



Agenda

City of Charlevoix City Council Work Session

Monday, December 15, 2025 - 5:00 PM

Council Chambers, 210 State Street, Charlevoix, MI

- 1. Roll Call**
- 2. Discussion Items**
 - A. Park Avenue
- 3. Public Comment**
- 4. 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

Discussion Items

Title: Park Avenue

Date: December 15, 2025

Presented By: Jill McDonnell, Chief of Police
Mark Heydlauff, City Manager
Tim Toohey- PORCH

Background:

During the City Council Work Session on December 1, the Council discussed various aspects of concerns from residents on Park Avenue, which included a group called PORCH who has formed to advocate for these concerns. Council spent significant time on two draft traffic control orders. The first would have restricted traffic flow on Park Avenue to one way from east to west at Grant Street to Antrim Street. This would have the impact of limiting traffic and standardizing flow but several concerns were noted in how it would spill over and impact traffic in other parts of the neighborhood. The second draft traffic control order would establish a weight-limit for vehicles in this area. As this was discussed, it seemed like the concern was focused more on bus traffic and that the concern was not limited solely to this neighborhood but rather residential neighborhoods more broadly where this kind of vehicle might be generally inconsistent with neighborhood character.

In response to the last meeting, Chief McDonnell has reached out to other agencies in Michigan to see if there are any who have a bus regulation system we might emulate. Thus far, we haven't had a good response on this, but I think this research is worth pursuing further. We have also looked at concepts around establishing limitations on where buses can transit and limiting those areas to the downtown core like State Street and Bridge Street. Chief McDonnell and I also met with Geoff Reynolds and David Miles of the Historical Society and Edith Pair of Mushroom House tours. We discussed the concerns they had for how limitations on tours would restrict activities they conduct; we also shared the problems created by some aspects of their activities. We discussed how, while not all tours are conducted by them, the existing ordinances and traffic codes restrict vehicles from stopping and pulling-off the road. Consistent traffic flow by all parties will address many of the concerns. Letting riders disembark from vehicles in the middle of the street is already prohibited and causes great safety concerns for the riders and also other motorists. They suggested the tours around the Frank Lloyd Wright homes and buildings in the Chicago area could be of some relevance. In my short research on this, I noted that some of these homes are owned by conservation groups who provide limited interior tours and also have limits on the days and times of public street tours. The distinction, here, is that none of the Earl Young Homes are open for routine public tours; they are all privately owned private homes.

You'll find in your packet a document from PORCH further highlighting their concerns and desired solutions. Additionally, I believe Council Members have received several other letters and comments from folks who have various opinions on access to the Earl Young Homes and thoughts on the street.

Clerk Dvoracek was able to find an example of another city's ordinance on tour vehicles. The City of Saugatuck's Commercial Tour Vehicle Permit Ordinance is attached. This was just something she came

across this afternoon but I felt it was worth passing along for further consideration.

I would suggest Council discuss your intention further on the goals you wish to accomplish and staff can continue to work on legislative solutions as you clarify what goals you may have on this topic. We anticipate added enforcement of current ordinances and the traffic code—especially during the upcoming spring, summer, and fall — will address some of these issues. I believe Council would be well-served by thinking through all the aspects in front of you.

Recommendation:

Council discussion.

Attachments:

1. PORCH Memo December 15 Work Session v2
2. City of Saugatuck-Example Ordinance

To: Charlevoix City Council, Charlevoix Mayor, City Manager, Chief of Police and Charlevoix Homeowners

From: Preserve Our Rights as Charlevoix Homeowners ("PORCH") Board of Directors

Date: December 6, 2025

Re: December 15 City Council Work Session

PORCH is a community organization comprised of members who are seeking to restore a fair balance between the needs of a tourism-based economy and the right to privacy and safety for residents. This brief is intended to help the Charlevoix community understand the tourism issues that face Charlevoix and identify solutions that will be effective in its goal to reduce the intrusion of tourism on its residents.

PROBLEM STATEMENT:

The overwhelming influx of tourists into the Charlevoix community has resulted in continual traffic, privacy, trespass and nuisance issues on certain Charlevoix taxpayers, particularly during May through October. There is a dense area of tourism chaos in the neighborhood bounded by Bridge Street, Park Avenue and W Antrim Street. This is a direct result of a spectacle known as mushroom house related tourism. Although Charlevoix Township residents in Boulder Park face these issues too, this letter focuses only on the City of Charlevoix.

The problem is multifaceted, requiring a number of different solutions, that in combination can result in an acceptable solution.

PROBLEM: BUS TOURS

Coach style Bus Tours visit Charlevoix at levels exceeding 300+ buses per summer / fall season carrying 40-50 tourists each. These 40'+ long vehicles tour residential neighborhoods while continually violating traffic codes including:

- Stopping in the roadway
- Impeding traffic flow
- Driving off the roadway
- Disembarking passengers into the streets
- Parking and providing amplified walking tours of 40+ tourists
- Idling / Dieseling

Calling 911 to report each violation is an ineffective attempt to address the problem as it is reliant on immediate response times by CPD.

Bus tour traffic is fueled by promotional efforts of local organizations, some selling ride along / step on / walking tour guide services. This ongoing marketing further amplifies the volume of bus traffic.

The presence of buses on residential streets physically overwhelms the area and intrudes on the privacy of residents. When tourists off-load into the street their mob like presence and tourist curiosity changes the peaceful nature of our neighborhood and results in unwanted engagement, invasion of privacy, trespass, picture taking and in-street chaos. Homeowners and residents are essentially zoo animals and have no ability to utilize the privacy that a home should provide.

There are many tour bus companies touring our residential streets including:

- Blue Lake Charters
- Vandalia Bus Lines
- Jag Motorcoach
- Indian Trails
- Thompson
- Kaiser Fleet LLC
- Wind Star Lines
- Burke Christian Tours
- Barons Bus
- Carr's Motorcoach
- Executive Coach
- Arrow Stage Lines
- J Beckley's Baseball Tours
- Holiday

While anecdotal, it is stated by some that there is insignificant economic benefit that is derived by the city, its taxpayers or local businesses as a result of the tour buses. It is believed that most buses that tour the Mushroom District are simply passing through on a journey to other destinations.

SOLUTION: BAN ALL BUS TOURS FROM RESIDENTIAL STREETS

Actions to support the solution:

- Create a traffic code that allows only passage of tour buses through the city on Bridge Street and State Street.
- Communicate with all known tour bus service providers notifying them of the ban. Utilize signage on the streets as well.
- Cease promotional efforts attracting tour buses by local organizations.

PROBLEM: GEM CART TOURS

GEM Tour carts present a concentrated issue to the Charlevoix Historical District and immediate neighboring areas. The 0.6 mile route from 106 Park Avenue (where GEM cart tours begin) to Lake & Park Streets (or 1.0 mile to Boulder Park) is an out and back route that results in an ever-present GEM tour cart infringement onto these homeowners.

Currently there are up to 21 outbound trips and 21 inbound trips equate to 42 visits of tour carts in front of and behind each residence every day, 7 days per week, 1200 times per month. There is no limit on the number of cart trips that can occur.

This unreasonable and substantial nuisance interferes with homeowners of the use and enjoyment of their property.

Traffic code violations continue to occur despite formal Charlevoix Police Department action including:

- Impeding the flow of traffic, stopping in the roadway, driving at a slow rate of speed
- Stopping on the roadway side of a stopped or parked vehicle
- Driving off the roadway
- Driving through parking areas
- Amplifying
- Allowing off-loading of passengers in the roadway
- Driving on the wrong side of the roadway

Furthermore, the GEM cart tour operator provides access to details of the inside of select residences including detailed photos / videos resulting in violations of privacy and safety concerns.

GEM cart tours constitute commercial activity in residential districts. The purpose of zoning is to ensure compatible uses of property in like areas. The GEM cart tours--unlike a commercial entity that has to drive through a neighborhood to perform a service (for example, a lawncare business)—has a defined and consistently repeated **route** through residential districts. The **route** itself is literally the core of the business; it is not the shop from which the tours originate. As such, the GEM cart tours are effectively conducting unapproved commercial business in residential districts without proper zoning approval.

Written correspondence and in-person dialogue attempts for consideration from the GEM cart tour operator have been met with complete disregard.

SOLUTION: BAN ALL GEM CART TOURS FROM CITY STREETS

Actions to support the solution:

- Create a traffic code or tourism ordinance that bans commercial GEM carts (and other like moving vehicles) from residential roads.
- Alternatively, appropriate conditions could be placed on GEM cart businesses license(s) or approvals, which prevent routes through residential districts.

PROBLEM: COMMERCIAL WALKING TOURS

Walking tours appear to originate from a variety of sources including buses, Historical Society events, and other unknown organizations. Frequently they disregard the use of sidewalks, use amplification, can be as large as 25-50 tourists, and gather at extremely intimate distances from homes.

Tourists unregulated by tour guides result in trespassing, engagement of residents and proximity that make residents feel threatened.

SOLUTION: REGULATE COMMERCIAL WALKING TOURS

Actions to support the solution:

- Create a city ordinance that requires permitting and fees for walking tours. This could be part of the same tourism ordinance pertaining to GEM cart tours.
- Limits days and hours
- Limits size of tour groups
- Limits amplification

PROBLEM: PARK AVENUE CHAOS

The combination of bus tours, GEM cart tours, tourist vehicles plus regular city traffic is not sustainable provided the width of Park Ave. from Grant St. to Lake St. The width varies from 24' at Grant to 15' at Antrim inclusive of parking on both sides of the roadway.

The resulting effect is driving off the roadway onto grassy areas and thru designated parking areas, spillage of pedestrians onto the roadway, and chaotic use of automobiles (wrong way / wrong side of road / frequent turnarounds / etc.). See video.

SOLUTION: DEPENDS ON BUS, CART AND PEDESTRIAN TOURISM CHANGES

Regardless to any changes taken as recommended in this brief, the 15' width of Park Ave will continue to present ongoing traffic flow issues.

However, solutions to the situation will need to take into account decisions on regulating tourism-related traffic. Solutions that should be considered include:

- Convert Park Ave to a one-way roadway
- Convert the east side (residential side) to no standing/no parking designation
- Install curb barriers and pedestrian safety techniques

SUMMARY

As taxpayers we plea to the City of Charlevoix for change and that its leadership will recognize that action is necessary to improve the quality of the lives of its residents.

Recalling the guidelines written in the existing city nuisance ordinance is a great reminder of the quality standards of Charlevoix The Beautiful:

“Eliminate nuisance for the welfare of its residents”

&

“Preserve the taxable value” of its resident

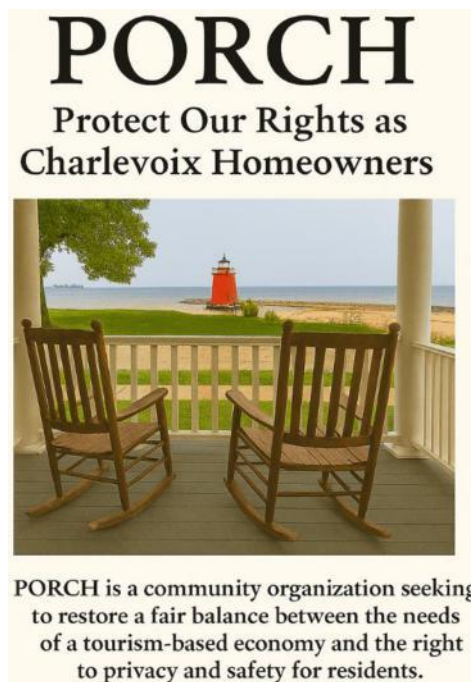
ABOUT US

PORCH (Protecting Our Rights as Charlevoix Homeowners). Our organization welcomes all homeowners that have similar out-of-balance experiences with tourism and want their voices heard. We are community minded people but want results that will make Charlevoix The Beautiful once again.

We are deeply concerned about the safety and privacy violations that are present at our homes, the historic district, all of Park Ave and adjacent neighborhoods. We are overwhelmed with tourists and with continued abuse by commercial interests of local businesses and organizations. We seek restoration of a fair balance between the needs of a resort economy and the right to privacy and safety for homeowners and taxpayers. We are optimistic that there is recognition of the difficulties of the situation by the City Council and for the need to develop solutions.

It is important that we all come to a common understanding as to what the realities are that define the living conditions of our neighborhoods.

A video has been created as a visual reference to help to accomplish this. This video is available for viewing on YouTube. https://youtu.be/y_qCOxDOCdE?si=Xr79VrKB16mfl7NE or search "Park Ave, Charlevoix's Tourism Spectacle".



§ 70.15 COMMERCIAL TOUR VEHICLE PERMIT.

(A) The City Council finds that sightseeing and similar commercial vehicle tour operations enhance the vibrancy of the city and are a source of economic development. The City Council further recognizes that such operations may, if not reasonably regulated, interfere with the use of the city's limited public spaces and rights-of-way. The intent of this section is to reasonably regulate those vehicles and operations which utilize city spaces to operate, stage, or display their business so as to limit their adverse impacts on the city's infrastructure and on the general public.

(B) Consistent with the terms of this section, the City Council may issue up to three commercial touring vehicle permits entitling a permittee to operate, stage, and display a commercial touring vehicle on city streets and other public places as provided for in this section.

(C) No person or entity may operate, stage, or display a commercial touring vehicle utilizing the Coghlin Park cut out, as provided for in division (H)(1), without first obtaining a permit as provided for in this section. For purposes of this section, a **COMMERCIAL TOURING VEHICLE** means any vehicle operated for conducting sightseeing or similar tours for the general public and which have seating capacity in excess of eight passengers.

(D) Permits for the operation, staging, or display of a commercial touring vehicle may be issued by the City Council in accordance with the following provisions:

(1) *Application.* Application for a permit shall be made to the City Clerk on forms supplied by the city. The application shall contain the following information:

(a) Name and address of applicant. If applicant is an individual, his/her name and address; if applicant is a corporation or other type of entity, its name, address of principal place of business, name and address of registered agent (if any), state of formation, evidence of its qualification to do business in the state, and evidence of the entity's good standing.

(b) Proposed location of place(s) of business in the city.

(c) Identification of the year, model, make, unit number, serial number, and passenger (excluding driver) seating capacity of each vehicle that will be utilized.

(d) Relative to each driver who will be operating a commercial touring vehicle pursuant to the permit, evidence of current drivers license issued by the state and the class and type of vehicle authorized to be operated.

(e) Evidence that the applicant owns or leases the vehicle(s).

(f) Evidence of insurance coverage consistent with the terms of this section.

(g) Any trade name under which applicant proposes to operate.

(h) Applicant's previous experience in transportation of passengers including any government which has authorized applicant to operate motor vehicles for hire, whether such authority has ever been suspended or revoked, whether a request for issuance of such authority has ever been denied, and the reason for such suspension, revocation, or denial.

(i) Any other information requested by the City Manager or City Council.

(2) *Application fee.* Each application shall be accompanied by payment of a non-refundable fee in such amount as established by resolution of the City Council to defray the expense of administering, processing, and regulating the permit.

(3) *Process.* Following receipt of a completed application and the fee provided for in this section, the application shall be submitted to the City Council for review and action. In making its determination, the City Council shall consider compliance with the provisions of this section.

(E) No permit issued hereunder may be transferred, sold, or assigned without approval of the City Council pursuant to the same procedure as a new permit application.

(F) Any permit issued hereunder may be suspended or revoked by the City Council, following notice and a hearing before the City Council, if the City Council finds that any permit holder has violated any provision of this section or the City Code, has otherwise engaged in or allowed conduct not in the public interest, has violated any other law, has failed to maintain the insurance required by this section, or has failed to provide the service represented in his/her/its application.

(G) The permit holder shall obtain and maintain for the duration of the permit commercial liability insurance coverage at all times when the commercial touring vehicle is operated, naming the city and its officers and employees as additional insured parties. The insurance shall be written on an occurrence policy basis in a form satisfactory to the city. The permit holder shall provide the city, prior to the issuance of the permit, and from time to time thereafter at the request of the city, proof acceptable to the City Manager of the existence of such coverage and compliance with the terms of this paragraph. Such insurance shall have limits of not less than \$1,000,000 per each accident, property damage, or personal injury/death. The insurance must contain comprehensive coverage to insure against any and all claims arising out of or attributable to the presence or encroachment of the commercial touring vehicle in, upon, or over the public rights-of-way, Coughlin Park curb cut-out, or other city public property, regardless of whether the permit holder or any of its officers, employees, or agents are negligent in any manner, and also contractual liability coverage to insure that the indemnity obligations of the permit holder to the city pursuant to the permit are met. The certificate of insurance must contain an unqualified guarantee that the city will be provided with 30 days prior written notice of cancellation, termination, non-renewal, or a material change in coverage of the insurance policy provided. Nothing herein shall waive the permit holder's obligation to otherwise comply with state

insurance requirements, if any.

(H) *General requirements.*

(1) *Operation locations.* Commercial touring vehicles may only be operated, staged, or displayed from the principal place of business as identified in the permit and at the city-designated Coghlin Park curb cut located at Culver Street. With respect to the Coghlin Park curb cut, permit holders shall mutually agree to schedules applicable to their respective use of the curb cut. Commercial touring vehicles may, however, occupy any otherwise lawful parking space while on tour, if necessary, for the conduct of the tour.

(2) *Scope.* During its regular business hours the permit holder may, pursuant to the permit and this section, pick up and drop off customers and stage the commercial touring vehicle for tours, all in compliance with the laws, ordinances, and rules of the city and the state, and subject to the general use of these rights-of-way and property by the general public. The city makes no representations or warranties as to the condition of the public rights-of-way or other public places, the suitability of these public places for the permit holder's use, or any physical or other condition. The city will have no liability or responsibility for additional upkeep, maintenance, scheduling, or any other duty with respect to the permit holder or its property as a result of the permit. The permit holder may not install or utilize any signage on or in the public places except with the written consent of the city; provided, however, any permit holder's sign previously located at the Coghlin Park curb cut-out as of the effective date of this section is expressly permitted without further action of the city for the duration of that permit.

(3) *Authorized operation.* No permit issued pursuant to this section shall be utilized by any person other than the owner of such vehicle or his/her duly licensed authorized agent.

(4) *Public liability and indemnity.* The permit holder will hold the city and its officers, employees, and agents harmless from, and defend and indemnify them against, any and all claims or lawsuits seeking recovery for damage or injury, including death, and against any other legal proceedings instituted against any of them, directly or indirectly, arising from the design, construction, or physical existence of the commercial touring vehicle or the operations of the permit holder on, within, and over any public right of way or other city public property.

(5) *Passengers limited.* No vehicle operating pursuant to this section shall be operated with more passengers than the stated seating capacity of the vehicle.

(6) *Compliance with traffic laws.* All vehicles licensed pursuant to this section shall comply with and be subject to the traffic laws, rules, and regulations of the city and the state. In this regard, said vehicles shall be operated with due respect for the safety, comfort, and convenience of passengers and for the safe and careful transportation of property of passengers and the safety of the general public, and all reasonable efforts shall be made to promote such safety at all times and under all conditions. In addition, commercial touring operators shall operate their vehicles in a manner which maintains a speed consistent with the normal flow of traffic upon the streets of the city so as not to restrict such traffic flow; provided, further, that commercial touring operators shall have no authority to stop, block, direct, or otherwise inhibit the flow of traffic when entering or departing a public street or highway.

(7) *Loading or unloading passengers.* No driver of any vehicle for hire shall stop to load or unload any passenger while situated in an intersection or crosswalk or in such manner as to interfere with the orderly flow of traffic. Operators of such vehicles shall not receive or discharge passengers in the street but shall pull up to the sidewalk or, in the absence of a sidewalk, to the extreme right side of the street, except on one-way streets, and there receive or discharge passengers. Double-parking for the purpose of loading or unloading passengers is prohibited.

(Ord. 100809-1, passed 8-9-2010; Am. Ord. 180514-1, passed 5-14-2018)