

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, April 4, 2011 — 7:00 p.m.
210 State Street, City Hall, Council Chambers, Charlevoix, MI

I. Pledge of Allegiance

II. Roll Call of Members Present

Mayor Pro Tem: Jill Picha
City Attorney: Jim Young
City Manager: Rob Straebel
City Clerk: Stephanie C. Brown, Deputy Clerk
Members Present: Council members Greg Stevens, Shane Cole, Lyle Gennett, and Dennis Kusina
Absent: Mayor Norman Carlson, Jr., Councilmember Bryan Vollmer

III. Inquiry Regarding Possible Conflicts of Interest

None.

IV. Consent Agenda

The following items were approved and filed:

A. Approval of Minutes – March 21, 2011

Motion by Councilmember Gennett, seconded by Councilmember Kusina to approve the March 21, 2011 minutes as corrected.

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

B. Accounts Payable Check Register – March 23, 2011

C. Accounts Payable Check Register – April 5, 2011

D. ACH Payments – March 18 – 28, 2011

E. Payroll Check Register– April 1, 2011

F. Payroll Transmittal – April 1, 2011

G. Resignation from Downtown Development Authority Board member John Taylor

Motion by Councilmember Kusina, seconded by Councilmember Cole to accept John Taylor's resignation from the DDA (Downtown Development Authority).

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

H. Bike Raffle Drawing

Wellness Committee Chairperson Janine Warner presented the item to Council and the audience, explaining that the purpose of the City's Wellness Committee is to encourage healthy behaviors in City employees. The committee is committed to completing their task without asking Council for funding, and has been selling raffle tickets to raise money for incentives. Mayor Pro Tem Jill Picha drew the winning ticket, purchased by Teresa Hart, for the Wellness Committee's Bike Raffle.

V. Public Hearings

None.

VI. Reports

Manager Straebel reported that the Airport is now run by the City, and everything is running smoothly. Airport staff is currently working on a way to sell parking permits outside of regular Airport hours. Mr. Straebel is working on an application to receive an intern for the summer, to work in the City Manager's office. The Michigan Manager's Association is covering all the costs associated with the project. In addition to Council members Kusina and Picha, the Manager will be at the Capital Conference for a couple of days this week. Manager Straebel also asked for Council's approval to miss the May 2, 2011 meeting as he would like to take vacation.

VII. Requests, Petitions and Communications and Actions Thereon

A. Consideration to Approve Two Commercial Dock Agreements for the City of Charlevoix Marina

City Manager Straebel presented the item and answered questions from Council. In response to the Request for Proposal issued by the City, two proposals for commercial dock usage were received. Sunshine Charters proposes to pay \$100/ft for their 45' sailboat and would like to rent the waterfront kiosk for \$1,100 for the season. Sunset Watersports proposes to pay \$105/ft for their 32' charter boat. Sunset Watersports, new to the City, proposes both charter services and boat-rental services and has one boat available.

Council members expressed concern over the number of charter boat businesses trying to provide services in Charlevoix, and that these businesses would be in direct competition with Ward Brother's Boats and the Keweenaw Star. The City Manager asked Council to consider if it is their duty to regulate competition. Council continued to discuss the pros and cons of competition and the services currently provided in our community. In response to a question, the City Manager clarified that Sunshine Charters is no longer receiving a credit for advertising Charlevoix in their brochures.

Mayor Pro Tem opened the item to public comment. Citizen Bob Timms asked about the size of the boats and noted that he doesn't feel these businesses would be in direct competition with Ward Brothers Boats.

Motion by Councilmember Cole, seconded by Councilmember Stevens, to approve the boat dockage lease for Sunshine Charters and the boat dockage lease for Sunset Watersports, Inc.

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

B. Award of Bridge Street Water Main Construction Bid

City Manager Straebel presented the item and answered questions from Council. The job, which has two schedule options, consists of installing a 10" water line from Green Street to Hurlbut Avenue on Bridge Street. Only one bid was received from Elmer's Crane and Dozer, Inc. The bid was approximately 23% higher than the engineer's estimate; however, the engineer's estimate was based on a similar job performed last year which all parties now feel was significantly underbid. Jim Malewicz of Performance Engineers explained that because the City is requiring directional drilling on this job, only two bidders were qualified to bid on the job. The

second bidder, Glawe, Inc., did not submit their bid by the deadline, but shared the value of their bid, which was approximately 2% higher than Elmer's. Staff does not feel the project should be rebid, and has looked at cost savings measures to reduce the cost of the project by \$7,378. Both the Manager and the Treasurer have indicated that the Water Fund has adequate reserves to pay for the project. Staff recommends starting the job in the spring with an estimated completion before Memorial Day.

Motion by Councilmember Stevens, seconded by Councilmember Kusina, to recommend approval of the Bridge Street Water Line Bid in the amount of \$350,622 to Elmer's Crane and Dozer, Inc.

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

C. Consideration to Approve the Laurent Land Swap

City Manager Straebel presented the item and answered questions from Council. The land exchange being proposed will resolve a long-standing private property encroachment into the City's street right-of-way and make the Laurent front property line at 505 Fairway Drive consistent with all the homes south of this location on Fairway Drive. No monies will be paid by either party for the land swap. [Clerk Note: The exchange, which legally must include monetary consideration, is being made with the payment of \$1 from the City to the Laurents.]

Motion by Councilmember Gennett, seconded by Councilmember Cole, to approve the Laurent land swap and authorize City Officials and Staff to execute all documents regarding the proposed Laurent land swap.

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

D. Consideration to Approve Fuel Purchase Agreement

Street Superintendent Pat Elliott presented the item and answered questions from Council. Only one bid was received from Holiday Station Stores. The wording in the bid specifications allows the City to extend the contract, should the City choose to do so. The proposal includes unleaded and diesel fuel and offers the same discount off pump price as our current contract, which is 7.5 cents. The proposal is for a two year period starting May 1, 2011.

Motion by Councilmember Cole, seconded by Councilmember Kusina, to enter into a two year agreement with Holiday Station Stores as per the proposals dated March 28, 2011.

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

E. Approval of the City to Act as Fiscal Agent for Charlevoix County Community Foundation Lake to Lake Multi-Use Trail Fund

City Manager Straebel presented the item and answered questions from Council. The Lake to Lake Trail Committee would like the City of Charlevoix to become the fiscal agent for fundraising efforts through the Charlevoix County Community Foundation (CCCF). The CCCF fund will be used for planning, development, promotion, expansion and long-term care of the Charlevoix Lake to Lake Multi-Use Trail. The City will work with the Trail Advisory Committee in determining how and when fundraising dollars will be spent. The City Treasurer is willing to accept the task of acting as fiscal agent on this project.

Motion by Councilmember Stevens, seconded by Councilmember Kusina, to approve the City of Charlevoix to act as Fiscal Agent for the Charlevoix County Community Foundation Lake to Lake Multi-Use Trail Fund and to authorize the City Manager to sign the Agreement to Establish the Charlevoix Lake to Lake Multi-Use Trail Fund.

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

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 Cole read aloud a letter from Dean Spencley of Active Industrial Supply. Councilmember Cole clarified that while he agreed to read the letter on behalf of Mr. Spencley, he did not agree with everything said in the letter and felt that his first duty was to spend taxpayer dollars responsibly.

Councilmember Gennett commented that the removal of several small trees in East Park has greatly improved the look of the Park.

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

Citizen Bob Timms noted he strongly feels that approximately ten spots of the DeWitt parking lot should be designated as available for seasonal rental parking spots. As a chairman of the Board of Review, Mr. Timms is well aware that the parking should not all be free, as it competes with a taxpayer that rents parking spaces. Councilmember Gennett noted that several businesses have complained that limited parking is not enforced in the winter season. Council agreed that the DDA should be made aware of Council's concerns and that Council would like this further discussed at a later meeting.

XIV. Adjourn

Mayor Pro Tem Picha stated if there were no objections, the meeting would adjourn. There were no objections. Meeting adjourned at 8:01 p.m.

Stephanie C. Brown Deputy City Clerk C. Jill Picha Mayor Pro Tem

Carol A. Ochs City Clerk

Accounts Payable – 03/23/2011

AT&T MOBILITY	217.40	STANDARD INSURANCE CO	1,060.68
DELTA DENTAL	4,058.34	VERIZON WIRELESS	57.32
FALCON INS AGCY - HOUSTON INC.	2,388.00	VISION SERVICE PLAN	491.92
GREAT LAKES ENERGY	191.70		
HAGGARD'S INC	11,012.00		
PRIORITY HEALTH	35,924.72	Total 3/23/2011	55,402.08

Accounts Payable – 04/05/2011

ALL-PHASE ELECTRIC SUPPLY CO.	199.09	JOHNSON, STEVEN P.	50.00
ALP LIGHTING COMPONENTS	1,512.00	JONES, ROBERT F.	50.00
AMERICAN SAFETY	352.00	JORDAN CONSTRUCTION GROUP INC.	1,939.00
ASSOC OF PUBLIC TREASURERS	90.00	KEEN TECHNICAL SOLUTIONS LLC	1,247.11
AT&T LONG DISTANCE	113.05	KSS ENTERPRISES	54.52
BAILEY, MATT	41.00	MAYER, SHELLEY L.	50.00
BEHAN WINDOW CLEANING	105.00	MEIER III, CHARLES A.	50.00
BELDING, PAUL	1.24	MERS	1,250.00
BLANCHARD, SCOTT W.	50.00	MICHIGAN MUNICIPAL LEAGUE	20,152.50
BRADLEY, KELLY R.	50.00	MICHIGAN PIPE & VALVE	283.00
BRANDI, RICHARD	41.00	MICHIGAN WATER ENV ASSOC	116.00
CALDWELL, JAMES P.	91.00	MORRISON, KEVIN P.	50.00
CAREY, KEITH	41.00	MOSES, JEREMY	42.56
CARLSON'S HOME IMPROVEMENTS	1,258.00	NASH, JENNIFER	41.00
CDW GOVERNMENT INC.	73.00	NISWANDER, JOSEPH F.	50.00
CHARLEVOIX COUNTY TREASURER	642.42	NORTHERN SAFETY CO INC	239.88
CHARLEVOIX COURIER	52.80	NORTHWEST MICHIGAN	50.00
CHARLEVOIX TOWNSHIP	10.50	OTEC	2,170.95
CITY OF CHARLEVOIX-PETTY CASH	625.24	PERFORMANCE ENGINEERS INC	5,572.00
COPPOCK, TIMOTHY M.	50.00	PLUNKETT & COONEY	940.00
DESIGN ASSOCIATES	1,660.00	POWER LINE SUPPLY	2,908.56
DEYOUNG AUTO SALES	500.00	PRESTON FEATHER	1,078.30
DOAN, GERARD	41.00	RELIABLE OFFICE SUPPLIES	144.90
DTE ENERGY	13,342.77	RTI LABORATORIES INC.	83.00
EATON, BRAD A.	73.35	SALES & MARKETING OF MICHIGAN	278.07
ELLIOTT, PATRICK M.	91.00	SPENCER, MICHAEL	41.00
ELLSWORTH FARMER'S EXCHANGE	809.97	STATE INDUSTRIAL PRODUCTS	733.03
EVNA SUPPLY	1,710.00	STATE OF MICHIGAN	130.00
EVANS, HAL	41.00	STRAEBEL, ROBERT J.	41.00
FASTENAL COMPANY	15.11	SUPERIOR MECHANICAL	225.30
FEYEN ZYLSTRA LLC	4,872.58	SWEM, DONALD L.	91.00
FISHER SCIENTIFIC	549.74	T & R ELECTRIC	1,865.00
FREIDINGER M.D., REED K.	79.00	TEAMINTEL L.L.C.	64.00
FRYE, EDWARD J.	50.00	TOWER ELECTRIC	154.00
GALLS AN ARAMARK COMPANY	138.94	TRUCK & TRAILER SPECIALTIES	336.26
GOVERNMENT FINANCE	160.00	UNITED STATES PLASTIC CORP.	92.87
HAGGARD'S INC	160.00	UNIVERSAL PUMP	289.60
HANKINS, SCOTT	41.00	UP NORTH PROPERTY SERVICES LLC	455.00
HART, TERESA	41.00	VERIBANC INC.	396.00
HEID, THOMAS J.	91.00	WARNER, JANINE	166.71
HILLING, NICHOLAS A.	50.00	WELLS JR., DONALD E.	50.00
HODGE, MICHAEL J.	50.00	WHITLEY, JOHN F.	50.00
HOLECHECK, JOSHUA	45.69	WILSON, RICHARD J.	50.00
HYDRO DESIGNS INC.	900.00	WILSON, TIMOTHY J.	50.00
IDEXX DISTRIBUTION INC.	962.58	WURST, RANDALL W.	50.00
INDEPENDENT DRAFTING SERVICES	1,984.00	YOUNG GRAHAM	7,851.50
ISLAND AIRWAYS	942.70	ZIPP, DONALD R.	50.00
IVAN, PAUL	41.00		
JACOBS, DOUGLAS R.	50.00		
JBR GRAPHICS INC.	30.00	Total 4/5/2011	87,045.39

ACH Payments – 03/18/2011 through 03/28/2011

03/23/11 MERS OF MICHIGAN	29,770.22	03/28/11 MI PUBLIC POWER AGENCY	30,987.97
03/21/11 MI PUBLIC POWER AGENCY	31,325.10		
03/25/11 MI PUBLIC POWER AGENCY	204,541.23	Total ACH Payments	296,624.52

PAYROLL: NET PAY

Pay Period Ending 03/26/2011 – Paid 04/01/2011

WELLER, LINDA JO	1,244.68	NASH, JENNIFER B.	929.96
STRAEBEL, ROBERT J.	2,414.39	BAILEY, MATTHEW L.	1,762.37
BRANDI, RICHARD M.	1,727.60	UMULIS, MATTHEW T.	1,271.81
LOY, EVELYN R.	960.85	METDEPENNINGEN, SARAH	1,169.12
KLOOSTER, ALIDA K.	1,474.19	WARNER, JANINE M.	1,253.88
BROWN, STEPHANIE C.	1,080.07	SCHLAPPI, JAMES L.	926.39
OCHS, CAROL A.	891.84	ORBAN, BARBARA K.	1,485.95
CAREY, KEITH V.	1,160.62	IVAN, PAUL M.	1,770.03
SPENCER, MICHAEL D.	1,488.06	SCHWARTZFISHER, JOSEPH	1,156.90
SPENCLEY, PATRICIA L.	1,022.73	ROLOFF, ROBERT P.	1,178.75

BRODIN, WILLIAM C.	1,470.11	GENNETT, LYLE E	463.50
RILEY, DENISE M.	360.50	VOLLMER, BRYAN R.	362.24
CALDWELL, JAMES P.	1,264.08	VANMETER, KIMBERLEY K	270.00
WURST, RANDALL W.	1,422.61	TIMMS, ROBERT N	328.41
MAYER, SHELLEY L.	1,499.08	STALEY, ARLENE L	330.22
HILLING, NICHOLAS A.	1,136.18	SHRIFT, PETER R.	1,112.43
MEIER III, CHARLES A.	1,246.08	DOAN, GERARD P.	1,709.90
JACOBS, DOUGLAS R.	2,127.17	HANKINS, SCOTT A.	1,425.07
NISWANDER, JOSEPH F.	1,338.41	COPPOCK, TIMOTHY M.	1,089.10
WELLS JR., DONALD E.	1,586.01	WHITLEY, JOHN F.	1,829.01
JONES, TERRI L.	1,199.48	BLANCHARD, SCOTT W.	1,598.18
BRADLEY, KELLY R.	1,257.07	FRYE, EDWARD J.	1,071.00
EATON, BRAD A.	1,693.22	SWEM, DONALD L.	1,722.98
WILSON, TIMOTHY J.	1,758.17	MORRISON, KEVIN P.	1,149.33
ELLIOTT, PATRICK M.	1,514.25	HODGE, MICHAEL J.	87.20
WILSON, RICHARD J.	1,182.16	JOHNSON, STEVEN P.	1,091.33
JONES, ROBERT F.	1,239.53	ZIPP, DONALD R.	1,289.77
STEVENS, BRANDON C.	32.40	BOSS JR, DALE E.	582.81
HART, TERESA M.	602.66	BOSS, JAMES W.	478.47
HOPKINS, ZACHARY D.	36.33	STEBE JR, JOHN M.	41.51
BOAL, DAVID W.	461.20	HOLM, ARTHUR R.	182.19
CARLSON JR., NORMAN	1,009.54	HEID, THOMAS J	1,335.37
STEVENS, GREGORY L	768.95	BULLARD, ANDREW D.	267.28
PICHA, C JILL	429.75		
KUSINA, DENNIS	812.24		
COLE, SHANE	415.14	Total 4/1/2011	74,049.81

PAYROLL: TRANSMITTAL
04/01/2011

**EFTPS* Payroll Taxes	24,233.18	NORTHWESTERN BANK	422.76
CHAR EM UNITED WAY	63.00	POLICE OFFICERS LABOR	352.00
CHARLEVOIX STATE BANK	619.21	PRIORITY HEALTH	199.03
COMMUNICATION WORKERS	492.89	STATE OF MICHIGAN	3,837.34
ICMA RETIREMENT TRUST 401	692.86		
ICMA RETIREMENT TRUST 457	5,695.11		
MI STATE DISTRICT UNIT	128.28	Total 4/1/2011	36,735.66