

**AGENDA  
CITY OF CHARLEVOIX CITY COUNCIL MEETING**

**Monday, May 4, 2015 - 7:00 p.m.**

210 State Street, City Hall, Second Floor City Council Chambers, Charlevoix, Michigan

- 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 - April 20, 2015 Regular Meeting **PG 1-7**
  - B. City Council Meeting Minutes - April 27, 2015 Special Meeting **PG 8**
  - C. Accounts Payable Check Registers & Payroll Check Registers **PG 9-20**
- V. Public Hearings**
  - A. Amendment to Title III - Parks and Public Grounds Chapter 31  
Parks - General Regulations, Section 3.3 Fireworks **PG 21-24**
- VI. Reports**
- VII. Requests, Petitions and Communications and Actions Thereon**
  - A. Chamber of Commerce Presentation/Discussion **PG 25-27**
  - B. Consideration of Contract with Charlevoix City Band **PG 28-30**
  - C. Consideration of Approval for the Charlevoix Craft Beer Festival **PG 31**
  - D. Discussion on Pre-determined Donation Acceptance Project List and Public Process **PG 32**
- VIII. Introduction and Initial Actions Relating to Ordinances or to Resolutions That Require Publication or Hearings Prior to Final or Further Action**
- IX. Resolutions**
- X. Ordinances**
  - A. Amendment to Title III - Parks and Public Grounds Chapter 31  
Parks - General Regulations, Section 3.3 Fireworks **PG 22-24**
- XI. Miscellaneous Business**
- XII. Audience – Non-Agenda Input (written requests take precedent)**
- XIII. Adjourn**

*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 April 30, 2015 4:00 p.m.

**CITY OF CHARLEVOIX**  
**REGULAR CITY COUNCIL MEETING MINUTES**  
**Monday, April 20, 2015 – 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 Deputy Mayor Jeffrey Porter.

**I. Pledge of Allegiance**

**II. Roll Call of Members Present**

Mayor: Absent  
Deputy Mayor: Jeff Porter  
Interim City Manager: Mike Spencer  
City Clerk: Joyce Golding  
Members Present: Councilmembers Shane Cole, Shirley Gibson, Luther Kurtz, Leon Perron  
Absent: Councilmember Bill Supernaw

**III. Inquiry Regarding Possible Conflicts of Interest**

None.

**IV. Consent Agenda**

The following items were approved and filed:

- A. Approval of Minutes – April 6, 2015 Special Meeting Minutes
- B. Approval of Minutes – April 6, 2015 Regular Meeting Minutes
- C. Regular Accounts Payable Check Register – April 21, 2015
- D. ACH Payments – April 6, 2015 – April 13, 2015
- E. Payroll Check Register – April 10, 2015
- F. Payroll Transmittal – April 10, 2015

**V. Public Hearings**

None.

**VI. Reports**

Interim City Manager Spencer suggested scheduling the joint budget meeting with the DDA and Council in May or June. He stated that the DDA will be very busy with the Main Street program in the near future. In addition, both the City Treasurer and CED Director need additional time to review the DDA budget to best be prepared for discussion topics.

The Street Department property appraisal was scheduled with Northern Michigan Real Estate Consultants with a completion date in one month. The appraisal fee was negotiated down to \$3,000.

The Charlevoix Golf Course opened on April 17. The new course reservation system and website should be functional in May. Little League is erecting a storage building and new scoreboard at the ball field.

Interim City Manager Spencer expressed his thanks to Todd Wyatt for facilitating a congratulatory Main Street letter from the Governor along with the signature pen.

An anonymous donor from the Charlevoix Community Foundation wishes to assist the Bike Share Program by funding the repainting of City bike racks to increase their visibility.

Councilmember Supernaw arrived at 7:06 p.m.

**VII. Requests, Petitions and Communications and Actions Thereon**

**A. Consideration to Donate Garden Plots**

Since the 1960's, the City of Charlevoix has maintained a cost-neutral community garden for citizens. The fee for each 24' x 24' plot is \$25. Janice McKay requested that the City donate 10 plots so she can plant corn for Charlevoix's food pantries. The space is currently available and local pantries have indicated that they will accept produce from Ms. McKay. She will seek volunteers and donations to sustain her efforts.

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

Motion by Councilmember Perron, second by Councilmember Gibson, to waive the fee for ten garden plots for Janice McKay.

Yeas: Gibson, Cole, Supernaw, Porter, Kurtz, Perron  
Nays: None  
Absent: None

B. Consideration to Approve a Resolution Waiving Parking Fees at Ferry Beach Boat Launch for Lake Charlevoix Area Trout Tournament

Kent Seymour, President of the Lake Charlevoix Area Trout Tournament, is hosting a fishing tournament from June 12 to June 14, 2015. He asked Council to waive the parking fees for a practice fishing day on June 11th and for the tournament on June 12-14, 2015. Section 10.84 of Chapter 148 of the City Code permits the City Council to waive the fees.

Deputy Mayor Porter opened the item to public comment.

Jan McKay asked the cost for the launch fee. Interim City Manager Spencer indicated that it was approximately \$5.

The item was closed to the public.

Action by Resolution.

C. Consideration to Approve a Resolution Waiving Parking Fees at Ferry Beach Boat Launch for the Shimano/G. Loomis Charlevoix Shootout Bass Tournament

Randy VanDam of D & R Sports Center wishes to host the Shimano/G. Loomis Charlevoix Shootout Bass Tournament in Charlevoix on June 6, 2015 and is asking Council to waive the parking fees for the tournament. Section 10.84 of Chapter 148 of the City Code permits the City Council to waive the fees.

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

Action by Resolution.

D. Consideration to Accept and Approve an Interdepartmental Loan Agreement to Finance Water Main Replacement

Due to the severity of the water main breaks during the winter of 2015, the recommendation to permanently correct the current infrastructure issues was discussed. In order to fund the infrastructure project and to keep a \$75,000 Charter Reserve, Staff is requesting that Council approve an Interdepartmental Loan Agreement between the Department of Public Works/Fund and the Water Department/Fund not to exceed \$400,000 for a nominal interest charge. If a grant from the State Disaster Contingency Fund becomes available for 2015, any funds received will be applied to the Interdepartmental Loan as repayment.

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

Motion by Councilmember Gibson, second by Councilmember Cole, to accept and approve the Interdepartmental Loan Agreement as presented, and authorize the Mayor and City Clerk to sign on behalf of the City and the City Manager to sign on behalf of the DPW fund.

Yeas: Gibson, Cole, Supernaw, Porter, Kurtz, Perron

Nays: None

Absent: None

E. Consideration to Approve the Water Main Upgrade on the 200 Block of Nettleton

On the 200 block of Nettleton, the City has approximately 200' of water main that is broken due to the extreme weather conditions. This main is 4" cast iron pipe, buried to 4' and is estimated to be 90 years old. DPW Superintendent Elliott is recommending that the water main be upgraded to 8" ductile iron pipe buried 6-7' deep, new services added and one new hydrant. MDC Contracting and Team Elmer's submitted competitive bids with MDC having the low bid of \$79,260. The project will be scheduled in June.

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

Motion by Councilmember Kurtz, second by Councilmember Supernaw, to enter into an agreement with MDC Contracting, to replace the water main [on the 200 block of Nettleton] for \$79,260.

Yeas: Gibson, Cole, Supernaw, Porter, Kurtz, Perron

Nays: None

Absent: None

F. Consideration of a Letter to State Representatives Seeking Funds for Water Main Repairs

Interim City Manager Spencer presented a draft letter addressed to our elected officials in Lansing requesting financial assistance for water main breaks during the winter of 2015. Council reviewed the letter and concurred that it should be forwarded to Lansing. Interim City Manager Spencer will also forward the letter to surrounding communities affected by the weather with the suggestion for them to contact their legislators as well.

G. Consideration to Approve a Tree Planting Bid

In the approved 2015/16 City Budget, Staff allocated \$28,200 to plant trees throughout the City. An additional \$7,500 is being donated by the Charlevoix County Community Foundation, for a total of \$35,700. Staff advertised for tree planting and bids were opened on April 6<sup>th</sup> from Landscape Logic and Louis A. Hoffman. Hoffman was the low bidder. DPW Superintendent Elliott recommended contracting with Louis A. Hoffman who has provided similar services and quality trees in the past

Councilmember Perron questioned the weekly watering price in the bid tabulation. DPW Superintendent Elliott stated that he requested a separate quote for watering to confirm that it would be more cost effective to hire seasonal employees to do the watering.

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

Motion by Councilmember Gibson, second by Councilmember Perron, to accept the tree planting quote from Louis A. Hoffman and enter into an agreement to plant 105 trees for a total cost of \$35,772.

Yeas: Gibson, Cole, Supernaw, Porter, Kurtz, Perron  
Nays: None  
Absent: None

H. Volunteer EMS/Fire Staffing

The Charlevoix City Emergency Medical Service Department (EMS) is experiencing a shortage of trained personnel to equip the department. The shortage is mainly due to our neighboring EMS providers paying their personnel more than we offer. Therefore, some of the City's volunteers have sought employment in other communities. The department is in need of additional paid on-call volunteers in order to provide immediate and professional services to the communities which we service.

Chief Doan recommended the creation of a committee to review options and determine a possible solution. He suggested the following members for the committee: Chief Doan, Interim City Manager Spencer, Treasurer McGinn, retired City firefighter Lyle Gennett, Petoskey Director of Public Safety John Calabrese, a member of the Charlevoix County Medical Control Authority, as well as three Councilmembers. Councilmembers Porter, Gibson, and Supernaw volunteered to sit on the committee. Chief Doan suggested May 6 or May 7 as the first meeting date.

I. Arbor Day and Tree City USA Award

Charlevoix has been designated as a "Tree City USA" 23 times since 1987. This award is a feather in the City's cap that can help sustain or improve our forestry program in these tight economic times. Staff asked City residents to support and observe the week of April 19<sup>th</sup> as Arbor Week.

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

Motion by Councilmember Kurtz, second by Councilmember Cole, to authorize the Deputy Mayor to sign the attached proclamation proclaiming April 24<sup>th</sup> as National Arbor Day in the City of Charlevoix.

Yeas: Gibson, Cole, Supernaw, Porter, Kurtz, Perron  
Nays: None  
Absent: None

J. General Discussion on the Proposed Mural

The mural proposed for the side of the Rexall building is fully funded by grants and was approved by the Downtown Development Authority in 2014. City Council reviewed the design on October 6, 2014. The artist commissioned for the project has been paid \$5,000 and the mural is being painted.

Deputy Mayor Porter stated he and his wife have been twenty year members of "Scenic Michigan", an organization to eliminate billboards. He feels that the words "Welcome to Charlevoix the Beautiful" on the mural turn the mural into a billboard and it violates the City's sign ordinance. Deputy Mayor Porter believes that the ordinance should be changed and the City has plenty of signs downtown.

Interim City Manager stated that the mural is a piece of art that promotes Charlevoix and not a billboard. He cited the zoning ordinance which creates an exemption for the mural.

CEDD Doyle expressed her concern with regards to undermining of the decision making process that brought the mural project to this point in time.

Deputy Mayor Porter opened the item to public comment.

Ginny Saul, 1<sup>st</sup> Ward, agreed with Councilmember Porter.

Maureen LaBlance stated that she liked the mural without the lettering.

The item was closed to the public

Councilmember Kurtz questioned whether the donor should be contacted for his opinion. Deputy Mayor Porter replied that he thought the donor would not care what the mural looks like. Interim City Manager Spencer felt that the committee members and the DDA should be contacted.

The general consensus from Council was to forgo the verbiage on the sign if it was not too late to do so. Deputy Mayor Porter directed Interim City Manager Spencer to contact the artist in a timely manner to determine the status of the piece.

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

- A. Introduction of Amendment to Title III – Parks and Public Grounds Chapter 31 Parks – General Regulations, Section 3.3 Fireworks  
Chief Doan stated that the amended Fireworks Ordinance will be more detailed and will include the prohibition of Chinese Lanterns (Sky Lanterns/Kongming Lanterns). The amended Ordinance lists ten holidays when fireworks are permitted the day before the holiday, the day of the holiday, and the day after.

Councilmember Gibson doesn't agree with the State with regards to the number of days for fireworks and expressed her concern for the endangerment of the health, peace, and safety of citizens. Chief Doan stated that the State sets the guidelines for the number of allowable days and any violators of the ordinance would be addressed on a case-by-case basis

Chief Doan suggested that the City Attorney attend the public hearing.

Motion by Councilmember Supernaw, second by Councilmember Cole, to set a public hearing for May 4, 2015 to consider the adoption of an amendment to Title III – Parks and Public Grounds Chapter 31 Parks – General Regulations, Section 3.3 – Fireworks.

Yeas: Gibson, Cole, Supernaw, Porter, Kurtz, Perron  
Nays: None  
Absent: None

**IX. Resolutions**

- A. Consideration to Approve a Resolution Waiving Parking Fees at Ferry Beach Boat Launch for the Lake Charlevoix Area Trout Tournament

Motion by Councilmember Cole, seconded by Councilmember Gibson, to approve Resolution 2015-04-02, Waive Parking Fees for Trout Tournament, as follows:

**CITY OF CHARLEVOIX  
RESOLUTION NO. 2015-04-02  
WAIVE PARKING FEES FOR TROUT TOURNAMENT**

**WHEREAS,** the Lake Charlevoix Area Trout Tournament will be held on June 12, 13 and 14, 2015, and

**WHEREAS,** the Lake Charlevoix Area Trout Tournament is requesting that parking fees be waived for the tournament; and

**WHEREAS,** the Charlevoix Area Trout Tournament is requesting parking fees to be waived for a practice fishing day on June 11, 2015; and

**WHEREAS,** the City Code permits City Council to waive parking fees for special or public events.

**NOW THEREFORE BE IT RESOLVED,** that the City of Charlevoix hereby waives parking fees for the Lake Charlevoix Area Trout Tournament from June 11 to June 14, 2015.

RESOLVED this 20th day of April, 2015, A.D.

Resolution was adopted by the following yea and nay vote:

Yeas: Gibson, Cole, Supernaw, Porter, Kurtz, Perron  
Nays: None  
Absent: None

- B. Consideration to Approve a Resolution Waiving Parking Fees at Ferry Beach Boat Launch for the Shimano/G Loomis Charlevoix Shootout Bass Tournament  
 Motion by Councilmember Kurtz, seconded by Councilmember Perron, to approve Resolution 2015-04-03, Waive Parking Fees for Bass Tournament, as follows:

**CITY OF CHARLEVOIX  
 RESOLUTION 2015-04-03  
 WAIVE PARKING FEES FOR BASS TOURNAMENT**

**WHEREAS,** Randy VanDam of D & R Sports Center plans to host a bass tournament named "The Shimano/G. Loomis Charlevoix Shootout" on June 6, 2015; and

**WHEREAS,** tournament organizers are requesting that parking fees be waived the day of the tournament; and

**WHEREAS,** the City Code permits City Council to waive parking fees for special or public events.

**NOW THEREFORE BE IT RESOLVED,** that the City Council of the City of Charlevoix hereby waives parking fees for the "The Shimano/G. Loomis Charlevoix Shootout" on June 6, 2015.

RESOLVED this 20th day of April, 2015, A.D.

Resolution was adopted by the following yea and nay vote:

Yeas: Gibson, Cole, Supernaw, Porter, Kurtz, Perron  
 Nays: None  
 Absent: None

**X. Ordinances**  
 None.

**XI. Miscellaneous Business**

Councilmember Supernaw questioned CED Director Doyle regarding her memo dated April 13, 2015 regarding the Main Street Select Level. She clarified and reviewed the upcoming meetings and trainings that are required in the near future

Councilmember Supernaw questioned whether the sign ordinance went into effect. Interim City Manager Spencer stated that the ordinance is now in effect and there is one individual who believes that he is grandfathered in with regards to the sandwich board regulations. The ordinance has generally been well received however, warnings have been issued.

**XII. Audience - Non-agenda Input (written requests take precedent)**  
 None.

**XIII. Adjourn**

Motion by Councilmember Kurtz, second by Councilmember Cole to adjourn. Motion passed by unanimous voice vote.  
 Meeting adjourned at 8:25 p.m.

Joyce Golding

City Clerk

Jeffrey Porter

Deputy Mayor

<b>Accounts Payable – 04/21/2015</b>			
ACE HARDWARE	8,935.84	BRADFORD'S	48.25
ALL-PHASE ELECTRIC SUPPLY CO.	39.73	CHARLEVOIX SCREEN MASTERS INC	333.50
AMERICAN WASTE INC.	2,106.00	CHARTER COMMUNICATIONS	1,022.42
AMERICAN WATER WORKS ASSN	178.00	CHEMICAL SYSTEMS INC.	1,872.00
AMERICAN WATER WORKS ASSOC	400.00	CINTAS CORPORATION #729	60.00
APX INC.	101.89	CITY OF CHARLEVOIX - PETTY CASH	360.00
ARROW UNIFORM-TAYLOR L.L.C	1,163.42	CITY OF CHARLEVOIX - UTILITIES	34,997.11
AUTO VALUE	312.83	DAVE KRING CHEVROLET	23.90
AVFUEL CORPORATION	235.90	DELL MARKETING L P	1,272.01
B & L SOUND INC	122.94	DORAN, JUSTIN J	60.00
BAKER COLLEGE OF CADILLAC	45.00	EJ USA INC.	2,678.93

ETNA SUPPLY	2,097.11	NORTHERN SAFETY CO INC	211.98
FAMILY FARM & HOME	502.46	OLESON'S FOOD STORES	87.83
FASTENAL COMPANY	124.79	OMS COMPLIANCE SERVICES INC	236.25
FERGUSON & CHAMBERLAIN	1,089.00	PERFORMANCE ENGINEERS INC	6,636.75
FOX CHARLEVOIX	47.36	POLLARD WATER	284.76
FREIGHTLINER OF GRAND RAPIDS	376.84	POWER LINE SUPPLY	1,551.44
GALLS AN ARAMARK COMPANY	78.90	PRESTON FEATHER	486.00
GBS INC.	35.00	PURITY CYLINDER GASES INC	311.29
GORDON FOOD SERVICE	149.97	RS&H MICHIGAN INC	7,550.00
GOVERNMENT FINANCE	160.00	S&W HEALTHCARE CORPORATION	131.44
GRAINGER	100.20	SPARTAN STORES LLC	53.91
HYDRO CORP	515.00	STANDARD ELECTRIC CO	24,150.00
INDEPENDENT DRAFTING SERVICES	2,112.00	STATE OF MICHIGAN	70.00
JACK DOHENY SUPPLIES INC	656.52	STATE OF MICHIGAN	86,300.00
KING, THOMAS	37.24	SUPERIOR MECHANICAL	80.00
KIWANIS CLUB OF CHARLEVOIX	39.00	TERMINAL SUPPLY CO	226.80
KNOX COMPANY	41.00	TRAVERSE REPRODUCTION	476.83
LOUKA TACTICAL TRAINING	400.00	TRUCK & TRAILER SPECIALTIES	169.90
MCMICHAEL, AMANDA	11.72	UP NORTH PROPERTY SERVICES LLC	351.00
MEIER III, CHARLES A.	88.09	UTILITIES INSTRUMENTATION SERVICE	6,972.00
MI-AWWA	250.00	VILLAGE GRAPHICS INC	91.80
MICHIGAN OFFICEWAYS INC	895.81	VOSS LIGHTING	127.66
MICHIGAN SURVEYORS SUPPLY	7,640.00	WATCH INC.	100.00
NCL OF WISCONSIN INC.	117.05	WILMOT ELECTRIC INC	7.97
NETSOURCE ONE INC	24.00	WORK & PLAY SHOP	930.09
NORTHERN CREDIT BUREAU	599.73		
NORTHERN MICHIGAN REVIEW INC.	1,271.17	<b>TOTAL</b>	<b>213,425.33</b>

**ACH Payments – 04/06/2015 – 04/13/2015**

MI PUBLIC POWER AGENCY	24,628.60	VANTAGEPOINT (401 ICMA PLAN)	14,467.92
PAYMENT SERVICE NETWORK	217.70	STATE OF MI (SALES TAX)	22,487.11
IRS (PAYROLL TAX DEPOSIT)	34,999.78	MI PUBLIC POWER AGENCY	18,533.20
ALERUS FINANCIAL (HCSP)	370.00		
STATE OF MI (WITHHOLDING TAX)	4,821.22	<b>TOTAL</b>	<b>120,525.53</b>

**PAYROLL: NET PAY**

**Pay Period Ending 04/04/2015 – Paid 04/10/2015**

CAMPBELL, GABRIEL M.	1,025.08	WURST, RANDALL W.	1,312.04
GIBSON, SHIRLEY J.	854.23	MAYER, SHELLEY L.	1,557.58
PORTER, JEFFREY L.	588.06	HILLING, NICHOLAS A.	1,407.85
PERRON, LEON R.	714.26	MEIER III, CHARLES A.	1,957.75
KURTZ, LUTHER J.	535.63	ZACHARIAS, STEVEN B.	1,825.85
SUPERNAW, WILLIAM J.	1,126.12	NISWANDER, JOSEPH F.	1,283.76
WELLER, LINDA JO	1,610.94	FRYE, EDWARD J.	2,701.38
GOLDING, JOYCE M.	1,051.56	JONES, TERRI L.	961.45
DEROSIA, PATRICIA E.	873.80	EATON, BRAD A.	2,352.71
DOYLE, ANNE E.	1,376.26	WILSON, TIMOTHY J.	2,115.55
LOY, EVELYN R.	1,017.73	LAVOIE, RICHARD L.	1,708.04
KLOOSTER, ALIDA K.	1,665.50	STEVENS, BRANDON C.	2,496.24
SPENCER, MICHAEL D.	2,229.95	DRAVES, MARTIN J.	2,217.16
SPENCLEY, PATRICIA L.	1,324.76	BROWN, STEPHANIE C.	1,023.65
PANOFF, ZACHARY R.	622.82	ELLIOTT, PATRICK M.	1,749.47
LEESE, MERRI C.	507.98	WELLS JR., DONALD E.	2,444.00
MCGINN, KELLY A.	1,573.70	BRADLEY, KELLY R.	2,706.19
DOAN, GERARD P.	1,649.92	WILSON, RICHARD J.	1,572.06
SHRIFT, PETER R.	1,257.87	HART II, DELBERT W.	379.65
SCHLAPPI, JAMES L.	1,129.45	JONES, ROBERT F.	1,705.78
UMULIS, MATTHEW T.	1,352.70	DORAN, JUSTIN J.	1,213.39
HANKINS, SCOTT A.	1,479.84	MCGHEE, ROBERT R.	306.78
ORBAN, BARBARA K.	1,256.66	KIRINOVIC, THOMAS F.	600.53
TRAEGER, JASON A.	1,303.96	FORRESTER, KATHERINE A.	470.92
WARNER, JANINE M.	1,072.51	BERTINELLI, DAVID P.	459.61
SCHWARTZFISHER, JOSEPH L.	1,208.72	HEID, THOMAS J.	1,242.42
ROLOFF, ROBERT P.	2,129.96	DAVIS, RONALD L.	85.33
BRODIN, WILLIAM C.	1,315.69	MYER, ELIZABETH A.	1,840.46
RILEY, DENISE M.	386.08	VANLOO, JOSEPH G.	625.10
TEUNIS, STEVEN L.	1,667.97	WYMAN, MATTHEW A.	947.58

DRAVES, MICHAEL J.	395.07	MORRISON, KEVIN P.	946.74
SCHRADER, LOU ANN	479.32	HODGE, MICHAEL J.	1,294.50
SCHWAGER, EDWARD J.	704.33	JOHNSON, STEVEN P	1,263.86
COLE, SHANE	651.07	BOSS JR, DALE E.	590.05
DOAN, GERARD P.	181.89	HOLM, ARTHUR R.	278.12
HANKINS, SCOTT A.	175.35	CURTIS, DENNIS E.	447.68
SWEM, DONALD L.	1,682.60	GILL, DAVID R	474.23
WHITLEY, ANDREW T.	2,005.63	TOTAL	90,750.43

**PAYROLL: TRANSMITTAL**  
**04/10/2015**

4FRONT CREDIT UNION	218.46	COMMUNICATION WORKERS OF AMER	542.30
AMERICAN FAMILY LIFE	216.00	MI STATE DISBURSEMENT UNIT	424.02
AMERICAN FAMILY LIFE	287.17	POLICE OFFICERS LABOR COUNCIL	392.00
CHAR EM UNITED WAY	32.00	PRIORITY HEALTH	1,784.24
CHARLEVOIX STATE BANK	1,021.16	TOTAL	5,067.35
CHEMICAL BANK	150.00		



**CITY OF CHARLEVOIX**  
**SPECIAL CITY COUNCIL MEETING MINUTES**  
**Monday, April 27, 2015 – 9:00 a. m.**  
210 State Street, City Hall, Council Chambers, Charlevoix, MI

The meeting was called to order at 9.00 a.m. by Deputy Mayor Jeffrey Porter.

**I. Pledge of Allegiance**

**II. Roll Call of Members Present**

Mayor: Absent  
Deputy Mayor: Jeffrey Porter  
City Clerk: Joyce Golding  
Members Present: Councilmembers Shane Cole, Shirley Gibson, Luther Kurtz, Leon Perron, Bill Supernaw  
Staff: HR Assistant Patty DeRosia

**III. Inquiry Regarding Possible Conflicts of Interest**

None.

**IV. Miscellaneous Business**

**A. City Manager Candidate Interviews**

The following candidates for City Manager were present for a semi-finalist interview:

1. Michael Spencer

Mayor Campbell arrived at 9:25 a.m.

2. Joseph Gunter
3. Bryce Kelley

Motion by Kurtz, second by Cole, to recess at 12:00 p.m. Motion passed by unanimous voice vote.

The meeting reconvened at 1.28 p.m

4. Aaron Desentz
5. Mark Heydlauff

After the interviews were completed, candidates were discussed and three finalists were determined.

Motion by Kurtz, second by Gibson, to invite Michael Spencer, Aaron Desentz, and Mark Heydlauff for a final interview for the City Manager position. Motion passed by unanimous voice vote.

**V. Audience – Non-agenda Input (written requests take precedent)**

None.

**VI. Adjourn**

The Deputy Mayor stated if there were no objections, the meeting would adjourn.  
There were no objections. Meeting adjourned at 3:23 p.m.

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Joyce M. Golding

City Clerk

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Jeffrey Porter

Deputy Mayor

Check Number	Payee	Amount
<b>04/22/2015</b>		
112982	AT&T	1,902.17
112983	AT&T LONG DISTANCE	36.63
112984	AT&T MOBILITY	72.81
112985	CHARLEVOIX STATE BANK	2,749.04
112986	DELTA DENTAL	4,465.23
112987	DTE ENERGY	3,770.58
112988	GREAT LAKES ENERGY	247.62
112989	METLIFE SMALL BUSINESS CENTER	700.71
112990	NEOFUNDS BY NEOPOST	5,060.50
112991	PRIORITY HEALTH	43,770.88
112992	VERIZON WIRELESS	56.72
112993	VISION SERVICE PLAN	550.67
Total 04/22/2015:		63,383.56
Grand Totals:		63,383.56

## Summary of Check Registers & ACH Payments

### FIRSTMERIT BANK - CHECKS ISSUED

04/22/15 Special Accounts Payable Run	\$	63,383.56
04/23/15 Special Accounts Payable Run	\$	575,959.43
04/24/15 Payroll	\$	92,762.08
04/24/15 Payroll Transmittal Checks	\$	4,655.34
05/05/15 Regular Accounts Payable	\$	173,383.49
<b>Checks Sub-Total:</b>	<b>\$</b>	<b>910,143.90</b>

### FIRSTMERIT BANK - ACH PAYMENTS

04/20/15 MI Public Power Agency	\$	15,414.24
04/24/15 IRS (Payroll Tax Deposit)	\$	35,550.43
04/24/15 Alerus Financial (HCSP)	\$	370.00
04/24/15 State of MI (Withholding Tax)	\$	5,041.70
04/24/15 Vantagepoint (401 ICMA Plan)	\$	14,230.32
04/24/15 MERS (Defined Benefit Plan)	\$	29,871.73
04/27/15 MI Public Power Agency	\$	260,966.93
<b>ACH Sub-Total:</b>	<b>\$</b>	<b>361,245.35</b>

First Merit Bank Total: \$ 1,271,389.25

### CHARLEVOIX STATE BANK - CHECKS ISSUED

<small>(PROPERTY TAX DISBURSEMENT TO VARIOUS TAXING AUTHORITIES)</small>		
05/05/15 Tax Disbursement	\$	6,464.09
<b>Charlevoix State Bank Total:</b>	<b>\$</b>	<b>6,464.09</b>

**Grand Total:** \$ 1,277,853.34

APPROVED:

*Michael J. ...*  
INTERIM CITY MANAGER

*...*  
CITY TREASURER

*...*  
CITY CLERK

Check Number	Payee	Amount
<b>04/23/2015</b>		
112994	DEVERE CONSTRUCTION COMPANY	575,959.43
Total 04/23/2015:		575,959.43
Grand Totals:		575,959.43

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
04/18/2015	PC	04/24/2015	19165	WELLER, LINDA JO	101		1,620.72
04/18/2015	PC	04/24/2015	19166	GOLDING, JOYCE M.	106		1,059.15
04/18/2015	PC	04/24/2015	19167	DEROSIA, PATRICIA E.	107		880.34
04/18/2015	PC	04/24/2015	19168	DOYLE, ANNE E.	108		1,385.05
04/18/2015	PC	04/24/2015	19169	LOY, EVELYN R.	117		1,017.73
04/18/2015	PC	04/24/2015	19170	KLOOSTER, ALIDA K.	121		1,447.08
04/18/2015	PC	04/24/2015	19171	SPENCER, MICHAEL D.	132		2,076.83
04/18/2015	PC	04/24/2015	19172	SPENCLEY, PATRICIA L.	136		1,374.03
04/18/2015	PC	04/24/2015	19173	PANOFF, ZACHARY R.	141		626.91
04/18/2015	PC	04/24/2015	19174	LEESE, MERRI C.	145		147.50
04/18/2015	PC	04/24/2015	19175	MCGINN, KELLY A.	146		1,585.98
04/18/2015	PC	04/24/2015	19176	DOAN, GERARD P.	201		1,664.94
04/18/2015	PC	04/24/2015	19177	SHRIFT, PETER R.	203		1,174.15
04/18/2015	PC	04/24/2015	19178	SCHLAPPI, JAMES L.	204		998.83
04/18/2015	PC	04/24/2015	19179	UMULIS, MATTHEW T.	205		1,208.96
04/18/2015	PC	04/24/2015	19180	HANKINS, SCOTT A.	208		1,489.79
04/18/2015	PC	04/24/2015	19181	ORBAN, BARBARA K.	209		1,306.07
04/18/2015	PC	04/24/2015	19182	TRAEGER, JASON A.	210		1,210.28
04/18/2015	PC	04/24/2015	19183	WARNER, JANINE M.	213		851.52
04/18/2015	PC	04/24/2015	19184	SCHWARTZFISHER, JOS	303		1,181.76
04/18/2015	PC	04/24/2015	19185	ROLOFF, ROBERT P.	304		3,029.38
04/18/2015	PC	04/24/2015	19186	BRODIN, WILLIAM C.	305		1,459.53
04/18/2015	PC	04/24/2015	19187	RILEY, DENISE M.	306		388.62
04/18/2015	PC	04/24/2015	19188	TEUNIS, STEVEN L.	402		1,681.68
04/18/2015	PC	04/24/2015	19189	WURST, RANDALL W.	411		1,492.19
04/18/2015	PC	04/24/2015	19190	MAYER, SHELLEY L.	412		1,373.99
04/18/2015	PC	04/24/2015	19191	HILLING, NICHOLAS A.	413		1,375.31
04/18/2015	PC	04/24/2015	19192	MEIER III, CHARLES A.	421		1,503.58
04/18/2015	PC	04/24/2015	19193	ZACHARIAS, STEVEN B.	422		1,565.23
04/18/2015	PC	04/24/2015	19194	NISWANDER, JOSEPH F.	504		1,417.94
04/18/2015	PC	04/24/2015	19195	JONES, TERRI L.	511		961.45
04/18/2015	PC	04/24/2015	19196	EATON, BRAD A.	515		2,906.94
04/18/2015	PC	04/24/2015	19197	WILSON, TIMOTHY J.	516		2,615.07
04/18/2015	PC	04/24/2015	19198	LAVOIE, RICHARD L.	519		3,041.15
04/18/2015	PC	04/24/2015	19199	STEVENS, BRANDON C.	521		2,202.85
04/18/2015	PC	04/24/2015	19200	DRAVES, MARTIN J.	523		1,673.06
04/18/2015	PC	04/24/2015	19201	BROWN, STEPHANIE C.	524		1,023.65
04/18/2015	PC	04/24/2015	19202	ELLIOTT, PATRICK M.	600		2,612.14
04/18/2015	PC	04/24/2015	19203	WELLS JR., DONALD E.	609		2,835.99
04/18/2015	PC	04/24/2015	19204	BRADLEY, KELLY R.	614		1,592.62
04/18/2015	PC	04/24/2015	19205	WILSON, RICHARD J.	615		1,249.09
04/18/2015	PC	04/24/2015	19206	HART II, DELBERT W.	616		1,090.22
04/18/2015	PC	04/24/2015	19207	JONES, ROBERT F.	618		1,101.92
04/18/2015	PC	04/24/2015	19208	DORAN, JUSTIN J.	621		1,862.82
04/18/2015	PC	04/24/2015	19209	MANKER JR, DAVID W.	638		225.73
04/18/2015	PC	04/24/2015	19210	HAWKINS, JAMES S.	662		71.31
04/18/2015	PC	04/24/2015	19211	MCGHEE, ROBERT R.	663		1,038.32
04/18/2015	PC	04/24/2015	19212	STANTS, JACOB W.	664		296.18
04/18/2015	PC	04/24/2015	19213	KIRINOVIC, THOMAS F.	700		573.67
04/18/2015	PC	04/24/2015	19214	FORRESTER, KATHERIN	704		254.95
04/18/2015	PC	04/24/2015	19215	AMSTUTZ, LINDA J.	706		116.36
04/18/2015	PC	04/24/2015	19216	HEID, THOMAS J	802		1,252.44
04/18/2015	PC	04/24/2015	19217	GRUNCH, RONALD J.	844		109.92
04/18/2015	PC	04/24/2015	19218	RYPSTRA III, BART	852		96.79
04/18/2015	PC	04/24/2015	19219	DAVIS, RONALD L.	853		120.83
04/18/2015	PC	04/24/2015	19220	MYER, ELIZABETH A.	900		1,622.72
04/18/2015	PC	04/24/2015	19221	VANLOO, JOSEPH G.	902		621.96

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
04/18/2015	PC	04/24/2015	19222	WYMAN, MATTHEW A.	927		955.66
04/18/2015	PC	04/24/2015	19223	DRAVES, MICHAEL J.	928		414.40
04/18/2015	PC	04/24/2015	19224	SCHRADER, LOU ANN	929		482.14
04/18/2015	PC	04/24/2015	19225	SCHWAGER, EDWARD J.	930		599.27
04/18/2015	PC	04/24/2015	19226	FUNKEY, KRAIG R.	1034		110.82
04/18/2015	PC	04/24/2015	19227	RILEY, TIMOTHY C.	1045		39.65
04/18/2015	PC	04/24/2015	19228	RAMSEY, KYLE J.	1051		29.65
04/18/2015	PC	04/24/2015	19229	RILEY, CASEY W.	1052		294.73
04/18/2015	PC	04/24/2015	19230	THORMAN, MIKAYLA R.	1055		171.46
04/18/2015	PC	04/24/2015	19231	JONES, LARRY M.	1057		590.30
04/18/2015	PC	04/24/2015	19232	LOPER II, GARY D.	1058		343.58
04/18/2015	PC	04/24/2015	19233	WILLSON, BRENDA R.	1059		27.89
04/18/2015	PC	04/24/2015	19234	TRAVERS, MANUEL J.	1071		796.15
04/18/2015	PC	04/24/2015	19235	RILEY, DANIEL A.	1079		748.19
04/18/2015	PC	04/24/2015	19236	WHITLEY, ADAM	1089		66.07
04/18/2015	PC	04/24/2015	112958	SWEM, DONALD L.	512		1,808.24
04/18/2015	PC	04/24/2015	112959	WHITLEY, ANDREW T.	522		2,833.88
04/18/2015	PC	04/24/2015	112960	MORRISON, KEVIN P.	601		1,448.41
04/18/2015	PC	04/24/2015	112961	HODGE, MICHAEL J.	606		1,276.58
04/18/2015	PC	04/24/2015	112962	JOHNSON, STEVEN P.	617		997.85
04/18/2015	PC	04/24/2015	112963	BISHAW, JAMES H.	633		372.24
04/18/2015	PC	04/24/2015	112964	HOLM, ARTHUR R.	791		107.07
04/18/2015	PC	04/24/2015	112965	CURTIS, DENNIS E.	831		859.14
04/18/2015	PC	04/24/2015	112966	GILL, DAVID R.	856		910.91
04/18/2015	PC	04/24/2015	112967	TODD, RICHARD D.	859		230.65
04/18/2015	PC	04/24/2015	112968	STEVENS, JEFFREY W.	1028		450.44
04/18/2015	PC	04/24/2015	112969	ROLOFF, AUDREY M.	1037		1,754.45
04/18/2015	PC	04/24/2015	112970	MATTER, DAWSON K.	1038		1,171.34
04/18/2015	PC	04/24/2015	112971	SCOTT JR., WINFIELD	1072		26.42
04/18/2015	PC	04/24/2015	112972	KITELEY, FISHER L.	1074		52.86
04/18/2015	PC	04/24/2015	112973	BERGMANN, DOUGLAS	1087		26.42
Grand Totals:			<u>88</u>				<u>92,762.08</u>

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## Report Criteria:

Computed checks included  
 Manual checks included  
 Supplemental checks included  
 Termination checks included  
 Void checks included

Pay Period Date	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
04/18/2015	04/24/2015	112974	4FRONT CREDIT UNION	9024	HSA-EMPLOYEE CONTRIB-4FR	218.46
04/18/2015	04/24/2015	112975	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-POST	145.20
04/18/2015	04/24/2015	112975	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-PRETA	271.20
04/18/2015	04/24/2015	112976	CHAR EM UNITED WAY	9009	UNITED WAY Pay Period: 4/18/2	32.00
04/18/2015	04/24/2015	112977	CHARLEVOIX STATE BA	9017	HSA - EMPLOYEE CONTRIB - C	1,021.16
04/18/2015	04/24/2015	112978	CHEMICAL BANK	9018	HSA - EMPLOYEE CONTRIB - C	150.00
04/18/2015	04/24/2015	112979	COMMUNICATION WORK	9004	CWA UNION DUES Pay Period:	530.68
04/18/2015	04/24/2015	112980	MI STATE DISBURSEME	9012	FRIEND OF THE COURT Pay P	502.40
04/18/2015	04/24/2015	112981	PRIORITY HEALTH	392358	PRIORITY HEALTH Pay Period:	1,784.24
Grand Totals:						9
						4,655.34

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Check Number	Payee	Amount
<b>05/05/2015</b>		
112995	AIRGAS USA LLC	174.02
112996	ALTEC INDUSTRIES INC	726.27
112997	ARGUS/HAZCO	149.00
112998	AVFUEL CORPORATION	11,746.82
112999	BLARNEY CASTLE OIL CO	705.10
113000	BOB MATHERS FORD	1,314.02
113001	CARQUEST OF CHARLEVOIX	1,358.50
113002	CENTRAL DRUG STORE	90.80
113003	CHAMPION CHARTER	589.82
113004	CHARLEVOIX CONVENTION &	2,000.00
113005	CHARLEVOIX SCREEN MASTERS INC	423.00
113006	CINTAS CORPORATION	116.62
113007	CINTAS CORPORATION #729	30.00
113008	DCASSESSING SERVICES	4,371.08
113009	DeROSIA, PATTY	41.00
113010	DOAN, GERARD	41.00
113011	DOMAIN LISTINGS	105.00
113012	DORAN, JUSTIN J.	67.85
113013	DOYLE, ANNIE	41.00
113014	EJ USA INC.	8,462.88
113015	ELECTION SYSTEMS & SOFTWARE	31.60
113016	ELLIOTT, PATRICK M.	41.00
113017	EMERGENCY MEDICAL PRODUCTS I	150.08
113018	ENMET CORP	227.52
113019	ETNA SUPPLY	4,026.00
113020	EVANS, HAL	41.00
113021	FIRE ENGINEERING	29.00
113022	FREEDOM MAILING SERVICES INC.	2,283.00
113023	FRONT LINE SERVICES INC.	353.95
113024	GALLO, JAMES	2.81
113025	GALLS AN ARAMARK COMPANY	331.67
113026	GARAGE DOOR SERVICES INC.	586.40
113027	GINOP SALES INC	1,769.45
113028	GOLDING, JOYCE	41.00
113029	GORDON FOOD SERVICE	166.81
113030	HACH COMPANY	1,100.91
113031	HANKINS, SCOTT	73.90
113032	HARBOR STEEL & SUPPLY CORP	640.00
113033	HARRELL'S	1,859.80
113034	HEID, THOMAS J.	95.32
113035	HOLIDAY COMPANIES	4,610.63
113036	HYDE SERVICES LLC	21.42
113037	INDEPENDENT DRAFTING SERVICES	1,216.00
113038	J & B MEDICAL SUPPLY INC.	387.97
113039	JACK DOHENY SUPPLIES INC	1,995.01
113040	KASSBOHRER ALL TERRAIN VEHICLE	4,114.85
113041	KIRINOVIC, THOMAS	76.00
113042	KLOOSTER, ALIDA K.	41.00

Check Number	Payee	Amount
113043	KSS ENTERPRISES	1,122.45
113044	LAKESHORE TIRE & AUTO SERVICE	188.90
113045	McGINN, KELLY	41.00
113046	MYER, ELIZABETH A.	41.00
113047	N M A C P	50.00
113048	NFPA	165.00
113049	NORTH COAST FASTENERS LLC	330.40
113050	NORTHERN LAKES	100.00
113051	NORTHERN MICHIGAN JANITORIAL	69.90
113052	NORTHWEST DESIGN GROUP	239.50
113053	OLD DOMINION BRUSH	3,219.60
113054	OLSON BZDOK & HOWARD	3,069.00
113055	ORBAN, BARBARA	14.00
113056	OTEC	878.75
113057	OWENS, MAUREEN	100.00
113058	PARASTAR INC.	1,393.25
113059	POWER LINE SUPPLY	8,792.12
113060	PREIN & NEWHOF	30,434.92
113061	PRO WEB MARKETING LLC	30.00
113062	QUICK CARE MEDICAL CENTER	55.00
113063	RILEY, JEFF	95.00
113064	SCHWEITZER ENGINEERING LABORA	31,160.00
113065	SEELEY'S PRINTING SERVICE	297.50
113066	SIGNATURE FORD L-M	23,742.00
113067	SPENCER, MICHAEL	41.00
113068	SPOK INC	678.84
113069	STATE OF MICHIGAN	120.00
113070	STATE OF MICHIGAN	5,215.22
113071	SUPERIOR MECHANICAL	367.39
113072	SWEM, DONALD L.	41.00
113073	TEUNIS, STEVEN	41.00
113074	TRAVERS, MANUEL J.	17.43
113075	UP NORTH PROPERTY SERVICES LL	490.00
113076	VERIBANC INC.	432.00
113077	WATERMAN, GREG	23.63
113078	WELLER, LINDA	41.00
113079	WHITLEY, ANDREW	14.00
113080	WORK & PLAY SHOP	1,322.81
113081	WYMAN, MATTHEW A.	41.00
Total 05/05/2015:		173,383.49
Grand Totals:		173,383.49



Check Number	Payee	Amount
<b>04/20/2015</b>		
42015001	MICHIGAN PUBLIC POWER AGENCY	15,414.24
Total 04/20/2015:		15,414.24
Grand Totals:		15,414.24

Check Issue Date	Check Number	Payee	Amount
<b>42415001</b>			
04/24/2015	42415001	**EFTPS* Payroll Taxes	8,710.74
04/24/2015	42415001	**EFTPS* Payroll Taxes	8,710.74
04/24/2015	42415001	**EFTPS* Payroll Taxes	2,037.20
04/24/2015	42415001	**EFTPS* Payroll Taxes	2,037.20
04/24/2015	42415001	**EFTPS* Payroll Taxes	14,054.55
Total 42415001:			
	5		35,550.43
<b>42415002</b>			
04/24/2015	42415002	Alerus Financial	370.00
Total 42415002:			
	1		370.00
<b>42415003</b>			
04/24/2015	42415003	STATE OF MICHIGAN	5,041.70
Total 42415003:			
	1		5,041.70
<b>42415004</b>			
04/24/2015	42415004	Vantagepoint - 457 Plan 300959	5,809.58
04/24/2015	42415004	Vantagepoint - 457 Plan 300959	132.13
04/24/2015	42415004	Vantagepoint - 457 Plan 300959	1,763.25
04/24/2015	42415004	Vantagepoint - 457 Plan 300959	6,525.36
Total 42415004:			
	4		14,230.32
Grand Totals:			
	11		55,192.45

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Check Number	Payee	Amount
<b>04/24/2015</b>		
42415005	MERS	29,671.73
Total 04/24/2015:		29,671.73
Grand Totals:		29,671.73

Check Number	Payee	Amount
<b>04/27/2015</b>		
42715001	MICHIGAN PUBLIC POWER AGENCY	260,966.93
Total 04/27/2015:		260,966.93
Grand Totals:		260,966.93

Check Number	Payee	Amount
<b>05/05/2015</b>		
2531	CHARLEVOIX COUNTY TREASURER	802.20
2532	CHARLEVOIX COUNTY TREASURER	144.93
2533	CHARLEVOIX DISTRICT LIBRARY	273.55
2534	CHARLEVOIX PUBLIC SCHOOLS	225.80
2535	CHARLEVOIX PUBLIC SCHOOLS	16.64
2536	CHARLEVOIX PUBLIC SCHOOLS	103.99
2537	CHARLEVOIX-EMMET ISD	330.54
2538	CITY OF CHARLEVOIX - TAXES DUE	1,664.59
2539	RECREATIONAL AUTHORITY	49.60
2540	STATE OF MICHIGAN	2,852.25
Total 05/05/2015:		6,464.09
Grand Totals:		6,464.09

**CHECKS DRAWN ON CHARLEVOIX STATE BANK ACCOUNT**

**CHARLEVOIX CITY COUNCIL  
AGENDA ITEM**

**AGENDA ITEM TITLE:** Amendment to Title III – Parks and Public Grounds Chapter 31  
Parks – General Resolutions Section 3.3 – Fireworks Ordinance

**DATE:** May 4, 2015

**PRESENTED BY:** Chief Gerard Doan

**ATTACHMENTS:** Proposed Amended Fireworks Ordinance

**BACKGROUND INFORMATION:**

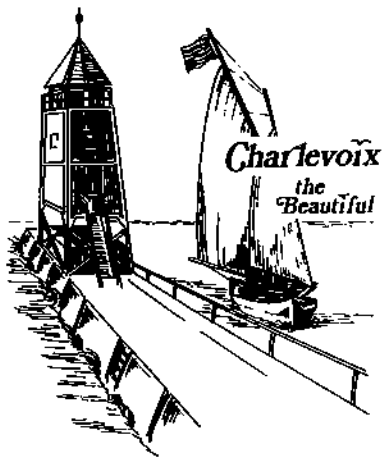
The City of Charlevoix’s Fireworks Ordinance currently reads *“No person shall discharge or set off any rocket, firecracker, Roman candle or firework containing any substance of an explosive or flammable nature in any public park or playground. This section shall not apply to special fireworks exhibitions made pursuant to a permit from the City.”*

The amended Fireworks Ordinance will be more detailed and will include the prohibited Chinese Lanterns, also known as Sky Lanterns or Kongming Lanterns. The amended Ordinance will list the specific holidays where fireworks are permitted the day before, the day of the holiday, and the day after. Those being: New Year’s Day (January 1); Martin Luther King, Jr.’s Birthday; Washington’s Birthday; Memorial Day; Independence Day; Labor Day; Columbus Day; Veteran’s Day; Thanksgiving Day; and Christmas Day.

With the adoption of the amended Fireworks Ordinance, the citizens of Charlevoix will have a better understanding of what is and what is not legal and the holidays where fireworks are permitted. Not to mention, this will aid the Charlevoix City’s police officers with enforcement of the Ordinance.

**RECOMMENDATION:**

To adopt the amended Fireworks Ordinance.



# CITY OF CHARLEVOIX

210 STATE ST. CHARLEVOIX, MICH. 49720

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## CITY OF CHARLEVOIX Ordinance No. \_\_\_\_\_ of 2015

AN ORDINANCE TO AMEND TITLE III,  
PARKS AND PUBLIC GROUNDS  
CHAPTER 31, PARKS – GENERAL REGULATIONS  
SECTION 3.3 – FIREWORKS ORDINANCE

### THE CITY OF CHARLEVOIX ORDAINS:

#### **SECTION 1. Repeal Section 3.3 Fireworks of Title III, Chapter 31 of the Charlevoix City Code**

~~No person shall discharge or set off any rocket, firecracker, roman candle or firework containing any substance of an explosive or flammable nature in any public park or playground. This section shall not apply to special fireworks exhibitions made pursuant to a permit from the city.~~

#### **SECTION 2. Amendment to Section 3.3 Fireworks of Title III, Chapter 31 of the Charlevoix City Code**

Section 3.3 is hereby amended to read in its entirety as follows:

The purpose of this Ordinance is to provide for the regulation of the ignition, discharge and use of Consumer Fireworks, as slowed under the Michigan Fireworks Safety Act, MCL 28.451 – 28.471.

#### Definitions:

3.3(1) Consumer Fireworks mean fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States consumer product safety commission, promulgated by the United States consumer product safety commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer Fireworks include Chinese Lanterns, but do not include Low-Impact Fireworks.

3.3(2) Fireworks means any composition or device, except for a starting pistol, a flare gun, or a flare, designed for the purpose of producing a visible or audible effect by combustion,

deflagration, or detonation. Fireworks consist of consumer fireworks, low-impact fireworks, articles pyrotechnic, display fireworks, and special effects.

3.3(3) Low-Impact Fireworks mean ground and handheld sparkling devices as that phrase is defined under APA standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8, and 3.5.

3.3(4) Chinese Lanterns also known as Sky Lanterns or Kongming Lanterns, are airborne paper lanterns construction from oiled rice or other paper on a frame, and contain a small candle or fuel cell composed of a waxy flammable material. . When lit, the flame heats the air inside the lantern causing the lantern to rise into the air. For purposes of this Ordinance, Chinese Lanterns shall be treated as Consumer Fireworks.

General:

3.3(5) Nuisance – No person shall make, continue, or cause to be made or continue, any loud, unnecessary, or unusual noise or any noise or audible effect, which injures or endangers the health, peace, or safety of others, within the limits of the City of Charlevoix. The ignition, discharge, or use of Consumer Fireworks on the days listed in paragraph 4 below shall not be consider a nuisance unless done so in a way which injuries or endangers the health, peace, or safety of others. A person who violated this section is subject to a Municipal Civil Infraction, as prescribed in Chapter 31 of this Code of Ordinances.

3.3(6) No person shall fire, discharge, display or possess any fireworks except of the type and under the conditions permitted under the Michigan Fireworks Safety Act, MCL 29.451 – 28.471, as may be amended.

3.3(7) No person shall bring into a park, have in their possession, set off, or otherwise cause to explode in a park, public land, or public right-of-way, any firecrackers, torpedoes, rockets, or other fireworks or explosives, or discharge or throw them into any park, public land, or public right-of-way, from land adjacent thereto, provide only that a special permit may be granted by the City of Charlevoix Council and the fire chief, which should include restrictions as to time and location.

3.3(8) The ignition, discharge, or use of Consumer Fireworks prohibited all days of the year except the day preceding, the day of, or the day after a national holiday, those being the following:

- New Years' Day, January 1
- Birthday of Martin Luther King Jr., the third Monday in January
- Washington's Birthday, the third Monday in February
- Memorial Day, the last Monday in May
- Independence Day, July 4
- Labor Day, the first Monday in September
- Columbus Day, the second Monday in October
- Veteran's Day, November 11
- Thanksgiving Day, the fourth Thursday in November
- Christmas Day, December 25





**CHARLEVOIX CITY COUNCIL**

**AGENDA ITEM**

**AGENDA ITEM TITLE:** Chamber of Commerce presentation/discussion

**DATE:** May 4, 2015

**COVER PAGE:** Mike Spencer, Interim City Manager

**PRESENTED BY:** Alison Hubbard, President of the Chamber

**ATTACHMENTS:** Promotional and Advertising Summary

**BACKGROUND INFORMATION:**

The City of Charlevoix has a positive working relationship with the Chamber of Commerce on a variety of initiatives. To help build on that success, we feel that good communication is necessary among our elected officials, the Chamber Board of Directors and staff. Since we have a light agenda, I thought it would be productive for Alison to come and present information on what their goals are for the coming summer, other Chamber initiatives, and be available to answer questions from council. Please be aware that our contract with the Chamber is not up or expired, nor is the lease agreement. The purpose of this agenda item is not to discuss contracts. Also, as you know we are tracking the costs incurred by the city for the major festivals/events. We can report those figures to you later this fall after the festivals have taken place.

In terms of the \$6,700 that the city contributes to the Chamber, attached is a document that explains what that funding is used for the benefit of the City.

**RECOMMENDATION:**

Discussion with Council



In 2014, the Charlevoix Area Chamber of Commerce provided the following promotional and advertising services to make known the industrial, commercial, educational, recreational, civic, resort and other advantages of the City of Charlevoix.

**1) Promoted Charlevoix through print, television, online, and radio advertising:**

- Radio advertising for the following community events:
  - Apple Fest
  - Summer Solstice
  - Arts and Crafts Show
  - Merchant Open house
- Print advertising for the following community events:
  - Apple Fest
  - Biz Expo
  - State of the Community
  - Arts and Crafts Show
  - Summer Solstice Arts Show
  - Holiday Parade and Tree Lighting
- Weekly Biz Blast promotion sent to roughly 1000 subscribers with an average open rate of 35%.
- [www.charlevoix.org](http://www.charlevoix.org) website with links to local information, visitor resources, event pages and online community calendar. Chamber home page visits 71,123 YTD. Community Calendar visits 55,000 YTD.
- Contributed financially through the Convention & Visitors Bureau for the Pure Michigan Campaign.
- Partnered with Convention & Visitors Bureau, the City of Charlevoix, and the Downtown Development Authority to fund a promotional Charlevoix video and photo initiative to be released in 2014-2015.
- Partnered with Convention & Visitors Bureau, the City of Charlevoix, and the Downtown Development Authority to fund 500 promotional Charlevoix commercials aired in August of 2014 to encourage fall travel.
- Charlevoix! First branding initiative.
- Total spent in 2014 on promotion and advertising related to Charlevoix initiatives as of November 25, 2014.
  - **Total Advertising: \$ 20,970.99**



**2) Produced, Edited and Distributed Promotional information:**

- Produced and distributed Annual Charlevoix Visitor's Guide - 25,000 copies printed, 110,000 online views digitally. Distribution through the chamber staff, MDOT and paid distribution efforts.
- Maintained Community Calendar of Events both online and in print. Distribution through mail and our lobby.
- Produced and distributed the State of the Community Report. Distribution at annual event and our lobby.
- Relocation Packets sent upon request and information available at [www.charlevoix.org](http://www.charlevoix.org)
- Produced and funded Area Map located in kiosk at Bridge & Clinton St.
- Produced Charlevoix County Profile Magazine, shelf life 2014-2015. Distributed through our lobby, local businesses and paid distribution efforts.
- Distributed promotional information in our lobby representing approx. 150 area business and organizations.
- Dedicated staff person provides information dissemination via phone, computer and walk in traffic.
  - Hours of operation: Monday-Friday 9AM-5PM and seasonally June-August, Saturdays 9-1.
- Total spent in 2014 on disseminating and distributing information related to Charlevoix initiatives as of November 25, 2014.
  - **Total Distribution \$4,564.40**

**Total 2014 expense: \$25,535.39**

- **Total Advertising: \$ 20,970.99**
- **Total Distribution \$ 4,564.40**

**CHARLEVOIX CITY COUNCIL  
AGENDA ITEM**

**AGENDA ITEM TITLE:** Consideration of Contract with Charlevoix City Band

**DATE:** May 4, 2015

**PRESENTED BY:** Gary Stutzman

**ATTACHMENTS:** Email from Charlevoix City Band  
Draft Contract

**BACKGROUND INFORMATION:**

Residents of the City of Charlevoix have been entertained by the Charlevoix City Band for generations. The Charlevoix City Band entertains residents in East Park on Tuesday evenings during the summer. Charlevoix City Band use the City's contribution to help defray the costs of providing its musical programs to Charlevoix residents and visitors.

The 2015-16 budget has \$3,000 allocated for the Charlevoix City Band.

**RECOMMENDATION:**

Staff requests the City Council to make a motion directing the Mayor to sign the proposed contract.

**Linda Weller**

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**From:** Gary Stutzman [gstut46@gmail.com]  
**Sent:** Wednesday, April 15, 2015 11:00 AM  
**To:** Linda Weller; Ev Wujcik  
**Subject:** Charlevoix City Band

Dear Linda,

I would like to attend a City Council Meeting to talk about the Charlevoix City Band and request the funding for this year's concerts in the park! Evelyn Wujcik is the president of the City Band Board and she will be in attendance with me or another member of the board will accompany me if she is unavailable!

Also, we would like to invite the Mayor and City Council members along with City Administration Officials to be the official guests of our band for our opening concert on Monday, June 30, 2015 at 8:00 P.M.

Gary Stutzman  
231 675-4800

**CONTRACT**

THIS CONTRACT is effective on the \_\_\_\_\_ day of \_\_\_\_\_, 2015 between the City of Charlevoix, a Michigan home rule city, whose address is 210 State Street, Charlevoix, Michigan 49720 (City) and the Charlevoix City Band, a Michigan nonprofit corporation, whose address is 06685 M-66, Lot #108, Charlevoix, Michigan 49720.

**Recitals**

- A. Pursuant to MCLA 117.3(j); MSA 5.2073(j) and Article I, Section 1.6 of the City Charter the City is authorized to provide for the peace and health and for the safety of persons and property within the City and to expend funds for that purpose.
- B. Charlevoix City Band provides music in the Clarence Odmark Performance Pavilion for the residents and visitors of the City of Charlevoix during the Summer season.
- C. The parties desire to act cooperatively in providing the above musical services to citizens in the City.

**Agreement**

NOW, THEREFORE, in consideration of the mutual promises contained in this Contract, the parties hereby agree as follows:

- 1. The City shall pay to Charlevoix City Band the sum of Three Thousand and 00/100 Dollars (\$3,000.00).
- 2. Charlevoix City Band shall provide not less than eight musical programs during the forthcoming summer season and shall use the above money to help defray the costs of providing those musical programs to Charlevoix residents and visitors.

**CITY OF CHARLEVOIX**

\_\_\_\_\_  
Date

By: \_\_\_\_\_  
Gabe Campbell, Mayor

**CHARLEVOIX CITY BAND**

\_\_\_\_\_  
Date

By: \_\_\_\_\_  
Evelyn Wujcik, President

\_\_\_\_\_  
Date

By: \_\_\_\_\_  
Ron Winchester, Vice-President

**CHARLEVOIX CITY COUNCIL  
AGENDA ITEM**

**AGENDA ITEM TITLE:** Consideration of Approval for the Charlevoix Craft Beer Festival

**DATE:** May 4, 2015

**PRESENTED BY:** Annie Doyle, Downtown Development Authority/Main Street

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**BACKGROUND INFORMATION:**

The Bridge Street Tap Room, Lake Charlevoix Brewing Company and Downtown Development Authority will be presenting the 2<sup>nd</sup> Annual Charlevoix Craft Beer Festival on Friday, June 5, 2015 and Saturday, June 6, 2015 in Bridge Park. Over 20 Michigan breweries and cideries from around the state will be participating. New to this year, will be a silent auction to raise money for the Main Street Program.

The City of Charlevoix City Code, Section 3.14 (alcoholic beverages—consumption prohibited in certain places), states:

*It shall be unlawful for any person to consume alcoholic beverages in any part of any park which lies within one thousand (1,000) feet of U.S. Highway 31, except that such restriction does not extend to privately owned vessels moored in the yacht basin nor does it extend to any specific function authorized by the city manager, provided, however, that any person or persons or legal entity authorized to control any playground, recreational area or athletic field covered by this chapter which property is not owned, leased or rented by the City of Charlevoix, may extend authority to consume alcoholic beverages on said premises, upon written notification to the city manager.*

**RECOMMENDATION:**

That the City Council make a motion to authorize the City Manager to waive the provision in the City Code under *Title III: Parks and Public Grounds, Chapter 31, Section 3.14.*



## CHARLEVOIX CITY COUNCIL

### AGENDA ITEM

**AGENDA ITEM TITLE:** Discussion on pre-determined donation acceptance project list and public process

**DATE:** May 4, 2015

**PRESENTED BY:** Mike Spencer, Interim City Manager

#### **BACKGROUND INFORMATION:**

Charlevoix has been fortunate to receive numerous donations from various individuals and groups in the past for projects such as the mural, the economic development studies, funding for the Lake to Lake Trail and memorial benches. In the past two years alone there has been close to \$38,000 donated for memorial benches, which equals around 15 to 19 benches that range from \$2,000 to \$2,500 each. This year we already have 3 more requests. At some point we are going to have enough benches. We may have reached that point in East Park as there are around 27 benches. Some of these projects previously mentioned are just donations and some are donations made in honor of someone who has passed away. There has been concern expressed by residents about the use or overuse of "memorials" in our public parks.

I think a public process should take place to create a list of projects that have public support that donors can give to. This would be a more proactive approach rather than individuals proposing their own ideas which in some cases may be controversial. Our staff is taking the next two weeks to come up with a list as a starting point. Other questions have come up such as should we allow memorials in parks? If so under what circumstances? What would the memorial look like?

In terms of who would take on this project one idea would be to use the Donation Acceptance Review Committee who was tasked with creating the donation policy several years ago. This committee was comprised of Birdie Whitley, Tom Ochs, Kay Heise, Dave Robinson, Robert Klein and the City Manager. We are certainly open to other approaches based on Council input. We have not contacted any previous committee members yet since we need Council direction first.

#### **RECOMMENDATION:**

Seeking Council direction.

1. Should we pursue this project now?
2. Do you want to use the committee from before?
3. If you want us to form a new committee who would like to be on it?