



Agenda
City of Charlevoix City Council Regular Meeting
Monday, December 16, 2024 - 6:00 PM
Council Chambers, 210 State Street, Charlevoix, MI

- 1. Pledge of Allegiance**
- 2. Roll Call**
- 3. Presentations**
- 4. Inquiry Regarding Conflicts of Interest**
- 5. Consent Agenda**
 - A. City Council Meeting Minutes - December 2, 2024
 - B. Accounts Payable and Payroll Check Registers
 - C. Lease of 2025 GMS Sierra Pick-up Truck for Airport
 - D. Downtown Development Authority Resignation- Kirby Dipert
- 6. Public Hearings and Actions Requiring Public Hearings**
 - A. Public Hearing: Amendment to Lighting and Signs, Ordinance 854 of 2024
Jonathan Scheel, Director of Planning & Zoning
 - B. Set Public Hearing: Amendment to Fines Ordinance 856 of 2024
Mark Heydlauff, City Manager
 - C. Public Hearing: Amend Membership on the Planning Commission, Ordinance 855 of 2024
Mark Heydlauff, City Manager
- 7. All Other Actions and Requests**
 - A. AMI Opt-out Policy and Requirements
Mark Heydlauff, City Manager
 - B. Ladder Truck Overhaul
Mark Heydlauff, City Manager
 - C. Mayoral Appointment
Mayor Lyle Gennett
- 8. Reports and Communications**
 - A. Public Comment
 - B. City Manager's Comments
 - C. Mayor and Council Comments

9. Other Council Business

10. Adjourn

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

Charlevoix City Council

Consent Agenda

Title: City Council Meeting Minutes - December 2, 2024

Date: December 16, 2024

Presented By:

Background:

Recommendation:

Motion to approve the minutes as presented.

Attachments:

1. 2024.12.02 CC DRAFT

City of Charlevoix
City Council Regular Meeting Minutes
Monday, December 2, 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: Aaron Hagen, Phil Parr, Richard Spring

Members Absent: Shane Cole, Janet Kalbfell, Mark Knapp

City Manager: Mark L. Heydlauff

City Clerk: Sarah J. Dvoracek

3. Presentations

A. Recreation Department Fall Presentation

Kent Knorr, Recreation Director

Kent Knorr, Recreation Director, presented information on the Recreation Department's past seasons' activities, including the department's transition to Civic Rec, the golf course, the farmer's market, and the marina. Recreation Director Knorr answered questions from Council.

4. Inquiry Regarding Conflicts of Interest

Council Member Parr stated he doesn't think that there is a conflict of interest to item 7B. Local Government Approval for an Off-Premises Tasting Room License-Grand Traverse Distillery since they provide their own alcohol, Council concurred.

5. Consent Agenda

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

Yeas: Spring, Hagen, Parr

Nays: None

Absent: Cole, Kalbfell, Knapp

Motion carried.

A. City Council Meeting Minutes - November 18, 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
11/19/2024	Special Accounts Payable Run	\$1,037.50
11/19/2024	Special Accounts Payable Run	\$77,440.88
11/20/2024	Payroll (net pay)	\$113,197.59

11/22/2024	Payroll Transmittal Checks	\$6,011.87
12/03/2024	Regular Accounts Payable	\$251,114.02
11/18/2024-11/25/2024	ACH/WIRE Payments	\$392,109.08
Grand Total		\$840,910.94
The entire accounts payable and payroll check registers can be viewed on the City's website.		

C. MPPA Power Purchase Commitment Authorization

Motion to authorize John Griffith, its Member Authorized Representative, to execute the MPPA Energy + REC Power Purchase Commitment (PPC) Authorization-Charlevoix, as presented.

D. Electric Department Vehicles

Motion to approve the purchase of one Altec AA55E aerial device and chassis in the amount of \$308,177 for delivery in 2027 and one Altec AT48M aerial device and chassis in the amount of \$279,349 for delivery in 2028 as presented.

E. State Grant for Snow Removal Equipment

Motion by Parr, seconded by Spring to approve the City Manager to sign the necessary documents to apply for the MDOT grant and approve the attached resolution.

CITY OF CHARLEVOIX

RESOLUTION NO. 2024-12-02

APPROVAL OF GRANT APPLICATION TO THE MICHIGAN DEPARTMENT OF TRANSPORTATION OFFICE OF AERONAUTICS FOR THE FISCAL YEAR (FY) 2025 STATE/LOCAL AIRPORT PROGRAM

WHEREAS, the City is applying for the Fiscal Year 2025 State/Local Airport Program with the State of Michigan Department of Transportation, and;

WHEREAS, the grant amount being applied for will be in the amount of ninety thousand dollars (\$90,000).

WHEREAS, the City will use the funds to purchase a new snow removal tractor for airport operations and;

WHEREAS, the City agrees to follow all the necessary and required laws and guidelines per the program and;

WHEREAS, the City Council is in full support of the City applying for the Fiscal Year 2025 State/Local Airport Program.

NOW THEREFORE BE IT RESOLVED, that the City of Charlevoix City Council hereby authorizes the City Airport Manager to apply for the grants funds offered by the Fiscal Year 2025 State/Local Airport Program and authorize the City Manager to sign all required documents.

RESOLVED this 2nd day of December A.D. 2024

Resolution was adopted by the following yea and nay vote:

Yeas: Spring, Hagen, Parr
Nays: None
Absent: Cole, Kalbfell, Knapp
Motion carried.

6. Public Hearings and Actions Requiring Public Hearings

A. Set Public Hearing: Amend Membership on the Planning Commission

Mark Heydlauff, City Manager

City Manager Heydlauff presented information about the amendment to membership on the Planning Commission.

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

Motion by Hagen, seconded by Spring to set a public hearing for Ordinance 855 of 2024 for Monday, December 16, 2024, at 6 pm in the Council Chambers for City Hall, 210 State Street, Charlevoix, MI.

Yeas: Spring, Hagen, Parr

Nays: None

Absent: Cole, Kalbfell, Knapp

Motion carried.

7. All Other Actions and Requests

A. Burns Street Dock Application and Requirements

Mark Heydlauff, City Manager

City Manager Heydlauff presented information on the Burns Street Dock application and requirements. City Manager Heydlauff answered questions from Council.

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

Motion by Parr, seconded by Hagen to adopt the Burns Street Dock applications and requirements as presented.

Yeas: Spring, Hagen, Parr

Nays: None

Absent: Cole, Kalbfell, Knapp

Motion carried.

B. Local Government Approval for Off-Premises Tasting Room License-Grand Traverse Distillers, LLC

Mark Heydlauff, City Manager

City Manager Heydlauff presented information on the local government approval for an off-premises tasting room license for Grand Traverse Distillers, LLC.

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

Motion by Spring, seconded by Parr to approve Resolution 2024-12-01 recommending approval for an off-premises tasting room license for Grand Traverse Distillery, LLC.

CITY OF CHARLEVOIX

RESOLUTION NO. 2024-12-01

LOCAL GOVERNMENT APPROVAL FOR OFF-PREMISES TASTING ROOM LICENSE

A. At a regular meeting of the City of Charlevoix called to order by Mayor Lyle Gennett on December 2, 2024, at 6:00 p.m. the following resolution was offered:

B. Motion by Parr, seconded by Spring that the application from Grand Traverse Distillery LLC. for a NEW OFF-PREMISES TASTING ROOM LICENSE to be located at: 216 Bridge Street, Charlevoix, MI 49720.

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

RESOLVED this 2nd day of December 2024 A.D.

Resolution was adopted by the following yeas and nays vote:

Yeas: Spring, Hagen, Parr

Nays: None

Absent: Cole, Kalbfell, Knapp

Motion carried.

C. Match on Main Grant Policy & Process

Mark Heydlauff, City Manager

City Manager Heydlauff presented information on the Match on Main Grant Policy and Process.

City Manager Heydlauff answered questions from Council.

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

Motion by Parr, seconded by Spring to adopt the Match on Main Policy and Process as presented.

Yeas: Spring, Hagen, Parr

Nays: None

Absent: Cole, Kalbfell, Knapp

Motion carried.

8. Reports and Communications

A. Public Comment

- Annemarie Conway provided the Council with a brief update on the County Commissioners' current and upcoming projects

B. City Manager's Comments

- Met with Fire Chief Thorp regarding the current ladder truck, they are researching the possibility of sending the truck back to the manufacturer for some upgrades while working on funding for a new truck
- Winter season is upon us with the tree lighting and parade last week

- Thanked the public works crew for their handwork clearing snow and leaves

C. Mayor and Council Comments

9. Other Council Business

Council Member Parr stated he spoke with the DNR Enforcement regarding hunting within a 450 feet (150 yards) safety zone, and this only applies to firearm equipment, not archery equipment. Council Member Parr stated he misspoke about the 150 yards in a previous meeting and the ordinance doesn't go into effect until December 18, 2024. Mr. Parr stated Council may want to revisit the topic at a later date with this new information. No Council action was taken.

10. Adjourn

Mayor Gennett adjourned the meeting at 6:47 p.m.

Sarah J. Dvoracek

City Clerk

Lyle Gennett

Mayor

DRAFT

Charlevoix City Council

Consent Agenda

Title: Accounts Payable and Payroll Check Registers

Date: December 16, 2024

Presented By:

Background:

Recommendation:

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

Attachments:

1. Check Registers 12-16-24 Agenda

CHECK REGISTER FOR CITY OF CHARLEVOIX

CHECK DATE 12/09/2024 - 12/09/2024

BANK CODE: 1 - GENERAL CASH - HUNTINGTON BANK - CHECK TYPE: PAPER CHECK - CHECK SOURCE: COMPUTER GENERATED CHECKS

Check Date	Check	Vendor Name	Amount
Bank 1 GENERAL CASH - HUNTINGTON BANK			
12/09/2024	143972	HARTFORD, THE	3,124.76
1 TOTALS:			
Total of 1 Checks:			3,124.76
Less 0 Void Checks:			0.00
Total of 1 Disbursements:			3,124.76

Summary of Check Registers & EFT Payments
HUNTINGTON NATIONAL BANK - CHECKS ISSUED

12/09/24 Special Accounts Payable Run	\$	3,124.76
12/06/24 Payroll (net pay)	\$	122,739.05
12/06/24 Payroll Transmittal Checks	\$	6,448.53
12/17/24 Regular Accounts Payable	\$	983,386.53
Checks Sub-Total:	\$	1,115,698.87

HUNTINGTON NATIONAL BANK - EFT/WIRE PAYMENTS

12/02/24 MI Public Power Agency	\$	17,845.80
12/03/24 AMG Payment Solutions	\$	43.24
12/03/24 AMG Payment Solutions	\$	34.99
12/05/24 DTE Energy	\$	5,431.41
12/06/24 IRS (Payroll Tax Deposit)	\$	45,768.36
12/06/24 Alerus Financial (HCSP)	\$	558.00
12/06/24 Vantagepoint (401 Plan)	\$	1,204.15
12/06/24 Vantagepoint (457 Plan)	\$	22,934.49
12/06/24 Vantagepoint (Roth IRA)	\$	1,265.00
12/06/24 State of MI (Withholding Tax)	\$	6,676.26
12/09/24 MI Public Power Agency	\$	15,134.61
12/10/24 State of MI (Sales Tax)	\$	23,032.59
ACH Sub-Total:	\$	139,928.90

Huntington National Bank Total: \$ 1,255,627.77

CHARLEVOIX STATE BANK - CHECKS ISSUED
(PROPERTY TAX DISBURSEMENT TO VARIOUS TAXING AUTHORITIES)

12/02/24 Special A/P Tax Disbursement	\$	31,682.31
	\$	-
Charlevoix State Bank Total:	\$	31,682.31

Grand Total: \$ 1,287,310.08

APPROVED:


 CITY MANAGER


 CITY TREASURER

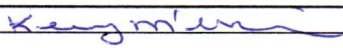

 CITY CLERK

CHECK APPROVAL REPORT FOR CITY OF CHARLEVOIX

Payroll: 0000000007

Name	Check Date	Gross	Net
HEYDLAUFF, MARK L.	12/06/2024	6,269.24	4,373.84
DVORACEK, SARAH J.	12/06/2024	3,307.14	2,584.75
DeROSIA, PATRICIA E.	12/06/2024	1,434.57	879.97
KLOOSTER, ALIDA K.	12/06/2024	3,692.00	2,593.54
BARNEVELD, RICHELLE L.	12/06/2024	2,247.93	1,586.52
SCHULZ, GINNY L.	12/06/2024	2,280.00	1,701.29
JENKINS, JESSICA-RAE A.	12/06/2024	2,080.80	1,621.71
MILLER, FAITH G.	12/06/2024	100.00	88.10
MCGINN, KELLY A.	12/06/2024	4,333.84	2,987.73
SCHEEL, JONATHAN D.	12/06/2024	3,852.00	2,760.65
MCDONNELL, JILL L.	12/06/2024	4,360.36	2,685.03
UMULIS, MATTHEW T.	12/06/2024	3,577.95	2,124.89
ORBAN, BARBARA K.	12/06/2024	3,387.93	1,934.54
RILEY, DENISE M.	12/06/2024	817.42	658.67
MUNK, CHRISTOPHER J.	12/06/2024	3,455.00	2,206.36
CHRISTIANSEN, BRIAN D.	12/06/2024	2,926.72	2,009.73
RAMIREZ, CHARLES V.	12/06/2024	2,873.36	1,974.87
MARTIN, DONALD L.	12/06/2024	4,175.76	2,869.11
YOUNG, KRISTEN L.	12/06/2024	2,229.99	1,638.07
WURST, RANDALL W.	12/06/2024	4,467.55	2,582.20
HILLING, NICHOLAS A.	12/06/2024	3,124.88	1,941.11
MEIER III, CHARLES A.	12/06/2024	3,040.19	1,950.71
ZACHARIAS, STEVEN B.	12/06/2024	3,384.45	2,047.79
NEWMAN, MARK J.	12/06/2024	2,850.70	1,865.00
LOUGHMILLER, JOHN A.	12/06/2024	2,533.60	1,834.03
GRIFFITH, JOHN J.	12/06/2024	5,064.91	2,784.74
EATON, BRAD A.	12/06/2024	4,430.66	2,781.10
WILSON, TIMOTHY J.	12/06/2024	5,016.66	3,610.08
LAVOIE, RICHARD L.	12/06/2024	4,241.97	2,681.18
STERRETT, PHILLIP R.	12/06/2024	3,988.55	2,613.35
STEVENS, BRANDON C.	12/06/2024	5,020.19	3,048.75
WHITLEY, ANDREW T.	12/06/2024	4,572.40	2,643.77
FARRELL, MITCHELL L.	12/06/2024	3,751.49	2,420.27
ANDERSON, ELIZABETH A.	12/06/2024	2,323.60	1,534.48
KENWABIKISE, DAVID L.	12/06/2024	2,090.09	1,456.86
DVORACEK, BRIAN N.	12/06/2024	730.00	591.43
ELLIOTT, PATRICK M.	12/06/2024	5,061.27	3,487.86
MORRISON, KEVIN P.	12/06/2024	2,697.45	1,579.63
FURGESON, JUSTIN L.	12/06/2024	3,080.40	2,294.56
BRADLEY, KELLY R.	12/06/2024	2,837.80	1,628.45
HART II, DELBERT W.	12/06/2024	2,846.30	1,786.58
JONES, ROBERT F.	12/06/2024	2,583.42	1,705.79
THORP, WILLIAM D.	12/06/2024	2,318.39	1,451.78
LEITNER, RYAN S.	12/06/2024	2,438.41	1,633.18
NOWKA, STEPHEN P.	12/06/2024	3,087.41	2,242.01
RILEY, DANIEL A.	12/06/2024	2,787.40	1,986.37
REID, ROB A.	12/06/2024	1,950.88	1,348.69
DORAN, JUSTIN J.	12/06/2024	3,314.54	2,506.56
NEDWICK, DAVID J.	12/06/2024	280.00	258.58
FINNERTY, HOLLY E.	12/06/2024	630.00	548.18
POIROT, KENNETH R.	12/06/2024	508.00	456.70
VENTZKE, COLE C.	12/06/2024	507.50	447.10
PARRISH, JASON P.	12/06/2024	210.00	185.01
WOOD, DIANA G.	12/06/2024	582.25	510.89
CRANDELL, ZACKARY R.	12/06/2024	644.00	551.74
RABIDEAU, JACOB L.	12/06/2024	680.00	587.23
BORTHS, MICHAEL J.	12/06/2024	400.13	352.51
KNORR, KENT J.	12/06/2024	3,404.55	2,505.31
BOSS JR, DALE E.	12/06/2024	1,848.78	1,528.97
ANZELL, BETH A.	12/06/2024	2,393.49	1,794.34
MCDERMOTT, DENNIS J.	12/06/2024	50.00	50.00
BOSS, BEAU J.	12/06/2024	2,377.02	1,812.25
DRENTH, DOUGLAS A.	12/06/2024	1,110.00	871.02
GILL, DAVID R.	12/06/2024	1,392.71	1,150.40
LIVINGSTON, BRIAN D.	12/06/2024	560.25	502.74
SCHOLEY, ROBERT W.	12/06/2024	3,172.21	2,127.61
MCCRANEY, RUSSELL R.	12/06/2024	2,313.20	1,831.02
POSTMUS, ANTHONY H.	12/06/2024	1,096.84	778.45
REECE, DANIEL A.	12/06/2024	2,134.56	1,677.46
TRAVERS, MANUEL J.	12/06/2024	998.56	893.86
Totals: 70		180,331.62	122,739.05

CHECK APPROVAL REPORT FOR CITY OF CHARLEVOIX
Payroll: 0000000007

Name	Check Date	Gross	Net
Approved By: <u></u>	Date: <u>12/3/24</u>		

CHECK REGISTER FOR CITY OF CHARLEVOIX

CHECK DATE 12/06/2024 - 12/06/2024

BANK CODE: 1 - GENERAL CASH - HUNTINGTON BANK - CHECK TYPE: PAPER CHECK - CHECK SOURCE: COMPUTER GENERATED CHECKS

Check Date	Check	Vendor Name	Amount
Bank 1 GENERAL CASH - HUNTINGTON BANK			
12/06/2024	143964	4FRONT CREDIT UNION	1,535.58
12/06/2024	143965	AMERICAN FAMILY LIFE	532.65
12/06/2024	143966	CHARLEVOIX STATE BANK	1,430.00
12/06/2024	143967	COMMUNICATION WORKERS OF AMER	672.82
12/06/2024	143968	FOPLC	234.00
12/06/2024	143969	MI STATE DISBURSEMENT UNIT	116.55
12/06/2024	143970	PRIORITY HEALTH	1,531.69
12/06/2024	143971	THE HARTFORD	395.24
1 TOTALS:			
Total of 8 Checks:			6,448.53
Less 0 Void Checks:			0.00
Total of 8 Disbursements:			6,448.53

CHECK REGISTER FOR CITY OF CHARLEVOIX

CHECK DATE 12/17/2024 - 12/17/2024

BANK CODE: 1 - GENERAL CASH - HUNTINGTON BANK - CHECK TYPE: PAPER CHECK - CHECK SOURCE: COMPUTER GENERATED CHECKS

Check Date	Check	Vendor Name	Amount
Bank 1 GENERAL CASH - HUNTINGTON BANK			
12/17/2024	143973	ACE HARDWARE	4,004.72
12/17/2024	143974	ACLARA TECHNOLOGIES LLC	647,603.75
12/17/2024	143975	AMAZON CAPITAL SERVICES	723.72
12/17/2024	143976	APPRIVER LLC	2,502.47
12/17/2024	143977	ART'S AUTO & TRUCK PARTS	1,067.21
12/17/2024	143978	ASPLUNDH TREE EXPERT LLC	18,449.80
12/17/2024	143979	AT YOUR SERVICE PLUS INC	280.00
12/17/2024	143980	AUTO VALUE CHARLEVOIX #2	1,580.32
12/17/2024	143981	AUTO WARES INC	652.54
12/17/2024	143982	AVFUEL CORPORATION	520.00
12/17/2024	143983	BARBARA K ORBAN	53.00
12/17/2024	143984	BLU DOT FARM & VINEYARD	31.00
12/17/2024	143985	BRIAN D LIVINGSTON	259.70
12/17/2024	143986	CCH INCORPORATED	291.50
12/17/2024	143987	CCP INDUSTRIES INC	327.87
12/17/2024	143988	CHARLEVOIX RUNNING CO LLC	25,000.00
12/17/2024	143989	CHARLEVOIX SCREEN MASTERS INC	12.00
12/17/2024	143990	CHARLEVOIX TOWNSHIP TREASURER	83.42
12/17/2024	143991	CHARLEVOIX-EMMET ISD	180.00
12/17/2024	143992	CHARTER COMMUNICATIONS	149.98
12/17/2024	143993	CHARTER COMMUNICATIONS OPERAT	193.22
12/17/2024	143994	CONWAY PROFESSIONAL SERVICES	6,616.00
12/17/2024	143995	D&D ELECTRONICS	61.00
12/17/2024	143996	DALE E BOSS JR	291.40
12/17/2024	143997	ELLSWORTH FARMERS EXCHANGE	5,795.45
12/17/2024	143998	ETNA SUPPLY	5,580.00
12/17/2024	143999	FAMILY FARM AND HOME	377.46
12/17/2024	144000	FARRELL, MITCHELL L.	20.34
12/17/2024	144001	FICK & SONS DIESEL GARAGE	4,045.00
12/17/2024	144002	FISHER SCIENTIFIC	388.83
12/17/2024	144003	FREEDOM MAILING SERVICES INC	2,858.42
12/17/2024	144004	GFL ENVIRONMENTAL	946.20
12/17/2024	144005	GRP ENGINEERING INC	4,133.78
12/17/2024	144006	HACH COMPANY	41,727.92
12/17/2024	144007	HAGGARD PLUMBING & HEATING	975.04
12/17/2024	144008	HEYDLAUFF, MARK L.	77.35
12/17/2024	144009	HOLIDAY LIGHT EXPRESS	950.00
12/17/2024	144010	HYDROCORP	2,243.50
12/17/2024	144011	IDEXX DISTRIBUTION INC	542.15
12/17/2024	144012	IDI	74.00
12/17/2024	144013	INTEGRITY BUSINESS SOLUTIONS	74.82
12/17/2024	144014	J RANCK ELECTRIC INC	19,048.95
12/17/2024	144015	JOY HALVERSON	20.00
12/17/2024	144016	KALAMAZOO SANITARY SUPPLY LLC	225.32
12/17/2024	144017	KNIGHTS TOOLS LLC	215.55
12/17/2024	144018	KRISTEN L YOUNG	108.84
12/17/2024	144019	LANDSCAPE STRUCTURES	103,753.16
12/17/2024	144020	MANTHEI CONSTRUCTION	11,478.38
12/17/2024	144021	MCCARDEL CULLIGAN WATER COND	55.50
12/17/2024	144022	MICHIGAN ASSOCIATION OF CHIEF	115.00
12/17/2024	144023	MICHIGAN DOWNTOWN ASSOCIATION	750.00
12/17/2024	144024	NAVIA BENEFIT SOLUTIONS	100.00
12/17/2024	144025	NCL OF WISCONSIN INC	284.14
12/17/2024	144026	NORTHERN MICHIGAN MUTUAL AID	1,200.00
12/17/2024	144027	NORTHERN PUMP SERVICE INC	1,752.00
12/17/2024	144028	NORTHWEST ELECTRONICS & REPAI	29.99
12/17/2024	144029	NUCO2 LLC	200.90
12/17/2024	144030	OTEC	40.00
12/17/2024	144031	PENINSULA FIBER NETWORK LLC	360.00
12/17/2024	144032	POWER LINE SUPPLY	1,684.08
12/17/2024	144033	POWER SYSTEM ENGINEERING INC	13,154.84
12/17/2024	144034	POWERPLAN	3,818.92
12/17/2024	144035	PROFESSIONAL PROPERTY APPRAIS	900.00
12/17/2024	144036	R & R PRODUCTS INC	588.40
12/17/2024	144037	R B LYONS INC	2,850.00
12/17/2024	144038	R.H. WILES SALES INC	40.00
12/17/2024	144039	RANGE TELECOMMUNICATIONS	52.00
12/17/2024	144040	RESCO	950.00
12/17/2024	144041	SERRA BUICK GMC TRAVERSE CITY	1,843.08
12/17/2024	144042	SMITH & LOVELESS INC	18,730.00

CHECK REGISTER FOR CITY OF CHARLEVOIX

CHECK DATE 12/17/2024 - 12/17/2024

BANK CODE: 1 - GENERAL CASH - HUNTINGTON BANK - CHECK TYPE: PAPER CHECK - CHECK SOURCE: COMPUTER GENERATED CHECKS

Check Date	Check	Vendor Name	Amount
Bank 1 GENERAL CASH - HUNTINGTON BANK			
12/17/2024	144043	SPARTAN DISTRIBUTORS INC	613.35
12/17/2024	144044	SPARTAN STORES LLC	24.90
12/17/2024	144045	STRYKER SALES LLC	4,261.17
12/17/2024	144046	SUMMIT FIRE PROTECTION	309.00
12/17/2024	144047	SUPERIOR MECHANICAL OF CHARLE	375.00
12/17/2024	144048	TED RUNDBLAD	225.00
12/17/2024	144049	TELNET WORLDWIDE	167.71
12/17/2024	144050	TERMINAL SUPPLY CO	1,584.63
12/17/2024	144051	THE ROSSOW GROUP	205.00
12/17/2024	144052	THOM INVESTMENTS LLC	575.00
12/17/2024	144053	TOP LINE ELECTRIC LLC	300.00
12/17/2024	144054	TRACE ANALYTICAL LABORATORIES	460.00
12/17/2024	144055	UNIFIRST CORPORATION	543.37
12/17/2024	144056	UNIVERSAL CREDIT SERVICES INC	141.86
12/17/2024	144057	VILLAGE GRAPHICS INC	61.25
12/17/2024	144058	WINDEMULLER ELECTRIC INC.	7,445.36
1 TOTALS:			
Total of 86 Checks:			983,386.53
Less 0 Void Checks:			0.00
Total of 86 Disbursements:			983,386.53

CHECK REGISTER FOR CITY OF CHARLEVOIX

CHECK DATE 12/02/2024 - 12/02/2024

BANK CODE: 1 - GENERAL CASH - HUNTINGTON BANK - CHECK TYPE: EFT - CHECK SOURCE: COMPUTER GENERATED CHECKS

Check Date	Check	Vendor Name	Amount
Bank 1 GENERAL CASH - HUNTINGTON BANK			
12/02/2024	67(E)	MICHIGAN PUBLIC POWER AGENCY	17,845.80
1 TOTALS:			
Total of 1 Checks:			17,845.80
Less 0 Void Checks:			0.00
Total of 1 Disbursements:			17,845.80

CHECK REGISTER FOR CITY OF CHARLEVOIX

CHECK DATE 12/03/2024 - 12/03/2024

BANK CODE: 1 - GENERAL CASH - HUNTINGTON BANK - CHECK TYPE: EFT - CHECK SOURCE: COMPUTER GENERATED CHECKS

Check Date	Check	Vendor Name	Amount
Bank 1 GENERAL CASH - HUNTINGTON BANK			
12/03/2024	71(E)	AMG PAYMENT SOLUTIONS	43.24
12/03/2024	72(E)	AMG PAYMENT SOLUTIONS	34.99
1 TOTALS:			
Total of 2 Checks:			78.23
Less 0 Void Checks:			0.00
Total of 2 Disbursements:			78.23

CHECK REGISTER FOR CITY OF CHARLEVOIX

CHECK DATE 12/05/2024 - 12/05/2024

BANK CODE: 1 - GENERAL CASH - HUNTINGTON BANK - CHECK SOURCE: COMPUTER GENERATED CHECKS

Check Date	Check	Vendor Name	Amount
Bank 1 GENERAL CASH - HUNTINGTON BANK			
12/05/2024	68(E)	DTE ENERGY	5,431.41
1 TOTALS:			
Total of 1 Checks:			5,431.41
Less 0 Void Checks:			0.00
Total of 1 Disbursements:			5,431.41

CHECK REGISTER FOR CITY OF CHARLEVOIX

CHECK DATE 12/06/2024 - 12/06/2024

BANK CODE: 1 - GENERAL CASH - HUNTINGTON BANK - CHECK TYPE: EFT - CHECK SOURCE: COMPUTER GENERATED CHECKS

Check Date	Check	Vendor Name	Amount
Bank 1 GENERAL CASH - HUNTINGTON BANK			
12/06/2024	61(E)	**EFTPS* Payroll Taxes	45,768.36
12/06/2024	62(E)	Alerus Financial	558.00
12/06/2024	63(E)	MissionSquare - 401 Plan 1091	1,204.15
12/06/2024	64(E)	MissionSquare - 457 Plan 3009	22,934.49
12/06/2024	65(E)	MissionSquare - Roth IRA 7061	1,265.00
12/06/2024	66(E)	STATE OF MICHIGAN	6,676.26
1 TOTALS:			
Total of 6 Checks:			78,406.26
Less 0 Void Checks:			0.00
Total of 6 Disbursements:			78,406.26

CHECK REGISTER FOR CITY OF CHARLEVOIX

CHECK DATE 12/09/2024 - 12/09/2024

BANK CODE: 1 - GENERAL CASH - HUNTINGTON BANK - CHECK TYPE: EFT - CHECK SOURCE: COMPUTER GENERATED CHECKS

Check Date	Check	Vendor Name	Amount
Bank 1 GENERAL CASH - HUNTINGTON BANK			
12/09/2024	69(E)	MICHIGAN PUBLIC POWER AGENCY	15,134.61
1 TOTALS:			
Total of 1 Checks:			15,134.61
Less 0 Void Checks:			0.00
Total of 1 Disbursements:			15,134.61

CHECK REGISTER FOR CITY OF CHARLEVOIX

CHECK DATE 12/10/2024 - 12/10/2024

BANK CODE: 1 - GENERAL CASH - HUNTINGTON BANK - CHECK TYPE: EFT - CHECK SOURCE: COMPUTER GENERATED CHECKS

Check Date	Check	Vendor Name	Amount
Bank 1 GENERAL CASH - HUNTINGTON BANK			
12/10/2024	70(E)	STATE OF MICHIGAN	23,032.59
1 TOTALS:			
Total of 1 Checks:			23,032.59
Less 0 Void Checks:			0.00
Total of 1 Disbursements:			23,032.59

CHECK REGISTER FOR CITY OF CHARLEVOIX

CHECK DATE 12/02/2024 - 12/02/2024

BANK CODE: 2 - TAX CASH - CSB - CHECK TYPE: PAPER CHECK - CHECK SOURCE: COMPUTER GENERATED CHECKS

Check Date	Check	Vendor Name	Amount
Bank 2 TAX CASH - CSB			
12/02/2024	4179	CITY OF CHARLEVOIX - TAXES DU	10,287.85
12/02/2024	4180	CHARLEVOIX COUNTY TREASURER	9,260.18
12/02/2024	4181	CHARLEVOIX PUBLIC SCHOOLS	12,134.28
2 TOTALS:			
Total of 3 Checks:			31,682.31
Less 0 Void Checks:			0.00
Total of 3 Disbursements:			31,682.31

Charlevoix City Council

Consent Agenda

Title: Lease of 2025 GMS Sierra Pick-up Truck for Airport

Date: December 16, 2024

Presented By:

Background:

The airport is looking to lease a new pickup truck in the 2025/2026 budget year.

This truck will be used to complete some daily tasks that require transportation. These tasks include the daily run to city hall, picking up items or goods such as vending machine supplies, cleaning supplies, ice, and other necessary items for the operation of the airport. It will also be used to haul a variety of things including, but not limited to; recycling, garbage, and other refuse. Further, it will be used to move or haul different trailers, including the ground power unit, the lavatory cart, and various other pieces of equipment on and off airport property. It will also be used as an extra vehicle during our busy summer months to assist with airport ramp operations by transporting people, catering, luggage, ice, coffee, and other items back and forth to the aircraft.

The current 2012 F-350 pickup at the airport is a dedicated to winter and snow removal and has a large sander box in the bed, making it impractical for the above-listed uses. In the summer, it is utilized for the same purposes proposed for the new lease truck. Having both available in the summer will increase staff efficiency.

I spoke with the company where the city leases our vehicles and the lead time to acquire this vehicle will be approximately six months. Therefore, we would need to order the vehicle soon to be sure we will receive it in time for the 2025/2026 budget year.

The cost of this lease will be approximately \$10,500 annually. The lease is a 60-month-term lease with monthly lease payments of \$872.76 beginning in the 2025/2026 budget year. I have attached the lease agreement for Council's review.

Recommendation:

Motion to approve the airport manager to order the new lease work truck for the 2025/2026 budget year and authorize the City Manager to sign all necessary documents.

Attachments:

1. 2025 GMC Sierra Reg Cab

Prepared For: City of Charlevoix Elliott, Pat				Date 12/04/2024 AE/AM AB3/rbr	
Unit #					
Year	2025	Make	GMC	Model	Sierra 1500
Series	Pro 4x4 Regular Cab 8 ft. box 139.6 in. WB				
Vehicle Order Type	Ordered	Term	60	State	MI Customer# 607192
\$ 43,989.54		Capitalized Price of Vehicle ¹		All language and acknowledgments contained in the signed quote apply to all vehicles that are ordered under this signed quote. Order Information Driver Name Please Provide Exterior Color (0 P) Summit White Interior Color (0 I) Jet Black w/Vinyl Seat Trim Lic. Plate Type Title Only GVWR 0	
\$0.00	*	Sales Tax <u>0.0000%</u> State <u>MI</u>			
\$ 103.00	*	Initial License Fee			
\$ 0.00	Registration Fee				
\$ 700.00	Other: (See Page 2)				
\$ 0.00	Capitalized Price Reduction				
\$ 0.00	Gain Applied From Prior Unit				
\$ 0.00	*	Security Deposit			
\$0.00	Taxes				
\$ 44,689.54		Total Capitalized Amount (Delivered Price)			
\$ 603.31		Depreciation Reserve @ <u>1.3500%</u>			
\$ 269.45		Monthly Lease Charge (Based on Interest Rate - Subject to a Floor) ²			
\$ 872.76		Total Monthly Rental Excluding Additional Services			
Additional Fleet Management					
Master Policy Enrollment Fees					
\$ 0.00		Commercial Automobile Liability Enrollment			
Liability Limit <u>\$0.00</u>					
\$ 0.00		Physical Damage Management		Comp/Coll Deductible <u>0 / 0</u>	
\$ 0.00		Full Maintenance Program ³ Contract Miles <u>0</u>		OverMileage Charge <u>\$ 0.00</u> Per Mile	
Incl: # Brake Sets (1 set = 1 Axle) <u>0</u>					
# Tires <u>0</u> Loaner Vehicle Not Included					
\$ 0.00		Additional Services SubTotal			
\$ 0.00		Tax <u>0.0000%</u>		State <u>MI</u>	
\$ 872.76		Total Monthly Rental Including Additional Services			
\$ 8,490.94		Reduced Book Value at <u>60</u> Months			
\$ 475.00		Service Charge Due at Lease Termination			

All language and acknowledgments contained in the signed quote apply to all vehicles that are ordered under this signed quote.

Order Information

Driver Name	Please Provide
Exterior Color	(0 P) Summit White
Interior Color	(0 I) Jet Black w/Vinyl Seat Trim
Lic. Plate Type	Title Only
GVWR	0

Quote based on estimated annual mileage of 7,000
(Current market and vehicle conditions may also affect value of vehicle)
(Quote is Subject to Customer's Credit Approval)
Notes

Enterprise FM Trust will be the owner of the vehicle covered by this Quote. Enterprise FM Trust (not Enterprise Fleet Management) will be the Lessor of such vehicle under the Master Open - End (Equity) Lease Agreement and shall have all rights and obligations of the Lessor under the Master Open - End (Equity) Lease Agreement with respect to such vehicle. Lessee must maintain insurance coverage on the vehicle as set forth in Section 11 of the Master Open-End (Equity) Lease Agreement until the vehicle is sold.

ALL TAX AND LICENSE FEES TO BE BILLED TO LESSEE AS THEY OCCUR.
Lessee hereby authorizes this vehicle order, and agrees to lease the vehicle on the terms set forth herein and in the Master Equity Lease Agreement. In the event Lessee fails or refuses to accept delivery of the ordered vehicle, Lessee agrees that Lessor shall have the right to collect damages, including, but not limited to, a \$500 disposal fee, interest incurred, and loss of value.

LESSEE City of Charlevoix		
BY	TITLE	DATE

* INDICATES ITEMS TO BE BILLED ON DELIVERY.

¹ Capitalized price of vehicle may be adjusted to reflect final manufacturer's invoice, plus a pre delivery interest charge. Lessee hereby assigns to Lessor any manufacturer rebates and/or manufacturer incentives intended for the Lessee, which rebates and/or incentives have been used by Lessor to reduce the capitalized price of the vehicle.

² Monthly lease charge will be adjusted to reflect the interest rate on the delivery date (subject to a floor).

³ The inclusion herein of references to maintenance fees/services are solely for the administrative convenience of Lessee. Notwithstanding the inclusion of such references in this [Invoice/Schedule/Quote], all such maintenance services are to be performed by Enterprise Fleet Management, Inc., and all such maintenance fees are payable by Lessee solely for the account of Enterprise Fleet Management, Inc., pursuant to that certain separate [Maintenance Agreement] entered into by and between Lessee and Enterprise Fleet Management, Inc.; provided that such maintenance fees are being billed by Enterprise FM Trust, and are payable at the direction of Enterprise FM Trust, solely as an authorized agent for collection on behalf of Enterprise Fleet Management, Inc.

Aftermarket Equipment Total

Description	(B)illed or (C)apped	Price
Strobe Lights - Scientific Brake Quote 133765 (AME Quote: 133765)	C	\$ 476.14
Cab Protector (AME Quote: 133765)	C	\$ 0.00
Total Aftermarket Equipment Billed		\$ 0.00
Total Aftermarket Equipment Capitalized		\$ 476.14
Aftermarket Equipment Total		\$ 476.14

Other Totals

Description	(B)illed or (C)apped	Price
Initial Administration Fee	C	\$ 300.00
Courtesy Delivery Fee	C	\$ 400.00
Total Other Charges Billed		\$ 0.00
Total Other Charges Capitalized		\$ 700.00
Other Charges Total		\$ 700.00

VEHICLE INFORMATION:

2025 GMC Sierra 1500 Pro 4x4 Regular Cab 8 ft. box 139.6 in. WB - US

Series ID: TK10903

Pricing Summary:

	INVOICE	MSRP
Base Vehicle	\$41,419.1	\$43,100.00
Total Options	\$2,666.30	\$2,930.00
Destination Charge	\$1,995.00	\$1,995.00
Total Price	\$46,080.40	\$48,025.00

SELECTED COLOR:

Exterior:

GAZ-(0 P) Summit White

Interior:

H2G-(0 I) Jet Black w/Vinyl Seat Trim

SELECTED OPTIONS:

CODE	DESCRIPTION	INVOICE	MSRP
1SA	Preferred Equipment Group 1SA	NC	NC
A2S	4-Way Manual Driver Seat Adjuster	Included	Included
A7E	4-Way Manual Passenger Seat Adjuster	Included	Included
AED	Power Front Windows w/Passenger Express Down	Included	Included
AKP	Solar Absorbing Tinted Glass	Included	Included
AQQ	Remote Keyless Entry	Included	Included
AU3	Power Door Locks	Included	Included
AXG	Power Front Windows w/Driver Express Up/Down	Included	Included
AZ3	Front 40/20/40 Split-Bench Seat	Included	Included
BTM	Push Button Start	Included	Included
C5H	GVWR: 6,900 lbs (3,130 kg)	STD	STD
CGN	Spray-On Pickup Bedliner	\$495.95	\$545.00
CTT	Hitch Guidance	Included	Included
G80	Auto-Locking Rear Differential	\$359.45	\$395.00
GAZ_01	(0 P) Summit White	NC	NC
GRILLE	Chrome Header w/Flat Black Grille Insert Bars	Included	Included
GU5	3.23 Rear Axle Ratio	Included	Included
H2G_02	(0 I) Jet Black w/Vinyl Seat Trim	NC	NC
IOR	Radio: GMC Infotainment Audio System	STD	STD
KC4	External Engine Oil Cooling	Included	Included
KNP	Auxiliary External Transmission Oil Cooler	Included	Included
KW7	170 Amp Alternator	Included	Included
L84	Engine: 5.3L EcoTec3 V8	\$1,451.45	\$1,595.00
MHT	Transmission: 10-Speed Automatic (MHT)	Included	Included
NP0	Single Speed Transfer Case	Included	Included
PAINT	Solid Paint	STD	STD
PDI	GMC Pro Safety	Included	Included
PPW	Wireless Apple CarPlay/Wireless Android Auto	Included	Included
QBN	Tires: 255/70R17 AS BW	STD	STD
RD6	Wheels: 17" x 8" Silver Painted Steel	Included	Included
STDTM	Vinyl Seat Trim	STD	STD
T8Z	Buckle to Drive	Included	Included
TQ5	IntelliBeam Automatic High Beam On/Off	Included	Included



CODE	DESCRIPTION	INVOICE	MSRP
U95	2-Speaker Audio System Feature	Included	Included
UBJ	2 Charge/Data USB Ports	Included	Included
UE1	OnStar Services Capable	Included	Included
UE4	Following Distance Indicator	Included	Included
UEU	Forward Collision Alert	Included	Included
UHX	Lane Keep Assist w/Lane Departure Warning	Included	Included
UHY	Automatic Emergency Braking	Included	Included
UKJ	Front Pedestrian Braking	Included	Included
UVB	HD Rear Vision Camera	Included	Included
V76	Front Frame-Mounted Black Recovery Hooks	Included	Included
VV4	Wi-Fi Hotspot Capable	Included	Included
WARANT	Fleet Customer Powertrain Limited Warranty	NC	NC
Z82	Trailer Package	\$359.45	\$395.00
Z85	Standard Suspension Package	STD	STD

CONFIGURED FEATURES:

Body Exterior Features:

Number Of Doors: 2
Rear Cargo Door Type: tailgate
Driver And Passenger Mirror: power remote heated manual folding side-view door mirrors
Convex Driver Mirror: convex driver and passenger mirror
Door Handles: black
Front And Rear Bumpers: chrome front and rear bumpers with black rub strip
Rear Step Bumper: rear step bumper
Front Tow Hooks: 2 front tow hooks
Bed Liner: bed liner
Box Style: regular
Body Material: galvanized steel/aluminum body material
: class IV trailering with harness, hitch
Fender Flares: black fender flares
Grille: black w/chrome surround grille

Convenience Features:

Air Conditioning: manual air conditioning
Cruise Control: cruise control with steering wheel controls
Power Windows: power windows with driver and passenger 1-touch down
Remote Keyless Entry: keyfob (all doors) remote keyless entry
Illuminated Entry: illuminated entry
Integrated Key Remote: integrated key/remote
Auto Locking: auto-locking doors
Passive Entry: proximity key
Window FOB Controls: remote window controls
Steering Wheel: steering wheel with manual tilting
Day-Night Rearview Mirror: day-night rearview mirror
Emergency SOS: OnStar emergency communication system
Front Cupholder: front cupholder
Overhead Console: mini overhead console with storage
Glove Box: locking glove box
Driver Door Bin: driver and passenger door bins
Dashboard Storage: dashboard storage
IP Storage: covered bin instrument-panel storage
Front Underseat Storage Tray: locking front underseat storage tray
Driver Footrest: driver's footrest
Retained Accessory Power: retained accessory power
Power Accessory Outlet: 1 12V DC power outlet

Entertainment Features:

radio: AM/FM stereo with seek-scan
Radio Data System: radio data system
Speakers: 2 speakers
Internet Access: Wi-Fi Hotspot capable internet access
TV Tuner: OnStar Turn-by-Turn Navigation turn-by-turn navigation directions
1st Row LCD: 1 1st row LCD monitor
Wireless Connectivity: wireless phone connectivity
Antenna: fixed antenna

Lighting, Visibility and Instrumentation Features:

Headlamp Type: delay-off projector beam LED low/high beam headlamps
Auto-Dimming Headlights: IntelliBeam auto high-beam headlights
Cab Clearance Lights: cargo bed light
Front Wipers: variable intermittent wipers
Tinted Windows: light-tinted windows
Dome Light: dome light with fade
Front Reading Lights: front and rear reading lights
Variable IP Lighting: variable instrument panel lighting

Display Type: analog appearance
Tachometer: tachometer
Voltmeter: voltmeter
Compass: compass
Exterior Temp: outside-temperature display
Low Tire Pressure Warning: tire specific low-tire-pressure warning
Trip Computer: trip computer
Trip Odometer: trip odometer
Lane Departure Warning: lane departure
Front Pedestrian Braking: front pedestrian detection
Following Distance Indicator: following distance alert
Forward Collision Alert: forward collision
Oil Pressure Gauge: oil pressure gauge
Water Temp Gauge: water temp. gauge
Engine Hour Meter: engine hour meter
Clock: in-radio display clock
Systems Monitor: driver information centre
Check Control: redundant digital speedometer
Rear Vision Camera: rear vision camera
Oil Pressure Warning: oil-pressure warning
Water Temp Warning: water-temp. warning
Battery Warning: battery warning
Low Oil Level Warning: low-oil-level warning
Low Coolant Warning: low-coolant warning
Lights On Warning: lights-on warning
Key in Ignition Warning: key-in-ignition warning
Low Fuel Warning: low-fuel warning
Low Washer Fluid Warning: low-washer-fluid warning
Door Ajar Warning: door-ajar warning
Brake Fluid Warning: brake-fluid warning
Turn Signal On Warning: turn-signal-on warning
Transmission Fluid Temperature Warning: transmission-fluid-temperature warning
Brake Pad Wear: brake pad wear

Safety And Security:

ABS four-wheel ABS brakes
Number of ABS Channels: 4 ABS channels
Brake Assistance: brake assist
Brake Type: four-wheel disc brakes
Vented Disc Brakes: front and rear ventilated disc brakes
Daytime Running Lights: daytime running lights
Spare Tire Type: full-size spare tire
Spare Tire Mount: underbody mounted spare tire w/crankdown
Driver Front Impact Airbag: driver and passenger front-impact airbags
Driver Side Airbag: seat-mounted driver and passenger side-impact airbags
Overhead Airbag: curtain 1st and 2nd row overhead airbag
Occupancy Sensor: front passenger airbag occupancy sensor
Seatbelt Pretensioners: front seatbelt pre-tensioners
Side Impact Bars: side-impact bars
Perimeter Under Vehicle Lights: remote activated perimeter/approach lights
Tailgate/Rear Door Lock Type: manual tailgate/rear door lock
Ignition Disable: immobilizer
Panic Alarm: panic alarm
Tracker System: tracker system
Electronic Stability: StabiliTrak w/Proactive Roll Avoidance electronic stability stability control with anti-rollover
Traction Control: ABS and driveline traction control
Front and Rear Headrests: manual adjustable front head restraints

Seats And Trim:

Seating Capacity max. seating capacity of 3
Front Bucket Seats: front split-bench 40-20-40 seats

Number of Driver Seat Adjustments: 4-way driver and passenger seat adjustments

Reclining Driver Seat: manual reclining driver and passenger seats

Driver Fore/Aft: manual driver and passenger fore/aft adjustment

Front Centre Armrest Storage: front centre armrest with storage

Leather Upholstery: vinyl front seat upholstery

Door Trim Insert: vinyl door panel trim

Headliner Material: full cloth headliner

Floor Covering: full vinyl/rubber floor covering

Cabback Insulator: cabback insulator

Dashboard Console Insert, Door Panel Insert Combination: metal-look instrument panel insert, door panel insert, console insert

Shift Knob Trim: urethane shift knob

Interior Accents: chrome interior accents

Standard Engine:

Engine 355-hp, 5.3-liter V-8 (regular gas)

Standard Transmission:

Transmission 10-speed automatic w/ OD and auto-manual

Charlevoix City Council

Consent Agenda

Title: Downtown Development Authority Resignation- Kirby Dipert

Date: December 16, 2024

Presented By:

Background:

Kirby Dipert submitted his letter of resignation from the DDA Board. His term expires April 2026.

Recommendation:

Motion to accept Kirby Dipert's resignation from the DDA Board.

Attachments:

1. Dipert Kirby Resignation 12.2024

Fw: DDA Resignation

From Mark Heydlauff <markh@charlevoixmi.gov>

Date Tue 12/10/2024 10:29 AM

To Sarah Dvoracek <clerk@charlevoixmi.gov>

Mark L. Heydlauff

City Manager

City of Charlevoix

From: Kirby <ragmerchant@charter.net>

Sent: Saturday, August 31, 2024 3:40 PM

To: Lyle Gennett <lyleg@charlevoixmi.gov>; Mark Heydlauff <markh@charlevoixmi.gov>; Maureen Owens <maureen-owens@hotmail.com>

Subject: DDA Resignation

Mr. Mayor, Mr. City Manager, Madam Chair:

After roughly 18 years, as a member, Vice Chairman, and Chairman, of the Downtown Development Authority, I feel, my time of service should end. It has been an honor serving on this Board. I will remain on the Board until a replacement can be named, if it is your wish, but not beyond December 31, 2024. I would like to recommend, Kirk Ikens, Partner in the Townhouse Bar to be my replacement. In my opinion, he, would be a good fit.

Sincerely, Kirby Dipert

Charlevoix City Council

Public Hearings and Actions Requiring Public Hearings

Title: Public Hearing: Amendment to Lighting and Signs, Ordinance 854 of 2024

Date: December 16, 2024

Presented By: Jonathan Scheel, Director of Planning & Zoning

Background:

The Planning Commission has noticed lighting installations in limited locations that speak to the prevalence of light pollution. While these instances are limited at this point, they wanted to be proactive in researching lighting and the appropriate fixtures for a variety of applications. Normally, lighting is not an issue for residential porch lights, holiday displays, security lights, or other external lights however, when a problem arises, it is important to have enforcement mechanisms present to maintain reasonable expectations in our neighborhoods. We are more likely to see lighting problems occur in commercial and industrial circumstances. These installations can, if not planned correctly, cause significant light to overspread to adjacent property owners or an even larger impact depending on the method of the light source. These are the purposes and intents outlined by the Planning Commission in the ordinance.

Most of us don't understand the term lumen and what it means but it is the only term we can use to describe lighting rules for enforcement to take place. The importance of lumens in the ordinance is primarily for large light sources spilling into neighboring properties creating nuisances—not technical jargon to interfere with our citizens' rights to have appropriate lighting in their yards.

This diagram is included in the ordinance as an easy way of showing citizens specific fixtures but also the concept of "fully shielded". All of these are readily available at hardware stores and home improvement retailers. We do have allowances for partially shielded fixtures also in the ordinance. The diagram on page 3 of the ordinance includes a user-friendly description of the variety of lighting fixtures for various applications that meet the intent and standards of this ordinance. This list is illustrative of the common things folks may look for when updating their home.

The vast majority of homes in our city meet the proposed ordinance. Furthermore, we encourage all of our residents and business electric customers to look at the rebates available for lighting upgrades as part of our efforts to reduce energy usage. To learn more about this program, visit our [Energy Efficiency Rebate page](#).

This ordinance would prohibit traditional string lights in applications going forward. Generally, all lights are required to have a shield and downward shade for new installations going forward including string lights. Styles like this are readily available and have an acorn shape. We are currently receiving complaints from neighbors about the growing use of string lights in backyards.

There are restrictions on total amount of lumens leaving the property with different standards for different uses. Simple regulations of shielding takes care of the majority of problems with light leaving the property. Again, this is really about gross over usage of lighting negatively affecting a neighboring property. Similarly, this is how we zone various activities to ensure compatibility among neighboring uses as much as possible.

An additional bullet-pointed summary is found as an attachment to this item.

Recommendation:

Motion approve Ordinance 854 of 2024 as presented.

Attachments:

1. Lighting ordinance final
2. LO bullet points
3. 854 of 2024 Lighting ordinance

153.172 LIGHTING

This section will replace in whole the existing 153.172

Purpose and Intent. It is the purpose and intent of this Code to balance the goals of the City of Charlevoix's Master Plan to maintain its small-town character with the need to provide for safe lighting practices and to minimize light pollution for the enjoyment of Charlevoix's citizens and visitors.

A. The use of outdoor lighting is often necessary for adequate nighttime safety and utility, but common lighting practices can also interfere with other legitimate public concerns. Principles among these concerns are:

1. The degradation of the nighttime visual environment by production of unsightly and dangerous glare;
2. Lighting practices that interfere with the health and safety of Charlevoix's citizens and visitors;
3. Unnecessary waste of energy and resources in the production of too much light or wasted light;
4. Interference in the use or enjoyment of property which is not intended to be illuminated at night, and the loss of the scenic view of the night sky due to increased urban sky-glow.

B. The concerns of safety, utility and aesthetic appearance need not compete. Good modern lighting practices can provide adequate light for safety and utility without excessive glare or light pollution. In nearly all cases, careful attention to when, where and how much nighttime lighting is needed will lead to better lighting practices.

C. The topography and atmospheric conditions in northern Michigan are uniquely suited for commercial and private astronomical observation in the area. Unnecessary or excessive uses of outdoor nighttime lighting have an adverse impact on astronomical observation even at relatively distant observatories.

D. Accordingly, it is the intent of this Code to require lighting practices and systems which will minimize light pollution, glare, light trespass, and conserve energy while maintaining nighttime safety, utility, security and productivity.

Outdoor Lighting. This definition includes the following terms and definitions:

A. "Class 1 lighting" means all outdoor lighting used for, but not limited to, outdoor sales or eating areas, assembly or repair areas, advertising and other signs, recreational facilities and other similar applications where color rendition is important to preserve the effectiveness of the activity.

B. "Class 2 lighting" means all outdoor lighting used for, but not limited to, illumination for walkways, roadways, equipment yards, parking lots and outdoor security where general illumination for safety and/or security of the grounds is the primary concern.

C. "Class 3 lighting" means any outdoor lighting used for decorative effects including, but not limited to, architectural illumination, flag and monument lighting, and illumination of trees, bushes, and similar things.

D. "Direct illumination" means illumination resulting from light emitted directly from a lamp, luminary, or reflector and is not light diffused through translucent signs or reflected from other surfaces such as the ground or building faces.

E. "Display lot or area" means outdoor areas where active nighttime sales activity occurs and where accurate color perception of merchandise by customers is required. To qualify as a display lot, 1 of the following specific uses must occur: automobile sales, boat sales, tractor sales, building supply sales, gardening or nursery sales, and assembly lots. Uses not on this list may be approved as display lot uses by the Zoning Administrator.

F. "Foot-candle" means 1 lumen per square foot. Unit of illuminance. It is the luminous flux per unit area in the Imperial system. One foot-candle equals approximately 0.1 (0.093) lux.

G. "Fully shielded light fixture" means a light fixture that is shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted (see Figure 153.172).

H. "Glare" means the sensation produced by a bright source within the visual field that is sufficiently brighter than the level to which the eyes are adapted to cause annoyance, discomfort, or loss in visual performance and visibility; blinding light. The magnitude of glare depends on such factors as the size, position, and brightness of the source, and on the brightness level to which the eyes are adapted.

I. "Installed" means a light fixture attached or fixed in place, whether or not connected to a power source, of any outdoor light fixture.

J. "Light pollution" means any adverse effect of man-made light.

K. "Light trespass" means light spill falling over property lines.

L. "Lumen" means a unit used to measure the actual amount of visible light which is produced by a lamp as specified by the manufacturer.

M. "Luminary" means the complete lighting assembly, less the support assembly.

N. "Motion sensing security lighting" means any fixture designed, and properly adjusted, to illuminate an area around a residence or other building by means of switching on a lamp when motion is detected inside the area or perimeter and switching the lamp off when the detected motion ceases.

O. "Multi-class lighting" means any outdoor lighting used for more than 1 purpose, for example security and decoration, such that its use falls under the definition of 2 or more classes as defined for Class 1, 2 and 3 lighting.

P. "Net acreage" means the remaining ground area of a parcel after deleting all portions for proposed and existing public rights-of-way and undeveloped area.

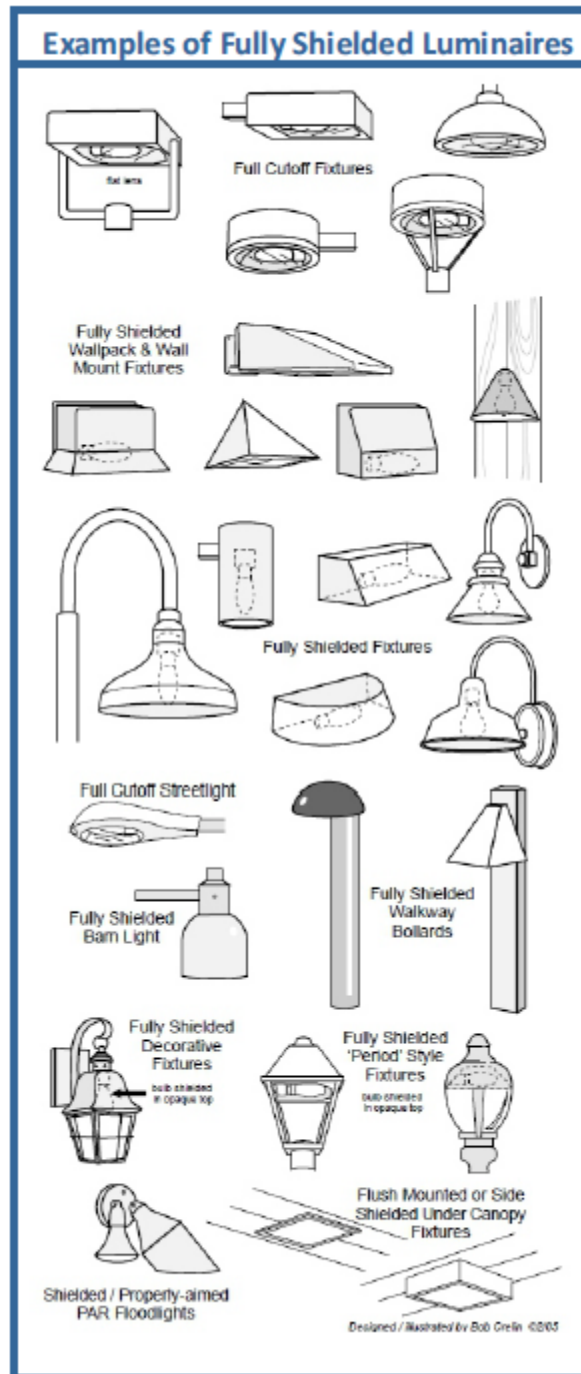


Figure 153.172 Example of Fully Shielded Light Fixtures

Q. "Outdoor light fixture" means an outdoor illuminating device, outdoor lighting or reflective surface, lamp or similar device, permanently installed or portable, used for illumination, decoration, or advertisement. Such devices shall include, but are not limited to, lights used for:

1. Buildings and structures;
2. Recreational areas;
3. Parking lot lighting;
4. Landscape lighting;
5. Architectural lighting;
6. Signs (advertising or other);
7. Street lighting;
8. Product display area lighting;
9. Building overhangs and open canopies;
10. Security lighting.

R. "Outdoor recreation facility" means an area designed for active recreation, whether publicly or privately owned, including, but not limited to, parks, baseball diamonds, soccer and football fields, golf courses, tennis courts, and swimming pools.

S. "Partially shielded light fixture" means a fixture shielded in such a manner that no more than 10% of the light emitted directly from the lamp or indirectly from the fixture is projected at an angle above the horizontal, as determined by photometric test or certified by the manufacturer. Luminaries mounted under canopies or other structures such that the surrounding structure effectively shields the light in the same manner are also considered partially shielded for the purposes of this Code.

T. "Security lighting" means lighting designed to illuminate a property or grounds for the purpose of visual security.

U. "Unshielded fixture" means any fixture that allows light to be emitted above the horizontal directly from the lamp or indirectly from the fixture or a reflector.

V. "Watt" means the unit used to measure the electrical power consumption (not the light output) of a lamp.

END

Applicability.

A. New Uses, Buildings and Major Additions or Modifications. If the total cumulative increase in floor area is greater than 33% for single-family residential or greater than 25% for all other uses, then all outdoor lighting fixtures shall meet the requirements of this Code for the entire site, including previously installed and any new outdoor lighting. Cumulative modification or replacement of outdoor lighting constituting 25% or more of the permitted lumens for the parcel, no matter the actual amount of lighting already on a nonconforming site, shall constitute a major addition for purposes of this section.

B. Minor Additions. If the total cumulative increase in the floor area is 33% or less for single family residential or 25% or less for all other uses, then full conformance of the existing portion of the building or structure is not required. However, such projects shall require the submission of a complete inventory and Site Plan detailing all existing and any proposed new outdoor lighting.

C. New Lighting. Any new lighting on the site shall meet the requirements of this Code with regard to shielding and lamp type; the total outdoor light output after the modifications are complete shall not exceed that on the site before the modification, or that permitted by this Code, whichever is larger.

D. Resumption of Use after Abandonment. If a property or use with nonconforming lighting is abandoned as defined in 153.293, Nonconforming Buildings or Structures, then all outdoor lighting shall be reviewed and brought into compliance with this Code before the use is resumed.

E. Public Roadways. In general, this Code does not apply to city and state rights-of-way. However, the goal of the City is to have all such street lights fully shielded.

Outdoor Lighting Standards.

A. Light Emitting Diode Lighting (LED). Due to their high energy efficiency, long life and spectral characteristics, (LED) lamps are the preferred illumination source throughout the city. Their use is to be encouraged, when not required, for outdoor illumination whenever its use would not be detrimental to the use of the property.

1. Class 1 Lighting. Light emitting diode (LED) lamps are not required. Businesses who choose to use LED as their primary lamps are eligible to apply for an additional 10% increase in the lumens per acre allowed for their site.

2. Class 2 Lighting. Light emitting diode (LED) lamps are required. Up to 10% of the total lumens per acre allowed may be white light.

B. Light Trespass Standard. All light fixtures, including security lighting, shall be aimed and shielded so that the direct illumination shall be confined to the property boundaries of the source.

Particular care is to be taken to ensure that the direct illumination does not fall onto or across any public or private street or road. Motion sensing light fixtures shall be fully shielded and properly adjusted, according to the manufacturer's instructions, to turn off when detected motion ceases.

C. Lamp and Shielding. All light fixtures are required to be fully shielded and shall be installed in such a manner that the shielding complies with the definition of fully shielded light fixtures for all uses, including single-family and multifamily residential uses, except as provided below.

1. All lamp types above 2,000 lumens shall be fully shielded.

2. Partially shielded light fixtures may be permitted subject to the approval of the Zoning Administrator.

3. Partially shielded light fixtures are limited to a maximum of 5,500 lumens per net acre and shall not exceed 2,000 per lamp (see subsection (D) of this section).

D. Total Outdoor Light Output Standards – Nonresidential and Multifamily Uses.

1. Total outdoor light output shall not exceed an average of .4356 lumens per net foot for all development except single-family residential uses. This cap is not intended to be achieved in all cases or as a design goal. Instead, design goals should be the lowest levels of lumens necessary to meet the lighting requirements of the site. Partially shielded light fixtures are limited to an average maximum of 7.92 lumens per net foot and are counted towards the 100,000 lumens per net acre cap.

2. Seasonal decorations, permitted between November 15 and January 15, are not counted toward these limits. Lighting used for external illumination of signs is counted.

E. Total Outdoor Light Output Standards – Single-Family Residential Uses.

1. Outdoor lighting for single-family residential uses is not subject to a lumens per net acre cap.

2. Outdoor lighting for single-family residential uses is subject to the lamp fixture and shielding requirements.

F. Parking Lot Standards. Parking lots shall be considered Class 2 lighting. Parking lot lighting poles shall be sized in such a manner that the top of any luminary does not exceed 12 feet above adjacent grade.

G. Lighting Time Limitations.

1. Class 1 lighting, including but not limited to sales, service, commercial, assembly, repair, maintenance, and industrial areas, may only continue in operation until 11:00 p.m. or for as long as the area is in active use but once off remain off during non-business hours.

2. Class 2 lighting shall have no time restrictions except as specified by any conditions of approval. Uses that do not require all-night illumination are encouraged to turn off their outdoor lighting during night hours whenever possible.

3. Class 3 lighting, except for flagpole lighting and low-wattage holiday decorations must be extinguished after 11:00 p.m. or when the business closes, whichever is later.

4. Multi-class lighting, except for security lighting, must conform to the time limitations of the strictest class.

H. Multi-Class Lighting Standard. Multi-class lighting must conform to the shielding and timing restrictions, if any, that apply to the most restrictive included class.

I. Class 3 Lighting Standards.

1. All Class 3 lighting must be selected, designed, installed, and aimed so that there is a minimum amount of spill beyond the area intended to be lighted.

2. Permanent exposed string lighting is not permitted except where permitted in the Central Business District.

3. All Class 3 lighting must comply with the light trespass standards as described in subsection 153.172(B) of this section.

4. All Class 3 lighting shall comply with the lamp and shielding standards as described in subsection 153.072 Outdoor Lighting standard (C) of this section.

5. a. Subject to the approval of the Zoning Administrator, uplighting or ground-mounted lighting may be allowed to accent unique features of a building and/or surrounding landscaping (such as outstanding architectural features, specimen trees with dense year-round foliage or large native shrub masses). Uplighting or ground-mounted lighting shall be designed and installed in such a manner as to minimize glare with special consideration in areas where there is vehicle and pedestrian traffic.

b. All lighting which is directed upwards shall be placed in such a manner that the angle of the lamp shall not be greater than 45 degrees measured from a horizontal plane to a line projected through the center of the lamp, and fixtures shall be fully shielded to contain and direct the light onto the feature to be lit.

J. Searchlights, floodlights, laser source lights, strobe or flashing lights, illusion lights or any similar high intensity light shall not be permitted except in emergencies by police and fire personnel at their direction. Spot lights are permitted and must be directed downward 45 degrees from any neighboring property.

K. On projects where an engineer or architect is required, the developer shall verify in writing to the city that all outdoor lighting was installed in accordance with the approved plans.

Special Uses.

A. Recreational Facilities.

1. Lighting for outdoor athletic fields, courts or tracks shall be considered Class 1.

2. Lighting allowed in this subsection shall be subject to Planning Commission approval. When the proposed lumens per acre exceed the lumens per net acre limits, the installation shall be designed to achieve no greater than the minimum illuminance levels for the activity as recommended by the Illuminating Engineering Society of North America (IESNA).

3. Every such lighting system design shall be certified by a Michigan registered engineer as conforming to all applicable restrictions of this Code.

4. Such lighting shall not include any light trespass as determined by the Zoning Administrator.

5. All events shall be scheduled so as to complete all activity and lights turned off by 10:00 p.m.

6. Fully shielded lighting shall be required for fields designed for amateur, recreational or nonprofessional sports activity. For professional level sports facilities where fully, shielded fixtures are not utilized, acceptable luminaries shall include those which:

a. Are provided with internal or external glare control louvers, or both, and installed so as to minimize uplight and off-site light trespass as determined by the Zoning Administrator; and

b. Are installed and maintained with aiming angles that permit no greater than 2% of the light emitted by each fixture to project above the horizontal.

B. Outdoor Display Lots. Light for outdoor display lots shall be considered Class 1, and shall conform to the lumens per net acre limits except as follows:

1. All such lighting shall utilize fully shielded luminaries that are installed in a fashion that maintains the fully shielded characteristics.

2. When the proposed lumens exceed the per acre limits, the installation shall be designed to achieve no greater than the minimum illuminance levels for the activity as recommended by the Illuminating Engineering Society of North America (IESNA).

3. Such lighting shall not include any light trespass as determined by a Michigan registered engineer as conforming to all applicable restrictions of this Code.

4. Lighting Time Limitations. Outdoor display lot lighting shall conform to the hours of operation as established under Class 1 lighting standards. Any lighting on after the time limitations shall be considered Class 2 lighting and shall conform to all restrictions of this Code applicable to this class.

C. Service Station Canopies.

1. Class 2. Lighting for service station canopies shall be considered Class 2 lighting.

2. Shielding. All luminaries shall be flush with the lower surface of canopies and utilize flat glass or plastic covers.

3. Total Under-Canopy Output. The total light output used for illuminating service station canopies, defined as the sum of under-canopy initial bare-lamp outputs in lumens, shall not exceed 40 lumens per square foot of canopy. All lighting mounted under the canopy, except internally illuminated signs, shall be included in the total. Fifty percent of the total lumen output of all lamps mounted within or under a canopy shall be included in the lumen per acre cap.

D. Other Lighting on Parcels with Special Uses. All site lighting not directly associated with the special uses as permitted shall conform to all lighting standards described in this Code.

Plan Submittal and Evidence of Compliance.

A. Plan Submittal. Whenever a person is required to obtain a permit for outdoor lighting or signage, a conditional use permit, subdivision approval or any development plan approved by the city, including all city projects, or whenever a person requests a rezoning, the applicant shall, as part of the application process, submit sufficient information to enable the Zoning Administrator to determine whether proposed lighting complies with this Code. All applications may be subject to review and action by the Planning and Zoning Commission at the discretion of the Zoning Administrator.

B. Applications. All applications shall include the following:

1. A Site Plan indicating the location of all lighting fixtures, both proposed and any already existing on the site.

2. A description of each illuminating device, fixture, lamp, support and shield, both proposed and existing. The description shall include, but is not limited to, manufacturer's catalog cuts and illustrations (including sections where required); lamp types, wattages and initial lumen outputs.

3. Such other information that the Zoning Administrator may determine is necessary to ensure compliance with this Code.

C. Plan Approval. If the Zoning Administrator determines that any proposed lighting does not comply with this Code, the permit shall not be issued, nor the plan approved.

D. Lamp or Fixture Substitution. Should any outdoor light fixture or the type of light source therein be changed after the permit has been issued, a change request must be submitted to

the Zoning Administrator for approval, together with adequate information to assure compliance with this Code, which must be received prior to substitution.

E. Certification of Installation. For all projects, commercial and multi-family, certification that the lighting, as installed, conforms to the approved plans shall be provided by a certified engineer before final approval by the City. Until this certification is submitted in writing, the City will ask that the Certificate of Occupancy be revoked or not be issued for the project.

Approved Materials and Methods of Construction or Installation/Operation – Approval of Alternatives. The provisions of this Code are not intended to prevent the use of any design, material, or method of installation or operation not specifically prescribed by this Code, provided any such alternate has been approved by the Zoning Administrator. The Zoning Administrator may approve any such proposed alternate providing that it:

A. Provides at least approximate equivalence to that applicable specific requirement of this Code.

B. Is otherwise satisfactory and complies with the intent of this Code.

Exemptions and Nonconforming Lights.

A. All nonconforming outdoor light fixtures lawfully installed prior to and operable on the effective date of the ordinance codified in this Code are exempt from all requirements of this Code. However, there shall be no change in use or lamp type, or any replacement (except for same type and same-output lamp replacement) or structural alteration made, without conforming to all applicable requirements of this Code.

B. In the event that an outdoor lighting fixture is abandoned or is damaged to the point of requiring repairs for safe operation, the repaired or replacement fixture shall comply with the provisions of this Code.

C. Emergency lighting, used by police, firefighting, or medical personnel, or at their direction, is exempt from all requirements of this Code for as long as the emergency exists.

D. Swimming Pool and Decorative. Underwater lighting used for the illumination of swimming pools is exempt from the lamp type.

E. Ornamental lighting that is incorporated into an architectural design, such as colored tubes, lighting of fountains, statuary or other outdoor art and other building elements (other than signs), provided that the light source is shielded to direct light onto the lighted element.

F. Lighting for temporary events, such as fairs, carnivals and similar temporary outdoor uses.

SIGNS

153.206

This section will replace in whole the existing 153.206 (D)

(D) Illumination and lighting.

1. Externally lit signs shall be illuminated only with steady, stationary, shielded light sources

directed solely onto the sign without causing glare, no unshielded lights, or lights directed upward or horizontally at sign faces, flashing lights, scrolling or moving electronic lights, or other distractive devices may be used in conjunction with any sign or business.

2. Light bulbs or lighting tubes used for illuminating a sign shall not be visible from adjacent public rights-of-way or residential properties. Illumination by bare bulbs or flames is prohibited.

3. External illumination for signs shall conform to all provisions of Outdoor lighting.

Such lighting shall be treated as Class 1 lighting and shall conform to the lamp and shielding restrictions and lumen caps.

4. The fixtures used to illuminate signs shall not be directed toward nearby residential properties.

5. Internally illuminated signs are permitted in certain circumstances as follows:

a. Individual back-lit letters which are silhouetted against a softly illuminated wall.

b. Individual letters with translucent faces, containing soft lighting elements inside each letter.

c. Metal-faced box signs with cut-out letters and soft-glow fluorescent tubes.

6. Fluorescent lights shall be allowed for indirect illumination when placed in such a manner that the light tubes are not exposed to view from the public right-of-way or sidewalk.

7. A sign may be illuminated during the hours of operation of the facility being identified or advertised or until 11:00 p.m., whichever is later.

8. Such signs shall provide an automatic timer to comply with the intent of this section.

9. Illumination of off-premises signs is prohibited, except in the case of off-premises kiosks which are subject to the provisions of this Code.

10. a. Ground-mounted sign lighting is not permitted for freestanding signs on poles, where open

space is visible from the bottom of the sign to the ground. The Zoning Administrator may approve ground mounted lighting for freestanding signs which are constructed in such a way that no open space is visible from the bottom of sign to the ground (such as solid base, landscaping).

b. All ground-mounted lights shall be placed in such a manner that the angle of the lamp shall not be greater than 45 degrees measured from a horizontal plane to a line projected through the center of the lamp, and fixtures shall be fully shielded to contain and direct the light onto the sign only. All upward-directed sign lighting is prohibited.

11. Underground wiring shall be required for all illuminated signs that are not attached to a building.

153.172 LIGHTING

The new proposed language will replace in whole the current section.

The changes to the ordinance section include:

- Added a Purpose and Intent to define the importance and reasoning behind the lighting regulations. Courts look at purpose and intent when ordinances are challenged, and this section helps in showing the courts the “greater good” that the city is legislating.
- Adding specific definitions for the complexity of lighting terms
- Added Figure 153.172 Examples of Fully Shielded Light Fixtures for visual ease of selecting a fixture.
- Set Applicability standards.
- Set different standards for different lighting with a 1-3 class system.
- Added Outdoor Lighting Standards including LEDs, trespass, shielding and maximum light output
- Set Lighting Time Limitations.
- Added a Special Uses category for uses with exceptionally large lighting needs
- Expanded Plan Submittal and Evidence of Compliance standards
- Revised Exemptions and Nonconforming Lights.

153.207 SIGN STANDARDS FOR ALL SIGNS.

(D) *Illumination and lighting.*

The new proposed ordinance language replaces in whole the current section.

The changes to the ordinance section include:

- Does not allow external neon signs.
- Ties sign lighting standards to the general lighting ordinance standards.
- Protects nearby residential properties from light spillage.
- Allows certain Internally illuminated signs.
- Allows certain Fluorescent lights.
- Allows signs to be lit until 11:00 p.m. or during the hours of operation whichever is later.
- Illumination of off-premises signs is prohibited.
- Limits ground-mounted sign lighting

**CITY OF CHARLEVOIX
ORDINANCE NO. 854 of 2024**

AN ORDINANCE TO AMEND TITLE XV LAND USE, CHAPTER 153 PLANNING AND ZONING SECTIONS 153.172 AND 153.207(D)

THE CITY OF CHARLEVOIX ORDAINS:

SECTION 1. Title XV Land Use, Chapter 153 Planning and Zoning Section 153.172 is hereby amended as follows:

153.172 Purpose and Intent. It is the purpose and intent of this Code to balance the goals of the City of Charlevoix's Master Plan to maintain its small-town character with the need to provide for safe lighting practices and to minimize light pollution for the enjoyment of Charlevoix's citizens and visitors.

A. The use of outdoor lighting is often necessary for adequate nighttime safety and utility, but common lighting practices can also interfere with other legitimate public concerns. Principles among these concerns are:

1. The degradation of the nighttime visual environment by production of unsightly and dangerous glare;
2. Lighting practices that interfere with the health and safety of Charlevoix's citizens and visitors;
3. Unnecessary waste of energy and resources in the production of too much light or wasted light;
4. Interference in the use or enjoyment of property which is not intended to be illuminated at night, and the loss of the scenic view of the night sky due to increased urban sky-glow.

B. The concerns of safety, utility and aesthetic appearance need not compete. Good modern lighting practices can provide adequate light for safety and utility without excessive glare or light pollution. In nearly all cases, careful attention to when, where and how much nighttime lighting is needed will lead to better lighting practices.

C. The topography and atmospheric conditions in northern Michigan are uniquely suited for commercial and private astronomical observation in the area. Unnecessary or excessive uses of outdoor nighttime lighting have an adverse impact on astronomical observation even at relatively distant observatories.

D. Accordingly, it is the intent of this Code to require lighting practices and systems which will minimize light pollution, glare, light trespass, and conserve energy while maintaining nighttime safety, utility, security and productivity.

Outdoor Lighting. This definition includes the following terms and definitions:

A. "Class 1 lighting" means all outdoor lighting used for, but not limited to, outdoor sales or eating areas, assembly or repair areas, advertising and other signs, recreational facilities and other similar applications where color rendition is important to preserve the effectiveness of the activity.

B. "Class 2 lighting" means all outdoor lighting used for, but not limited to, illumination for walkways, roadways, equipment yards, parking lots and outdoor security where general illumination for safety and/or security of the grounds is the primary concern.

C. "Class 3 lighting" means any outdoor lighting used for decorative effects including, but not limited to, architectural illumination, flag and monument lighting, and illumination of trees, bushes, and similar things.

D. "Direct illumination" means illumination resulting from light emitted directly from a lamp, luminary, or reflector and is not light diffused through translucent signs or reflected from other surfaces such as the ground or building faces.

E. "Display lot or area" means outdoor areas where active nighttime sales activity occurs and where accurate color perception of merchandise by customers is required. To qualify as a display lot, 1 of the following specific uses must occur: automobile sales, boat sales, tractor sales, building supply sales, gardening or nursery sales, and assembly lots. Uses not on this list may be approved as display lot uses by the Zoning Administrator.

F. "Foot-candle" means 1 lumen per square foot. Unit of illuminance. It is the luminous flux per unit area in the Imperial system. One foot-candle equals approximately 0.1 (0.093) lux.

G. "Fully shielded light fixture" means a light fixture that is shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted (see Figure 153.172).

H. "Glare" means the sensation produced by a bright source within the visual field that is sufficiently brighter than the level to which the eyes are adapted to cause annoyance, discomfort, or loss in visual performance and visibility; blinding light. The magnitude of glare depends on such factors as the size, position, and brightness of the source, and on the brightness level to which the eyes are adapted.

I. "Installed" means a light fixture attached or fixed in place, whether or not connected to a power source, of any outdoor light fixture.

J. "Light pollution" means any adverse effect of man-made light.

K. "Light trespass" means light spill falling over property lines.

L. "Lumen" means a unit used to measure the actual amount of visible light which is produced by a lamp as specified by the manufacturer.

M. "Luminary" means the complete lighting assembly, less the support assembly.

N. "Motion sensing security lighting" means any fixture designed, and properly adjusted, to illuminate an area around a residence or other building by means of switching on a lamp when motion is detected inside the area or perimeter and switching the lamp off when the detected motion ceases.

O. "Multi-class lighting" means any outdoor lighting used for more than 1 purpose, for example security and decoration, such that its use falls under the definition of 2 or more classes as defined for Class 1, 2 and 3 lighting.

P. "Net acreage" means the remaining ground area of a parcel after deleting all portions for proposed and existing public rights-of-way and undeveloped area.

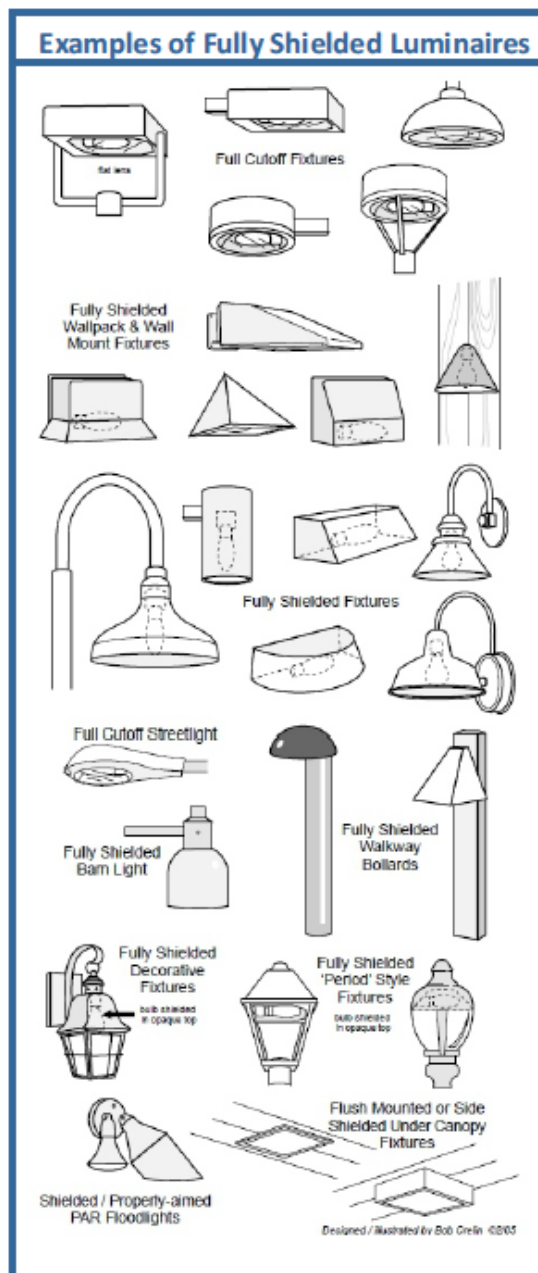


Figure 153.172 Example of Fully Shielded Light Fixtures

Q. "Outdoor light fixture" means an outdoor illuminating device, outdoor lighting or reflective surface, lamp or similar device, permanently installed or portable, used for illumination, decoration, or advertisement. Such devices shall include, but are not limited to, lights used for:

1. Buildings and structures;
2. Recreational areas;
3. Parking lot lighting;
4. Landscape lighting;
5. Architectural lighting;

- 6. Signs (advertising or other);
- 7. Street lighting;
- 8. Product display area lighting;
- 9. Building overhangs and open canopies;
- 10. Security lighting;

R. "Outdoor recreation facility" means an area designed for active recreation, whether publicly or privately owned, including, but not limited to, parks, baseball diamonds, soccer and football fields, golf courses, tennis courts, and swimming pools.

S. "Partially shielded light fixture" means a fixture shielded in such a manner that no more than 10% of the light emitted directly from the lamp or indirectly from the fixture is projected at an angle above the horizontal, as determined by photometric test or certified by the manufacturer. Luminaries mounted under canopies or other structures such that the surrounding structure effectively shields the light in the same manner are also considered partially shielded for the purposes of this Code.

T. "Security lighting" means lighting designed to illuminate a property or grounds for the purpose of visual security.

U. "Unshielded fixture" means any fixture that allows light to be emitted above the horizontal directly from the lamp or indirectly from the fixture or a reflector.

V. "Watt" means the unit used to measure the electrical power consumption (not the light output) of a lamp.

Applicability.

A. New Uses, Buildings and Major Additions or Modifications. If the total cumulative increase in floor area is greater than 33% for single-family residential or greater than 25% for all other uses, then all outdoor lighting fixtures shall meet the requirements of this Code for the entire site, including previously installed and any new outdoor lighting. Cumulative modification or replacement of outdoor lighting constituting 25% or more of the permitted lumens for the parcel, no matter the actual amount of lighting already on a nonconforming site, shall constitute a major addition for purposes of this section.

B. Minor Additions. If the total cumulative increase in the floor area is 33% or less for single family residential or 25% or less for all other uses, then full conformance of the existing portion of the building or structure is not required. However, such projects shall require the submission of a complete inventory and Site Plan detailing all existing and any proposed new outdoor lighting.

C. New Lighting. Any new lighting on the site shall meet the requirements of this Code with regard to shielding and lamp type; the total outdoor light output after the modifications are complete shall not exceed that on the site before the modification, or that permitted by this Code, whichever is larger.

D. Resumption of Use after Abandonment. If a property or use with nonconforming lighting is abandoned as defined in 153.293, Nonconforming Buildings or Structures, then all outdoor lighting shall be reviewed and brought into compliance with this Code before the use is resumed.

E. Public Roadways. In general, this Code does not apply to city and state rights-of-way. However, the goal of the City is to have all such street lights fully shielded.

Outdoor Lighting Standards.

A. Light Emitting Diode Lighting (LED). Due to their high energy efficiency, long life and spectral characteristics, (LED) lamps are the preferred illumination source throughout the city. Their use is to be encouraged, when not required, for outdoor illumination whenever its use would not be detrimental to the use of the property.

1. Class 1 Lighting. Light emitting diode (LED) lamps are not required. Businesses who choose to use LED as their primary lamps are eligible to apply for an additional 10% increase in the lumens per acre allowed for their site.

2. Class 2 Lighting. Light emitting diode (LED) lamps are required. Up to 10% of the total lumens per acre allowed may be white light.

B. Light Trespass Standard. All light fixtures, including security lighting, shall be aimed and shielded so that the direct illumination shall be confined to the property boundaries of the source.

Particular care is to be taken to ensure that the direct illumination does not fall onto or across any public or private street or road. Motion sensing light fixtures shall be fully shielded and properly adjusted, according to the manufacturer's instructions, to turn off when detected motion ceases.

C. Lamp and Shielding. All light fixtures are required to be fully shielded and shall be installed in such a manner that the shielding complies with the definition of fully shielded light fixtures for all uses, including single-family and multifamily residential uses, except as provided below.

1. All lamp types above 2,000 lumens shall be fully shielded.
2. Partially shielded light fixtures may be permitted subject to the approval of the Zoning Administrator.
3. Partially shielded light fixtures are limited to a maximum of 5,500 lumens per net acre and shall not exceed 2,000 per lamp (see subsection (D) of this section).

D. Total Outdoor Light Output Standards – Nonresidential and Multifamily Uses.

1. Total outdoor light output shall not exceed an average of .4356 lumens per net foot for all development except single-family residential uses. This cap is not intended to be achieved in all cases or as a design goal. Instead, design goals should be the lowest levels of lumens necessary to meet the lighting requirements of the site. Partially shielded light fixtures are limited to an average maximum of 7.92 lumens per net foot and are counted towards the 100,000 lumens per net acre cap.
2. Seasonal decorations, permitted between November 15 and January 15, are not counted toward these limits. Lighting used for external illumination of signs is counted.

E. Total Outdoor Light Output Standards – Single-Family Residential Uses.

1. Outdoor lighting for single-family residential uses is not subject to a lumens per net acre cap.
2. Outdoor lighting for single-family residential uses is subject to the lamp fixture and shielding requirements.

F. Parking Lot Standards. Parking lots shall be considered Class 2 lighting. Parking lot lighting poles shall be sized in such a manner that the top of any luminary does not exceed 12 feet above adjacent grade.

G. Lighting Time Limitations.

1. Class 1 lighting, including but not limited to sales, service, commercial, assembly, repair, maintenance, and industrial areas, may only continue in operation until 11:00 p.m. or for as long as the area is in active use but once off remain off during non-business hours.
2. Class 2 lighting shall have no time restrictions except as specified by any conditions of approval. Uses that do not require all-night illumination are encouraged to turn off their outdoor lighting during night hours whenever possible.
3. Class 3 lighting, except for flagpole lighting and low-wattage holiday decorations must be extinguished after 11:00 p.m. or when the business closes, whichever is later.
4. Multi-class lighting, except for security lighting, must conform to the time limitations of the strictest class.

H. Multi-Class Lighting Standard. Multi-class lighting must conform to the shielding and timing restrictions, if any, that apply to the most restrictive included class.

I. Class 3 Lighting Standards.

1. All Class 3 lighting must be selected, designed, installed, and aimed so that there is a minimum amount of spill beyond the area intended to be lighted.
2. Permanent exposed string lighting is not permitted except where permitted in the Central Business District.
3. All Class 3 lighting must comply with the light trespass standards as described in subsection 153.172(B) of this section.
4. All Class 3 lighting shall comply with the lamp and shielding standards as described in subsection 153.072 Outdoor Lighting standard (C) of this section.
5. a. Subject to the approval of the Zoning Administrator, uplighting or ground-mounted lighting may be allowed to accent unique features of a building and/or surrounding landscaping (such as outstanding architectural features, specimen trees with dense year-round foliage or large native shrub masses). Uplighting or ground-mounted lighting shall be designed and installed in such a manner as to minimize glare with special consideration in areas where there is vehicle and pedestrian traffic.
- b. All lighting which is directed upwards shall be placed in such a manner that the angle of the lamp shall not be greater than 45 degrees measured from a horizontal plane to a line projected through the center of the lamp, and fixtures shall be fully shielded to contain and direct the light onto the feature to be lit.

J. Searchlights, floodlights, laser source lights, strobe or flashing lights, illusion lights or any similar high intensity light shall not be permitted except in emergencies by police and fire personnel at their direction. Spot lights are permitted and must be directed downward 45 degrees from any neighboring property.

K. On projects where an engineer or architect is required, the developer shall verify in writing to the city that all outdoor lighting was installed in accordance with the approved plans.

Special Uses.

A. Recreational Facilities.

1. Lighting for outdoor athletic fields, courts or tracks shall be considered Class 1.
2. Lighting allowed in this subsection shall be subject to Planning Commission approval. When the proposed lumens per acre exceed the lumens per net acre limits, the installation shall be designed to achieve no greater than the minimum illuminance levels for the activity as recommended by the Illuminating Engineering Society of North America (IESNA).
3. Every such lighting system design shall be certified by a Michigan registered engineer as conforming to all applicable restrictions of this Code.
4. Such lighting shall not include any light trespass as determined by the Zoning Administrator.
5. All events shall be scheduled so as to complete all activity and lights turned off by 10:00 p.m.
6. Fully shielded lighting shall be required for fields designed for amateur, recreational or nonprofessional sports activity. For professional level sports facilities where fully, shielded fixtures are not utilized, acceptable luminaries shall include those which:
 - a. Are provided with internal or external glare control louvers, or both, and installed so as to minimize uplight and off-site light trespass as determined by the Zoning Administrator; and
 - b. Are installed and maintained with aiming angles that permit no greater than 2% of the light emitted by each fixture to project above the horizontal.

B. Outdoor Display Lots. Light for outdoor display lots shall be considered Class 1, and shall conform to the lumens per net acre limits except as follows:

1. All such lighting shall utilize fully shielded luminaries that are installed in a fashion that maintains the fully shielded characteristics.
2. When the proposed lumens exceed the per acre limits, the installation shall be designed to achieve no greater than the minimum illuminance levels for the activity as recommended by the Illuminating Engineering Society of North America (IESNA).
3. Such lighting shall not include any light trespass as determined by a Michigan registered engineer as conforming to all applicable restrictions of this Code.
4. Lighting Time Limitations. Outdoor display lot lighting shall conform to the hours of operation as established under Class 1 lighting standards. Any lighting on after the time limitations shall be considered Class 2 lighting and shall conform to all restrictions of this Code applicable to this class.

C. Service Station Canopies.

1. Class 2. Lighting for service station canopies shall be considered Class 2 lighting.
2. Shielding. All luminaries shall be flush with the lower surface of canopies and utilize flat glass or plastic covers.
3. Total Under-Canopy Output. The total light output used for illuminating service station canopies, defined as the sum of under-canopy initial bare-lamp outputs in lumens, shall not exceed 40 lumens per square foot of canopy. All lighting mounted under the canopy, except internally illuminated signs, shall be included in the total. Fifty percent of the total lumen output of all lamps mounted within or under a canopy shall be included in the lumen per acre cap.

D. Other Lighting on Parcels with Special Uses. All site lighting not directly associated with the special uses as permitted shall conform to all lighting standards described in this Code.

Plan Submittal and Evidence of Compliance.

A. Plan Submittal. Whenever a person is required to obtain a permit for outdoor lighting or signage, a conditional use permit, subdivision approval or any development plan approved by the city, including all city projects, or whenever a person requests a rezoning, the applicant shall, as part of the application process, submit sufficient information to enable the Zoning Administrator to determine whether proposed lighting

complies with this Code. All applications may be subject to review and action by the Planning and Zoning Commission at the discretion of the Zoning Administrator.

B. Applications. All applications shall include the following:

1. A Site Plan indicating the location of all lighting fixtures, both proposed and any already existing on the site.
2. A description of each illuminating device, fixture, lamp, support and shield, both proposed and existing. The description shall include, but is not limited to, manufacturer's catalog cuts and illustrations (including sections where required); lamp types, wattages and initial lumen outputs.
3. Such other information that the Zoning Administrator may determine is necessary to ensure compliance with this Code.

C. Plan Approval. If the Zoning Administrator determines that any proposed lighting does not comply with this Code, the permit shall not be issued, nor the plan approved.

D. Lamp or Fixture Substitution. Should any outdoor light fixture or the type of light source therein be changed after the permit has been issued, a change request must be submitted to the Zoning Administrator for approval, together with adequate information to assure compliance with this Code, which must be received prior to substitution.

E. Certification of Installation. For all projects, commercial and multi-family, certification that the lighting, as installed, conforms to the approved plans shall be provided by a certified engineer before final approval by the City. Until this certification is submitted in writing, the City will ask that the Certificate of Occupancy be revoked or not be issued for the project.

Approved Materials and Methods of Construction or Installation/Operation – Approval of Alternatives. The provisions of this Code are not intended to prevent the use of any design, material, or method of installation or operation not specifically prescribed by this Code, provided any such alternate has been approved by the Zoning Administrator. The Zoning Administrator may approve any such proposed alternate providing that it:

A. Provides at least approximate equivalence to that applicable specific requirement of this Code.

B. Is otherwise satisfactory and complies with the intent of this Code.

Exemptions and Nonconforming Lights.

A. All nonconforming outdoor light fixtures lawfully installed prior to and operable on the effective date of the ordinance codified in this Code are exempt from all requirements of this Code. However, there shall be no change in use or lamp type, or any replacement (except for same type and same-output lamp replacement) or structural alteration made, without conforming to all applicable requirements of this Code.

B. In the event that an outdoor lighting fixture is abandoned or is damaged to the point of requiring repairs for safe operation, the repaired or replacement fixture shall comply with the provisions of this Code.

C. Emergency lighting, used by police, firefighting, or medical personnel, or at their direction, is exempt from all requirements of this Code for as long as the emergency exists.

D. Swimming Pool and Decorative. Underwater lighting used for the illumination of swimming pools is exempt from the lamp type.

E. Ornamental lighting that is incorporated into an architectural design, such as colored tubes, lighting of fountains, statuary or other outdoor art and other building elements (other than signs), provided that the light source is shielded to direct light onto the lighted element.

F. Lighting for temporary events, such as fairs, carnivals and similar temporary outdoor uses.

SECTION 1. Title XV Land Use, Chapter 153 Planning and Zoning Section 153.207(D) is hereby amended as follows:

(D) Illumination and lighting.

1. Externally lit signs shall be illuminated only with steady, stationary, shielded light sources directed solely onto the sign without causing glare, no unshielded lights, or lights directed upward or horizontally at sign faces, flashing lights, scrolling or moving electronic lights, or other distractive devices may be used in conjunction with any sign or business.
2. Light bulbs or lighting tubes used for illuminating a sign shall not be visible from adjacent public rights-of-way or residential properties. Illumination by bare bulbs or flames is prohibited.
3. External illumination for signs shall conform to all provisions of Outdoor lighting. Such lighting shall be treated as Class 1 lighting and shall conform to the lamp and shielding restrictions and lumen caps.
4. The fixtures used to illuminate signs shall not be directed toward nearby residential properties.

5. Internally illuminated signs are permitted in certain circumstances as follows:
 - a. Individual back-lit letters which are silhouetted against a softly illuminated wall.
 - b. Individual letters with translucent faces, containing soft lighting elements inside each letter.
 - c. Metal-faced box signs with cut-out letters and soft-glow fluorescent tubes.
6. Fluorescent lights shall be allowed for indirect illumination when placed in such a manner that the light tubes are not exposed to view from the public right-of-way or sidewalk.
7. A sign may be illuminated during the hours of operation of the facility being identified or advertised or until 11:00 p.m., whichever is later.
8. Such signs shall provide an automatic timer to comply with the intent of this section.
9. Illumination of off-premises signs is prohibited, except in the case of off-premises kiosks which are subject to the provisions of this Code.
10. a. Ground-mounted sign lighting is not permitted for freestanding signs on poles, where open space is visible from the bottom of the sign to the ground. The Zoning Administrator may approve ground mounted lighting for freestanding signs which are constructed in such a way that no open space is visible from the bottom of sign to the ground (such as solid base, landscaping).
- b. All ground-mounted lights shall be placed in such a manner that the angle of the lamp shall not be greater than 45 degrees measured from a horizontal plane to a line projected through the center of the lamp, and fixtures shall be fully shielded to contain and direct the light onto the sign only. All upward-directed sign lighting is prohibited.
11. Underground wiring shall be required for all illuminated signs that are not attached to a building.

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. 854 was adopted on the 16th day of December 2024 A.D., by the Charlevoix City Council as follows:

Motion by:

Seconded by:

Yeas:

Nays:

Absent:

State of Michigan } §
City of Charlevoix

Sarah J. Dvoracek

Clerk

Lyle Gennett

Mayor

Charlevoix City Council

Public Hearings and Actions Requiring Public Hearings

Title: Set Public Hearing: Amendment to Fines Ordinance 856 of 2024

Date: December 16, 2024

Presented By: Mark Heydlauff, City Manager

Background:

The City Code includes a fine section for offenses where a specific fine or punishment is not included. The fines stipulated for first, second, and third offenses have not been updated in this section since 2000. This change will increase fines to \$100 for the first offense, \$300 for the second offense, and \$500 for a third or further offense within 2 years of the initial offense.

The current fines, unchanged since 2000, no longer provide an effective deterrent. Over the past 24 years, inflation and changing economic conditions have significantly reduced the impact of these penalties. The proposed fine increases are designed to discourage repeat offenses. Escalating fines for subsequent violations within a two-year period emphasize the importance of adhering to ordinances and foster greater community compliance.

Over the past two decades, the costs associated with enforcement have increased substantially. Higher fines for repeat offenders will help recoup these expenses and ensure the City can continue to allocate resources effectively. These fines are also in-line with peer communities.

Nearly all offenses sanctioned under this section come from our Zoning/Code Enforcement area or the Police Department. This ordinance does NOT impact general parking or traffic citations.

In the past year, there a total of 13 citations issued from the Zoning Department--some of which were resolved before a fine was issued. The nature of these citations included tall grass, blight, and an illegal structure. In some cases, violators chose to pay the fine instead of complying. The most recent citations issued by the Police Department were in coordination with the Zoning Administrator. These penalties apply to various ordinances enforced by the Police Department, with only a few ordinances specifying penalties outside this schedule. Historically, violators have opted to pay the fine and not contest the violation. If violations are contested they are forwarded to the 90th District Court for a hearing.

Recommendation:

Motion to set a public hearing for January 6, 2024, at 6 pm in the Council Chambers of City Hall to consider Ordinance 856 of 2025 as presented.

Attachments:

1. 856 of 2025 Fine Ordinance

CITY OF CHARLEVOIX
ORDINANCE NO. 856 of 2024
AN ORDINANCE TO AMEND TITLE I, CHAPTER 10, RULES OF CONSTRUCTION; GENERAL PENALTY, SECTION 10.99 GENERAL
PENALTY OF THE CHARLEVOIX CITY CODE

THE CITY OF CHARLEVOIX ORDAINS:

Section 1. Title I, Chapter 10, Section 10.99 General Penalty (10) Schedule of Civil Fines of the Charlevoix City Code is hereby amended as follows:

(10) Schedule of civil fines. The City Council may adopt by ordinance a fine schedule and/or an ordinance may specify a fine for a violation of that particular ordinance. If no other fine amount is specified by an ordinance of the City Council, the fines for violations shall be as follows:

Offense	Current Fine	Proposed Fine
First offense	\$50	\$100
Second offense within 2 years of initial offense	\$75	\$300
Third or subsequent offense within 2 years of initial offense	\$100	\$500

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. 856 was adopted on the XX day of January 2025 A.D., by the Charlevoix City Council as follows:

Motion by:

Seconded by:

Yeas:

Nays:

Charlevoix City Council

Public Hearings and Actions Requiring Public Hearings

Title: Public Hearing: Amend Membership on the Planning Commission, Ordinance 855 of 2024

Date: December 16, 2024

Presented By: Mark Heydlauff, City Manager

Background:

The Michigan Planning Enabling Act requires Planning Commissions have 5, 7, or 9 members. Our Planning Commission currently has nine members--likely as a holdover from the number on the Commission prior to the current state requirement. For much of the year, the Commission has operated with 7 members with the removal of a member and the decision by the mayor not to immediately fill it or another vacancy. This ordinance amendment would make the current practice consistent with the ordinance and also eliminate a challenge for the quorum for the Commission.

The second section of the amendment eliminates dated language used to transition the former Commission to the present one under state law. Since the transition occurred long in the past, such language no longer serves a purpose.

Recommendation:

Motion to approve Ordinance 855 of 2024 as presented.

Attachments:

1. Letter from the mayor
2. 855 of 2024 Planning Commission Membership

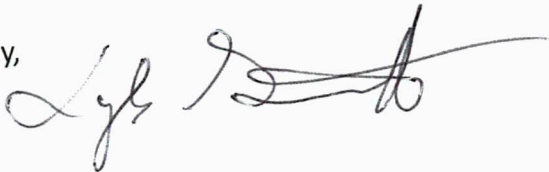
September 9, 2024

Dear Council and Staff;

This letter is in regards to altering the number of Commissioners needed for a quorum.

I do not believe that Charlevoix needs to have nine planners on the Planning Commission. I would like to have it remain at seven, which is where it is at presently. This will need to come to the council and it will also require a public hearing. Please feel free to call me for further discussion.

Sincerely,

A handwritten signature in black ink, appearing to read "Lyle Gennett", with a long horizontal flourish extending to the right.

Lyle Gennett

Mayor of Charlevoix

CITY OF CHARLEVOIX
ORDINANCE NO. 855 of 2024

AN ORDINANCE TO AMEND TITLE III, Chapter 32, SECTION 32.106 MEMBERSHIP OF THE CHARLEVOIX CITY CODE

THE CITY OF CHARLEVOIX ORDAINS:

Section 1. Title III, Chapter 32, Section 32.106 Membership Section (A) of the Charlevoix City Code is hereby amended as follows:

- A. The Planning Commission shall consist of ~~nine~~ **seven** members appointed by the Mayor and subject to approval by a majority vote of the City Council. To be qualified to be a member and remain a member of the Commission, the following qualifications must be met:
- (1) Shall be a qualified elector of the city, as defined in § 32.112 of this chapter;
 - (2) Shall attend training for commission members, pursuant to § 32.107 of this chapter after an individual's first appointment and before reappointment; and
 - (3) Shall meet the conditions provided for each individual member in divisions (B), (C) and (D) below.

Section 2. Title III, Chapter 32, Section 32.106 Membership of the Charlevoix City Code is hereby amended as follows by striking parts (E) and (F).

~~(E) The city shall fill any vacancy in the membership of the Commission for the unexpired terms in the same manner as the initial appointment.~~

~~(F) The transition from the previous Planning Commission and the Commission established in this subchapter shall be gradual and shall take place over the next three years. The city shall continue to make annual appointments, appointing approximately one-third of the membership of the Commission as specified in this subchapter, so that three years from the effective date of this subchapter the membership, membership representation and number of members have completed the transition to fully comply with this subchapter. All other aspects of this subchapter shall have immediate effect.~~

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. 855 was adopted on the XX day of December 2024 A.D., by the Charlevoix City Council as follows:

Motion by:

Seconded by:

Yeas:

Nays:

Charlevoix City Council

All Other Actions and Requests

Title: AMI Opt-out Policy and Requirements

Date: December 16, 2024

Presented By: Mark Heydlauff, City Manager

Background:

In October, a couple of electric customers questioned the use of advanced electric meters and requested Council create a policy to permit customers to opt-out of the meters. We have created the attached policy which does permit this. Customers who opt-out will pay a one-time fee for the program and then an added \$30 each month to cover the cost of physical readings that will be unnecessary for the rest of our customers. This program and format is in keeping with other communities in Michigan who have already adopted this method of metering.

We've also created a list of Frequently Asked Questions to aid in understanding of AMI and what is and is not realistic about the technology. We'll be posting this on our electric department website. It is included for your information also.

Recommendation:

Motion to approve the AMI Opt-out Policy and Requirements as presented.

Attachments:

1. AMI Opt-out Policy and Form Final
2. AMI FAQs Final



Advanced Meter Opt-Out Policy

Purpose

The City of Charlevoix is upgrading its electric and water metering to an Advanced Metering Infrastructure (AMI) system that uses two-way communications. The AMI system installation began in November 2024. Subject to eligibility requirements, Charlevoix Electric and Water Customers may Opt-Out of the AMI Program.

Participation in the AMI Opt-Out Program

Customers meeting the Eligibility Requirements listed below may Opt-Out by having the Advanced Meter's two-way communication module disabled. Customers choosing this option will have a fee of \$30 added to their monthly utility bill. They will also be charged a one-time Enrollment Fee of \$100 payable in advance. A monthly in-person meter reading by the City will be necessary for all Opt-Out customers.

Eligibility Requirements

- a. Owner occupied, single-family, residential home
- b. Requesting party must be the account holder
- c. Account must be current
- d. Advanced Meter must be installed with the two-way communication module disabled
- e. Customer must Opt-Out for electric and water accounts (where applicable)
- f. Submit an executed Opt-Out Application
- g. Meter and meter module must remain accessible. Failure to allow access for reading, replacement, or maintenance will impact program eligibility
- h. Payment of all applicable fees

Ineligible

- a. Customer history of tampering
- b. Account shut off for non-compliance with Charlevoix Rules and Regulations within the prior 12 months
- c. Inaccessible meter location
- d. Multifamily homes, apartments and condominiums
- e. Commercial and industrial accounts
- f. Accounts with customer owned generation and customers served under a Time of Use rate
- g. Tenants, Renters or Lessees

Steps to Opt-Out

- 1) Submit a completed Advanced Metering Opt-Out Application ("Application"). Incomplete applications may be denied.
- 2) After an Application is processed, you will be contacted by the city. Applications will be processed in the order received. Incomplete or inaccurate information may delay processing.
- 3) The Enrollment Fee must be paid before the communication module is disabled.
- 4) There is no additional charge or fee to cancel your Opt-Out. You may cancel your Opt-Out at any time. All fees and charges paid during the Opt-Out period are non-refundable.



ADVANCED METER INFRASTRUCTURE
Opt-Out Application

I represent and warrant that I am the named, authorized person on the account, the legal owner, and reside at the premises designated below. By signing this form, I am choosing to Opt-Out of Charlevoix's Advanced Metering Program and request that a communication disabled Advanced Meter be installed at the premises. I will maintain clear and direct access to the meter(s) allowing the city's employees to manually read the meter(s) at all times. I understand that by opting-out, I am only eligible for the city's basic residential rate and not the enhanced benefits of an Advanced Meter. I understand that, in accordance with the City's Opt-Out Policy, the account will be assessed a one-time Enrollment Fee, as well as a monthly meter reading fee. The fees are subject to the city's Rules and Regulations and are subject to change without notice. I understand I may cancel my opt-out at any time. Should my account at any time become ineligible, I understand that my opt-out will be cancelled for cause and I will no longer be eligible for the city's Opt-Out policy.

There is no fee or penalty to cancel my Opt-Out selection, but all paid fees and charges are non-refundable.

Customer Information:

Property Owner: _____

Account Holder: _____

Account Number: _____

Phone Number: _____ Email: _____

Service Address: _____

Reason for Opt-Out: _____

By signing this application, I agree to the terms listed above

Account Holder Signature: _____

Print Name: _____

Date _____

Submit the completed form and payment to:
City of Charlevoix
210 State Street
Charlevoix, MI 49720



Advanced Metering Infrastructure Frequently Asked Questions

What is AMI?

Advanced Metering Infrastructure, or AMI, is a technology solution that allows two-way communication between customers' electricity and water meters and Charlevoix's billing and mapping systems. Until now, all meters have been manually read. This process is labor intensive and does not provide the information needed in today's ever-changing utility industry.

How will AMI improve the electric and water operations?

With Advanced Metering, the City will be able to provide a higher level of customer service, improve reliability, and manage operating costs. The timely information available to Customer Service through AMI will help respond to customer questions and issues. That same information will give the City a view of what is happening throughout the electric and water systems. A few of the benefits include fewer truck rolls (lower vehicle emissions), improved outage notification, identifying possible theft, and early identification of water leaks.

How do these meters work?

With Advanced Meters, the city will read its electric and water meters from the office via radio. The AMI network is redundant resilient and secure.

Is this technology new?

No, this technology has been used in the electric utility industry for over 20 years.

Is Charlevoix the only utility in Michigan to use these meters?

No. According to the 2022 Energy Information Administration report, there are approximately 119 million AMI meter installations in the USA.

Have these meters been tested to be safe for use in homes?

Yes. The Electric Power Research Institute (EPRI) conducted studies of AMI meter radio frequency (RF) exposure. The results showed that the RF exposure from AMI meters is less than the FCC's maximum permissible exposure (MPE) requirements and is dramatically less than cell phone use. The investigations also found several mitigating factors that greatly reduce the RF exposure such as distance to the meter, meter socket shielding, the house structure, and antenna orientation.

Do these meters have risks that are different from regular electric meters?

No and Advanced Meters are UL certified while electro-mechanical meters are not. Investigations into fires by several public utility commissions found that fires were caused by faulty sockets and not the meter.

How often will my utility usage data be collected by the City?

Data will be read every 15 minutes and transmitted every four hours. Each transmission lasts less than one second.

Will my data be used for purposes beyond managing and billing by the City?

No. Customer information will be used to manage the electric and water distribution systems. This information will not be shared with or sold to other parties.

How is my utility data protected?

The AMI system recognizes the Advanced Meter by its ID number. Customer information such as name and address are not transmitted. Further protection is provided by encryption, proprietary protocols and frequently reset password keys. The AMI system communicates over a closed, dedicated communication system, and does not use the Internet.

What is the difference between an analog meter, a solid-state meter, and a Advanced Meter?

Analog meters are electro-mechanical meters and are no longer in production. They are not UL certified and are susceptible to tampering. They have been replaced with solid-state (electronic) meters that are UL listed and have additional features. An Advanced Meter is a sold-state meter with communication functions.

Why does the city want to read meters more than once per month?

By collecting data every 15 minutes, and transmitting every four hours, the city can analyze system loads, system voltage, review rate structures, and identify potential issues like service outages.

Can the City monitor how I use electricity and water with Advanced Meters? Isn't this a Privacy risk?

The meters will record when and how much electricity and water are being used. The system can't identify appliances or devices being used and the city does not sell customer information or make it available to third parties.

Is it correct that the data from Advanced Meters is easily monitored or hacked?

No. While any electronic communications system is theoretically subject to hacking, AMI architecture has inherent security features built in to keep information private and secure. Any data sent over the AMI network uses industry-proven encryption combined with a proprietary protocol.

Do the meters that the City is deploying constantly pulse a radio frequency signal?

No. Data transmissions from the meters occur every four hours, and last less than one second.

Do analog meters offer greater protection from electric surges than solid-state or Advanced Meters? Why are Advanced Meters not grounded?

Analog, solid-state, and smart do not provide surge protection and all meters are grounded.

The City's installation contractor has testing, safety inspections, and meter change out services posted on their website. Are these regular services that the City needs to acquire from them or other contractors?

Upon completion of the AMI project, the city will continue using its current meter testing contractor. Safety inspections and meter changes will be carried out by city personnel.

Will meter access be needed after the project is completed?

Yes, the city will require continued access to its equipment. This is not a change from the city's current practice.

What if I don't want an AMI meter?

The city has adopted an Opt-Out policy and applicable fees for customers who don't want an Advanced Meter.

Charlevoix City Council

All Other Actions and Requests

Title: Ladder Truck Overhaul

Date: December 16, 2024

Presented By: Mark Heydlauff, City Manager

Background:

As Council is aware, we are working with Charlevoix Township toward the financing and replacement of our ladder truck and their main fire engine. This would reduce long-term costs and upfront purchase expenses for both entities as we continue to work jointly to serve the fire and rescue needs of our community. A new vehicle is likely to take 2-3 years to build once ordered and we have been working for about a year with Senator Gary Peters on acquiring federal funds for this purchase.

Until we are able to get the new vehicle, we need to make the existing ladder truck work. Fire Chief Dan Thorp received the attached proposal from Harry Sutphen from Sutphen Sales for a heavy refresh on the ladder truck. This would address a number of maintenance issues and ideally preserve the vehicle in good operation for a couple more years. You'll see the proposal is based on what may be needed. Some items listed may or may not be required, but I have confidence in Chief Thorp and his ability to work with the company to address the matters to be both fiscally responsible and ensure good working operation of our equipment.

Depending on the final costs, we would fund this work from our Fire Truck Maintenance operating budget or the Fire Apparatus Replacement Fund.

Recommendation:

Motion to approve the time and materials proposal from Heritage Fire Equipment as presented and authorize the City Manager and Fire Chief to approve work as outlined.

Attachments:

1. Sutphen Ladder Truck Quote

Estimate: 6882

12/3/2024

Estimate for Repairs on HS-2932



Charlevoix Fire Department

Charlevoix Twp. FD

08977 Martin Road

Charlevoix, MI 49720

FIRE@CHARLEVOIXTOWNSHIP.GOV

Heritage Fire Equipment

2162 Cloverleaf Street East

Columbus, OH 43232

info@heritagefireequipment.com

844-730-5100

Purchase Order

Service Writer

Unit

Wilfong, Brody

Unit: HS-2932 VIN: Sutphen SP 90 Current Usage: 0 Miles

Description	Quantity	Rate	Amount
-------------	----------	------	--------

Service Disclaimer: The following quote covers the anticipated repair costs associated with removing and replacing of parts associated with the following estimate. The estimate also does not cover extended repair times due to corrosion of components that would cause an extensive amount of effort to remove (i.e. seized and/or broken fasteners). This estimate does not cover the replacement of any other parts and assumes any non-damaged parts removed will be suitable for reuse (where applicable). Part arrival times cannot currently be guaranteed but any delays will be communicated. Shipping and tariff charges are not included in the quote. Heritage Fire Equipment is the authorized service center for Sutphen Corporation.

0	\$0.00	\$0.00
---	--------	--------

****This quote is only valid for thirty days****

*****All equipment and hose will need to be removed from the truck prior to the truck being picked up. All water will need drained and drains and valves left half open for the trip to the Heritage Shop. *****

******Estimate will need signed, returned, and 50% of the estimated total will need pre-paid to Heritage Fire Equipment before parts will be ordered. ******

Subtotal	\$0.00
-----------------	---------------

Description	Quantity	Rate	Amount
Aerial Service Contract - Inspection of chassis and components - Inspection of the fire pump, valves and accessories - Inspection of the hydraulic system, pressure and operation - Complete inspection of the ladder, components, cable adjustments and lubrication - Check torque setting of aerial base and all main fasteners: Aerial Service Contract - Inspection of chassis and components -	1	\$1,860.00	\$1,860.00
Inspection of the fire pump, valves and accessories - Inspection of the hydraulic system, pressure and operation - Complete inspection of the ladder, components, cable adjustments and lubrication - Check torque setting of aerial base and all main fasteners			
		Subtotal	\$1,860.00
Estimate to replace air tanks, air lines, and associated chassis air components **Note some components may no longer be available due to the age of the apparatus**	33000	\$1.00	\$33,000.00
		Subtotal	\$33,000.00
Estimate to replace all air brake components **Note some components may no longer be available due to the age of the apparatus**	20000	\$1.00	\$20,000.00
		Subtotal	\$20,000.00
Pump Service Per Manufacturer Specifications - Hale: Lubricate all Push Pull Rods and Actuators			
Lubricate all Valves			
Drain Gear Oil From Pump Gearbox and Refill			
Check Magnetic Drain Plug For Metal Deposits			
Refill Pump Gearbox with 80w90 Gear Oil	1	\$475.00	\$475.00
Replace Autolube Gear Oil If Applicable And Accessible			
Check Primer, Transfer Valve, and Drains for Operation			
**Once pump service in completed, a list of issues found or valves that leak vacuum will be provided for further repairs. **			
80W-90, Valvoline, Heavy Duty, SAE, Gear Oil - 80W-90	1	\$31.39	\$31.39

Description	Quantity	Rate	Amount
		Subtotal	\$506.39
Estimate to rebuild the fire pump auto lube	12	\$178.00	\$2,136.00
Large Auto Lube Kit, Hale - 546-1570-01-0	1	\$232.00	\$232.00
80W-90, Valvoline, Heavy Duty, SAE, Gear Oil - 80W-90	1	\$31.39	\$31.39
		Subtotal	\$2,399.39
Pump Packing Replacement- Hale: Remove old packing and install new. Perform function test to verify repair and set drip rate.	1	\$1,150.00	\$1,150.00
Pump Packing Kit, ZM - 296-0030-10-0 (10011337)	1	\$234.00	\$234.00
Packing Gland, Hale, Front, Set, For Qmax - 048-0210-60-0	1	\$260.00	\$260.00
		Subtotal	\$1,644.00
Transportation/Tow to Heritage Fire Shop	10000	\$1.00	\$10,000.00
		Subtotal	\$10,000.00
		Shop Supplies	\$6,513.60
		Labor	\$68,621.00
		Parts	\$788.78
		Subtotal	\$75,923.38
		Total	\$75,923.38

*: Core charges not included in total. You will be charged for any core that is not in returnable condition. This charge may be applied on a separate invoice.
Part and equipment estimates do not include shipping unless otherwise noted on the estimate.

As a result of global shortages and increased costs in both labor and materials including surcharges, the above price is subject to change without notice.

This is an estimate of the parts and labor necessary to complete the repair, therefore the final price may vary. The final price may vary up to 10% above the estimate without additional customer approval to proceed. The apparatus owner is responsible for transportation and insurance on the vehicle to and from Heritage Fire Equipment. All loose equipment, unless integral to the repair of the vehicle, must be removed prior to drop off of the vehicle at Heritage Fire Equipment. I grant authorized Heritage Fire Equipment employees permission to operate the vehicle for testing, inspection, or delivery at my own risk. I agree that Heritage Fire Equipment is not responsible for loss or damage to the vehicle or articles left in the vehicle in case of theft, fire or other causes beyond our control. All vehicles must be removed within 5 business days following notice of completion of work. Vehicles left on the property past 5 business days are subject to a \$250 per day storage fee. The performance of this estimate/contract on behalf of Heritage Fire Equipment shall be contingent upon acts of God, flood, fire, warfare, government laws or regulations, electrical failure, strikes by suppliers, and/or conditions beyond its control. A 30% restocking fee will be added to all returned parts. All credit card payments will carry a \$0.15 plus 3.5% service charge. Call 844-730-5100 x114 to pay via credit card.

Charlevoix City Council

All Other Actions and Requests

Title: Mayoral Appointment

Date: December 16, 2024

Presented By: Mayor Lyle Gennett

Background:

Mayor Gennett requested consideration of Jill Dipert, Katherine Bitley, and Sarah Matye for reappointment to the Recreation Advisory Commission for terms to expire December 2027.

Recommendation:

Motion to confirm the mayor's appointment of xxx, xxx, and xxx to the Recreation Advisory Committee for terms to expire December of 2027

Attachments:

1. Jillian Dipert Application to RAC
2. Katherine Bitely Application to RAC
3. Sarah Matye Application to RAC

Online Form Submittal: Volunteer Boards and Committees Application

From noreply@civicplus.com <noreply@civicplus.com>

Date Tue 12/10/2024 3:35 PM

To Sarah Dvoracek <clerk@charlevoixmi.gov>

Volunteer Boards and Committees Application

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

Committees and Boards to Apply For	Recreation Advisory Committee
Name	Jillian Dipert
Email Address	jill.dipert@gmail.com
Address	13456-7 Stover Rd
Home Phone	<i>Field not completed.</i>
Cell Phone	231-758-2682
Are you a registered voter in the City?	No
How long have you lived in the City?	<i>Field not completed.</i>
Educational Background	2.5 years at Aquinas College, 1.5 years at NCMC
Professional Qualifications and / or Work Experience	Business owner- Charlevoix Wear
Community Activities and / or Other Experience	Volunteer for Friday candlelit hikes, co-founder of running club, and volunteer for Chamber events.
Have you served on a board / committee or held a civic position in the past?	Yes
If yes, please explain.	Board Member, Zone Club

Do you foresee any potential conflicts of interest while executing the duties of this position?	No
Reason(s) You Wish to Serve	I love to support our community especially on a recreational standpoint. Our community has so much more to offer than just the downtown district.
Have you reviewed the current meeting schedule of the board / committee and can commit to regular meeting attendance?	Yes
Electronic Signature Agreement	I agree.
Electronic Signature	Jillian M Dipert
Date	12/10/2024

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

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

Online Form Submittal: Volunteer Boards and Committees Application

From noreply@civicplus.com <noreply@civicplus.com>

Date Mon 11/25/2024 4:22 PM

To Sarah Dvoracek <clerk@charlevoixmi.gov>

Volunteer Boards and Committees Application

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

Committees and Boards to Apply For	Recreation Advisory Committee
Name	Katherine Bitely
Email Address	forresterkatherine@gmail.com
Address	8205 Old US 31 N
Home Phone	2313306680
Cell Phone	Field not completed.
Are you a registered voter in the City?	No
How long have you lived in the City?	Charlevoix
Educational Background	BA in Communication from Hope College, MS Strat Communication Management Purdue University
Professional Qualifications and / or Work Experience	Marketing Director Visitor Charlevoix, Recreation Assistant City of Charlevoix
Community Activities and / or Other Experience	Charlevoix Main Street/DDA committee, Recreation Advisory Committee
Have you served on a board / committee or held a civic position in the past?	Yes
If yes, please explain.	Recreation Advisory Committee

Do you foresee any potential conflicts of interest while executing the duties of this position?	No
Reason(s) You Wish to Serve	<i>Field not completed.</i>
Have you reviewed the current meeting schedule of the board / committee and can commit to regular meeting attendance?	Yes
Electronic Signature Agreement	I agree.
Electronic Signature	Katherine Bitely
Date	11/25/2024

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

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

Online Form Submittal: Volunteer Boards and Committees Application

From noreply@civicplus.com <noreply@civicplus.com>

Date Tue 11/26/2024 2:32 PM

To Sarah Dvoracek <clerk@charlevoixmi.gov>

Volunteer Boards and Committees Application

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

Committees and Boards to Apply For	Recreation Advisory Committee
Name	Sarah Matye
Email Address	sarahmatye@gmail.com
Address	209 Lewis St, Charlevoix
Home Phone	<i>Field not completed.</i>
Cell Phone	435-729-9534
Are you a registered voter in the City?	Yes
How long have you lived in the City?	34 years
Educational Background	Graduate certificate in nonprofit leadership, Bachelors of Social Work, Charlevoix High School grad
Professional Qualifications and / or Work Experience	Executive Director at Charlevoix Circle of Arts, 25-year career in nonprofit sector
Community Activities and / or Other Experience	past board member of Rayder Enrichment Foundation; founding member of Charlevoix Women Who Care giving circle
Have you served on a board / committee or held a civic position in the past?	Yes
If yes, please explain.	Recreation Advisory Committee

Do you foresee any potential conflicts of interest while executing the duties of this position?	No
Reason(s) You Wish to Serve	continue great work this group has been doing
Have you reviewed the current meeting schedule of the board / committee and can commit to regular meeting attendance?	Yes
Electronic Signature Agreement	I agree.
Electronic Signature	Sarah Matye
Date	11/26/2024

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

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

Charlevoix City Council

Reports and Communications

Title: City Manager's Comments

Date: December 16, 2024

Presented By:

Background:

A. 16/50 Project Support

Last week, I was pleased to be part of the mock interview panel for the Michigan Municipal League's 16/50 project. The 16/50 Project recognizes that, while 50% of the Michigan's population are women, women comprise only about 16% of the professional chief administrative officers (city, village, township, and county managers etc). In addition to leadership training and mentorship, women enrolled in the program get advice on updating resumes and go through mock interviews to prepare for interviews with boards in the future.

B. Historic Preservation Ordinance

I mentioned at your last meeting that we were looking at draft updates to the Historic District Commission. Initially, this began as a recommendation that we reduce the membership from 7 to 5 members. Jonathan Scheel coordinates the work of this group and helps carryout the requirements in the ordinance. As he and I looked at the ordinance further, we are instead recommending a full-scale repeal and replacement of this ordinance with a simple, more straightforward ordinance that mirrors state law rather than add additional complexities. With this, we've created a draft and will be working with the City Attorney to finalize the text with the hope of bringing the first reading to you just after the new year.

C. Online Code Book and Website

We are exploring updating our online code book. There may be some benefits to this but we are still exploring this. If recommended, we may bring a proposal to you next month. We have begun working with our website provider on a refresh of our page and hope to highlight some updates we have made. Any feedback you have is helpful as we do this.

Recommendation:

Attachments:

1. Planning Commission Regular Meeting Minutes 11/11/2024

City of Charlevoix
Planning Commission Regular Meeting Minutes
Monday, November 11, 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. The Commission, staff, and members of the public rose and recited the Pledge of Allegiance.

B. Roll Call

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

C. Inquiry into Potential Conflicts of Interest

D. Approval of Agenda

Motion by Chamberlain, seconded by Beatty to approve the agenda as presented.

Motion carried by unanimous voice vote.

E. Approval of the Minutes

Motion by Boehmer, seconded by Kurtz to approve the minutes from October 14, 2024 with the correction on page 3 {last paragraph} should read Chamberlain moved, Radke seconded and approve the subcommittee minutes {as presented}.

Motion carried by unanimous voice vote.

1. Minutes of October 14, 2024 Planning Commission meeting
2. Housing Subcommittee Minutes October 30, 2024

F. Call for Public Comment Not Related to Agenda Items

G. New Business

1. Site Plan Review 1522 Bridge Street Pinebridge Place Townhomes

Director Scheel presented the proposed development application. Jane MacKenzie, Executive Director of Northern Homes Community Development Corporation spoke about the site plan. Questions were raised about the landscaping and number of parking spaces. Since the parcel is an odd shaped, has roads on three sides, and a wide right of way also on those three sides, the Commission waived the landscape requirements. The Commission will ask the Shade Tree Commission to supply additional trees in the ROW frontage. Commissioners discussed the placement of trees near the roadside since it is the entrance into the City.

There was discussion about the number of parking spaces. The ordinance requires a maximum

of 9 and the site plan shows 14. The Commission determined to waive the maximum requirement but allow the developer to have between 9 and 14 parking spaces. The Commission discussed walkability and safety. The Commission determined that the developer would need to extend a sidewalk to the property line for if and when the City extended public sidewalks to the area. It was a consensus of the Commission to encourage the City Council to prioritize the construction of public sidewalks in high traffic areas such as this to promote a walkable community.

The Commission went through the Findings of Fact.

Motion by Beatty, seconded by Boehmer to approve the site plan with the following conditions: professional signed prints needed to be given to the Director, south sidewalk to be extended to property line, waive extra parking spaces, but applicant could reduce parking spaces to 9 per ordinance, waive landscaping requirements, Commission will ask tree commission to place trees along road to buffer noise and allow for aesthetic look.

Motion carried by unanimous voice vote.

2. Discussion on changes to Zoning Ordinance Section 153.145 Fences and Walls

The Commission concurred to leave the ordinance as is.

H. Old Business

1. Rooftop decks

The Commission discussed residential standards and had concerns about privacy, noise and size. More information is needed. Director Scheel will work on special use permit language/standards for decks in R-1 and R-2 zoning districts and then place it on the December agenda.

I. Staff Updates

1. Zoning Administrator report October 2024

Director Scheel explained there was a substantial increase in permits from last month.

J. Requests For Next Months Agenda or Research Items

- Rooftop decks
- ADU height restrictions
- Discussion on how to prepare and present the annual report

There will be a holiday reception following the December meeting. Anyone present at the meeting is welcome to join in. Member Beatty complimented Director Scheel on his knowledge and graciousness in answering questions from a concerned citizen.

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

Chair Muladore adjourned the meeting at 7:42 p.m.

Sarah Dvoracek Clerk

Jennifer Muladore Chair

Charlevoix City Council

Reports and Communications

Title: Mayor and Council Comments

Date: December 16, 2024

Presented By:

Background:

Recommendation:

Attachments:

None