

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, March 15, 2010 — 7:00 p.m.
210 State Street, City Hall, Council Chambers, Charlevoix, MI

The meeting was called to order at 7:01 p.m. by Deputy Mayor Jill Picha.

I. Pledge of Allegiance

II. Roll Call of Members Present

Mayor: Absent
Deputy Mayor: Jill Picha
Assistant City Attorney: Bryan Graham
City Manager: Rob Straebel
City Clerk: Stephanie C. Brown, Deputy Clerk
Members Present: Councilmembers Dennis Kusina, Jill Picha, Greg Stevens, Bryan Vollmer, Shane Cole, and Lyle Gennett

III. Inquiry Regarding Possible Conflicts of Interest

None.

IV. Consent Agenda

The following items were approved and filed:

- A. Approval of Minutes – March 1, 2010 Regular Meeting Minutes
- B. Accounts Payable Check Register – March 3, 2010
- C. Accounts Payable Check Register – March 16, 2010
- D. Tax Disbursement – March 16, 2010
- E. Payroll Check Register – March 5, 2010
- F. Payroll Transmittal – March 5, 2010

V. Public Hearings

None.

VI. Reports

The Manager reported that a local wooden boat owner's club would like to host a dinner in East Park for up to 150 participants on September 14, 2010. The event would be open to the public for the price of a dinner ticket. The Manager reported that, in the past, we have allowed these types of events in Bridge Park. Antique boats will be docked at the Marina and event organizers would prefer to be close to the boats in East Park but will move to Bridge Park if necessary. After brief discussion, Council determined that East Park is the best location for this event.

The Manager also reported that staff is proposing that the seasonal parking spots be increased from \$150 to \$200. Potential customers are already inquiring about the availability of the lots for the season. The Police Department has told potential customers that the passes would be available on April 1. The Manager also reported that the DeWitt parking lot may have some seasonal parking spots when the lot is complete. Two Councilmembers have reported that these spots compete with a local business that offers annual parking passes for \$600. Council briefly discussed.

Citizen Bob Timms suggested that the City charge \$300 and make it a year-round pass.

Motion by Councilmember Cole, seconded by Councilmember Greg Stevens, to set [the parking pass rate] at \$200 for the season.

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

Deputy Clerk Brown reported that the Bureau of Elections is offering a grant to city and Township clerks for laptop computers to use in the elections with the Electronic Poll Book program. The Clerk intends to participate in this program.

Street Superintendent Pat Elliott reported on the status of the Park Avenue reconstruction project, noting that there was an error on the as-built drawings and that a change order will be coming before Council in the future. Due to these circumstances, the project will project further into Bridge Street, but there will still be two lanes of traffic open. Elliott is hoping to start the project on March 22. Additionally, Manager Straebel reported that Bridge Street will be affected for four to six weeks. There will be a public meeting on Friday, March 19, to keep the public informed on this project. A quorum of Council may be present and the Deputy Clerk will post the meeting.

VII. Requests, Petitions and Communications and Actions Thereon

A. Liquor License Transfer, Keweenaw Excursions Inc.

Mayor Pro Tem Picha briefly reviewed the proposed transfer. Council generally agreed that a public hearing is not necessary. There was no public comment. Action by resolution.

B. Consideration & Resolution to Approve FAA FY 2010 Airport Grant

Airport Manager Bailey reviewed the item and noted this will be another two-part grant year for the FAA. Part A of this grant year consists of three projects: an airport master plan, the design phase for fuel farm relocation, and design for paving, lighting, and drainage of the gravel overflow/free parking lot. Note that a master plan has been approved in the past by the State of Michigan; however, due to the status of our airport, the FAA requires an FAA-approved Master Plan. Part B of the grant year will come before Council in approximately June or July of this year. Council discussed. If we accept the FAA grant to pave this lot, the lot will always be a free parking lot. As regards the fuel farm, the FAA grant will not cover any costs related to the underground portion of the fuel farm. Manager Bailey suggests that the City eventually move the fuel tanks above ground. The above ground portion of the farm will be moved approximately 150 – 200 feet directly north of the existing location which will improve accessibility and safety. There were no questions by the audience. Action by resolution.

C. Terminal Expansion Project Status – Design Development Drawings

Airport Manager Bailey briefly reviewed the item, explained that the purpose at this point in the project is to turn the schematic designs for expansion of the terminal into finished development designs. Project Architect Mark Buday reviewed that the finished development designs will then need to be approved by Council and the FAA, before creating ready-to-build drawings and bid documents. Buday reported that the review of the schematic designs is complete and we can move ahead with creating the development designs; he then described the process of creating these development designs. Buday asked for the some Councilmembers to participate in the Design Development Committee and for a date of the first meeting. Members Stevens, Gennett, and Picha are willing to participate. Manager Straebel also noted that the Mayor was interested in participating. Council

generally agreed that the first meeting would be March 25, 2010 at 2:00 p.m.

Motion by Councilmember Shane Cole, seconded by Councilmember Dennis Kusina, to appoint Councilmembers Stevens, Gennett, Picha, and Mayor Carlson to the Planning Committee for Design Development Drawings [a.k.a. the Airport Design Development Committee].

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

D. New LED Streetlights on Antrim

Electric Department Superintendent Don Swem presented the item and answered questions from Council. Swem reported that he has gotten a lot of pressure from the Federal government and different State agencies to replace street lights with LED lights. Many vendors have presented their products and have claimed long-lasting lights, but will not warranty the lights for more than a few years. Additionally, many of these vendors are new businesses with little or no experience or reputation. Recently, Lexalite approached Swem with an appealing proposal. Superintendent Swem suggests replacing the 14 lights on Antrim from State to Park. Lexalite representative Tom Barnes was present and proposed that, as a pilot program for LED street lights, Lexalite will provide six lights for free and the other eight at a greatly reduced price of \$200 to \$300 each. Mr. Barnes suggests that these lights stay in place for a minimum of one year before taking any additional action on other street lights and emphasized that this would be joint experiment.

Mayor Pro Tem Picha asked the Manager about the cost savings of the LED "Christmas" lights downtown. The Manager reported that the City has seen savings. Picha also asked about the choice of location for the lights. Swem reported that Antrim is a dark street and that the lights currently on Antrim are high pressure sodium post lights, making this an ideal location for the experiment. Member Gennett noted that some homeowners will complain about the light in their windows. Barnes took the opportunity to note that the LED lighting proposed has 12 "sides" and that there would not be any bulbs facing the homes. Barnes showed Council a working example of the proposed light fixture.

Citizen Timms asked about using opaque caps to reduce light pollution. Barnes explained the options available and the corresponding advantages and disadvantages.

Council generally agreed that Don Swem should move forward with the project and requested a combination of two different style caps for the experimental phase.

E. DeWitt Parking Lot Cost Estimate

Street Superintendent Pat Elliott and DDA Director Keith Carey presented the item and answered questions for Council. The originally approved project has been changed in that the house will be gone which will increase parking, landscaping, and drainage issues. These changes will require additional funds. MDC has provided a cost estimation of up to \$80,000, which is in line with what Elliott expected. This project will not be bid since a portion of it has already been included in the Park Avenue project. Mayor Pro Tem Picha noted that the project will be most cost effective if MDC does the work. Council discussed various aspects of the project. The completion date and penalties for late completion are the same in spite of the extra work.

Council asked about metering the lot. The DDA has yet to determine the types of parking to be offered in that lot and the DDA Director noted that a lot of different types of people have expressed interest in the availability of the lot. Council discussed meters, timed limits (via chalking), free parking, and season passes, and asked the City Manager to research the possibility of a control panel to electronically meter spots versus installing 40 meters. Council generally agreed that these spots should be paid spots in one way or another. There were no additional questions from the audience.

Motion by Councilmember Gennett, second by Councilmember Stevens, to authorize the expenditure of up to \$80,000 on the DeWitt parking lot design and construction.

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

F. Request to Award Bid to LSL Planning for Master Plan Assistance

City Planner Mike Spencer presented the item, explained the importance of completing the Master Plan, and explained his recommendation of LSL Planning for the bid award. There were no questions from Council or the audience.

Motion by Councilmember Kusina, second by Councilmember Stevens, to accept LSL Planning Inc. to assist with the Master Plan [with a bid of \$17,200].

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

G. Consideration to Revise Act 51 Map

City Manager Straebel presented the item and answered questions for Council. Assistant Attorney Graham clarified that this request to add the foot of Alice to the Act 51 Map simply modifies this map to show that this street is a public street, which is how it is treated now.

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. Liquor License Transfer, Keweenaw Excursions, Inc. (Keweenaw Star)

Motion by Councilmember Dennis Kusina, seconded by Councilmember Lyle Gennett, to approve Resolution 2010-03-02 as follows:

At a Regular meeting of the City of Charlevoix City Council called to order by Mayor Pro Tem C. Jill Picha on March 15, at 7:00 p.m.

The following resolution was offered:

Moved by Councilmember Kusina and supported by Councilmember Gennett

That the request from KEWEENAW EXCURSIONS INC. (KEWEENAW STAR), TO TRANSFER LOCATION (GOVERNMENTAL UNIT) OF 2009 WATER CRAFT LICENSED BUSINESS WITH DANCE PERMIT FROM 700 E. LAKESHORE, HOUGHTON, MI 49931, HOUGHTON COUNTY, TO 109 BRIDGE PARK, CHARLEVOIX, MI 49720, CHARLEVOIX COUNTY

be considered for Approval.

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

It is the consensus of this legislative body that the application be:

Recommended for issuance

State of Michigan)
County of Charlevoix)

RESOLVED, this 15th day of March, 2010.

Resolution adopted by the following yea and nay votes:

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

B. Act 51 – Add Foot of Alice Street to Act 51 Map

Motion by Councilmember Cole, seconded by Councilmember Stevens, to approve Resolution 2010-03-03 as follows:

CITY OF CHARLEVOIX
RESOLUTION NO. 2010-03-03
ADDITION OF FOOT OF ALICE STREET TO ACT 51 MAP

WHEREAS, the City of Charlevoix found that the foot of Alice Street was not included on the Act 51 map; and

WHEREAS, it is necessary to furnish certain information to the State of Michigan to place this street located within the City of Charlevoix Street System for the purpose of obtaining funds under Act 51, P. A. 1951 as amended;

NOW THEREFORE BE IT RESOLVED, that the foot of Alice Street, which is under the control of the City of Charlevoix, is a public street and used for public purposes. The section of street to be added is located north of Belvedere Avenue and runs 247' to end at Round Lake.

RESOLVED, this 15th day of March, A.D. 2010

Resolution was adopted by the following yea and nay votes:

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

C. Consideration and Resolution to Approve FAA FY 2010 Airport Grant

Motion by Councilmember Stevens, seconded by Councilmember Vollmer, to approve Resolution 2010-03-04 as follows:

CITY OF CHARLEVOIX
RESOLUTION NO. 2010-03-04
EXECUTION OF MDOT AIRPORT GRANT AGREEMENT
EXECUTION OF FAA AIRPORT GRANT AGREEMENT
(Federal Project # 3-26-0017-1310)

WHEREAS, the City of Charlevoix has applied for a Federal Aviation Administration and MDOT grant to fund the Airport Master Plan, design for relocation of the fuel farm, design of paving of a parking area; and

WHEREAS, a grant agreement, in the amount of \$315,000 from the FAA and \$7,875 from MDOT, is 97.5% of the total project costs; and

WHEREAS, the City of Charlevoix's local share of the grant will be \$7,875;

NOW THEREFORE BE IT RESOLVED THAT THE CITY OF CHARLEVOIX CITY COUNCIL hereby authorizes Mayor Norman L. Carlson, Jr. to execute the FAA and MDOT grant agreements for the Airport improvements after the City Attorney has reviewed the grant documents.

RESOLVED, this 15th day of March, A.D. 2010.

Resolution was adopted by the following yea and nay votes:

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

X. Ordinances
 None.

XI. Miscellaneous Business

Mayor Pro Tem Jill Picha asked if she should make the appointment to the Planning Commission. The Attorney suggested that Council wait for the Mayor's appointment.

Mayor Pro Tem Picha asked about the reservation of DDA funds (according to the DDA Minutes) for future projects. The Manager will get clarification for Council as to what the specific projects are.

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

XIII. Adjourn

The Mayor Pro Tem stated if there were no objections, the meeting would adjourn.
 There were no objections.
 Meeting adjourned at 8:49 p.m.

Stephanie C. Brown	Deputy City Clerk	C. Jill Picha	Mayor Pro Tem
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Carol A. Ochs	City Clerk	Norman L. Carlson, Jr.	Mayor
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Accounts Payable – 03/03/2010

DELTA VISION	\$ 476.78	STATE OF MICHIGAN	\$ 15,855.06
DTE ENERGY	\$ 14,892.64		
GREAT LAKES ENERGY	\$ 177.24	TOTAL	\$ 31,401.72

Accounts Payable – 03/16/2010

ACE HARDWARE	\$ 1,171.10	FISHER SCIENTIFIC	\$ 218.59
AIRGAS GREAT LAKES INC.	\$ 23.90	GALMORE'S INC	\$ 33.97
APPLIED INDUSTRIAL TECH	\$ 159.05	HACH COMPANY	\$ 174.45
ARROW UNIFORM-TAYLOR L.L.C.	\$ 809.66	HOEKSEMA, KATELYN	\$ 49.61
AUTO VALUE	\$ 463.11	HOLIDAY COMPANIES	\$ 5,357.41
B & L SOUND INC	\$ 123.93	HYDRO DESIGNS INC.	\$ 900.00
BAILEY, MATT	\$ 213.00	IDEXX DISTRIBUTION INC.	\$ 1,076.56
BELL EQUIPMENT COMPANY	\$ 77.55	INDEPENDENT DRAFTING SERVICES	\$ 3,808.00
BIO-ONE INC.	\$ 425.93	IVAN, PAUL	\$ 161.00
BOB MATHERS FORD	\$ 132.20	J & S PORTABLE RESTROOMS	\$ 190.00
BOUND TREE MEDICAL LLC	\$ 198.80	KORTHASE FLINN	\$ 95.06
BRADFORD'S	\$ 69.00	KSS ENTERPRISES	\$ 312.29
BRANDI, RICHARD	\$ 17.50	LINSE, MARJORIE	\$ 13.76
CARQUEST OF CHARLEVOIX	\$ 693.67	MICHIGAN OFFICEWAYS INC	\$ 627.19
CCP INDUSTRIES INC	\$ 250.89	MICHIGAN WATER ENV ASSOC	\$ 106.00
CHARLEVOIX CAR WASH	\$ 73.95	MIDWEST ARBORIST SUPPLIES	\$ 35.00
CHARLEVOIX COUNTY TREASURER	\$ 779.29	MUNICIPAL SUPPLY CO	\$ 6,541.90
CHARLEVOIX SCREEN MASTERS INC	\$ 86.00	N M A C P	\$ 50.00
CHARTER COMMUNICATIONS	\$ 554.28	NETSOURCE ONE INC.	\$ 1,260.00
CINTAS FIRST AID & SAFETY	\$ 41.30	NORTHERN FIRE & SAFETY	\$ 543.00
CITY OF CHARLEVOIX - UTILITIES	\$ 29,011.62	NORTHERN MICHIGAN REVIEW INC.	\$ 2,988.14
DAVE KRING CHEVROLET	\$ 163.11	ORBAN, BARBARA	\$ 29.00
DELL MARKETING L P	\$ 1,033.48	OTEC	\$ 314.18
DIAMOND SPEED PRODUCTS INC.	\$ 723.97	PLYMKRAFT INC	\$ 2,135.00
DOAN, GERARD	\$ 8.79	POWER LINE SUPPLY	\$ 8,345.77
DUTHLER TRUCK CENTER	\$ 339.49	ROLOFF, ROBERT	\$ 360.00
EAST JORDAN IRON WORKS	\$ 455.76	SCIENTIFIC BRAKE & EQUIP CO	\$ 86.70
EMERGENCY MEDICAL PRODUCTS INC	\$ 760.48	SCUBA NORTH INC.	\$ 189.93
ENOS, CRYSTAL	\$ 39.57	SEARS COMMERCIAL ONE	\$ 134.99
FAMILY FARM & HOME	\$ 42.59	STRYKER SALES CORPORATION	\$ 375.00
FASTENAL COMPANY	\$ 319.99	SWANSON K & D INC	\$ 240.00

SYSTEMS SPECIALISTS INC	\$ 237.50	WADE TRIM OPERATIONS SERVICES	\$ 1,398.29
THE TROPHY CASE	\$ 170.00	WILKERSON, JORDAN	\$ 100.00
TRIPLE M TIRE	\$ 543.36	WILSON, RICHARD J.	\$ 48.00
US BANK	\$110,997.50	WILSON, TIMOTHY J.	\$ 24.99
USA BLUE BOOK	\$ 1,667.90	WINTER EQUIPMENT COMPANY INC.	\$ 507.03
VAN'S BUSINESS MACHINES	\$ 106.83	WORK & PLAY SHOP	\$ 54.75
VOSS LIGHTING	\$ 518.64	TOTAL	\$192,390.25

**Accounts Payable – 03/16/2010
 Tax Disbursement**

CHARLEVOIX COUNTY TREASURER	\$ 22,398.58	CHARLEVOIX-EMMET ISD	\$ 311.79
CHARLEVOIX COUNTY TREASURER	\$ 856.45	CITY OF CHARLEVOIX - TAXES DUE	\$ 10,179.45
CHARLEVOIX DISTRICT LIBRARY	\$ 4,687.74	RECREATIONAL AUTHORITY	\$ 907.79
CHARLEVOIX PUBLIC SCHOOLS	\$ 7,991.31	STATE OF MICHIGAN	\$ 2,699.16
CHARLEVOIX PUBLIC SCHOOLS	\$ 1,044.66		
CHARLEVOIX PUBLIC SCHOOLS	\$ 1,081.92	TOTAL	\$ 52,158.85

**PAYROLL: NET PAY
 Pay Period Ending 02/27/2010 – Paid 03/05/2010**

WELLER, LINDA JO	\$ 1,326.27	STEVENS, BRANDON	\$ 560.77
STRAEBEL, ROBERT J.	\$ 2,277.48	ZIPP, DONALD R.	\$ 1,415.12
BRANDI, RICHARD M.	\$ 1,592.94	BOSS, DWIGHT M.	\$ 362.72
LOY, EVELYN R.	\$ 929.18	CHAMBERLAIN, BAILEY L	\$ 188.76
KLOOSTER, ALIDA K.	\$ 1,265.63	GILLESPIE, MURPHY L.	\$ 268.58
BROWN, STEPHANIE C.	\$ 1,006.72	STEBE, DAVID S.	\$ 716.52
OCHS, CAROL A.	\$ 931.07	WITTHOEFT, MARVIN J.	\$ 350.93
CAREY, KEITH V.	\$ 1,153.17	RILEY, ANDREW	\$ 242.48
SPENCER, MICHAEL D.	\$ 1,435.00	SHRIFT, PETER R.	\$ 1,254.76
DONNER, LYNDA	\$ 2,072.87	HANKINS, SCOTT A.	\$ 1,580.86
SPENCLEY, PATRICIA L.	\$ 1,062.14	COPPOCK, TIMOTHY M.	\$ 1,264.31
SOMERVILLE, COLLIN P.	\$ 406.34	WURST, RANDALL W.	\$ 1,150.21
BAILEY, MATTHEW L.	\$ 1,081.89	MEIER III, CHARLES A.	\$ 1,336.90
UMULIS, MATTHEW T.	\$ 1,279.31	WHITLEY, JOHN F.	\$ 1,783.09
DOAN, GERARD P.	\$ 1,691.93	BLANCHARD, SCOTT W.	\$ 1,664.53
METDEPENNINGEN, SARAH	\$ 1,110.13	FRYE, EDWARD J.	\$ 1,035.46
ROBERTS, WESLEY S.	\$ 886.94	SWEM, DONALD L.	\$ 1,697.29
WARNER, JANINE M.	\$ 1,303.79	ROTTA, RUSSELL	\$ 1,609.43
SCHLAPPI, JAMES L.	\$ 762.07	MORRISON, KEVIN P.	\$ 1,245.70
ORBAN, BARBARA K.	\$ 1,278.73	HODGE, MICHAEL J.	\$ 1,346.49
IVAN, PAUL M.	\$ 1,625.16	JOHNSON, STEVEN P.	\$ 1,235.00
SCHWARTZFISHER, JOSEPH	\$ 958.65	JONES, ROBERT	\$ 1,185.10
ROLOFF, ROBERT P.	\$ 1,158.00	BOSS JR, DALE E.	\$ 1,083.38
BRODIN, WILLIAM C.	\$ 1,082.26	WASHBURNE, MICHAEL J	\$ 55.41
CALDWELL, JAMES P.	\$ 1,267.18	BOSS, JAMES W.	\$ 910.23
MAYER, SHELLEY L.	\$ 1,234.56	STEBE JR, JOHN M.	\$ 415.80
HILLING, NICHOLAS A.	\$ 989.99	BOSS, SHERRY M.	\$ 245.06
JACOBS, DOUGLAS R.	\$ 2,143.80	WITTHOEFT, CHARLES F.	\$ 343.19
NISWANDER, JOSEPH F.	\$ 1,246.11	BEHAN, DEAN T.	\$ 393.99
WELLS JR., DONALD E.	\$ 1,416.14	BEHAN, HALEY C.	\$ 407.95
JONES, TERRI L.	\$ 1,155.94	STEVENS, WILLIAM J.	\$ 534.34
BRADLEY, KELLY R.	\$ 1,294.57	HOLM, ARTHUR R.	\$ 423.99
EATON, BRAD A.	\$ 1,165.70	HEID, THOMAS J	\$ 1,315.84
WILSON, TIMOTHY J.	\$ 1,620.76	STEVENS, JEFFREY W.	\$ 166.32
ELLIOTT, PATRICK M.	\$ 1,551.82		
WILSON, RICHARD J.	\$ 1,122.22	TOTAL	\$ 75,676.97

**PAYROLL: TRANSMITTAL
 03/05/2010**

**EFTPS* Payroll Taxes	\$ 26,841.08	MI STATE DISTRICT UNIT	\$ 179.89
CHAR EM UNITED WAY	\$ 40.00	NORTHWESTERN BANK	\$ 75.00
CHARLEVOIX STATE BANK	\$ 83.00	POLICE OFFICERS LABOR	\$ 299.25
COMMUNICATION WORKERS	\$ 501.99	PRIORITY HEALTH	\$ 103.82
ICMA RETIREMENT TRUST 401	\$ 669.43	STATE OF MICHIGAN	\$ 4,047.61
ICMA RETIREMENT TRUST 457	\$ 5,862.49	TOTAL:	\$ 38,703.56