

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, June 6, 2011 — 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: Assistant City Attorney Bryan Graham
City Manager: Rob Straebel
City Clerk: Carol A. Ochs
Members Present: Council members Lyle Gennett, Dennis Kusina, Jill Picha, Greg Stevens, Bryan Vollmer, Shane Cole
Absent: None

III. Inquiry Regarding Possible Conflicts of Interest

None.

IV. Consent Agenda

The following items were approved and filed:

- A. Approval of Minutes – May 16, 2011 Regular Meeting Minutes
- B. Approval of Minutes – May 31, 2011 Special Meeting Minutes
- C. Accounts Payable Check Register – May 20, 2011
- D. Accounts Payable Check Register – June 7, 2011
- E. ACH Payments – May 16 – May 31, 2011
- F. Payroll Check Register – May 27, 2011
- G. Payroll Transmittal – May 27, 2011

V. Public Hearings

None.

VI. Reports

The Manager reviewed some pending State bills. He informed Council that Staff is keeping abreast of the legislation and will keep them informed regarding impacts.

The Manager asked for Council's input regarding the need for pedestrian lighting on the bridge. He reviewed the proposal to install the lighting and asked Council if they had any objections to proceeding with the project. There were no objections.

The Manager reviewed the final taxable valuations, which are higher than anticipated. The City is going to have a small surplus in the budget that could be used for deferred capital improvement projects. If Council has any projects they would like to see completed, they should contact the City Manager or any staff members on possible projects that could be added to that list.

VII. Requests, Petitions and Communications and Actions Thereon

- A. Consideration to Approve a Boat Storage Proposal on Depot Beach with the Lake Charlevoix Mariners Association
Tom Barnes from the Lake Charlevoix Mariners Association was available to present the item and answer questions from Council. The Mariners are proposing some small boat storage racks in the area they currently use for the sailing program. The proceeds from the rental of the racks, after recouping the cost and maintenance of the racks, would be split 50-50 with the City.

Motion by Councilmember Shane Cole, seconded by Councilmember Dennis Kusina, to approve the agreement with the Lake Charlevoix Mariners to allow for small boat storage with minimum impacts to Depot Beach.

Yeas: Gennett, Kusina, Picha, Stevens, Vollmer, Cole
Nays: None
Absent: None

- B. Consideration to Approve 18-Hole Disc Golf Course at Mt. McSauba

The Manager gave a brief summary of the plans for the course. Designer Rick Evans and Recreation Director Teresa Hart were also available to answer questions from Council.

Tom Klooster, John Campbell, and Mitchell Klooster all spoke in favor of the course. Council had also received one letter of support and one letter against the course in their packets.

Motion by Councilmember Jill Picha, seconded by Councilmember Bryan Vollmer, to authorize the installation of an 18-hole Disc Golf Course at Mt. McSauba to begin when all funding and labor is secured.

Yeas: Gennett, Kusina, Picha, Stevens, Vollmer, Cole
Nays: None
Absent: None

- C. Airport Engineering Contract for Snow Removal Equipment Design with QoE Consulting

Airport Manager Matt Bailey reviewed the item and was available to answer questions from Council.

Motion by Councilmember Jill Picha, seconded by Councilmember Shane Cole, to approve the engineering agreement [on pp. 24-51 of the packet] with QoE Consulting for \$29,800.02 and authorize the Mayor and/or City Manager to sign the agreement, subject to legal approval by the City Attorney.

Yeas: Gennett, Kusina, Picha, Stevens, Vollmer, Cole
Nays: None
Absent: None

- D. Airport Bid Award for Zero-Turn Diesel Mower

Airport Manager Matt Bailey reviewed the item and was available to answer questions from Council.

Motion by Dennis Kusina, seconded by Councilmember Lyle Gennett, to approve the bid of \$11,314.15 from Skinner's Garage for a Kubota zero-turn diesel mower, model ZD326P-60.

Yeas: Gennett, Kusina, Picha, Stevens, Vollmer, Cole
Nays: None
Absent: None

E. Consideration to Approve Proposal from Rieth Riley

Street Superintendent Pat Elliott was available to review the item and answer questions from Council. The item covers the repaving of disturbed areas of Stover Road after doing some underground work last fall. The Manager informed Council that in the future staff will be reconsidering starting projects in the fall that need to be finished in the spring.

Motion by Bryan Vollmer, seconded by Councilmember Greg Stevens, to approve the proposal from Rieth Riley dated May 24, 2011, for a total of \$12,995 [for the repaving of Stover Road].

Yeas: Gennett, Kusina, Picha, Stevens, Vollmer, Cole
Nays: None
Absent: None

F. 2011-12 Budget Resolution – Tax Levy

City Treasurer Rick Brandi was available to review the item and answer questions from Council. The 2011-12 budget adoption included a public hearing for the millage rates to support the budget; at that point in time, we expected taxable value to be less than in 2010. Since we have actually realized an increase in taxable value, rather than the budgeted decline, we need to lower our millage rate slightly to coincide with our cost for these services and to comply with Headlee requirements. The resolution will adopt the revised tax millage to support the 2011-12 budget and, along with State of Michigan form L-4029, will enable the City to levy taxes on July 1, 2011. Action by resolution.

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 a Proposed Ordinance to Amend Title V, Planning and Zoning (Multiple Sections)

City Planner Mike Spencer was available to present the item and answer questions from Council.

Motion by Jill Picha, seconded by Councilmember Greg Stevens, to set a public hearing on a proposed ordinance to amend Title V, Planning and Zoning (Multiple Sections) for June 20, 2011 at 7:00 p.m. in Council Chambers of City Hall.

Yeas: Gennett, Kusina, Picha, Stevens, Vollmer, Cole
Nays: None
Absent: None

IX. Resolutions

A. 2011-12 Budget Resolution – Tax Levy

Motion by Councilmember Shane Cole, seconded by Councilmember Greg Stevens, to approve Resolution 2011-06-01 as follows:

**CITY OF CHARLEVOIX
RESOLUTION 2011-06-01
SET MILLAGE RATES FOR THE JULY 1, 2011 TAX LEVY**

WHEREAS, the City of Charlevoix adopted the 2011-12 Budget following a public hearing for both the budget and Truth in Taxation on February 21, 2011, requiring certain millage rates to provide for revenues to balance the budget; and

WHEREAS, a Headlee rollback is required by State of Michigan law when tax revenues exceed the prior year tax revenue by more than inflation, with consideration for new additions and losses; and

WHEREAS, revenues cannot exceed the cost of refuse collection activities to comply with Public Act 213; and

WHEREAS, the City of Charlevoix Charter allows the City to levy up to 15 mills for operating purposes, prior to Headlee rollbacks; and

WHEREAS, the current maximum allowable operating millage for the City of Charlevoix has been rolled back to 11.1093 mills by MCL 311.34d "Headlee"; and

BE IT RESOLVED, THAT THE CITY COUNCIL OF THE CITY OF CHARLEVOIX approves the following millage rates to be levied on July 1, 2011 to support the Adopted 2011-12 Budget: 9.05 mills for City Operating, 2.0593 mills for Infrastructure Improvements (part of City Operating), .9 mills for Refuse (PA 213) and 1.3631 mills for the Downtown Development Authority (PA 197).

RESOLVED, this 6th day of June, A.D. 2011.

Resolution adopted by the following yea and nay votes:

Yeas: Gennett, Kusina, Picha, Stevens, Vollmer, Cole
Nays: None
Absent: None

X. Ordinances

None.

XI. Miscellaneous Business

Mayor Carlson reminded everyone about the County's hazardous waste drop off Saturday, June 11, 2011.

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

John Campbell complimented the City for the work on the disc golf course. He asked Council if they would like to see further discussion between him and staff regarding the possibility of establishing a conservation easement at the Mt. McSauba property, which would be

compatible with these types of uses of the recreation area while also allowing for long term protection of the property.

City Planner Mike Spencer reviewed the previous discussions on conservation easements and staff's recommendation at that time not to place an easement on the property. There is already adequate protection in place in that any park land owned by the City cannot be sold without a vote of the people. Mr. Spencer stated that conservation easements are an excellent idea and are typically used by private property owners who want to take advantage of tax benefits. There are other municipalities that have conservation easements on highly valued property, and this is certainly a highly valued piece of property. There was also some skepticism about a third party (a land trust) having control over the property. Staff can provide information or do additional research if Council desires.

The Mayor stated that at the time the item was previously considered, Council felt the Charter provided a lot of the same protection provided under a conservation easement in that the property can't be sold without a vote of the people. Council generally agreed they are comfortable with the Charter provisions and do not need to do any further research on a conservation easement at this point in time.

County Commissioner Shirlene Tripp informed Council of the plastic plant container pickup scheduled for June 25 at KMart.

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.

Carol A. Ochs	City Clerk	Norman L. Carlson, Jr.	Mayor
Accounts Payable – 05/20/2011			
AT&T	3,406.64	MICH ASSOC OF MUNICIPAL CLERKS	375.00
AT&T MOBILITY	145.02	MURRAY'S CREATIONS	1,060.00
CHARLEVOIX STATE BANK	5,180.04	PRIORITY HEALTH	42,270.20
COLORADO CHALLENGE	6,000.00	STANDARD INSURANCE CO	1,359.57
DELTA DENTAL	4,693.53	VISION SERVICE PLAN	569.89
EVANS, RIC	675.00	TOTAL	65,734.89
Accounts Payable – 06/07/2011			
3 J ELECTRIC	470.00	GREAT LAKES PIPE & SUPPLY	597.29
ACTIVE INDUSTRIAL SUPPLY	75.00	GSK ENTERPRISES LLC	300.00
AIRGAS GREAT LAKES INC.	30.80	HACH COMPANY	239.45
ALL AMERICAN LOCK AND SAFE	15.00	HAGGARD'S INC	395.91
ALL-PHASE ELECTRIC SUPPLY CO.	451.43	HANKINS, SCOTT	41.00
AMERICAN WASTE INC.	4,017.70	HARBOR STEEL & SUPPLY CORP	948.00
ARGUS/HAZCO	644.20	HARDY DIAGNOSTICS	154.27
ARROW UNIFORM-TAYLOR L.L.C.	996.34	HARRELL'S	2,560.00
AT&T ADVERTISING & PUBLISHING	174.00	HART, TERESA	41.00
AT&T LONG DISTANCE	186.08	HD SUPPLY UTILITIES LTD	1,154.60
AVFUEL CORPORATION	20,187.74	HEID, THOMAS J.	41.00
B & L SOUND INC	137.45	HOLDER OF NORTH AMERICA INC.	114.84
BAILEY, MATT	54.94	HOLIDAY COMPANIES	8,130.84
BLARNEY CASTLE OIL CO	1,334.72	HSBC BUSINESS SOLUTIONS	63.97
BOB MATHERS FORD	65.00	HYDRO DESIGNS INC.	900.00
BOUND TREE MEDICAL LLC	408.06	IDEXX DISTRIBUTION INC.	402.64
BRADFORD'S	69.00	INDEPENDENT DRAFTING SERVICES	1,984.00
BRANDI, RICHARD	41.00	INDUSTRIAL MARKETING	48.77
BROWN, STEPHANIE	237.00	ISLAND AIRWAYS	6,757.68
BS& A SOFTWARE	3,670.00	IVAN, PAUL	41.00
CALDWELL, JAMES P.	413.39	J & B MEDICAL SUPPLY INC.	331.98
CAREY, KEITH	41.00	J & S PORTABLE RESTROOMS	581.62
CDW GOVERNMENT INC.	1,073.73	JBR GRAPHICS INC.	40.00
CENTRAL DRUG STORE	50.60	KENDALL ELECTRIC INC.	217.40
CHAMPION CHARTER	7,834.00	KIWANIS CLUB OF CHARLEVOIX	39.00
CHARLEVOIX AGENCY	144.00	KMart	53.23
CHARLEVOIX COUNTY EQUALIZATION	62,180.00	KORTHASE FLINN	61.20
CHARLEVOIX COUNTY TREASURER	8,689.79	KSS ENTERPRISES	522.19
CHARLEVOIX SCREEN MASTERS INC	1,320.00	LAVOIE, RICHARD	72.65
CHARLEVOIX TOWNSHIP	10.50	LEOPARD BRANDS INC.	60.27
CHEMICAL SYSTEMS INC.	1,832.00	LSL PLANNING INC.	1,020.00
CHEMSEARCH	500.27	MANAGEMENT AND BEHAVIOR	750.00
CINTAS FIRST AID & SAFETY	73.33	MDC CONTRACTING LLC	1,236.94
CITY OF CHARLEVOIX - UTILITIES	21,945.70	MICHIGAN ELECTRIC	90.00
DESIGN ASSOCIATES	3,460.00	MICHIGAN MUNICIPAL LEAGUE	1,725.00
DITCH WITCH SALES OF MICHIGAN	190.29	MID STATES BOLT & SCREW CO	60.00
DOAN, GERARD	41.00	MISS DIG SYSTEM INC	319.41
DORNBOS SIGN & SAFETY INC.	318.70	MUNICIPAL SUPPLY CO	4,260.00
DTE ENERGY	8,323.06	MURRAY'S CREATIONS	1,000.00
DUECO INC.	142.14	NASH, JENNIFER	41.00
DVORACEK, DANA J.	41.00	NORTHERN CREDIT BUREAU	10.00
EAST JORDAN IRON WORKS	1,102.46	NORTHERN FIRE & SAFETY	160.00
EATON CORPORATION	381.00	NORTHERN MICHIGAN JANITORIAL	2,380.05
ELLIOTT, PATRICK M.	41.00	OCHS, CAROL	263.80
ELLSWORTH FARMER'S EXCHANGE	276.00	OLD DOMINION BRUSH	498.45
ELMER'S	600.00	OTEC	1,794.50
EMMET BRICK & BLOCK	1.41	PARR PUBLIC SAFETY EQUIPMENT	70.59
ENMET CORP	185.71	PEARSALL, MICHAEL	420.00
EVANS, HAL	48.00	PERFORMANCE ENGINEERS INC	12,840.50
FASTENAL COMPANY	241.49	PHYSIO-CONTROL INC.	1,405.00
FISHER SCIENTIFIC	236.18	PLUNKETT & COONEY	1,918.75
GALMORE'S INC	63.52	POLLUTION CONTROL SERVICES INC	7,465.00
GCSAA	340.00	POWER LINE SUPPLY	2,793.65
GRAINGER	528.33	PREFERRED WASTE L.L.C.	415.00
GRAPHIC CONTROLS LLC	150.32	PRESTON FEATHER	82.83
GREAT LAKES ENERGY	215.45	PROGRESSIVE MEDICAL INT'L	508.93
GREAT LAKES ENERGY	2,350.00	QUICK CARE MEDICAL CENTER	50.00

QUILL CORP	189.86	TEETS, LUCY	40.80
RESCO	22,291.20	TRAVERSE REPRODUCTION	13.00
RHINO SEED & LANDSCAPE SUPP	771.50	TRI-TURF	1,783.25
ROLOFF, ROBERT	133.26	TURFGRASS INC	377.95
RUDOLPH, TIM	53.25	TUV RHEINLAND INDUSTRIAL	982.50
SEELEY'S PRINTING SERVICE	326.08	UNITED STATES PLASTIC CORP.	147.73
SHARROW MASONRY INC	200.00	UP NORTH PROPERTY SERVICES LLC	2,450.00
SHRIER, JIM	474.00	USA BLUE BOOK	94.03
SPARTAN DISTRIBUTORS INC	2,281.54	VERIZON WIRELESS	56.74
SPENCER, MICHAEL	41.00	VILLAGE GRAPHICS INC.	131.79
STANDARD ELECTRIC CO	30.00	VOSS LIGHTING	857.16
STEVENS, BRANDON	66.88	WATERTRONICS LLC	69.70
STRAEBEL, ROBERT J.	41.00	WHITE PINE CARPET CLEANING	225.00
STUCKMAN TREE SERVICE INC.	250.00	WORK & PLAY SHOP	403.97
SWEM, DONALD L.	41.00	YOUNG GRAHAM	5,449.50
SYSTEMS SPECIALISTS INC	380.00	TOTAL	269,779.72

ACH Payments - 05/16/2011 - 05/31/2011

MI PUBLIC POWER AGENCY	31,180.59	MI PUBLIC POWER AGENCY	23,625.87
MI PUBLIC POWER AGENCY	15,446.63	MERS OF MICHIGAN	35,121.74
MI PUBLIC POWER AGENCY	209,384.50	TOTAL	80,892.75

PAYROLL: NET PAY

Pay Period Ending 05/21/2011 - Paid 05/27/2011

WELLER, LINDA JO	1,390.25	HART, TERESA M.	691.66
STRAEBEL, ROBERT J.	2,097.16	RUSSELL, COURTNEY S.	64.81
BRANDI, RICHARD M.	1,734.01	CRAIN, CODY A.	428.50
LOY, EVELYN R.	983.11	BOAL, DAVID W.	836.51
KLOOSTER, ALIDA K.	1,280.31	MILLIGAN, DESMOND E.	213.50
BROWN, STEPHANIE C.	1,188.67	BENNETT, THOMAS A.	382.82
OCHS, CAROL A.	900.00	DURRENBERGER, LARRY J	215.14
CAREY, KEITH V.	1,160.63	BULLARD, ANDREW D.	765.06
SPENCER, MICHAEL D.	1,500.83	STEIN, DONNA E.	162.56
SPENCLEY, PATRICIA L.	1,032.88	BAILEY, MATTHEW L.	1,713.81
NASH, JENNIFER B.	839.39	DVORACEK, DANA J.	1,185.87
KILKENNY, PATRICK M.	734.38	GILL, DAVID R.	545.58
UMULIS, MATTHEW T.	1,462.32	HAYNES, STEPHANIE L.	529.61
METDEPENNINGEN, SARAH	2,555.88	MERRILL JR, CARL J.	488.37
WARNER, JANINE M.	990.37	HAND, REBECCA J.	185.26
EVANS, HALBERT K.	869.46	CESARO, JASON M.	209.50
KANINE, MATTHEW J.	354.11	TRAVERS, MANUEL J.	411.33
BINGHAM, LARRY E.	235.15	SILVA, JESSE L.	622.30
SCHLAPPI, JAMES L.	1,100.16	RILEY, JEFFERY C	98.00
WITHROW, KATHERINE S.	389.77	O'CONNOR, BRUCE E.	80.16
GREYERBIEHL, KEVIN M.	475.94	SCHOOFF, WILLIAM R.	756.23
ORBAN, BARBARA K.	1,356.28	SHRIFT, PETER R.	1,233.46
HASKE, TYLER K.	392.21	DOAN, GERARD P.	1,700.03
HASKE, CHELSEY K.	440.21	HANKINS, SCOTT A.	1,438.53
IVAN, PAUL M.	1,706.29	KLOOSTER, PATRICK H.	259.46
SCHWARTZFISHER, JOSEPH	1,296.59	KLOOSTER, JUSTIN N.	523.09
ROLOFF, ROBERT P.	2,469.78	COPPOCK, TIMOTHY M.	1,106.98
BRODIN, WILLIAM C.	1,591.41	WHITLEY, JOHN F.	1,668.95
RILEY, DENISE M.	375.94	BLANCHARD, SCOTT W.	1,685.98
CALDWELL, JAMES P.	1,366.06	FRYE, EDWARD J.	1,069.72
WURST, RANDALL W.	1,572.44	SWEM, DONALD L.	1,701.70
MAYER, SHELLEY L.	1,424.03	MORRISON, KEVIN P.	1,049.98
HILLING, NICHOLAS A.	1,198.75	HODGE, MICHAEL J.	1,094.25
MEIER III, CHARLES A.	1,258.29	JOHNSON, STEVEN P.	1,097.95
RAMSEY, KYLE J.	236.08	ZIPP, DONALD R.	1,427.38
JACOBS, DOUGLAS R.	2,171.80	BISHAW, JAMES H.	619.74
NISWANDER, JOSEPH F.	1,463.48	TOWSLEY, CALVIN J.	509.00
WELLS JR., DONALD E.	1,249.66	OSHABEN, NICHOLAS D.	509.00
JONES, TERRI L.	968.72	DISHONG, AARON S.	1,014.26
BRADLEY, KELLY R.	1,260.01	HEID, THOMAS J	1,311.99
EATON, BRAD A.	1,519.64	GRUNCH, RONALD J.	156.86
WILSON, TIMOTHY J.	1,418.28	BOOTH, GEORGE E.	196.67
HART II, DELBERT W.	670.38	DAVIS, RONALD L.	171.88
LAVOIE, RICHARD L.	1,169.12	ROLOFF, AUDREY M.	804.36
STEVENS, BRANDON C.	1,180.61	MATTER, DAWSON K.	667.08
ELLIOTT, PATRICK M.	1,528.24	MARSH JR., JAMES D.	208.52
WILSON, RICHARD J.	1,175.18	RILEY, TIMOTHY	239.50
JONES, ROBERT F.	1,130.56	MACMILLAN, RACHEL A.	191.42
NISWANDER, LOGAN J.	543.74	SCOTT JR., WINFIELD	108.00
SIEGMUND, CHRISTOPHER	659.65	RILEY, DANIEL	529.04
BROWE, RAYMOND L.	533.52	BARRETT, SCOTT T.	932.26
EAGLESON, WAYNE L.	491.57	BERGMANN, DOUGLAS M.	155.25
MCGHEE, ROBERT R.	980.93	MACDONALD, BRIAN K.	1,184.45
CROSS, MARCUS E.	644.51	RILEY, ANDREW P.	116.48
VANLOO, JOSEPH G.	582.25		
STEBE, LAURA A.	26.41	TOTAL	98,597.20

PAYROLL: TRANSMITTAL

05/27/2011

**EFTPS* Payroll Taxes	31,546.64	ICMA RETIREMENT TRUST 457	6,523.21
AMERICAN FAMILY LIFE	135.35	MI STATE DISTRICT UNIT	128.28
CHAR EM UNITED WAY	65.00	NORTHWESTERN BANK	422.76
CHARLEVOIX STATE BANK	619.21	PRIORITY HEALTH	202.05
COMMUNICATION WORKERS	504.23	STATE OF MICHIGAN	5,158.63
ICMA RETIREMENT TRUST 401	692.86	TOTAL	45,998.22