

City of Charlevoix
City Council Regular Meeting Minutes
Monday, July 1, 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

City Manager Heydlauff answered questions from Council.

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

Nays: None

Absent: None

Motion carried.

A. City Council Meeting Minutes - June 17, 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
06/21/2024	Special Accounts Payable Run	\$93,837.42
06/21/2024	Payroll (net pay)	\$138,499.55
06/21/2024	Payroll Transmittal Checks	\$5,548.86
07/02/2024	Regular Accounts Payable	\$365,232.06
06/17/2024-06/25/2024	ACH/WIRE Payments	\$481,228.93
Grand Total		\$1,084,346.82

The entire accounts payable and payroll check registers [can be viewed on the City's website.](#)

C. Airport Work Orders from RS&H

Motion to approve the work orders and authorize the City Manager to sign any necessary documents.

D. Charlevoix Yacht Club Request for Free Parking

Motion by Parr, seconded by Kalbfell to approve Resolution 2024-07-01 to waive the parking fees at the Ferry Launch Ramp for the Nucore Triangle Race and the Red Fox Regatta Race on August 30-31 and September 1, 2024.

CITY OF CHARLEVOIX

RESOLUTION NO. 2024-07-01

WAIVE PARKING FEES FOR CHARLEVOIX YACHT CLUB

WHEREAS, the Charlevoix Yacht Club is hosting the Nucore Triangle Race and Red Fox Regatta on August 30-31 and September 1, 2024; and

WHEREAS, the Charlevoix Yacht Club is requesting that parking fees be waived for the races; and

WHEREAS, the City Code permits the City Council to waive parking fees for special or public events.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Charlevoix, hereby waive parking fees for the Nucore Triangle Race and Red Fox Regatta on August 30-31 and September 1, 2024.

RESOLVED this 1st day of July, 2024 A.D.

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

Nays: None

Absent: None

Motion carried.

E. 2024 Venetian Festival Approvals

Motion to authorize the Mayor to sign the contract between the City of Charlevoix and the Charlevoix Venetian Festival including the payment of \$15,000 to the Venetian Festival.

Motion to close US 31 from Hurlbut Street to Park Avenue from 9am on Wednesday, July 24 through Saturday, July 27 and from State Street to Hurlbut Street on Saturday, July 27 during the parade and Ryan Shay Memorial Mile.

Motion to authorize the City Clerk to issue the fireworks permit for the 2024 Venetian Festival fireworks displays and authorize the City Manager to sign the Hold Harmless Agreement with Colonial Fireworks Special Effects, LLC pending approval by required parties.

Motion to approve the Mass Gathering Permit as presented.

F. Check Request for Charlevoix Historical Society

Motion to approve a \$20,000 payment to the Charlevoix Historical Society for the Depot roof grant.

G. Planning Commission Annual Report

Motion to accept the 2024 Planning Commission Annual Report as presented.

6. Public Hearings and Actions Requiring Public Hearings

A. Ordinance 850 of 2024: Outdoor Storage Zoning Ordinance Amendment

Jonathan Scheel, Zoning Administrator

Mark Heydlauff, City Manager

City Manager Heydlauff and Director of Zoning and Planning Scheel presented information on the proposed Ordinance of 850 of 2024 Outdoor Storage Zoning Ordinance Amendment.

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 approve Ordinance 850 of 2024.

CITY OF CHARLEVOIX

ORDINANCE NO. 850

AN ORDINANCE AMENDMENT TO AMEND TITLE XV LAND USAGE, CHAPTER 153: PLANNING AND ZONING: SECTIONS 153.005 DEFINITIONS AND 153.153 OUTDOOR STORAGE

THE CITY OF CHARLEVOIX ORDAINS:

SECTION 1: Title XV, Chapter 153, Section 153.005 Definitions of the City of Charlevoix Code are hereby amended to add the following definition of Active Use and shall be placed under the list of definitions in alphabetical order.

ACTIVE USE: 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.

SECTION 2: Title XV, Chapter 153, Section 153.005 The definition of Recreational Vehicle of the City of Charlevoix Code is hereby repealed, replaced and shall be placed under the list of definitions in alphabetical order and shall read:

RECREATIONAL VEHICLE OR EQUIPMENT: Vehicle or equipment used for travel and leisure activities including:

a. Travel trailer: A vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational, and vacation uses; and which is permanently identified as a "travel trailer" by the manufacturer.

b. Pickup camper: A structure designed primarily to be mounted on a pickup or truck chassis with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreational, and vacation uses.

c. Motorized home: A portable dwelling designed and constructed as an integral part of a self-

propelled vehicle.

d. Folding tent trailer: A canvas or plastic folding structure, mounted on wheels, designed for travel and vacation use.

e. Utility trailer: A vehicle designed for the purpose of hauling miscellaneous goods and materials.

f. Boats and boat trailers: Includes boats, floats, rafts, canoes and kayaks; plus the normal equipment to transport them on the highway.

g. Other recreational equipment: Includes snowmobiles, personal watercraft, all terrain or special terrain vehicles, mopeds, motorcycles, utility trailers, motorized and non-motorized, plus the normal equipment used to transport them on the highway.

SECTION 3. Title XV, Chapter 153, Section 153.153 Outdoor Storage item C. Recreational equipment and vehicle storage shall be repealed, replaced and shall be placed after item 153.153 (B).

(C) Recreational equipment and vehicle storage. The standards of this section apply to all zone districts with the exception of the industrial district.

(1) All recreational equipment and vehicles that are stored outside of a structure shall be maintained in good condition, shall be operable and shall have a current license and/or registration.

(2) Recreational equipment and vehicles parked or stored outside shall not be connected to electricity, water, gas or sanitary facilities for living or lodging purposes other than allowed for in § 153.153(C)(8). Electricity may be used during times of Active Use including cleaning, refrigeration of supplies and preparing for trips.

(3) The parking and/or storage of recreational equipment and vehicles in excess of 25 feet in length is prohibited.

(4) Outdoor parking or storage of not more than two recreational equipment or vehicles shall be permitted on any parcel of property. An unlimited number of small vehicles including floats, rafts, canoes, and kayaks may be stored in an organized, safe manner on a single property.

(5) Storage of recreational equipment and vehicles shall be parked completely in an enclosed structure or within the side or rear yards, except that they may not be closer than five feet from any lot line, unless otherwise provided by this section. Property owners who can demonstrate that a property does not reasonably allow storage in the side or rear yards may store the recreational vehicle(s) in other areas with application to the Zoning Administrator. The Zoning Administrator will use criteria from Section 153.038 (F) (2) (a-e) for approval.

(6) Such recreational equipment and vehicles shall be placed or parked on a lot with a

principal building, structure or use unless it is a lot which is attached to an occupied lot under the same ownership.

(7) Active Use parking of recreational equipment and vehicles may be parked on one front yard driveway, provided that public streets, sidewalks and Right of Way are not blocked to vehicular or pedestrian traffic. Driveway means vehicle access provided between a street or road and a parking area including if the driveway is in the setback but shall not include any additional parking aisle.

(8) Recreational equipment and vehicles may be used for living or lodging purposes on a parcel with a principal building for no more than 14 days within any 60-day period with a permit issued by the Zoning Administrator.

(9) The open (non-active) parking or storage of any recreational vehicle not owned by a resident or owner of the property on which it is located shall not be permitted.

SECTION 4: Title XV, Chapter 153, Section 153.153 Outdoor Storage of the City of Charlevoix Code are hereby amended to add the following item D. Outdoor Storage Areas and shall be placed after item C. Recreational Equipment and Vehicle Storage.

(D) Outdoor storage areas. Where permitted, outdoor storage areas shall be screened to the public by buildings, structures or a continuous buffer. The buffer area shall include:

(1) A six-foot tall screen wall or fence or any combination of the following to provide an effective screen, as approved by the Zoning Administrator:

- (a) Berms;
- (b) Canopy, evergreen and ornamental trees; and/or
- (c) Shrubs

SECTION 5. 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 6. Effective Date

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

Ordinance No. 850 was adopted on the 1st day of July 2024 A.D., by the Charlevoix City Council as follows:

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

Nays: None

Absent: None

Motion carried.

7. All Other Actions and Requests

A. Mt. McSaubia Playground update and equipment purchase

Kent Knorr, Recreation Director

Recreation Director Kent Knorr presented information on Mt. McSaubia playground update and equipment purchase. City Manager Heydlauff answered questions from Council.

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

Motion by Kalbfell, seconded by Spring to approve the down payment of \$100,000 to Landscape Structures for the purchase of a new playground at Mt. McSaubia and authorization for the City Manager to sign purchasing agreements as required.

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

Nays: None

Absent: None

Motion carried.

8. Reports and Communications

A. Public Comment

- Dave Coen, 226 Antrim St., stated the EPA will tear down 230 Antrim Street in the fall and he stated that he has been mowing the grass

B. City Manager's Comments

- Thanked Recreation Director Knorr and staff for a great job at the golf course; revenue was up \$4,000 in June
- Bases sponsored Youth Golf Fundraiser raised \$10,000, which will allow youth in Charlevoix free access to golf
- Met with Charlevoix Township Supervisor regarding the renewal of the fire protection contract which will be presented at the next meeting and discussed acquiring a fire truck by receiving assistance from Senator Peters; there is a request for \$1.25 million in the congressional designated expenditure appropriation fund which would cover half of the cost of a new truck
- Met with School Superintendent, Charlevoix Township Supervisor, and Kent Knorr to discuss the opportunity of bringing more tennis and pickleball courts to the City and one possible solution would be for the school to own the adult softball field and invest in making it a tennis/pickleball court; in order to do so the City would have to bring a proposal to the voters in November, the school board is meeting later in the month to discuss this possibility

C. Mayor and Council Comments

9. Other Council Business

10. Adjourn

Mayor Gennett adjourned the meeting at 6:20 p.m.

Sarah J. Dvoracek

City Clerk

Lyle Gennett

Mayor