

City of Charlevoix
City Council Regular Meeting Minutes
Monday, November 18, 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.

Mayor Gennett requested a moment of silence for Joe Schwartzfisher.

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

Council Member Parr recused himself from item 7A. Redevelopment Liquor License Application.

5. Consent Agenda

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

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

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

Nays: None

Motion carried.

A. City Council Meeting Minutes - November 1, 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
11/07/2024	Special Accounts Payable Run	\$3,026.26
11/08/2024	Payroll (net pay)	\$123,186.76
11/08/2024	Payroll Transmittal Checks	\$6,223.89
11/19/2024	Regular Accounts Payable	\$202,765.90
11/04/2024-11/12/2024	ACH/WIRE Payments	\$131,731.44
10/29//2024	Special A/P Tax Disbursement	\$397,647.11
11/12/2024	Special A/P Tax Disbursement	\$33,233.64

Grand Total		\$897,815.00
The entire accounts payable and payroll check registers can be viewed on the City's website .		

C. Airport Fees

Motion to approve the new fees as presented.

D. Lighthouse Grant Support

Motion by Parr, seconded by Kalbfell to designate the City Manager as the City's project contact and approve the resolution as presented.

CITY OF CHARLEVOIX

RESOLUTION NO. 2024-11-01

CHARLEVOIX HISTORICAL SOCIETY SOUTH PIER LIGHTHOUSE REHABILITATION GRANT APPLICATION

WHEREAS, the Charlevoix Historical Society has entered into an agreement with the City of Charlevoix to restore, maintain and preserve the Charlevoix South Pier Lighthouse; and

WHEREAS, the Charlevoix Historical Society will file an application to the Michigan State Historic Preservation Office (SHPO) for the Michigan Lighthouse Assistance Program (MLAP) in the amount of \$60,000 for a Rehabilitation grant for the Localized Repainting the Interior and Exterior of the Charlevoix South Pier Lighthouse; and

WHEREAS, the Charlevoix Historical Society shall provide the matching funds totaling \$80,500 for a total project cost of \$140,500. The source of the matching funds shall be the Charlevoix Historical Society; and

WHEREAS, Denise Fate, Lighthouse Chair of the Charlevoix Historical Society (denise@chxhistory.com) will oversee the MLAP grant management and grant administration duties; and

WHEREAS, the Charlevoix Historical Society will receive and pay vendor invoices related to the grant project; and

WHEREAS, the City of Charlevoix will advance funds as needed to the Charlevoix Historical Society to pay project invoices until reimbursement is received by the Charlevoix Historical Society from SHPO, of an amount not to exceed the amount of the SHPO grant, and

WHEREAS, the Charlevoix Historical Society will re-pay the City for any advanced funds within 30 days of SHPO reimbursement, and

WHEREAS, the Mayor and City Clerk from the City of Charlevoix are authorized to sign the required historic preservation easement and record it at the County Register of Deeds before the grant reimbursement will be processed by the SHPO; and

WHEREAS, the Charlevoix Historical Society acknowledges that the Michigan Lighthouse Assistance Program (MLAP) is an expense reimbursement program. The Charlevoix Historical

Society authorizes expenditures in the amount of \$140,500 for the project work with the knowledge that eligible expenditures up to the approved grant amount will be reimbursed to the Charlevoix Historical Society upon SHPO acceptance of final project work, SHPO acceptance of the final completion report, SHPO audit and acceptance of financial documentation for eligible costs and SHPO acceptance of a historic preservation easement recorded at the Register of Deeds.

NOW THEREFORE BE IT RESOLVED, that the City of Charlevoix as owner of the South Pier Lighthouse, supports the Charlevoix Historical Society in the application for a Rehabilitation Grant dated November 21, 2024 and designates City Manager Mark Heydlauff as the City's project contact (markh@charlevoixmi.gov).

RESOLVED this 18th day of November, A.D. 2024.

Resolution was adopted by the following ye and nay vote:

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

Nays: None

Motion carried.

E. Investment Update from City Treasurer

Motion to approve the investment report as presented.

F. Bridge Drop New Year's Eve Event

Motion to authorize the Bridge Drop event to take place in downtown Charlevoix, and allow staff to contact MDOT to request help with the Bridge Drop.

G. Match on Main Grant: Charlevoix Running Company

Motion to authorize the receipt of funds for the Match of Main Grant and authorize the payment of them in the amount of \$25,000 to the Charlevoix Running Company in accordance with the grant agreement.

6. Public Hearings and Actions Requiring Public Hearings

A. Public Hearing: Amendment to Disorderly Conduct, Ordinance 853 of 2024

Mark Heydlauff, City Manager

City Manager Heydlauff presented information on Ordinance 853 of 2024.

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

Motion by Hagen, seconded by Cole to approve Ordinance of 853 of 2024 as presented.

CITY OF CHARLEVOIX

Ordinance No. 853 of 2024

AN ORDINANCE TO AMEND TITLE XIII, CHAPTER 130, SECTION 130.03 (B) (1), OF THE CHARLEVOIX CITY CODE

THE CITY OF CHARLEVOIX ORDAINS:

SECTION 1. Title XIII, Chapter 130, Section 130.03 (B) (1) of the City of Charlevoix Code is hereby amended as follows:

(B) *Acts prohibited.* No person shall:

1. Discharge a pistol or other firearm in the city, except when lawfully acting in the defense of persons or property or the enforcement of law or at a duly established range, the operation of which has been approved by the City Council;
2. The discharge of a bow and arrow on land owned by the City is prohibited unless the City Council may, upon the advice and consent of the appropriate agencies of this state, approve by resolution the removal and control of wildlife under conditions it may from time to time determine.

SECTION 2. 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 3. Effective Date

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

Ordinance No. 853 was adopted on the 18th day of November 2024 A.D., by the Charlevoix City Council as follows:

Yeas: Parr, Spring, Cole, Kalbfell, Hagen

Nays: Knapp

Motion carried.

B. Set Public Hearing: Amendment to Lighting and Signs, Ordinance 854 of 2024

Jonathan Scheel, Director of Planning & Zoning

City Manager Heydlauff presented information on the amendment to lighting and signs.

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

Motion by Hagen, seconded by Cole to set a public hearing for December 16, 2024, at 6 p.m. in the Council Chambers of City Hall to consider Ordinance 854 of 2024 as presented.

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

Nays: None

Motion carried.

7. All Other Actions and Requests

A. Redevelopment Liquor License Application

Council Member Parr left the dais at 6:18 p.m.

City Manager Heydlauff presented information on the redevelopment liquor license

application.

David Campbell, the applicant's attorney, answered questions from Council Members.

Motion by Knapp, seconded by Cole to recommend the redevelopment license permit application for Irene Ventures, LLC to be considered for approval by the Michigan Liquor Control Commission and approve the attached resolution as presented.

CITY OF CHARLEVOIX

RESOLUTION NO. 2024-11-02

LOCAL GOVERNING BODY RESOLUTION FOR LIQUOR LICENSE FOR IRENE VENTURES LLC
(AUTHORIZED BY MCL 436.1501)

At a regular meeting of the Charlevoix City Council called to order by Mayor Lyle Gennett on Monday, November 18, 2024 at 6:00 p.m. the following resolution was offered:

Moved by Knapp and supported by Cole the application from Irene Ventures, LLC for the following license for the New DDA MLCC liquor license under provisions of MCL 436.1521a(1)(b) to be located at 104 State Street and the following permit, if applied for:

Address of Facility: 104 State Street, Charlevoix, Michigan

It is the consensus of this body that it recommends this application be considered for approval by the Michigan Liquor Control Commission.

Yeas: Spring, Knapp, Cole, Kalbfell, Hagen

Nays: None

Abstain: Parr

Motion carried.

Council Member Parr returned to the dais 6:21 p.m.

B. Organizational Meeting

Sarah Dvoracek, City Clerk

Clerk Dvoracek presented information regarding the organizational meeting.

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

Motion by Parr, seconded by Kalbfell to appoint Aaron Hagen as Deputy Mayor.

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

Nays: None

Motion carried.

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

Motion by Parr, seconded by Cole to set the City Council meetings for the first and third Mondays of the month at 6 p.m. except on Monday, November 3, 2025, Council shall meet at 12 p.m. to accommodate for election day.

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

Nays: None

Motion carried.

C. Council Members Appointment to Board of Review

Sarah Dvoracek, City Clerk

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

Motion by Cole, seconded by Spring to appoint Council Members Kalbfell and Parr to the Board of Review for a term to expire in November 2025.

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

Nays: None

Motion carried.

8. Reports and Communications

A. Public Comment

B. City Manager's Comments

- Thanked Clerk and Election Inspectors for all their hard work during the election
- Thanked everyone for their outpouring support while staff is handling the loss of Joe
- Thanked colleagues in the cities of Petoskey and East Jordan for agreeing to handle any public service emergency during Joe's funeral services
- Thanked Island Airways for handling all airport operations so that staff could attend Joe's funeral services
- Please give grace and compassion to our First Responders while they deal with Joe's passing

C. Mayor and Council Comments

9. Other Council Business

10. Adjourn

Mayor Gennett adjourned the meeting at 6:29 p.m.

Sarah J. Dvoracek

City Clerk

Lyle Gennett

Mayor