

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Tuesday, July 5, 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 Jill Picha, Greg Stevens, Bryan Vollmer, Shane Cole, Lyle Gennett, Dennis Kusina
Absent: None

III. Inquiry Regarding Possible Conflicts of Interest

None

IV. Consent Agenda

The following items were approved and filed:

- A. Approval of Minutes – June 20, 2011 Regular Meeting Minutes
- B. Accounts Payable Check Register – June 16, 2011
- C. Accounts Payable Check Register – June 24, 2011
- D. Accounts Payable Check Register – July 6, 2011
- E. Unclaimed Property Sent to State of MI – June 16, 2011
- F. ACH Payments – June 20 – June 27, 2011
- G. Tax Disbursement – July 6, 2011
- H. Payroll Check Register – June 24, 2011
- I. Payroll Transmittal – June 24, 2011

V. Public Hearings

None

VI. Reports

The Manager stated there had been a structure fire over the weekend. There were no major injuries. He complimented emergency crews for their excellent job.

The Manager thanked everyone who attended the flag pole ceremony and the Up North Fourth event.

VII. Requests, Petitions and Communications and Actions Thereon

A. Introduction of Proposed Power Supply Purchase

Pete Schimpke from the Michigan Public Power Agency (MPPA), of which the City is a member, gave a presentation and answered questions on a possible Natural Gas Combined Cycle Plant purchase that would provide an intermediate power source for the MPPA cities that join in the project. The project will require a 35 year commitment. MPPA will finance and be part owner of the plant; the City will sign a power purchase agreement with MPPA to commit to buying the power. Electric and Water Superintendent Don Swem was also available to answer questions from Council. Council generally agreed to proceed with the AMP Fremont Plant Project.

B. Charlevoix Venetian Festival

Venetian Festival, Inc., President Dan Barron was available to answer questions.

1. Consideration of a Motion to Authorize the Execution of the Venetian Fireworks Permit
Fire Chief Paul Ivan was available to review the fireworks plan and answer questions from Council.

Motion by Councilmember Jill Picha, seconded by Councilmember Shane Cole, to authorize the Clerk to issue the fireworks permit for the 2011 Venetian Festival fireworks displays.

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

2. Consideration of a Motion to Authorize the Execution of the Hold Harmless Agreement
Motion by Councilmember Dennis Kusina, seconded by Councilmember Greg Stevens, to authorize the Mayor to sign the Hold Harmless agreement with Colonial Fireworks Company.

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

3. Consideration to Approve Contract for Venetian Festival Inc.
The Mayor reviewed that, although only \$12,000 had been budgeted, the City has donated \$15,000 in the past to help cover the cost of the free entertainment in the park. City Treasurer Rick Brandi has informed the Mayor that there is \$3,200 in community promotions that was going to be used to refurbish the Charlevoix entrance signs, but they don't need to be done this year. That money could be redirected to the Venetian contract. Regarding fees for cleanup, the City has not been charging other festivals these fees as of yet. Council members Kusina and Stevens expressed concern about spending more than budgeted; they are not necessarily opposed to the amount, just that it was not the amount specified for this event in the Council approved budget.

Motion by Councilmember Lyle Gennett, seconded by Councilmember Shane Cole, to authorize the Mayor to sign the 2011 Funding Contract with Venetian Festival, Inc., in the amount of \$15,000 and waiving the cleanup fees.

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

MOTION PASSES.

C. Consideration to Approve Elements 2 and 3 of the Childs Fiber Optic Study

City Manager Rob Straebel reviewed the item and answered questions from Council. Element 1 of the project has been completed and there is potentially 900 GB of excess fiber optic capacity available for lease or sale. Any contract with an internet service provider (ISP) for the excess capacity would be short term. Staff recommends proceeding forward with Element 2, a public hearing that complies with all State of Michigan regulations and developing a public bid process, and Element 3, preparation of a request for proposal (RFP) and evaluation of those proposals. Staff is proposing sharing the cost with the school district; due to school budget constraints, there may be a need to pursue grants to help cover the school's portion of the cost.

Motion by Councilmember Jill Picha, seconded by Councilmember Lyle Gennett, to move forward with Elements 2 and 3 of the John Child's Fiber Optic Proposal, contingent upon Charlevoix School District sharing costs with the City.

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

D. Electric/Water Department Roof Bids

Electric and Water Superintendent Don Swem was available to review the item and answer questions from Council.

Motion by Councilmember Shane Cole, seconded by Councilmember Jill Picha, to award the bid to Jordan Construction Group out of East Jordan for an EPDM roof [at the Electric and Water Department] for \$52,600.

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

E. Switchgear Purchase

Electric and Water Superintendent Don Swem was available to review the item and answer questions from Council.

Motion by Councilmember Dennis Kusina, seconded by Councilmember Bryan Vollmer, to approve the purchase of an S&C PMH-19 Pad Mounted Switchgear from Champion Charter for \$13,785.

Yeas: Picha, Stevens, Vollmer, Cole, Gennett, Kusina
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

A. Introduction of an Ordinance to Establish the Planning Commission Under the Michigan Planning Enabling Act

City Planner Mike Spencer briefly reviewed the ordinance, which re-establishes the Planning Commission in accordance with the State of Michigan 2008 Planning Enabling Act. The provisions of this ordinance maintains the same terms, number of members, duties, and meetings that the Planning Commission uses currently.

Motion by Councilmember Jill Picha, seconded by Councilmember Lyle Gennett, to set a public hearing on a proposed ordinance to establish the Planning Commission under PA 110 for July 18, 2011 at 7:00 p.m. in Council Chambers of City Hall.

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

B. A Proposed Ordinance to Amend and Renumber Title I, Chapter 9, Wards of the City Code

The ordinance will rebalance the populations of the City's three wards in accordance with 2010 U.S. Census numbers. It does not affect any currently seated Council members or November election candidates.

Motion by Councilmember Shane Cole, seconded by Councilmember Jill Picha, to set a public hearing for Monday, July 18, 2011 at 7:00 p.m. in Council Chambers of City Hall on a proposed ordinance to amend and renumber Title I, Chapter 9: Wards (of the City Code).

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

IX. Resolutions

None

X. Ordinances

None

XI. Miscellaneous Business

The Mayor and Council discussed the Up North Fourth festival. Council generally thought the festival had brought a lot of people downtown and had been a great success. The Mayor asked Council to pass any positive or negative feedback on to DDA Director Keith Carey.

Councilmember Lyle Gennett discussed that at budget time, the events budgets need to be clearer. There may be money needed for the Fourth of July event, including money that will be needed for cleanup. It is good to have events, but Council needs to be able to plan for all the costs and address them better.

Councilmember Jill Picha stated there had been a motor home parked on Belvedere for a few days which was being used for camping. City Planner Mike Spencer stated that use is prohibited by the ordinance, but enforcement is typically complaint driven and staff or the police should be called.

Councilmember Lyle Gennett asked about the scooter rental by the Marina. They are not licensed and that is not allowed. Staff will look

into it and get it corrected.

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

XIII. Adjourn

The Mayor stated if there were no objections, the meeting would adjourn.
 There were no objections.
 Meeting adjourned at 8:35 p.m.

Carol A. Ochs	City Clerk	Norman L. Carlson, Jr.	Mayor
Accounts Payable – 06/16/2011			
STATE OF MICHIGAN	1,082.03	TOTAL	1,082.03
Accounts Payable – 06/24/2011			
AT&T MOBILITY	145.02	VERIZON WIRELESS	56.72
DELTA DENTAL	4,096.63	VISION SERVICE PLAN	497.51
PRIORITY HEALTH	36,278.31		
STANDARD INSURANCE CO	1,359.57	TOTAL	42,433.76
Accounts Payable – 07/06/2011			
3 J ELECTRIC	1,816.00	IDEXX DISTRIBUTION INC.	809.27
ALL-PHASE ELECTRIC SUPPLY CO.	1,408.30	INDEPENDENT DRAFTING SERVICES	1,440.00
AMERICAN WATER WORKS ASSN	68.00	ISLANDS INSURANCE CENTER	559.00
AT&T LONG DISTANCE	224.46	IVAN, PAUL	41.00
AVFUEL CORPORATION	61,598.36	JACK DOHENY SUPPLIES INC	80.12
BAILEY, MATT	84.47	JOHN DEERE	6,067.84
BAY SUPPLY AND MARKETING INC.	470.85	KARKI, ROBERT	36.51
BIOMEDICAL SOLUTIONS	1,000.00	KENMARK INC	7,896.12
BOSLEY, CARRIE	4.35	KMart	169.04
BRADFORD'S	108.35	KSS ENTERPRISES	127.72
BRANDI, RICHARD	41.00	LAKESHORE TIRE & AUTO SERVICE	118.40
BY THE BAY CLEANING LLC	357.00	LOUIS A. HOFFMAN NURSERY INC	1,610.00
CALDWELL, JAMES P.	41.00	MANAGEMENT AND BEHAVIOR	1,200.00
CALIFORNIA CONTRACTORS	111.00	McCAMBRIDGE, SCOTT	500.00
CAREY, KEITH	41.00	MDC CONTRACTING LLC	992.63
CCP INDUSTRIES INC	253.83	MICHIGAN LOCAL GOVERNMENT	115.00
CENTRAL DRUG STORE	9.62	MICHIGAN MUNICIPAL LEAGUE	2,664.00
CHAMPION CHARTER	211.00	MID STATES BOLT & SCREW CO	176.56
CHARLEVOIX AGENCY	670.32	MISS DIG SYSTEM INC	382.22
CHARLEVOIX CITY BAND	4,800.00	NASH, JENNIFER	41.00
CHARLEVOIX COUNTY	1,506.24	NETSOURCE ONE INC.	300.00
CHARLEVOIX COUNTY TREASURER	434.79	NORTHERN MICHIGAN DUST CONTROL	2,400.00
CHARLEVOIX ELECTRICAL SVC INC.	300.00	NORTHERN MICHIGAN JANITORIAL	169.30
CHARLEVOIX GLASS INC.	29.15	NORTHERN PUMP SERVICE INC.	14,789.00
CHARLEVOIX SCREEN MASTERS INC	934.00	OLDIES AGENCY, THE	500.00
CHARLEVOIX STATE BANK	6,366.57	ORIENTAL TRADING COMPANY INC	947.00
CHARLEVOIX TOWNSHIP	10.50	OSTLUND PEST CONTROL	155.00
CINTAS FIRST AID & SAFETY	53.68	OTEC	65.95
CIVIC SYSTEMS	7,279.00	OUDBIER INSTRUMENT CO	570.50
COMPLETE MUFFLER	70.20	PERFORMANCE ENGINEERS INC	14,166.00
D & L WELDING INC	450.00	PERSONAL GRAPHICS	417.12
DESIGN ASSOCIATES	2,680.00	PLUNKETT & COONEY	2,964.44
DONAN, GERARD	41.00	PORTERHOUSE PRODUCTIONS LLC	2,500.00
DORNBOS SIGN & SAFETY INC.	65.45	POWER LINE SUPPLY	5,497.75
DTE ENERGY	4,367.69	POWERPLAN	55.97
DVORACEK, DANA J.	41.00	PREFERRED WASTE L.L.C.	61.00
EAST JORDAN IRON WORKS	5,287.09	PROGRESSIVE MEDICAL INT'L	257.85
ELLIOTT, PATRICK M.	41.00	PURITY CYLINDER GASES INC	81.33
ELLSWORTH FARMER'S EXCHANGE	312.00	QUILL CORP	448.50
ELMER'S	191,299.75	RELIABLE OFFICE SUPPLIES	81.46
EMERGENCY MEDICAL PRODUCTS INC	361.55	RTI LABORATORIES INC.	83.00
EVANS, HAL	41.00	SALES & MARKETING OF MICHIGAN	45.67
FASTENAL COMPANY	34.77	SPARTAN DISTRIBUTORS INC	695.55
FERGUSON & CHAMBERLAIN ASSOC	200.00	SPEEDWRENCH INC.	336.00
FRALICK, ED	40.00	SPENCER, MICHAEL	41.00
GINOP SALES INC	8,554.27	SPENCLEY, PATTI	31.01
GRAINGER	55.60	STANDARD ELECTRIC CO	78.04
GREAT LAKES ELEVATOR	270.00	STARSTUCK PRODUCTIONS	1,400.00
GREAT LAKES ENERGY	190.20	STEVENS, BRANDON	9.54
GREAT LAKES PIPE & SUPPLY	597.29	STRAEBEL, ROBERT J.	41.00
GRIFFIN BEVERAGE CO	339.60	SUPERIOR MECHANICAL	1,363.50
HACH COMPANY	317.25	SWEM, DONALD L.	41.00
HAGGARD'S INC	270.04	SYSTEMS SPECIALISTS INC	237.50
HAMMOND EQUIPMENT COMPANY	69.99	TRI-TURF	1,285.19
HANKINS, SCOTT	41.00	UP NORTH PROPERTY SERVICES LLC	3,542.00
HARBOR HOUSE PUBLISHERS	11,110.00	USA BLUE BOOK	181.66
HARRELL'S	430.00	VILLAGE GRAPHICS INC.	208.00
HART, TERESA	41.00	VOSS LIGHTING	642.92
HEID, THOMAS J.	41.00	WATERWAY OF MICHIGAN LLC	2,667.60
HOLBORN, NELLIE	77.39	WINDER POLICE EQUIPMENT	117.42
HOLIDAY COMPANIES	12,137.03	WORK & PLAY SHOP	32.07
HYDE EQUIPMENT	430.24	YOUNG GRAHAM	8,392.20
HYDRO DESIGNS INC.	900.00	TOTAL	424,363.71
Unclaimed Property Sent to State of MI – 06/16/2011			
STATE OF MICHIGAN	111.22	TOTAL	111.22

MI PUBLIC POWER AGENCY	32,654.15	MERS OF MICHIGAN	35,790.00
MI PUBLIC POWER AGENCY	219,394.93	TOTAL	287,839.08

Tax Disbursement – 07/06/2011

CHARLEVOIX COUNTY TREASURER	2,851.70	CHARLEVOIX PUBLIC SCHOOLS	229.90
CHARLEVOIX DISTRICT LIBRARY	427.63	CITY OF CHARLEVOIX - TAXES DUE	2,116.83
CHARLEVOIX PUBLIC SCHOOLS	961.95	RECREATIONAL AUTHORITY	81.34
CHARLEVOIX PUBLIC SCHOOLS	168.83	TOTAL	6,838.18

PAYROLL: NET PAY

Pay Period Ending 06/18/2011 – Paid 06/24/2011

WELLER, LINDA JO	1,314.89	PETERSON, ELIZABETH A	350.95
STRAEBEL, ROBERT J.	2,097.16	SPENCLEY, SHAUNA M.	350.95
BRANDI, RICHARD M.	1,734.01	HART, TERESA M.	968.53
LOY, EVELYN R.	983.11	RUSSELL, COURTNEY S.	21.60
KLOOSTER, ALIDA K.	1,367.95	BRANDI, NICHOLAS M.	63.68
BROWN, STEPHANIE C.	1,102.33	FAUST, ERICKA N.	350.95
OCHS, CAROL A.	900.00	WOOD, ADAM T.	274.67
CAREY, KEITH V.	1,160.62	CRAIN, CODY A.	937.25
SPENCER, MICHAEL D.	1,500.83	BOAL, DAVID W.	1,014.52
SPENCLEY, PATRICIA L.	1,052.07	MILLIGAN, DESMOND E.	306.00
NASH, JENNIFER B.	768.98	BENNETT, THOMAS A.	565.66
KILKENNY, PATRICK M.	734.38	DURRENBERGER, LARRY J	261.72
UMULIS, MATTHEW T.	1,631.37	BULLARD, ANDREW D.	819.48
WARNER, JANINE M.	990.37	STEIN, DONNA E.	221.86
EVANS, HALBERT K.	869.46	RICH, THOMAS G.	463.14
KANINE, MATTHEW J.	551.00	FAIRCHILD, GALEN W.	70.76
BINGHAM, LARRY E.	525.69	BAILEY, MATTHEW L.	1,713.81
GRAHAM, NATHAN E.	798.27	DVORACEK, DANA J.	1,223.36
SCHLAPPI, JAMES L.	1,100.16	HAYNES, STEPHANIE L.	617.00
CALDWELL, MARY K.	723.01	MERRILL JR, CARL J.	578.38
POWERS, LOR A.	748.46	SCHERPING, CHARLES L.	316.50
TAYLOR, TERRY K.	484.57	FOLTZ, SARAH A.	319.19
WITHROW, KATHERINE S.	524.30	HAND, REBECCA J.	40.50
GREYERBIEHL, KEVIN M.	583.46	CESARO, JASON M.	152.99
ORBAN, BARBARA K.	1,536.62	TRAVERS, MANUEL J.	384.95
HASKE, TYLER K.	184.08	SILVA, JESSE L.	528.89
HASKE, CHELSEY K.	453.72	RILEY, JEFFERY C	30.50
IVAN, PAUL M.	1,743.95	O'CONNOR, BRUCE E.	436.22
SCHWARTZFISHER, JOSEPH	1,223.61	SCHOOFF, WILLIAM R.	814.20
ROLOFF, ROBERT P.	2,648.92	SHRIFT, PETER R.	1,156.43
BRODIN, WILLIAM C.	1,440.60	DOAN, GERARD P.	1,756.28
RILEY, DENISE M.	371.90	HANKINS, SCOTT A.	1,542.37
CALDWELL, JAMES P.	1,278.57	KLOOSTER, PATRICK H.	498.16
WURST, RANDALL W.	1,342.60	BRANDI, MAURA E.	120.76
MAYER, SHELLEY L.	1,572.13	GLENNY, GRACE A.	161.69
HILLING, NICHOLAS A.	1,280.55	KLOOSTER, JUSTIN N.	451.46
MEIER III, CHARLES A.	1,300.99	COPPOCK, TIMOTHY M.	1,146.22
RAMSEY, KYLE J.	160.07	WHITLEY, JOHN F.	1,640.77
JACOBS, DOUGLAS R.	2,136.97	BLANCHARD, SCOTT W.	1,913.95
NISWANDER, JOSEPH F.	1,242.03	SWEM, DONALD L.	1,701.70
FRYE, EDWARD J.	1,069.72	MORRISON, KEVIN P.	1,106.84
WELLS JR., DONALD E.	1,445.65	HODGE, MICHAEL J.	1,094.25
JONES, TERRI L.	936.75	JOHNSON, STEVEN P.	1,320.58
BRADLEY, KELLY R.	1,516.19	ZIPP, DONALD R.	1,316.92
EATON, BRAD A.	1,552.14	BISHAW, JAMES H.	592.19
WILSON, TIMOTHY J.	1,936.50	TOWSLEY, CALVIN J.	536.00
HART II, DELBERT W.	706.38	OSHABEN, NICHOLAS D.	536.00
LAVOIE, RICHARD L.	1,370.52	DISHONG, AARON S.	1,014.26
STEVENS, BRANDON C.	1,147.24	WALDRON, DANIEL C.	189.87
ELLIOTT, PATRICK M.	1,528.24	GUERRA, GRACE E.	108.88
WILSON, RICHARD J.	1,146.14	HEID, THOMAS J	1,311.99
JONES, ROBERT F.	1,342.38	GRUNCH, RONALD J.	300.94
NISWANDER, LOGAN J.	574.45	BOOTH, GEORGE E.	295.07
SIEGMUND, CHRISTOPHER	655.53	DAVIS, RONALD L.	120.88
BROWE, RAYMOND L.	444.79	SARASIN, CHRISTIAN M.	473.96
RAMSEY, ARIEL M.	471.95	DIXON, DANIEL A.	539.79
EAGLESON, WAYNE L.	453.15	ROLOFF, AUDREY M.	570.59
MCGHEE, ROBERT R.	992.48	MATTER, DAWSON K.	602.46
RAMSEY, MADISON L.	544.61	MARSH JR., JAMES D.	152.38
CROSS, MARCUS E.	598.72	RILEY, TIMOTHY	108.00
VANLOO, JOSEPH G.	333.79	MACMILLAN, RACHEL A.	52.96
KLOOSTER, SUSAN E.	154.81	SCOTT JR., WINFIELD	80.99
STEBE, LAURA A.	166.06	RILEY, DANIEL	401.39
HOFFMAN, LESLIE R.	883.46	BARRETT, SCOTT T.	909.73
PETERS, BRIDGET R.	359.03	BERGMANN, DOUGLAS M.	80.99
BRADLEY, ASHLIE D.	238.07	MACDONALD, BRIAN K.	758.18
CRICK, HAILEY C.	114.47		
MURPHY IV, MICHAEL J.	350.95	TOTAL	108,062.02

PAYROLL: TRANSMITTAL

06/24/2011

**EFTPS* Payroll Taxes	33,880.17	MI STATE DISTRICT UNIT	128.28
AMERICAN FAMILY LIFE	135.35	NORTHWESTERN BANK	347.76
CHAR EM UNITED WAY	65.00	PRIORITY HEALTH	148.05
CHARLEVOIX STATE BANK	619.21	STATE OF MICHIGAN	5,653.66
COMMUNICATION WORKERS	511.17	TENHOUTEN RINGSTROM, PLLC	246.28
ICMA RETIREMENT TRUST 401	692.86		
ICMA RETIREMENT TRUST 457	6,452.67	TOTAL	48,880.46