

AGENDA
CITY OF CHARLEVOIX CITY COUNCIL MEETING

Monday, December 16, 2013 - 7:00 p.m.
210 State St, City Hall, Second Floor City Council Chambers, Charlevoix, MI

- I. Invocation or Pledge of Allegiance**
- II. Roll Call of Members Present**
- III. Inquiry Regarding Possible Conflicts of Interest**
- IV. Consent Agenda**
 - A. City Council Meeting Minutes – December 2, 2013 Regular Meeting PG 1-7
 - B. Accounts Payable Check Register PG 8-12
 - C. Payroll Check Register PG 13-16
- VI. Reports**
- VII. Requests, Petitions and Communications and Actions Thereon**
 - A. Discussion Regarding Improvements and Rate Study for Wastewater Treatment Plant Improvements PG 17-35
 - B. Discussion Regarding Incompatibility of Offices for City Clerk/Charlevoix County Commissioner PG 36-58
 - C. Extension of 2013 Power Line Trimming Contract PG 59
 - D. Consideration of Rate Changes for Recreation and Water PG 60-62
 - E. Approval of Job Descriptions PG 63-66
 - F. Organizational Meeting PG 67
- VIII. Introduction and Initial Actions Relating to Ordinances or to Resolutions That Require Publication or Hearings Prior to Final or Further Action**
- IX. Resolutions**
 - A. Consideration of Rate Changes for Recreation and Water PG 61-62
- X. Ordinances**
- XI. Miscellaneous Business**
- XII. Audience - Non-agenda Input (written requests take precedent)**

The City of Charlevoix will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting upon one weeks notice to the City of Charlevoix. Individuals with disabilities requiring auxiliary aids or services should contact the City of Charlevoix Clerk's Office in writing or calling the following: City Clerk, 210 State Street, Charlevoix, MI 49720 (231) 547-3250.

Posted December 12, 2013 4:00 p.m.

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, December 2, 2013 – 7:00 p. m.
210 State Street, City Hall, Council Chambers, Charlevoix, MI

The meeting was called to order at 7:00 p. m. by Mayor Norman L. Carlson, Jr.

I. Pledge of Allegiance

II. Roll Call of Members Present

Mayor: Norman L. Carlson, Jr.
City Attorney: Bryan Graham
City Manager: Rob Straebel
City Clerk: Deputy Clerk Stephanie Brown
Members Present: Council members Lyle Gennett, Shirley Gibson, Greg Stevens, Leon Perron, and Jeff Porter
Absent: Council member Shane Cole

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III. Inquiry Regarding Possible Conflicts of Interest:

Councilmember Stevens reported that he has a conflict of interest on Item VII.B., Discussion Regarding Grant Traverse Band of Ottawa & Chippewa Indians Grant Applications, as he is affiliated with two of the organizations applying for grants. Councilmember Stevens will step down when that item is presented.

IV. Consent Agenda

The following items were approved and filed:

- A. Approval of Minutes – November 18, 2013 Regular Meeting Minutes, approved as corrected.
- B. Accounts Payable Check Register – November 21, 2013
- C. Accounts Payable Check Register – December 3, 2013
- D. ACH Payments – November 18, 2013 – November 25, 2013
- E. Tax Disbursement – December 3, 2013
- F. Payroll Check Register – November 22, 2013
- G. Payroll Transmittal – November 22, 2013

V. Public Hearings

None.

VI. Reports

Manager Straebel reminded Council that there would be an Economic Development forum on December 4, 2013 from 4:30 to 8:00 p.m. at the Charlevoix Public Library, and asked how many councilmembers plan to attend as food will be served. Five councilmembers responded affirmatively. Manager Straebel also asked for an attendance count for the holiday party; all members plan to attend.

Deputy Clerk Brown reported that the December Board of Review, which is a regular meeting, will be held Tuesday, December 10. She also reported that several appointments will be expiring at the end of the month and appointments/reappointments will be on the agenda for the first meeting in January 2014. Mayor Carlson requested that notices be sent out to those whose seats will be up for renewal to ensure they are willing to continue to serve.

VII. Requests, Petitions and Communications and Actions Thereon

A. Review of the Fireworks Permit for the New Year's Bridge Drop

Dan Barron, representing the Charlevoix New Year's Bridge Drop Committee, presented the item and answered questions from Council. The Committee is requesting approval to hold a fireworks display on December 31 to celebrate the New Year. Fire Chief Ivan has reviewed the application and determined that the plans and setbacks proposed accommodate bystander, fireworks crew, and emergency personnel safety. Although the first "land shoot" in Charlevoix in many years, the proposal meets all current NFPA standards. Chief Ivan recommends this permit be approved, pending approval by the US Coast Guard Sector Sault Captain of the Port.

In response to questioning, Member Barron stated that the committee would consider an earlier fireworks display in future years, but that the intent is to celebrate the New Year, which begins at midnight. While the timing may be too late for young children, older children and adults look forward to staying up late to welcome the New Year.

Mayor Carlson opened the item to public comment. There was no comment, and the item was closed to public comment.

Motion by Councilmember Stevens, second by Councilmember Gennett, to approve the fireworks permit, subject to approval by the U.S. Coast Guard Sector Sault Ste. Marie.

Yeas: Gennett, Gibson, Stevens, Perron, Porter
Nays: None
Absent: Cole

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B. Discussion Regarding Grand Traverse Band of Ottawa & Chippewa Indians Grant Applications
Councilmember Stevens stepped down from the dais.

City Manager Rob Straebel presented the item and answered questions from Council. Over the last five or six years, the City has successfully submitted numerous grant applications to the Grand Traverse Band of Ottawa and Chippewa Indians. All grant applications must be approved by the local governing body before they are submitted to the Tribe. The City has received the following grant applications:

- 1) Colorado Challenge - \$10,000 in grant funds requested for Colorado Challenge, an eight day outdoor adventure camp created to benefit teens from under-privileged homes.
- 2) Third Day Fellowship and Outreach - \$15,000 in grant funding to offset annual operating costs of Third Day Fellowship and Outreach.
- 3) Joppa House - \$20,916 requested in grant funding to pay for non-personnel costs including insurance, utilities, maintenance and educational material for the Joppa House.
- 4) St. Mary's School - \$2,500 in grant funding to offset costs of purchasing ten iPad minis and software.

Additionally, the City would like to submit the following application for a grant:

- 5) Recreation Department - \$15,000 for upgrading playground equipment and basketball courts at Rotary Park on Carpenter Avenue.

Upon questioning, Mayor Carlson reported that the Colorado Challenge provides disadvantaged youth the opportunity to travel, bond, and grow. Grant funds would be used to benefit youth from our area.

Manager Straebel reported that there are two grant cycles per year; the winter grant cycle is geared towards municipalities and the summer grant cycle towards school districts.

Upon questioning, Mr. Stevens advised Council that the Joppa House is nearing completion and more funds are needed to complete the project; the occupancy permit cannot be issued until work is complete.

Mayor Carlson opened the item to public comment. There was no comment, and the item was closed to the public.

Motion by Councilmember Perron, second by Councilmember Gennett, to submit grant applications for funding of the following: Colorado Challenge, Joppa House, Third Day, St. Mary's School, and new playground equipment for the City of Charlevoix at Rotary Park.

Yeas: Gennett, Gibson, Perron, Porter
 Nays: None
 Abstain: Stevens
 Absent: Cole

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Councilmember Stevens returned to the dais.

C. Consideration to Approve a Notice of Intent Resolution Relating to Issuance of Bonds for Wastewater Plant Improvements

City Manager Rob Straebel presented the item and answered questions from Council. City Council needs to pass a Notice of Intent Resolution related to the issuance of bonds through the Michigan Finance Authority State Revolving Fund Program. The resolution is the first step in solidifying financing for the Wastewater Treatment Plant. The proposed bonding has a 20 year term at 2 ½% interest. This resolution, if passed, will result in the publication of Exhibit A, informing residents of the City's intention to finance this project through bonding. Residents have 45 days after publication to seek a referendum, placing the bonding issue on a ballot for a public vote. An in depth look at this project and the related rate increase will be discussed at the next Council meeting. At this time, the City is requesting approval to bond \$12,000,000; once the request is submitted the amount cannot be increased. While it is believed that this project will cost between \$9,000,000 and \$11,500,000, bids have not yet been sought.

Council discussed whether or not the Notice of Intent should be published in both the Charlevoix Courier and the Petoskey News Review. Manager Straebel suggested that he could obtain input from bond counsel regarding the terminology "the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed." The Courier is the City's paper of record; however, the terminology may require publication in the Petoskey News Review. Council generally agreed that the item should be published in both papers, to ensure the public is properly notified.

Mayor Carlson opened the item to public comment.

Art Nash asked if the bonds would be general obligation bonds or revenue bonds. City Treasurer Brandi reported that the bonds are "junior" bonds, but that the bonds would be paid through service fees, not property taxes. Treasurer Brandi also stated that when it comes time to sell the bonds, the process is very fast. Bond counsel will have advertised the availability of bonds and buyers will have already expressed their interest.

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Mayor Carlson closed the item to public comment.

Action by Resolution.

D. Review of Draft 2014-15 Department Head Goals

City Manager Straebel presented the item and answered questions from Council. Comments from Councilmembers Porter and Stevens were incorporated into the document. Comments from Councilmember Gibson were provided just prior to the meeting; additionally, Councilmember Gibson noted that the Voter files need to be updated, and asked for input from the Deputy Clerk.

Deputy Clerk Brown stated that there are many reasons why the files are out of date: when people move and do not reregister at their new location, they remain an active voter at the original location. When the Clerk's office has reason to expect that a person is no longer a qualified voter due to a move, action can be taken to put the person on a "cancellation countdown". If the person does not vote or otherwise contact the Clerk's office, the voter is removed from the qualified voter files after two even-year November elections. The process, while very slow, protects voters who are temporarily away from home or only interested in "major" elections. Upon further questioning, Ms. Brown reported that deceased voters can be immediately removed based on information from the County Clerk, an obituary, or an immediate family member. Work can be done on the qualified voter file to "clean up" the files, but it is a time consuming and drawn-out process.

Councilmember Gennett stated that several community members have remarked that the playground equipment at Michigan Beach is old and insufficient. City Manager Straebel noted that there a goal under "Recreation and ML McSauba" for funding to update that equipment.

Mayor Carlson opened the item to public comment. There was no comment, and the item was closed.

E. Discussion Regarding Clarification of Airport Committee Members

Airport Manager Scott Woody presented the item and answered questions from Council. At the October 7, 2013, Council meeting, three airport committees were disbanded, leaving the Airport Advisory Committee. Airport Manager Woody would like Council to remove the following members: City Attorney Jim Young, QOE representatives, the Federal Aviation Administration (FAA), and the Michigan Department of Transportation (MDOT). Remaining members would include: the Mayor, two Councilmembers (currently Councilmembers Gennett and Gibson), the City Manager, the Airport Manager, the Community Economic Development Director, and Don Seelye.

Mayor Carlson opened the item to public comment. There was no comment, and the item was closed to public comment.

Motion by Councilmember Porter, second by Stevens, to affirm the following individuals are members of the Airport Advisory Committee: Mayor Carlson, Councilmembers Gennett and Gibson, the City Manager, the Airport Manager, the Community Economic Development Director, and Don Seelye..

Yeas: Gennett, Gibson, Stevens, Perron, Porter
Nays: None
Absent: Cole

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VIII. Introduction and Initial Actions Relating to Ordinances or to Resolutions That Require Publication or Hearings Prior to Final or Further Action

None.

IX. Resolutions

A. Consideration to Approve a Notice of Intent Resolution Relating to Issuance of Bonds for Wastewater Plant Improvements

Motion by Councilmember Stevens, second by Councilmember Gibson, to adopt Resolution 2013-12-01 as follows:

**RESOLUTION 2013-12-01
NOTICE OF INTENT RESOLUTION**

WHEREAS, the City of Charlevoix, County of Charlevoix, State of Michigan (the "City"), has determined that it is necessary for the public health, safety and welfare of the City to acquire, construct, furnish and equip improvements to the City's Sewage Disposal System (the "System") including improvements to the Charlevoix Wastewater Treatment Plan, together with all related appurtenances and attachments (the "Project"); and
WHEREAS, the City has been advised by the Michigan Department of Environmental Quality ("MDEQ") that financial assistance to accomplish the acquisition and construction of the Project is available through the State Revolving Fund ("SRF") Loan Program administered by the Michigan Department of Environmental Quality (the "MDEQ") and the Michigan Finance Authority (the "MFA"); and

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- WHEREAS, the Revenue Bond Act, Act 94, Public Acts of Michigan, 1933, as amended ("Act 94"), provides a means for financing the purchase, acquisition, construction, improvement, enlargement, extension, and repair of public improvements such as the Project through the issuance of revenue bonds; and
- WHEREAS, the issuance of bonds payable from revenues of the System under Act 94 in a total amount not to exceed Twelve Million Dollars (\$12,000,000) (the "Bonds") for the purpose of financing all or part of the Project represents the most practical means to that end; and
- WHEREAS, the City has made application for participation in the SRF loan program; and
- WHEREAS, a notice of intent to issue revenue bonds must be published before the issuance of the Bonds in order to comply with the requirements of Section 33 of Act 94; and
- WHEREAS, the City intends at this time to state its intentions to be reimbursed from proceeds of the Bonds for any expenditures undertaken by the City for the Project prior to issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk is hereby authorized and directed to publish a notice of intent to issue the Bonds in the *Charlevoix Courier*, a newspaper of general circulation in the City.
2. The notice of intent shall be published as a display advertisement not less than one-quarter (1/4) page in size in substantially the form attached to this resolution as Exhibit A.
3. The City Council does hereby determine that the foregoing form of Notice of Intent to Issue Bonds, and the manner of publication directed, is adequate notice to the electors of the City and users of the System, and is the method best calculated to give them notice of the City's intent to issue the Bonds, the purpose of the Bonds, the security for the Bonds, and the right of referendum of the electors with respect thereto, and that the provision of forty-five (45) days within which to file a referendum petition is adequate to insure that the City's electors may exercise their legal rights of referendum, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.
4. The City makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:
 - a) As of the date hereof, the City reasonably expects to reimburse the City for the expenditures described in (b) below with proceeds of debt to be incurred by the City.
 - b) The expenditures described in this paragraph (b) are for the costs of acquiring and constructing the Project which were or will be paid subsequent to sixty (60) days prior to the date hereof.
 - c) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$12,000,000.
 - d) A reimbursement allocation of the expenditures described in b) above with the proceeds of the borrowing described herein will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the debt to be issued for the Project to reimburse the City for a capital expenditure made pursuant to this resolution.
5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

RESOLVED, this 2nd day of December, A.D. 2013.

Resolution was adopted by the following yeas and nays vote:

Yeas: Gennett, Gibson, Stevens, Perron, Porter
Nays: None.
Absent: Cole

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EXHIBIT A
NOTICE TO TAXPAYERS AND ELECTORS OF THE CITY OF CHARLEVOIX AND TO USERS
OF THE CITY'S SEWER SYSTEM OF INTENT TO ISSUE REVENUE BONDS AND THE
RIGHT OF REFERENDUM RELATING THERETO

PLEASE TAKE NOTICE that the City Council of the City of Charlevoix, Charlevoix County, Michigan, intends to issue and sell revenue bonds pursuant to Act 94, Public Acts of Michigan, 1933, as amended, in one or more series in a total amount not to exceed Twelve Million Dollars (\$12,000,000), for the purpose of paying all or part of the cost to acquire, construct, furnish and equip improvements to the City's Sewage Disposal System (the "System"), including improvements to the Charlevoix Wastewater Treatment Plant, together with all related appurtenances and attachments.

SOURCE OF PAYMENT OF REVENUE BONDS

THE PRINCIPAL OF AND INTEREST ON THE REVENUE BONDS SHALL BE PAYABLE from the revenues received by the City from the operations of the Water and Sewer system except as provided below in the case of bonds sold to the Michigan Finance Authority in connection with the State of Michigan's State Revolving Fund program. The revenues will consist of rates and charges billed to the users of the system, a schedule of which is presently on file in the office of the City Clerk. The rates and charges may from time to time be revised to provide sufficient revenues to provide for the expenses of operating and maintaining the system, to pay the principal of and interest on the bonds and to pay other obligations of the system.

BOND DETAILS

THE REVENUE BONDS will be payable in annual installments not to exceed twenty (20) in number and will bear interest at the rate or rates to be determined at public or private sale but in no event to exceed such rates as may be permitted by law on the unpaid balance from time to time remaining outstanding on said bonds.

ADDITIONAL SOURCES OF PAYMENTS FOR BONDS

SOLD TO MICHIGAN FINANCE AUTHORITY

IN THE EVENT THAT THE REVENUE BONDS ARE SOLD TO THE MICHIGAN FINANCE AUTHORITY, THE CITY MAY PLEDGE FOR THE PAYMENT OF THE BONDS MONEY RECEIVED OR TO BE RECEIVED BY THE CITY DERIVED FROM IMPOSITION OF TAXES BY THE STATE AND RETURNED OR TO BE RETURNED TO THE CITY AS PROVIDED BY LAW, except for money the use of which is prohibited for such purposes by the State Constitution. The City may enter into an agreement providing for the payment of taxes, which taxes are collected by the State and returned to the City as provided by law, to the Michigan Finance Authority or a trustee, and such funds may be pledged for the payment of the revenue bonds.

IN THE EVENT THAT THE REVENUE BONDS ARE SOLD TO THE MICHIGAN FINANCE AUTHORITY, THE CITY MAY PLEDGE ITS LIMITED TAX FULL FAITH AND CREDIT AS SECURITY FOR THE REVENUE BONDS, IN WHICH EVENT DEBT SERVICE ON THE BONDS SHALL BE PAYABLE EITHER FROM REVENUES OF THE SYSTEM OR FROM AD VALOREM TAXES THAT MAY BE LEVIED ON ALL TAXABLE PROPERTY IN THE CITY, SUBJECT HOWEVER, TO CONSTITUTIONAL, STATUTORY AND CHARTER TAX RATE LIMITATIONS.

RIGHT OF REFERENDUM

THE REVENUE BONDS WILL BE ISSUED WITHOUT A VOTE OF THE ELECTORS UNLESS A PETITION REQUESTING SUCH A VOTE SIGNED BY NOT LESS THAN 10% OF THE REGISTERED ELECTORS OF THE CITY IS FILED WITH THE CITY CLERK WITHIN FORTY-FIVE (45) DAYS AFTER PUBLICATION OF THIS NOTICE. IF SUCH PETITION IS FILED, THE BONDS MAY NOT BE ISSUED WITHOUT AN APPROVING VOTE OF A MAJORITY OF THE QUALIFIED ELECTORS OF THE CITY VOTING THEREON.

THIS NOTICE is given pursuant to the requirements of Section 33, Act 94, Public Acts of Michigan, 1933, as amended.

ADDITIONAL INFORMATION will be furnished at the office of the City Clerk upon request.

X. Ordinances

None.

XI. Miscellaneous Business

Chuck Shering noted that there are wooden retaining walls at the corners of Stover/Ferry and Stover/Eaton that are disintegrating and need repair and suggested that the item be budgeted for next year.

XII. Audience - Non-agenda Input (written requests take precedent)

None.

XIII. Adjourn

The Mayor stated if there were no objections, the meeting would adjourn.
There were no objections.
Meeting adjourned at 7:43 p. m.

Stephanie Brown

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Deputy City Clerk

Norman L. Carlson, Jr.

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Mayor

Accounts Payable – 11/21/2013			
AT&T MOBILITY	70.67	STANDARD INSURANCE CO	1,409.39
CHARLEVOIX STATE BANK	4,058.55	VERIZON WIRELESS	56.72
DELTA DENTAL	4,457.33	VISION SERVICE PLAN	504.26
GREAT LAKES ENERGY	236.03		
PRIORITY HEALTH	43,375.06	TOTAL	54,168.01

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Accounts Payable – 12/03/2013			
ACAT GLOBAL	3,187.80	KSS ENTERPRISES	102.99
AIRGAS USA LLC	1,016.37	LAKESHORE TIRE & AUTO SERVICE	90.45
ALTEC INDUSTRIES INC	159.85	LOUIS A. HOFFMAN NURSERY INC	9,750.00
AMERICAN WASTE INC.	2,260.40	LSL PLANNING INC.	32.50
ARTFORM FABRICATING &	250.00	MDC CONTRACTING LLC	11,062.62
ASPLUNDH TREE EXPERT CO	7,038.36	MEDICARE REFUNDS	303.30
AT&T LONG DISTANCE	514.55	MICH DEPT OF COMMUNITY HEALTH	25.00
AVFUEL CORPORATION	18,885.23	MICHIGAN CAT	642.71
BC/BS OF MI REFUNDS	138.10	MICHIGAN LOCAL GOVERNMENT	110.00
BERGMANN MARINE	205.92	MISS DIG SYSTEM INC	438.79
BRANDI, RICHARD	41.00	MURRAY'S CREATIONS	40.00
CENTRAL DRUG STORE	126.27	NASH, JENNIFER	41.00
CHARLEVOIX CONVENTION &	5,000.00	NATIONAL CRIME PREVENTION	316.05
CHARLEVOIX COUNTY CLERK	2,235.00	NEOPOST INC	1,454.90
CHARLEVOIX SCREEN MASTERS INC	198.00	NORTH COUNTRY POWER GENERATION	2,825.00
CITY OF CHARLEVOIX TREASURER	3,350.00	NORTHERN MICHIGAN JANITORIAL	113.70
CRA Payment Center	370.83	OTEC	625.25
CUTLER, AMY	75.00	PARASTAR INC.	1,293.95
DCASSESSING SERVICES	4,291.92	PEARSON, BETHANY	41.00
DOAN, GERARD	41.00	POLLARDWATER.COM - EAST	176.93
DORNBOS SIGN INC.	328.10	POWER LINE SUPPLY	1,634.18
EJ USA INC.	671.75	PREIN & NEWHOF	1,970.00
ELLIOTT, PATRICK M.	41.00	RELIABLE OFFICE SUPPLIES	155.89
ELLSWORTH FARMER'S EXCHANGE	1,264.29	RGM SERVICES	65.16
EMERGENCY MEDICAL PRODUCTS INC	332.13	ROBINSON, STEVEN	22.93
ENERCO CORPORATION	700.00	RUPERT, BARRIE & VICKIE	75.00
EVANS, HAL	41.00	SECURITY SANITATION INC.	190.00
FISHER SCIENTIFIC	159.74	SPENCER, MICHAEL	41.00
FOX CHARLEVOIX FORD	25,604.25	STATE INDUSTRIAL PRODUCTS	524.01
GALLS AN ARAMARK COMPANY	20.00	STRAEBEL, ROBERT J.	41.00
GEMPLER'S	275.85	SUPERIOR MECHANICAL	391.84
GORDON FOOD SERVICE	23.98	SWEM, DONALD L.	41.00
GRAINGER	152.10	T & R ELECTRIC	13,927.00
GREAT LAKES ELEVATOR LLC	289.80	TERMINAL SUPPLY CO	138.55
GREAT LAKES ENVIRONMENTAL	600.00	TEUNIS, STEVEN	41.00
GREAT LAKES PIPE & SUPPLY	612.29	TURNOUT RENTAL	950.00
GRP ENGINEERING INC.	1,690.33	TUV RHEINLAND INDUSTRIAL	928.50
HAND, HEATHER	41.00	UP NORTH PROPERTY SERVICES LLC	1,316.00
HANKINS, SCOTT	41.00	USA BLUE BOOK	904.61
HARVEY Ph.D., LYNN R.	3,155.05	VOSS LIGHTING	379.05
HEID, THOMAS J.	41.00	WELLER, LINDA	41.00
HOLIDAY COMPANIES	9,438.63	WILKIN, AMANDA	41.00
HOLIDAY LIGHTING SERVICES INC.	9,325.00	WOODY, SCOTT	580.99
ICMA	852.00	WORK & PLAY SHOP	120.44
ISLAND AIRWAYS	9.66	YOUNG GRAHAM	5,451.50
IVAN, PAUL	41.00	ZIELINSKI, JOSEPH A.	41.00
J & B MEDICAL SUPPLY INC.	453.10	TOTAL	165,088.44

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Tax Disbursement – 12/03/2013			
CHARLEVOIX COUNTY TREASURER	59.93	CHARLEVOIX PUBLIC SCHOOLS	162.36
CHARLEVOIX COUNTY TREASURER	1,649.81	CITY OF CHARLEVOIX - TAXES DUE	2,133.60
CHARLEVOIX PUBLIC SCHOOLS	1,214.75	STATE OF MICHIGAN	382.52
CHARLEVOIX PUBLIC SCHOOLS	339.84		
CHARLEVOIX PUBLIC SCHOOLS	14.83	TOTAL	5,957.64

ACH Payments – 11/18/2013 – 11/25/2013			
MI PUBLIC POWER AGENCY	15,388.81	VANTAGEPOINT (457 ICMA Plan)	12,796.27
IRS (Payroll Tax Deposit)	32,623.56	MERS (Defined Benefit Plan)	24,952.68
ALERUS FINANCIAL (HCSP)	380.00	MI PUBLIC POWER AGENCY	260,618.52
STATE OF MI (Withholding Tax)	4,673.23	MI PUBLIC POWER AGENCY	13,927.47
VANTAGEPOINT (401 ICMA Plan)	728.06	TOTAL	366,088.60

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PAYROLL: NET PAY
 Pay Period Ending 11/16/2013 – Paid 11/22/2013

WELLER, LINDA JO	1,338.23	BISHAW, JAMES H.	665.08
STRAEBEL, ROBERT J.	2,184.66	TOWSLEY, CALVIN J.	535.52
BRANDI, RICHARD M.	1,795.76	MANKER JR, DAVID W.	460.61
LOY, EVELYN R.	996.51	MANKER SR, DAVID W.	583.07
KLOOSTER, ALIDA K.	1,215.44	NEUMANN, DANA L.	258.38
BROWN, STEPHANIE C.	1,336.69	BECKER, MICHAEL S.	528.98
LALEWICZ, AMELIA	46.17	COLE, STEVEN D.	429.80
SPENCER, MICHAEL D.	1,514.20	MCGHEE, ROBERT R.	1,020.81
SPENCLEY, PATRICIA L.	1,051.81	WILKIN, AMANDA J.	669.20
NASH, JENNIFER B.	838.10	HEID, THOMAS J	1,245.15
PANOFF, ZACHARY R.	781.04	CURTIS, DENNIS E.	672.03
MILLER, FAITH G.	622.32	GILL, DAVID R.	903.85
PEARSON, BETHANY S.	1,229.02	WOODY, SCOTT R.	1,520.01
ZIELINSKI, JOSEPH A.	1,582.00	VANLOO, JOSEPH G.	467.62
DOAN, GERARD P.	1,210.88	LUNDHOLM, ROBERT A.	588.70
SHRIFT, PETER R.	1,187.50	HAND, HEATHER K.	791.21
SCHLAPPI, JAMES L.	1,273.21	TABER, HOLLY S.	532.60
UMULIS, MATTHEW T.	1,239.05	CROFT, JAMES E.	281.34
HANKINS, SCOTT A.	1,624.85	WYMAN, MATTHEW A.	671.94
ORBAN, BARBARA K.	1,381.34	STEVENS, JEFFREY W.	145.40
TRAEGER, JASON A.	1,154.57	ROLOFF, AUDREY M.	849.69
WARNER, JANINE M.	810.93	MATTER, DAWSON K.	598.81
IVAN, PAUL M.	1,689.17	MARSH JR., JAMES D.	31.40
SCHWARTZFISHER, JOSEPH L.	1,246.92	RILEY, TIMOTHY C.	38.16
ROLOFF, ROBERT P.	1,870.07	RAMSEY, KYLE J.	52.86
BRODIN, WILLIAM C.	1,082.20	RILEY, CASEY W.	27.70
RILEY, DENISE M.	382.97	THORMAN, MIKAYLA R.	39.12
TEUNIS, STEVEN L.	1,774.51	JONES, LARRY M.	805.33
WURST, RANDALL W.	1,264.47	TRAVERS, MANUEL J.	91.02
MAYER, SHELLEY L.	1,226.52	SILVA, JESSE L.	63.44
HILLING, NICHOLAS A.	1,488.76	KITELEY, FISHER L.	52.86
MEIER III, CHARLES A.	1,231.73	COLLINS, CHAD M.	614.40
ZACHARIAS, STEVEN B.	1,445.23	RILEY, DANIEL A.	668.11
NISWANDER, JOSEPH F.	1,251.38	BERGMANN, DOUGLAS M.	52.86
BLANCHARD, SCOTT W.	1,596.85	SCHOOFF, WILLIAM R.	549.91
FRYE, EDWARD J.	960.28	BRENNAN, PEGGY L.	195.50
JONES, TERRI L.	971.69	DROST, PATRICIA A.	57.50
SWEM, DONALD L.	1,626.83	STALEY, ARLENE L.	80.00
EATON, BRAD A.	1,570.75	DZIEDZIC, MARY ALICE	80.00
WILSON, TIMOTHY J.	1,926.34	CARLSON, JOANNE E.	80.00
LAVOIE, RICHARD L.	1,096.88	VON HELLENS, BENNIE L.	5.00
STEVENS, BRANDON C.	1,274.65	LEFT, LILLIAN M.	165.00
WHITLEY, ANDREW T.	1,173.63	BUDAY, JOAN E.	173.25
DRAVES, MARTIN J.	1,722.42	STEPHAN, MARY ANN	30.00
ELLIOTT, PATRICK M.	1,583.33	CAMPBELL, KAREN L.	95.00
MORRISON, KEVIN P.	1,129.57	LEWIS, LOIS E.	90.00
HODGE, MICHAEL J.	1,064.07	PICOTTE, DIANE M.	195.50
WELLS JR., DONALD E.	1,326.17	DOAN, CECELIA E.	85.00
BRADLEY, KELLY R.	1,221.99	COLT, JUDITH C.	82.50
WILSON, RICHARD J.	1,085.30	FIEDLER, ANNE J.	85.00
HART II, DELBERT W.	706.70	LEWIS, LORNA MAE	65.00
JOHNSON, STEVEN P.	1,101.86	TRIMPER, MARCIA L.	85.00
JONES, ROBERT F.	1,061.43		
DORAN, JUSTIN J.	1,205.43	TOTAL	86,930.40

DRAFT

PAYROLL: TRANSMITTAL
 11/05/2013

AMERICAN FAMILY LIFE	158.34	COMMUNICATION WORKERS OF AMER	566.53
AMERICAN FAMILY LIFE	269.17	MI STATE DISBURSEMENT UNIT	674.57
BAY WINDS FEDERAL CREDIT UNION	50.00	NORTHWESTERN BANK	150.00
BAY WINDS FEDERAL CREDIT UNION	200.00	PRIORITY HEALTH	938.61
CHAR EM UNITED WAY	76.54		
CHARLEVOIX STATE BANK	1,016.16	TOTAL	4,099.92

Check Number	Payee	Amount
12/04/2013		
108183	DTE ENERGY	6,270.32
Total 12/04/2013:		6,270.32
Grand Totals:		6,270.32

Summary of Check Registers & ACH Payments

FIRST MERIT BANK - CHECKS ISSUED

12/04/13 Special Accounts Payable Run	\$	6,270.32
12/06/13 Payroll	\$	93,917.30
12/06/13 Payroll Transmittal Checks	\$	4,367.25
12/17/13 Regular Accounts Payable	\$	186,294.26

Checks Sub-Total: \$ 290,849.13

FIRST MERIT BANK - ACH PAYMENTS

12/02/13 MI Public Power Agency	\$	14,282.85
12/06/13 IRS (Payroll Tax Deposit)	\$	36,015.66
12/06/13 Alerus Financial (HCSP)	\$	380.00
12/06/13 State of MI (Withholding Tax)	\$	5,122.70
12/06/13 Vantagepoint (401 ICMA Plan)	\$	728.06
12/06/13 Vantagepoint (457 ICMA Plan)	\$	12,953.12
12/09/13 MI Public Power Agency	\$	17,238.73
12/09/13 State of MI (Sales Tax)	\$	18,194.11

ACH Sub-Total: \$ 104,915.23

First Merit Bank Total: \$ 395,764.36

CHARLEVOIX STATE BANK - CHECKS ISSUED

(PROPERTY TAX DISBURSEMENT TO VARIOUS TAXING AUTHORITIES)

12/17/13 Tax Disbursement	\$	231,494.65
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Charlevoix State Bank Total: \$ 231,494.65

Grand Total: \$ 627,259.01

APPROVED:


CITY MANAGER


CITY TREASURER


DEPUTY CITY CLERK

Check Number	Payee	Amount
12/17/2013		
108184	ACE HARDWARE	1,202.42
108185	ALL-PHASE ELECTRIC SUPPLY CO.	1,354.69
108186	ARGETSINGER, NICHOLE	48.00
108187	ARROW UNIFORM-TAYLOR L.L.C.	1,040.54
108188	ASPLUNDH TREE EXPERT CO	11,113.20
108189	AT&T	4,700.30
108190	AUTO VALUE	964.15
108191	AVFUEL CORPORATION	25,030.23
108192	BIO-ONE INC.	452.00
108193	BRADFORD'S	45.50
108194	CHAMPION CHARTER	2,080.00
108195	CHARLEVOIX AREA	775.00
108196	CHARLEVOIX COUNTY FIRE	850.00
108197	CHARLEVOIX DISTRICT LIBRARY	22.50
108198	CHARLEVOIX GLASS INC.	30.90
108199	CHARLEVOIX TOWNSHIP	15.23
108200	CINTAS CORPORATION	105.10
108201	CITY OF CHARLEVOIX - UTILITIES	25,472.24
108202	CROOK, EDWIN	28.00
108203	DeGROW, LYNN	52.00
108204	DENBOER, MARK	4.00
108205	DeWILDT, DEAN	80.00
108206	DORNBOS SIGN INC.	230.47
108207	DUERR, JOHN	8.00
108208	DUNN, JANET	80.00
108209	EJ USA INC.	311.62
108210	ELLSWORTH FARMER'S EXCHANGE	770.20
108211	EMERGENCY MEDICAL PRODUCTS I	733.87
108212	EWING, JACK	76.00
108213	FAMILY FARM & HOME	92.52
108214	FLECK, WILLIAM	48.00
108215	GEMPLER'S	158.90
108216	GOVERNMENTAL PRODUCTS INC.	513.44
108217	HACH COMPANY	344.20
108218	HANSEN, STEVEN	16.00
108219	HASELHUHN, SILVIA	75.00
108220	HEALTH DEPT OF NW MICHIGAN	220.00
108221	INDEPENDENT DRAFTING SERVICES	3,840.00
108222	J & B MEDICAL SUPPLY INC.	543.77
108223	JACKLIN STEEL SUPPLY CO	168.64
108224	JEMS	44.00
108225	JOBA, ROBERT	12.00
108226	KELLER, MYRL	12.00
108227	KEYS, WENDY	20.00
108228	KOBET, KEITH	80.00
108229	KORNACKER, JAMIE	75.00
108230	KSS ENTERPRISES	79.18
108231	KUHLMAN FLAGS & POLES	193.50

Check Number	Payee	Amount
108232	LAKESHORE TIRE & AUTO SERVICE	96.85
108233	LAKESIDE TOWING	1,600.00
108234	LAVOIE, RICHARD	14.00
108235	LENHART, STEVE	60.00
108236	LERMA INC.	35.00
108237	MARTIN, RICHARD	4.00
108238	MARTIN, STAN	56.00
108239	McGREGOR, DAVID	32.00
108240	MD SOLUTIONS	534.93
108241	MDC CONTRACTING LLC	64,111.11
108242	MI MUNICIPAL TREASURERS ASSOC	150.00
108243	MICHIGAN DOWNTOWN ASSOCIATIO	400.00
108244	MICHIGAN OFFICEWAYS INC	897.44
108245	MICHIGAN RECREATION & PARK	418.00
108246	MICHIGAN WATER ENV ASSOC	60.00
108247	MISS DIG SYSTEM INC	401.20
108248	MITCHELL GRAPHICS INC.	490.50
108249	MITTAG, BARBARA	100.00
108250	NETSOURCE ONE INC.	144.00
108251	NORTH CENTRAL EMS COOPERATIV	75.00
108252	NORTHERN FIRE & SAFETY INC.	325.00
108253	NORTHERN MICHIGAN REVIEW INC.	528.82
108254	NORTHERN SAFETY CO INC	278.16
108255	NORTHWEST DESIGN GROUP	2,268.50
108256	NORTHWEST MICHIGAN	55.00
108257	OLESON'S FOOD STORES	24.61
108258	OZIMKOWSKI, DENNIS	75.00
108259	PALMETTO GBA LLC.	29.22
108260	PELLSTON A.R.F.F. INC.	250.00
108261	PERFORMANCE ENGINEERS INC	2,951.50
108262	PHYSICIAN'S CLINIC OF CHARLEVOIX	146.00
108263	PHYSIO-CONTROL INC.	568.00
108264	POSA, JOHN	80.00
108265	POSTMASTER - CHARLEVOIX	4,200.00
108266	POWER LINE SUPPLY	6,471.18
108267	PRECISION DATA PRODUCTS	223.69
108268	PREFERRED WASTE 2 LLC	425.00
108269	PRIEST, ELIZABETH	22.22
108270	PRIMAK, JUDITH	8.00
108271	PURITY CYLINDER GASES INC	141.26
108272	R B LYONS INC	2,730.00
108273	RELIABLE OFFICE SUPPLIES	131.03
108274	RICHARDS, JUANITA	75.00
108275	RTI LABORATORIES INC.	598.00
108276	SCHMUCKAL OIL CO	138.47
108277	SCHODDE, JOE	80.00
108278	SEELEY'S PRINTING SERVICE	86.00
108279	SPARTAN STORES LLC	40.04
108280	STATE OF MICHIGAN	315.00

Check Number	Payee	Amount
108281	STATE OF MICHIGAN	3,000.00
108282	STEVENS, BRANDON	14.00
108283	SUPERIOR MECHANICAL	240.00
108284	SWIDORSKI, RAYMOND	60.00
108285	T & R SERVICE INC	4,019.82
108286	TELE-RAD INC	111.98
108287	TERMINAL SUPPLY CO	138.93
108288	TRUCK & TRAILER SPECIALTIES	770.30
108289	UNITED STATES GOLF ASSOC	110.00
108290	VILLAGE GRAPHICS INC.	250.00
108291	WARD BROTHERS BOATS INC	97.52
108292	WHITLEY, ANDREW	14.00
108293	WILBERT BURIAL VAULT CO	143.36
108294	WINNELL, CHARLES	90.00
108295	WORK & PLAY SHOP	77.31
Total 12/17/2013:		186,294.26
Grand Totals:		186,294.26

Check Number	Payee	Amount
12/02/2013		
120213001	MICHIGAN PUBLIC POWER AGENCY	14,282.85
Total 12/02/2013:		14,282.85
Grand Totals:		14,282.85

Check Number	Payee	Amount
12/17/2013		
2253	CHARLEVOIX COUNTY TREASURER	6.64
2254	CHARLEVOIX COUNTY TREASURER	55,527.00
2255	CHARLEVOIX DISTRICT LIBRARY	10,349.46
2256	CHARLEVOIX PUBLIC SCHOOLS	18,380.18
2257	CHARLEVOIX PUBLIC SCHOOLS	1,991.73
2258	CHARLEVOIX PUBLIC SCHOOLS	94.12
2259	CHARLEVOIX PUBLIC SCHOOLS	969.22
2260	CITY OF CHARLEVOIX - TAXES DUE	20,063.99
2261	CITY OF CHARLEVOIX/DDA	116,325.79
2262	RECREATIONAL AUTHORITY	7,786.52
Total 12/17/2013:		231,494.65
Grand Totals:		231,494.65

Check Number	Payee	Amount
12/09/2013		
120913001	MICHIGAN PUBLIC POWER AGENCY	17,238.73
120913002	STATE OF MICHIGAN	18,194.11
Total 12/09/2013:		35,432.84
Grand Totals:		35,432.84

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
11/30/2013	PC	12/06/2013	16730	WELLER, LINDA JO	101		1,338.23
11/30/2013	PC	12/06/2013	16731	STRAEBEL, ROBERT J.	102		2,489.18
11/30/2013	PC	12/06/2013	16732	BRANDI, RICHARD M.	110		1,795.76
11/30/2013	PC	12/06/2013	16733	LOY, EVELYN R.	117		996.51
11/30/2013	PC	12/06/2013	16734	KLOOSTER, ALIDA K.	121		1,472.94
11/30/2013	PC	12/06/2013	16735	BROWN, STEPHANIE C.	126		1,150.18
11/30/2013	PC	12/06/2013	16736	SPENCER, MICHAEL D.	132		1,711.07
11/30/2013	PC	12/06/2013	16737	SPENCLEY, PATRICIA L.	136		1,259.43
11/30/2013	PC	12/06/2013	16738	NASH, JENNIFER B.	138		761.99
11/30/2013	PC	12/06/2013	16739	PANOFF, ZACHARY R.	141		436.04
11/30/2013	PC	12/06/2013	16740	MILLER, FAITH G.	142		382.33
11/30/2013	PC	12/06/2013	16741	PEARSON, BETHANY S.	143		1,229.03
11/30/2013	PC	12/06/2013	16742	ZIELINSKI, JOSEPH A.	144		1,582.00
11/30/2013	PC	12/06/2013	16743	DOAN, GERARD P.	201		1,548.61
11/30/2013	PC	12/06/2013	16744	SHRIFT, PETER R.	203		1,091.94
11/30/2013	PC	12/06/2013	16745	SCHLAPPI, JAMES L.	204		1,352.65
11/30/2013	PC	12/06/2013	16746	UMULIS, MATTHEW T.	205		1,500.26
11/30/2013	PC	12/06/2013	16747	HANKINS, SCOTT A.	208		1,441.77
11/30/2013	PC	12/06/2013	16748	ORBAN, BARBARA K.	209		1,848.08
11/30/2013	PC	12/06/2013	16749	TRAEGER, JASON A.	210		1,579.95
11/30/2013	PC	12/06/2013	16750	WARNER, JANINE M.	213		1,069.21
11/30/2013	PC	12/06/2013	16751	IVAN, PAUL M.	301		1,689.17
11/30/2013	PC	12/06/2013	16752	SCHWARTZFISHER, JOS	303		1,091.46
11/30/2013	PC	12/06/2013	16753	ROLOFF, ROBERT P.	304		1,936.34
11/30/2013	PC	12/06/2013	16754	BRODIN, WILLIAM C.	305		1,572.31
11/30/2013	PC	12/06/2013	16755	RILEY, DENISE M.	306		379.12
11/30/2013	PC	12/06/2013	16756	TEUNIS, STEVEN L.	402		1,807.63
11/30/2013	PC	12/06/2013	16757	WURST, RANDALL W.	411		1,778.55
11/30/2013	PC	12/06/2013	16758	MAYER, SHELLEY L.	412		1,697.83
11/30/2013	PC	12/06/2013	16759	HILLING, NICHOLAS A.	413		1,106.50
11/30/2013	PC	12/06/2013	16760	MEIER III, CHARLES A.	421		1,707.44
11/30/2013	PC	12/06/2013	16761	ZACHARIAS, STEVEN B.	422		1,581.54
11/30/2013	PC	12/06/2013	16762	NISWANDER, JOSEPH F.	504		1,257.63
11/30/2013	PC	12/06/2013	16763	FRYE, EDWARD J.	508		960.28
11/30/2013	PC	12/06/2013	16764	JONES, TERRI L.	511		1,109.79
11/30/2013	PC	12/06/2013	16765	EATON, BRAD A.	515		1,773.97
11/30/2013	PC	12/06/2013	16766	WILSON, TIMOTHY J.	516		2,303.10
11/30/2013	PC	12/06/2013	16767	LAVOIE, RICHARD L.	519		1,241.80
11/30/2013	PC	12/06/2013	16768	STEVENS, BRANDON C.	521		1,091.91
11/30/2013	PC	12/06/2013	16769	ELLIOTT, PATRICK M.	600		1,583.33
11/30/2013	PC	12/06/2013	16770	WELLS JR., DONALD E.	609		1,569.69
11/30/2013	PC	12/06/2013	16771	BRADLEY, KELLY R.	614		1,221.27
11/30/2013	PC	12/06/2013	16772	WILSON, RICHARD J.	615		1,304.70
11/30/2013	PC	12/06/2013	16773	JONES, ROBERT F.	618		1,332.27
11/30/2013	PC	12/06/2013	16774	DORAN, JUSTIN J.	621		1,426.66
11/30/2013	PC	12/06/2013	16775	MANKER JR, DAVID W.	638		333.91
11/30/2013	PC	12/06/2013	16776	MANKER SR, DAVID W.	639		548.55
11/30/2013	PC	12/06/2013	16777	BECKER, MICHAEL S.	641		398.34
11/30/2013	PC	12/06/2013	16778	MCGHEE, ROBERT R.	663		833.09
11/30/2013	PC	12/06/2013	16779	WILKIN, AMANDA J.	700		807.36
11/30/2013	PC	12/06/2013	16780	BERTINELLI, DAVID P.	764		189.41
11/30/2013	PC	12/06/2013	16781	HEID, THOMAS J	802		1,245.15
11/30/2013	PC	12/06/2013	16782	WOODY, SCOTT R.	900		1,520.02
11/30/2013	PC	12/06/2013	16783	VANLOO, JOSEPH G.	902		674.73
11/30/2013	PC	12/06/2013	16784	LUNDHOLM, ROBERT A.	911		685.20
11/30/2013	PC	12/06/2013	16785	HAND, HEATHER K.	913		791.21
11/30/2013	PC	12/06/2013	16786	TABER, HOLLY S.	924		674.60

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
11/30/2013	PC	12/06/2013	16787	CROFT, JAMES E.	926		384.40
11/30/2013	PC	12/06/2013	16788	WYMAN, MATTHEW A.	927		302.48
11/30/2013	PC	12/06/2013	108121	CAMPBELL, GABRIEL M.	40		163.64
11/30/2013	PC	12/06/2013	108122	WELLER, LINDA JO	101	Longevity Pay	500.52
11/30/2013	PC	12/06/2013	108123	STRAEBEL, ROBERT J.	102	Longevity Pay	92.35
11/30/2013	PC	12/06/2013	108124	BRANDI, RICHARD M.	110	Longevity Pay	422.42
11/30/2013	PC	12/06/2013	108125	LOY, EVELYN R.	117	Longevity Pay	356.25
11/30/2013	PC	12/06/2013	108126	KLOOSTER, ALIDA K.	121	Longevity Pay	85.23
11/30/2013	PC	12/06/2013	108127	BROWN, STEPHANIE C.	126	Longevity Pay	170.45
11/30/2013	PC	12/06/2013	108128	SPENCER, MICHAEL D.	132	Longevity Pay	92.35
11/30/2013	PC	12/06/2013	108129	DOAN, GERARD P.	201	Longevity Pay	443.88
11/30/2013	PC	12/06/2013	108130	SHRIFT, PETER R.	203	Longevity Pay	310.57
11/30/2013	PC	12/06/2013	108131	SCHLAPPI, JAMES L.	204	Longevity Pay	235.04
11/30/2013	PC	12/06/2013	108132	UMULIS, MATTHEW T.	205	Longevity Pay	176.91
11/30/2013	PC	12/06/2013	108133	HANKINS, SCOTT A.	208	Longevity Pay	344.32
11/30/2013	PC	12/06/2013	108134	WARNER, JANINE M.	213	Longevity Pay	184.70
11/30/2013	PC	12/06/2013	108135	IVAN, PAUL M.	301	Longevity Pay	519.97
11/30/2013	PC	12/06/2013	108136	SCHWARTZFISHER, JOS	303	Longevity Pay	235.04
11/30/2013	PC	12/06/2013	108137	ROLOFF, ROBERT P.	304	Longevity Pay	334.03
11/30/2013	PC	12/06/2013	108138	BRODIN, WILLIAM C.	305	Longevity Pay	83.99
11/30/2013	PC	12/06/2013	108139	WURST, RANDALL W.	411	Longevity Pay	262.14
11/30/2013	PC	12/06/2013	108140	MAYER, SHELLEY L.	412	Longevity Pay	256.50
11/30/2013	PC	12/06/2013	108141	HILLING, NICHOLAS A.	413	Longevity Pay	83.99
11/30/2013	PC	12/06/2013	108142	MEIER III, CHARLES A.	421	Longevity Pay	89.35
11/30/2013	PC	12/06/2013	108143	NISWANDER, JOSEPH F.	504	Longevity Pay	374.56
11/30/2013	PC	12/06/2013	108144	BLANCHARD, SCOTT W.	505	Longevity Pay	400.08
11/30/2013	PC	12/06/2013	108145	BLANCHARD, SCOTT W.	505		1,558.04
11/30/2013	PC	12/06/2013	108146	FRYE, EDWARD J.	508	Longevity Pay	438.92
11/30/2013	PC	12/06/2013	108147	JONES, TERRI L.	511	Longevity Pay	291.03
11/30/2013	PC	12/06/2013	108148	SWEM, DONALD L.	512	Longevity Pay	152.66
11/30/2013	PC	12/06/2013	108149	SWEM, DONALD L.	512		1,626.82
11/30/2013	PC	12/06/2013	108150	EATON, BRAD A.	515	Longevity Pay	53.69
11/30/2013	PC	12/06/2013	108151	WILSON, TIMOTHY J.	516	Longevity Pay	89.35
11/30/2013	PC	12/06/2013	108152	WHITLEY, ANDREW T.	522		1,569.24
11/30/2013	PC	12/06/2013	108153	ELLIOTT, PATRICK M.	600	Longevity Pay	92.35
11/30/2013	PC	12/06/2013	108154	MORRISON, KEVIN P.	601	Longevity Pay	392.56
11/30/2013	PC	12/06/2013	108155	MORRISON, KEVIN P.	601		1,075.76
11/30/2013	PC	12/06/2013	108156	HODGE, MICHAEL J.	606	Longevity Pay	309.03
11/30/2013	PC	12/06/2013	108157	HODGE, MICHAEL J.	606		1,303.85
11/30/2013	PC	12/06/2013	108158	WELLS JR., DONALD E.	609	Longevity Pay	379.56
11/30/2013	PC	12/06/2013	108159	BRADLEY, KELLY R.	614	Longevity Pay	55.23
11/30/2013	PC	12/06/2013	108160	WILSON, RICHARD J.	615	Longevity Pay	310.57
11/30/2013	PC	12/06/2013	108161	JOHNSON, STEVEN P.	617	Longevity Pay	170.45
11/30/2013	PC	12/06/2013	108162	JOHNSON, STEVEN P.	617		1,226.99
11/30/2013	PC	12/06/2013	108163	JONES, ROBERT F.	618	Longevity Pay	85.23
11/30/2013	PC	12/06/2013	108164	BISHAW, JAMES H.	633		505.72
11/30/2013	PC	12/06/2013	108165	TOWSLEY, CALVIN J.	635		470.61
11/30/2013	PC	12/06/2013	108166	NEUMANN, DANA L.	640		258.38
11/30/2013	PC	12/06/2013	108167	COLE, STEVEN D.	657		429.80
11/30/2013	PC	12/06/2013	108168	BOSS JR, DALE E.	701		1,112.75
11/30/2013	PC	12/06/2013	108169	BOSS, JAMES W.	719		918.57
11/30/2013	PC	12/06/2013	108170	HOLM, ARTHUR R.	791		242.73
11/30/2013	PC	12/06/2013	108171	HEID, THOMAS J	802	Longevity Pay	264.22
11/30/2013	PC	12/06/2013	108172	CURTIS, DENNIS E.	831		365.01
Grand Totals:			111				93,917.30

Pay Period Date	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
11/30/2013	12/06/2013	108173	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-POST	158.34
11/30/2013	12/06/2013	108173	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-PRETA	269.17
11/30/2013	12/06/2013	108174	BAY WINDS FEDERAL C	9023	Garnishment per 90th District Cou	50.00
11/30/2013	12/06/2013	108175	BAY WINDS FEDERAL C	9024	HSA-EMPLOYEE CONTRIB-BAY	170.00
11/30/2013	12/06/2013	108176	CHAR EM UNITED WAY	9009	UNITED WAY Pay Period: 11/30/	76.54
11/30/2013	12/06/2013	108177	CHARLEVOIX STATE BA	9017	HSA - EMPLOYEE CONTRIB - C	1,016.16
11/30/2013	12/06/2013	108178	COMMUNICATION WORK	9004	CWA UNION DUES Pay Period:	537.18
11/30/2013	12/06/2013	108179	MI STATE DISBURSEME	9012	FRIEND OF THE COURT Pay P	674.57
11/30/2013	12/06/2013	108180	NORTHWESTERN BANK	9018	HSA - EMPLOYEE CONTRIB - N	150.00
11/30/2013	12/06/2013	108181	POLICE OFFICERS LABO	9003	POL UNION DUES Pay Period: 1	372.00
11/30/2013	12/06/2013	108182	PRIORITY HEALTH	392358	PRIORITY HEALTH Pay Period:	893.29
Grand Totals:		11				4,367.25

Check Issue Date	Check Number	Payee	Amount
120613001			
12/06/2013	12061300	**EFTPS* Payroll Taxes	8,819.23
12/06/2013	12061300	**EFTPS* Payroll Taxes	8,819.23
12/06/2013	12061300	**EFTPS* Payroll Taxes	2,062.61
12/06/2013	12061300	**EFTPS* Payroll Taxes	2,062.61
12/06/2013	12061300	**EFTPS* Payroll Taxes	14,251.98
Total 120613001:			
	5		36,015.66
120613002			
12/06/2013	12061300	Alerus Financial	380.00
Total 120613002:			
	1		380.00
120613003			
12/06/2013	12061300	STATE OF MICHIGAN	5,122.70
Total 120613003:			
	1		5,122.70
120613004			
12/06/2013	12061300	Vantagepoint - 401 Plan 109153	728.06
Total 120613004:			
	1		728.06
120613005			
12/06/2013	12061300	Vantagepoint - 457 Plan 300959	5,003.64
12/06/2013	12061300	Vantagepoint - 457 Plan 300959	1,755.90
12/06/2013	12061300	Vantagepoint - 457 Plan 300959	6,193.58
Total 120613005:			
	3		12,953.12
Grand Totals:			
	11		55,199.54

CHARLEVOIX CITY COUNCIL

AGENDA ITEM

AGENDA ITEM TITLE: Discussion Regarding Improvements and Rate Study for Wastewater Treatment Plant Improvements

DATE: December 16, 2013

PRESENTED BY: Mark Prein, Prein and Newhof
Dawn Lund, Utility Financial Solutions

ATTACHMENTS:

1. Memo from Mark Prein
2. Table 8 Basic Plant Improvements
3. Table 11 Advanced Treatment
4. Figure 7, 8, 9
5. Powerpoint -Utility Financial Solutions

BACKGROUND INFORMATION: Staff has been working with representatives from Prein and Newhof in defining the scope of work needed to update the current Wastewater Treatment Plant and comply with the new discharge permit for the plant. The Wastewater Treatment Plant has not had a major upgrade in over 40 years. The new regulations become effective in December of 2015. We have had weekly meetings with project engineers and have finalized both project cost estimates as well as on-going operation/maintenance/replacement estimates for the coming years.

Concurrent with this process, we have been working with Dawn Lund from Utility Financial Solutions in devising a sewer rate structure that covers the debt service needed to fund the project. Both Mark Prein and Dawn Lund will be present to give reports.

Total estimated costs are \$10,895,000 at this time. We are looking at two advanced treatment options at this point and have not made a final decision. Both Fixed Film Surface (Figure 7) and Membrane Technology (Figure 8) are being researched and studied extensively by Staff and project engineers. Initial capital costs and yearly operation/maintenance/replacement costs of the two options will be fully discussed. We will get back to Council once Staff and our engineers have a recommendation for City Council.

Upon review of the UFS presentation, you will notice sewer rates will need to increase approximately 71% (sorry not a typo!) to achieve sufficient cash flows to cover debt service,

depreciation and operation/maintenance/replacement costs in the coming years. It is important to remember that the improvements are being largely driven by ammonia compliance issues with the 2015 DEQ discharge permit.

Also notable is the Debt Coverage Ratio on pages 7-8. This ratio is required by bond provisions and should be at least 1.4 within three years or by the end of the 2016-17 fiscal year. (The actual requirement is 1.2 but with volatility of sewer revenues and other variables, UFS is recommending a 1.4 ratio insuring we meet our Debt Coverage Ratio.) Not meeting this ratio within three years could constitute a default on the bonds and would jeopardize the City's high AA bond rating. If the City's bond rating declines, future borrowing costs would increase.

As there should be a sewer rate increase included in the 2014-15 City Budget to pay for future debt service on the Wastewater Treatment Plant, Staff is looking for direction on the percentage amount of the increase City Staff should budget for. An overall five-year plan on rate increases will need to be voted on as part of bonding requirements.

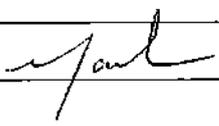
RECOMMENDATION: Discussion with direction to Staff.

Memorandum

Date: December 11, 2013

To: Rob Straebel, Manager

Company: City of Charlevoix

From: Mark Prein 

Project #: 2110372

Re: WWTP Project Update

Rob,

The following is a brief summary of the project need and an update on the design process.

As a reminder, the project is being driven by the State of Michigan. The State is mandating by permit the need to improve the wastewater treatment plant to reduce the amount of ammonia discharged by the plant. The requirement to reduce ammonia concentrations during winter months is the key factor. We have met with the State and attempted to secure permit modifications to minimize the impact to the plant. Although the state will allow slight modifications to the permit at the time of renewal, the overall impact of needing a plant upgrade remains.

On October 21, 2013 the City authorized design activities to commence using State S-2 grant funds to reimburse the City for 90% of the costs. Subsequently the State has issued a project milestone schedule to the City. This schedule dictates work milestones for the project related to SRF project plan compliance, revenue system and project funding approval, and construction plan submission and approval.

Prein&Newhof and the City are working on the preliminary design of the wastewater treatment plant upgrade. As part of the process, the design concept continues to be refined with additional investigation into equipment selection and associated costs. Figures 7, 8, and 9 are attached for reference. Figure 7 is the process schematic for an attached growth concept and Figure 8 is the process schematic for the membrane bioreactor concept. Figure 9 is site map of the wastewater treatment plant showing the likely location of the additional structures needed for the project.

Final equipment selection and contract document preparation remains to be completed. To date, cost estimates continue to be in line with the previously provided estimates. For reference, we have attached Table 8- Basic Improvements and Table 11 - Advanced Treatment cost estimates from the Project Plan. The project cost estimate remains at approximately \$11,000,000.

On Monday December 16, 2013, we will be present at the City Council meeting to provide additional background data and assist in the discussion related to project costs and the impact to your uses.

If you have any questions on the matter, please call me.

City of Charlevoix
Wastewater Treatment Plant
Table 8

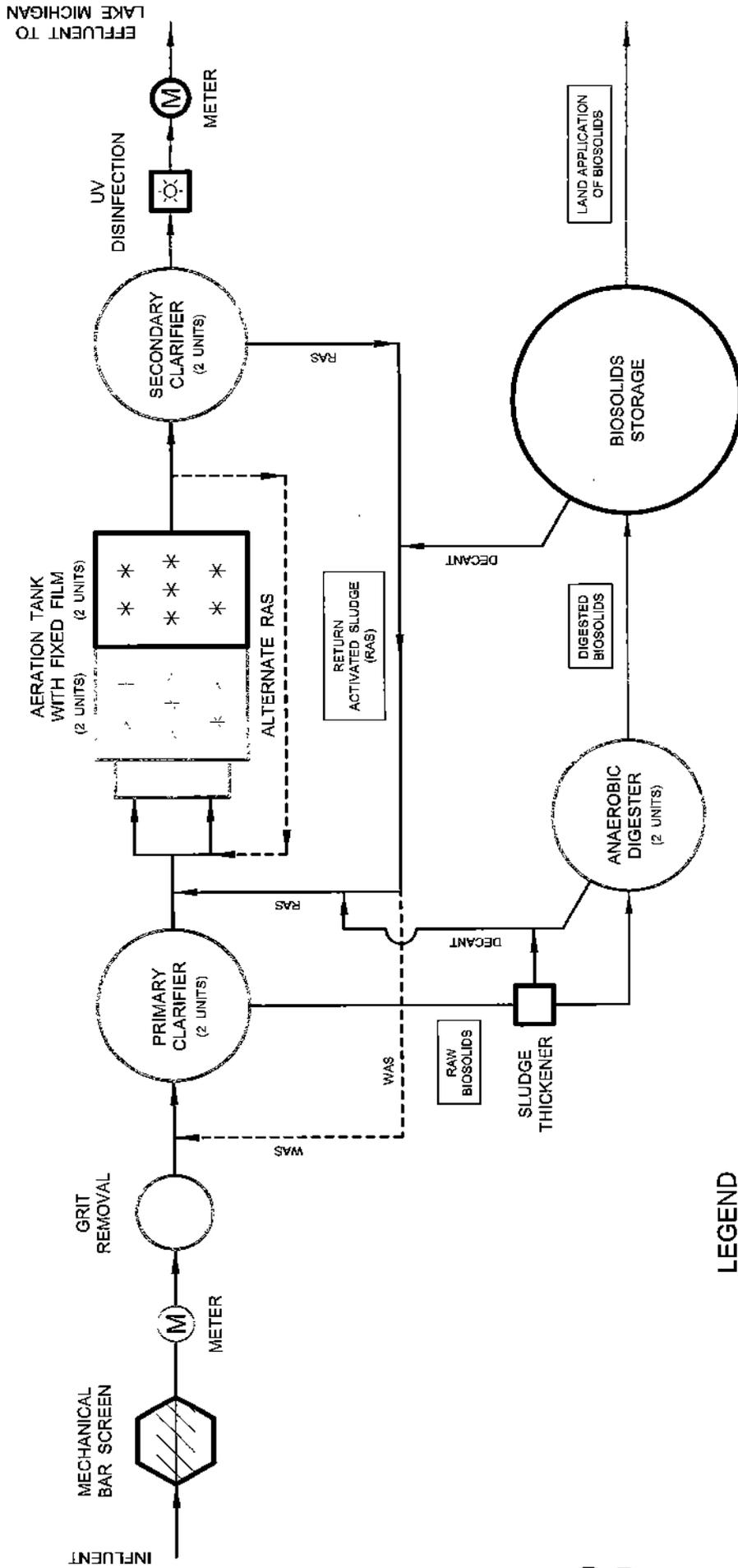
Basic Plant Improvements

<u>Plant Unit</u>	<u>Purpose</u>	<u>Cost Estimate</u>
1. Headworks		
a. Dual Screens, Finer Mesh	10 States	\$200,000
b. Grit Classifier	Improved Performance	\$60,000
c. Redundant Meter (Effluent w/ UV)	10 States	\$30,000
2. Primary Settling		
a. Drain, Repair, Re-coat, Replace Mechanical Eq.	10 States, Routine O&M	\$420,000
b. Revise Piping: 2 Trains, Scum, WAS	Improved Performance	\$50,000
c. FRP Covers	Improved Performance	\$240,000
3. Aeration - See Alternatives		
4. Final Settling		
Drain, Repair, Re-Coat, Replace Mechanical Eq. Except Alt. 3	Routine O&M	\$400,000
5. Disinfection		
Convert to UV	Safety, Improved O&M	\$200,000
6. Sludge Digesters		
Drain, Repair, Re-Coat Both Tanks	Routine O&M	\$300,000
Replace Transfer Pumps	Improved O&M	\$85,000
7. Sludge Thickening	Improved O&M	\$750,000
8. Sludge Storage 300,000 gal	Improved O&M	\$500,000
9. Admin. Building (2,000 sf) & SCADA	Improved O&M	\$1,000,000
10. BioFilter	Odor Control	\$500,000
11. Site Lift Station Force Main	Improved O&M	\$60,000
	Improved O&M & Meet Codes	\$175,000
12. Mechanical (HVAC)		
13. Generator	Improved O&M	\$150,000
	Improved O&M & Meet Codes	\$575,000
14. Electrical Improvements		
Construction Total		<u>\$5,695,000</u>

City of Charlevoix
Wastewater Treatment Plant

Table 11
Alternate 3: Advanced Treatment

<u>Plant Unit</u>	<u>Purpose</u>	<u>Cost Estimate</u>
1. Basic Plant Improvements	Table 8	\$5,695,000
2. Additional Aeration Tanks	Alternate	\$200,000
3. Complete Advanced Treatment System		\$1,650,000
4. Process Requirements		\$350,000
5. Piping Systems	10 States	\$500,000
Total		<hr/> \$8,395,000
Contingency, Legal, Engineering, and Fiscal		\$2,500,000
Project Total		<hr/> \$10,895,000



LEGEND

	EXISTING PROCESS UNIT
	NEW PROCESS UNIT
	INFLUENT
	BIOSOLIDS
	RETURN ACTIVATED SLUDGE (RAS)
	WASTE ACTIVATED SLUDGE (WAS)
	EFFLUENT

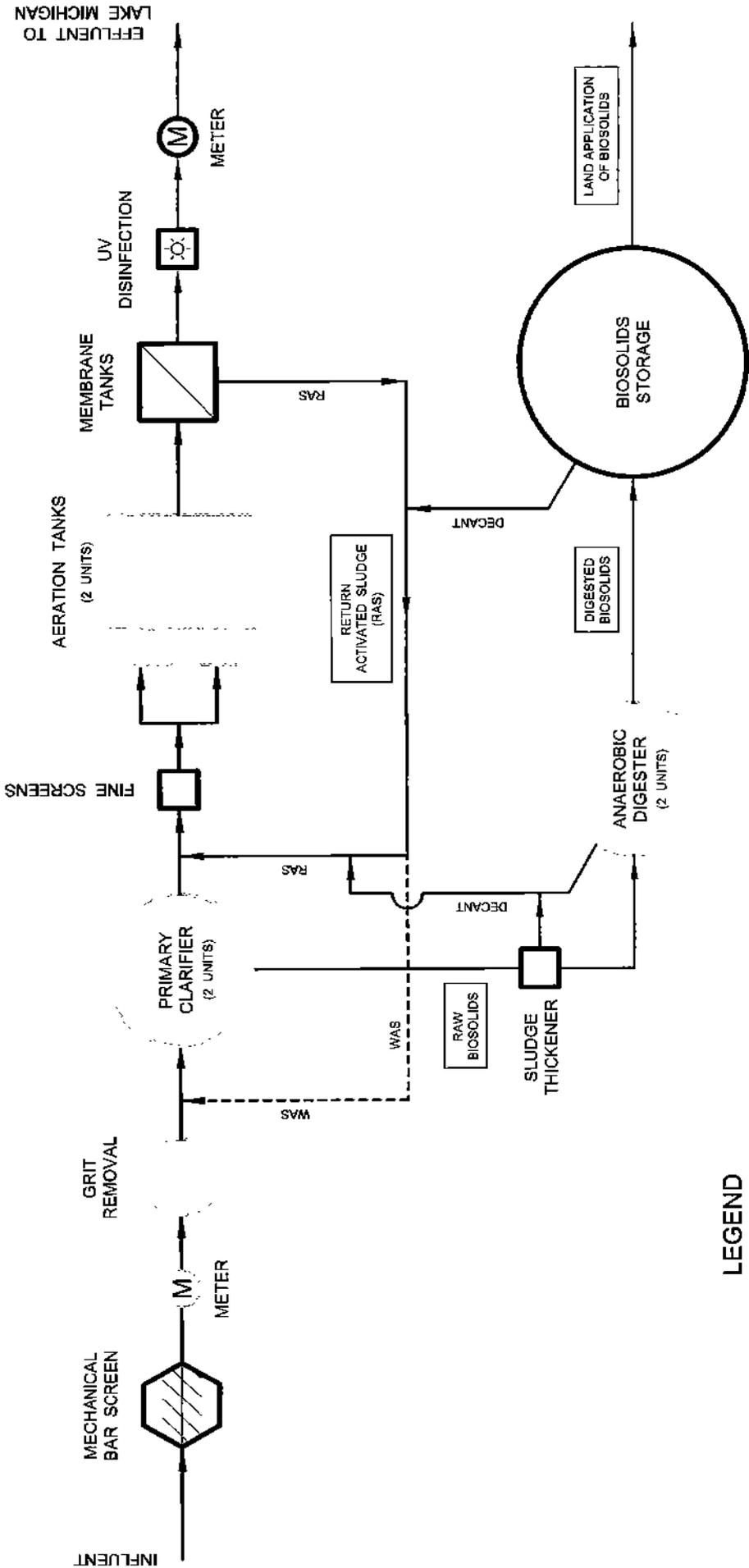
CITY OF CHARLEVOIX
CHARLEVOIX COUNTY, MICHIGAN

**WASTEWATER TREATMENT PLANT
PROCESS SCHEMATIC**

ALTERNATE 3 : ADVANCED TREATMENT
ACTIVATED SLUDGE WITH FIXED FILM SURFACES
FIGURE 7



Prein&Newhof
2110372



LEGEND

	EXISTING PROCESS UNIT
	NEW PROCESS UNIT
	INFLUENT
	BIOSOLIDS
	RETURN ACTIVATED SLUDGE (RAS)
	WASTE ACTIVATED SLUDGE (WAS)
	EFFLUENT

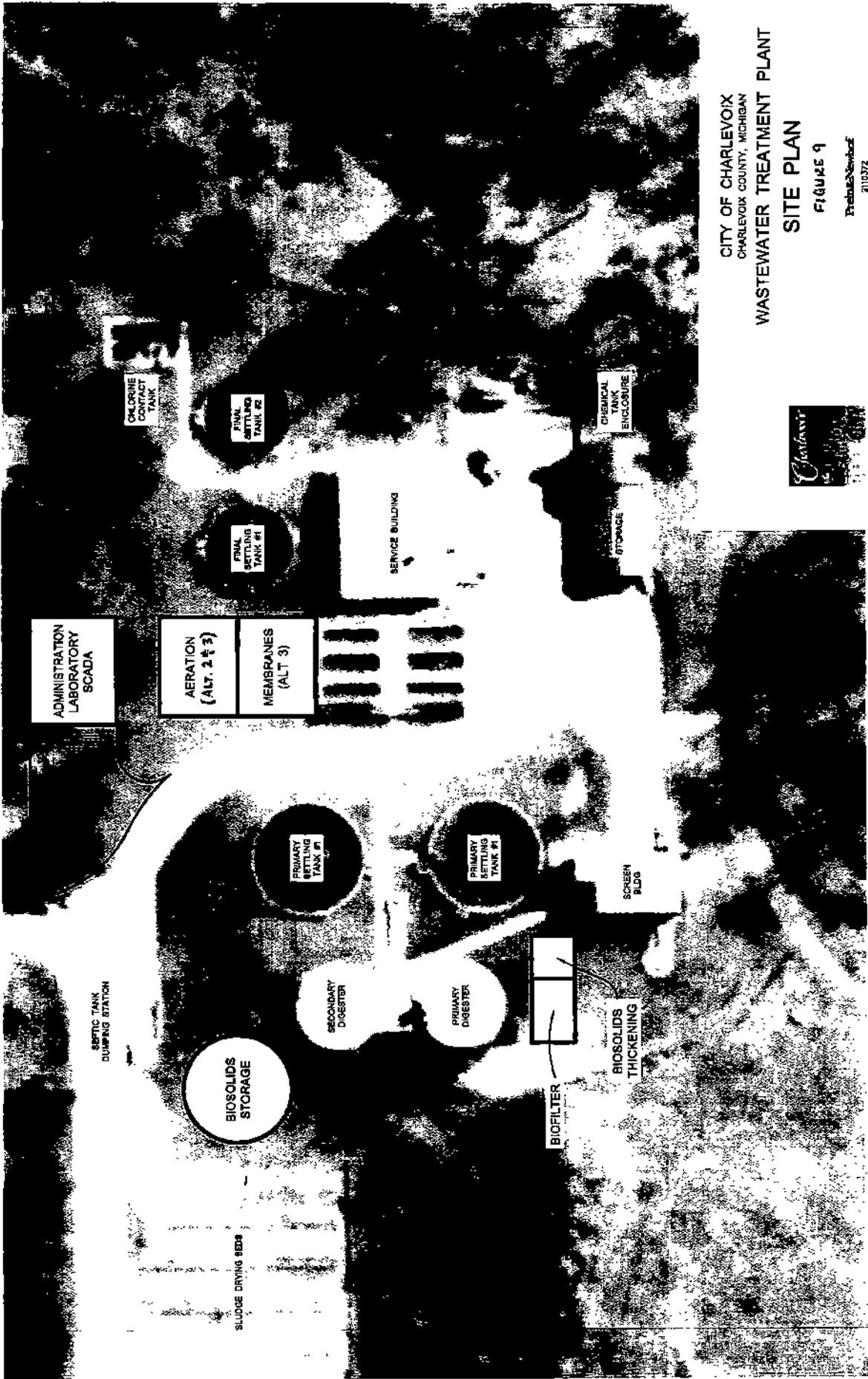
CITY OF CHARLEVOIX
CHARLEVOIX COUNTY, MICHIGAN

**WASTEWATER TREATMENT PLANT
PROCESS SCHEMATIC**

ALTERNATE 3 : ADVANCED TREATMENT
ACTIVATED SLUDGE WITH MEMBRANE BIOREACTOR
FIGURE 8



Petra & Newhof
2110372

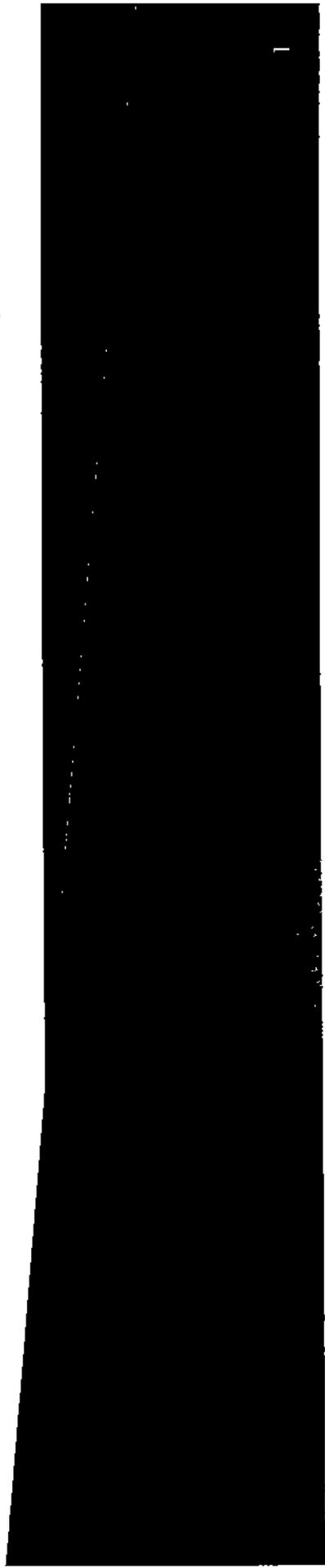


CITY OF CHARLEVOIX
 CHARLEVOIX COUNTY, MICHIGAN
WASTEWATER TREATMENT PLANT
SITE PLAN

FIGURE 9

Project Number
 2110372

Charlevoix Wastewater COS and Financial Position



Cost of Service

- ▶ The City of Charlevoix wastewater system retained Utility Financial Solutions to complete a cost of service study and 5-year financial projection
- ▶ The City is mandated by the DEQ to expand the WW plant
- ▶ The COS and financial projection can help indicate where rates need to move to help support the plant and keep the system financially healthy

Current Financial Position

- ▶ The Wastewater Department has had several increases in the past few years to build toward financial targets. The fund is seeing cash move on a upward trend but more increases would be needed to fully fund depreciation and meet financial targets.

Current WW Rate Structure

- ▶ The Wastewater rates include a monthly customer charge and a commodity rate
- ▶ The WW commodity revenues are determined by the Water revenues times a factor: 1.45 Inside City; 1.08 for Outside City
- ▶ Creates revenue instability for the WW department – when water sales decline due to weather, affects WW sales.

Proposed New Rate Structure

- ▶ Wastewater rates should have a customer charge based on meter size
- ▶ Wastewater rates should have a commodity charge based on usage (non-sprinkling water usage)
- ▶ The rate structure change should take place with the next rate increase

Expansion of the Plant

- ▶ A significant plant expansion is expected in the next year
 - The expansion is a requirement of the DEQ
- ▶ The capital amount is estimated at \$11.0 million
- ▶ Rate increases of approximately 71% would be needed to fund the financial obligations of the new plant and meet minimum financial targets.
- ▶ There are several options for the City Council to consider:
 - Total one-year increase
 - A “front loaded” rate increase over a two or more years
 - Smoothed out rate increase over a five-year period

Expansion of \$11.0 Million

Fiscal Year	Projected Rate Adjustments	Projected Revenues	Projected Expenses	Adjusted Operating Income	Projected Cash Balances	Capital Improvements	Bond Issues	Debt Coverage Ratio
FY 2014/15	70.55%	1,921,038	1,460,851	460,187	2,368,285	11,109,100	11,000,000	n/a
FY 2015/16	3.50%	1,998,215	1,722,010	300,827	2,497,261	79,100	-	1.19
FY 2016/17	3.50%	2,078,494	1,758,494	344,621	2,695,033	59,100	-	1.26
FY 2017/18	3.50%	2,161,997	1,795,706	390,912	2,943,882	59,100	-	1.34
FY 2018/19	3.50%	2,248,855	1,833,982	439,495	3,246,189	59,100	-	1.41
Recommended Target in 2015				\$ 460,187	\$ 1,324,471			1.40
Recommended Target in 2019				\$ 438,414	\$ 1,356,973			1.40

Fiscal Year	Projected Rate Adjustments	Projected Revenues	Projected Expenses	Adjusted Operating Income	Projected Cash Balances	Capital Improvements	Bond Issues	Debt Coverage Ratio
FY 2014/15	35.00%	1,520,573	1,460,851	59,723	1,967,821	11,109,100	11,000,000	n/a
FY 2015/16	35.00%	2,063,038	1,722,010	365,650	2,161,620	79,100	-	1.28
FY 2016/17	2.50%	2,125,187	1,758,494	391,315	2,406,086	59,100	-	1.32
FY 2017/18	2.50%	2,189,208	1,795,706	418,123	2,682,146	59,100	-	1.37
FY 2018/19	2.50%	2,255,158	1,833,982	445,798	2,990,755	59,100	-	1.42
Recommended Target in 2015				\$ 460,187	\$ 1,324,471			1.40
Recommended Target in 2019				\$ 438,414	\$ 1,356,973			1.40



Expansion \$17.0 million

Fiscal Year	Projected Rate Adjustments	Projected Revenues	Projected Expenses	Adjusted Operating Income	Projected Cash Balances	Capital Improvements	Bond Issues	Debt Coverage Ratio
FY 2014/15	24.50%	1,402,307	1,460,851	(58,544)	1,849,554	11,109,100	11,000,000	n/a
FY 2015/16	24.50%	1,754,601	1,722,010	57,213	1,734,917	79,100	-	0.84
FY 2016/17	24.50%	2,195,401	1,758,494	461,528	2,049,596	59,100	-	1.41
FY 2017/18	2.00%	2,250,505	1,795,706	479,420	2,386,953	59,100	-	1.45
FY 2018/19	2.00%	2,306,993	1,833,982	497,633	2,747,397	59,100	-	1.49
Recommended Target in 2015				\$ 460,187	\$ 1,324,471			1.40
Recommended Target in 2019				\$ 438,414	\$ 1,356,973			1.40

Fiscal Year	Projected Rate Adjustments	Projected Revenues	Projected Expenses	Adjusted Operating Income	Projected Cash Balances	Capital Improvements	Bond Issues	Debt Coverage Ratio
FY 2014/15	14.50%	1,289,672	1,460,861	(171,179)	1,736,919	11,109,100	11,000,000	n/a
FY 2015/16	14.50%	1,484,057	1,722,010	(213,331)	1,351,738	79,100	-	0.46
FY 2016/17	14.50%	1,707,742	1,758,494	(26,131)	1,178,758	59,100	-	0.72
FY 2017/18	14.50%	1,965,141	1,795,706	194,056	1,230,751	59,100	-	1.04
FY 2018/19	14.50%	2,261,337	1,833,982	451,977	1,545,539	59,100	-	1.41
Recommended Target in 2015				\$ 460,187	\$ 1,324,471			1.40
Recommended Target in 2019				\$ 438,414	\$ 1,356,973			1.40



Surrounding Community Survey

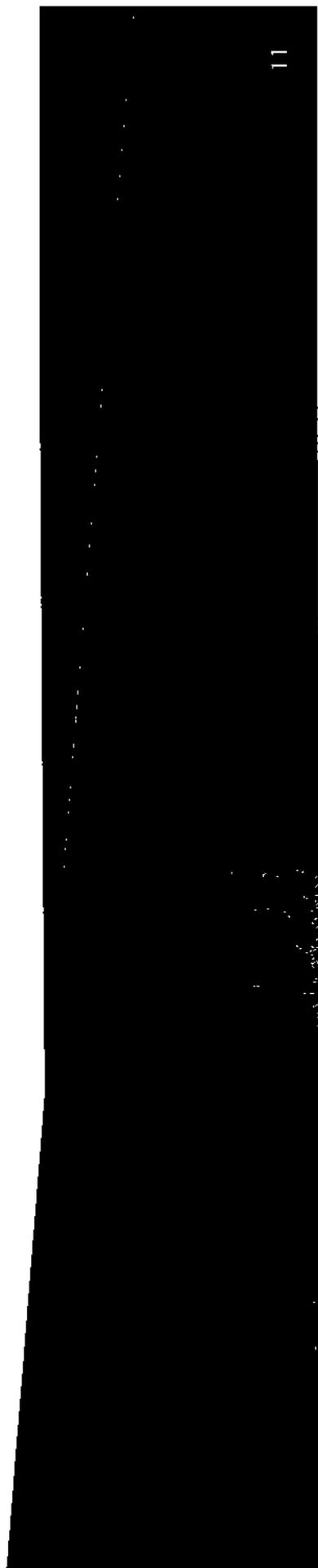
Effective Date	Utility	6,000 GAL Per Month	Monthly \$ Change from Current
Jul-10	CHEBOYGAN	\$31.20	
May-13	BOYNE CITY	34.56	
July-12	EAST JORDAN	38.50	
April-13	Charlevoix Current	39.08	
April-14	Charlevoix 14.5%	44.75	\$ 5.67
April-14	Charlevoix 24.5%	48.65	9.57
July-13	ROGERS CITY	51.59	
January-13	PETOSKEY	51.70	
April-14	Charlevoix 35.0%	52.76	13.68
November-13	HARBOR SPRINGS	61.10	
July-13	GAYLORD	61.87	
April-14	Charlevoix 71.0%	66.83	27.75

Survey provided by City of Charlevoix

Summary

- ▶ Continued wastewater increases are currently needed
- ▶ A plant expansion will cause the need for greater increases
- ▶ The rate structure of the Wastewater Department should be restructured to provide revenue stability
- ▶ All information are estimates at this point until firm construction numbers are available

Questions?



CHARLEVOIX CITY COUNCIL

AGENDA ITEM

AGENDA ITEM TITLE: Discussion Regarding Incompatibility of Offices for City Clerk/Charlevoix County Commissioner

DATE: December 16, 2013

PRESENTED BY: Bryan Graham

ATTACHMENTS:

1. August 20, 2013 memo from Jim Young
2. October 17, 2013 memo from Bryan Graham and Jim Young
3. December 6, 2013 letter from Larry Sullivan
4. December 12, 2103 email from Jim Young

BACKGROUND INFORMATION: Charlevoix County Commissioner Larry Sullivan has stated to the City Manager his intention of becoming the City Clerk when he is sworn in on January 6, 2014. He has also stated he will not be relinquishing his County Commissioner position.

The City Attorney has submitted the aforementioned two memos related to this issue identifying an "incompatibility of offices" legal issue by simultaneously holding both the Charlevoix County Office of County Commissioner and City Clerk position. (Email dated December 12, 2013 from Jim Young is dated confidential. Nevertheless, I felt it was in the community's best interest to make the document public.) Agenda item is to further define the legal issues for City Council if Commissioner Sullivan accepts the position of City Clerk without resigning as a County Commissioner. We also need firm direction from City Council on how we will proceed with the matter.

Jim Young has stated that if directed by City Council he may have to research various issues with the City Charter regarding elected officials holding other offices. There are various ambiguities with the City Charter in this respect.

It is important to state that this issue has nothing to do with Mr. Sullivan personally. This is an issue of whether a City Clerk can also be a County Commissioner.

RECOMMENDATION: Discussion.

YOUNG, GRAHAM, ELSENHEIMER & WENDLING, P.C. RECEIVED

Attorneys at Law
104 E. Forest Home, P.O. Box 398
Bellaire, Michigan 49615
(231) 533-8635
Facsimile (231) 533-6225
www.upnorthlaw.com

AUG 22 2013

CITY OF CHARLEVOIX

Bryan E. Graham
Peter R. Wendling
Lori A. Luckett
Eugene W. Smith

James G. Young, *Of Counsel*

August 20, 2013

Cheryl Potter Browe, Clerk
County of Charlevoix
230 Antrim Street
Charlevoix, Michigan 49720

Rob Straebel, Manager
City of Charlevoix
210 State Street
Charlevoix, Michigan 49720

SUBJECT: Incompatibility of Office Legal Opinion

Dear Ms. Browe and Mr. Straebel:

A member of the Charlevoix County Board of Commissioners (the Commissioner) is the only candidate for the elected position of City Clerk for the City of Charlevoix (the City). If elected, the Commissioner would simultaneously be serving as a county commissioner and as the City Clerk. The County and the City have asked for a legal opinion regarding whether such dual service is lawful.

Bryan E. Graham of the firm is County Civil Counsel. James G. Young, who is "Of Counsel" to the firm, is the City Attorney. The County and City have waived any conflict of interest for the firm. Accordingly, the County and City are awaiting this legal opinion. Each attorney has analyzed this matter and reached his own opinion independently. Because an expeditious legal opinion has been requested, this joint opinion is being issued.

The relevant statute is commonly known as the Incompatible Public Offices Act (the Act), being MCL 15.181, et seq. Section 2 of the Act, MCL 15.182, provides that a public officer or public employee shall not hold two or more incompatible offices at the same time. The Act defines incompatible offices in the following terms:

Incompatible offices means public offices held by a public official which, when the official is performing the duties of any of the public offices held by the official, results in any of the following with respect to those offices held:

- (i) The subordination of 1 public office to another,
- (ii) The supervision of 1 public office by another,
- (iii) A breach of duty of public office. MCL 15.181(b).

Based on the types of contracts, if any, between relevant governmental units and the duties of public offices involved, opinions of the Attorney General (OAG) provide guidance in applying the Act to determining whether certain public offices are

Cheryl Potter Browe, Clerk
Rob Straebel, Manager
August 20, 2013
Page 2

incompatible. The duties of each position and the contractual relationship between the City and County must first be discussed.

The only current contract between the City and County is a GIS contract. The County licenses certain graphic information from MichCon. The contract requires the City to comply with the County license. No aspect of the contract and no use of GIS information directly involves the City Clerk.

There is no tax allocation board in Charlevoix County. The electors have set a fixed millage.

Based on the City Charter and Michigan statutes, the former City Clerk prepared a list of the duties of that office. This list is attached. Although recently enacted statutes have altered some of the election-related duties, the list provides a reasonable overview and the list of Charter-based duties is accurate.

Regardless of the list, an independent review of Michigan statutes and the City Charter show that the Office of the City Clerk is not subordinate to the County Board of Commissioners or the County Clerk. In addition, the City Clerk is not under the supervision of the County Board of Commissioners or the County Clerk.

The issue is whether the actual performance of the duties of each position results in a breach of duty pursuant to section 1(b)(iii) of the Act (see OAG 7119). Before this issue is analyzed, it is instructive to summarize prior OAGs related to the Act.

AG Opinions – Compatible Positions

OAG 7119 – The Attorney General ruled that the offices of county commissioner and appointed township manager were compatible. The Attorney General concluded that these positions are neither subordinate nor supervisory over each other. The Attorney General also noted that the county did not have a tax allocation board where the townships compete for millage, since the voters approved a fixed tax millage allocation for the county and the townships within the county. Finally, because the manager did not have responsibility for negotiation or enforcement of the contract between the township and the county sheriff department, there was not a breach of duty.

OAG 6794 – The Attorney General ruled that the office of county commissioner and village marshall (police chief) were compatible when there was no contract affecting the police department between the village and the county.

Cheryl Potter Browe, Clerk
Rob Straebel, Manager
August 20, 2013
Page 3

OAG 6913 – The Attorney General ruled that the office of county commissioner and city police chief were compatible when there was no contract between the city and the county that affected the city police department.

AG Opinions – Incompatible Positions

OAG 6903 – The Attorney General ruled that the offices of board of commissioners and township police chief were incompatible in this particular matter. There was no supervisory or subordinate relationship between the two offices. Concerning a breach of duty, a contract between the county and township could result in a breach of duty. In addition, non-contractual matters can also result in a breach of duty if a person's interest in and/or duty to one office could affect his or her action on behalf of the other office. In this case, the Attorney General concluded that because there were a number of contracts between the county and the township that affected the police department, there was a breach of duty that resulted in incompatibility.

OAG 5626 – The Attorney General ruled that the office of county commissioner and township assessor are incompatible. The basis of the incompatibility is the board of commissioners' duty under MCL 211.34 to equalize assessments within the county. Therefore, the board of commissioners has a supervisory relationship with the township assessor.

OAG 6690 – The Attorney General ruled that the positions of township clerk and county commissioner were incompatible. The basis for this ruling was that there were contracts between the county and the township that created a breach of duty. The township clerk sits on the township board.

OAG 6418 – The Attorney General ruled that the positions of city treasurer and county commissioner were incompatible. The basis of this ruling was that the city treasurer was responsible for collecting taxes within the city, a portion of which was on behalf of the county. The city treasurer is also required to post a bond satisfactory to the county treasurer. In addition, on settlement day the county treasurer and the city treasurer determine the balance of taxes owed to the county. When there are delinquent taxes, the county treasurer assumes responsibility for collecting those delinquent taxes. The Attorney General noted:

Thus, the city treasurer is, in effect, the county's agent in collecting the county's taxes on property located in the city, subject to the supervision of the county through the county treasurer and generally through the county board of commissioners. The overall responsibility of the county board of commissioners as to county business is set forth in MCL 46.11(p); MSA 5.331(p) [current provision is MCL 46.11(l)], which empowers the board to represent the county

Cheryl Potter Browe, Clerk
Rob Straebel, Manager
August 20, 2013
Page 4

and to have the care and management of the property and business of the county if other provisions are not made. The supervision by the county of the city treasurer's collection activities is necessary to verify that all applicable county taxes are collected by the city treasurer and are transferred to the county. p. 2.

This opinion was cited with approval in OAG 7198.

Analysis and Conclusion

As already noted, the issue is whether the actual performance of the duties of each position results in a breach of duty pursuant to section 1(b)(iii) of the Act. A breach of duty occurs when the individual holding the two offices fails to protect, advance, and promote the interests of both offices. OAG, 1979-1980, No 5626, p 537, 543 (January 16, 1980). A breach of duty can arise where a dual officeholder is on both sides of a contract or contractual negotiations, *Contesti v Attorney General*, 164 Mich App 271, 280-281; 416 NW2d 410 (1987), *lv den* 430 Mich 893 (1988); *Wayne County Prosecutor v Kinney*, 184 Mich App 681, 684-685; 458 NW2d 674, *lv den* 436 Mich 887 (1990), or where the public offices compete for tax dollars. *Contesti, supra*; OAG, 1995-1996, No 6918, p 211, 212 (October 2, 1996); OAG, 1991-1992, No 6695, p 76 (August 21, 1991). If a breach of duty exists, abstention does not cure the incompatibility; rather, vacating an office is the only solution. *Contesti*, 164 Mich App at 281.

OAG 7119 states that it is "the actual performance of the duties of each position [that] results in a breach of duty of public office." (Emphasis added).

In the current situation, there are no contractual matters or statutory duties of the City Clerk and a County Commissioner which creates a breach of duty by the actual performance of any of those duties.

In the absence of a judicial decision to the contrary, Opinions of the Attorney General are persuasive authority and should be followed by a local unit of government. This principle applies to legal counsel for a local unit of government. Under the facts of this situation, there is no clear legal authority to allow the conclusion that the public offices of City Clerk and County Commissioner are incompatible under the Act. On the contrary, an OAG refers to "actual performance" of public duties. Accordingly, based on current legal authority, it is our legal opinion that the positions of City Clerk and County Commissioner are not incompatible under the Act.

Cheryl Potter Browe, Clerk
Rob Straebel, Manager
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Review by Attorney General

The Attorney General has been asked to provide an opinion as well. A copy of this opinion will be provided to the Attorney General. No prior OAG has provided guidance in a factual scenario similar to the current facts. If the current facts are determined to create an incompatibility of offices under the Act, such an interpretation should come from the Attorney General.

A review of past OAGs related to the Act show that Office of the Attorney General has historically tried to interpret the legislative intent of the Act in a rational, logical manner. Consistent with such past thoughtful interpretations, there are statutorily-mandated reporting duties between a city clerk and certain county officials that should be considered. It will be for the Attorney General to determine whether the performance or non-performance of those duties have an impact on the application of the Act to this situation.

As stated in OAG 6418, a county treasurer is subject to the supervision of the county through the board of commissioners pursuant to MCL 46.11(l). This statute empowers the board of commissioners to represent the county and to have the care and management of the property and business of the county if other provisions are not made.

Pursuant to the same statutory authority and reasoning contained in OAG 6418, the county clerk is subject to the supervision of the board of commissioners.

Although not discussed in OAG 6418, MCL 46.11 authorizes the board of commissioners to set the salary of the county officers and to set the budgets of county offices, such as the office of the county clerk and office of the county treasurer.

While a city clerk is not subject to the supervision of a county office, various statutes mandate reporting by a city clerk to the county clerk or county treasurer. Examples of such mandates include:

1. A city clerk "shall deliver" to the county clerk a list of candidates for a city office with name and address within three days after the last day on which a candidate for city office may withdraw (MCL 168.321).
2. If a written complaint is made to the county clerk regarding a precinct delegate's qualifications to hold office, the county clerk "shall check" with the city clerk and the city clerk "shall report back" to the county clerk within 48 hours (MCL168.623a).

Cheryl Potter Browe, Clerk
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3. For certain elections, the city clerk "shall deliver" sealed envelopes containing election returns and other election-related information to the county clerk by 11:00am on the day following the election [MCL 168.809(3)].
4. Upon receiving a detailed statement from the assessing officer and on or before the first day of October, a city clerk "shall report" to the county clerk all taxes levied in the city which are not included in the general tax levy (MCL 411.41).
5. After receiving a detailed statement of account from the county treasurer, a city clerk "shall charge" such amounts to the books of the city treasurer.

These examples show that a city clerk has various statutory duties directly related to interactions with county offices. A failure of a city clerk to comply with any of those mandates results in a breach of the city clerk's statutory duty. These county officers may be the only people with direct knowledge of such a breach. If a city clerk is also a county commissioner and such a breach occurs, a county clerk or county treasurer must decide whether to report such a breach. For example, such reporting could be to the board of commissioners, a county legal representative, city officials, the city council, the public or a combination. In such a situation, the county official must decide whether to report a breach of a statutory duty when the person described in the report is a county commissioner, who not only has general oversight of county business, but also votes on financial issues directly related to the county official. Moreover, a county commissioner, as a member of the board of commissioners, has general oversight responsibilities related to county operations (OAG 6418).

As noted earlier, OAG 7119 states that an actual performance of duties of each position results in a breach of duty of public office. A failure to comply with mandatory reporting is not "actual performance," but rather the "failure to perform a statutory duty." In addition, a potential failure to perform a statutory duty is speculative.

Also, as noted earlier, a breach of duty occurs when the individual holding the two offices fails to protect, advance, and promote the interests of both offices [OAG, 1979-1980, No 5626, p 537, 543 (January 16, 1980)]. Moreover, if faced with such a situation, at a minimum the county official is faced with an ethical quandary.

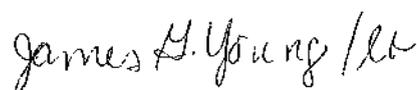
In the preamble to the Act, the legislature states that, among other purposes, the Act is "to encourage the faithful performance of official duties by certain public officers and public employees....."

The Attorney General will decide whether the foregoing statutory duties and the implications of those duties are relevant to an application of the Act under the current

Cheryl Potter Browe, Clerk
Rob Straebel, Manager
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facts. The public has a right to know that its public officials are being held to standards related to the faithful performance of those public duties as intended by the legislature in the Act. This last section to our legal opinion merely outlines facts that were not present in prior OAGs.

Very truly yours,



James G. Young



Bryan E. Graham

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Lori A. Lockett
Eugene W. Smith

James G. Young, Of Counsel

October 17, 2013

Cheryl Potter Browe, Clerk
County of Charlevoix
230 Antrim Street
Charlevoix, Michigan 49720

Rob Straebel, Manager
City of Charlevoix
210 State Street
Charlevoix, Michigan 49720

SUBJECT: Incompatibility of Office Legal Opinion

Dear Ms. Browe and Mr. Straebel:

A member of the Charlevoix County Board of Commissioners (the Commissioner) is a candidate for the elected position of City Clerk for the City of Charlevoix (the City). If elected, the Commissioner would simultaneously be serving as a County Commissioner and as the City Clerk. Based on facts presented to the City Attorney and County Attorney at that time, a legal opinion was rendered on August 20, 2013 (the prior opinion) concerning whether the positions were incompatible.

Since the prior opinion, new information has been found and presented to the City Attorney and County Attorney. This new information is directly relevant to the prior analysis.

The new information shows that City pays or reimburses the County for the following:

1. the cost of printing ballots used by the City;
2. the cost of programming of County-owned election equipment that is used by the City and City Clerk in elections, which are held by the City;
3. the cost of preventative maintenance on the County-owned election equipment that is used by the City and City Clerk; and
4. the City's portion of the cost incurred by the County in publishing a unified county-wide public notice regarding an election.

The County and City do not have a written contract for any of these services. Nevertheless and quite properly, the City pays or reimburses the County for these services. Although there is no written contract between the County and City, the

Cheryl Potter Browe, County Clerk
Rob Straebel, City Manager
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provision of these services by the County for compensation creates a contractual relationship between the County and City. Moreover, the functioning and maintenance of the election machines used by the City are directly related to the duties of the City Clerk to conduct elections.

Additionally, if the City ever failed to pay for those maintenance services or there was a dispute regarding the quality of the services, the City Clerk and Board of County Commissioners would have a duty to represent and protect the interests of their respective unit of government.

Lastly and as noted above, the County allows the City to use without charge and store certain County-owned election equipment. There is no written contract regarding the use or storage of this equipment. However, Michigan law creates a bailment relationship between the County and City. Under Michigan law, a bailment relationship results when the owner of personal property temporarily places control or possession of the personal property into the hands of another. By operation of law, a bailment relationship creates obligations or duties between the parties.

Also, if the County-owned election equipment was damaged while in the possession of the City, this bailment relationship could directly impact the duties of the City Clerk and a County Commissioner to protect the interests of their respective unit of government.

As noted in the prior opinion, the relevant statute is commonly known as the Incompatible Public Offices Act (the Act), being MCL 15.181, et seq. Section 2 of the Act, MCL 15.182, provides that a public officer or public employee shall not hold two or more incompatible offices at the same time. The Act defines incompatible offices in the following terms:

Incompatible offices means public offices held by a public official which, when the official is performing the duties of any of the public offices held by the official, results in any of the following with respect to those offices held:

- (i) The subordination of 1 public office to another,
- (ii) The supervision of 1 public office by another,
- (iii) A breach of duty of public office. MCL 15.181(b).

The contractual and bailment relationships between the County and City are directly relevant to whether there is compliance with the Act. Opinions of the Attorney General (OAG) provide guidance and depend on the facts of each situation. As noted in the prior opinion, the ultimate issue is whether the actual performance of the duties of each position results in a breach of duty pursuant to section 1(b)(iii) of the Act (see OAG 7119). If a breach of duty results, then the positions are incompatible.

Cheryl Potter Browe, County Clerk
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Although the following summaries of OAGs were in the prior opinion, they are directly applicable to the new facts and, therefore, should be repeated.

AG Opinions – Incompatible Positions

OAG 6903 – The Attorney General ruled that the offices of board of commissioners and township police chief were incompatible in this particular matter. There was no supervisory or subordinate relationship between the two offices. Concerning a breach of duty, a contract between the county and township could result in a breach of duty. In addition, non-contractual matters can also result in a breach of duty if a person's interest in and/or duty to one office could affect his or her action on behalf of the other office. In this case, the Attorney General concluded that because there were a number of contracts between the county and the township that affected the police department, there was a breach of duty that resulted in incompatibility.

OAG 6690 – The Attorney General ruled that the positions of township clerk and county commissioner were incompatible. The basis for this ruling was that there were contracts between the county and the township that created a breach of duty. The township clerk sits on the township board.

OAG 6418 – The Attorney General ruled that the positions of city treasurer and county commissioner were incompatible. The basis of this ruling was that the city treasurer was responsible for collecting taxes within the city, a portion of which was on behalf of the county. The city treasurer is also required to post a bond satisfactory to the county treasurer. In addition, on settlement day the county treasurer and the city treasurer determine the balance of taxes owed to the county. When there are delinquent taxes, the county treasurer assumes responsibility for collecting those delinquent taxes. The Attorney General noted:

Thus, the city treasurer is, in effect, the county's agent in collecting the county's taxes on property located in the city, subject to the supervision of the county through the county treasurer and generally through the county board of commissioners. The overall responsibility of the county board of commissioners as to county business is set forth in MCL 46.11(p); MSA 5.331(p) [current provision is MCL 46.11(l)], which empowers the board to represent the county and to have the care and management of the property and business of the county if other provisions are not made. The supervision by the county of the city treasurer's collection activities is necessary to verify that all applicable county taxes are collected by the city treasurer and are transferred to the county. p. 2.

This opinion was cited with approval in OAG 7198.

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Analysis and Conclusion

As already noted, the issue is whether the actual performance of the duties of each position results in a breach of duty pursuant to section 1(b)(iii) of the Act. A breach of duty occurs when the individual holding the two offices fails to protect, advance, and promote the interests of both offices. OAG, 1979-1980, No 5626, p 537, 543 (January 16, 1980). A breach of duty can arise where a dual officeholder is on both sides of a contract or contractual negotiations, *Contesti v Attorney General*, 164 Mich App 271, 280-281; 416 NW2d 410 (1987), *iv den* 430 Mich 893 (1988); *Wayne County Prosecutor v Kinney*, 184 Mich App 681, 684-685; 458 NW2d 674, *iv den* 436 Mich 887 (1990), or where the public offices compete for tax dollars. *Contesti, supra*; OAG, 1995-1996, No 6918, p 211, 212 (October 2, 1996); OAG, 1991-1992, No 6695, p 76 (August 21, 1991). If a breach of duty exists, abstention does not cure the incompatibility; rather, vacating an office is the only solution. *Contesti*, 164 Mich App at 281.

OAG 7119 states that it is "the actual performance of the duties of each position [that] results in a breach of duty of public office." (Emphasis added).

The newly presented facts regarding the payment by the City to the County for various services and the bailment relationship related to the City's use and storage of County-owned election equipment lead to the following conclusions related to the duties of the City Clerk and a County Commissioner:

- A. The payment of funds from the City to the County for the various purposes stated above create a contractual relationship between these public entities.
- B. The bailment relationship related to the election equipment creates common law duties between the City and County regarding the use and care of the equipment.
- C. The financial and bailment relationships described above directly relate to the statutory duties of the City Clerk to conduct elections as required by law.
- D. These financial and bailment relationships also impact the duty of a County Commissioner to protect the best interests of the County, especially in a situation where the County was adversely affected.
- E. As noted in OAG 6418, a County Commissioner, as a member of the Board of Commissioners has the "overall responsibility of the county board of commissioners as to county business . . . which empowers the board to represent the county and to have the care and management of the property and business of

Cheryl Potter Browe, County Clerk
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the county if other provisions are not made." Under the newly presented facts, if the same person was serving as the City Clerk while also serving as a County Commissioner, that person would have simultaneous, but conflicting duties of protecting the interests of the City and the County.

In OAG 6903, contracts between a county and township created a breach of duty between the positions of county commissioner and township police chief. Similarly, in OAG 6690, contracts between the county and township create incompatibility between the positions of county commissioner and township clerk.

In the current situation under the newly discovered facts, there is not only a legally imposed contractual relationship between the City and County, but there is a bailment relationship as well. Moreover, these relationships directly relate to the duties imposed by statute or charter on the City Clerk to conduct elections and the duty of the County Board of Commissioners to care and manage county property.

In the absence of a judicial decision to the contrary, Opinions of the Attorney General are persuasive authority and should be followed by a local unit of government. This principle applies to legal counsel for a local unit of government. Under the newly discovered facts, the contractual and bailment relationships between the City and County that directly impact the duties of the City Clerk create a breach of duty between the office of City Clerk for the City of Charlevoix and the office of County Commissioner for the County of Charlevoix and are prohibited by the Act.

It should be noted that there is nothing improper regarding the contractual and bailment relationship between the City and County. On the contrary, these relationships are excellent examples of intergovernmental cooperation, which results in providing public services in an efficient and cost-effective manner. These relationships have been emphasized only because their existence are new, pivotal facts in whether the positions of City Clerk and County Commissioner are incompatible under Michigan law.

Although the above analysis related to the contractual and bailment relationships between the City and the County are sufficient to conclude that the positions are incompatible, a provision of the City Charter could be interpreted to prohibit the elected City Clerk from holding the office of County Commissioner. Section 2.16.a of the City Charter provides:

Section 2.16 COUNCIL - POWERS AND LIMITATIONS

- a. Except where authorized by this Charter, no elected official shall hold any other office or City employment during the term for which elected.

Cheryl Potter Browe, County Clerk
Rob Straebel, City Manager
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Under Michigan law the interpretation of a city charter is governed by the rules of statutory construction. *Livonia Hotel v City of Livonia*, 259 Mich App 116, 131 (2003); *Detroit v Walker*, 445 Mich 682, 691 (1994). The Michigan Supreme Court explained one of these rules of statutory construction in *People v Watkins*, 491 Mich 450, 468 (2012) in the following terms:

We are also mindful of the need to read statutory provisions as a whole, focusing on not only the individual words and phrases but also the placement of those words and phrases in the **context of the broader legislative scheme**. (Emphasis added.)

In *Michigan Properties, LLC v Meridian Township*, 491 Mich 518, 528 (2012), the Michigan Supreme Court stated:

Individual words and phrases, while important, should be read in the **context of the entire legislative scheme**. *Herman v Berrien Co*, 481 Mich 352, 366; 750 NW2d 570 (2008). (Emphasis added.)

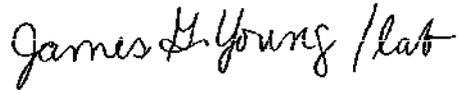
The question that must be addressed is what elected official is being referenced in Section 2.16.a of the City Charter. Applying the above rules of statutory construction, it is important to note that this provision is in the context of the City Council. The City Charter provisions related to the City Clerk are found in Section 3.8 of the charter. Given the context of Section 2.16.a, one interpretation of this provision would be that the reference to the "elected official" is to a member of the City Council. On the other hand, one interpretation would be that the reference to the "elected official" is to all elected officials of the city, including the City Clerk.

Because the language within Section 2.16.a of the City Charter is subject to two different interpretations, and because the contractual and bailment relationships between the City and County are clear, we have based our opinion on the incompatibility question on these relationships and not on the language within the City Charter.

Cheryl Potter Browe, County Clerk
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As noted in the prior opinion, Bryan E. Graham of the firm is County Civil Counsel. James G. Young, who is "Of Counsel" to the firm, is the City Attorney. The County and City have waived any conflict of interest for the firm. Each attorney has analyzed the newly presented facts and the applicable law and reached his own opinion independently. Once again, because an expeditious supplemental legal opinion has been requested, this joint opinion is being issued.

Very truly yours,



James G. Young



Bryan E. Graham

December 6, 2013

Rob Straebel, Manager
City of Charlevoix
210 State Street
Charlevoix, Michigan 49720

Cheryl Browe, Clerk
County of Charlevoix
203 Antrim Street
Charlevoix, Michigan 49720

Subject: Incompatibility of Office Opinion

Dear Mr. Straebel and Mrs. Browe

I have reviewed the Legal Opinion dated October 17, 2013 from Bryan Graham and Jim Young and performed additional research myself in regard to the matter of my being able to hold both the office of County Commissioner and City Clerk.

While I respect the abilities and expertise of Mr. Graham and Young, I believe that they based their opinion on incomplete information as well as doing all in their ability to ensure that both the City and the County are completely free from any potential for liability or litigation in regard to this matter.

My additional research into this matter results in my belief that there is no issue in regard to incompatibility of the two offices. I will address each of the points in the October 17, 2013 letter below.

1. The City pays or reimburses the County for the cost of printing ballots used by the City. This issue is easy resolvable by having the ballots printed for use by the City, billed directly to the City as opposed to being billed to the County and the County then passing that cost onto the City. The vendor merely needs to be contacted and directed to bill the cost of the City ballots to the City. Issue resolved.
2. The City reimburses the County for the cost of programming of County owned election equipment that is used by the City and City Clerk in elections, which are held by the City. Two issues are raised in this item. The cost of programming the election equipment is currently billed to the County which passes that cost along to the City for payment. This bill can be sent directly to the City by the vendor and paid to the vendor by the City resolving this issue, the same as for point one. The second issue raised is the ownership of the election equipment. The election equipment was paid for with funds obtained from the Michigan Secretary of State Office under the Help America Vote Act (HAVA), which leads me to believe that there were some federal funds involved as well. In my conversation with Cherie Browe, Charlevoix County Clerk, she informed me that the County submitted a grant application to the Secretary of State Office for funds to allow for the purchase of election equipment on behalf of the local units of government in Charlevoix County. In support of my belief that the City in fact owns the election

equipment is a resolution passed by the Charlevoix City Council "authorizing the City Clerk to submit this grant application on behalf of the City of Charlevoix" and further "authorized Jane Brannon, Charlevoix County Clerk, or an appointed member of her staff to act as Grant Manager on behalf of the City of Charlevoix". This resolution is City of Charlevoix Resolution No. 2005-02-03, a copy of which I have attached. I contend that the election equipment is either owned by the City of Charlevoix or by the Michigan Secretary of State, being the party that provided the funds which were used to purchase the equipment. Issues resolved.

3. The City pays or reimburses the County for the cost of preventative maintenance on the County owned election equipment that is used by the City and City Clerk. I contend the City owns the election equipment (see #2 above) and that the issue of the City reimbursing the County for preventative maintenance on the equipment can be addressed in the same manner as the City paying for the ballots in Number 1 above and paying for the programming of the equipment in Number 2 above. The City merely needs to have the bill set to the City for payment as opposed to the cost being billed to the County and the County submitting a bill to the City. Issue resolved.
4. The City pays or reimburses the County for the City's portion of the cost incurred by the County in publishing a unified county-wide public notice regarding an election. The City has a couple of options in this regard, the first would be to have the cost of the City portion of this unified add be billed directly to the City or the City running their own notice in the paper. Issue resolved.

The fact that the City and the County have worked together cooperatively in the past, (which I envision occurring in the future) does not in my view create a contractual obligation and even should it be viewed as doing so, a cure is readily available, which is for the City to be billed directly by each vendor. The ownership of the equipment in my view is that the County Clerk was authorized to serve as the "Grant Manager" on behalf of the City and as a result, the City in fact owns the election equipment.

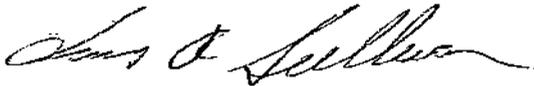
With regard to the issue of the language of contained in section 2.16 a. of the City Charter, my position is that an elected City Official may not hold any other City Office or City Employment during the term. I currently serve on the Zoning Board of Appeals (as an alternate member) and as a member of the City Historic District Commission. I will be submitting a letter shortly, resigning from both of these bodies to eliminate any conflict with the City Charter and/or Enabling Acts, which would prevent me from holding either while serving as the City Clerk. To read into the Charter language that a "no elected official shall hold any other office or City employment" would in the strict reading prevent a person holding the office of the local bank president and being able to run for City Council. Given that the City Council has decided to place language on an upcoming ballot to amend the City Charter, perhaps a second Charter amendment could be placed on the ballot, as a separate item. The following language would amend Section 2.16 a. to read, "no elected City Official shall hold any other City office or City

employment during the term for which elected'. This would prevent anyone from raising this issue in the future.

I am comfortable with the position I am presenting in this letter and look forward to beginning my term as the elected City Clerk on January 1, 2014.

If you have any questions or discuss this matter any further, feel free to contact me at 231-547-5415 or at the address below.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lawrence R. Sullivan".

Lawrence R. Sullivan
222 Sherman Street
Charlevoix, Michigan 49720
larrysullivan00@hotmail.com



Charlevoix
the
Beautiful

CITY OF CHARLEVOIX
210 STATE ST. CHARLEVOIX, MICH. 49720

Motion by Councilmember Sherm Chamberlain, supported by Councilmember Shirley Gibson, to adopt Resolution 2005-02-03 as follows:

CITY OF CHARLEVOIX
RESOLUTION No. 2005-02-03
(Grant Application for Election Equipment)

WHEREAS, the City of Charlevoix City Council wishes to apply to the Secretary of State for a grant to purchase an optical scan voting system to comply with the Help America Vote Act (HAVA); and

WHEREAS, the City of Charlevoix City Council has chosen to submit a grant application for a new optical scan voting system in 2005.

NOW THEREFORE BE IT RESOLVED, that the City of Charlevoix City Council hereby authorizes City Clerk to submit this grant application on behalf of the City of Charlevoix, Charlevoix County on this day of February, 2005, and to sign such documents as may be necessary for the execution of this resolution.

BE IT FURTHER RESOLVED that the City of Charlevoix City Council authorizes Jane Brannon, Charlevoix County Clerk, or an appointed member of her staff to act as Grant Manager on behalf of the City of Charlevoix.

RESOLVED, this 7th day of February, 2005.

Resolution 2005-02-03 was adopted by the following yea and nay votes:
Yeas: Council Members Timms, Campbell, Chamberlain, Gibson, and Haggard.
Nays: None.
Absent: Councilmember Bellows.

CERTIFICATION

I, the undersigned, the Clerk of the City of Charlevoix, Charlevoix County, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Charlevoix, County of Charlevoix, State of Michigan, at its regular meeting held on February 7th, 2005, the original of which is on file in my office and available to the public. Public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267 of the Michigan Public Acts of 1976.


Carol A. Octbs, Clerk

Dated: 02/21/2005

Rob Straebel

From: James G. Young [jyoung@upnorthlaw.com]
Sent: Thursday, December 12, 2013 2:33 PM
To: Rob Straebel
Cc: Linda Weller; Stephanie Brown; Graham Bryan
Subject: Review and Comment - Larry Sullivan letter ATTORNEY - CLIENT COMMUNICATION - CONFIDENTIAL

Rob -

You asked me to review and comment and provide legal advice regarding Larry Sullivan's letter of Dec. 6. Larry's letter focuses on the Legal Opinion of Oct. 17, 2013 and, among other things, proposes steps that would alter the facts upon which the Legal Opinion was based.

The Legal Opinion of Oct. 17, 2013 was based on facts regarding the contractual/bailment relationships between the City and County as they currently exist. Larry proposes to alter those relationships. Obviously, if the facts change, then the legal conclusions will change. Larry's proposals to alter the relationships between the City and County are logical steps if the sole focus is to eliminate the facts upon which the October Legal Opinion was based. However, most of those steps involve having the County Clerk alter existing and presumably beneficial cooperation between the City and County for the sole purpose of benefiting an existing County Commissioner. This is a very important point. Incompatibility of office laws and related ethical implications exist to avoid appearances of impropriety in government and to foster public confidence in government. For example, an appearance of impropriety exists when governmental units take action to benefit the self-interest of politicians. I am sure that Larry has not looked at it this way or he would not have proposed these steps. However, the public and news media could look at these steps in a critical manner and assert that their implementation directly violates the purposes for which incompatibility laws were created. Moreover, it could be asserted that public officials should maintain the highest ethical standards in local government and that the proposed steps do not meet that goal.

To be specific, the proposed steps are:

1. Have the City obtain the ballots and pay for them on its own. It is understood that the purchasing of ballots by a county for a city is not normal practice for small elections. However, it has been the historical practice in Charlevoix County and, presumably, has been effective or it would not have continued. Implementation of this step requires action by the County Clerk.
2. Have the City obtain its own programming of County owned election equipment. Larry is correct that this item invokes 2 issues. The first issue relates to the ownership of the equipment and will be discussed below in #3. The second issue relates to having the City pay for the programming of equipment used in small elections. The County Clerk has stated in an email that the County pays for programming for cities and townships for small elections. Once again, this has been historical practice and presumably has been effective. It is an excellent example of intergovernmental cooperation. This assistance by the County coupled with the assistance described in #1 & #3 allow the full-time staff of the County Clerk's office to relieve some of the election-related burden from city clerks and part-time township clerks. If this step is to be implemented, it requires action by the County Clerk.
3. Have the City acknowledge that it owns the election equipment and, thus, pay for its own preventative maintenance. It has been stated that, currently, the County pays for preventative maintenance. Larry's position is that the City owns the election equipment and, thus, has the responsibility to pay for the preventative

maintenance of its own equipment. He has provided a City resolution that authorized the County Clerk to seek a grant for the election equipment on behalf of the City. The City Clerk's office believes that the County owns the equipment. Past practice has been that the County sees that preventative maintenance is done. Regardless of ownership, this is another example of good intergovernmental cooperation. Unfortunately, regarding ownership, an invoice from the vendor cannot be found. From a legal perspective, ownership of the equipment should be resolved. If it is decided that the City should own the equipment, a Bill of Sale from the County to the City will resolve the matter. Of course, if it is decided that the County should own this equipment, then the Bill of Sale should be from the City. The exchange of a Bill of Sale at least formally eliminates any claim of ownership by the unit of governmental that executes the Bill of Sale. I recommend that ownership of the equipment be resolved.

4. Have the City pay for its own election notices or be billed directly. Currently, the County publishes unified election notices on behalf of cities and townships and is reimbursed by the cities and townships. Larry proposes that either the City be billed directly or the City pay for its own election notice. The first option requires cooperation from the newspaper which publishes the notice. The second option imposes extra cost to the City based on the assumption that the cost of a "City only" notice is more than the cost of a unified notice which is shared among all of the cities and townships in the County. A third option, not mentioned by Larry, is for the County not to use unified notices. This results in each city and township publishing its own notice and could result in an overall increased cost to taxpayers. Of course, if the second option is used (which still uses a unified notice, but excludes the City), then the City and its taxpayers are being treated differently than other cities and townships within the County.

The important point is that most or all of Larry's proposed steps to eliminate the relationships between the County and City must be implemented by action of the County Clerk.

The Legal Opinion of August 20, 2013 noted the dominate position of the County Board of Commissioners in relation to the County Clerk. Most of the proposed steps put the County Clerk in a very difficult position. Does the County Clerk discard a historical practice of intergovernmental cooperation which, presumably, provides cost-savings or time-efficiency to assist an incumbent County Commissioner in a personal matter which involves financial gain (i.e., a part-time position with the City at \$42,000/yr)? This is an ethical question which any county clerk should not be forced to face.

I would expect that the assistance which the Charlevoix County Clerk provides to cities and townships is not frequently done in Michigan. Nevertheless, this does not diminish its importance. In reality, it makes things easier for city and township clerks and probably saves taxpayer dollars. Regardless, it is an excellent example of voluntary intergovernmental cooperation. It provides benefits to smaller units of government and reflects positively on the Charlevoix County Clerk's Office.

Larry's letter indicates that he intends to serve as a County Commissioner and as City Clerk. Unless he alters this position, then 2 additional legal issues must be addressed in legal opinions without delay. Those are:

A. Whether such dual service violates section 2.16 of the City Charter. Because the existing contractual relationships between the City and County led to a clear legal conclusion regarding incompatibility of office, it was not necessary to deal with the Charter issue in the Supplemental Opinion of Oct. 17, 2013. This was cost-effective and saved the City and County from expending unnecessary funds. However, as long as Mr. Sullivan maintains his current position, this issue must be researched and analyzed using the principles of statutory construction as required by law. Section 2.16 of the City Charter reads:

"Except where authorized by this Charter, no elected official shall hold any other office or City employment during the term for which elected."

B. What are the legal consequences if the same person holds the office of County Commissioner and Charlevoix City Clerk? Research must be done under 2 factual scenarios. First, it must be examined on the assumption that the current cooperative relationships between the County and City continue. Second, even if the current cooperative relationships are eliminated, it must be examined if a violation of the City Charter is found. By “legal consequences”, I mean what happens if the same person holds both offices and a violation of incompatibility of office laws or the City Charter occurs. Is the person automatically disqualified and deemed removed from the initial office of County Commissioner? Or is the person simply disqualified from taking a valid oath of office as City Clerk? Or is litigation required? In fairness to the integrity of these public offices, these questions must be researched.

Regarding the City Charter question, it must be noted that Larry suggested that the wording in City Charter section 2.16 be interpreted as “City official” and not just “official” as is actually contained in the Charter. One cannot just add wording to a Charter, ordinance or statute just because it is convenient or leads to a desired result. The law requires the application of extensive principles of statutory construction to determine the intent of the underlying Charter, ordinance or statute. One of the primary principles is that the plain wording of the provision should be implemented if that wording is not ambiguous. Of course, there are many other principles. This discussion is not intended to pre-judge a final opinion, but rather to emphasize that such an opinion must apply principles of statutory construction in an analysis of the relevant wording.

Lastly, the Legal Opinion of Aug. 15, 2013 noted that an opinion from the Attorney General had been requested. The Legal Opinion pointed out various duties of a city clerk which mandate certain reporting or other actions from a city clerk to a county clerk or county treasurer. One example related to election-related reporting requirements from a city clerk to a county clerk. It was stated that the county official (here, the county clerk) may be the only person to know whether a city clerk has faithfully and accurately performed those duties. This has direct ethical implications. For example, if a person, who is both a county commissioner and a city clerk (called “city clerk/county commissioner” in this paragraph) fails to properly perform certain election duties of a city clerk, the county clerk is then placed in the ethical quandary of whether to report or otherwise take action regarding those failures. For example, such action could offend the “city clerk/county commissioner”, or the county clerk could simply be concerned that it might offend the “city clerk/county commissioner”. The dominant position of a board of county commissioners, both statutorily and based on its ability to impact the salary and staffing aspects of the county clerk’s office, puts a county clerk in an “ethical bind”. Because other AG opinions had not dealt with these unique facts and implications, our Legal Opinion noted that the current situation provided an opportunity for the AG to determine whether the prohibitions of the Incompatibility of Office Act applied. It must be remembered that the Incompatibility of Office Act states that one of its purposes is:

“to encourage the faithful performance of official duties by certain public officers and public employees.....”

Larry Sullivan has dedicated his professional life to public service. While representing townships in Charlevoix County, I have worked with him frequently when he was county planner. He would not intentionally create ethical problems which undercut public confidence in local government and he would not intentionally violate the City Charter. However, the totality of the circumstances must be evaluated objectively. When that is done, it is respectfully suggested that the totality of these issues and their ethical implications require a re-examination of whether further pursuit of both offices is justified. Selecting one of the 2 offices will save the City, County and ultimately the taxpayers from incurring additional significant costs for legal opinions which require complex legal research. Moreover, it can avoid controversy, a loss of respect for local government and potential litigation.

It must be understood that these issues are not “person-specific”, but relate to general principles of ethics and the purposes for which are the reasons for incompatibility of office laws have been created. These comments

must not be interpreted as applying to Mr. Sullivan personally. They relate to the public offices involved in this matter, the duties of those positions, applicable law and ethical considerations.

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CHARLEVOIX CITY COUNCIL

AGENDA ITEM

AGENDA ITEM TITLE: Extension of 2013 Power Line Trimming Contract

DATE: December 16, 2013

PRESENTED BY: Don Swem

ATTACHMENTS:

BACKGROUND INFORMATION:

Last spring we bid out Power Line Trimming and council approved hiring Asplundh Tree Expert Company to do the work. The price bid was almost identical to bids we got back in 2009, so the prices are quite good. The project was budgeted for \$120,000 for work to be done during the year 2013.

We have had a productive year and have trimmed roughly two thirds of the system so far but the contract expires on December 31st. I would like to extend this contract through the year 2014, and add \$50,000 to the trimming budget for this fiscal year so that we can keep the same crew working on the lines through this winter. I am estimating that the \$50,000 will finish this cycle of trimming (we trim with the intention of not needing to trim again for about five years). The City treasurer has assured me that the money is available in the electric budget.

If we do not extend the contract we will lose the crew that we have had working all year. This crew has done very well for us with extremely few complaints all year, so it would be a shame to lose them. I have the commitment from Asplundh that they will continue with the same prices and same crew if I get this approval.

RECOMMENDATION:

It is recommended that the 2013 Power Line Trimming Contract be extended through the year 2014 and that an additional \$50,000 be provided in the budget for power line trimming for the current fiscal year.

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Consideration of rate changes for Recreation and Water

DATE: December 16th, 2013

PRESENTED BY: Amanda Wilkin, Recreation Director/ Steve Teunis, Water and Wastewater Treatment Superintendent

ATTACHMENTS: Proposed rate changes and additions for Recreation and proposed rate change to Water rates.

BACKGROUND INFORMATION:

Recreation:

Recreation staff has carefully evaluated the comparable programs, the cost to the city, price segmentation for city residents, and the commitment to keep our programs and services affordable. The proposed rates for 2014-2015 should be implemented now as to avoid confusion on the timing if adopted in April.

As the winter season unfolds, many people will begin to plan ahead for summer and reserve pavilions. Instead of changing the rate halfway through reservation season, there would be less misunderstanding for the public if we change the rate before the first of the year. An additional rate has been added for holding a wedding on city property. There is currently no separate rate for this, though there is a generous amount of staff time put into the planning, oversight and general upkeep of the spaces.

There are also some changes to Mt McSauba rates for snowboard rentals, weekday passes and family season passes. These changes are to streamline the process and ultimately to encourage greater usage at McSauba.

Water:

Steve Teunis, Water and Wastewater Treatment Superintendent, states:

The charge for the Bacteria tests the water treatment plant performs for other water systems is set currently at \$13 per sample. The State of Michigan Laboratory charges \$16 per sample. He has contacted the Petoskey WTP who charges \$20 per sample. Steve suggests we set the charge for the City of Charlevoix lab bacteria tests to the same, \$20 per sample.

RECOMMENDATION: Staff recommends Council pass a motion to adopt Resolution 2013-12-XX, a Resolution to Revise and Adopt Rates and Fees Associated with the 2013-14 Budget.

**CITY OF CHARLEVOIX
RESOLUTION NO. 2013-12-XX**

RESOLUTION TO REVISE AND ADOPT RATES & FEES ASSOCIATED WITH THE 2013-14 BUDGET

WHEREAS, the City of Charlevoix annually must adopt a balanced budget to comply with the City Charter; and

WHEREAS, the City of Charlevoix, in preparing the budget, assumes the adoption of rates for various services they provide in order to pay for those services in whole or in part as proposed in their annual budget; and

WHEREAS, the City of Charlevoix defined all of charges and rates in the rate section of the 2013-14 budget; and

WHEREAS, the City of Charlevoix has determined that rate changes are necessary in the areas of water testing and Recreation user fees and rates

NOW, THEREFORE, IT IS RESOLVED that the City of Charlevoix adopts changes to the rates for the following areas: Utility rates and Recreation user fees and rates, as follows:

	Current		Proposed	
	Resident	Non	Resident	Non
RECREATION RATES				
Pavilions & Public Property				
Picnic Pavilion *weekday	30.00	50.00	no change ----->	
Picnic Pavilion *weekend or Holiday	30.00	50.00	50.00	75.00
Picnic Pavilion (Non Profit); Follow mission of Non-Profit	0.00	0.00	no change ----->	
Performance Pavilion (case by case basis)	50.00	100.00	no change ----->	
Use of public property (must be approved)	50.00	100.00	no change ----->	
Wedding on public property (must be approved)			150.00	250.00
Sports Fees				
Team Fees	125.00	125.00	no change ----->	
Youth Sport (per participant)	20.00	25.00	no change ----->	
Day Camp				
Camp McSauba	85.00	85.00	95.00	110.00
Northern Kids Club				
*mornings (Monday - Friday, inclusive)	20.00	20.00	15.00	15.00
*afternoons (Monday - Wednesday, inclusive)	30.00	30.00	25.00	25.00
*Friday afternoon	30.00	30.00	no change ----->	

Skate Park				
Skate Park daily pass	5.00	5.00	no change ----->	
Skate Park seven day punch card	25.00	25.00	no change ----->	
Mt McSauba Winter Recreation				
*weeknight daily	13.00	18.00	10.00	15.00
*weekend daily	13.00	18.00	no change ----->	
Season Pass (1 person)	110.00	165.00	no change ----->	
Each additional family member add \$60				
Ski team pass			50.00	60.00
Daily Ice Rink fee	1.00	2.00	no change ----->	
Ice Skating season pass	10.00	15.00	no change ----->	
Rentals				
X Country or Snowshoes (8 hour)	8.00	8.00	5.00	8.00
X Country or Snowshoes (24 hour)	12.00	12.00	10.00	no change
Downhill Skis or Snowboard (any age: daily rate)			10.00	12.00
Downhill Skis (adult)	12.00	15.00	eliminate ----->	
Downhill Skis	10.00	12.00	eliminate ----->	
Downhill Snowboard	20.00	24.00	eliminate ----->	
Ice Skates	2.00	3.00	no change ----->	
Lessons				
Group Ski or Snowboard (per person)	40.00	45.00	no change ----->	
Individual Lesson 1/2 hour	25.00	30.00	no change ----->	
Individual Lesson 1 hour	35.00	40.00	no change ----->	
WATER RATES	Current		Proposed	
Water Bacteriological Test	13.00		20.00	

BE IT FURTHER RESOLVED that the City of Charlevoix adopts changes to the rates effective immediately: December 17, 2013.

RESOLVED, this 16th day of December, 2013.

Resolution adopted by the following yea and nay votes:

Yeas:

Nays:

Absent:

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Approval of Job Description

DATE: December 16, 2013

PRESENTED BY: Rob Straebel, City Manager

ATTACHMENTS: Farmers Market Assistant Manager job description (new position) and Utilities Billing Clerk job description (updated)

BACKGROUND INFORMATION:

Job descriptions for all employees are approved by City Council. A review is done either on a periodic basis or at the time the position becomes vacant. This review helps ensure the descriptions accurately reflect the job duties, skills, knowledge, abilities, and requirements.

This Farmers Market Assistant Manager position is new and is a summer seasonal position and part-time to work during each Farmer's Market as well as attendance at an occasional meeting. The DDA has approved this position description.

The Utilities Billing Clerk job description has been updated to more accurately reflect the position responsibilities and minimum qualifications. Job descriptions for three other positions in the Treasurer department were reviewed and updated in 2012. This is the fourth and last of the rewrites for that department.

RECOMMENDATION #1: To approve the Farmers Market Assistant Manager job description and the Utilities Billing Clerk job description as written.

CITY OF CHARLEVOIX

Title: Farmer's Market Assistant Manager **FLSA:** Non-exempt
STATUS: Seasonal Summer
Part-time 8-10 hours/week

Department: Economic Development

Reports To: Community Economic Development Director (CEDD)

Date: November 21, 2013

Position, Purpose, and Objectives: The Farmer's Market Assistant Manager coordinates all aspects of the market day including carrying and setting up the City's pop-up tent. The assistant manager works with the CEDD to make the market safe by enforcing rules, resolving conflict, communicating with the participants and customers, and with advertising and marketing efforts.

Scope and Environment: The Charlevoix Farmer's Market is held every Thursday, May through mid-October, from 7:30am to 2:00pm, in all weather conditions. It is critical that the assistant manager is available at these times as well as for occasional meetings. The market is a no smoking environment.

Essential Job Functions:

- Maintain a clean, safe market environment.
- Ensure rules and regulations established by the Farmers Market Committee are communicated to market participations and enforced.
- Seek opportunities to improve the market and its participation – by participants and customers.
- Perform credit transactions.
- Ensure accurate records of transactions and other market functions are created and maintained.
- Write reports and summarize data and other information.
- Develop and implement marketing and advertising campaigns.
- Plan and implement mini events for market days and/or at other items during the season.
- Communicate with the CEDD, committee members, and Vendors as required.

Knowledge, Skills, and Abilities Required:

- Ability to project a positive and courteous public image.
- Knowledge of the local food culture and agricultural practices preferred.
- Ability to manage conflict professionally.
- Ability to be creative and resourceful regarding market opportunities and challenges
- Moderately adept at basic computer Microsoft computer programs such as Word and Excel and social media.
- Ability to exhibit patience when working with people of all ages, abilities, and backgrounds.
- Excellent organization skills along with attention to detail.
- Excellent verbal and written communication skills.
- Ability to perform simple mathematics (addition, subtraction, division, multiplication, percentages) and use a calculator.
- Ability to remain standing for several hours at a time.
- Ability to lift and carry up to 25 pounds.
- Minimum of 16 years old.
- Valid driver's license.

The information contained in this position description is intended to describe the general content and requirements for successful performance of the job. It is not an exhaustive list of duties, responsibilities or requirements. Additional duties and requirements may be assigned at the sole discretion of the City. Hence, the job description does not constitute an employment agreement between the employer and employee and is subject to change by the employers as the needs of the employer and requirements of the job change. The position is an at-will position.

DDA Approval: December 9, 2013
City Council Approval:

CITY OF CHARLEVOIX

Title: Utilities Billing Clerk

FLSA: Non-exempt
STATUS: Full-time, union

Department: Treasurer

Reports To: Treasurer

Date: December 9, 2013

Position Summary

This position is responsible for maintaining the City's utility (water, sewer, and electric) billing program: opening and closing accounts and coordinating startups and shutoffs with Electric and Water Departments; loading and uploading handheld meter reading devices (estimating reads as required); preparing, reconciling, and editing reports; billing account holders; collecting payments and maintaining payment records; and providing customer service, including initiating work orders for service calls.

Scope

Operates independently under supervision of Treasurer. Duties are performed in cubicle/office environment. Considerable attention to detail and careful time management are required to maintain over 4,000 accounts on a monthly billing cycle. Handles phone calls and back-up responsibilities (walk-ins at counter).

Essential Job Functions

- Open and close accounts, coordinating meter reads (to startup or shutoff service) with Electric and Water Departments. Determine deposit or reconnect fees, coordinate direct deposits, and residential deposit refunds. Works with customers to establish payment plans, explains billing and rates.
- Load point-of-service (POS) handheld meter reading devices for multiple routes. Unload/upload returned meters to compute billings, edit reports for discrepancies including misreads, inaccessible meter readings, shutdowns, high usage, etc.
- Estimate readings for inaccessible meters using prior history. Creates work orders requesting re-reads possible misreads; call customers regarding high usage questions, etc.
- Initiate work orders for service calls -Prepare, reconcile, and edit reports; bill account holders.
- Send out past due notices, shut off notices, door hangers, collect bad debts, and work with collection agencies to insure payment of unpaid utilities.
- Provide excellent customer service.
- Create and prepare required and requested reports and related correspondence.
- Records and reconciles cash receipts and disbursements to the general ledger.
- Maintain general knowledge of Treasurer's and Clerk's functions in order to provide office services in the absence of other office employees.

Minimum Qualifications

High school diploma or G.E.D. equivalent, completion of relevant training program(s) preferred.

- Five (5) years of clerical, administrative and bookkeeping experience.
- Able to operate office machines, such as photocopiers and scanners, coin sorters, facsimile machines, voice mail systems and personal computers.

- Considerable knowledge of governmental accounting systems and best practices.
- Familiarity with State, county, school district and municipal relationships in billing utilities.
- Knowledge of accepted office and bookkeeping practices and procedures.
- Proficiency in Microsoft Office, particularly Excel.
- Highly developed communication and interpersonal skills.
- Strong organizational skills.
- Ability to meet the standards required to be bonded.
- Ability to meet strict deadlines with accuracy.
- Ability to recognize errors or omissions in routine transactions.
- Ability to coordinate multiple and sometimes conflicting sources of information.
- Ability to learn and accurately use specialized software.
- Ability to solve problems with initiative, innovation and resourcefulness.
- Ability to maintain confidential information.
- Ability to work effectively without supervision.
- Ability to work effectively with local, State and Federal officials, fellow employees and the general public.

The information contained in this position description is intended to describe the general content and requirements for successful performance of the job. It is not an exhaustive list of duties, responsibilities or requirements. Additional duties and requirements may be assigned at the sole discretion of the City.

City Council original approved: 6/1/09; re-approval: _____

CHARLEVOIX CITY COUNCIL

AGENDA ITEM

AGENDA ITEM TITLE: Organizational Meeting
DATE: December 16, 2013
PRESENTED BY: Stephanie Brown, Deputy City Clerk/Treasurer
ATTACHMENTS: None.

BACKGROUND INFORMATION:

According to Section 2.15 of the City Charter, "an organizational meeting of the Council shall be held at the first meeting of the Council after the November General Election". At this organizational meeting, Council shall appoint a Deputy Mayor and determine City Council's meeting schedule for the coming year.

RECOMMENDATION: Make two motions, one to set the day and time of regular meetings, the other to appoint the Deputy Mayor.

Motion to continue to hold Council's regular bi-monthly meetings on the first and third Monday of each month at 7:00 p.m., except that when that day is a holiday to hold the meeting on the following day at the same time.

OR

Motion to hold Council's regular bi-monthly meeting on _____ at (time) except when that day is a holiday, to hold the meeting on the following day at the same time.

AND

Motion to appoint/reappoint Councilmember _____ as Deputy Mayor.