

CITY OF CHARLEVOIX  
REGULAR CITY COUNCIL MEETING MINUTES  
Monday, June 20, 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: Jim Young  
City Manager: Rob Straebel  
City Clerk: Carol A. Ochs  
Members Present: Council members Dennis Kusina, Jill Picha, Greg Stevens, Bryan Vollmer, Shane Cole, Lyle Gennett  
Absent: None

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

Councilmember Kusina stated he will abstain from item VII.I., Consideration to Approve License Agreement for Kusina Property, due to a conflict of interest. He is an owner of the property.

**IV. Consent Agenda**

The following items were approved and filed:

- A. Approval of Minutes – June 6, 2011 Regular Meeting Minutes
- B. Accounts Payable Check Register – June 14, 2011
- C. Accounts Payable Check Register – June 21, 2011
- D. ACH Payments – June 6 – June 13, 2011
- E. Payroll Check Register – June 10, 2011
- F. Payroll Transmittal – June 10, 2011

**V. Public Hearings**

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

City Planner Mike Spencer was available to answer questions. The Mayor opened the public hearing at 7:01 p.m. There were no public comments. The Mayor closed the public hearing at 7:01 p.m. Action by ordinance.

**VI. Reports**

The Manager reminded Council about the Big Rock flag pole flag raising ceremony at 4:00 p.m. on Friday, July 1, 2011 at Michigan Beach.

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

A. Discussion Regarding Transfer of Annual Parking Permits at the Municipal Airport

City Manager Rob Straebel and Airport Manager Matt Bailey were available to answer questions from Council. The Mayor reviewed the proposed options for handling parking permits at the Airport. The Mayor's opinion is that the spaces at the Airport should be handled similarly to the spaces down by the Beaver Island Boat Company, which is for a particular space, with all the vehicles registered for that space. The Mayor acknowledged that it would be harder to keep track at the Airport, because the pass would not be for a specific space. The Mayor proposed listing all authorized vehicles on a hang tag from the vehicle mirror that can be moved from one vehicle to another rather than a sticker pass that needs to be exchanged in the office. He thinks there could be difficulty if people need to exchange a pass when the Airport facilities are closed.

The Manager stated that Staff wants to take a cooperative approach, but thinks that limiting transfer of the pass to immediate family would be a good idea. If Council is agreeable to this, Staff will develop a policy for Council to review and approve.

Mr. Bailey informed Council, though he agrees with the principle of the pass being for a space, when department heads were asked, they agreed the pass should be for the vehicle. Mr. Bailey would like some concurrence from Council that they share the view that the pass is for the space. Council generally agreed that the passes should be family/owner specific, not vehicle specific, but that it would be only one pass; multiple passes would not be issued.

Council discussed different options for passes and possibly assigning specific spaces. Mr. Bailey reviewed possible complications with assigned parking spots, including difficulty seeing the numbers in the winter. The Manager reviewed Staff's possible procedure for the exchanging of the current windshield type pass. The Mayor expressed concern about someone needing to exchange a pass at night when no one is there. The Manager stated that the exchange will take a little coordination but Staff will work with people. The City does have to have controls in place, for accounting and auditing purposes, to track the passes. Councilmember Picha stated that she doesn't think Staff will see a lot of exchanges, once the pass is limited to immediate family. Mr. Bailey stated that the majority of the people use the system correctly. Staff's effort to limit the exchange of passes is to prevent the few abusers of the system, not to be unduly harsh to those who are abiding by the policies. Council members stated that it is still only one pass, and the Airport does not lose revenue if that pass is exchanged between vehicles. Mr. Bailey stated that is true, if Council thinks the passes are spot specific, rather than vehicle specific. The Mayor stated that if the pass is found on a non-registered vehicle, the pass should be revoked. Mr. Bailey stated that Staff is just trying to be fiducially responsible with Airport funds; it takes money to maintain, plow, light, and monitor the parking lot.

**Audience Comment:**

Beaver Island resident Bill McDonough stated that the area has always had cooperative efforts. He thinks this issue has had an air of lack of cooperation. He is offended and thinks references to past misuse of parking are unsubstantiated. He thinks the City needs to work more in a spirit of cooperation.

The Clerk stated that Staff at their meeting had agreed that the passes were vehicle specific, not space specific. In fact, Staff had specifically indicated that Airport parking was not like the spaces that are leased downtown, but would rather be more like the parking at the boat launch, which is limited to two vehicles. The Clerk thinks there should be one annual pass per vehicle, perhaps making a nominal fee, such as five dollars for each additional pass/vehicle to cover the City's costs. All of the options cost the City money; there is cost in Staff time to issue and monitor the passes, and there would be additional costs to number and maintain parking spaces. City Officials are not obligated to anyone in Charlevoix County except the people of the City of Charlevoix. The City is obligated to get the appropriate revenue that belongs at the Airport, and to be able to account for it to the auditors. Vehicle specific passes are the simplest way to know that a vehicle belongs there without taking more Staff time.

Councilmember Jill Picha stated that if Beaver Island residents have concerns, perhaps they can express them in a more constructive manner in the future.

The Mayor reiterated the view that the pass is for the spot, as long as it is family specific. Staff can draft a policy and present it to Council for their review. The Attorney suggested that once a policy is approved, there may need to be an amendment to the Airport ordinance.

Councilmember Lyle Gennett stated that changes to the City of Charlevoix do affect the whole area and change sometimes upsets people and causes opposition; we do what we feel is going to be the best for the future.

B. Discussion Regarding Possible Purchase of Way Property on US 31

Mark Snyder spoke on behalf of the Way family regarding a proposal for the City to purchase property adjacent to a piece of property the City already owns on US 31. Staff does not recommend purchase of the property.

Bob Timms spoke against building a public works building out on US 31; there are many negatives to that location, including the hazard of turning left during the busy summer season. He thinks there is plenty of space at the Carpenter Street location, which has easier access. He stated it was a bad idea to buy the property.

Mike Way asked for Council to consider delaying their decision to allow time to study options.

Motion by Councilmember Lyle Gennett, seconded by Councilmember Jill Picha, to not put any more research into the Way property.

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

C. Consideration of Contract with Charlevoix City Band

Motion by Councilmember Dennis Kusina, seconded by Councilmember Shane Cole, to authorize the Mayor to sign the proposed contract for \$4,800 with the Charlevoix City Band.

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

D. Request by Charlevoix Yacht Club for Free Parking – NuCore Triangle and Red Fox Regatta

The Mayor reviewed the request. Action by resolution

E. Idling Guidelines for City Vehicles

The Manager reviewed the policy and was available to answer questions.

Motion by Councilmember Jill Picha, seconded by Councilmember Bryan Vollmer, to approve the proposed Idling Guidelines for Charlevoix City Vehicles as presented on pp. 40-41 of the packet.

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

F. Consideration to Purchase One Pickup Truck

The Mayor reviewed the item.

Motion by Councilmember Dennis Kusina, seconded by Councilmember Lyle Gennett, to accept the quote from Fletch's dated June 6, 2011 for \$19,525 to purchase a 2009 half ton pickup truck.

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

G. Materials for Hydrant Repairs and Replacement

Don Swem was available to answer questions from Council.

Motion by Councilmember Shane Cole, seconded by Councilmember Bryan Vollmer, to approve the purchase of \$18,727.20 of hydrants and parts from East Jordan Iron Works.

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

H. Discussion Regarding Additional Capital Improvement Projects for 2011-12

The Mayor reviewed that due to an increase in property valuations, the City is able to restore some items that were cut from the budget. The Mayor reviewed the items. The Manager stated that the shopper's dock project is going to be \$8,200, rather than the \$3,500 listed, for a total of \$59,700. The Manager answered questions for Council regarding project details and priority.

Motion by Councilmember Jill Picha, seconded by Councilmember Lyle Gennett, to approve the additional projects for the 2011-12 budget year as listed on p. 45 [of the agenda packet], with the changes to securing the north shopper's dock possibly being \$8,200 instead of \$3,500, raising the total to \$59,700.

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

I. Consideration to Approve License Agreement for Kusina Property

Councilmember Kusina stepped down from dais. The Manager reviewed the agreement, which involves the replacement of a fence that encroaches slightly on the golf course.

Motion by Shane Cole, seconded by Councilmember Greg Stevens, to approve the Grant of Revocable License Agreement for the Kusina Property.

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

Councilmember Kusina returned to the dais.

J. Proposed Health Care Savings Program

City Treasurer Rick Brandi reviewed the program and was available to answer questions from Council. The City will try out the program by offering it to some non-union employees first, and hopefully can offer to contract employees in the future. There is no cost to the City. Additional action by resolution.

Motion by Councilmember Dennis Kusina, seconded by Councilmember Shane Cole, to approve the four Health Care Savings Program Participation Agreements.

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

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. Waive Parking Fees at Ferry Avenue Launch for NuCore Triangle and Red Fox Regatta

Motion by Councilmember Bryan Vollmer, seconded by Councilmember Jill Picha to approve Resolution 2011-06-02 as follows:

**CITY OF CHARLEVOIX  
RESOLUTION 2011-06-02  
WAIVE PARKING FEES FOR CHARLEVOIX YACHT CLUB**

WHEREAS, the Charlevoix Yacht Club is hosting the NuCore Triangle Race on September 2<sup>nd</sup> and the Red Fox Regatta on September 3<sup>rd</sup> and 4<sup>th</sup>, 2011; and

WHEREAS, the Charlevoix Yacht Club is requesting that parking fees be waived for the races; and

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

BE IT RESOLVED, THAT THE CITY COUNCIL OF THE CITY CHARLEVOIX hereby waives launch/parking fees for the NuCore Triangle Race on September 2<sup>nd</sup> and the Red Fox Regatta on September 3<sup>rd</sup> and 4<sup>th</sup>, 2011.

RESOLVED, this 20<sup>th</sup> day of June, A.D. 2011.

Resolution adopted by the following yea and nay votes:

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

B. Health Care Savings Program

Motion by Councilmember Jill Picha, seconded by Councilmember Shane Cole, to approve Resolution 2011-06-03 as follows:

**CITY OF CHARLEVOIX  
RESOLUTION 2011-06-03  
UNIFORM RESOLUTION ADOPTING THE MERS HEALTH CARE SAVINGS PROGRAM  
(Excluding Plans Governed by Internal Revenue Code Section 401(h))**

WHEREAS, the Municipal Employees' Retirement System ("MERS") Plan Document of 1996, effective October 1, 1996, authorized the Municipal Employees' Retirement Board ("Board") to establish additional programs including but not limited to defined benefit and defined contribution program (MERS Plan Document Section 36(2)(a)); MCL 38.1536(2)(a));

WHEREAS, the Board has authorized MERS' establishment of the health care savings program ("HCSP" or "Program"), which a participating municipality or court, or another eligible public employer that is a political subdivision of the State which constitutes a "municipality" under MERS Plan Document Section 2B(4); MCL 38.1502b(2) ("Eligible Employer"), may adopt for its Eligible Employees;

WHEREAS, MERS has been determined by the Internal Revenue Service to be a tax qualified "governmental plan" and trust under section 401(a) of the Internal Revenue Code of 1986, and all trust assets within MERS reserves are therefore exempt from taxation under Code section 501(a) (IRS Letter of Favorable Determination dated June 15, 2005).

WHEREAS, the Board has established a governmental trust (the "Trust Fund") to hold the assets of the HCSP, which Trust Fund shall be administered under the discretion of the Board as fiduciary, directly by (or through a combination of) MERS or MERS' duly-appointed Program Administrator;

- WHEREAS, 1999 PA 149, the Public Employee Health Care Fund Investment Act, MCL 38.1211 et seq. ("PA 149") provides for the creation by a public corporation of a public employee health care fund, and its administration, investment, and management, in order to accumulate funds to provide for the funding of health benefits for retirees and beneficiaries;
- WHEREAS, a separate MERS health care trust fund created under PA 149 also constitutes a governmental trust established by a public corporation ("municipality") as an Eligible Employer, provided that all such employers shall be the State of Michigan, its political subdivisions, and any public entity the income of which is excluded from gross income under Section 115 of the Internal Revenue Code; provided further, that the PA 149 trust shall not accept assets from any defined benefit health account established under Section 401(h) of the Internal Revenue Code;
- WHEREAS, the Board acts as investment fiduciary for the pooled assets of each MERS participating municipality and court enrolled in MERS defined benefit programs, Health Care Savings Program, the Retiree Health Funding Vehicle, and the Investment Services Pool Program, on whose behalf MERS performs all plan administration and investment functions, and such participating municipalities and courts have full membership, representation and voting rights at the Annual Meeting as provided under Plan Section 45; MCL 38.1545.
- WHEREAS, the Board also acts as investment fiduciary for those participating employers who are non-MERS participating municipalities and courts that have adopted the MERS Health Care Savings Program, Retiree Health Funding Vehicle, or Investment Service Pool Program, and such entities are not accorded membership, representation or voting rights provided to MERS participating municipalities and courts at the Annual meeting under Plan Section 45; MCL 38.1545.
- WHEREAS, adoption of this Uniform Resolution and Participation Agreement (the "Uniform Resolution") by each Eligible Employer is necessary and required in order that the benefits available under the MERS HCSP may be extended;
- It is expressly agreed and understood as an integral and nonseverable part of extension or continuation of coverage under this HCSP Resolution that Section 43B of the MERS Plan Document shall not apply to this Uniform Resolution Adopting MERS HCSP, the Participation Agreement, the Trust Plan Document, the Trust Agreement, and their administration or interpretation.
  - In the event any alteration of the language, terms or conditions stated in this Uniform Resolution Adopting MERS HCSP is made or occurs, under MERS Plan Document Section 43B or other plan provision or other law, it is expressly recognized that MERS and the Board, as fiduciary of the MERS Plan and its trust reserves, and whose authority is nondelegable, shall have no obligation or duty: to administer (or to have administered) the Trust; or to continue administration by the Program Administrator or by MERS directly.
- WHEREAS, concurrent with this HCSP Uniform Resolution, and as a continuing obligation, this governing body has completed, approved, and submitted to MERS documents necessary for participation in and implementation of the HCSP. This obligation applies to any documents deemed necessary to the operation of the Trust by the Program Administrator;

NOW, THEREFORE, BE IT RESOLVED that the governing body adopts (or readopts) the MERS HCSP as provided below.

#### SECTION 1. HCSP PARTICIPATION

EFFECTIVE July 1, 2011, the MERS HCSP is hereby adopted by the City of Charlevoix (MERS municipality or court or other eligible employer)

**CONTRIBUTIONS.** Basic Employer contributions, Mandatory Salary Reduction Contributions, Mandatory Leave Conversion Contributions, and Post-tax Employee Contributions, shall be remitted pursuant to MERS by the Eligible Employer, and credited to the Eligible Employer's separate fund within the MERS Trust Fund. Employer contributions may be made as a percentage of salary and/or by a specified dollar amount.

**INVESTMENT** of funds accumulated and held in the Health Care Savings Program Trust Fund shall be held in a separate reserve and invested on a pooled basis by MERS subject to the Public Employee Retirement System Investment Act ("PERSIA"), 1965 PA 314, as provided by MERS Plan Document Section 39; MCL 38.1539, and PA 149.

**THE ELIGIBLE EMPLOYER** shall abide by the terms of the HCSP, including all investment, administration, and service agreements, and all applicable provisions of the Code and other law. It is affirmed that no assets from any defined benefit health account established under Section 401(h) of the Internal Revenue Code shall be transferred to, or accepted by, MERS.

#### SECTION 2. IMPLEMENTATION DIRECTIONS FOR MERS AS HCSP INVESTMENT FIDUCIARY AND TRUSTEE

- (A) The governing body of this Eligible Employer desires that all assets placed in its MERS HCSP Trust Fund (as a sub-fund within all pooled HCSP trust funds with MERS) be administered by MERS, which shall act as investment fiduciary with all powers provided under Public Employee Retirement System Investment Act, pursuant to PA 149, all applicable provisions of the Internal Revenue Code and other relevant law.
- (B) The governing body desires, and MERS upon its approval of this Resolution agrees, that all funds accumulated and held in the MERS HCSP Trust Fund shall be invested and managed by MERS within the collective and commingled investment of all HCSP funds held in trust for all Eligible Employers.
- (C) All monies in the MERS HCSP Trust Fund (and any earnings thereon, positive or negative) shall be held and invested for the sole purpose of paying health care benefits for the exclusive benefit of "Eligible Employees" who shall constitute "qualified persons" who have retired or separated from employment with the Eligible Employer, and for any expenses of administration, and shall not be used for any other purpose, and shall not be distributed to the State.

- (D) The Eligible Employer will fund on a defined contribution, individual account, basis its MERS HCSP Trust sub-fund to provide funds for health care benefits for "Eligible Employees" who shall constitute "qualified persons." Participation in and any coverage under HCSP shall not constitute nor be construed to constitute an "accrued financial benefit" under Article 9 Section 24 of the Michigan Constitution of 1963.
- (E) The Eligible Employer designates and incorporates as "Eligible Employees" who shall constitute "qualified persons" under this HCSP Resolution those who are "Eligible Employees as defined in the HCSP Participation Agreement under this HCSP.
- (F) City Treasurer (Use title of official, not name) shall be the Eligible Employer's HCSP Coordinator; shall designate in writing the "qualified persons" on whose behalf trust fund monies shall be made available under any MERS (or non-MERS) retiree health care benefit program, including, but not limited to, MERS HCSP, or MERS Premier Health; receive necessary reports, notices, etc.; shall act on behalf of the Eligible Employer; and may delegate any administrative duties relating to the Fund to appropriate departments.
- (G) Fees and Expenses for the MERS HCSP are contained in Addendum A to this Resolution.

**SECTION 3. EFFECTIVENESS OF THIS  
HCSP UNIFORM RESOLUTION**

This Resolution shall have no legal effect until a certified copy of this adopting Resolution is filed with MERS, and MERS determines that all necessary requirements under MERS Plan Document Section 36(2)(a), 1999 PA 149 and other relevant laws, and this Resolution have been met. Upon MERS' determination that all necessary documents have been submitted, MERS shall record its formal approval upon this Resolution, and return a copy to the Eligible Employer's HCSP Coordinator as identified above.

In the event an amendatory resolution or other action by the Eligible Employer is required by MERS, such Resolution or action shall be deemed effective as of the date of the initial Resolution or action where concurred in by this governing body and MERS (and the Program Administrator if necessary). Section 54 of the MERS Plan Document shall apply to this Resolution and all acts performed under its authority. The terms and conditions of this Resolution supersede and stand in place of any prior resolution, and its terms are controlling.

RESOLVED, this 20<sup>th</sup> day of June, A.D. 2011.

Resolution adopted by the following yea and nay votes:

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

**X. Ordinances**

**A. Ordinance to Amend Title V, Planning and Zoning (Multiple Sections)**

**CITY OF CHARLEVOIX  
Ordinance No. 749 of 2011**

AN ORDINANCE TO AMEND TITLE V, PLANNING AND ZONING, CHAPTER 51, ZONING.  
MULTIPLE SECTIONS CITED HEREIN.

**THE CITY OF CHARLEVOIX ORDAINS:**

**SECTION 1. Amendment of Section 5.96**

Section 5.96 is hereby amended to read in its entirety as follows:

Section 5.96: Use regulations in the Central Business District for buildings having their front entrance on Bridge Street. This section does not apply to second floor uses.

- (1) Purpose: To create a vibrant downtown district consisting of primarily retail and food service businesses that enhance the City's economy by defining specific uses intended to increase consumer traffic.
- (2) Permitted Uses:
  - (a) Food and beverage services, including: grocery stores, restaurants, cafés (including internet cafes), coffee shops, bars, taverns, wine bars, breweries, bakeries, delicatessens, bistros, and specialty shops.
  - (b) Retail stores having a gross area of less than 5000 square feet. (Appliance, furniture, and similar stores selling large scale consumer products are not considered retail.)
  - (c) Art galleries, frame shops, photography and art studios.
  - (d) Beauty Salons and barber shops as the primary use. Secondary uses may include tanning beds, pedicure, or manicure services in the same location.
- (3) The Planning Commission, upon request, may determine if a proposed use not listed above is similar to or comparable to the permitted uses in 5.96(2). If the Planning Commission determines a proposed use is not similar or comparable to the permitted uses, the applicant may apply for a special use permit. The Planning Commission may issue a special use permit provided that the proposed use is found to generate commercial activity in accordance with the purpose of this section and it meets the requirements for special uses in Article IX. Special Use Permits.

**SECTION 2. Addition of new Section 5.87 Standards for Mixed Use Developments.**

Section 5.87 is hereby added to read in its entirety as follows:

5.87. Standards for Mixed Use Developments.

- (1) Mixed use developments where a dwelling unit is proposed above professional offices in a Community Service Commercial Zone (C-1) shall comply with the setback, height, and lot coverage requirements of the Professional Office Zoning district.
- (2) Mixed use developments where a dwelling unit is proposed above any allowable use in the Community Service Commercial Zone (C-1) shall comply with the setback, height, and lot coverage requirements of the Community Service Commercial Zoning district.

**SECTION 3. Amendment of Section 5.33(3): Side Yard setback requirements in an R-1 Zone.**

Section 5.33(3) is hereby amended to read in its entirety as follows:

5.33(3) *Side Yard:* There shall be a side yard of not less than fifteen (15) feet on each side of any dwelling or accessory building, excepting any street side of any corner lot. On corner lots the front yard shall be parallel to the street frontage upon which the traditional front entrance for persons, e.g. the front door, is located.

**SECTION 4. Amendment of Section 5.43(3): Side Yard setback requirements in an R-2 Zone.**

Section 5.43(3) is hereby amended to read in its entirety as follows:

5.43(3) *Side Yard:* There shall be a side yard of not less than ten (10) feet on each side of any dwelling or accessory building, excepting any street side of any corner lot. On corner lots the front yard shall be parallel to the street frontage upon which the traditional front entrance for persons, e.g. the front door, is located. The side yard parallel to the other street frontage shall not be less than fifteen feet (15).

**SECTION 5. Severability.**

No other portion, paragraph or phrase of the Code of the City of Charlevoix, Michigan shall be affected by this Ordinance except as to the above sections, and in the event any portion, section or subsection of this Ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this ordinance or of the Code of the City of Charlevoix, Michigan.

**SECTION 6. Effective Date.**

This Ordinance shall become effective thirty (30) days after its enactment by the City Council.

ADOPTED this 20<sup>th</sup> day of June, A.D. 2011

Ordinance No. 749-2011 was adopted on the 20<sup>th</sup> day of June, 2011, by the Charlevoix City Council as follows:

Motion by: Councilmember Shane Cole  
Seconded by: Councilmember Jill Picha

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

STATE OF MICHIGAN        )  
  ) ss  
CITY OF CHARLEVOIX        )

**XI. Miscellaneous Business**

Councilmember Jill Picha inquired about the bakery on May Street. The Planner said they have City approval, but the project has not proceeded.

Ms. Picha asked for Council to see all three lowest bids on a job that Council approves. The Manager stated Staff can do that.

Ms. Picha asked for Staff to look into the locust trees downtown that are pulling up the concrete around them.

Ms. Picha asked if there should be more signage at all the stairways regarding dogs in the park during festivals.

Councilmember Lyle Gennett said that the big birch tree by the new flag pole at Michigan Beach has a dead trunk. It would be nice for it to be removed before the flag raising event. Mr. Gennett stated the river birch by the Round Lake side of the bridge also look like they may need some treatment.

Councilmember Greg Stevens had compliments regarding the softball tournament the previous weekend.

Councilmember Shane Cole complimented Staff on taking care of the vandalism at the ball fields so quickly.

The City Attorney stated that, due to a family commitment, Bryan Graham would be covering both meetings in July.

The Clerk briefly reviewed the upcoming Ward reapportionment ordinance and stated that the maps were available for viewing. Council should direct any constituents with questions to contact the Clerk's office.

The Mayor informed Council that there had been a small fire that didn't damage the building at the Ferry Beach concession, which he has contracted to run this year.

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

Mark Berarducci stated that he has had issues with noise late at night from Whitney's. He has called 911 several times and is not getting any resolution from the police. Staff will look into the situation and report back to Council.

**XIII. Adjourn**

The Mayor stated if there were no objections, the meeting would adjourn.

There were no objections.

Meeting adjourned at 8:35 p.m.

**Accounts Payable – 06/14/2011**

STATE OF MICHIGAN	15,905.38		
STATE OF MICHIGAN	24.90	<b>TOTAL</b>	<b>15,930.28</b>

**Accounts Payable – 06/21/2011**

ACE HARDWARE	2,649.02	KND SPECIALITIES	1,517.04
AIRGAS GREAT LAKES INC.	764.44	KORTHASE FLINN	1,294.62
ALL-PHASE ELECTRIC SUPPLY CO.	58.44	KSS ENTERPRISES	59.20
AMERICAN LEGION AUXILIARY	375.00	LAB SAFETY SUPPLY INC.	157.43
AMERICAN SAFETY UTILITY CORP	127.19	LAKESHORE TIRE & AUTO SERVICE	55.00
AMERICAN WASTE INC.	510.70	LANDSCAPE & SITE WORK SOLUTION	32.00
ARROW UNIFORM-TAYLOR L.L.C.	983.10	LANDSCAPE FORMS INC.	375.00
AT&T	3,345.03	MCMMASTER-CARR	733.24
AUTO VALUE	1,660.07	MICHIGAN OFFICEWAYS INC	510.12
B & L SOUND INC	1,039.79	MICHIGAN RURAL WATER ASSN	425.00
BAILEY, MATT	74.26	MICHIGAN WATER ENV ASSOC	58.00
BARTLETTS' HOME INTERIORS	40.00	MIDWEST ARBORIST SUPPLIES	605.50
BENNETT, THOMAS	134.00	MOTOR PUBLICATIONS	337.00
BOB MATHERS FORD	93.00	NEALIS ENGINEERING	480.00
BREWER, DEBORA	75.00	NETSOURCE ONE INC.	286.00
CARDINAL CARPET CLEANING	375.50	NORTHERN CREDIT BUREAU	221.02
CARQUEST OF CHARLEVOIX	1,741.90	NORTHERN FIRE & SAFETY	637.00
CHARLEVOIX APARTMENTS	13.19	NORTHERN MICHIGAN JANITORIAL	111.95
CHARLEVOIX AREA CHAMBER	10,000.00	NORTHERN MICHIGAN REVIEW INC.	1,101.91
CHARLEVOIX CAR WASH	60.30	NORTHERN PUMP SERVICE INC.	4,259.19
CHARLEVOIX COUNTY FIRE	561.50	NYE UNIFORM CO	145.70
CHARLEVOIX COUNTY TREASURER	2,115.65	OLESON'S FOOD STORES	205.88
CHARLEVOIX DISTRICT LIBRARY	582.31	OMS COMPLIANCE SERV INC	438.75
CHARLEVOIX FLYING CLUB	141.16	ORBAN, BARBARA	68.13
CHARLEVOIX PUBLIC SCHOOLS	296.16	PARASTAR INC.	1,092.81
CHARLEVOIX PUBLIC SCHOOLS	592.32	PERFORMANCE ENGINEERS INC	16,313.77
CHARLEVOIX SCREEN MASTERS INC	994.00	PERRY, RUSSEL	118.00
CHARLEVOIX-EMMET ISD	867.07	PETOSKEY BAND BOOSTERS	1,250.00
CHARTER COMMUNICATIONS	842.86	PLACKEY, JENNIFER	53.60
CITY OF CHARLEVOIX - TAXES DUE	4,100.38	POLLUTION CONTROL SERVICES INC	603.49
COMPLETE MUFFLER	213.00	POSTMASTER - CHARLEVOIX	4,000.00
DUTCHER, DAVID	46.61	POWER LINE SUPPLY	647.93
EAST JORDAN IRON WORKS	3,116.09	PURITY CYLINDER GASES INC	98.41
ELHORN ENGINEERING COMPANY	995.00	RECREATIONAL AUTHORITY	101.97
ELLSWORTH FARMER'S EXCHANGE	34.00	RTI LABORATORIES INC.	83.00
EMMET BRICK & BLOCK	166.25	SALES & MARKETING OF MICHIGAN	244.45
EVANS, RIC	675.00	SCUBA NORTH INC.	92.00
FAMILY FARM & HOME	605.19	SEARS COMMERCIAL ONE	1,740.44
FASTENAL COMPANY	13.50	SKINNERS GARAGE INC.	11,314.15
FIRESERVICE MANAGEMENT	201.58	SPARTAN DISTRIBUTORS INC	62.62
FISHER SCIENTIFIC	918.83	STATE OF MICHIGAN	7,481.96
FOX CHARLEVOIX FORD	177.00	SUPERIOR MECHANICAL	869.35
GALLS AN ARAMARK COMPANY	100.98	TECHNOLOGY QUEST	3,555.00
GALMORE'S INC	7.50	TELE-RAD INC	375.00
GRAINGER	399.74	TIMSAK, CYRIL	25.00
GRIFFIN BEVERAGE CO	31.00	TRANSACT TECHNOLOGIES INC	53.30
HACH COMPANY	416.51	TRI-TURF	709.00
HARBOR STEEL & SUPPLY CORP	158.00	TROPHY CASE, THE	76.50
HERZOG ELECTRIC	426.43	TURFGRASS INC	258.98
HILLING, NICHOLAS A.	43.86	UP NORTH PROPERTY SERVICES LLC	3,437.00
HSBC BUSINESS SOLUTIONS	63.98	USA BLUE BOOK	190.10
HYDE EQUIPMENT	180.20	VAN'S BUSINESS MACHINES	321.83
INDEPENDENT DRAFTING SERVICES	1,472.00	VERKADE, JUDITH	205.55
INDUSTRIAL MARKETING	1,958.94	VILLAGE GRAPHICS INC.	320.48
INTELLIGENT PRODUCTS INC	1,802.82	WALSH MARINE PRODUCTS INC.	407.00
J & B MEDICAL SUPPLY INC.	93.35	WILBERT BURIAL VAULT CO	947.60
J & S PORTABLE RESTROOMS	394.00	WORK & PLAY SHOP	100.00
JACKLIN STEEL SUPPLY CO	337.86	WYNN, ALFRED	5.03
JP LANN GOLF	485.02		
KENDALL ELECTRIC INC.	772.39	<b>TOTAL</b>	<b>122,789.97</b>

**ACH Payments – 06/06/2011 – 06/13/2011**

MI PUBLIC POWER AGENCY	13,901.57		
MI PUBLIC POWER AGENCY	23,173.81	<b>TOTAL</b>	<b>37,075.38</b>

**PAYROLL: NET PAY**

**Pay Period Ending 06/04/2011 – Paid 06/10/2011**

WELLER, LINDA JO	1,268.50	TAYLOR, TERRY K.	326.23
STRAEBEL, ROBERT J.	2,414.39	WITHROW, KATHERINE S.	535.84
BRANDI, RICHARD M.	1,734.01	GREYERBIEHL, KEVIN M.	514.08
LOY, EVELYN R.	983.11	ORBAN, BARBARA K.	1,715.12
KLOOSTER, ALIDA K.	1,334.53	HASKE, TYLER K.	248.08
BROWN, STEPHANIE C.	1,159.88	HASKE, CHELSEY K.	433.46
OCHS, CAROL A.	900.00	IVAN, PAUL M.	1,706.29
CAREY, KEITH V.	1,160.63	SCHWARTZFISHER, JOSEPH	1,093.96
SPENCER, MICHAEL D.	1,500.84	ROLOFF, ROBERT P.	2,040.11
SPENCLEY, PATRICIA L.	1,032.88	BRODIN, WILLIAM C.	1,249.01
NASH, JENNIFER B.	764.39	RILEY, DENISE M.	371.90
KILKENNY, PATRICK M.	734.38	CALDWELL, JAMES P.	1,506.03
UMULIS, MATTHEW T.	1,902.94	WURST, RANDALL W.	1,336.06
WARNER, JANINE M.	1,263.38	MAYER, SHELLEY L.	1,282.54
EVANS, HALBERT K.	869.46	HILLING, NICHOLAS A.	1,466.44
KANINE, MATTHEW J.	433.30	MEIER III, CHARLES A.	1,134.07
BINGHAM, LARRY E.	491.77	JACOBS, DOUGLAS R.	2,161.39
GRAHAM, NATHAN E.	259.19	NISWANDER, JOSEPH F.	1,242.03
SCHLAPPI, JAMES L.	1,310.03	FRYE, EDWARD J.	1,092.22
CALDWELL, MARY K.	655.18	WELLS JR., DONALD E.	1,822.45
POWERS, LOR A.	238.47	JONES, TERRI L.	1,217.72

BRADLEY, KELLY R.	1,640.05	DVORACEK, DANA J.	1,358.94
EATON, BRAD A.	2,024.32	GILL, DAVID R.	469.58
WILSON, TIMOTHY J.	2,494.74	HAYNES, STEPHANIE L.	518.21
HART II, DELBERT W.	612.37	MERRILL JR, CARL J.	601.78
LAVOIE, RICHARD L.	1,199.45	LALEWICZ, AMELIA	47.17
STEVENS, BRANDON C.	1,198.36	SHRIFT, PETER R.	1,272.90
ELLIOTT, PATRICK M.	1,528.24	DOAN, GERARD P.	1,868.10
WILSON, RICHARD J.	1,125.65	HANKINS, SCOTT A.	1,801.97
JONES, ROBERT F.	1,274.80	KLOOSTER, PATRICK H.	306.16
NISWANDER, LOGAN J.	465.27	KLOOSTER, JUSTIN N.	281.68
SIEGMUND, CHRISTOPHER	494.07	COPPOCK, TIMOTHY M.	1,552.87
BROWE, RAYMOND L.	519.86	WHITLEY, JOHN F.	1,859.56
EAGLESON, WAYNE L.	483.97	BLANCHARD, SCOTT W.	1,753.02
MCGHEE, ROBERT R.	957.79	SWEM, DONALD L.	1,701.70
CROSS, MARCUS E.	661.16	MORRISON, KEVIN P.	1,436.14
VANLOO, JOSEPH G.	578.61	HODGE, MICHAEL J.	1,343.24
KLOOSTER, SUSAN E.	75.60	JOHNSON, STEVEN P.	1,103.23
STEBE, LAURA A.	49.07	ZIPP, DONALD R.	923.46
HART, TERESA M.	839.75	BISHAW, JAMES H.	634.59
RUSSELL, COURTNEY S.	36.00	TOWSLEY, CALVIN J.	488.00
CRAIN, CODY A.	626.00	OSHABEN, NICHOLAS D.	488.00
BOAL, DAVID W.	677.21	DISHONG, AARON S.	917.66
MILLIGAN, DESMOND E.	335.60	HEID, THOMAS J	1,311.99
BENNETT, THOMAS A.	467.62	GRUNCH, RONALD J.	233.05
DURRENBERGER, LARRY J	215.14	BOOTH, GEORGE E.	286.88
BULLARD, ANDREW D.	872.64	DAVIS, RONALD L.	154.89
STEIN, DONNA E.	191.25	SARASIN, CHRISTIAN M.	548.20
RICH, THOMAS G.	122.31	SCHERPING, CHARLES L.	196.54
FAIRCHILD, GALEN W.	177.19		
BAILEY, MATTHEW L.	2,024.31	<b>TOTAL</b>	<b>96,334.20</b>

**PAYROLL: TRANSMITTAL**  
 06/10/2011

**EFTPS* Payroll Taxes	31,852.64	NORTHWESTERN BANK	422.76
CHAR EM UNITED WAY	65.00	POLICE OFFICERS LABOR	308.00
CHARLEVOIX STATE BANK	619.21	PRIORITY HEALTH	148.05
COMMUNICATION WORKERS	511.17	STATE OF MICHIGAN	5,190.37
ICMA RETIREMENT TRUST 401	692.86	TENHOUTEN RINGSTROM, PLLC	337.85
ICMA RETIREMENT TRUST 457	6,452.67		
MI STATE DISTRICT UNIT	128.28	<b>TOTAL</b>	<b>46,728.86</b>