



Agenda
City of Charlevoix City Council Regular Meeting
Monday, March 18, 2024 - 6:00 PM
Council Chambers, 210 State Street, Charlevoix, MI

- 1. Pledge of Allegiance**
- 2. Roll Call**
- 3. Presentations**
 - A. Proclamation-Sexual Assault Awareness Month-April 2024
Lyle Gennett
Mayor
- 4. Inquiry Regarding Conflicts of Interest**
- 5. Consent Agenda**
 - A. City Council Meeting Minutes - March 4, 2024
 - B. Accounts Payable and Payroll Check Registers
 - C. Michigan Township Participating Plan Grant Application-Body Worn Cameras
- 6. Public Hearings and Actions Requiring Public Hearings**
 - A. Public Hearing: Zoning Ordinance Amendments
Jonathan Scheel, Zoning Administrator
- 7. All Other Actions and Requests**
 - A. Emergency Alert Siren
Mark Heydlauff, City Manager
- 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

Presentations

Title: Proclamation-Sexual Assault Awareness Month-April 2024

Date: March 18, 2024

Presented By: Lyle Gennett
Mayor

Background:

Recommendation:

Attachments:

1. Sexual Assault Awareness Month April 2024



**MAYORAL PROCLAMATION
SEXUAL ASSAULT AWARENESS MONTH APRIL 2024**

- WHEREAS,** Sexual Assault Awareness Month is recognized nationally each April to raise awareness about the prevalence and impact of sexual violence; and
- WHEREAS,** sexual assault remains prevalent with 1 in 4 women and about 1 in 26 men having experienced completed or attempted rape in this country; and
- WHEREAS,** communities across our nation, including our rural area, play a crucial role in fostering environments that are safe, supportive and connected; and
- WHEREAS,** the strength of our community lies in the bonds we share, and by creating strong connections, we can work collaboratively to reduce the likelihood of sexual violence; and
- WHEREAS,** the residents of our community deserve to live in an environment that values empathy, understanding, and support for survivors of sexual assault; and
- WHEREAS,** recognizing the importance of addressing sexual assault and creating a safer community requires collective efforts for individuals, organizations and local leadership; and

NOW, THEREFORE BE IT RESOLVED, that I, Lyle Gennett, Mayor of the City of Charlevoix, on behalf of all residents, do hereby proclaim April 2024 as Sexual Assault Awareness Month in our City.

Given under my hand this 18th day of March 2024.

Lyle Gennett, Mayor

Charlevoix City Council

Consent Agenda

Title: City Council Meeting Minutes - March 4, 2024

Date: March 18, 2024

Presented By:

Background:

Recommendation:

Motion to approve the minutes as presented.

Attachments:

1. City Council Draft Meeting Minutes 03/04/2024

City of Charlevoix
City Council Regular Meeting Minutes
Monday, March 4, 2024 - 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 Knapp to approve the consent agenda as presented.

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

Nays: None

Absent: None

Motion carried.

A. City Council Meeting Minutes - February 19, 2024

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
02/22/2024	Special Accounts Payable Run	\$76,142.84
03/01/2024	Payroll (net pay)	\$110,982.01
03/01/2024	Payroll Transmittal Checks	\$5,881.11
03/05/2024	Regular Accounts Payable	\$171,394.27
02/20/2024-03/01/2024	ACH/WIRE Payments	\$351,766.72
Grand Total		\$716,166.95
The entire accounts payable and payroll check registers, can be viewed on our website.		

C. Use of Bridge Park for Charlevoix Marathon

Motion to approve the use of Bridge Park for the 2024 Marathon.

D. Decertification of 326' of East Dixon Ave

Motion by Parr, seconded by Knapp to approve Resolution 2024-03-01 as presented.

CITY OF CHARLEVOIX

RESOLUTION NO. 2024-03-01

DECERTIFICATION OF PORTION OF EAST DIXON AVENUE

WHEREAS, the Michigan Department of Transportation (MDOT) has requested that the City of Charlevoix decertify a portion of East Dixon Avenue.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Charlevoix wishes to decertify a portion of East Dixon Avenue. This decertification/vacation of East Dixon is located between East Dixon Avenue and Chicago Avenue for a total decertification/vacation length of 326 feet.

RESOLVED, this 4th day of March, A.D. 2024.

Resolution was adopted by the following yea and nay vote:

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

Nays: None

Absent: None

Motion carried.

E. 2024 Pavement Marking Contract for \$24,635.67

Motion to approve the pavement marking bid for \$24,635.67 and authorize the City Manager to sign any required documents.

F. 2024/25 Restroom Cleaning Contract with Conway Professional Services

Motion to approve the bid as submitted by Conway Professional services and authorize the City Manager to sign any required documents.

G. Emergency Repair of Fire Truck: \$20,135.57

Motion to approve the emergency repair of the fire truck vehicle in the amount of \$20,135.57.

H. Bridge Street Streetlights: \$263,341

Motion to approve the purchase of 14 Holophane decorative streetlights through Power Line Supply, Reed City, Michigan, in the amount of \$76,426 as presented.

Motion to approve the installation of 14 decorative streetlights by J Ranck, Mount Pleasant, Michigan, in the amount of \$186,915 as presented.

6. Public Hearings and Actions Requiring Public Hearings

A. Set Public Hearing: Zoning Ordinance Amendments

Jonathan Scheel, Zoning Administrator

Director of Planning and Zoning Scheel explained the proposed zoning amendments were recommended by the Planning Commission. Mr. Scheel stated the Planning Commission is continuing to work through the Zoning Ordinance to align it with the Master Plan. City Manager

Heydlauff and Mr. Scheel answered questions from Council.

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

Motion by Spring, seconded by Cole to set a public hearing for Monday, March 18, 2024, at 6pm in the Council Chamber of City Hall, 210 State Street, Charlevoix, MI for the proposed Zoning Ordinance Amendments.

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

Nays: None

Absent: None

Motion carried.

B. Short Term Rental Ordinance Amendment

Mark Heydlauff, City Manager

City Manager Heydlauff stated Council has a hard copy in front of them of the short term rental ordinance which reflects a slight revision to the draft that addresses a duplex being used as a short term rental, the language that addresses the singularity of ADUs vs principal residence use in Section 114.05 B3. Mr. Heydlauff stated Staff received feedback from duplex owners where both units are currently registered as short-term rentals. The language in the current draft amendment would prohibit this from continuing; to remedy this, Staff drafted language Council can consider tonight that would apply more narrowly to ADUs and principal residences.

Discussion was held. Mr. Heydlauff answered questions from Council.

Mayor Gennett opened the item for public comment. Three were heard.

Member Kalbfell made a motion to strike the language that allows ADUs to be used as short-term rental and to reinsert the language that prohibits ADUs being used as short-term rentals. Motion failed no second.

Motion by Parr, seconded by Knapp to approve Ordinance 846 as presented with amendments from March 4.

CITY OF CHARLEVOIX

ORDINANCE NO. 846

AN ORDINANCE AMENDMENT TO AMEND TITLE XI: BUSINESS REGULATIONS; CHAPTER 114: SHORT-TERM RENTALS SECTIONS 114.02 DEFINITIONS, 114.03 REGISTRATION AND LICENSING REQUIRED, 114.04 REGISTRATION PROCESS AND PROCEDURE, 114.05 TYPES OF SHORT-TERM RENTALS, 114.06 REGULATIONS

THE CITY OF CHARLEVOIX ORDAINS:

Section 1: Title XI, Chapter 114, Section 114.02 Definitions of the City of Charlevoix Code is hereby amended to add the following definition of Sale and shall be placed under the list of definitions in alphabetical order and shall read as follows:

Sale: The General Property Tax Act, [MCL 211.27a](#) "transfer of ownership" as defined in Section 6(a)-(k).

Section 2: Title XI, Chapter 114, Section 114.02 Definitions of the City of Charlevoix Code is hereby amended to modify the definition of Short term rental and shall read as follows:

Short-term rental (“STR”): The rental of a dwelling unit for compensation for a term of 1 to 29 interrupted or uninterrupted nights per year in the R-1 and R-2 zoning districts.

Section 3: Title XI, Chapter 114, Section 114.03 Registration and Licensing Required items (A), (B), and (F) subsection 6. of the City of Charlevoix Code shall be repealed and replaced and shall read as follows:

- A. All dwelling units shall be registered and licensed with the City as stipulated in this chapter.
- B. The advertisement or rental of an unregistered dwelling unit is prohibited.
- F.6. A statement indicating how many days it was rented in the previous calendar year; and

Section 4: Title XI, Chapter 114, Section 114.04 Registration Process and Procedure item (A) and its subsections are hereby repealed, items B-E shall be renumbered accordingly.

Section 5: Title XI, Chapter 114, Section 114.05, Types of Short-Term Rentals items (B) subsections 1 and 2 shall be amended and shall read as follows and subsection (3) shall be added and read as follows:

- B. Business units. Business units may be rented without restriction on days rented per year.
 - 1. Council shall establish a cap on the number of business units of primary residences to be allowed within the R-1 and R-2 zones through a resolution adopted by Council. The initial cap shall be set at 80 business units.
 - 2. The cap shall be reconsidered by Council as needed by the direction of the City Council.
 - 3. Only one STR license shall be issued per parcel that contains both a principle residence and an ADU. Upon notification of the Enforcement Officer, a STR license that was issued for a primary dwelling may be used as a secondary legal dwelling unit (ADU) that meets all applicable requirements of the zoning ordinance. At no time shall more than one dwelling unit on a parcel be used as a STR during the same time period.

Section 6. Title XI, Chapter 114.05, Types of Short-Term Rentals item (C) subsections 1. 2. and 3. shall be added under letter (B) Business units and shall read as follows:

- C. Accessory Dwelling Units (ADUs). ADUs constructed after February 1, 2024, may be rented without restriction on days rented per year.
 - 1. STR ADUs will be separated by a minimum of 300 feet on each street face per City block.
 - 2. STR ADUS will meet all other Zoning Ordinance standards of Section 153.116 Accessory Buildings and Uses
 - 3. STR ADUs shall not be capped in number across the City with the exception of (C.) (1.) above.

Section 7: Title XI, Chapter 114.06, Regulations item (K) Inspections and conditions shall be repealed and replaced and shall read as follows:

- K. Inspections and conditions. Upon original application and/or upon written complaint, the Enforcement Officer may make periodic inspections of a short-term rental using the standards

of the International Property Maintenance Code as adopted by the City to ensure continuing compliance with the approval standards specified in this chapter. In addition, the Enforcement Officer may impose reasonable conditions on a registration issued under this chapter which are reasonably necessary to ensure compliance with the approval standards provided in this chapter.

SECTION 8. Severability

No other portion, paragraph or phase of the Code of the City of Charlevoix, Michigan shall be affected by this Ordinance except as to the above sections, and in the event any portion, section or subsection of this Ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this Ordinance or of the Code of the City of Charlevoix, Michigan.

SECTION 9. Effective Date

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

Ordinance No. 846 was adopted on the 4th day of March 2024 A.D., by the Charlevoix City Council as follows:

Yeas: Hagen, Cole, Parr, Spring, Knapp

Nays: Kalbfell

Absent: None

Motion carried.

C. Rezone of 13513 Division Street

Mark Heydlauff, City Manager

City Manager Heydlauff explained Council approved the annexation of parcel 13513 Division St.; per the City's Zoning Ordinance, when a parcel of land is annexed, the parcel is automatically given an R-1 zoning classification. The parcel needs to be rezoned as a public facility.

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

Motion by Cole, second by Spring to approve Ordinance 847 of 2024 as presented.

CITY OF CHARLEVOIX

Ordinance No. 847 of 2024

AN ORDINANCE TO AMEND TITLE XV, CHAPTER 153, SECTIONS 153.055, OF THE CHARLEVOIX CITY CODE

THE CITY OF CHARLEVOIX ORDAINS:

SECTION 1. Title XV, Chapter 153, Section 153.055 (B) of the City of Charlevoix Code is hereby amended to include a recently annexed parcel commonly known as 13513 Division Street:

SECTION 2. Description of the amended

The Zoning Use District Map is hereby amended to rezone the following described area from R-1 Single Family District to Public Facility: IN THE CITY OF CHX CHX CNTY COMM AT E 1/4 COR OF SEC 23 T34N R8W TH N89°26'22"W 1519.29 FT AL THE E-W 1/4 LI SD SEC 23 AND C/L DIVISION

ST TO POB TH CONT AL SD 1/4 LI AND C/L N89°26'22"W 460.49 FT TO E LI OF PLAT OF HOMELAND SUBD AS MONU TH AL SD MONU SUBD LI N00°13'31"E 832.03 FT (RECD AS N00°31'W) TH S89°45'39"E 460.68 FT TH S00°14'19"W 834.61 FT TO POB BEING PT OF SW 1/4 OF NE 1/4 OF SEC 23 T34N R8W AND CONTAINING 8.811 A SPLIT ON 12/29/2023 FROM 004-023-014-00 & ANNEXED TO CITY OF CHARLEVOIX 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. Commonly known as 13513 Division Street.

SECTION 3. Severability

No other portion, paragraph or phase of the Code of the City of Charlevoix, Michigan shall be affected by this Ordinance except as to the above sections, and in the event any portion, section or subsection of this Ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this Ordinance or of the Code of the City of Charlevoix, Michigan.

SECTION 4. Effective Date

This Ordinance shall become effective thirty (30) days after its enactment.

Ordinance No. 847 was adopted on the 4th day of March, 2024 A.D., by the Charlevoix City Council as follows:

Motion by: Cole

Seconded by: Spring

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

Nays: None

Absent: None

Motion carried.

7. All Other Actions and Requests

A. Reschedule Council Meetings for Elections

Mark Heydlauff, City Manager

City Manager Heydlauff explained that since the Council Chambers are used for the election and there has always been a Council meeting scheduled before the election, he is proposing a new schedule to help lessen the burden on the Clerk. Mr. Heydlauff proposed to move the first Council meetings in May and August to the following Wednesday and the first Council meeting in November to the Friday before.

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

Motion by Spring, seconded by Kalbfell to adjust the Council Meeting schedule as presented.

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

Nays: None

Absent: None

Motion carried.

B. Response for Marina Commercial Slip Request for Proposal

Recreation Director Knorr explained the two proposals. Discussion was held. Mr. Knorr answered questions from Council.

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

Motion by Hagen, seconded by Kalbfell to approve the City Manager sign a two-year agreement with White Cap Charter for a Dock Lease at the City Marina with a payment of \$160 per foot boat length for each season.

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

Nays: None

Absent: None

Motion carried.

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

Motion by Parr, seconded by Knapp approving the Recreation Director to have follow-up conversation with Harbor Princess to further explore their proposal for a partial season operation at the Marina.

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

Nays: None

Absent: None

Motion carried.

8. Reports and Communications

A. Public Comment

B. City Manager's Comments

- CHILL Housing Grant has received final approval
- DDA is cleaning and updating Bridge Park Building, crews will be working on the building this week
- With the mild weather, the Public Works Department is painting and sanding picnic tables, preparing for spring, thanked them for their hard work
- On the consent agenda, the streetlight project, a sample light can be viewed outside the Council Chamber's window of what they will look like
- EV chargers will be installed soon

C. Mayor and Council Comments

- Council Member Kalbfell had a question about the decertification of E. Dixon

9. Other Council Business

10. Adjourn

Mayor Gennett adjourned the meeting at 6:49 p.m.

Sarah J. Dvoracek

City Clerk

Lyle Gennett

Mayor

Charlevoix City Council

Consent Agenda

Title: Accounts Payable and Payroll Check Registers

Date: March 18, 2024

Presented By:

Background:

Recommendation:

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

Attachments:

1. Check Registers 03-18-24 Agenda

Check Number	Payee	Amount
02/28/2024		
141864	CHARLEVOIX TOWNSHIP TREASURE	94.11
141865	CITY OF CHARLEVOIX - MISC	8.60
141866	CITY OF CHARLEVOIX - MISC	2,848.40
Total 02/28/2024:		2,951.11
Grand Totals:		2,951.11

Summary of Check Registers & ACH Payments

HUNTINGTON NATIONAL BANK - CHECKS ISSUED

02/28/24	Special Accounts Payable Run	\$	2,951.11
03/15/24	Payroll (net pay)	\$	107,936.19
03/15/24	Payroll Transmittal Checks	\$	5,725.11
03/19/24	Regular Accounts Payable	\$	344,335.15

Checks Sub-Total: \$ 460,947.56

HUNTINGTON NATIONAL BANK - ACH/WIRE PAYMENTS

03/04/24	MI Public Power Agency	\$	23,126.20
03/04/24	AMG Payment Solutions	\$	34.99
03/05/24	Payment Service Network Inc	\$	253.20
03/08/24	DTE Energy	\$	9,951.00
03/08/24	State of MI (Sales Tax)	\$	26,996.26
03/11/24	MI Public Power Agency	\$	18,974.19
03/12/24	DTE Energy	\$	2,016.15
03/15/24	IRS (Payroll Tax Deposit)	\$	38,686.34
03/15/24	Alerus Financial (HCSP)	\$	558.00
03/15/24	Vantagepoint (401 Plan)	\$	1,094.68
03/15/24	Vantagepoint (457 Plan)	\$	20,869.94
03/15/24	Vantagepoint (Roth IRA)	\$	1,190.00
03/15/24	State of MI (Withholding Tax)	\$	5,669.64

ACH Sub-Total: \$ 149,420.59

Huntington National Bank Total: \$ 610,368.15

CHARLEVOIX STATE BANK - CHECKS ISSUED

(PROPERTY TAX DISBURSEMENT TO VARIOUS TAXING AUTHORITIES)

03/01/24	Special A/P Tax Disbursement	\$	494,057.65
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Charlevoix State Bank Total: \$ 494,057.65

Grand Total: \$ 1,104,425.80

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
03/09/2024	PC	03/15/2024	39111	HEYDLAUFF, MARK L.	102		3,512.18
03/09/2024	PC	03/15/2024	39112	DVORACEK, SARAH J.	105		2,289.81
03/09/2024	PC	03/15/2024	39113	DEROSIA, PATRICIA E.	107		905.99
03/09/2024	PC	03/15/2024	39114	DOTSON, LINDSEY J.	109		1,666.09
03/09/2024	PC	03/15/2024	39115	KLOOSTER, ALIDA K.	121		1,997.27
03/09/2024	PC	03/15/2024	39116	BARNEVELD, RICHELLE	123		1,350.56
03/09/2024	PC	03/15/2024	39117	SCHULZ, GINNY L.	125		1,564.98
03/09/2024	PC	03/15/2024	39118	DAVIDSON, JESSICA-RA	127		1,468.59
03/09/2024	PC	03/15/2024	39119	MILLER, FAITH G.	142		29.88
03/09/2024	PC	03/15/2024	39120	MCGINN, KELLY A.	146		2,322.67
03/09/2024	PC	03/15/2024	39121	SCHEEL, JONATHAN D.	149		2,096.12
03/09/2024	PC	03/15/2024	39122	MCDONNELL, JILL L.	202		2,250.73
03/09/2024	PC	03/15/2024	39123	UMULIS, MATTHEW T.	205		2,336.74
03/09/2024	PC	03/15/2024	39124	ORBAN, BARBARA K.	209		1,318.44
03/09/2024	PC	03/15/2024	39125	RILEY, DENISE M.	213		570.72
03/09/2024	PC	03/15/2024	39126	MUNK, CHRISTOPHER J.	215		1,570.05
03/09/2024	PC	03/15/2024	39127	CHRISTIANSEN, BRIAN D	218		2,264.62
03/09/2024	PC	03/15/2024	39128	RAMIREZ, CHARLES V.	219		1,303.06
03/09/2024	PC	03/15/2024	39129	YOUNG, KRISTEN L.	230		1,489.04
03/09/2024	PC	03/15/2024	39130	WURST, RANDALL W.	411		1,451.47
03/09/2024	PC	03/15/2024	39131	HILLING, NICHOLAS A.	413		1,809.68
03/09/2024	PC	03/15/2024	39132	MEIER III, CHARLES A.	421		1,617.83
03/09/2024	PC	03/15/2024	39133	ZACHARIAS, STEVEN B.	422		1,938.01
03/09/2024	PC	03/15/2024	39134	NEWMAN, MARK J.	424		1,814.64
03/09/2024	PC	03/15/2024	39135	LOUGHMILLER, JOHN A.	425		1,822.60
03/09/2024	PC	03/15/2024	39136	GRIFFITH, JOHN J.	500		2,543.46
03/09/2024	PC	03/15/2024	39137	EATON, BRAD A.	515		2,980.28
03/09/2024	PC	03/15/2024	39138	WILSON, TIMOTHY J.	516		2,993.27
03/09/2024	PC	03/15/2024	39139	LAVOIE, RICHARD L.	519		2,582.24
03/09/2024	PC	03/15/2024	39140	STERRETT, PHILLIP R.	520		2,402.89
03/09/2024	PC	03/15/2024	39141	STEVENS, BRANDON C.	521		3,060.90
03/09/2024	PC	03/15/2024	39142	WHITLEY, ANDREW T.	522		3,226.35
03/09/2024	PC	03/15/2024	39143	FARRELL, MITCHELL L.	524		1,975.63
03/09/2024	PC	03/15/2024	39144	ANDERSON, ELIZABETH	526		1,460.44
03/09/2024	PC	03/15/2024	39145	KENWABIKISE, DAVID L.	528		1,310.63
03/09/2024	PC	03/15/2024	39146	ELLIOTT, PATRICK M.	600		3,209.25
03/09/2024	PC	03/15/2024	39147	MORRISON, KEVIN P.	601		1,512.04
03/09/2024	PC	03/15/2024	39148	SCHWARTZFISHER, JOS	603		1,308.87
03/09/2024	PC	03/15/2024	39149	FURGESON, JUSTIN L.	613		1,884.60
03/09/2024	PC	03/15/2024	39150	BRADLEY, KELLY R.	614		1,770.49
03/09/2024	PC	03/15/2024	39151	HART II, DELBERT W.	616		1,882.86
03/09/2024	PC	03/15/2024	39152	JONES, ROBERT F.	618		1,439.87
03/09/2024	PC	03/15/2024	39153	THORP JR, WILLIAM D.	623		1,589.93
03/09/2024	PC	03/15/2024	39154	LEITNER, RYAN S.	624		1,466.76
03/09/2024	PC	03/15/2024	39155	NOWKA, STEPHEN P.	626		1,558.75
03/09/2024	PC	03/15/2024	39156	REID, ROB A.	632		7.80
03/09/2024	PC	03/15/2024	39157	KNORR, KENT J.	700		2,240.21
03/09/2024	PC	03/15/2024	39158	ANZELL, BETH A.	702		1,550.74
03/09/2024	PC	03/15/2024	39159	BOSS, SHERRY M.	730		736.06
03/09/2024	PC	03/15/2024	39160	MCDERMOTT, DENNIS J.	732		80.10
03/09/2024	PC	03/15/2024	39161	PORATH, JACOB P.	741		135.15
03/09/2024	PC	03/15/2024	39162	MAILLOUX, AIDEN M.	757		155.06
03/09/2024	PC	03/15/2024	39163	CULBERTSON, CRISTIN	764		470.79
03/09/2024	PC	03/15/2024	39164	JOHNSTONE, HUNTER S.	765		394.68
03/09/2024	PC	03/15/2024	39165	BEMIS, ADDISON J.	766		459.88
03/09/2024	PC	03/15/2024	39166	LOPEZ, VANESSA M.	767		319.70
03/09/2024	PC	03/15/2024	39167	PEARSALL, KRISTA M.	784		169.16

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
03/09/2024	PC	03/15/2024	39168	WELLS, JANINNA J.	785		140.96
03/09/2024	PC	03/15/2024	39169	BOSS, BEAU J.	788		1,695.86
03/09/2024	PC	03/15/2024	39170	ARNOLD, REMI C.	789		365.96
03/09/2024	PC	03/15/2024	39171	HALL, CLEMENTINE V.	790		111.00
03/09/2024	PC	03/15/2024	39172	KLOOSTER, JUSTIN N.	791		323.76
03/09/2024	PC	03/15/2024	39173	LUECKE, ANDREW L.	795		116.36
03/09/2024	PC	03/15/2024	39174	MAILLOUX, CLARA C.	796		111.00
03/09/2024	PC	03/15/2024	39175	BEMIS, GARRETTSON G.	797		372.13
03/09/2024	PC	03/15/2024	39176	STEVENS, JEFFREY W.	798		14.78
03/09/2024	PC	03/15/2024	39177	DRENT, DOUGLAS A.	838		564.56
03/09/2024	PC	03/15/2024	39178	GILL, DAVID R.	856		902.26
03/09/2024	PC	03/15/2024	39179	LIVINGSTON, BRIAN D.	866		1,900.26
03/09/2024	PC	03/15/2024	39180	SCHOLEY, ROBERT W.	902		1,954.05
03/09/2024	PC	03/15/2024	39181	OLIVER, GRANT T.	915		1,060.20
03/09/2024	PC	03/15/2024	39182	POSTMUS, ANTHONY H.	916		1,051.28
03/09/2024	PC	03/15/2024	39183	DOUGLAS, MARK	935		1,513.90
03/09/2024	PC	03/15/2024	39184	FRATRICK, JOSEPH W.	940		730.93
03/09/2024	PC	03/15/2024	39185	SEEGER, LINDA J.	2045		207.00
03/09/2024	PC	03/15/2024	39186	OOSTHUIZEN, ANNE DIP	2047		105.00
03/09/2024	PC	03/15/2024	39187	LINKLATER, LINDA K.	2049		96.00
03/09/2024	PC	03/15/2024	39188	LEGENZA, TAMMY L.	2052		222.00
03/09/2024	PC	03/15/2024	39189	VOORHEIS, MARGARET	2054		207.00
03/09/2024	PC	03/15/2024	39190	KOZLAUSKOS, KENDRA	2055		84.00
03/09/2024	PC	03/15/2024	39191	FOCHTMAN, MICHAEL A.	2059		207.00
03/09/2024	PC	03/15/2024	39192	LOCKWOOD, KELLI L.	2062		180.00
03/09/2024	PC	03/15/2024	39193	HAMPTON, PETER L.	2064		96.00
03/09/2024	PC	03/15/2024	39194	KURZAVA, JILL A.	2065		96.00
03/09/2024	PC	03/15/2024	141867	BOSS JR, DALE E.	701		1,424.79
03/09/2024	PC	03/15/2024	141868	WILLSON, BRENDA R.	799		225.54
03/09/2024	PC	03/15/2024	141869	CAMPBELL, KAREN L.	2013		108.00
03/09/2024	PC	03/15/2024	141870	CIUK, JULIA A.	2035		108.00
Grand Totals:			88				107,936.19

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
03/09/2024	03/15/2024	141871	4FRONT CREDIT UNION	9024	HSA-EMPLOYEE CONTRIB-4FR	1,095.58
03/09/2024	03/15/2024	141872	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-POST T	69.80
03/09/2024	03/15/2024	141872	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-PRETA	498.48
03/09/2024	03/15/2024	141873	CHARLEVOIX STATE BAN	9017	HSA - EMPLOYEE CONTRIB - C	1,330.00
03/09/2024	03/15/2024	141874	COMMUNICATION WORK	9004	CWA UNION DUES Pay Period:	672.39
03/09/2024	03/15/2024	141875	MI STATE DISBURSEMEN	9012	FRIEND OF THE COURT Pay Pe	116.55
03/09/2024	03/15/2024	141876	PRIORITY HEALTH	392358	PRIORITY HEALTH Pay Period:	1,564.95
03/09/2024	03/15/2024	141877	THE HARTFORD	9035	LIFE - VOLUNTARY Pay Period:	276.73
03/09/2024	03/15/2024	141877	THE HARTFORD	9035	SPOUSE LIFE Pay Period: 3/9/2	51.29
03/09/2024	03/15/2024	141877	THE HARTFORD	9035	CHILD LIFE Pay Period: 3/9/202	11.00
03/09/2024	03/15/2024	141877	THE HARTFORD	9035	AD&D - VOLUNTARY Pay Period	28.60
03/09/2024	03/15/2024	141877	THE HARTFORD	9035	SPOUSE AD&D Pay Period: 3/9/	5.09
03/09/2024	03/15/2024	141877	THE HARTFORD	9035	CHILD AD&D Pay Period: 3/9/20	4.65
Grand Totals:		13				5,725.11



Check Number	Payee	Amount
03/19/2024		
141878	ACE HARDWARE	1,213.96
141879	AMAZON CAPITAL SERVICES	420.55
141880	AMERICAN LEGAL PUBLISHING CORP	23.77
141881	ANZELL, BETH A.	504.50
141882	ASPEN WIRELESS TECHNOLOGIES IN	2,394.00
141883	AT YOUR SERVICE PLUS INC	420.00
141884	AT&T MOBILITY	36.88
141885	AUTO WARES INC	1,489.25
141886	AVFUEL CORPORATION	20,924.85
141887	BALLARD'S PLUMBING AND HEATING	120.00
141888	BOSS, BEAU	225.00
141889	CARQUEST OF CHARLEVOIX	246.03
141890	CENTURYLINK	5.57
141891	CHARTER COMMUNICATIONS	149.98
141892	CHARTER COMMUNICATIONS OPERA	88.24
141893	CINTAS	30.49
141894	CITY OF CHARLEVOIX - UTILITIES	56,087.06
141895	CONWAY PROFESSIONAL SERVICES	882.50
141896	CSI EMERGENCY APPARATUS LLC	20,135.57
141897	DROST LANDSCAPE	800.00
141898	ETNA SUPPLY	2,668.55
141899	FAMILY FARM AND HOME	31.98
141900	FARRIS, RICHARD	75.00
141901	FICK & SONS DIESEL GARAGE	2,611.68
141902	FREEDOM MAILING SERVICES INC	2,670.44
141903	GANNETT MICHIGAN LOCALIQ	2,238.42
141904	GFL ENVIRONMENTAL	159.13
141905	GORDON FOOD SERVICE	118.42
141906	GRAND TRAVERSE GARAGE DOOR C	176.00
141907	GRP ENGINEERING INC	20,723.59
141908	HEYDLAUFF, MARK L.	685.20
141909	HUNTINGTON NATIONAL BANK	122,050.00
141910	HYDROCORP	2,077.00
141911	INTEGRITY BUSINESS SOLUTIONS	36.03
141912	ISLAND AIRWAYS	2.75
141913	JACKLIN STEEL SUPPLY CO	1,106.60
141914	KALAMAZOO SANITARY SUPPLY LLC	220.62
141915	KCI	285.81
141916	LASER PRINTER TECHNOLOGIES	834.94
141917	LYND, KELLY	75.00
141918	MCCARDEL CULLIGAN WATER COND	55.50
141919	MICHIGAN ASSOCIATION OF PLANNIN	385.00
141920	MISS DIG 811	2,043.66
141921	NAVIA BENEFIT SOLUTIONS	100.00
141922	NORTHWEST FIRE	206.50
141923	NUCO2 LLC	200.90
141924	OLESON'S FOOD STORES	15.26
141925	OTEC	238.00

Check Number	Payee	Amount
141926	PENCHURA LLC	2,492.00
141927	PENINSULA FIBER NETWORK LLC	470.00
141928	PERFORMANCE ENGINEERS INC	46,406.75
141929	POWER LINE SUPPLY	2,153.63
141930	POWERPLAN	5,373.00
141931	PRESTON FEATHER	112.73
141932	RANGE TELECOMMUNICATIONS	214.00
141933	SCHEEL, JONATHAN D	26.24
141934	SKIPPERGOSH, LAWRENCE	17.84
141935	TELNET WORLDWIDE	162.73
141936	TRANSUNION RISK AND ALTERNATIV	75.00
141937	TRUCK & TRAILER SPECIALTIES	678.00
141938	UNIFIRST CORPORATION	283.55
141939	VILLAGE GRAPHICS INC	488.26
141940	WEST ARBOR SOLUTIONS	37.79
141941	WESTSIDE SOLUTIONS INC	1,230.00
141942	WEX BANK	348.38
141943	WHITLEY, ANDREW T.	72.00
141944	WINDEMULLER ELECTRIC INC.	696.69
141945	ZIXCORP	2,706.38
141946	PROPERTY MANAGEMENT ELITE LLC	12,000.00
Total 03/19/2024:		344,335.15
Grand Totals:		344,335.15

Check Number	Payee	Amount
03/04/2024		
30424001	MICHIGAN PUBLIC POWER AGENCY	23,126.20
30424002	AMG PAYMENT SOLUTIONS	34.99
Total 03/04/2024:		23,161.19
Grand Totals:		23,161.19

Check Number	Payee	Amount
03/05/2024		
30524001	PAYMENT SERVICE NETWORK INC.	253.20
Total 03/05/2024:		253.20
Grand Totals:		253.20

Check Number	Payee	Amount
03/08/2024		
30824001	DTE ENERGY	9,951.00
30824002	STATE OF MICHIGAN	26,996.26
Total 03/08/2024:		36,947.26
Grand Totals:		36,947.26

Check Number	Payee	Amount
03/11/2024		
31124001	MICHIGAN PUBLIC POWER AGENCY	18,974.19
Total 03/11/2024:		18,974.19
Grand Totals:		18,974.19

Check Number	Payee	Amount
03/12/2024		
31224001	DTE ENERGY	2,016.15
Total 03/12/2024:		2,016.15
Grand Totals:		2,016.15

Check Issue Date	Check Number	Payee	Amount
31524001			
03/15/2024	31524001	**EFTPS* Payroll Taxes	10,225.41
03/15/2024	31524001	**EFTPS* Payroll Taxes	10,225.41
03/15/2024	31524001	**EFTPS* Payroll Taxes	2,391.40
03/15/2024	31524001	**EFTPS* Payroll Taxes	2,391.40
03/15/2024	31524001	**EFTPS* Payroll Taxes	13,452.72
Total 31524001:			
	5		38,686.34
31524002			
03/15/2024	31524002	Alerus Financial	558.00
Total 31524002:			
	1		558.00
31524003			
03/15/2024	31524003	MissionSquare - 401 Plan 109153	1,094.68
Total 31524003:			
	1		1,094.68
31524004			
03/15/2024	31524004	MissionSquare - 457 Plan 300959	4,602.00
03/15/2024	31524004	MissionSquare - 457 Plan 300959	2,641.50
03/15/2024	31524004	MissionSquare - 457 Plan 300959	4,723.24
03/15/2024	31524004	MissionSquare - 457 Plan 300959	8,903.20
Total 31524004:			
	4		20,869.94
31524005			
03/15/2024	31524005	MissionSquare - Roth IRA 706117	1,190.00
Total 31524005:			
	1		1,190.00
31524006			
03/15/2024	31524006	STATE OF MICHIGAN	5,669.64
Total 31524006:			
	1		5,669.64
Grand Totals:			
	13		68,068.60



Check Number	Payee	Amount
03/01/2024		
4093	BLAKE HOLDINGS LLC	169.88
4094	CHARLEVOIX COUNTY TREASURER	878.05
4095	CHARLEVOIX COUNTY TREASURER	92,289.95
4096	CHARLEVOIX DISTRICT LIBRARY	68,201.38
4097	CHARLEVOIX PUBLIC SCHOOLS	6,440.25
4098	CHARLEVOIX-EMMET ISD	189,323.46
4099	CITY OF CHARLEVOIX - TAXES DUE	52,813.92
4100	HOTEL EARL LLC	66.25
4101	LAKE CHARLEVOIX EMS AUTHORITY	65,317.20
4102	MISENER BETH BAKER TRUST	967.40
4103	RECREATIONAL AUTHORITY	14,330.68
4104	STATE OF MICHIGAN	3,259.23
Total 03/01/2024:		494,057.65
Grand Totals:		494,057.65

CHECKS DRAWN ON CHARLEVOIX STATE BANK ACCOUNT

Charlevoix City Council

Consent Agenda

Title: Michigan Township Participating Plan Grant Application-Body Worn Cameras

Date: March 18, 2024

Presented By:

Background:

The Police Department uses Body Worn Cameras (BWC) daily for accountability, evidence collection, and training. The Michigan Township Participating Plan (the City's insurance company) offers a grant that covers up to \$5,000.00 towards equipment and training. The Police Department would like to apply and accept a grant of \$5,000.00 for the department's Body Worn Camera software and program. The Body Word Camera's software covers storage, retention, freedom of information editing and sharing of digital evidence with the prosecutors' office and under freedom of information requests.

Recommendation:

Motion to approve the application for the Michigan Township Participating Plan Grant for \$5,000.00 for the Police Department's Body Worn Camera Program.

Attachments:

1. Grant Appliation Resolution 2024-03-02

CITY OF CHARLEVOIX
RESOLUTION NO. 2024-03-02
Michigan Township Participating Plan Grant Application

WHEREAS, the City of Charlevoix City Council wishes to apply for a Risk Reduction Grant through the Michigan Township Participating Plan (Par Plan) to assist in cover the cost of the Body Worn Camera program;

WHEREAS, the City of Charlevoix Police Department is seeking a grant contribution of \$5,000.00.; and

NOW THEREFORE BE IT RESOLVED, that the City of Charlevoix City Council supports submittal of an application to the Michigan Township Participating Plan for a \$5,000.00 grant o assist in cover the cost of the Body Worn Camera program.

RESOLVED this.

Resolution was adopted by the following yea and nay vote:

Yeas:

Nays:

Absent:

Charlevoix City Council

Public Hearings and Actions Requiring Public Hearings

Title: Public Hearing: Zoning Ordinance Amendments

Date: March 18, 2024

Presented By: Jonathan Scheel, Zoning Administrator

Background:

The Planning Commission has been revisiting the current Zoning Ordinance, aligning it with the Master Plan, incentivizing housing, cleaning up contradictions and mistakes. Recently, the City Council approved many changes to the R-1 and R-2 Residential Districts, allowing for more housing. These proposed ordinance changes continue with residential uses, including accessory buildings and many of the expected ordinance language that goes with those uses. Many of the changes are to make the ordinance more user-friendly by having all related content in one place rather than many areas of the ordinance.

Recommendation:

Motion to approve Ordinance 848 of 2024 as presented.

Attachments:

1. Red Lined Ordinance Changes
2. 848 of 2024 Zoning Ordinance Amendment

Proposed Zoning Ordinance Amendments

March 4, 2024

§ 153.101 CENTRAL BUSINESS DISTRICT OVERLAY DISTRICT.

(A) *Purpose.* To create a vibrant downtown district fronting Bridge Street consisting of primarily retail and food service businesses that enhance the city's economy by defining specific uses intended to increase consumer traffic.

(B) *Applicability.* This overlay district shall include all **street level areas of** buildings with store entrances facing Bridge Street from Antrim Street north to the Pine River Channel.

(C) *Permitted uses.*

(4) **Small single building hotel, and universities**

~~—(4) Beauty salons and barber shops as the primary use. Secondary uses may include tanning beds, pedicure or manicure services in the same location.~~

(5) Professional offices and residential units are not permitted on the street level.

(E) Outdoor displays and merchandise. Merchandise or similar goods, and associated displays shall not be permitted on the exterior buildings, entryways or sidewalks, except during **City sponsored** official sidewalk sales.

(Prior Code, § 5.41)

§ 153.116 ACCESSORY BUILDINGS AND USES.

(A) Accessory buildings and structures.

(2) Where an accessory building is attached to the principal building, it shall be considered part of the principal building for purposes of determining setback dimensions and building height. **The accessory structure cannot be more than two feet closer to the front yard setback than the principal structure.** If, however, the attached accessory building is connected to the principal building by a roofed porch, breezeway or similar covered structure, it shall not exceed 16 feet in height, shall not be closer than 20 feet to the rear lot line, and meet the front and side yard setback requirements of that zone district.

(3) In the R1 and R2 Residential Districts, if the principal building has an attached accessory building, only one detached accessory building shall be permitted, **meeting (5) (a) and (b) of this section.**

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

(5) Building size and massing. Accessory buildings and structures shall meet the following requirements and Diagram A:

(b) The minimum distance between a principal building and detached accessory buildings shall be ~~ten~~ five feet (Diagram A:3), and meet all building code requirements. ~~a minimum of ten feet shall be provided between the sides of adjacent single-family buildings and and/or accessory structures.~~

(6) Detached accessory buildings and structures shall meet the following minimum setbacks.

(a) Rear yard: six feet from a rear lot line. ~~Detached a~~ Accessory structures that store vehicles adjacent to alleys or sidewalks shall not be closer than ~~15~~ 20 feet from the edge of the alley or sidewalk surface.

(b) Side yards: an accessory building shall conform to the side yard ~~and street side yard~~ setback requirements of the principal building.

(7) Design standards. The following standards shall apply to buildings larger than 200 square feet:

~~(b)~~ The location and design maintains a compatible relationship to adjacent properties and does not significantly impact the privacy, light, air, or parking of adjacent properties.

~~(b c)~~ The structure shall be designed so that the appearance maintains that of ~~a the principle single-family~~ dwelling. In determining whether a structure is so designed, the structure shall meet the following requirements and Diagram C:

1. Buildings with a flat roof shall have a cornice expression line. A pitched (sloped) roof shall be compatible with the architecture of the ~~main~~ principal building (1).

6. A permanent foundation is required.

7. Any exterior staircases that provide access to a second floor shall not be on the front of either the principal dwelling or the accessory building.

8. Windows that impact the privacy of the neighboring side or rear yards have been minimized or screened.

~~(c d)~~ Driveways, see § 153.189 (G).

~~(d e)~~ Design standards do not apply to ~~single family~~ residences that may be built in the General Commercial (GC), Professional Office (PO) and Commercial Mixed Use (CM) Districts on lots fronting U.S. 31 (Bridge Street and Michigan Avenue) and M-66. (See § 153.170 Building Appearance).

~~-8- Detached accessory structures shall not exceed 16 feet in height. See § 153.005 Definitions for the definition of building height.~~

8. That all parts of the structure ~~any walls~~ within the setback areas, comply with applicable building and fire codes.

(B) Accessory Dwelling Units (ADUs).

(1) All of the requirements of Division (A), above apply in addition to the ADU-specific requirements of this section ~~with the exception of 153.116 (9) (a)(b)(c).~~

(7) The maximum lot coverage for parcels with an ADU may be increased to a maximum of 50% when stormwater runoff equivalent to 20% of the lot coverage area is collected in rain barrels, rain gardens, or is mitigated via porous concrete or other materials on the parcel and shown that any additional stormwater does not leave the property. See § 153.152.

§ 153.117 RESIDENTIAL USES.

(A) *Dwellings, Single-family attached or detached (outside mobile home communities)* All dwelling units located outside a licensed manufactured home community shall comply with the following.

(7) A recreational vehicle, vehicle chassis or tent is not considered a dwelling ~~and is not to be used as a dwelling, temporary or long term.~~

(C) Accessory dwelling unit (ADU)

(1) ADUs are subject to all applicable regulations of the zoning district in which they are located unless otherwise expressly stated in this section. ADUs are considered an accessory building and shall fit within the standards of § ~~153.116~~(A) and (B) which covers both attached and detached ADUs. All ADUs are required to obtain a zoning permit prior to construction.

(3) At least one of the units on the parcel shall be occupied by a long-term renter or an owner with at least 50% interest in the subject property. The owner or renter shall occupy either the principal dwelling unit or the ADU as their permanent residence. An ADU shall not be sold independently of the primary dwelling on the parcel. ~~Short-term rentals of ADUs shall be prohibited.~~

~~(4) A permanent foundation is required.~~

~~(5) The maximum lot coverage for parcels with an ADU may be increased to a maximum of 50% when stormwater runoff equivalent to 20% is collected in rain barrels, rain gardens, or is mitigated via porous concrete or other materials on the parcel.~~

~~(6) Any exterior staircases that provide access to a second floor ADU shall not be on the front of either the principal dwelling or the ADU.~~

(4) *Dimensional requirement modifications.* Under some circumstances, certain dimensional requirements modifications may be granted by a special land use permit after a site plan review by the Planning Commission. Application for modifications may be applied for new construction or pre-existing structures built prior to 2019 that are located within the required setbacks of the district. In order to grant a special land use permit for any modifications, all of the following must be met:

~~(E) Home conversions. An existing detached single-family dwelling built prior to 2019 that is located within the required setbacks of the district may be converted to multiple permanent dwelling units subject to the following:~~

~~—(1) Lot area meets the minimum requirements for the district.~~

~~(2) The exterior appearance of the structure is not altered from its single-family character.~~

~~—(3) Parking meets the requirements of § 153.187.~~

~~—(4) Access to any second floor dwelling unit is provided from the interior of the structure.~~

~~—(5) The minimum square footage required for a studio or one-bedroom unit shall be 300 square feet.~~

~~—(6) The minimum square footage required for a two-bedroom unit shall be 450 square feet.~~

~~(7) All units have construction code-approved egress.~~

(F E) Single-family attached and single multiple-family buildings.

(1) Single-family attached buildings, **home conversions** and single multiple-family buildings are subject to all applicable regulations of the zoning district in which they are located unless otherwise expressly stated in this section.

(4) Parking is located in the rear or on the side of the building **and meets the requirements of § 153.187.**

(8) Access to any second-floor dwelling unit is provided from the interior of the structure.

(9) All units will have construction code-approved egress.

153.145 FENCES AND WALLS.

(A) All fences, walls and other similar structures shall be located on private property and must not obstruct the sight distance of motorists from driveways, roads and intersections. Fences or walls in all districts, except Industrial, shall not exceed six feet in height above grade when located in any portion of the rear or side yard. Fences located in the front yard are permitted; provided, they are open wrought iron, picket, split rail and similar decorative fences, have a maximum opacity of 50% and do not exceed **three feet 48 inches** above grade.

(F) Fences in the front yard shall have a minimum setback of 12 inches from the **front** property line.

§ 153.149 PROJECTIONS INTO REQUIRED YARDS.

~~(B)(1) An open, unenclosed and uncovered porch, patio, terrace, deck, balcony or window awning may project no further than ten feet into a required front yard; no further than 15 feet into a required rear yard; and shall not project into any required side yard.~~

~~(2)~~ In no case, shall a **porch, patio, terrace, deck, balcony or awning** be placed closer than five feet to any front or rear lot line with the exception of the CBD district where a porch, terrace, deck, balcony or awning may extend to the property line.

§ 153.151 SETBACK REQUIREMENTS.

(1) The required front setback shall apply to the principal and **secondary street side** front lot **line on a corner lot.**

(2) The required setback for the **secondary street** side front yard shall be the lesser of the required front setback or the established setback for the principal building on the abutting lot that faces the same street as the **secondary street** front lot line.

(3) The remaining setbacks shall be side setbacks.

~~(a) The required front setback shall apply to the principal front yard.~~

~~—(b) The required setback for the secondary front yard shall be the lesser of the required front setback or the established setback for the principal building on the abutting lot that faces the same street as the secondary front lot line.~~

~~—(c) 1. The remaining setbacks shall be a rear and a side setback.~~

~~——— 2. The rear setback shall be measured from the rear lot line, which in the case of a corner lot, shall be the lot line opposite the principal front lot line.~~

§153.152 LOT COVERAGE REQUIREMENTS.

(B) Use of materials such as gravel or stone, pavers and similar permeable surfaces shall not count ~~be~~ or calculated in lot coverage, however; the use of the afore mentioned permeable surfaces shall not exceed ~~60~~ 25% of the ~~lot area~~ requirements of Table 153.072 (b) Maximum Lot Coverage %.

~~-(C) Accessory buildings and structures refer to § 153.117(D).~~

153.158 RENTING OF RESIDENTIAL PROPERTIES.

Renting of residential properties, including, but not limited to, homes, condos, apartments, townhouses, and duplexes, as short or long term rentals, regardless of the underlying zoning district, shall comply with the following standards.

(A) Short and long-term renting of ~~part of~~, or entire residential structures is permitted in any zoning district providing all rentals comply with any applicable requirements of city ordinances. ~~Short-term rentals shall be regulated as provided in Chapter 114 of this code.~~

§ 153.189 OFF-STREET PARKING FACILITY DESIGN.

(A) Off-street parking location and setbacks.

2) *Front yard limitation.* In the CBD, GC, PO and CM Districts ~~and single multi-family buildings in the R1 or R2 Districts~~, the required front yard setback shall not be used for off-street parking, loading or unloading and shall remain open, unoccupied and unobstructed, except for landscaping or vehicle access drives.

(3) (a) Required off street parking facilities for residential dwellings shall be located on the same property as the premises they are intended to serve and shall consist of a driveway, a parking apron and/or a garage. ~~Parking for single multifamily structures shall be located at the rear or on the side of the building.~~

~~(b) Parking access shall be from the alley or front side where available, otherwise access may be from the front lot line.~~

**CITY OF CHARLEVOIX
ORDINANCE NO. 848**

AN ORDINANCE AMENDMENT TO AMEND TITLE XV LAND USAGE, CHAPTER 153: PLANNING AND ZONING: SECTIONS 153.101 CENTRAL BUSINESS DISTRICT OVERLAY DISTRICT; 153.116 ACCESSORY BUILDINGS AND USES; 153.117 RESIDENTIAL USES; 153.145 FENCES AND WALLS; 153.149 PROJECTIONS INTO REQUIRED YARDS; 153.151 SETBACK REQUIREMENTS; 153.152 LOT COVERAGE REQUIREMENTS; 153.158 RENTING OF RESIDENTIAL PROPERTIES; 153.189 OFF-STREET PARKING FACILITY DESIGN

THE CITY OF CHARLEVOIX ORDAINS:

Section 1: Title XV, Chapter 153, Section 153.101 Central Business District Overlay District subsections (B), (C) and (E) of the City of Charlevoix Code shall be repealed and replaced and shall read as follows:

(B) Applicability. This overlay district shall include all street level areas of buildings with store entrances facing Bridge Street from Antrim Street north to the Pine River Channel.

(C) Permitted uses.

- (1) Food and beverage services, including: grocery stores, restaurants, cafés (including internet cafes), coffee shops, bars, taverns, wine bars, breweries, bakeries, delicatessens, bistros and specialty shops;
- (2) Retail stores having a gross area of less than 5,000 square feet; (Appliance, furniture and similar stores selling large scale consumer products are not considered retail.)
- (3) Art galleries, frame shops, photography and art studios; and
- (4) Small single building hotel and universities
- (5) Professional offices and residential unit as not permitted on the street level

(E) Outdoor displays and merchandise. Merchandise or similar goods, and associated displays shall not be permitted on the exterior buildings, entryways or sidewalks, except during City sponsored official sidewalk sales.

Section 2: Title XV, Chapter 153, Section 153.116 Accessory Buildings and Uses subsections (A)2, (A)3, (A)5b, (A)5c, A(6)a, A(6)b, A(7) A(8) through A(11) of the City of Charlevoix Code shall be repealed and replaced and shall read as follows:

(A) Accessory buildings and structures.

A(2) Where an accessory building is attached to the principal building, it shall be considered part of the principal building for purposes of determining setback dimensions and building height. The accessory structure cannot be more than two feet closer to the front yard setback than the principal structure. If, however, the attached accessory building is connected to the principal building by a roofed porch, breezeway or similar covered structure, it shall not exceed 16 feet in height, shall not be closer than 20 feet to the rear lot line and shall meet the front and side yard setback requirements of that zone district.

A(3) In the R1 and R2 Residential Districts, if the principal building has an attached accessory buildings, only one detached accessory building shall be permitted, meeting (5) (a) and (b) of this section.

A(5)b The minimum distance between a principal buildings and detached accessory buildings shall be five feet (Diagram A:3), and meet all building code requirements.

A(6)a Rear yard: six feet from a rear lot line. Accessory structures that store vehicles adjacent to alleys or sidewalks shall not be closer than 20 feet from the edge of the alley or sidewalk surface.

A(6)b Side yards: an accessory building shall conform to the side yard and street side yard setback requirement of the principal building.

A(7) Design standards: The following standards shall apply to buildings larger than 200 square feet:

(a) Detached garages on corner lots shall face side streets. Detached garages on the corner side with driveways extending from the front street are prohibited. When an alley is available, access will come from the alley.

(b) The location and design maintain a compatible relationship to adjacent properties and does not significantly impact the privacy, light, air, or parking of adjacent properties.

(c) The structure shall be designed so that the appearance maintains that of the principle dwelling. In determining whether a structure is so designed, the structure shall meet the following requirements and Diagram C:

1. Buildings with a flat roof shall have a cornice expression line. A pitched (sloped) roof shall be compatible with the architecture of the principal building (1).

2. Transparency upper floor. Building facades facing streets shall have minimum 10% of the façade be glass between the finish floor line of the second story and bottom of the cornice expression line or bottom eave (2).
3. Transparency ground floor. Building facades facing streets shall have minimum 10% of the façade be glass between the adjacent grade and the finish floor line of the second story (3).
4. Window color and finish should complement the color and architectural style of the principal building (4).
5. Exterior finish should be constructed of similar materials as the principal building or traditional materials such as wood, wood lookalike, brick, or stone.
6. A permanent foundation is required.
7. Any exterior staircases that provide access to a second floor shall not be on the front of either the principal dwelling or the accessory building.
8. Windows that impact the privacy of the neighboring side or rear yards have been minimized or screened.

(d) Driveways, see § 153.189.

(e) Design standards do not apply to single family residences that may be built in the General Commercial (GC), Professional Office (PO) and Commercial Mixed Use (CM) Districts on lots fronting U.S. 31 (Bridge Street and Michigan Avenue) and M-66. (See § 153.170 Building Appearance).

(8) That all parts of the structure within the setbacks areas, comply with applicable building and fire codes.

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

- (a) May not contain features that form a habitable dwelling unit or create a second dwelling unit;
- (b) These structures may contain utility sinks, one bathroom, and refrigeration units. Full kitchen facilities that include a range or stove are prohibited; and
- (c) Rooms within accessory structures may be used for additional sleeping quarters for the owner, or resident, and their immediate family provided that these rooms may not be rented out as short-or long-term rentals for any length of time.

(10) Stand-alone carports are prohibited in all zones. Carports attached to existing structures shall meet the requirements of this chapter. Tents, wall tents, garages in a box and similar enclosures are prohibited.

(11) Permanent greenhouses shall be considered an accessory structure and meet the requirements of this section.

Section 3: Title XV, Chapter 153, Section 153.116 Accessory Buildings and Uses subsection B(1), B(7) Accessory Dwelling Units (ADUs) of the City of Charlevoix Code shall be repealed and replaced and shall read as follows:

B(1) All of the requirements of Division (A), above apply in addition to the ADU-specific requirements of this section with the exception of 153.116 (9) (a), (b), and (c).

B(7) The maximum lot coverage for parcels with an ADU may be increased to a maximum of 50% when stormwater runoff equivalent to 20% of the lot coverage area is collected in rain barrels, rain gardens, or is mitigated via porous concrete or other materials on the parcel and shown that any additional stormwater does not leave the property. See § 153.152.

Section 4: Title XV, Chapter 153, Section 153.117 Residential Uses Subsection A(7) of the City of Charlevoix Code shall be repealed and replaced and shall read as follows:

A(7) A recreational vehicle, vehicle chassis or tent is not considered a dwelling and is not to be used as a dwelling, temporary or long term.

Section 5: Title XV, Chapter 153, Section 153.117 Residential Uses Subsection C. Accessory dwelling unit of the City of Charlevoix Code shall be repealed and replaced and shall read as follows:

C. Accessory dwelling unit (ADU).

- (1) ADUs are subject to all applicable regulations of the zoning district in which they are located unless otherwise expressly stated in this section. ADUs are considered an accessory building and shall fit within the standards of § 153.116(A) and (B) which covers both attached and detached ADUs. All ADUs are required to obtain a zoning permit prior to construction.
- (2) In districts that allow ADUs, they may be allowed on any legal parcel of record as of January 1, 2019, and there shall be an existing principal residential use on the parcel.
- (3) At least one of the units on the parcel shall be occupied by a long-term renter or an owner with at least 50% interest in the subject property. The owner or renter shall occupy either the principal dwelling unit or the ADU as their permanent residence. An ADU shall not be sold independently of the primary dwelling on the parcel.
- (4) Dimensional requirement modifications. Under some circumstances, certain dimensional requirements modifications may be granted by a special land use permit after a site plan review by the Planning Commission. Application for modifications may be applied for new construction

or pre-existing structures built prior to 2019 that are located within the required setbacks of the district. In order to grant a special land use permit for any modifications, all of the following must be met:

- (a) That any walls within the setback areas comply with applicable building and fire codes.
- (b) That a setback requirement of a minimum of five feet from the side and rear property lines shall be required.
- (c) The location and design of the ADU maintains a compatible relationship to adjacent properties and does not significantly impact the privacy, light, air, or parking of adjacent properties.
- (d) Windows on the ADU that impact the privacy of the neighboring side or rear yards have been minimized or screened.

Section 6: Title XV, Chapter 153, Section 153.117 Residential Uses Subsections (E), (F) and (G) of the City of Charlevoix Code shall be repealed and replaced and shall read as follows:

(E) Single-family attached and single multiple-family buildings.

- (1) Single-family attached buildings home conversions and single multiple-family buildings are subject to all applicable regulations of the zoning district in which they are located unless otherwise expressly stated in this section.
- (2) The main entrance is located in the building façade of the principal frontage.
- (3) A maximum of two entrances per building façade.
- (4) Parking is located in the rear or on the side of the building and meets the requirements of § 153.187.
- (5) Parking access is from the alley where available, otherwise access may be from the side or front lot line.
- (6) The principal building façade shall have a minimum of 20% glazing (windows). There shall be a minimum of two six-square-foot windows per non-street facing building façade.
- (7) Roofline/pitch, siding, other architectural elements maintain single family character.
- (8) Access to any second-floor dwelling unit is provided from the interior of the structure.
- (9) All units will have construction code-approved egress.

(F) Short-term rentals. Short-term rentals shall be regulated as provided in Chapter 114 of this code.

Section 7: Title XV, Chapter 153, Section 153.145 Fences and Walls Subsections (A) and (F) of the City of Charlevoix Code shall be repealed and replaced and shall read as follows:

(A) All fences, walls and other similar structures shall be located on private property and must not obstruct the sight distance of motorists from driveways, roads and intersections. Fences or walls in all districts, except Industrial, shall not exceed six feet in height above grade when located in any portion of the rear or side yard. Fences located in the front yard are permitted; provided, they are open wrought iron, picket, split rail and similar decorative fences, have a maximum opacity of 50% and do not exceed 48 inches above grade.

(F) Fences in the front yard shall have a minimum setback of 12 inches from the front property line.

Section 8: Title XV, Chapter 153, Section 153.149 Projections into Required Yards Subsections (B)1 and (B)2 of the City of Charlevoix Code shall be repealed and replaced and shall read as follows:

(B)(1) A patio, terrace, deck, balcony or window awning may project no further than ten feet into a required front yard; no further than 15 feet into a required rear yard; and shall not project into any required side yard.

B(2) In no case, shall a patio, terrace, deck, balcony or awning be placed closer than five feet to any front or rear lot line with the exception of the CBD district where a porch, terrace, deck, balcony or awning may extend to the property line.

Section 9: Title XV, Chapter 153, Section 153.151 Setback Requirements Subsections (A) of the City of Charlevoix Code shall be repealed and replaced and shall read as follows:

(A) Front setback on corner lots. A corner lot shall have two front lot lines: a principal front lot line and a secondary front lot line which is considered a street side setback.

- (1) The required front setback shall apply to the principal and street side front lot line on a corner lot.
- (2) The required setback for the street side front yard shall be the lesser of the required front setback or the established setback for the principal building on the abutting lot that faces the same street as the street front lot line.
- (3) The remaining setbacks shall be side setbacks.

Section 10: Title XV, Chapter 153, Section 153.152 Lot Coverage Requirements Subsections (B) and (C) of the City of Charlevoix Code shall be repealed and replaced and shall read as follows:

(B) Use of materials such as gravel or stone, pavers and similar permeable surfaces shall not count or calculated in lot coverage, however; the use permeable surfaces shall not exceed 25% of the requirements of Table 153.072 (b) Maximum Lot Coverage %.

Section 11: Title XV, Chapter 153, Section 153.158 Renting of Residential Properties Subsections (A) of the City of Charlevoix Code shall be repealed and replaced and shall read as follows:

(A) Short and long-term renting of part of, or entire residential structures is permitted in any zoning district providing all rentals comply with any applicable requirements of city ordinances. Short-term rentals shall be regulated as provided in Chapter 114 of this code.

Section 12: Title XV, Chapter 153, Section 153.189 Off-Street Parking Facility Design Subsections (A)2 and (A)3 of the City of Charlevoix Code shall be repealed and replaced and shall read as follows:

A(2) Front yard limitation. In the CBD, GC, PO and CM Districts and single multi-family buildings in the R1 or R2 Districts, the required front yard setback shall not be used for off-street parking, loading, or unloading and shall remain open, unoccupied and unobstructed, except for landscaping or vehicle access drives.

A(3) Proximity. Required off street parking facilities for all uses, other than residential dwellings, shall be located on the same lot as the use, or within 300 feet of the building(s) or use they are intended to serve. Distance shall be measured from the nearest point of the building to the nearest point of the off-street parking lot.

(a) Required off street parking facilities for residential dwellings shall be located on the same property as the premises they are intended to serve and shall consist of a driveway, a parking apron and/or a garage. Parking for single multifamily structures shall be located at the rear or on the side of the building.

(b) In the CBD District, parking facilities shall be located within 600 feet of the building or use to be served. Distance shall be measured from the nearest point of the building to the nearest point of the off-street parking lot.

(c) Parking access shall be from the alley or front side where available, otherwise access may be from the front lot line.

SECTION 13. Severability

No other portion, paragraph or phase of the Code of the City of Charlevoix, Michigan shall be affected by this Ordinance except as to the above sections, and in the event any portion, section or subsection of this Ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this Ordinance or of the Code of the City of Charlevoix, Michigan.

SECTION 14. Effective Date

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

Ordinance No. 848 was adopted on the 18th day of March 2024 A.D., by the Charlevoix City Council as follows:

Motion by seconded by to approve Ordinance Amendment 848 of 2024 as presented.

Yeas:

Nays:

Absent:

State of Michigan } §

City of Charlevoix

Sarah J. Dvoracek

Clerk

Lyle Gennett

Mayor

Charlevoix City Council

All Other Actions and Requests

Title: Emergency Alert Siren

Date: March 18, 2024

Presented By: Mark Heydlauff, City Manager

Background:

With the advancement of radio technology for 911 dispatch, the CCE office in Petoskey is losing the ability to remotely and automatically trigger the alert siren in the case of severe weather. Currently, it functions automatically for the noon and 9:30pm siren. Going forward, there are less expensive and likely more reliable means of alerting residents and visitors to weather alerts by using the weather alert alarms on most cell phones and/or by encouraging folks to sign-up for text alerts from CCE. Text alerts can cover more scenarios than just weather events.

If we wanted to update the siren for automatic triggering, we can explore the cost for this but it is likely to be significant. We might also, instead, work collaboratively with emergency providers in our area to encourage people to sign up for alerts directly from CCE. I'd like some direction from Council on the methods we should consider and if obtaining a quote for the equipment is something you'd like. Having grown up in an area where severe weather was more common than here and a network of siren existed, it can give a false sense of security that one will hear the siren or that the siren will give enough time to react.

Recommendation:

Council discussion and direction.

Attachments:

None

Charlevoix City Council

Reports and Communications

Title: City Manager's Comments

Date: March 18, 2024

Presented By:

Background:

A. Overnight Bridge Closures

We are preparing again for planned closures of the bridge by MDOT in the next few days. These are currently scheduled for March 25-28 from 7pm to 7am each evening. I am confident our staff will be prepared and able to respond to any unanticipated overnight emergencies during this period; emergency service personnel will also be prepared for any scenario as they always are. I appreciate the ongoing communication we have with MDOT about this project; once their work is done, they'll be doing some restoration work along Pine River Drive where they have been parked throughout the winter.

B. Large Item Pickup

We have scheduled our spring large-item refuse collection for the week of May 6. Little Traverse Disposal is our contractor for this project.

Recommendation:

Attachments:

1. DDA Meeting Minutes from 01/22/2024
2. Planning Commission Meeting Minutes from 02/12/2024
3. Police Monthly Report-February 2024

City of Charlevoix
Downtown Development Authority Meeting Minutes
Monday, January 22, 2024 - 5:30 PM
Council Chambers, City Hall

1. Call to Order

The meeting was called to order by Chair Owens at 5:30 p.m.

2. Pledge of Allegiance

3. Roll Call

Chair: Maureen Owens

Members Present: Kirby Dipert, Liam Dreyer, Mayor Lyle Gennett, Danielle Scheller

Members Absent: Sam Bingham, Anne Oosthuizen, Paul Silva, Ron Way

Staff Present: Lindsey Dotson, DDA Executive Director

4. Inquiry Regarding Conflicts of Interest

5. Consent Agenda

Motion by Mayor Gennett, seconded by Member Dipert to approve the Consent Agenda as presented.

Motion carried by unanimous voice vote.

A. Minutes

Motion to approve the minutes as presented.

B. CLG Grant Letter of Support

Motion to approve the letter supporting the CLG Grant Application.

6. Reports

A. Junior DDA Project Update

Lindsey Dotson, DDA Director

Member Dreyer stated the plan was to have a full work plan by this meeting, but the Junior DDA didn't get responses back in time from all the businesses to have the comprehensive work plan completed. Member Dreyer stated the Junior DDA had confirmation from Berkshire and Peppers. The Junior DDA is considering a total of four (4) murals if they get approval from the Town House and the Salad Fork. Member Dryer stated that concept art would be shown to the businesses and the DDA before anything was approved.

B. Financial Report

No questions on the report.

C. Director's Report

Lindsey Dotson, DDA Director

No questions on the report.

D. Committee/Event Updates

Lindsey Dotson, DDA Director

Chair Owens questioned how often this Committee met and Director Dotson stated that they have been meeting every other month.

7. Old Business

A. Updated Quote for BigBelly Systems

Lindsey Dotson, DDA Director

Director Dotson responded to questions from the Board Members and explained the reasoning for the five (5) locations recommended for the BigBelly units.

Motion by Mayor Gennett, seconded by Member Dreyer to purchase five (5) Smart Max Double Station Big Belly Units at a cost of \$49,138.70 as described in the agenda packet.

Motion carried by unanimous voice vote.

8. New Business

A. 107 Bridge Park Drive Proposal

Lindsey Dotson, DDA Director

Director Dotson summarized the proposal from MLG Enterprises for renting the space at 107 Bridge Park Drive. The business owner was unable to attend the meeting due to a sick child, but he did want to discuss the monthly rent amount. Director Dotson stated the previous tenant was paying \$625 per month plus utilities and taxes. Chair Owens recommended the Board give the Executive Committee the authority to negotiate a lease starting at a monthly rate of \$650 per month plus utilities and taxes.

Motion by Member Dreyer, seconded by Member Scheller to authorize the Executive Committee negotiate with the prospective tenant for the available space at 107 Bridge Park Drive.

Motion carried by unanimous voice vote.

B. Bridge Park Building Maintenance Items

Lindsey Dotson, DDA Director

Director Dotson stated several areas of the Bridge Park Building require some overdue maintenance and cosmetic improvements. Since 2015, there have been discussions about the need for replacement of the bathrooms. Director Dotson and Public Works Superintendent Pat Elliot met and came up with a list of needs that could be corrected in the coming year. The Board concurred and directed staff to come up with quotes and an estimated timeline for the needed repairs and report back to them as soon as possible.

C. Metered Parking Time Limit Discussion

Lindsey Dotson, DDA Director

Director Dotson stated during the monthly business owners meetings it was requested that the DDA/City look into the possibility of increasing the current 2-hour parking limit at the metered parking spots to 3 hours to help accommodate patrons who are perhaps shopping and dining and might not be able to do both within the 2-hour time frame.

Mayor Gennett stated he would want the Council to decide on this matter.

Motion by Member Dipert, seconded by Member Scheller to make a recommendation to Council to consider an increase from the current 2-hour metered parking limit to a 3-hour metered parking limit.

Motion carried by unanimous voice vote.

D. DDA Board Goals Review

Lindsey Dotson, DDA Director

Director Dotson stated she had provided the Board with an overview of the DDA's goals that have been the basis of their programming over the last several years, along with a breakdown of what projects/services the DDA currently provides within those goals.

E. 2024-2025 DDA Budget

Lindsey Dotson, DDA Director

Director Dotson provided information on changes made to the proposed DDA Budget since the last budget discussion.

Motion by Mayor Gennett. seconded by Member Dreyer to approve the 2024-2025 DDA Budget as presented.

Motion carried by unanimous voice vote.

F. Closed Session: DDA Director's Annual Performance Review (MCL 15.268 (1a))

Lindsey Dotson, DDA Director

The Board concurred and entered closed session at 6:18 p.m. for the purpose of evaluating the DDA Executive Director's Annual Performance Review (per MCL 15.268(1a)).

The Board returned to open session at 7:24 p.m.

9. Public Comment

10. Request for Future Agenda Items

11. Board Comments

12. Adjourn

Chair Owens adjourned the meeting at 7:25 p.m.

Sarah J. Dvoracek/fgm, Clerk

Maureen Owens Chair

CHARLEVOIX DDA MISSION

The mission of the Charlevoix DDA is to strengthen the year-round economic vitality of our vibrant historic business district through community efforts, events, and public/private partnerships while fostering a sense of community pride and ownership.

City of Charlevoix
Planning Commission Regular Meeting Minutes
Monday, February 12, 2024 - 6:00 PM
Council Chambers, 210 State Street, Charlevoix, MI

A. Call to Order/Pledge of Allegiance

The meeting was called to order at 6:00 p.m. by Chair Muladore followed by the Pledge of Allegiance.

B. Roll Call

Chair:	Jennifer Muladore
Members Present:	Shelley Boehmer, Toni Felter, John Kurtz, Mary Millington, Maureen Radke
Members Absent:	Scott Beatty, Janet Coltman, Sherm Chamberlain
Staff Present:	Jonathan Scheel, Director of Planning and Zoning

C. Inquiry into Potential Conflicts of Interest

D. Approval of Agenda

Discussion occurred regarding the order of the items on the Commission's agendas, namely that Old Business should come before New Business.

Motion by Member Boehmer, seconded by Member Felter to approve the agenda with moving Old Business in front of New Business on the agenda for this meeting.

Motion carried by unanimous voice vote.

E. Approval of the Minutes

1. January 8, 2024

Member Boehmer stated on page 1 of the minutes, under *Election of Officers* a correction was needed to add who nominated Jennifer Muladore as Chair, which was Mary Millington.

Motion by Member Boehmer, seconded by Member Felter to approve the minutes of January 8, 2024, as corrected.

Motion carried by unanimous voice vote.

F. Call for Public Comment Not Related to Agenda Items

G. Public Hearing

1. Rezone of 13513 Division Street

Director Scheel stated the City had a recent annexation of the new County building at 13513 Division Street which brought in 8.8 acres into the City. Mr. Scheel stated all annexed land comes into the City with an R-1, Residential District classification. Mr. Scheel stated the

property should be rezoned to Public Facilities.

The public hearing opened at 6:09 p.m.

Gerald Russell, 8328 Carson Avenue, questioned why the whole parcel wasn't annexed. Director Scheel stated he cannot answer that for the County, as the County requested the annexation.

Shirley Gibson, City resident, suggested anyone that has any issues with the rezoning should call their County Representative, Annemarie Conway, and she should be able to answer any questions.

The public hearing closed at 6:13 p.m.

Discussion followed regarding possible reasons for why the County didn't ask to have the entire parcel annexed into the City.

Motion by Member Kurtz, seconded by Member Millington to recommend approval to the City Council of the rezone of 13513 Division Street from R-1, Residential District to Public Facilities.

Motion carried by unanimous voice vote.

2. Community Development Block Grant (CDBG) Housing Improving Local Livability Grant

Director Scheel explained the City was applying for a CDBG Grant through the Michigan State Housing Development Authority (MSHDA) Program in the amount of \$354,000. The funds would be used in conjunction with the City's blight enforcement program. Mr. Scheel stated when an enforcement letter is issued, a letter explaining the grant program with information on how to apply for the grant will be included. The housing rehab program is for low income homeowners (80% or less of median income) that can receive grants to help repair their homes. Mr. Scheel explained part of the grant requirement was that the Planning Commission hold a public hearing to allow potential recipients of the grant give their input on what rules and policies may need to be implemented to make the grant most effective.

The public hearing opened at 6:24 p.m.

Lyle Gennett, 217 Clinton Street, stated he thought it was a great idea, but he remembered many years ago when Mrs. Dewitt lived in the City. Mrs. Dewitt's house needed exterior paint and a number of local residents got together and assisted in fixing the house. Mr. Gennett suggested the potential of using volunteers on smaller projects.

The public hearing was closed at 6:26 p.m.

Director Scheel responded to questions from the Commission Members regarding details of the grant program. Mr. Scheel stated a motion was not needed, but the minutes of the meeting would go to MSHDA as part of the grant application process, and there will be another public hearing being held by the City Council within the next couple of weeks to receive public input.

H. Old Business

1. Outdoor Storage ordinance language

Chair Muladore stated that as previously discussed, the Commission agreed to move Old Business in front of New Business for this meeting.

Director Scheel stated the Commission has been discussing this issue for quite a few months and he briefed the Commission on the changes that were made to the old ordinance back in 2019. Mr. Scheel reviewed the draft ordinance for outdoor storage in detail. Discussion followed regarding homes that have primary and secondary driveways, 66' right-of-ways or less and the difficulty of enforcing the issue of parking recreational vehicles in a second driveway, the need to include that parking of such a vehicle cannot interfere with traffic, and issues with storing boats on residential lots. Mr. Scheel stated it is difficult to write an ordinance that considers all situations.

Shirley Gibson, City resident, stated Members Millington and Radke were correct in that boats/recreational vehicles do not belong on City parcels. Ms. Gibson stated it doesn't matter the setbacks, screening, driveways or how big the boats are, they don't belong. Ms. Gibson stated there were no property rights for this kind of thing, and she expressed concerns about her property rights. Ms. Gibson suggested going back to how the ordinance was written in 2018 where nothing was allowed.

Lyle Gennett stated if one can afford a big boat, that the owner should be able to store it someplace other than their residential yard. Mr. Gennett stated if he owned a boat or a recreational vehicle he would not put it in his driveway out of respect for the community. Mr. Gennett stated it was very unfair to the Police Department or Director Scheel that when they are sent out to a residence because of a parking situation, the City has to stick to a policy and enforce the policy.

Motion by Member Kurtz to accept the proposed Ordinance changes as written. Member Boehmer stated the paragraph referenced as (G) needed to be (D), and Director Scheel will confirm the change needs to be made.

Chair Muladore brought up a discussion about the seasonal language and Director Scheel stated the proposed dates for summer were May 15 - September 15 which clarifies the definition of seasonal. Chair Muladore referenced an email she sent to the Director regarding active use; her suggested language read, recreational vehicles may be parked during active use and then the definition of active use would be, active use is defined as a period of time where a recreational vehicle is uncovered and operational for intermittent use instead of covered or disabled as in shrink wrapped or fuel stabilized. Chair Muladore recommended removing the seasonal dates. Member Kurtz suggested leaving the dates in, but state that the dates can be extended by Director Scheel. Director Scheel questioned if they should go back to the 2018 language applicable to vehicles in the front yard.

Chair Muladore stated she recommended that (7) be changed from seasonal parking to active use to read instead of seasonal it would read, recreational vehicles in active use can be parked on a driveway.

Member Kurtz amended his motion to recommend a public hearing be scheduled for the proposed language changes for outdoor storage to include active use as previously discussed, seconded by Member Felter.

Motion carried by unanimous voice vote.

Director Scheel asked to go to New Business, Item 2 - Sign ordinance changes for Bridge Park Drive.

I. New Business

1. Design Guidelines for Commercial Mixed-Use buildings and US 31 Corridor

Member Millington indicated she could not stay late, and she was wondering if they needed a special meeting for this topic. Director Scheel stated that he did not believe he was going to receive any developer's application within the next 60 days, but with the required public hearings before the Planning Commission and City Council, it would be 3–4 months before the guidelines would be adopted. The Commission reviewed images of building projects in Boyne City and Harbor Springs.

The Commission concurred to schedule a Special Planning Commission Meeting on February 22, 2024, at 6:00 p.m to discuss guidelines for commercial mixed-use buildings.

2. Sign ordinance changes for Bridge Park Drive

Director Scheel stated one of the goals of the Downtown Development Authority (DDA) and the City has been to expand downtown from Bridge Street, alleys and side streets to where the expansion is happening on Bridge Park Drive. The tenants of the DDA owned building at 103 Bridge Park Drive have struggled with visibility to the visiting public since the change of use to retail. Mr. Scheel stated that because Bridge Park is the roof of the building and the frontage of the businesses are a full story lower facing away from Bridge Street, there is currently no easy or legal way of getting signage that can be seen from Bridge Street. The recommended signage is already allowed on similar multi-tenant parcels, and it will not impact any view corridor, but is highly visible to pedestrians on Bridge Street. The proposed sign could be up to 60 sq. ft., 20 sq. ft. for each business. Director Scheel responded to questions from the Commission Members.

Motion by Member Boehmer, seconded by Member Kurtz to set this ordinance change for a public hearing at the March 11, 2024, Planning Commission Meeting.

Motion carried by unanimous voice vote.

J. Staff Updates

1. Zoning Administrator Reports December 2023 and January 2024

Director Scheel stated the City had received a \$50,000 Housing Readiness Grant in which the funds will help them work and plan with Charlevoix Township over the next year to figure out housing along City and Township mutual borders. Mr. Scheel also stated he has ten (10) different developments, all sizes, that he is working with right now, including a small one of 3–4 units with a rehab of a building on Van Pelt Alley, one on Hurlbut, 104 State Street (4 units),

1911 Bridge Street (liquor store), 1522 Bridge Street (6 units), 800 Bridge Street (religious public space), Chamber building (12-16 units), and Housing Authority property (40-53 units). All units referenced are residential units.

K. Requests For Next Months Agenda or Research Items

L. Adjournment by 8:00 p.m. unless extended by a motion

Meeting adjourned at 8:04 p.m. by Chair Muladore.

Sarah J. Dvoracek/fgm City Clerk

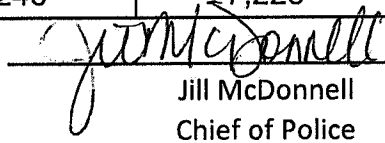
Jennifer Muladore Chair

CITY OF CHARLEVOIX

POLICE ACTIVITY REPORT FOR THE MONTH OF FEBRUARY 2024

ITEM	TOTAL THIS MONTH	MONTH YEAR PRIOR	TOTAL THIS YEAR	TOTAL LAST YEAR
TRAFFIC CITATIONS	26	3	37	4
TRAFFIC WARNINGS	62	39	76	69
TRAFFIC CONTACTS	78	41	105	72
MOTORIST/CITIZEN ASSIST	1	12	22	32
POLICE ASSIST	12	34	47	52
MEDICAL RESPONSE	4	9	9	20
PAPER SERVICE	0	0	0	0
RESIDENTIAL/COMMERCIAL	7	30	25	47
FELONY ARRESTS	0	1	1	2
MISDEMEANOR/NTA ARRESTS	6	1	7	3
WARRANT ARRESTS	1	1	1	1
WARRANT ATTEMPTS	4	0	4	0
TRAFFIC CRASH 9300-1	3	6	5	9
TRAFFIC CRASH 9300-2	1	3	1	6
GENERAL ASSISTS/OTHER	96	235	223	573
FUNERAL ESCORTS	0	0	0	0
ALARMS	4	7	5	9
SCHOOL PATROL	29	25	37	47
SCHOOL PRESENTATIONS	0	0	0	0
PARKING/SNOW TICKETS	27	52	27	54
PARKING METER TICKETS	0	0	0	0
LIQUOR INSPECTIONS	5	14	7	28
ORIGINAL COMPLAINTS	18	16	34	38
CLOSED COMPLAINTS	15	18	27	36
FOLLOW-UP/SUPPLEMENTS	17	4	34	6
PATROL MILES	3,423	4,246	7,225	7,719

TOTAL MILEAGE #87-1	<u>0</u>
TOTAL MILEAGE #87-2	<u>0</u>
TOTAL MILEAGE #87-3	<u>3,423</u>


 Jill McDonnell
 Chief of Police

Charlevoix City Council

Reports and Communications

Title: Mayor and Council Comments

Date: March 18, 2024

Presented By:

Background:

Recommendation:

Attachments:

None