

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, November 21, 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 Shane Cole, Lyle Gennett, Dennis Kusina, Jill Picha, Greg Stevens, Bryan Vollmer
Absent: None

III. Inquiry Regarding Possible Conflicts of Interest

None.

IV. Consent Agenda

The following items were approved and filed:

- A. Approval of Minutes – November 7, 2011 Regular Meeting Minutes
- B. Accounts Payable Check Register –November 9, 2011
- C. Accounts Payable Check Register –November 22, 2011
- D. Tax Disbursement – November 22, 2011
- E. ACH Payments –November 7 – November 14, 2011
- F. Payroll Check Register – November 10, 2011
- G. Payroll Transmittal – November 10, 2011
- H. Election Results – Board of Canvassers' Report

Council was provided with the Board of Canvassers' certification of the election results. The canvass results are summarized as follows:

Whole number of votes given for the office of Clerk	286
Persons receiving the votes:	
Carol A. Ochs	286
Carol A. Ochs having received a sufficient number of votes is elected for the office of City Clerk.	

Whole number of votes given for the office of Ward 1 Council Member	121
Persons receiving the votes:	
Dennis Kusina	121
Dennis Kusina having received a sufficient number of votes is elected for the office of Ward 1 Council Member.	

Whole number of votes given for the office of Ward 2 Council Member	63
Persons receiving the votes:	
Bryan Vollmer	63
Bryan Vollmer having received a sufficient number of votes is elected for the office of Ward 2 Council Member.	

Whole number of votes given for the office of Ward 3 Council Member	85
Persons receiving the votes:	
Jill Picha	85
Jill Picha having received a sufficient number of votes is elected for the office of Ward 3 Council Member.	

V. Public Hearings

- A. 2011 – 2016 City of Charlevoix Parks and Recreation Plan

The Mayor opened the public hearing at 7:01 p.m. There were no comments. The Mayor closed the public hearing at 7:01 p.m.

VI. Motion to Suspend Rules of Procedure

The Mayor explained that the MDOT grant submission refers to the Parks and Recreation Plan, so Council needs to suspend the rules in order to enact the Parks and Recreation resolution before considering the first item request.

Motion by Councilmember Dennis Kusina, seconded by Councilmember Shane Cole, to suspend Rule 4: The Order of Business of *Rules of Procedure for City Council* to act on item X.A. [2011-2016 City of Charlevoix Parks and Recreation Plan].

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

Council acted on item X.A. 2011-2016 City of Charlevoix Parks and Recreation Plan.

VII. Reports

The Manager reported on concerns regarding the Beaver Island Boat Company bathrooms and staff is working with the cleaning company to rectify the issues.

VIII. Requests, Petitions and Communications and Actions Thereon

- A. Consideration to Approve Submission of an MDOT Transportation Grant and an Intergovernmental Agreement with Charlevoix Township for Lake to Lake Trail

The Manager reviewed the item for Council and was available to answer questions.

Motion by Councilmember Bryan Vollmer, seconded by Councilmember Lyle Gennett, to approve the submission of a Transportation Enhancement Grant and signing of the Intergovernmental Agreement Lake to Lake Multi Use Trail dated November 21, 2011, contingent upon Charlevoix Township's approval.

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

- B. MERS Resolution for a Change of Benefit – Police & Fire Personnel

This is a routine item consistent with the approval of the POLC contract. Action by resolution.

C. Organizational Items

1. Meeting times/days
Council generally agreed to continue meeting the first and third Monday of the month at 7:00 p.m.

2. Appointment of Deputy Mayor
Motion by Councilmember Shane Cole, seconded by Councilmember Dennis Kusina, to reappoint Councilmember Jill Picha as Deputy Mayor.

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

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

A. Introduction of Amendment to Title II, Chapter 26, Charlevoix Municipal Airport Ordinance & Airport Minimum Standards

Airport Manager Matt Bailey reviewed the changes. The Manager reviewed a plan to implement an off-site parking fee for shuttle services that offer off-site parking.

Keith Teague of Fresh Air spoke against the implementation of an off-site parking fee.

Chuck Sherping suggested mowing the field inside the airport next to Fresh Air and leasing it to a business like Fresh Air. Mr. Sherping also stated he would have some items to bring up at the public hearing.

The Attorney explained that, regarding the off-site parking fees, Council is licensing businesses that conduct business on airport property; they are not licensing shuttle services. The provision would license a business that is providing a commercial parking facility for air travelers. A similar lot providing spaces for people going downtown, for example, would not fall under this provision.

After discussion, Council asked for the off-site parking provisions to be removed from the ordinance before the public hearing.

Motion by Councilmember Lyle Gennett, seconded by Councilmember Jill Picha, to set a public hearing for December 5, 2011 at 7:00 p.m., in Council Chambers of City Hall on a proposed ordinance to amend Title II, Chapter 26, Charlevoix Municipal Airport Ordinance of the City Code.

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

X. **Resolutions**

A. 2011-2016 City of Charlevoix Parks and Recreation Plan

Motion by Councilmember Jill Picha, seconded by Councilmember Greg Stevens, to approve Resolution 2011-11-01 as follows:

**CITY OF CHARLEVOIX CITY COUNCIL
RESOLUTION NO. 2011-11-01
RESOLUTION ADOPTING THE 2011-2016 CITY OF CHARLEVOIX
PARKS AND RECREATION MASTER PLAN**

- WHEREAS, the last City of Charlevoix Parks, Recreation, Exercise, and Sports Facility Plan amendment was adopted by City Council on February 7, 2000; and
- WHEREAS, the Department of Natural Resources (DNR) publishes Guidelines for the Development of Community Recreation Master Plans; and
- WHEREAS, the DNR Guidelines recommend updating the Parks and Recreation Master Plan once every five years; and
- WHEREAS, the City closely followed the planning process in the DNR Guidelines to establish the 2011-2016 Parks and Recreation Master Plan; and
- WHEREAS, the City actively sought public comment on the Parks and Recreation Master Plan through the 2009 Community Surveys, newspaper articles, public meetings, and through the Parks and Recreation Advisory Board; and
- WHEREAS, the City of Charlevoix recognizes the importance of parks and recreation facilities and programs to our resort and tourist economy and to quality of life for year-round residents; and
- WHEREAS, the 2011-2016 Parks and Recreation Master Plan is an effective planning tool used to outline future goals, objectives, and capital improvements; and
- WHEREAS, an up to date Parks and Recreation Master plan increases the potential to be awarded grants, and in some cases is a requirement to apply for Federal, State, private sector, and non-profit grants; and
- WHEREAS, the Michigan Planning Enabling Act was amended in 2010 to allow for municipalities to incorporate "Complete Streets" accommodating alternative modes of transportation into Master Plans, which is outlined Chapter 5 of the 2011-2016 Parks and Recreation Master Plan; and
- WHEREAS, the City of Charlevoix Planning Commission, the Parks and Recreation Advisory Board, and City staff recommend adoption of the 2011-2016 Parks and Recreation Master Plan; and
- WHEREAS, the Draft 2011-2016 Parks and Recreation Master Plan has been available for public viewing since May of 2011 and the public has had multiple opportunities to comment on the draft including the May 20, July 27, August 10, and October 12 Parks and Recreation Advisory Board meetings; and

WHEREAS, the Charlevoix City Council has sought public comment at the November 7, and November 21, 2011 regular meetings.

NOW, THEREFORE, BE IT RESOLVED that the City of Charlevoix City Council hereby adopts the 2011-2016 Parks and Recreation Master Plan by resolution.

RESOLVED this 21st day of November, 2011.

Resolution adopted by the following yea and nay votes:

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

B. MERS Resolution for a Change of Benefit – Police & Fire Personnel

Motion by Councilmember Dennis Kusina, seconded by Councilmember Jill Picha, to approve Resolution 2011-11-02 as follows:

**CITY OF CHARLEVOIX CITY COUNCIL
 RESOLUTION NO. 2011-11-02**

RESOLUTION FOR CHANGING MERS BENEFITS (OTHER THAN DB COMPONENT OF HYBRID PROGRAM)

In accordance with the MERS Plan Document of 1996, the City of Charlevoix 1505 adopts the following benefits for 1505-20 Police Officers (POLC)

A "division" is defined as an employee or group of employees covered by the same benefit programs and the same employee contribution program. Each division has a specific MERS number and name, such as "Div. 10, General-Admin.," and is part of a Reporting Unit, such as: "01."

Supporting Supplemental Valuation is dated May 11, 2011

BENEFIT MULTIPLIER

From B-4 (2.5x) To C-1 (1.5x) Frozen FAC Effective Date 12/1/2011
(Current Benefit Multiplier) (New Benefit Multiplier)

RESOLVED this 21st day of November, 2011.

Resolution adopted by the following yea and nay votes:

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

XI. Ordinances

None.

XII. Miscellaneous Business

The Clerk spoke regarding some citizens who would like to work to raise funds to replace the Brookside Cemetery pillars on M-66 with pillars that more closely resemble the other pillars throughout the cemetery. Council was agreeable to receiving the funds to be used toward this item, but Council will need final approval over any design.

Councilmember Greg Stevens spoke regarding some needed repairs to the Beaver Island Boat Company building. Plans are to and make the repairs on the inside of the building in the early spring.

Councilmember Lyle Gennett asked about fixing the awning at the Beaver Island Boat Company as well. The Manager stated the awning had been repaired this past summer, but staff could look into an alternative replacement sometime in the future.

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

Don Seelye spoke regarding landing fees at the airport and asked the Council consider waiving the fees for up to a certain weight airplane. He believes that landing fees are detrimentally affecting the traffic through the airport.

County Commissioner Shirlene Tripp gave an update on the new recycling site.

XIV. 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 – 11/09/2011			
STATE OF MICHIGAN	20,759.47	TOTAL	20,759.47
Accounts Payable – 11/22/2011			
Information Only Check	-	AUTO VALUE	1,257.78
ACE HARDWARE	5,861.64	AVFUEL CORPORATION	24,564.36
AIRGAS GREAT LAKES INC.	762.73	B & L SOUND INC	276.61
ALL-PHASE ELECTRIC SUPPLY CO.	79.00	BAILEY, MATTHEW L.	181.72
AMERICAN WASTE INC.	19,526.40	BAKER COLLEGE OF CADILLAC	140.00
APPLIED INDUSTRIAL TECH	73.48	BARRETT'S AUTO & MARINE TRIM	320.00
ARROW UNIFORM-TAYLOR L.L.C.	1,150.28	BRADFORD'S	96.00
AT&T	3,202.29	BY THE BAY CLEANING LLC	357.00

CARDINAL CARPET CLEANING	415.00	MICHIGAN MUNICIPAL LEAGUE	16,455.00
CARQUEST OF CHARLEVOIX	1,398.47	MICHIGAN OFFICEWAYS INC	1,085.86
CARROT-TOP INDUSTRIES INC.	340.00	MIDWEST GOLF & TURF	173.60
CENTRAL DRUG STORE	41.87	MISS DIG SYSTEM INC	285.11
CHARLEVOIX CAR WASH	32.40	NEOPOST INC	50.00
CHARLEVOIX SCREEN MASTERS INC	947.50	NORTHERN CREDIT BUREAU	28.14
CHARTER COMMUNICATIONS	905.24	NORTHERN FIRE & SAFETY INC.	342.00
CINTAS FIRST AID & SAFETY	76.43	NORTHERN LIGHTS FAMILY	1,311.00
DANBOISE MECHANICAL INC.	1,138.00	NORTHERN MICHIGAN JANITORIAL	99.65
DSS CORPORATION	3,155.00	NORTHERN MICHIGAN REVIEW INC.	991.14
DVORACEK, DANA J.	253.94	NORTHERN SAFETY CO INC	279.06
EMERGENCY MEDICAL PRODUCTS INC	196.99	OLESON'S FOOD STORES	92.77
ENERCO CORPORATION	700.00	PARASTAR INC.	1,073.87
FAMILY FARM & HOME	1,926.48	PARKS AUTO PARTS	100.00
FASTENAL COMPANY	181.69	PERFORMANCE ENGINEERS INC	9,050.50
FERUCCI, JESSICA	32.71	PETOSKEY BAND BOOSTERS	750.00
FEYEN ZYLSTRA LLC	189.25	PLUNKETT & COONEY	1,265.00
FISHER SCIENTIFIC	459.86	POWER LINE SUPPLY	3,555.72
FOX CHARLEVOIX	42.78	PRESTON FEATHER	119.26
GBS INC.	57.08	RTI LABORATORIES INC.	114.00
GR RUBBER PRODUCTS CO. INC.	695.96	S&W HEALTHCARE CORPORATION	272.37
GRAINGER	645.53	SALES & MARKETING OF MICHIGAN	559.23
GRAND TRAVERSE DIESEL INC.	41.40	SARLES, MATTHEW	48.86
GREAT LAKES PIPE & SUPPLY	1,224.58	SCANTRON CORPORATION	43.40
GREENWELL MACHINE SHOP	10.99	SCHEPER, JASON	100.00
HACH COMPANY	533.15	SITE PLANNING DEVELOPMENT INC	1,600.00
HARBOR STEEL & SUPPLY CORP	141.75	SMITH, GLEN	49.72
HARRELL'S	350.00	SOUND ENVIRONMENTS	456.20
HEALTH DEPT OF NW MICHIGAN	75.00	SPARTAN DISTRIBUTORS INC	498.93
HOLIDAY COMPANIES	8,286.56	STANDARD ELECTRIC CO	118.34
HOXIE, DAVID S.	600.00	STATE OF MICHIGAN	945.85
HYDRO DESIGNS INC.	900.00	STEVENS, BRANDON	11.40
ICMA	819.42	SUNRISE ELECTRONICS & SECURITY	186.45
IDEXX DISTRIBUTION INC.	809.97	SUPERIOR MECHANICAL	2,581.36
INDEPENDENT DRAFTING SERVICES	992.00	TRI-TURF	36.37
IVAN, PAUL	300.83	U S BANK	112.50
JBR GRAPHICS INC.	240.00	UNITED STATES PLASTIC CORP.	419.80
KLOOSTER, ALIDA K.	299.88	UP NORTH PROPERTY SERVICES LLC	1,386.00
KMart	11.55	USA BLUE BOOK	762.46
KORTHASE FLINN	20.40	VILLAGE GRAPHICS INC.	23.00
KSS ENTERPRISES	293.74	VOSS LIGHTING	879.26
KUHLMAN FLAGS & POLES	247.75	WARNER, MICHELLE	75.00
LAKEVIEW MAINTENANCE	720.00	WHITNEY'S OF CHARLEVOIX	49.82
LAVOIE, RICHARD	10.07	WILBERT BURIAL VAULT CO	161.28
MCMASTER-CARR	18.61	WILLCOME TREE SERVICE	15,195.00
MDC CONTRACTING LLC	10,170.06	WINDER POLICE EQUIPMENT	44.14
MEIER III, CHARLES A.	86.32	WORK & PLAY SHOP	98.94
MI GOLF COURSE SUPERINTENDENTS	75.00	TOTAL	162,897.86

Accounts Payable - 11/22/2011**Tax Disbursements**

CHARLEVOIX COUNTY TREASURER	6,087.06	CHARLEVOIX PUBLIC SCHOOLS	437.99
CHARLEVOIX PUBLIC SCHOOLS	5,832.80	CITY OF CHARLEVOIX - TAXES DUE	6,831.97
CHARLEVOIX PUBLIC SCHOOLS	1,183.28	TOTAL	20,373.10

ACH Payments - 11/07/2011 - 11/14/2011

MI PUBLIC POWER AGENCY	9,444.98		
MI PUBLIC POWER AGENCY	15,819.35	TOTAL	25,264.33

PAYROLL: NET PAY**Pay Period Ending 11/05/2011 - Paid 11/10/2011**

WELLER, LINDA JO	1,249.71	HART II, DELBERT W.	662.37
STRAEBEL, ROBERT J.	2,402.34	LAVOIE, RICHARD L.	1,249.89
BRANDI, RICHARD M.	1,739.66	STEVENS, BRANDON C.	1,084.20
LOY, EVELYN R.	983.31	ELLIOTT, PATRICK M.	1,457.00
KLOOSTER, ALIDA K.	1,320.24	WILSON, RICHARD J.	1,111.88
BROWN, STEPHANIE C.	1,073.37	JONES, ROBERT F.	1,220.01
OCHS, CAROL A.	900.00	NISWANDER, LOGAN J.	536.93
CAREY, KEITH V.	1,153.11	SIEGMUND, CHRISTOPHER	427.82
SPENCER, MICHAEL D.	1,500.83	BROWE, RAYMOND L.	465.27
SPENCLEY, PATRICIA L.	1,033.91	EAGLESON, WAYNE L.	476.38
NASH, JENNIFER B.	938.58	MCGHEE, ROBERT R.	946.21
SCHLAPPI, JAMES L.	925.14	VANLOO, JOSEPH G.	593.17
UMULIS, MATTHEW T.	1,240.56	HART, TERESA M.	730.28
ORBAN, BARBARA K.	1,619.95	BOAL, DAVID W.	863.51
STEMPKY, ERICA A.	235.17	BAILEY, MATTHEW L.	1,947.81
WARNER, JANINE M.	1,223.33	DVORACEK, DANA J.	1,215.73
IVAN, PAUL M.	1,676.29	SCHERPING, CHARLES L.	435.09
SCHWARTZFISHER, JOSEPH	1,139.40	STEIN, DONNA E.	263.83
ROLOFF, ROBERT P.	1,178.52	TOUGH, KENDALL J.	403.76
BRODIN, WILLIAM C.	1,468.86	DOAN, GERARD P.	1,559.35
RILEY, DENISE M.	347.66	SHRIFT, PETER R.	1,355.40
CALDWELL, JAMES P.	1,593.65	HANKINS, SCOTT A.	1,544.46
WURST, RANDALL W.	1,560.90	COPPOCK, TIMOTHY M.	1,093.38
MAYER, SHELLEY L.	1,432.56	WHITLEY, JOHN F.	1,984.03
HILLING, NICHOLAS A.	1,207.56	BLANCHARD, SCOTT W.	1,705.65
MEIER III, CHARLES A.	1,115.83	SWEM, DONALD L.	1,645.45
NISWANDER, JOSEPH F.	1,379.93	MORRISON, KEVIN P.	933.28
FRYE, EDWARD J.	1,058.12	HODGE, MICHAEL J.	1,328.24
WELLS JR., DONALD E.	1,572.59	JOHNSON, STEVEN P.	1,073.27
JONES, TERRI L.	1,200.65	ZIPP, DONALD R.	1,298.57
BRADLEY, KELLY R.	1,249.21	BISHAW, JAMES H.	623.98
EATON, BRAD A.	1,488.03	DISHONG, AARON S.	929.74
WILSON, TIMOTHY J.	2,170.51	HEID, THOMAS J	1,318.54

GILL, DAVID R.
SARASIN, CHRISTIAN M.

804.73
416.77

TOTAL

78,085.46

PAYROLL: TRANSMITTAL
11/10/2011

**EFTPS* Payroll Taxes	26,091.64	MI STATE DISBURSEMENT	274.35
CHAR EM UNITED WAY	63.00	NORTHWESTERN BANK	252.00
CHARLEVOIX STATE BANK	643.47	POLICE OFFICERS LABOR	316.75
COMMUNICATION WORKERS	517.27	PRIORITY HEALTH	678.46
ICMA RETIREMENT TRUST 401	699.79	STATE OF MICHIGAN	4,264.76
ICMA RETIREMENT TRUST 457	6,179.02		
MERS	390.00	TOTAL	40,370.51