

City of Charlevoix
City Council Regular Meeting Minutes
Monday, August 18, 2025 - 6:00 PM
Council Chambers, 210 State Street, Charlevoix, MI

1. Pledge of Allegiance

The meeting was called to order at 6:00 p.m. by Mayor Gennett. The Council, staff, and members of the public rose and recited the Pledge of Allegiance.

2. Roll Call

Mayor: Lyle Gennett

Members Present: Shane Cole, Aaron Hagen, Janet Kalbfell, Mark Knapp, Phil Parr, Richard Spring

Members Absent: None

City Manager: Mark L. Heydlauff

City Clerk: Sarah J. Dvoracek

3. Presentations

4. Inquiry Regarding Conflicts of Interest

5. Consent Agenda

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

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

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

Nays: None

Motion carried.

A. City Council Meeting Minutes - August 4, 2025

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
08/06/2025	Special Accounts Payable Run	\$3,875.00
08/15/2025	Payroll (net pay)	\$161,597.85
08/15/2025	Payroll Remittance Checks	\$6,057.09
08/19/2025	Regular Accounts Payable	\$1,041,487.51
08/04/2025-08/15/2025	ACH/WIRE Payments	\$170,183.20
Grand Total		\$1,383,200.65

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

C. PA 152 Exemption for Medical Benefit Plan

Motion by Parr, seconded by Cole to approve Resolution No. 2025-08-01 adopting the annual

exemption option as set forth in PA 152 for the City's medical benefit plan coverage year October 1, 2025 through September 30, 2026, in order to comply with the requirements of PA 152.

CITY OF CHARLEVOIX

RESOLUTION NO. 2025-08-01

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

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

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

WHEREAS, the three options are as follows:

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

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

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Charlevoix elects to comply with the requirements of 2011 Public Act 152, the Publicly Funded Health Insurance Contribution Act, by adopting the annual exemption option for the medical benefit plan coverage year October 1, 2025, through September 30, 2026.

RESOLVED this 18th day of August 2025 A.D.

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

Nays: None

Motion carried.

D. MERS 2025 Officer and Employee Delegate Certification Form

Motion to approve the MERS 2025 Officer and Employee Delegate Certification Form as presented.

E. Colorado Club Edge Restoration

Motion to approve the proposal from Manthei Construction for the Colorado Club Edge Restoration in the amount of \$10,992 as presented.

F. Kubota Tractor for WWTP: \$19,905

Motion to approve the quote from Skinners in the amount of \$19,095.

6. Public Hearings and Actions Requiring Public Hearings

A. Public Hearing on Ordinance 860 of 2025: Amend Short-term Rental Registration Process and Procedure

Mark Heydlauff, City Manager

City Manager Heydlauff presented information on the amendment of the Short Term Rental Registration Process and Procedure.

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

Motion by Spring, seconded by Hagen to approve the amendment of the short-term rental registration process and procedure Ordinance 860 of 2025 as presented.

CITY OF CHARLEVOIX

ORDINANCE NO. 860 of 2025

AN ORDINANCE AMENDMENT TO AMEND TITLE XI, BUSINESS REGULATIONS, CHAPTER 114: SHORT-TERM RENTALS, SECTION 114.04 REGISTRATION PROCESS AND PROCEDURE

THE CITY OF CHARLEVOIX ORDAINS:

Section 1: Title XI, Chapter 114, Section 114.04 Registration Process and Procedure item (A, 2) of the City of Charlevoix Code shall be repealed and replaced and shall read as follows:

1. (2) When a license becomes available, the first person on the waitlist shall be given 30 days to accept a license, pay all necessary fees, and schedule their inspection for a date within 90 days. Failure to act within this time period shall move the person to the bottom of the relevant category of the waitlist. Waitlist holders will be contacted using the information found on the waitlist; failure to properly advise the City of updates and corrections to waitlist information shall be deemed a failing on the part of the waitlisted person.

Section 2: Title XI, Chapter 114, Section 114.04 Registration Process and Procedure item (B) of the City of Charlevoix Code shall be repealed and replaced and shall read as follows:

2. Waitlist forms and methods shall be provided by the city and must be maintained after payment of a one-time, non-refundable waitlist fee.

(1) Annually on or before November 30, the City shall publish on their website the list of licensed properties and the current waiting list separated by categories. Persons wishing to remain on the waitlist shall, using a form and method directed by the City, affirm the accuracy of their listing or provide updated information no later than noon local time on December 31. Failure to affirm and/or correct the waitlist information shall remove someone from the list.

(2) Council shall, from time to time by resolution, set the fee.

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. 860 was adopted on the 18th day of August 2025 A.D., by the Charlevoix City Council as follows:

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

Nays: None

Motion carried.

Motion by Parr, seconded by Cole to eliminate the requirement to list a physical address for the rental property on the short term rental waitlist application.

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

Nays: None

Motion carried.

B. Public Hearing on Ordinance 861 of 2025: Amend Boat Launch Name and Regulations

Jill McDonnell, Chief of Police

Jill McDonnell, Chief of Police, presented information on Ordinance 861 of 2025: Amend the Boat Launch Name and Regulations.

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

Motion by Cole, seconded by Hagen to approve the boat launch Ordinance 861 of 2025 as presented.

CITY OF CHARLEVOIX

ORDINANCE NO. 861 of 2025

AN ORDINANCE AMENDMENT TO AMEND TITLE VII, TRAFFIC CODE, CHAPTER 71: TRAFFIC AND PARKING

THE CITY OF CHARLEVOIX ORDAINS:

Section 1. Title VII, Chapter 71, Section 71.01 Short Title of the City of Charlevoix Code shall be repealed and replaced and shall read as follows:

This subchapter shall be known and may be cited as the “City of Charlevoix Municipal Launch and Parking Ordinance”.

The City of Charlevoix Municipal Launch and Parking as established by the City of Charlevoix shall be under the supervision of the Chief of Police as directed by the City Council.

Section 2. Title VII, Chapter 71, Section 71.02 Definitions shall be repealed and replaced and

shall read as follows:

When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BOAT. Any watercraft, including seaplanes when not airborne, in or upon, or docked or moored at any place in any waterway or upon trailers within the boundaries of the city.

FERRY BEACH PARKING LOT. The contiguous or nearly contiguous area generally located between the limits of Ferry Avenue, Stover Road, the waters of Lake Charlevoix, and the south side of Ferry Beach Park.

TRAILER or BOAT TRAILER. Any vehicle or devise so designed and constructed in such a manner as to allow the transport of a boat.

COMMERCIAL USE ACTIVITIES.

For the purposes of this ordinance, Commercial Use Activities include any operations conducted for profit or as part of a business venture, whether by an individual, company, or organization. Such activities may include, but are not limited to: launching or retrieving watercraft; performing watercraft test runs associated with repair, maintenance, or service work; installing or removing piers, docks, boat hoists, or similar structures.

Commercial Use Activities are subject to all applicable regulations, restrictions, and permitting requirements outlined in this ordinance.

Section 3. Title VII, Chapter 71, Section 71.03 Parking shall be repealed and replaced and shall read as follows:

Parking in the City of Charlevoix Municipal Launch parking lot, including, but not limited to, the parking of vehicles and/or trailers, shall be regulated by traffic-control orders issued by the city's traffic engineer. The term TRAFFIC ENGINEER is as defined in the Uniform Traffic Code, as amended.

Section 4. Title VII, Chapter 71, Section 71.04 Permit Required shall be repealed and replaced and shall read as follows:

It shall be unlawful to enter or use the City of Charlevoix Municipal Launch without first obtaining a permit from the City of Charlevoix and displaying it in the vehicle. A permit is required for any person launching a boat, retrieving watercraft, parking a vehicle (with or without an attached trailer), or parking a trailer alone at the City of Charlevoix Municipal Launch.

No person shall park a vehicle (with or without an attached trailer) or park a trailer alone in any designated City of Charlevoix Municipal Launch parking area unless the vehicle and/or trailer was used to actively launch or retrieve a watercraft on that same day. Proof of launch activity

may be required upon request by enforcement personnel.

Charges for the permit shall be set by a resolution of the City Council, which may also revise or waive fees for special or public events. "Special or Public Events" shall mean tournaments, festivals, or other events—whether open to public participation or observation—that, in the judgment of the City Council, provide an economic benefit to the City, serves a public purpose to the City and its residents, or generate positive publicity for the City.

All launch permits issued by the City shall be affixed to the vehicle for which the permit was purchased. The permit must be permanently and visibly displayed on the driver's side of the front windshield or in another location designated by the City. Permits are non-transferable and valid only for the specific vehicle identified at the time of purchase.

Section 5. Title VII, Chapter 71, Section 71.05 Term of Parking shall be repealed and replaced and shall read as follows:

There shall be no parking at Ferry Beach or Charlevoix Municipal Boat Launch parking lots of any vehicles or trailers between the hours of 2:00 a.m. and 4:00 a.m.

Section 6. Title VII, Chapter 71, Section 71.06 Use of Boat Launching Ramps shall be repealed and replaced and shall read as follows:

It shall be unlawful for any person to moor or tie up at the City of Charlevoix Municipal launching docks unless the moorage is associated with the launching of a boat and in no case shall said moorage exceed 15 minutes in length. The City Police Chief, his or her designee, or a member of the city's Police Department (hereafter referred to as "city agents") shall have the authority to board any boat moored in violation of any provision of this chapter. These city agents may move the boat which is in violation of this subchapter themselves or may cause it to be moved by an independent contractor. These city agents may hold or cause the boat to be held until all costs incurred in the removal and/or storage have been paid.

Section 7. Title VII, Chapter 71, Section 71.07 Boat Rental Prohibited shall be repealed and replaced and shall read as follows:

No person shall conduct any boat rental business on or at the Ferry Beach Park or the City of Charlevoix Municipal Launch except with an approved concession agreement from the City of Charlevoix.

Section 8. Title VII, Chapter 71, Section 71.08 Exemptions shall be repealed and replaced and shall read as follows:

Persons parking in the Ferry Beach parking lot for use of the Ferry Beach public beach shall not require a parking permit for their vehicle under § 71.04 of this chapter. This exemption for the parking permit contained in this section shall not apply to persons launching a boat from the City of Charlevoix Municipal Boat Launch. The requirement for parking permits to be obtained for the parking of vehicles within the City of Charlevoix Municipal launch parking lot shall not apply to single-attended vehicles parked in such a manner to allow the viewing of Lake

Charlevoix. Notwithstanding anything to the contrary, no permit shall be required for usage of the Ferry Beach parking lot or boat launch for the time period of November 1 through May 1.

Section 9. Title VII, Chapter 71, Section 71.10 Fish Cleaning Station; Commercial Use Prohibited shall be repealed and replaced and shall read as follows:

No person shall use the fish cleaning station at the City of Charlevoix Municipal Launch for the purpose of cleaning fish for commercial sale or resale.

Section 10. Title VII, Chapter 71, Section 71.11 Mooring Boats; Terms shall be repealed and replaced and shall read as follows:

It shall be unlawful to moor or anchor a boat or other vessel capable of travel on water within 250 feet from the shore of Ferry Beach. The Police Chief, his or her designee, or a member of the city's Police Department (hereafter referred to as "city agents") shall have the authority to board any boat moored in violation of any provision authority to board any boat moored in violation of any provision of this subchapter. Prior to the removal of a boat which is moored in violation of this subchapter, an agent of the city shall place a violation notice on the boat specifying the date and time of the violation. The violation notice shall state that the boat is in violation of a city ordinance and is subject to removal after 48 hours.

If the boat remains moored in violation of this subchapter for 48 hours after the placement of the violation notice, then the boat is subject to removal and storage as described below. Upon expiration of the 48 hours, the city agents may move the boat which is in violation of this subchapter themselves or cause it to be moved by an independent contractor. These city agents may hold or cause the boat to be held until all costs incurred in the removal and/or storage have been paid. § 71.99 PENALTY.

Section 11. Title VII, Chapter 71, Section 71.99 Penalty shall be repealed and replaced and shall read as follows:

1. Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.
2. Any person violating a traffic control order regarding the parking of motor vehicles and/or trailers, as regulated by §§ 71.01 through 71.10 of this chapter, shall be guilty of a civil infraction with the penalty amount set pursuant to § 10.99 of the codes adopted in § 70.01 of this traffic code. Any person violating a provision of §§ 71.01 through 71.10 unrelated to the parking of motor vehicles and/or trailers shall be guilty of a misdemeanor and subject to the penalty prescribed by state law for a misdemeanor. Every day that §§ 71.06 or 71.11 is violated shall constitute a separate offense and be punished as a separate offense. The term "person," as used in §§ 71.01 through 71.10, includes corporations, partnerships, and associations as well as individuals. Additionally, the violator shall pay costs, which may include all direct or indirect expenses incurred by the City in connection with the violation, with such costs not being less than \$9.00 or more than \$500.00. A violator shall also be subject to any additional sanctions, remedies, and judicial orders authorized under Michigan law. Each day a violation of

this ordinance constitutes a separate violation.

Section 12. 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 13. Effective Date.

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

Ordinance No. 861 was adopted on the 18th day of August 2025 A.D., by the Charlevoix City Council as follows:

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

Nays: None

Motion carried.

C. Public Hearing on Ordinance 862 of 2025: Feeding of Wild Animals Prohibited

Jill McDonnell, Chief of Police

Chief McDonnell presented information on Ordinance 862 of 2025: Feeding of Wild Animals Prohibited. City Manager Heydlauff and Chief McDonnell answered questions from Council Members.

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

Motion by Kalbfell, seconded by Spring to approve Feeding of Wild Animals Prohibited Ordinance 862 of 2025 as presented.

CITY OF CHARLEVOIX

ORDINANCE NO. 862 of 2025

AN ORDINANCE TO AMEND CHAPTERS 90 AND 91 TO PROHIBIT THE FEEDING OF CERTAIN WILD ANIMALS

THE CITY OF CHARLEVOIX ORDAINS:

Section 1: Title IX, Chapter 90, shall be amended by adding section 90.06 and read as follows:
Sec. 90.06.

Feeding of wild animals and birds is prohibited except the feeding of birds and squirrels by means of an elevated feeder.

(a) It shall be unlawful for any person to feed any wild animal in any area in the city. Wild animals shall include all raccoons, skunks, rodents, rabbits, crows, wild birds, including without limitation, pigeons, doves, and seagulls, feral cats, mice, fowl, waterfowl, gophers, groundhogs, moles, opossums, squirrels, and every other wild animal.

(b) All ground feeding is prohibited. The scattering of food or food scraps on the ground by an individual shall be prima facie evidence that the individual intended to provide the food or food

scraps for ground feeding. Feeding fish in the City's trout pond with food obtained from an approved feeder shall not be a violation of this chapter.

(c) This prohibition shall not apply to the feeding of wild birds or squirrels provided that such feeding is done only from containers and supports which prohibit access by other rodents and/or wild animals and are elevated at least 48 inches above ground level.

Section 2: Title IX, Chapter 91, Section 91.03(N) shall be amended by including a reference to Section 90.06:

(N) Keeping, housing or feeding any wild or domestic animals or wild or domestic fowl within the city other than dogs, cats, birds or animals commonly classified as pets. For the purposes of this division (N), the term **DOG** shall include the male and female of the dog family or genus canis, and "Feeding Wild Animals" shall be as defined in Section 90.06;

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. 862 was adopted on the 18th day of August 2025 A.D., by the Charlevoix City Council as follows:

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

Nays: None

Motion carried.

7. All Other Actions and Requests

A. Charlevoix Adventure LLC Request to Modify Concession Agreement

Kent Knorr, Recreation Director

Kent Knorr, Recreation Director, presented information on Charlevoix Adventure's Request to Modify Concession Agreement. City Manager Heydlauff answered questions from Council. Amy and Jason Thompson, owners of JALN Enterprises, LLC introduced themselves to Council.

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

Motion by Hagen, seconded by Spring to approve the transfer of the concession agreement from Charlevoix Adventure Co LLC to JALN Enterprises, LLC for the remainder of the current agreement through October 31, 2025 after payment for current concession fees by Charlevoix Adventure Company, LLC.

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

Nays: None

Motion carried.

Motion by Cole, seconded by Spring to approve the request to extend the operations agreement with JALN Enterprises, LLC for a two year term and which will expire October 31, 2027.

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

Nays: None

Motion carried.

B. 109 Mason Street Redevelopment Proposal

Mark Heydlauff, City Manager

City Manager Heydlauff presented information on the 109 Mason Street Redevelopment Proposal. Council concurred that more information was needed and requested some possible alternatives for continued control over the property.

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

C. Mayoral Appointment

Mayor Lyle Gennett

Mayor Gennett presented information on his Mayoral Appointment request to Jennifer Reynolds to the Shade Tree and Park Commission.

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

Motion by Spring, seconded by Cole to confirm the Mayor's appointment of Jennifer Reynolds to the Shade Tree & Park Commission for a term to expire on December 31, 2027.

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

Nays: None

Motion carried.

8. Reports and Communications

A. Public Comment

B. City Manager's Comments

C. Mayor and Council Comments

- Council Member Kalbfell had questions about the sidewalk sales event

9. Other Council Business

10. Adjourn

Mayor Gennett adjourned the meeting at 7:11 p.m.

