

**City of Charlevoix**  
**City Council Regular Meeting Minutes**  
**Monday, May 18, 2026 - 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, Dennis Halverson, 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 Spring to approve the consent agenda as presented.

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

Nays: None

**Motion carried.**

**A. City Council Meeting Minutes - May 4, 2026**

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
05/08/2026	Payroll Remittance Checks	\$6,804.57
05/08/2026	Payroll (regular payroll net pay)	\$131,772.74
05/19/2026	Regular Accounts Payable	\$457,466.46
05/04/2026-05/12/2026	ACH/WIRE Payments	\$179,136.63
05/19//2026	Tax Disbursement	\$20,040.25
<b>Grand Total</b>		<b>\$795,220.65</b>

The detailed accounts payable and payroll check registers can be viewed on the City's

[website.](#)

C. MECA Safety Program for 2027-2029

Motion to approve the MECA safety program for 2027-2029 in the amount of \$20,723, with a cost not to exceed 5%, as presented and authorize City Manager to sign any required documents.

D. Tax Rate Request Forms and Millage Collection Procedure Verification

Motion to approve the City of Charlevoix and DDA L-4029 Tax Rate Request Forms for 2026 and Millage Collection Procedure Verification Form for 2026 and authorize the City Clerk and Mayor to sign both forms.

E. Investment Update

Motion to approve the investment report as presented.

F. Use of Odmark Pavilion: Foghorn Jazz Band Public Practices

Motion to approve the Foghorn Jazz Band to perform scheduled public practices at the Odmark Pavilion 12:30 p.m. to 2:30 p.m. Wednesdays through September at no cost to the City.

**6. Public Hearings and Actions Requiring Public Hearings**

A. Public Hearing for Ordinance 873: Regulation of Tours

Mark Heydlauff, City Manager

City Manager Heydlauff presented information on the Public Hearing for Ordinance 873: Regulation of Tours.

Mayor Gennett opened the item for public comment, 28 were heard.

Motion by Halverson, seconded by Knapp to approve the following amendments to Ordinance 873: Regulation of Tours: lower the \$1,000 annual fee to \$500, 10 people per half hour regardless of method of conveyance, hours of operation from 10 a.m. to 4 p.m. no Sundays or holidays, three tour licenses, and current operators have first right of refusal.

Yeas: Knapp, Halverson, Hagen

Nays: Kalbfell, Spring, Parr

**Tie, motion failed.**

Motion by Kalbfell to accept Ordinance 873 as drafted with the amendment of changing the license fee to \$500.

**No second, motion dies.**

Motion by Parr, seconded by Halverson to amend Ordinance 873 with the following changes: operation hours shall be 10 a.m. to 4 p.m., 15 people per hour, no Sundays or Federal holidays, and the annual license fee is set at \$500, and current tour operators have first right of refusal for a license.

Yeas: Knapp, Spring, Halverson, Hagen, Parr

Nays: Kalbfell

**Motion carried.**

Motion by Parr, seconded by Spring to amend the previous provision to allow three tour licensees.

Yeas: Knapp, Spring, Halverson, Hagen, Parr

Nays: Kalbfell

**Motion carried.**

Motion by Hagen, seconded by Knapp, to approve a new section under 115.09 shall read: the City Manager shall define the nature of temporary and occasional tours and shall present the same request to Council, which may then adopt it by resolution.

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

Nays: None

**Motion carried.**

Motion by Parr, seconded by Spring to approve Ordinance Amendment 873 of 2026 with amendments.

## **CITY OF CHARLEVOIX**

### **Ordinance No. 873 of 2026**

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF CHARLEVOIX BY AMENDING ADDING A NEW CHAPTER, WHICH NEW CHAPTER SHALL BE DESIGNATED AS CHAPTER 115 OF TITLE XI – BUSINESS REGULATIONS OF SAID CODE, TO REGULATE AND REQUIRE THE TOUR GUIDE OR COMPANY TO OBTAIN A LICENSE TO OPERATE WITHIN THE BOUNDARIES OF THE CITY AND FOLLOW THE REGULATIONS PERTAINING TO THE LICENSED OPERATION, TO PROVIDE PENALTIES FOR VIOLATION OF THIS ORDINANCE; TO PROVIDE FOR SEVERABILITY; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND TO PROVIDE AN EFFECTIVE DATE.

THE CITY OF CHARLEVOIX ORDAINS:

SECTION 1. Title XI, Chapter 115, Sections 115.01 through 115.13 of the City Code are hereby added as follows:ARTICLE XXI. - TOUR GUIDES AND TOUR COMPANIES  
DIVISION 1. - GENERALLY

#### **§ 115.01 Purpose.**

The purpose of this chapter shall be to protect the health, safety and welfare of the citizens of the city by regulating tour guides and tour operators within the City.

#### **§115.02 Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Tour company* means any person, party, or legal entity that is engaged in, selling, scheduling, arranging, or organizing tours to be conducted on the streets, sidewalks, banquettes, or other

public ways of the City of Charlevoix and employes tour guides to perform tours.

*Tour guide* means any person duly licensed by the City to conduct one or more persons to any of the city's points of interest and/or historic buildings, parks or sites, for the purpose of explaining, describing or generally relating the facts of importance thereto, and receiving any form of compensation or remuneration for the guide's activities.

**§115.03. License Required.**

All tour guides, tour planners, tour companies, or other tour businesses shall not operate within the City without first obtaining a license in compliance with the provisions of this chapter. Both a tour company and a tour guide must be licensed as provided in this ordinance.

**§115.04 Application for a License.**

Tour companies and persons required to obtain a license shall apply for it at the office of the City Clerk. One application shall be made to authorize one or more persons to provide tours within the City; provided that, all such persons identified by such license application are employed by the same person, firm or corporation. The content of the application form shall be prescribed by the City Clerk.

**§ 115.05 Fees Required and Number of Licenses within the City.**

An annual license fee of \$500.00 shall be paid in full prior to issuance of the license. Payment of the annual fee must be made to the City prior to starting any tours. No more than three tour companies may be granted a license to operate within the City at any one time and current operators shall have the first right of refusals. Council may alter the fee and/or number of tour operating companies licensed to operate within the City by resolution.

**§115.06 Indemnity and Insurance.**

Any tour company operating within the City must agree to defend, indemnify and hold harmless the City of Charlevoix for any and all claims, liabilities, awards, judgments and causes of action of any kind (including but not limited to actual attorney's fees) related to the operation of the tour company. All tour companies shall obtain and maintain general liability insurance with policy limits of \$1,000,000 per occurrence and \$2,000,000 aggregate. The City shall be included in the policy as an additional insured, and the City shall be notified prior to any change in coverage by the tour company. Proof of insurance is required to be delivered along with the application for a license and any request for renewal. The tour company must also provide proof of insurance at any time requested by the City. Failure to maintain insurance shall automatically revoke the license.

**§115.07 Tour guide rules and regulations.**

The following rules and regulations shall apply to all tours:

- (1) Tour guides and tour companies must be licensed to operate within the City.
- (2) Tour guides shall not be allowed to use voice amplifiers on tours.
- (3) All tours shall use headphones to allow participants to hear the guide and so as to limit any nuisance noise from the tour guide.
- (4) During a tour narration, tour groups shall maintain a distance of 50 feet from another tour group. Each tour group shall set an itinerary with areas of interest with the City as part of the permitting process and space out tours so that there is a gap of one hour between each group at any area of interest.

- (5) Tour groups shall be limited to 15 patrons per tour.
- (6) No solicitation by tour guides or tour companies is permitted on the streets, sidewalks, or other public ways and property within the city.
- (7) Tour groups may operate within the hours of 10 a.m. and 4 p.m. All tour groups shall be disbanded by 4 p.m. daily.
- (8) No Tour groups shall operate on Sunday of each week and on any federally recognized holiday.

**§115.08 Identification.**

Tour guides shall display their City tour guide license at all times. In addition, tour guides must display identification of the name of the company by which they are employed.

**§115.09 Regulations for Temporary/Occasional Tours.**

The City Manager shall define the nature of temporary and occasional tours and present the request to Council, which may then adopt it by resolution.

**§115.10 General or attempted noncompliance; penal provisions.**

Failure to comply with these provisions shall result in the suspension or revocation of the license to operate. The noncompliance with any mandatory or prohibitory provision of this article shall constitute a municipal civil infraction subject to a fee up to \$500.00 per occurrence or any other punishment authorized by law.

**§115.11 Enforcement.**

The Chief of Police is hereby authorized to enforce this provision and also grant enforcement and citation powers to officers employed by the police department.

**§115.12 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.

**115.13 Effective Date.**

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

Ordinance No. 873 was adopted on the 18<sup>th</sup> day of May 2026 A.D., by the Charlevoix City Council as follows:

Motion by: Parr

Seconded by: Spring

Yeas: Knapp, Spring, Halverson, Hagen, Parr

Nays: Kalbfell

**Motion carried.**

Mayor Gennett called for a five-minute recess.

- B. Action: Ordinances 871 and 872 for Payment in Lieu of Tax Ordinances- Lighthouse Gardens and

Charlevoix Apartments

Mark Heydlauff, City Manager

City Manager Heydlauff provided Council with an update of the draft agreement and stated he will present it at the next meeting. No action was taken.

## 7. All Other Actions and Requests

### A. Special Event Request: Latest Request from Charlevoix Marathon

Jeff Suffolk- Charlevoix Marathon

City Manager Heydlauff and Jeff Suffolk presented information on the Special Event Request: Latest Request from Charlevoix Marathon.

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

Motion by Hagen, seconded by Halverson to approve the Request from the Charlevoix Marathon as revised.

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

Nays: None

**Motion carried.**

### B. Extension to Boat Dockage Lease with Whitecap Charters

Mark Heydlauff, City Manager

City Manager Heydlauff presented information on the Extension to Boat Dockage Lease with Whitecap Charters.

Mr. Heydlauff answered questions from Council.

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

Motion by Hagen, seconded by Spring directing the City Manager to sign an addendum for a one-year extension of the Whitecap Charter Lease of Dockage, including designated parking for the 2026 season.

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

Nays: None

**Motion carried.**

### C. Mayoral Appointments

Lyle Gennett

Mayor

Mayor Gennett recommended the following appointments:

1. Kirby Dipert to the Compensation Commission for a term ending December 31, 2029.
2. Jess Nagel to the Downtown Development Authority Board for a term ending April 30, 2030.

Motion by Spring, seconded by Halverson to approve the Mayoral's appointments as presented.

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

Nays: None

**Motion carried.**

- D. Council Appointment  
Janet Kalbfell-1st Ward Council Member

Motion by Kalbfell, seconded by Spring to appoint Kirby Dipert to the Zoning Board of Appeals as an Alternative Member for a term to expire on December 31, 2028.

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

Nays: None

**Motion carried.**

**8. Reports and Communications**

- A. Public Comment

- Dave Coen provided EPA updates for Grant St. and the Whitely building

- B. City Manager's Comments

- Provided a reminder about electrical safety as we head into the summer months

- C. Mayor and Council Comments

**9. Other Council Business**

**10. Adjourn**

Mayor Gennett adjourned the meeting at 8:50 p.m.

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Sarah J. Dvoracek

City Clerk

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Lyle Gennett

Mayor