as provided in Section 2.16(h) of the Charter.

Section 5: Effective Date

This Ordinance shall take effect as follows:

- A. If the City Council approves the Ordinance, the Ordinance shall take effect when the Ordinance is recorded and authenticated under Section 5.6 of the Charter or within seven (7) days after notice has been published in a local newspaper of general circulation in the City that the Ordinance has been properly authenticated and recorded under Section 5.6 of the Charter.
- B. If the Ordinance is submitted to voters under Section 6.6 of the Charter and a majority of the registered electors votes in favor of the Ordinance, the Ordinance shall take effect upon certification of the election results.

Section 6: Treated same as ordinance adopted by the Council

If this Ordinance is submitted to voters under Section 6.6 of the Charter and a majority of the registered electors votes in favor of the Ordinance, the Ordinance shall be treated in all respects in the same manner as ordinances of the same kind adopted by the Council.

Section 7: Not related to budget, appropriation of money, or levy of taxes

This Ordinance is not related to the budget or Capital Program, an appropriation of money, a levy of taxes, or salaries of City officials or employees. Any action to implement this Ordinance that relates to the budget or Capital Program, an appropriation of money, a levy of taxes, or salaries of City officials or employees must be taken pursuant to authority other than an initiated ordinance under Article VI of the Charter.

Exhibit A
Description and Depiction of Property

Real property located in the City of Charlevoix, Charlevoix County, Michigan, and described as follows:

229 STOVER RD 87COMB 335-069-00,335-000-10&335-073-10 BEG ON N LI STOVER RD 1162.26FT E OF C/LMAY ST TH N 297 FT TH E 62.44 FT TH N 165 FT TH E 260.75 FT TO NWLY LI C&O RR R/W TH SWLY AL R/W TO N LI ST OVER RD TH W TO POB PT GOV LOT 1 & PT SE 1/4 OF NW 1/4 SEC 35 T34N R8W. ALSO A STRIP OF LD 100 FT IN WIDTH TH C/L OF WHICH IS DESC AS FOLLOWS: COM AT SW COR LOT 1 J MILO EATONS ADD TO VILLAGE OF CX TH WLY AL SLY LI SD EATONS ADD 49.73 FT FOR POB TH S 15DEG 40'35"W 1310 FT M/L TO PT ON NLYLI STOVER RD WHICH IS 82 FT M/L E OF N&S1/4 LI SEC 35-34-8 EX THEREFROM ANY LANDLYING ELY OF A LI BEING 33 FT EL Y OF & PARA WI THE C/L FERRY RD AS IS NOW LAID OUT & TRAVELED L280 P858 ALSO: COM AT INTER OF C/L OF STOVER RD WI C/L FERRY AVE TH NLY AL C/L SD FERRY AVE 158 FT TH W TO WLY LI SD AVE FOR POB TH CONT W TO SELY LI OF C&O RR R/W TH NELY AL SELY LISD R/W TO INTER WI WLY LI SD FERRY AVE TH SLY AL SD FERRY AVE TO POB BEING PT OF GOV LOT 1 SEC 35 T34N R8W.

Property Address: 229 Stover Road
Charlevoix, Michigan 49720

Property ID No.: 052-335-069-00



LOCAL PROPOSAL PETITION

The circulator of this petition is (check one)

- ☐ A paid signature gatherer
☐ A volunteer signature gatherer

If the petition circulator does not comply with all of the requirements of the Michigan election law for petition circulators, any signature obtained by that petition circulator on that petition is invalid and will not be counted.

☒ City
☐ Township
☐ Village of
} Charlevoix
[Check One]

We, the undersigned qualified and registered electors, residents in the _____, in the County of _____, State of Michigan, respectively petition for: _____

An initiative ordinance that designates the property located at 229 Stover Rd. as part of Ferry Beach Park.

For the full text of the proposed Initiative ordinance, see the reverse side of this petition.

WARNING – A PERSON WHO KNOWINGLY SIGNS THIS PETITION MORE THAN ONCE, SIGNS A NAME OTHER THAN HIS OR HER OWN, SIGNS WHEN NOT A QUALIFIED AND REGISTERED ELECTOR, OR SETS OPPOSITE HIS OR HER SIGNATURE ON A PETITION, A DATE OTHER THAN THE ACTUAL DATE THE SIGNATURE WAS AFFIXED, IS VIOLATING THE PROVISIONS OF THE MICHIGAN ELECTION LAW.

	SIGNATURE	PRINTED NAME	STREET ADDRESS OR RURAL ROUTE	ZIP CODE	DATE OF SIGNING		
					MONTH	DAY	YEAR
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							

CERTIFICATE OF CIRCULATOR

The undersigned circulator of the above petition asserts that he or she is 18 years of age or older and a United States citizen; that each signature on the petition was signed in his or her presence; that he or she has neither caused nor permitted a person to sign the petition more than once and has no knowledge of a person signing the petition more than once; and that, to his or her best knowledge and belief, each signature is the genuine signature of the person purporting to sign the petition, the person signing the petition was at the time of signing a registered elector of the City or Township listed in the heading of the petition, and the elector was qualified to sign the petition.

☐ If the circulator is not a resident of Michigan, the circulator shall make a cross [X] or check mark [✓] in the box provided, otherwise each signature on this petition sheet is invalid and the signatures will not be counted by a filing official. By making a cross or check mark in the box provided, the undersigned circulator asserts that he or she is not a resident of Michigan and agrees to accept the jurisdiction of this state for the purpose of any legal proceeding or hearing that concerns a petition sheet executed by the circulator and agrees that legal process served on the Secretary of State or a designated agent of the Secretary of State has the same effect as if personally served on the circulator.

WARNING-A CIRCULATOR KNOWINGLY MAKING A FALSE STATEMENT IN THE ABOVE CERTIFICATE, A PERSON NOT A CIRCULATOR WHO SIGNS AS A CIRCULATOR, OR A PERSON WHO SIGNS A NAME OTHER THAN HIS OR HER OWN AS CIRCULATOR IS GUILTY OF A MISDEMEANOR.

Paid for with regulated funds by Citizens to Preserve & Enhance Ferry Beach, 309 Peloskey Ave., Charlevoix, MI 49720

CIRCULATOR – DO NOT SIGN OR DATE CERTIFICATE UNTIL AFTER CIRCULATING PETITION.

(Signature of Circulator) _____ / _____ / _____ (Date)

(Printed Name of Circulator)

(Complete Residence Address [Street and Number or Rural Route]) – [Do not enter a post office box]

(City or Township, State, Zip Code)

(County of Registration, if Registered to Vote, of a Circulator who is not a Resident of Michigan)

EXHIBIT A

3 of 3

LOCAL PROPOSAL PETITION

RECEIVED
JUN 27 2023

The circulator of this petition is (check one)
☐ A paid signature gatherer
☐ A volunteer signature gatherer

If the petition circulator does not comply with all of the requirements of the Michigan election law for petition circulators, any signature obtained by that petition circulator on that petition is invalid and will not be counted.

☒ City
☐ Township
☐ Village of

Charlevoix

Check One

We, the undersigned qualified and registered electors, residents in the

in the County of

State of Michigan, respectively petition for:

An initiative ordinance that designates the property located at 229 Stover Rd. as part of Ferry Beach Park.

For the full text of the proposed initiative ordinance, see the reverse side of this petition.

WARNING – A PERSON WHO KNOWINGLY SIGNS THIS PETITION MORE THAN ONCE, SIGNS A NAME OTHER THAN HIS OR HER OWN, SIGNS WHEN NOT A QUALIFIED AND REGISTERED ELECTOR, OR SETS OPPOSITE HIS OR HER SIGNATURE ON A PETITION, A DATE OTHER THAN THE ACTUAL DATE THE SIGNATURE WAS AFFIXED, IS VIOLATING THE PROVISIONS OF THE MICHIGAN ELECTION LAW.

SIGNATURE	PRINTED NAME	STREET ADDRESS OR RURAL ROUTE	ZIP CODE	DATE OF SIGNING		
				MONTH	DAY	YEAR
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
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10.						

CERTIFICATE OF CIRCULATOR

The undersigned circulator of the above petition asserts that he or she is 18 years of age or older and a United States citizen; that each signature on the petition was signed in his or her presence; that he or she has neither caused nor permitted a person to sign the petition more than once and has no knowledge of a person signing the petition more than once; and that, to his or her best knowledge and belief, each signature is the genuine signature of the person purporting to sign the petition, the person signing the petition was at the time of signing a registered elector of the City or Township listed in the heading of the petition, and the elector was qualified to sign the petition.

☐ If the circulator is not a resident of Michigan, the circulator shall make a cross [X] or check mark [✓] in the box provided, otherwise each signature on this petition sheet is invalid and the signatures will not be counted by a filing official. By making a cross or check mark in the box provided, the undersigned circulator asserts that he or she is not a resident of Michigan and agrees to accept the jurisdiction of this state for the purpose of any legal proceeding or hearing that concerns a petition sheet executed by the circulator and agrees that legal process served on the Secretary of State or a designated agent of the Secretary of State has the same effect as if personally served on the circulator.

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CIRCULATOR – DO NOT SIGN OR DATE
CERTIFICATE UNTIL AFTER CIRCULATING PETITION.

(Signature of Circulator) / / (Date)

(Printed Name of Circulator)

(Complete Residence Address (Street and Number or Rural Route)) – (Do not enter a post office box)

(City or Township, State, Zip Code)

(County of Registration, if Registered to Vote, of a Circulator who is not a Resident of Michigan)

LOCAL PROPOSAL PETITION

An initiative ordinance that designates the property located at 229 Stover Rd. as part of Ferry Beach Park

CITY OF CHARLEVOIX
ORDINANCE NO. ___ OF 2023

AN ORDINANCE TO DESIGNATE THE PROPERTY LOCATED AT 229 STOVER RD. AS PART OF FERRY BEACH PARK

THE CITY OF CHARLEVOIX ORDAINS:

Section 1: Purpose

For decades, the City of Charlevoix Street Department (now known as the Department of Public Works), ran all operations from the "Property", as defined in Section 2 of this Ordinance. The structures on the Property were removed, and the City hired consultants to evaluate the Property and develop recommendations on the best future use for the Property. On October 27, 2022, the consultants finalized the Ferry Avenue Corridor Study, which recommended that the best future use of the Property was passive park use that includes open lawn spaces, seating and viewing areas, and limited parking. The purpose of this Ordinance is to designate the Property as part of Ferry Beach Park to implement the recommendations of the Ferry Avenue Corridor Study.

Section 2: Property description

As used in this Ordinance, the "Property" means the parcel of land owned by the City commonly known as 229 Stover Rd., Charlevoix, MI 49720 and legally described and depicted on Exhibit A, and subject to all easements, covenants, restrictions, and conveyances previously granted, including but not limited, to the use and enjoyment of Ferry Avenue as a public road.

Section 3: Designation as city park

Under Section 2.16(f) of the Charter, the Property is hereby designated as part of Ferry Beach Park.

Section 4: Approval of majority of electors

As required by Section 2.16(f) of the Charter, the following actions require the specific approval of a majority of electors voting thereon at any general or special election:

- A. The removal of or any change to the designation of the Property as part of Ferry Beach Park.
- B. To sell, divide, lease, partition, plat, subdivide, or dispose of Ferry Beach Park or any part thereof, including but not limited to, the Property, except as provided in Section 2.16(h) of the Charter.

Section 5: Effective Date

This Ordinance shall take effect as follows:

- A. If the City Council approves the Ordinance, the Ordinance shall take effect when the Ordinance is recorded and authenticated under Section 5.6 of the Charter or within seven (7) days after notice has been published in a local newspaper of general circulation in the City that the Ordinance has been properly authenticated and recorded under Section 5.6 of the Charter.
- B. If the Ordinance is submitted to voters under Section 6.6 of the Charter and a majority of the registered electors votes in favor of the Ordinance, the Ordinance shall take effect upon certification of the election results.

Section 6: Treated same as ordinance adopted by the Council

If this Ordinance is submitted to voters under Section 6.6 of the Charter and a majority of the registered electors votes in favor of the Ordinance, the Ordinance shall be treated in all respects in the same manner as ordinances of the same kind adopted by the Council.

Section 7: Not related to budget, appropriation of money, or levy of taxes

This Ordinance is not related to the budget or Capital Program, an appropriation of money, a levy of taxes, or salaries of City officials or employees. Any action to implement this Ordinance that relates to the budget or Capital Program, an appropriation of money, a levy of taxes, or salaries of City officials or employees must be taken pursuant to authority other than an initiated ordinance under Article VI of the Charter.

Exhibit A
Description and Depiction of Property

Real property located in the City of Charlevoix, Charlevoix County, Michigan, and described as follows:

229 STOVER RD 87COMB 335-069-00,335-000-10&335-073-10 BEG ON N LI STOVER RD 1162.26FT E OF C/LMAY ST TH N 297 FT TH E 62.44 FT TH N 165 FT TH E 260.75 FT TO NWLY LI C&O RR R/W TH SWLY AL R/W TO N LI ST OVER RD TH W TO POB PT GOV LOT 1 & PT SE 1/4 OF NW 1/4 SEC 35 T34N R8W. ALSO A STRIP OF LD 100 FT IN WIDTH TH C/L OF WHICH IS DESC AS FOLLOWS: COM AT SW COR LOT 1 J MILO EATONS ADD TO VILLAGE OF CX TH WLY AL SLY LI SD EATONS ADD 49.73 FT FOR POB TH S 15DEG 40'35"W 1310 FT M/L TO PT ON NLYLI STOVER RD WHICH IS 82 FT M/L E OF N&S1/4 LI SEC 35-34-8 EX THEREFROM ANY LANDLYING ELY OF A LI BEING 33 FT EL Y OF & PARA WI THE C/L FERRY RD AS IS NOW LAID OUT & TRAVELED L280 P858 ALSO: COM AT INTER OF C/L OF STOVER RD WI C/L FERRY AVE TH NLY AL C/L SD FERRY AVE 158 FT TH W TO WLY LI SD AVE FOR POB TH CONT W TO SELY LI OF C&O RR R/W TH NELY AL SELY LISD R/W TO INTER WI WLY LI SD FERRY AVE TH SLY AL SD FERRY AVE TO POB BEING PT OF GOV LOT 1 SEC 35 T34N R8W.

Property Address: 229 Stover Road
Charlevoix, Michigan 49720

Property ID No.: 052-335-069-00





July 11, 2023

Citizens to Preserve & Enhance Ferry Beach
309 Petoskey Avenue
Charlevoix, MI 49720

RE: Submission of Local Proposal Petitions

Dear Members of the Citizens to Preserve & Enhance Ferry Beach Initiative Committee:

My office has verified all the signatures on the petitions and the number of signatures submitted meet the requirement of the City Charter Section 6.3 Petitions(a.).

In the City Charter, Section 6.4, Procedure After Filing states that within 20 days the petition is filed, the City Clerk shall complete a certificate as to its sufficiency, specifying, if it is insufficient, the particular wherein it is defective and shall promptly send a copy of the certificate to the petitioner's committee by certified mail.

Enclosed with this letter is a Certificate of Sufficiency.

Please do not hesitate to contact me with any questions.

Sincerely,

Sarah J. Dvoracek
City Clerk

Enclosure



Certificate of Sufficiency

Pursuant to Article XI, Section 6.4(a), the City Clerk has determined that the petitions submitted by the Citizens to Preserve & Enhance Ferry Beach Initiative Committee (309 Petoskey Ave.) meet the requirements of the City of Charlevoix Charter, and contain the required number of signatures, and is hereby deemed sufficient.

Sarah Dvoracek, City Clerk

Dated: July 11, 2023



MEMORANDUM

To: City Council
From: Scott Howard, Attorney
Date: July 13, 2023
Re: Initiative Petition

The City Clerk has certified the petitions submitted by the Initiative Committee meet the requirements of the Charter, contain the required number of signatures, and are sufficient. Article VI, Section 6.6 of the Charter provides that once an initiative petition has been determined sufficient, the Council shall promptly consider the proposed initiative ordinance as it normally would any other proposed ordinance. If it desires to enact the ordinance, the Council must set a public hearing in accord with standard action. The section also states that. “[i]f the Council fails to adopt a proposed initiative ordinance without any change in substance within sixty (60) days... after the date the petition was finally determined sufficient, it shall submit the proposed or referred ordinance to the voters of the City.” If Council does not adopt the ordinance, then a vote of the City on the proposed ordinance shall be held no sooner than sixty days and no later than one year from the date of the Council vote.

Therefore, Council has three options with the proposed initiative ordinance:

1. Adopt the initiative ordinance without any change in substance of the ordinance,
2. Decline to adopt the initiative ordinance formally which will place the question of whether to adopt the ordinance on the ballot, or
3. Take no action for the next 60 days which will be the same as a denial and will result in the putting the question of whether to adopt the ordinance on the ballot.

A proposed motion for action on this matter is as follows:

“I move that the proposed initiative ordinance submitted to the City **[is/is not]** adopted without any change in substance to the ordinance.”

CITY OF CHARLEVOIX
RESOLUTION NO. 2023-xx-xx
USE OF 229 STOVER ROAD AS A PARK BALLOT LANGUAGE

WHEREAS, ballot petitions have been submitted to the City of Charlevoix with sufficient signatures and in compliance with Article VI of the City Charter to request approval by voters of an Ordinance regulating the use of the property located at 229 Stover Road, Charlevoix, MI 49720; and

WHEREAS The stated purpose of the Ordinance is as follows: "For decades, the City of Charlevoix Street Department (now known as the Department of Public Works), ran all operations from the "Property", as defined in Section 2 of this Ordinance. The structures on the Property were removed, and the City hired consultants to evaluate the Property and develop recommendations on the best future use for the Property. On October 27, 2022, the consultants finalized the Ferry Avenue Corridor Study, which recommended that the best future use of the Property was passive park use that includes open lawn spaces, seating and viewing areas, and limited parking. The purpose of this Ordinance is to designate the Property as part of Ferry Beach Park to implement the recommendations of the Ferry Avenue Corridor Study."; and

WHEREAS, state law requires that the ballot language be phrased as a question and be no more than 100 words in length; and

WHEREAS, the City Council is required to provide ballot language for the proposed amendment consistent with state law through adoption by resolution; and

WHEREAS, the City Attorney has crafted ballot language that is consistent with the language on the petition initiative but is also consistent with the requirements of state law.

NOW THEREFORE BE IT RESOLVED, that the City of Charlevoix City Council hereby adopts the following ballot language for the potential adoption of a City Ordinance designating the property at 229 Stover Road as a park and directs the Clerk to take appropriate action to put the question on the ballot for the November 2016 general election:

Shall the City of Charlevoix adopt an ordinance that designates City owned vacant property at 229 Stover Road as a City park named Ferry Beach Park, subject to the requirements of Section 2.16(f) of the City Charter which requires a majority vote of the electors voting thereon in order for the City to remove the park designation for the property or to sell, divide, lease, partition, plat, subdivide, or dispose of any part of the property?

RESOLVED this 7th day of August 2023 A.D.

Resolution was adopted by the following yea and nay vote:

Yeas:

Nays:

Absent:

CERTIFICATION

I, the undersigned, the City Clerk of the City of Charlevoix, Charlevoix County, Michigan, do hereby certify that the foregoing is a true and complete copy of Resolution No. _____ adopted by the City Council of the City of Charlevoix, County of Charlevoix, State of Michigan, at a regular meeting held on August 7, 2023, the original of which is on file in the Clerk's office and available to the public. Public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267 of the Michigan Public Acts of 1976.

Dated: 08/07/2023

Sarah Dvoracek, City Clerk

Charlevoix City Council

All Other Actions and Requests

Title: Ballot Question for Citizen-initiated Ordinance to Use of 229 Stover Road for Housing

Date: August 7, 2023

Presented By: Mark Heydlauff, City Manager

Background:

At the Council meeting on July 17, you rejected a citizen-initiated ordinance and thus sent it to the November 2023 ballot for consideration by the voters. The final step in this process is for Council to approve the actual 100 word ballot question summary that has now been drafted by the City Attorney. Approving the attached resolution accomplishes this step. As proposed, the City Attorney drafted the following question:

Shall the City of Charlevoix adopt an ordinance that provides for the use of City owned vacant property at 229 Stover Road for the purpose of providing year-round housing within the City by (i) soliciting offers to purchase the property by a Developer who intends and commits to develop year-round housing on the property, or (ii) using the property in any way that substantially benefits year-round housing within the City?

Recommendation:

Motion to approve Resolution No. 2023-08-03 Use of 229 Stover Road for Housing Ballot Language.

Attachments:

1. Resolution 2023-08-07 Development of 229 Stover for housing

CITY OF CHARLEVOIX
RESOLUTION NO. 2023-08-03
USE OF 229 STOVER ROAD FOR HOUSING BALLOT LANGUAGE

- WHEREAS,** ballot petitions have been submitted to the City of Charlevoix with sufficient signatures and in compliance with Article VI of the City Charter to request approval by voters of an Ordinance regulating the use of the property located at 229 Stover Road, Charlevoix, MI 49720; and
- WHEREAS** The stated purpose of the Ordinance is as follows” A December 2021 joint working session of the Planning Commission and City Council found the City of Charlevoix’s housing supply is not adequate to meet the housing needs for year-round residents at all income levels. Meanwhile, the City owns vacant property suitable for development for housing. The City intends to use the property for the purpose of providing year-round housing by either (i) selling the property to a Developer who intends to develop year-round housing on the property, or (ii) selling the property to any third-party and using the proceeds thereof to promote the development of year-round housing within the City”; and
- WHEREAS,** state law requires that the ballot language be phrased as a question and be no more than 100 words in length; and
- WHEREAS,** the City Council is required to provide ballot language for the proposed amendment consistent with state law through adoption by resolution; and
- WHEREAS,** the City Attorney has crafted ballot language that is consistent with the language on the petition initiative but is also consistent with the requirements of state law.

NOW THEREFORE BE IT RESOLVED, that the City of Charlevoix City Council hereby adopts the following ballot language for the potential adoption of a City Ordinance designating the property at 229 Stover for year round housing and directs the Clerk to take appropriate action to put the question on the ballot for the November 2016 general election:

Shall the City of Charlevoix adopt an ordinance that provides for the use of City owned vacant property at 229 Stover Road for the purpose of providing year-round housing within the City by (i) soliciting offers to purchase the property by a Developer who intends and commits to develop year-round housing on the property, or (ii) using the property in any way that substantially benefits year-round housing within the City?

RESOLVED this 7th day of August 2023 A.D.

Resolution was adopted by the following yeas and nay vote:

Yeas:
Nays:
Absent:

CERTIFICATION

I, the undersigned, the City Clerk of the City of Charlevoix, Charlevoix County, Michigan, do hereby certify that the foregoing is a true and complete copy of Resolution No. 2023-08-03 adopted by the City Council of the City of Charlevoix, County of Charlevoix, State of Michigan, at a regular meeting held on August 7, 2023, the original of which is on file in the Clerk’s office and available to the public. Public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267 of the Michigan Public Acts of 1976.

Dated: 08/07/2023

Sarah Dvoracek, City Clerk

Charlevoix City Council

All Other Actions and Requests

Title: Purchase of Foreclosed Parcel on Antrim Street (052-270-001-50)

Date: August 7, 2023

Presented By: Mark Heydlauff, City Manager

Background:

Michigan law gives cities a first right of refusal to acquire tax-foreclosed properties. This parcel is smaller than a buildable lot but if it were to be paired with the larger, adjacent lot owned by Charlevoix County, it could be very useful for mutual development goals including housing and parking. The minimal investment ensures it doesn't become blighted again and that we have the flexibility to use it in the future. This may also be an opportunity to leverage the County Land Bank as a financing vehicle for improvements to the site. Formerly, I understand this was part of the site of the Charlevoix Motel.

Recommendation:

Motion to authorize the City Treasurer to acquire the tax foreclosed parcel 052-270-001-50 for the total of \$1,041.97 and authorize the Mayor and City Clerk to execute all necessary documents.

Motion to authorize the City Manager request the transfer of parcel 052-270-002-00 from the County of Charlevoix to the City of Charlevoix to effectuate mutual goals of housing development and support.

Attachments:

1. 052-270-001-50 purchase waiver
2. Aerial View of Parcel 052-270-001-50
3. Resolution 2023-08-02 Purchase Foreclosed Property from County Treasurer

NOTICE TO CHARLEVOIX COUNTY TREASURER BETTY SIMON, THE
FORECLOSING GOVERNMENTAL UNIT, OF ELECTION TO PURCHASE
FORECLOSED PROPERTY

The City of Charlevoix hereby notifies Betty Simon, Charlevoix County Treasurer and Charlevoix County Foreclosing Governmental Unit, that it intends to purchase property described as parcel number 052-270-001-50, also known as 204 Antrim St, said property is located in the City of Charlevoix, Michigan. The purchase price is \$1006.64, which amount is the minimum bid as that term is defined in MCL 211.78m(1) as well as \$35.33 representing fee recovery and deed recording cost.

This election by the City of Charlevoix is made subject to any prior right of election vested in the State of Michigan.

The City of Charlevoix understands that neither Charlevoix County nor Betty Simon, either individually and/or as Charlevoix County Treasurer and/or as the Foreclosing Governmental Unit, makes any warranty of any kind as to the title transferred to the [local unit] and will not indemnify, defend, save nor hold harmless the City of Charlevoix from any or all claims, liabilities, damages, losses, suits, fines, penalties, demands or expenses, including costs of suit and attorney fees, incurred by the [local unit] because of or related to its election to purchase the property above described.

The City of Charlevoix agrees to indemnify, defend, save and hold harmless Charlevoix County and Betty Simon, individually and/or as Charlevoix County Treasurer and/or as Foreclosing Governmental Unit, from any and all claims, liabilities, damages, losses, suits, fines, penalties, demands and expenses, including costs of suit and attorney fees, which Charlevoix County and/or Betty Simon, individually and/or as Charlevoix County Treasurer and/or as Foreclosing Governmental Unit incurred because of or related to the election of the City of Charlevoix to purchase the property above described.

Attached to this notice is a copy of the resolution authorizing the purchase which resolution incorporates the indemnification of Charlevoix County and Betty Simon.

Date: _____

Mayor or Supervisor

Date: _____

Clerk



ADVANCED Tax Parcel Map

This map has a margin of error of +/-30 feet and is NOT meant to distinguish any legal boundary, CANNOT be used in place of a survey, and cannot be used for any legal representation of property lines.

PIN: 052-270-001-50
Owner: CHARLEVOIX COUNTY TREASURER
Owner Address: 301 STATE ST
CHARLEVOIX, MI 49720
Property Address: 204 ANTRIM ST
CHARLEVOIX, MI 49720
Property Class: 202
School District: 15050
PRE: 0%
2023 SEV: \$17,000
2023 Taxable: \$6,300
Status: TAXABLE
GIS Estimated Acreage: 0.1
Parcel Link: [052-270-001-50](#)

Road Centerlines

 civicpoly

 Parcels

20 m
50 ft



CITY OF CHARLEVOIX
RESOLUTION NO. 2023-08-02
AUTHORIZATION TO PURCHASE FORECLOSED PROPERTY

- WHEREAS,** the City of Charlevoix hereby notifies the Charlevoix County Treasurer of their intent to purchase foreclosed property commonly known as parcel number 052-270-001-50 and legal description of DDA 1984 R2 W 30 FT OF LOT 1 OF UPRIGHT & HURLBUTS ADDITION ALSO NLY 20 FT OF VACATED NEWMAN ST ABUTTING SD LOT RECD L296 P301; and
- WHEREAS,** the City of Charlevoix wishes to exercise its First Right of Refusal as stated in Public Act 123, as amended; and
- WHEREAS,** the City of Charlevoix agrees to the purchase price of \$1,006.64, which the amount is the minimum bid as defined in MCL 211.78m(1) as well as a \$35.33 recovery and deed recording fee totaling \$1,041.97; and
- WHEREAS,** the City of Charlevoix agrees to indemnify, defend, save and hold harmless Charlevoix County and Betty Simon, individually and/or as Charlevoix County Treasurer and/or as Foreclosing Governmental Unit, from any and all claims, liabilities, damages, losses, suits, fines, penalties, demands and expenses, including costs of suit and attorney fees, which Charlevoix County and/or Betty Simon, individually and/or as Charlevoix County Treasurer and/or as Foreclosing Governmental Unit incurred because of or related to the election of the City of Charlevoix to purchase the property above described.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Charlevoix authorizes the City Mayor and City Clerk to sign the Notice to Charlevoix County Treasurer, Betty Simon, the Foreclosing Government Unit, of Election to Purchase Foreclosed Property.

RESOLVED this 7th day of August 2023 A.D.

Resolution was adopted by the following yea and nay vote:

Yeas:

Nays:

Absent:

Charlevoix City Council

All Other Actions and Requests

Title: Petition from Charlevoix County for Annexation

Date: August 7, 2023

Presented By: Mark Heydlauff, City Manager

Background:

in 2017, Charlevoix County entered into a purchase agreement with Charlevoix Public Schools for the then-Charlevoix Elementary School on Division Street. The County contemplated a plan to move some of its offices and services to this location. In the intervening six years, the County moved offices and services to the location, including a move this summer of some of the County elected officials. In April, the County first requested annexation of the parcel which lies in Charlevoix Township. The State Constitution requires certain offices of a County be located within the County Seat.

I understand the County changed the original annexation petition this spring and obtained approval from Charlevoix Township for this version in front of you in June. We received the petition and the City Attorney has reviewed it. You'll see the attached memo from the City Attorney but he finds no legal concern with proceeding with the annexation request. If the County ceased using the facility at some point in the future, the annexed parcel would revert to Charlevoix Township. Since the parcel is owned by a public entity and has always been owned by a public entity, there are no tax revenue implications. Property owned by the County, like the school, is exempt from local zoning standards or similar requirements.

Recommendation:

Motion to approve Resolution 2023-08-04 to annex from the Township of Charlevoix a portion of land currently owned by the County of Charlevoix and authorize the Mayor and City Clerk to sign all necessary documents.

Attachments:

1. Resolution 2023-08-04 Annexation and Reversion of County Owned Parcel
2. Charlevoix Township Resolution for Annexation and Reversion of County Owned Parcel 2023-06-14 10.13.06 AM
3. Certificate of Boundary Survey 2023-06-07 12.05.19 PM (1)
4. 2023-08-02 Annexation memo
5. County Resolution and Petition to the City of Charlevoix and Charlevoix Township

CITY OF CHARLEVOIX
RESOLUTION NO. 2023-08-04
ANNEXATION AND REVERSION OF COUNTY OWNED PARCEL

WHEREAS, the parcel owned by Charlevoix County, formerly identified as 004-023-014-00, has been split into two parcels with the intent to annex one parcel into the jurisdiction of the City of Charlevoix while retaining one parcel within the jurisdiction of Charlevoix Township; and

WHEREAS, Charlevoix County has requested that the single parcel, now legally described as:

In the Township of Charlevoix, Charlevoix County, Michigan, Commencing at the East 1/4 corner of Section 23, Township 34 North, Range 08 West; thence North 89°26'22" West 1519.29 feet along the East and West 1/4 line of said Section 23 and the centerline of Division Street to the POINT OF BEGINNING; thence continuing along said 1/4 line and centerline North 89°26'22" West 460.49 feet to the East line of the plat of Homeland Subdivision as monumented; thence along said monumented subdivision line North 0°13'31" East 832.03 feet (recorded as North 0°31' West); thence South 89°45'39" East 460.68 feet; thence South 0°14'19" West 834.61 feet to the POINT OF BEGINNING; being a part of the Southwest 1/4 of the Northeast 1/4 of Section 23, Township 34 North, Range 8 West and containing 8.811 acres. Subject to the rights of the public and of any governmental unit in any part thereof taken, used or deeded for street, road or highway purposes.

Subject to a 16 foot wide easement for ingress and egress described as Commencing at the East 1/4 corner of Section 23, Township 34 North, Range 08 West; thence North 89°26'22" West 1979.78 feet along the East and West 1/4 line of said Section 23 and the centerline of Division Street to the East line of the plat of Homeland Subdivision as monumented and the POINT OF BEGINNING; thence along said monumented subdivision line North 0°13'31" East 832.03 feet (recorded as North 0°31' West); thence South 89°45'39" East 16.00 feet; thence South 0°13'31" West 832.12 feet to said 1/4 line and centerline; thence North 89°26'22" West 16.00 feet to the POINT OF BEGINNING,

be annexed into the City of Charlevoix; and

WHEREAS, the single parcel, now legally described as:

In the Township of Charlevoix, Charlevoix County, Michigan, Commencing at the East 1/4 corner of Section 23, Township 34 North, Range 08 West; thence North 89°26'22" West 1979.78 feet along the East and West 1/4 line of said Section 23 and the centerline of Division Street to the East line of the plat of Homeland Subdivision as monumented; thence along said monumented subdivision line North 0°13'31" East 832.03 feet (recorded as North 0°31' West) to the POINT OF BEGINNING; thence continuing along said monumented subdivision line North 0°13'31" East 488.69 feet to the South line of Beechwoods Subdivision and the North 1/8 line of said Section 23 as monumented; thence along said monumented subdivision and 1/8 line South 89°05'38" East 662.94 feet to the East 1/8 line of said Section 23 as monumented; thence along said monumented East 1/8 line South 0°26'04" West 1032.30 feet; thence North 89°26'22" West 198.58 feet (recorded as 198 feet); thence North 0°14'19" East 550.20 feet; thence North 89°45'39" West 460.68 feet to the POINT OF BEGINNING; being a part of the Southwest 1/4 of the Northeast 1/4 of Section 23, Township 34 North, Range 8 West and containing 9.891 acres. Subject to the rights of the public and of any governmental unit in any part thereof taken, used or deeded for street, road or highway purposes.

Together with a 16 foot wide easement for ingress and egress described as Commencing at the East 1/4 corner of Section 23, Township 34 North, Range 08 West; thence North 89°26'22" West 1979.78 feet along the East and West 1/4 line of said Section 23 and the centerline of Division Street to the East line of the plat of Homeland Subdivision as monumented and the POINT OF BEGINNING; thence along said monumented subdivision line North 0°13'31" East 832.03 feet (recorded as North 0°31' West); thence South 89°45'39" East 16.00 feet; thence South 0°13'31" West 832.12 feet to said 1/4 line and centerline; thence North 89°26'22" West 16.00 feet to the POINT OF BEGINNING

will remain within the jurisdiction of Charlevoix Township; and

WHEREAS, Charlevoix County shall record a "Reversion of Annexation" which will return jurisdiction of the above described annexation parcel back to Charlevoix Township pursuant to events and terms identified therein; and

NOW THEREFORE BE IT RESOLVED that the City of Charlevoix agrees to accept annexation of the requested parcel (with associated Reversion of Annexation) into its jurisdiction with approval by resolution of the Township of Charlevoix.

RESOLVED this 7th day of August 2023 A.D.

Resolution was adopted by the following yeas and nays:

Yeas:
Nays:
Absent:

CERTIFICATION

I, the undersigned, the City Clerk of the City of Charlevoix, Charlevoix County, Michigan, do hereby certify that the foregoing is a true and complete copy of Resolution No. 2023-08-04 adopted by the City Council of the City of Charlevoix, County of Charlevoix, State of Michigan, at a regular meeting held on August 7, 2023, the original of which is on file in the Clerk's office and available to the public. Public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267 of the Michigan Public Acts of 1976.

Dated: 08/07/2023

Sarah Dvoracek, City Clerk

Charlevoix Township Resolution # 23-006

ANNEXATION AND REVERSION OF

COUNTY OWNED PARCEL

WHEREAS, the parcel owned by Charlevoix County, formerly identified as 004-023-014-00, has been split into two parcels with the intent to annex one parcel into the jurisdiction of the City of Charlevoix while retaining one parcel within the jurisdiction of Charlevoix Township; and

WHEREAS, Charlevoix County has requested that the single parcel, now legally described as:
In the Township of Charlevoix, Charlevoix County, Michigan, Commencing at the East 1/4 corner of Section 23, Township 34 North, Range 08 West; thence North 89°26'22" West 1519.29 feet along the East and West 1/4 line of said Section 23 and the centerline of Division Street to the POINT OF BEGINNING; thence continuing along said 1/4 line and centerline North 89°26'22" West 460.49 feet to the East line of the plat of Homeland Subdivision as monumented; thence along said monumented subdivision line North 0°13'31" East 832.03 feet (recorded as North 0°31' West); thence South 89°45'39" East 460.68 feet; thence South 0°14'19" West 834.61 feet to the POINT OF BEGINNING; being a part of the Southwest 1/4 of the Northeast 1/4 of Section 23, Township 34 North, Range 8 West and containing 8.811 acres. Subject to the rights of the public and of any governmental unit in any part thereof taken, used or deeded for street, road or highway purposes.

Subject to a 16 foot wide easement for ingress and egress described as Commencing at the East 1/4 corner of Section 23, Township 34 North, Range 08 West; thence North 89°26'22" West 1979.78 feet along the East and West 1/4 line of said Section 23 and the centerline of Division Street to the East line of the plat of Homeland Subdivision as monumented and the POINT OF BEGINNING; thence along said monumented subdivision line North 0°13'31" East 832.03 feet (recorded as North 0°31' West); thence South 89°45'39" East 16.00 feet; thence South 0°13'31" West 832.12 feet to said 1/4 line and centerline; thence North 89°26'22" West 16.00 feet to the POINT OF BEGINNING.

be annexed into the City of Charlevoix; and

WHEREAS, the single parcel, now legally described as:
In the Township of Charlevoix, Charlevoix County, Michigan, Commencing at the East 1/4 corner of Section 23, Township 34 North, Range 08 West; thence North 89°26'22" West 1979.78 feet along the East and West 1/4 line of said Section 23 and the centerline of Division Street to the East line of the plat of Homeland Subdivision as monumented; thence along said monumented subdivision line North 0°13'31" East 832.03 feet (recorded as North 0°31' West) to the POINT OF BEGINNING; thence continuing along said monumented subdivision line North 0°13'31" East 488.69 feet to the South line of Beechwoods Subdivision and the North 1/8 line of said Section 23 as monumented; thence along said monumented subdivision and 1/8 line South 89°05'38" East 662.94 feet to the East 1/8 line of said Section 23 as monumented; thence along said monumented East 1/8 line South 0°26'04" West 1032.30 feet; thence North 89°26'22" West 198.58 feet (recorded as 198 feet); thence North 0°14'19" East 550.20 feet; thence North 89°45'39" West 460.68 feet to the POINT OF BEGINNING; being a part of the Southwest 1/4 of the Northeast 1/4 of Section 23, Township 34 North, Range 8 West and containing 9.891 acres. Subject to the rights of the public and of any governmental unit in any part thereof taken, used or deeded for street, road or highway purposes.

Together with a 16 foot wide easement for ingress and egress described as Commencing at the East 1/4 corner of Section 23, Township 34 North, Range 08 West; thence North 89°26'22" West 1979.78 feet along the East and West 1/4 line of said Section 23 and the centerline of Division Street to the East line of the plat of Homeland Subdivision as monumented and the POINT OF BEGINNING; thence along said monumented subdivision line North 0°13'31" East 832.03 feet (recorded as North 0°31' West); thence South 89°45'39" East 16.00 feet; thence South 0°13'31" West 832.12 feet to said 1/4 line and centerline; thence North 89°26'22" West 16.00 feet to the POINT OF BEGINNING.

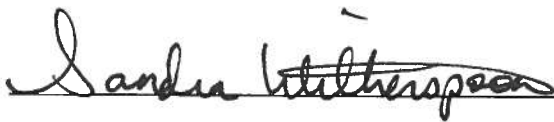
will remain within the jurisdiction of Charlevoix Township; and

WHEREAS, Charlevoix County shall record a "Reversion of Annexation" which will return jurisdiction of the above described annexation parcel back to Charlevoix Township pursuant to events and terms identified therein; and

NOW THEREFORE BE IT RESOLVED that Charlevoix Township agrees to allow annexation of the requested parcel (with associated Reversion of Annexation) into the jurisdiction of the City of Charlevoix, if so approved by the City of Charlevoix.



Supervisor, Charlevoix Township



Clerk, Charlevoix Township

Date: June 12, 2023

CERTIFICATE OF BOUNDARY SURVEY

PART OF THE SOUTHWEST 1/4 OF THE
NORTHEAST 1/4 OF SECTION 23,
TOWN 34 NORTH, RANGE 8 WEST

CHARLEVOIX TOWNSHIP,
CHARLEVOIX COUNTY, MICHIGAN

CERTIFIED TO:
CHARLEVOIX COUNTY
301 STATE STREET
CHARLEVOIX, MI 49720

TAX I.D.#: 15-004-023-014-00

LEGEND & NOTES:

- 1. DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
- 2. BEARINGS ARE BASED ON SURVEYS OF RECORD.
- 3. "•" INDICATES FOUND SURVEY IRON/ROD IN PLACE.
- 4. 1/2" x 24" STEEL RODS WITH I.D. CAPS HAVE BEEN SET AT ALL POINTS MARKED WITH "O".
- 5. "◎" INDICATES CONCRETE MONUMENT FOUND IN PLACE FROM PRIOR SURVEY.

HOMELAND SUBDIVISION

BEECHWOODS SUBDIVISION

CHARLEVOIX TOWNSHIP
PARCEL
9.891 ACRES

CHARLEVOIX COUNTY
PARCEL
8.811 ACRES

BERGMANN
PARCEL

E. 1/4 CORNER
SEC. 23, T34N, R8W



[Signature]
MATTHEW R. WYNSMA

P.S. NO. 4001046699

I HEREBY CERTIFY that I have surveyed and mapped the parcels heron described and that the relative positional precision of each corner is within the limits accepted by the practice of professional surveying and that all the requirements of P.A. 132 of 1970, as amended, have been complied with.

This survey plat was prepared for the exclusive use of the person, persons, or entity named in the certification hereon. Said certificate does not extend to any unnamed third person without an express recertification by the surveyor naming said third person.

FERGUSON & CHAMBERLAIN ASSOCIATES, INC.
PROFESSIONAL SURVEYORS
103 W. UPRIGHT STREET, CHARLEVOIX MICHIGAN 49720
(231)547-6882 - FAX (231) 547-0021
EMAIL: info@fcasurveying.com

FIELD:05/05/2023	STAKED: JT/CS	DRAWN: CWB
JOB: SB-28974C-23	DATE: 05/11/2023	

CERTIFICATE OF BOUNDARY SURVEY

CERTIFIED TO:
CHARLEVOIX COUNTY
301 STATE STREET
CHARLEVOIX, MI 49720

CHARLEVOIX COUNTY PARCEL:

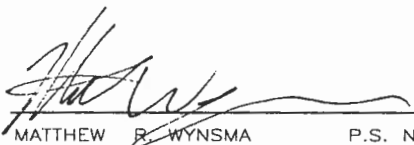
In the Township of Charlevoix , Charlevoix County, Michigan,
Commencing at the East 1/4 corner of Section 23, Township 34 North, Range 08 West; thence
North 89°26'22" West 1519.29 feet along the East and West 1/4 line of said Section 23 and the centerline
of Division Street to the POINT OF BEGINNING; thence continuing along said 1/4 line and centerline
North 89°26'22" West 460.49 feet to a the East line of the plat of Homeland Subdivision as
monumented; thence along said monumented subdivision line North 0°13'31" East 832.03 feet (recorded
as North 0°31' West); thence South 89°45'39" East 460.68 feet; thence South 0°14'19" West 834.61 feet
to the POINT OF BEGINNING; being a part of the Southwest 1/4 of the Northeast 1/4 of Section 23,
Township 34 North, Range 8 West and containing 8.811 acres. Subject to the rights of the public and of
any governmental unit in any part thereof taken, used or deeded for street, road or highway purposes.

Subject to a 16 foot wide easement for ingress and egress described as Commencing at the East 1/4 corner
of Section 23, Township 34 North, Range 08 West; thence North 89°26'22" West 1979.78 feet along the
East and West 1/4 line of said Section 23 and the centerline of Division Street to the East line of the plat of
Homeland Subdivision as monumented and the POINT OF BEGINNING; thence along said monumented
subdivision line North 0°13'31" East 832.03 feet (recorded as North 0°31' West); thence
South 89°45'39" East 16.00 feet; thence South 0°13'31" West 832.12 feet to said 1/4 line and
centerline; thence North 89°26'22" West 16.00 feet to the POINT OF BEGINNING.

CHARLEVOIX TOWNSHIP PARCEL:

In the Township of Charlevoix , Charlevoix County, Michigan,
Commencing at the East 1/4 corner of Section 23, Township 34 North, Range 08 West; thence
North 89°26'22" West 1979.78 feet along the East and West 1/4 line of said Section 23 and the centerline
of Division Street to the East line of the plat of Homeland Subdivision as monumented; thence along said
monumented subdivision line North 0°13'31" East 832.03 feet (recorded as North 0°31' West) to the
POINT OF BEGINNING; thence continuing along said monumented subdivision line
North 0°13'31" East 488.69 feet to the South line of Beechwoods Subdivision and the North 1/8 line of said
Section 23 as monumented; thence along said monumented subdivision and 1/8 line
South 89°05'38" East 662.94 feet to the East 1/8 line of said Section 23 as monumented; thence along
said monumented East 1/8 line South 0°26'04" West 1032.30 feet; thence
North 89°26'22" West 198.58 feet (recorded as 198 feet); thence North 0°14'19" East 550.20 feet; thence
North 89°45'39" West 460.68 feet to the POINT OF BEGINNING; being a part of the Southwest 1/4 of the
Northeast 1/4 of Section 23, Township 34 North, Range 8 West and containing 9.891 acres. Subject to the
rights of the public and of any governmental unit in any part thereof taken, used or deeded for street, road
or highway purposes.

Together with a 16 foot wide easement for ingress and egress described as Commencing at the
East 1/4 corner of Section 23, Township 34 North, Range 08 West; thence
North 89°26'22" West 1979.78 feet along the East and West 1/4 line of said Section 23 and the centerline
of Division Street to the East line of the plat of Homeland Subdivision as monumented and the POINT OF
BEGINNING; thence along said monumented subdivision line North 0°13'31" East 832.03 feet (recorded as
North 0°31' West); thence South 89°45'39" East 16.00 feet; thence South 0°13'31" West 832.12 feet to
said 1/4 line and centerline; thence North 89°26'22" West 16.00 feet to the POINT OF BEGINNING.


MATTHEW R. WYNSMA P.S. NO. 4001046699



FERGUSON & CHAMBERLAIN ASSOCIATES, INC.
PROFESSIONAL SURVEYORS
103 W. UPRIGHT STREET, CHARLEVOIX, MICHIGAN 49720
(231)547-6882 — FAX (231) 547-0021
EMAIL: info@fcasurveying.com

IELD:05/05/2023	STAKED: JT/CS	DRAWN: CWB
OB: SB-28974C-23	DATE: 05/11/2023	

MEMORANDUM

To: Mark Haeydlauff, City of Charlevoix Manager
From: Scott Howard and Abbie Hawley
Date: August 1, 2023
Re: Charlevoix County Annexation Request

This memo is intended to provide a legal opinion on an annexation request made by Charlevoix County. After a review of the request, the proposed resolution, and the applicable statutory framework, we have concluded that the proposal raises no legal issues of concern.

Charlevoix County has requested cooperation with the City in having the County concede a portion of its land. The City would agree to annex and include the property within its jurisdiction. The County currently has a building on the property that it would like to utilize as a municipal office. Under local law, the County must locate its offices within the County seat. The City of Charlevoix is the county seat; therefore, the County offices must be within City limits.

The proposed annexation complies with the Home City Rules Act, and it is permissible for the City Council to agree to and ratify the proposed resolution.

FEBRUARY 22, 2023

PETITION TO ANNEX THE CHARLEVOIX COUNTY SHIRLEY ROLOFF CENTER

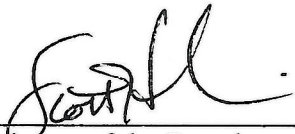
RESOLUTION

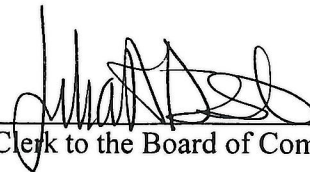
WHEREAS, Charlevoix County desires to annex the Charlevoix County Shirley Roloff Center property into the City of Charlevoix; and

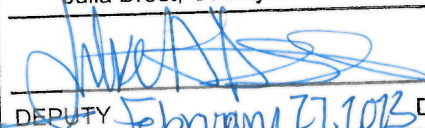
WHEREAS, the Charlevoix County Administrator presented a Petition to the City of Charlevoix and Charlevoix Township to annex the property into the City of Charlevoix to the Charlevoix County Board of Commissioners to review, and which conveys the property described and depicted to be annexed; and

WHEREAS, the Internal Government has reviewed and accepts the Petition to the City of Charlevoix and Charlevoix Township to annex the property into the City of Charlevoix and recommends it to the Full Board; and

NOW THEREFORE BE IT RESOLVED, that the Charlevoix County Board of Commissioners hereby accepts the recommendation and authorizes the Chairperson of the Charlevoix County Board of Commissioners and the County Clerk to sign on behalf of the county.


Chairman of the Board


Clerk to the Board of Commissioners

CERTIFIED	
Julia Drost, County Clerk	
DEPUTY	DATE
	February 27, 2023

**PETITION TO THE CITY OF CHARLEVOIX AND CHARLEVOIX TOWNSHIP
TO ANNEX PROPERTY INTO THE CITY OF CHARLEVOIX**

This Petition is brought pursuant to Section 9(8) of the Home Rule Cities Act, MCL 11.9(8), by the County of Charlevoix, Charlevoix County, Michigan, by and through its Board Chair and the Charlevoix County Clerk. This Petition seeks to annex into the City of Charlevoix property owned by the County of Charlevoix, described below and currently located in Charlevoix Township. In support of its petition, the County of Charlevoix states:

1. The County of Charlevoix currently owns record legal title to the property situated in the Township of Charlevoix, Charlevoix County, Michigan, described in the recorded warranty deed, attached hereto and incorporated herein by reference as Exhibit A, and depicted on the map attached hereto and incorporated herein by reference as Exhibit B (the County Property).
2. The County of Charlevoix desires to annex into the City of Charlevoix a portion of the County Property and described as:

Situated in the Township of Charlevoix, County of Charlevoix, State of Michigan, to-wit:

The East $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 23, Town 34 North, Range 8 West, EXCEPT the East 198 feet thereof,

and depicted on the map attached hereto and incorporated herein by reference as Exhibit C (the Property to be Annexed).

3. The southern boundary of the Property to be Annexed is contiguous to the boundary of the City of Charlevoix, as evidenced by Exhibit C.

4. There are no qualified electors of Charlevoix Township who reside on the Property to be Annexed. In fact, a former school building is currently developed on the property.

5. Section 9(8) of the Home Rule Cities Act, MCL 117.9(8), provides in part:

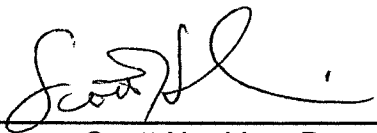
[W]here there are no qualified electors residing in the territory proposed to be annexed to the city, other than the person or persons petitioning, a petition signed by a person or persons, firms, corporations, the United States government, or the state or any of its subdivisions who collectively hold the equitable title as a vendee under a recorded land contract or memorandum of land contract, or record legal title to more than 1/2 of the area of the land in the territory to be annexed is filed with the city council of the city and with the township board of the township in which the territory is situated, the annexation may be accomplished by the affirmative majority vote of the city council of the city and the approval of the township board of the township. At least 10 days prior to the approval by the township board, the township treasurer shall notify, personally or by registered mail with return receipt demanded, the owners of all real property in the territory to be annexed as shown on the assessment rolls of the township at the last known address on file with the township treasurer.

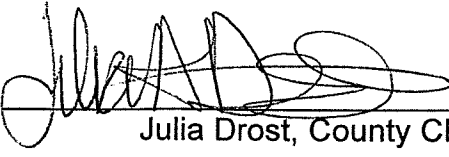
WHEREFORE, the County of Charlevoix hereby requests the following:

- A. That the Charlevoix City Council, by the affirmative majority vote of the entire City Council, vote to approve the annexation of the Property to be Annexed, as described above, into the boundaries of the City of Charlevoix.
- B. That the Charlevoix Township Board approve the annexation of the Property to be Annexed, as described above, into the boundaries of the City of Charlevoix.

COUNTY OF CHARLEVOIX

Date: February 11, 2023

By: 
Scott Hankins, Board Chair

By: 
Julia Drost, County Clerk

Charlevoix City Council

All Other Actions and Requests

Title: Mayoral Appointments

Date: August 7, 2023

Presented By: Mayor Lyle Gennett

Background:

Mayor Gennett requested consideration of Nedina Stark for appointment to the Charlevoix Housing Commission for a term to expire April 2026.

Mayor Gennett requested consideration of Janet Coltman for appointment to the Planning Commission for a term to expire April 2026.

Recommendation:

Motion to appoint xxx to the Charlevoix Housing Commission for a term to expire April of 2026.

Motion to appoint xxx to the Planning Commission for a term to expire April of 2026.

Attachments:

1. Stark Application Housing Commission
2. Coltman Application Planning Commission 2023

From: noreply@civicplus.com
To: [Sarah Dvoracek](#)
Subject: Online Form Submittal: Volunteer Boards and Committees Application
Date: Tuesday, July 18, 2023 4:15:21 PM

Volunteer Boards and Committees Application

Thank you for your interest in serving on a volunteer board, commission or committee. The purpose of this form is to provide the Mayor and City Council members with some information about residents considered for appointment. Your application will be kept active for six months and you will be contacted if you are chosen to serve.

Committees and Boards to Apply For	Housing Commission
Name	Nedina Stark
Email Address	nedina0737@yahoo.com
Address	210 W Garfield Ave Apt 120
Home Phone	12314878058
Cell Phone	<i>Field not completed.</i>
Are you a registered voter in the City?	Yes
How long have you lived in the City?	Charlevoix 14 years
Educational Background	Some college.
Professional Qualifications and / or Work Experience	Appointed interim Bay Township Clerk to fill medically caused vacancy during election year. Decades of office experience, serving on various boards and owner/operator of trucking business.
Community Activities and / or Other Experience	Vice-Commander, Secretary, Treasurer in Coast Guard Auxiliary. MI DNR Campgrounds Host.
Have you served on a board / committee or held a civic position in the past?	Yes

If yes, please explain. *Field not completed.*

Do you foresee any potential conflicts of interest while executing the duties of this position?

No

Reason(s) You Wish to Serve

To fill the vacancy created by the passing of Laurie Crandell as Tenant Representative for the Housing Commission Board.

Have you reviewed the current meeting schedule of the board / committee and can commit to regular meeting attendance?

Yes

Electronic Signature Agreement

I agree.

Electronic Signature

Nedina Stark

Date

7/18/2023

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Links contained in this email have been replaced. If you click on a link in the email above, the link will be analyzed for known threats. If a known threat is found, you will not be able to proceed to the destination. If suspicious content is detected, you will see a warning.

From: noreply@civicplus.com
To: [Sarah Dvoracek](#)
Subject: Online Form Submittal: Volunteer Boards and Committees Application
Date: Tuesday, August 1, 2023 5:43:20 AM

Volunteer Boards and Committees Application

Thank you for your interest in serving on a volunteer board, commission or committee. The purpose of this form is to provide the Mayor and City Council members with some information about residents considered for appointment. Your application will be kept active for six months and you will be contacted if you are chosen to serve.

Committees and Boards to Apply For	Housing Commission, Planning Commission
Name	janet coltman
Email Address	jancoltman@gmail.com
Address	608 Division Ave.
Home Phone	Field not completed.
Cell Phone	239-777-2397
Are you a registered voter in the City?	Yes
How long have you lived in the City?	one year
Educational Background	masters degree in administration, BS degree in education
Professional Qualifications and / or Work Experience	I had a successful business as a designer and fabrication of window treatments for 23 years after teaching for 33 years.
Community Activities and / or Other Experience	On the Board of Directors at the Circle of Arts
Have you served on a board / committee or held a civic position in the past?	No
	No

Do you foresee any potential conflicts of interest while executing the duties of this position?

Reason(s) You Wish to Serve

I live in the city full time and want to be involved and busy doing so. I lived in the township on Cedar St. for 20 years prior to this move to Division St. and I want to be part of the decisions for our community.

Have you reviewed the current meeting schedule of the board / committee and can commit to regular meeting attendance?

Yes

Electronic Signature Agreement

I agree.

Electronic Signature

Janet M. Coltman

Date

8/1/2023

Email not displaying correctly? [View it in your browser.](#)

Links contained in this email have been replaced. If you click on a link in the email above, the link will be analyzed for known threats. If a known threat is found, you will not be able to proceed to the destination. If suspicious content is detected, you will see a warning.

Charlevoix City Council

Reports and Communications

Title: City Manager's Comments

Date: August 7, 2023

Presented By: Mark Heydlauff, City Manager

Background:

A. Planning Department Changes

After great success with us as a contract planner through Networks Northwest, Jennifer Neal accepted a full-time position with the City of Boyne City. She began work this week. For several years, we have had a part-time planner through a partnership with Networks Northwest. For most of this time, we also had a contracted part-time Zoning Administrator. In the past year, we brought the zoning portion in-house with the full-time hiring of Jonathan Scheel. With this change, I've asked Jonathan to think about our planning needs and to be the point person for this aspect of our work. He and I will be evaluating our needs and how best to utilize continued contractual work or other options to fill gaps in our planning needs. We met together with Networks Northwest earlier this week; they requested to terminate the existing contract but will provide us options for technical assistance for future projects. I'll bring back further recommendations to you as I have them.

B. Mayor's Exchange Visits

We'll be hosting the Mayor, a Council Member and a couple of staff from the City of South Haven on September 14 and 15. Please advise Sarah and I regarding your availability those two days as we plan our hosting time for the delegation from South Haven. We'll be visiting South Haven on October 5 and 6. If you are able to attend, please let me know and we'll coordinate arrangements with them.

C. Chamber Building Redevelopment

Conceptual work continues on the prospect of redeveloping the existing Chamber building to include upper-story housing. We are doing due-diligence work now to prepare for a new round of MEDC funding made available to Redevelopment Ready Certified Communities on October 1. We believe the state resources can be useful in providing design and market study services for potential developers as we move forward. This would also include a Request for Proposals that would solicit the ideas and interest of firms who may desire a role in managing or building the project.

D. Early Voting Preparations

The City Clerk has been hard at work with the Charlevoix County Clerk developing plans to accommodate the early voting requirements passed by Michigan voters last year. The law requires 9 days of early, in-person voting be offered ahead of any statewide or federal election. As such, this requirement will come into play beginning with any presidential primary in February 2024; local elections, like the one in November of this year, are exempt from this requirement. At this point, we are working on a plan to have the early voting requirement met in coordination with the County Clerk; our clerk would assist in staffing the early voting hours to assist this arrangement. If this all goes as planned, it would yield savings over what we budgeted for elections in the current fiscal year. We will bring you updated information as it is solidified.

E. Marion Township Sewer Extension

Last month, we received a proposed franchise agreement from Marion Township for the extension of sewer service to a proposed housing development off M-66. The City Attorney is reviewing the document and is in discussion with the Township's attorney on the particulars of the agreement.

F. Rezoning Consideration for Denser Residential Development

The Planning Commission this month will begin the process to consider rezoning several multi-parcel areas of the city. This action is done by the planners as a forward-thinking measure to allow for more dense residential development where the Commission believes it is beneficial for the present and future housing needs of the City. Ultimately, a rezone change will come before Council for final approval.

Recommendation:**Attachments:**

1. Housing Commission Meeting Minutes from 06/20/2023
2. Police Department July Daily Activity Report
3. Letter from Charlevoix Historical Society



CHARLEVOIX HOUSING COMMISSION

210 WEST GARFIELD ST.
CHARLEVOIX, MICHIGAN 49720
(231) 547-5451

REGULAR MEETING

PROJECT
PINE RIVER PLACE

CHARLEVOIX HOUSING COMMISSION

Tuesday, June 20, 2023

2:00 P.M.

PINE RIVER PLACE COMMUNITY ROOM

Commissioners Present: Mitts Lee, Joan Buday, R.J. Waddell
Commissioners Absent: None

Others Present: Dan Murray CHC-Maintenance Supervisor, Annessa Haist-Director MPH/CHC, Cindy Morris CHC-Occupancy Specialist, Residents of Pine River Place and a public guest.

Chairperson Mitts Lee called the Meeting to Order at 2:03 p.m. Requested a moment of silence for our Commissioner Diane Sowa, in her honor.

ADDITIONS TO THE AGENDA: NONE

Approval of the May 16, 2023 Meeting Minutes along with Payables and Financials.

Motion by Commissioner Waddell, seconded by Commissioner Buday to approve and accept the regular meeting minutes and payables with financials as presented for the May 16, 2023.

Ayes: Lee, Buday, Waddell

Nays: None

Absent: None

OLD BUSINESS : Section 18 Disposition – offer on property was spoke on by the Director MPH/CHC Annessa Haist. Also asking Dan/Maintenance supervisor to comment on also. Giving more information on having an appraisal done by a second identity for the property at 207 W. Garfield, Charlevoix, MI. Commissioners had discussion moving forward.

Motion by Commissioner Waddell, seconded by Commissioner Buday to move forward in obtaining a second appraisal for the 207 W. Garfield property.

Ayes: Lee, Buday, Waddell

Nays: None
Absent: None

NEW BUSINESS: Smoking Policy Review – Director Annessa Haist spoke on our policy now and revising in the near future. Notice of Comment Period and Public Hearing Re: Amendments to the Smoke Free Housing Policy to be posted. The period will begin on June 20, 2023 ending at the next Regular Meeting on July 18, 2023 at Pine River Place being held in the Community Room at 210 W. Garfield, Charlevoix, MI. @1:00 P.M.

Motion by Commissioner Waddell, seconded by Commissioner Buday to post the Notice of Comment Period and Public Hearing RE: Amendments to the Smoke Free Housing Policy.

Ayes: Lee, Buday, Waddell
Nays: None
Absent: None

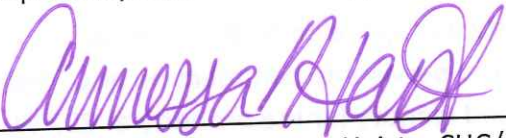
Executive Director's Report: Annessa Haist-Director MPH/C/CHC spoke briefly on the following.
Attorney Letter Drafted
Smoking Sensor Project Update
RAD Update/Future Planning
MHDA Conference Board Training in October
HOTMA Training

Goal in mind was to be punctual and to the point on business. Honoring the moment of silence shared by all at the beginning of the meeting.

Public Comment on subjects unrelated to the Agenda Items: None

Adjournment: Commissioner Lee Adjourn the meeting at 2:35 p.m.

Respectfully submitted and approved by:


Executive Director, Annessa Haist – CHC/MPHC

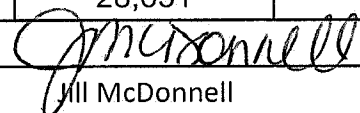
The next Board Meeting is July 18, 2023 at 2:00 p.m. at the Pine River Place Community Room at 210 W. Garfield St., Charlevoix, MI. 49720.

CITY OF CHARLEVOIX

POLICE ACTIVITY REPORT FOR THE MONTH OF JULY 2023

ITEM	TOTAL THIS MONTH	MONTH YEAR PRIOR	TOTAL THIS YEAR	TOTAL LAST YEAR
TRAFFIC CITATIONS	23	19	53	89
TRAFFIC WARNINGS	79	98	359	680
TRAFFIC CONTACTS	94	-	410	-
MOTORIST/CITIZEN ASSIST	34	47	138	155
POLICE ASSIST	37	32	193	191
MEDICAL RESPONSE	4	10	67	61
PAPER SERVICE	1	-	9	-
RESIDENTIAL/COMMERCIAL	3	4	183	217
FELONY ARRESTS	1	1	8	5
MISDEMEANOR/NTA ARRESTS	4	1	26	13
WARRANT ARRESTS	5	-	19	-
WARRANT ATTEMPTS	0	-	4	-
TRAFFIC CRASH 9300-1	13	21	50	56
TRAFFIC CRASH 9300-2	8	6	40	20
GENERAL ASSISTS/OTHER	356	472	2,005	2,835
FUNERAL ESCORTS	3	-	8	-
ALARMS	2	-	38	-
SCHOOL PATROL	0	-	124	-
SCHOOL PRESENTATIONS	0	-	0	-
PARKING/SNOW TICKETS	97	63	299	199
PARKING METER TICKETS	671	579	1,582	894
LIQUOR INSPECTIONS	5	17	89	116
ORIGINAL COMPLAINTS	69	44	230	181
CLOSED COMPLAINTS	45	32	155	145
FOLLOW-UP/SUPPLEMENTS	31	-	86	-
PATROL MILES	4,122	5,365	28,651	35,293

TOTAL MILEAGE #87-1	2,153
TOTAL MILEAGE #87-2	1,749
TOTAL MILEAGE #87-3	71
TOTAL MILEAGE #17	149


 Jill McDonnell
 Chief of Police



July 14, 2023

Mayor Lyle Gennett
Members of City Council
Mark Heydlauff, City Manager
Department heads and staff of the City of Charlevoix
210 State Street
Charlevoix, MI

Dear Mayor Gennett, Members of City Council, City Manager Mark Heydlauff, and all department heads and staff of the City of Charlevoix:

The Charlevoix Historical Society has just opened a new exhibit titled "The Maritime History of Charlevoix, the City on Three Lakes" that encompasses the entire gamut of our town's development, from prehistory to the worldwide recognition it enjoys today, based upon our connection to and relationship with the waters that surround us. Included are the Indigenous presence, then how the infrastructures (bridges, channels, piers, lighthouses) got Charlevoix started, the businesses and industries reliant upon our waters, Round Lake, shipwrecks, recreation, and of course plenty of boats of all functions and sizes. Many of the photos used have never before been seen by the public.

We would like to invite all the elected officials, representatives and employees of the City of Charlevoix to see this exhibit at the Museum at Harsha House, 103 State Street. Visiting hours are between noon and 4 p.m. Monday through Saturday until Labor Day, then Tuesday through Saturday the rest of the year.

Yours truly,

David L. Miles, Curator
Charlevoix Historical Society