

**CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, October 15, 2012 – 7:00 p.m.
210 State Street, City Hall, Council Chambers, Charlevoix, MI**

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

I. Pledge of Allegiance

II. Roll Call of Members Present

Mayor: Norman L. Carlson, Jr.
 City Attorney: Bryan Graham
 City Manager: Rob Straebel
 City Clerk: 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

None.

IV. Consent Agenda

The following items were approved and filed:

- A. Approval of Minutes – October 1, 2012 Regular Meeting Minutes
- B. Accounts Payable Check Register – October 16, 2012
- C. Tax Disbursement – October 16, 2012
- D. ACH Payments – October 1, 2012 – October 12, 2012
- E. Payroll Check Register – October 12, 2012
- F. Payroll Transmittal – October 12, 2012

V. Public Hearings

None.

VI. Reports

The City Manager gave an update on recruitment efforts for filling the Airport Manager and Recreation Director positions. The Manager also advised that, with the retirement of Jim Caldwell effective October 19, Randy Wurst will be acting as interim Superintendent for both the Water and Wastewater treatment plants.

The Manager informed Council that the United Way campaign is under way, and the City hopes to increase employee participation to 70%. Council may also participate in the plan.

The Manager thanked Council for allowing him to attend the ICMA convention. He has brought back some good ideas he hopes to implement in the future.

VII. Requests, Petitions and Communications and Actions Thereon

A. Discussion of Funding a Preliminary Engineering Study for Additional Dockage

City Manager Rob Straebel reviewed the item and answered questions from Council. Harbormaster Hal Evans was also available to answer questions. This past spring, Council had discussed commissioning this study for an additional dock on the north side of the marina. It was decided to wait to see what the numbers were from the 2012 boating season. A grant application for this project through the DNR Waterways Commission has been declined. Staff proposes funding the \$43,950 preliminary engineering study through marina revenues, though the Manager cautioned that the valuations of the DDA district are uncertain until February. If DDA valuations go down, the General Fund will be responsible for the lion's share of funding for the study. The Manager does not think this is likely, as City Treasurer Rick Brandt has been very conservative with the figures he has provided. The Manager reviewed details of the proposed project and the benefits to the City from the installation of the additional docks. If the City funds the docks itself, Waterways does not have control over those docks and some could be used as seasonal docks. The Harbormaster answered various questions on how the proposed docks could be used and how seasonal docks are billed. Council member Bryan Vollmer expressed concerns about bringing this project to Council now, since the DDA valuations are still unknown. The Manager said that if Council should choose to wait for those numbers in the spring, it would set the project back a few months, but would not be a deal breaker for the project.

The Mayor called for public comment. There were no comments.

Motion by Councilmember Dennis Kusina, seconded by Councilmember Lyle Gennett, to approve the Professional Services Agreement included in the packet on pp. 18-30 with United Design Associates for an engineering study for additional dockage, in the amount of \$43,950.

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

B. Purchase of Energy

Electric Department Superintendent Don Swem was available to present the item and answer questions from Council. Mr. Swem gave Council a summary of the City's history of purchasing power [as a member of the Michigan Public Power Agency (MPPA)] over the past several years. The cost of power is getting outrageous. This is an attempt, recommended by the MPPA, to stabilize the price in the future.

The Mayor called for public comment. There were no comments.

<u>Term</u>	<u>Maximum Quantity MW</u>	<u>Unit Price (\$/MWh) Not To Exceed</u>	<u>Total Price (\$) Not To Exceed</u>
Calendar Year 2015	0.8	\$49	\$ 163,072
Calendar Year 2016	1.2	\$51	\$ 254,592
Calendar Year 2017	1.7	\$54	\$ 381,888
Calendar Years 2015-2024	0.6	\$59	<u>\$1,472,640</u>
Overall Total Cost			\$2,272,192

Motion by Councilmember Jill Picha, seconded by Councilmember Shane Cole, for approval to spend up to a maximum of \$2,272,192 to purchase various blocks of energy as detailed [above] over the years up to 2024.

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

C. Consideration for 2013/14 Infrastructure Projects

Public Works Superintendent Pat Elliott was available to review the item and answer questions from Council. In August of 2010, Council had approved a long term infrastructure plan. This plan has been followed with some deviations due to unforeseen conditions or issues with the water or sewer system that caused some projects to be reprioritized. Mr. Elliott verified with Council that the intent of the long term plan was to be a living document that would be adjusted as budget and needs required. Mr. Elliott said that, when recommending projects, Staff used the criteria of the long term infrastructure plan; the road surface and the Paser rating for that road; curb, and gutter condition; water main size, condition, material, and age; sanitary sewer size, condition, material, age; and history of backups. Taking all these factors into consideration, Staff recommends the following projects for engineering only, not construction, this fall and winter:

1. Clinton from Grant to Park. Majority of engineering is already complete. Some modifications need to be made.
2. W. Garfield from US 31 to State St. (water, sewer, storm, and street).
3. Lewis from US 31 to E. Dixon (sewer, storm, and street).
4. Alleys adjacent to Lewis St. (prepare base and re-pave only).

Staff's strategy in this plan is to engineer more projects than can be finished, bid them out for either a spring or fall construction, and then pick the projects that best fit the budget. Upon questioning from Council, Mr. Elliott clarified that once a project is engineered, if the project is postponed, it would not need to be reengineered, though they may need to rebid estimates or make minimal changes to the bid specs.

The Mayor called for public comment. There were no comments.

Motion by Councilmember Lyle Gennett, seconded by Councilmember Dennis Kusina, to generally agree and commit to the engineering portions of the projects listed above. Actual projects considered for construction will be based [on bid pricing and] funds available within PI 6 (Infrastructure Fund) and PI 7 (Road Millage Fund).

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

D. Consideration to Purchase a New Chipper

Public Works Superintendent Pat Elliott was available to review the item and answer questions from Council. The budget originally included replacing both the chipper and the truck, but Mr. Elliott recommends forgoing the purchase of a truck. Mr. Elliott recommends spending the additional \$5,500 for the Bandit chipper, based on their warranty, production and efficiencies, drum size, and general construction of the unit. Staff tested both units and thought the Bandit unit outperformed the Morbark unit. The department has a lot of experience with its well-built 21-year-old Bandit chipper and has always been able to get parts for it. Mr. Elliott has put some money into the existing chipper truck. By not buying the truck, even with the more expensive chipper, the recommended purchase is under budget by about \$26,000. Mr. Elliott recommends Council accept the bid from Bandit Industries for \$37,332, less the trade in amount of \$3,500, for a total purchase price of \$33,832 for the Bandit 1390.

The Mayor called for public comment. There were no comments.

Motion by Councilmember Bryan Vollmer, seconded by Councilmember Jill Picha, to accept the bid for the Bandit chipper in the amount of \$33,832.

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

E. Purchase of Tractor/Holder

Public Works Superintendent Pat Elliott was available to review the item and answer questions from Council. The 2012-13 budget includes \$144,000 for the purchase of a new municipal tractor to replace the holder unit. The current holder has degraded to a point that it cannot be kept operational without spending money on it every time it is taken out of the shop. Mr. Elliott reviewed the various tasks for which this piece of equipment is used. Mr. Elliott clarified that the snow blower from Bell Equipment should have a price of \$13,950. The one shown in the original bid tab was not the correct size, but is shown on Mr. Elliott's corrected table. Mr. Elliott also stated the demo MB Tractor from Bell has 100 hours on it, while the demo Trackless unit from Doheny has only 7 hours on it. Mr. Elliott stated that most departments, when demonstrating this type of unit, will really work it hard to see if it is capable of handling the workload, so all demo hours on one of these machines are hard hours. Bell's bid also includes a front folding V-plow, due to the fact that the MB Tractor does not have a rear 3-point hitch to attach the current V-plow to the unit; the Trackless unit does have a rear 3-point hitch. The difference in the two demo tractors is about \$15,000, and Mr. Elliott pointed out the difference in work hours on the machines. Both units will be warranted as if they were new. After a careful review, Mr. Elliott and his staff recommend the purchase of the more expensive Trackless demo unit from Jack Doheny Supplies based on the following reasons:

1. Years and units in production: Trackless has been building this unit for 40 yrs.; the MB unit has been on the market with their current line for four years.
2. Both units offer the same engine warranty. The Trackless machine has a two year/1200 hour warranty; MB provides a one year warranty.
3. The rear 3-point hitch: The MB unit does not have this option, which is why they priced out a front V-plow. With a rear 3-point hitch, the snow blower can be on the front of the unit and the V-plow can be on the back. Without this option, the crew would need to travel back to the shop and change implements. Mr. Elliott also thinks that dragging the V-plow is safer than pushing on uneven sidewalks. This hitch also provides more options for future attachments.
4. Fuel efficiency: The Trackless unit has a "work" mode and a "travel" mode, which allows for fuel savings by traveling distance in a more efficient travel (high) range. The MB only has a "work" mode.
5. CO₂ emissions: Using less fuel results in fewer emissions.

6. Length of machine: The Trackless is about 10 inches shorter than the MB, which makes a difference in the tight spaces where this machine needs to be used.
 7. Automatic reversing engine fan: The Trackless has one, the MB does not. This is a benefit in the summer with mowing and sweeping, as the fan automatically reverses to blow out any debris.
 8. Staff demonstrated both units and thought the Trackless outperformed the MB. Staff also thinks that the Trackless will be easier to maintain because it has a more conventional drive system.
- Going with the Trackless still comes in under the budgeted amount of \$144,000.

The Mayor called for public comment. There were no comments.

Motion by Councilmember Shane Cole, seconded by Councilmember Lyle Gennett, to follow staff's recommendation and accept the bid from Jack Doheny Supplies for the purchase of one Trackless MT6 demo unit and the snow blower as per the bid. The total purchase price of \$103,150 includes trading in our current Holder and snow blower.

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

F. Consideration to Approve the Fifth Amendment to the City Manager's Contract

The Mayor reviewed the item for Council. After going over the Manager's performance evaluation, the Mayor is proposing to extend his contract to the full three-year term and include a 2% increase in salary, which is consistent with what the non-union employees received April 1, 2012.

The Mayor called for public comment. There were no comments.

Motion by Councilmember Dennis Kusina, seconded by Councilmember Jill Picha, to approve the Fifth Amendment to the City Manager's contract, as specified on p. 43 of the packet.

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

None.

X. Ordinances

None.

XI. Miscellaneous Business

Councilmember Jill Picha stated that the decoration of the green box is nice. The Manager said that was coordinated with the Chamber of Commerce. She asked the Manager to thank them.

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

Mary Eveleigh spoke regarding the Council's recent decision not to move forward with the adoption of the County storm water management ordinance. She said this type of ordinance does work better if the communities work together as a whole to protect our water quality. She asked which provisions the City had issues with and urged Council to see if those provisions could be revised so the communities could work together to protect the water quality.

The Manager said that he whole heartedly agrees with the importance of preserving and protecting our waterways and water quality, and that the City agrees with the theory and practice. The issues with the County ordinance involved loss of local control over storm water management in going with a uniform storm water management program spearheaded by the County. There were several ambiguities regarding street improvement project regulations and the use and number of filtration units. The City has been a leader in incorporating rain gardens and filtrations units. The ordinance considered for townships may need to be different than city regulations, as they have different issues with parking lots and storm water management lines and runoff, etc. The City's plan may be to take what the County has presented and revamp it for our community and to maintain local control.

Ms. Eveleigh stated that she didn't see the ordinance as taking away local control, but that this was an extra layer of oversight and that it doesn't hurt to have another set of eyes watching over the water. She thinks there are a lot of good things in the ordinance.

The Mayor stated that all three cities in the County rejected the ordinance as presented for the same reasons. The Manager said the City is still working with the other county municipalities on developing uniform regulations for city areas.

XIII. Adjourn

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

There were no objections.

Meeting adjourned at 8:00 p.m.

Carol A. Ochs

City Clerk

Norman L. Carlson, Jr.

Mayor

Accounts Payable - 10/16/2012

ACCESS LOCKSMITHING INC	300.00	APX INC.	52.85
ACE HARDWARE	1,424.42	ASSOC OF PUBLIC TREASURERS	205.42
AIRGAS USA LLC	798.82	AT&T LONG DISTANCE	361.31
APOLLO FIRE	52.44	AUTO VALUE	331.54

AVFUEL CORPORATION	1,415.00	MICHIGAN STATE UNIVERSITY	20.00
B & L SOUND INC	84.98	MISS DIG SYSTEM INC	329.54
BAKER COLLEGE OF CADILLAC	31.50	MLIVE MEDIA GROUP	577.51
BEHAN WINDOW CLEANING	250.00	MOORE, RICHARD	1.52
BELL EQUIPMENT COMPANY	938.62	NATIONAL CRIME PREVENTION	347.00
BENNETT UPHOLSTERY	150.00	NORTHERN CREDIT BUREAU	270.01
BOB MATHERS FORD	82.00	NORTHERN FIRE & SAFETY INC.	111.00
BORISCH, JONATHAN	30.00	NORTHERN MICHIGAN DUST CONTROL	200.00
BRACHEL, RICHARD	59.81	NORTHERN MICHIGAN JANITORIAL	128.85
BRADFORD'S	48.00	NORTHERN MICHIGAN REVIEW INC.	1,313.29
BRANDI, RICHARD	139.86	NORTHERN PUMP SERVICE INC.	795.00
CARDINAL CARPET CLEANING	633.25	NORTHWEST DESIGN GROUP	1,092.00
CARQUEST OF CHARLEVOIX	442.35	OLD DOMINION BRUSH	934.62
CHAIN O' LAKES DISC GOLF CLUB	18,075.00	OLESON'S FOOD STORES	96.07
CHARLEVOIX AREA	6,700.00	OMS COMPLIANCE SERV INC	52.50
CHARLEVOIX COTTAGE CARE INC.	120.00	OTEC	101.00
CHARTER COMMUNICATIONS	961.28	PERFORMANCE ENGINEERS INC	14,647.25
CHEMSEARCH	140.00	PETOSKEY REGIONAL CHAMBER OF	75.00
CINTAS FAS LOCKBOX 636525	162.93	PHONE GUIDE	192.00
CITY OF CHARLEVOIX - UTILITIES	37,619.62	PINNACLE DESIGN	2,512.58
CSI EMERGENCY APPARATUS LLC	184.11	PLUNKETT & COONEY	1,240.00
EJ USA INC.	3,546.31	POWER LINE SUPPLY	3,393.23
ELLIOTT, PATRICK M.	199.80	PREFERRED WASTE 2 LLC	425.00
ELLSWORTH FARMER'S EXCHANGE	511.17	PRESTON FEATHER	35.05
ETNA SUPPLY	6,575.00	PURITY CYLINDER GASES INC	440.46
FAGAN, MICHAEL	41.89	QUILL CORP	161.06
FAMILY FARM & HOME	177.82	R & R FIRE TRUCK REPAIR	640.84
FISHER SCIENTIFIC	597.74	RIETH-RILEY CONST CO INC	636.40
FOGG, ROBIN	82.17	RISSI, E. JANE	46.00
FOX CHARLEVOIX FORD	83.10	ROGACHESKI, OSMARINO	14.73
GBS INC.	170.29	SALES & MARKETING OF MICHIGAN	737.00
GENNETT, LYLE	84.70	SEAMAN, MATT	36.01
GINOP SALES INC	361.91	SEELEY'S PRINTING SERVICE	63.50
GREAT LAKES PIPE & SUPPLY	612.29	SHARROW MASONRY INC	3,290.00
HACH COMPANY	472.35	SPARTAN DISTRIBUTORS INC	148.56
HEERES EXCAVATING INC.	2,322.50	STANDARD ELECTRIC CO	374.40
HUGH'S EXCAVATING LLC	1,500.00	STATE OF MICHIGAN	413.86
HYDRO DESIGNS INC.	515.00	STATE OF MICHIGAN	250.00
INDEPENDENT DRAFTING SERVICES	1,824.00	SUPERIOR MECHANICAL	249.35
INT'L ASSN OF LAW ENFORCEMENT	55.00	TOUGH, KEN	27.99
J & S PORTABLE RESTROOMS	75.00	TRAVERSE CITY RECORD EAGLE	264.15
KANE, SHIRLEY	1.00	U.S. BANK N.A./MMBA	284,456.25
KENNEDY, MAVIS	42.35	UP NORTH PROPERTY SERVICES LLC	1,813.00
KIWANIS CLUB OF CHARLEVOIX	78.00	VILLAGE GRAPHICS INC.	145.75
KLOOSTER, ALIDA K.	196.79	VOSS LIGHTING	510.28
KRAMARSKA, ANITA	23.20	WELLER, LINDA	53.45
KSS ENTERPRISES	425.76	WEST SHORE FIRE INC	266.82
LAKESHORE TIRE & AUTO SERVICE	78.40	WILBERT BURIAL VAULT CO	278.64
LAPPAN'S OF GAYLORD INC.	113.58	WILLCOME TREE SERVICE	770.00
MDC CONTRACTING LLC	209,437.83	WOLTERS, JAN-HARM	2.35
MICHIGAN MUNICIPAL ELECTRIC	200.00	WORK & PLAY SHOP	53.43
MICHIGAN MUNICIPAL LEAGUE	17,546.96	ZONTA CLUB OF CHARLEVOIX	192.00
MICHIGAN OFFICEWAYS INC	3,315.21	TOTAL	648,288.53

Accounts Payable - 10/16/2012**Tax Disbursements**

CHARLEVOIX COUNTY TREASURER	52,001.09	CHARLEVOIX PUBLIC SCHOOLS	315.73
CHARLEVOIX COUNTY TREASURER	7.63	CHARLEVOIX-EMMET ISD	942.19
CHARLEVOIX COUNTY TREASURER	2,176.52	CITY OF CHARLEVOIX - TAXES DUE	63,183.39
CHARLEVOIX DISTRICT LIBRARY	618.90	KROLL, TODD & JENNIFER	492.71
CHARLEVOIX PUBLIC SCHOOLS	67,166.79	RECREATIONAL AUTHORITY	111.36
CHARLEVOIX PUBLIC SCHOOLS	9,877.48	STATE OF MICHIGAN	8,130.26
CHARLEVOIX PUBLIC SCHOOLS	4,938.65	TOTAL	209,962.70

ACH Payments - 10/01/2012 - 10/12/2012

MI PUBLIC POWER AGENCY	27,103.03	VANTAGEPOINT (401 ICMA PLAN)	699.79
MI PUBLIC POWER AGENCY	28,308.88	VANTAGEPOINT (457 ICMA PLAN)	12,333.55
IRS (PAYROLL TAX DEPOSIT)	28,464.47	TOTAL	96,909.72

PAYROLL: NET PAY**Pay Period Ending 10/06/2012 - Paid 10/12/2012**

WELLER, LINDA JO	1,414.76	SCHWARTZFISHER, JOSEPH	781.26
STRAEBEL, ROBERT J.	2,350.99	ROLOFF, ROBERT P.	1,426.67
BRANDI, RICHARD M.	1,757.88	BRODIN, WILLIAM C.	1,448.19
LOY, EVELYN R.	1,007.09	RILEY, DENISE M.	352.95
KLOOSTER, ALIDA K.	1,508.55	CALDWELL, JAMES P.	1,392.20
BROWN, STEPHANIE C.	1,088.68	WURST, RANDALL W.	1,563.75
OCHS, CAROL A.	916.89	MAYER, SHELLEY L.	1,550.06
CAREY, KEITH V.	1,161.99	HILLING, NICHOLAS A.	1,084.40
SPENCER, MICHAEL D.	1,730.72	MEIER III, CHARLES A.	1,260.27
SPENCLEY, PATRICIA L.	1,024.67	NISWANDER, JOSEPH F.	1,353.85
NASH, JENNIFER B.	1,006.43	FRYE, EDWARD J.	998.07
SHRIFT, PETER R.	1,054.61	JONES, TERRI L.	289.47
SCHLAPPI, JAMES L.	928.68	EATON, BRAD A.	1,740.85
UMULIS, MATTHEW T.	1,210.04	WILSON, TIMOTHY J.	2,023.76
ORBAN, BARBARA K.	1,497.02	LAVOIE, RICHARD L.	792.54
TRAEGER, JASON A.	1,373.44	STEVENS, BRANDON C.	1,081.54
WARNER, JANINE M.	1,225.84	DRAVES, MARTIN J.	1,610.19
EVANS, HALBERT K.	1,423.08	ELLIOTT, PATRICK M.	1,541.33
LEE, LOREN G.	335.07	WELLS JR., DONALD E.	1,529.12
BINGHAM, LARRY E.	309.2	BRADLEY, KELLY R.	1,236.48
CALDWELL, MARY K.	73.04	WILSON, RICHARD J.	1,327.98
GREYERBIEHL, KEVIN M.	257.8	JONES, ROBERT F.	1,389.30
IVAN, PAUL M.	1,785.02	MANKER JR, DAVID W.	538.16

NISWANDER, LOGAN J.	370.46	DOAN, GERARD P.	1,298.92
SIEGMUND, CHRISTOPHER	176.78	HANKINS, SCOTT A.	1,452.98
BROWE, RAYMOND L.	400.8	KLOOSTER, PATRICK H.	242.63
RUPINSKI, PETER J.	656.57	COPPOCK, TIMOTHY M.	1,197.94
MCGHEE, ROBERT R.	1,019.94	BLANCHARD, SCOTT W.	1,618.14
VANLOO, JOSEPH G.	669.94	SWEM, DONALD L.	1,640.19
BOAL, DAVID W.	986.29	WHITLEY, ANDREW T.	1,498.53
WESCOTT, DENNIS M.	102.71	MORRISON, KEVIN P.	1,093.75
DURRENBERGER, LARRY J	33.62	HODGE, MICHAEL J.	1,329.99
DVORACEK, DANA J.	1,555.13	JOHNSON, STEVEN P.	1,115.25
TOUGH, KENDALL J.	635.95	BISHAW, JAMES H.	723.86
WENZEL, PEGGY A.	451.85	TOWSLEY, CALVIN J.	598.24
GENGLE, SUE E.	134.07	SCAFIDI, DAVID J.	522.47
O'CONNOR, BRUCE E.	585.57	HEID, THOMAS J	1,343.80
CARLSON JR., NORMAN	1,059.07	BAIER, GEORGE A.	85.14
STEVENS, GREGORY L.	724.13	DAVIS, RONALD L.	47.72
PICHA, C. JILL	522.58	GILL, DAVID R.	981.17
KUSINA, DENNIS	567.62	HAND, HEATHER K.	450.16
COLE, SHANE	511.84	SCHNEIDER, DENNIS R.	488.79
GENNETT, LYLE E	759.08		
VOLLMER, BRYAN R.	455.01	TOTAL	84,862.56

PAYROLL: TRANSMITTAL
 10/12/2012

AMERICAN FAMILY LIFE	402.61	MERS	390.00
CHAR EM UNITED WAY	88.00	MI STATE DISBURSEMENT	596.19
CHARLEVOIX STATE BANK	1,020.31	NORTHWESTERN BANK	360.00
CHARLEVOIX STATE BANK	150.00	POLICE OFFICERS LABOR	325.50
COMMUNICATION WORKERS	528.86	PRIORITY HEALTH	682.47
INDIANA STATE	80.00	TOTAL	4,623.94