

CITY OF CHARLEVOIX  
REGULAR CITY COUNCIL MEETING MINUTES  
Tuesday, September 4, 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 Bryan Vollmer, Shane Cole, Lyle Gennett, Dennis Kusina, Jill Picha, Greg Stevens  
Absent: None

**III. Inquiry Regarding Possible Conflicts of Interest**

Councilmember Shane Cole will abstain from the fireplace discussion, as his wife works for DTE.

**IV. Consent Agenda**

The following items were approved and filed:

- A. Approval of Minutes – August 20, 2012 Regular Meeting Minutes
- B. Accounts Payable Check Register – August 23, 2012
- C. Accounts Payable Check Register – September 5, 2012
- D. Tax Disbursement – September 5, 2012
- E. ACH Payments – August 17, 2012 – August 31, 2012
- F. Final Payroll, Bailey – August 17, 2012
- G. Payroll Check Register – August 31, 2012
- H. Payroll Transmittal – August 31, 2012

**V. Public Hearings**

None.

**VI. Reports**

The City Manager stated he will be holding interviews for the Airport Manager and Recreation Director. The Manager would like a Council member or the Mayor to sit in on the interview committees. Councilmember Stevens has volunteered to sit on the interview committee for Airport Manager, and Councilmember Gennett has volunteered to sit on the interview committee for Recreation Director, as long as Council had no objections. There were no objections from Council.

**VII. Requests, Petitions and Communications and Actions Thereon**

**A. Presentation from Northern Lakes Economic Alliance on Broadband**

Jan Kellogg from the Northern Lakes Economic Alliance informed the Mayor that the City shares in the Charlevoix County Connected Community Award. Charlevoix County was recently named the first county in the nation to be certified as a Connected Community through the Connect Michigan and Connected Community Engagement Program. She presented members with copies of the Executive Summary of the community action plan.

**B. Discussion Regarding Changes to the Community Fireplace**

Councilmember Shane Cole stepped down from the dais.

The Mayor reviewed the process of motions Council would need to make for reconsidering their decision to install the fireplace. He addressed the past schedule of the project discussion at meetings in July and August and the opportunity for comments at those meetings as well as information on the item that had appeared in the paper. He apologized to people who did not have the information, but stated that reports of the fireplace having been railroaded through are not true. He stated that Council bases their decisions on what they feel is best for the community and represents the people who put them in office, as well as comments they receive from people before and after meetings. At the time Council made their decision, they hadn't received any negative comments. The Mayor clarified that the Photoshop pictures that have been shown are not what the final product is supposed to look like. There were a lot of things wrong and out of scale about the photos; however, the photos did spur some constructive criticism regarding design and placement. He informed the audience he would be taking public comments. He asked the audience to make their comments constructive.

The Mayor invoked the three minute rule for public comments and reviewed the general rules for speaking. The Mayor will try to answer questions following the comments. Council generally agreed they would like to hear the public comments before deciding whether they wanted to suspend the rules so that they could reconsider or amend their decision about the fireplace. The Mayor stated that the project had been brought to Council with the example of the fireplace in Holland, MI, which is a little taller than the proposed fireplace. However, the proposed fireplace would have Onaway brick that would match the other brick facades in the park, in keeping with the Earl Young theme. An artist rendering had not been done; Council based their decision on the sketches and their familiarity with the stone and style that was going to be used. City Planner Mike Spencer pointed out that there isn't another fireplace like this in the country, so Council would have been unable to see a photo of that particular fireplace ahead of time. The Mayor briefly reviewed how the project had come about. A gentleman had approached John Winn about making a gift to Charlevoix because his wife loved it. He approached Mr. Winn, because he knew Mr. Winn had been active in raising funds for various City projects. The Mayor stated that the gift isn't different from a memorial bench.

The Mayor opened public comment at 7:04 p.m. The Mayor started public comments with those who had requested in writing to speak.

Shirley Gibson asked Council to open the item up to discussion by making the motions to suspend the rules and reconsider the fireplace project. The public has had no input on this. She asked if the City needed a zoning permit and, if so, if it got one. The Mayor stated that the City had not needed zoning permits for the park or the fountain, and the opinion was one was not needed for the fireplace.

Mary Watson Chavez stated her respect for the elected officials and City staff. She stated she thinks they had good and honorable discussions about the fireplace, but good people make mistakes. Ms. Chavez stated that she had missed the information about the fireplace until the picture came out. Ms. Chavez stated that the fireplace looks like a crematorium at the Bergen-Belsen concentration camp. Ms. Chavez doesn't want even one person to be offended.

David Nedwick stated he is upset over the project. He is upset that the elected officials, without inquiring of the residents of this community, have seen fit to push this project through and under the carpet. He doesn't see good coming out of it and his opinion is it is degrading to the community if the elected officials think they have the power to push this project through without listening to community opinion.

Larry Freedman asked why Council would go backwards from what the City has achieved by building a structure in front of what has been opened up. Much thought, effort, work, and taxpayer dollars have been spent to open up the view of the most beautiful natural vista in northern Michigan. We are blessed with a view that stops people in awe. Tourists come to Charlevoix to see our lakes, harbors, and parks, and the open view allows this. After the costs and troubles of moving and removing the buildings, building the Coast Guard building under the sight lines, all to open up the view, now Council is going backwards to start blocking the view. If Council goes ahead and builds this, it will be a 17-foot tall fist in the face of everyone who loves Charlevoix – all the forefathers and mothers who have paid and worked to open up East Park and the view. If Council wants to spend the money on the annual gas bill and still build the fireplace, they should build it on the side of the park. Mr. Freedman proposed the cost of the project already spent could be saved by not having the gas bill. There are also storefronts where the tenants and the landlords are going to have a decrease in property value and they did not have the opportunity to talk.

Bob Bergmann said that he had started the info page on Facebook. He stated that the Holland fireplace looks nice and he doesn't think people would have an issue with using the [Onaway] stone or Earl Young boulders to build something similar and move the location. He proposed making it wood burning and functional with heated benches like Holland as well as moving it down one tier in the park. Mr. Bergmann also suggested alternate locations such as the top of the harbormaster building or the eastern corner of the performance pavilion where the shrubbery is and maybe freeze the stage in the winter for ice skating. The current foundation could be used for a large petunia bed or fountain, or it could have a sheet of bronze put on it for deceased war veterans' names. He asked the Council to do what they feel is right for the community.

Hans Weimer stated that the City has worked hard to make the City greener with trees and plants. The Shade Tree Commission should have been a part of Council's decision before removing a tree. Mr. Weimer stated he did not attend the meeting because the City has various committees and staff to represent him and provide input to Council about what would be best for the City. He thinks other people probably felt the same way. The fireplace is a very subjective matter – everyone can look at it and get a different idea. The location is an objective matter. Where to put the fireplace is of utmost importance. If the City needs a fireplace, the first decision should be where to put it. To put the fireplace in the middle of a main entrance to the park, where people can't see the stairs anymore, in a location which required removal of a tree, is beyond his comprehension. Council needs to look at the location – maybe at one of the beaches or by an ice rink. The City doesn't need a fireplace in the summer. Trees give shade and other benefits. Mr. Weimer pointed out that a gas fireplace doesn't need a chimney. He stated that if Council only considers lowering the height of the fireplace, they would miss the point of the people here tonight. The sight lines are a height of 5 foot 6 inches; anything higher impedes the view.

John Duerr thanked the benefactor who brought forward the proposal. In this case, he thinks the proposal is misguided. Mr. Duerr proposed the Council stop building the fireplace tonight, determine the City's sunk in cost to the project and make that cost known, and see if a grass roots organization will raise funds to offset the City's loss on the project.

Birdie Whitley stated that she feels like it's a done deal and that Council won't change their minds. She asked if there could be an endowment from this benefactor to offset the cost to the City so that it's not a burden for the citizens of Charlevoix. She thinks she should not have to pay ten dollars a year toward this, as the Mayor said in the paper, and she can think of a better use for her money. The Mayor clarified that what he had said in the paper was that, proportion-wise, an \$8,000 bill per year to the City's budget would be comparable to a \$10 bill per year to his own budget. People's tax bills are not going up for this.

D.R. Terrell stated that what bothers him the most is the precedent. He said that during his time in Washington, D.C., the green space evaporated. He spoke against the gas fueled fireplace. He thinks an environmental impact statement should have been completed.

Louis Hollow stated he objects to the project based on the arrogance on the part of the City Manager, Council, and the Mayor in the way this was handled.

Mark Berman stated that the whole point in tearing down buildings was to open up what is unique to Charlevoix: the gorgeous view of the harbor. All of a sudden this was put through. Mr. Berman asked how many architectural designs were reviewed or bids were taken. He criticized that local contractors were not being used.

Ken Polakowski, representing the Shade Tree Commission, read a memo forwarded to the City Council and the Manager on August 29, 2012. He read the letter stating that the decision to destroy a landmark tree without the input of the Shade Tree Commission was deplorable. He reviewed the duties of the Shade Tree Commission and their position on the removal of the tree. The Shade Tree Commission is concerned about the lack of funding for tree planting over the last two years and unnecessary removal of landmark trees. It appears the City budget will allow for the purchase of gas for the fireplace, but has not funds to continue planting trees. The Shade Tree Commission believes the City of Charlevoix does not meet the standards to retain its Tree City status, and will not submit an application to the DNR to maintain the status.

Karen Pierce stated that a community fireplace should have been addressed as a community issue with special meetings that were well publicized. The City Council should not have bowed to an ultimatum and should have stayed with [Staff's request for an] additional two weeks. She expressed concern that this is a memorial. This is not a memorial park and if the City takes this person's money to build a memorial, she wonders how the City could say "no" to the next person. She understands the donor wants to do this for his wife, but maybe there are better ways people can memorialize others, such as a fund to help pay for the upkeep of the trout stream, fountain, or performance pavilion, where names could be placed on a plaque somewhere that it's not obstructing the view. Ms. Pierce stated that the City forefathers had a vision and a plan to acquire the land facing Round Lake as buildings burned or became available for sale. Their plan was for a community park that all could enjoy with unobstructed views of the harbor. Ms. Pierce proposed a fire pit with water colored glass, or a location near the Christmas tree where the fireplace would at least be used twice a year. She stated that people aren't going to cross the street in the winter to get to the fireplace. She thinks most of the objection is to the location and that more thought needed to be put into that aspect.

David Campbell stated that he feels strongly about this. He doesn't know a lot about fireplaces, but stated he does understand the political process. He acknowledged that the elected officials had a tough job. He thanked the benefactor and the Winns. As we go through the political process, we look at the pluses and minuses for every issue. He proposed halting the project and taking a deep breath to find out what the next right thing is. He is not suggesting the Council did anything inappropriate or tried to railroad anything

through. He said to everyone in the room, "Shame on me, shame on you, for not paying a little closer attention to what's going on in town." He doesn't think they did anything improper, but the net result is what is before them tonight. There is a cross section of the community in the room. He thinks a mistake has been made and Council needs to revisit issue.

Jodi Laurent expressed concern about the snow in front of the street that will go in front of the fireplace. Additionally, the City won't be able to use regular snow removal equipment to clean the sidewalks because of the fireplace. She also expressed concerns for safety, citing the gas lines running into the fireplace and what would happen if a car slides, jumps the curb and hits it. Ms. Laurent was critical of where meeting items appear in the *Courier*.

Planning Commissioner John Hess reminded some Council members that they had previously been on the Planning Commission. He thinks this is a capital improvement project that should have gone to the Planning Commission first. He is disappointed Council didn't take the item to the Planning Commission for review and public comment. Mr. Hess read a section of state law he believes applies to structures in parks and the process for approval. By Council's timeline, this is something that didn't happen overnight, so there was plenty of time to give it to the Planning Commission for review and public comment.

Gail Weimer stated that we need to decide what we want our park to be. She thinks people are so upset because this seemed like something that was not meant to enhance the park. She is not against the fireplace, the location is the problem. It could be at one of the beaches or by an ice rink. Changing the height a foot or two is not why the people are here, in her opinion.

John Winn stated that he thinks we all can agree that there is no better system of governing than a democracy. He stated elected officials have issues in a democracy they need to be careful of, regardless of the level of government. They need take everything into account and not allow vocal minority to control the silent majority. There are many issues, and this is one of them, that were in the paper. He thinks that a small percentage of the 2,500 people in the community are here. He believes that people who are in favor of a project see it in the paper, think it's good, and are glad they voted for that person and that Council is doing something that will benefit the community. Most people don't call and say it's a great idea; they just assume it's going to be done. Mr. Winn stated the proposed fireplace would be similar to the photos of the one in Holland, only would be made of stone instead of brick. He does not understand the arguments that it will affect property values or raise taxes when it is on City property and not their property. Regarding the argument that it will block the view, Mr. Winn stated that, from the other side of the street, one must look across two lanes of traffic and two parking lanes. From that distance, if a person moves one step either way, they would be looking around it. The fireplace is eight feet wide. A pickup truck or Suburban is 18 feet. The length of the fireplace in relation to the entire length of the park is 0.00126% of the total park.

Vic Mikulski stated that he doesn't understand how the City can spend millions on the park we built and then add something to it without getting an artist rendition of what the fireplace is going to look like, put it in the paper, and let people react to it. People tonight are reacting to the picture in the paper. The City could have spent the money and made sure what it was going to look like before they went through with the project. The City could've and should've done an artist rendition. Mr. Mikulski suggested that an artist rendition be done now to allow everyone to see what it's going to look like before proceeding.

Jean Morrow stated that she agreed the fireplace in Holland is attractive, however it isn't overlooking a lake: it's sitting in the middle of town. She stated that, while everyone in town who is against this isn't here, Council should look at the petitions and see the number of people around town who are against this project. When she heard that this gift of money was being given for a memorial, she thought that the City was selling a piece of property the City owns to somebody. She doesn't think that's right.

Audrey Shapiro stated that she thought Charlevoix was a green city, yet we're going to burn gas in middle of town right under the Idlefree Charlevoix banners; this is confusing to her. The people not at the meeting are working people, tired, and/or they have families. Just a small portion of the people who are upset about this are present at this meeting. Money that's going to burn gas could instead go to fix Michigan beach, the petunia problem, or a lot of other projects.

Lynn Groves thinks the Charlevoix park is phenomenal and she shows it off. She thinks anything done different in that park should be considered in the community because the park was so well planned and anything we do different in the park affects everyone. She wants Council to know it's not just the people in this room who object to the fireplace, but people on streets, people from out of town, people who come up here to visit, and people from Charlevoix who are not here tonight.

Joy Price said that she is surprised that they have not yet heard anyone support this other than Mr. Winn. She said that if it is a matter of people donating money, she is sure people will come forward if necessary.

Susan English said that she loved the park, and had an incredible amount of respect for the planning that went into creation of the park. The main driving concept behind the creation of the park was to open the up the magnificent view and keep it open. Buildings, businesses, and all the visual obstructions were taken away to open up a lovely panorama. We love donations, but we don't want to do something that violates the main concept behind the design, creation, and planning of the park: to keep it open. It might be just eight feet, but even one creation that would violate the openness of that view is taking something away from what we all tried to create. If we could direct our contributions and let them be guided by that original premise then we all could support it; instead we are turning our back on that main concept.

Donald Solomon stated we have a beautiful park and a beautiful view of Round Lake. He thinks there may be an impropriety in having someone who raises money for the City bring a proposal from an anonymous donor to build a private memorial on public land.

Kim Stevens said that she's not opposed to the fireplace: she thinks it's a great idea. She had originally been opposed to the fountain, but now sees the joy on all of the kids' faces. Ms. Stevens believes the fireplace can be similar, but she is concerned about the roadside location and safety.

David Loving asked Council to think about all the people present who are against something [the project or some portion of it.] If Council is here to represent the people, and the people are upset, they need to admit a mistake has been made and they need to revisit the issue.

Nancy Suzor asked if the architect of the park was consulted about the fireplace. The City has spent a lot of time with the Cool Cities Campaign, meetings, and discussions about what should be done to bring about the beautiful City, the park, and the marina. Time after time there were pictures and renditions in the paper depicting what the harbor would look like, what the impact would be on the waterways, and so on. Ms. Suzor stated that the Chamber committee has been discussing for years where Charlevoix could have an ice rink, whereas, in her opinion, this was a very quick decision and timed around Venetian when the City is very busy. Many people coming in her store have signed the petitions.

Jan Freedman asked if they are such a small minority, why everyone who has spoken is against the fireplace. Only one speaker has spoken in support of it.

Joshua Vargus said that he thinks the fireplace is a good idea.

D.R. Terrill said that many of us don't need a lecture on representative democracy. Representative democracy has a process. He thinks the normal order of process was not followed in this circumstance. That's a problem. If Council hasn't followed its own procedures, this process may be open to litigation. If the City needed an environmental impact statement, then the City is exposed there as well.

Karen Pierce asked for clarification regarding the cost and location of the gas line. Ms. Pierce stated that because it cost so much to run the gas line, the City won't be able to replace the Christmas lights this year as scheduled. The Mayor and Manager clarified that the Christmas lights come out of the DDA funds; the cost to the City to run the gas line is about \$300.

John Winn clarified that the donor had originally come to donate money to the fountain in memory of his wife. Many of the fountain donations and benches are dedications in memory of someone. The Harbormaster building has a plaque to the woman who donated the money for the music. The Odmark Pavilion has a plaque. The idea for the fireplace was Mr. Winn's, not the donor's. Mr. Winn had seen Holland's fireplace and saw how much the people liked it. He apologized for not doing the artist rendering; he didn't think it was necessary. Clearly this was a mistake. He stated that a lot of people have trouble visualizing change. Mr. Winn cited the example that the City of Charlevoix had 11 public hearings on the marina. People at the Waterways Commission gave him a hard time because the most they had ever done on other projects was three. Mr. Winn reminded people, when they hear how great the park is, that he had knocked on doors for three weeks to get enough signatures to get the referendum on the ballot to do the park. Everyone has forgotten that. Everyone likes the water fountain now, but he had received many negative calls and comments about the fountain before it was built, and now everyone has forgotten that. Seeing how much Holland loves their fireplace – he thinks people will be saying the same things about the fireplace that they say about the marina, the park, and the water fountain. Change and development in the community is like cholesterol, there is good and bad, and it's dangerous not to know the difference.

Patti Sitzema said she has seen the park redone three times in her lifetime. We're going to put in a fireplace that we may not like today and we may not like tomorrow. If Mr. Winn wants to see more people, give them another week and they'll show him people. There are more people who are upset about this. Give them two weeks, give them another two weeks, they'll show Council people.

Jodi Bingham said she had donated to the fountain because she thought it would be a wonderful addition to the park, she could see how it would be utilized, and it has turned out wonderfully. Her conflict with the fireplace is that she doesn't see how the fireplace will be utilized. For safety, it's going to be completely enclosed. It won't produce much heat. Because it's by the highway, people won't congregate there. She sees it sitting there not being used. She also expressed concerns about the annual gas cost. She thinks the fuel cost will go up and that there are many more areas we need to put the money into before we spend that money.

The Mayor closed the item to public comment at 8:23 p.m.

The Mayor attempted to answer some of the questions. He stated that he didn't understand how he had shown arrogance on this item, as he hadn't voted on it. He didn't push for the fireplace, but passed on information that was given to him. He has tried to provide some of the facts and said that there was a lot of misinformation out there, which happens on anything. Everyone has a voice and the Council takes that into consideration. Everyone said that Council didn't listen, but there was an article in the paper with a picture and people missed it. If Council waits until the winter to act on something, everyone says we wait until no one's here. If Council acts in the summer, they say we're trying to push it through when everyone is busy. Council did what they thought was right when it happened to come to them. The Mayor said the point he made earlier was that the person who wanted to donate the money sought out Mr. Winn because of the funds he has raised for other items. The Mayor believes that the donor figured Mr. Winn had the gumption and connections to do it again. The Mayor doesn't know, as he has never talked to the gentleman. City Council had many meetings on this and was never given any input. To Council's credit, even after three meetings without input, they didn't feel comfortable putting the fireplace where staff recommended. Council had a special meeting and went to the site so everyone could see where it would be. The Mayor stated that there is quite a bit of money already tied up in the project at the stage it's at. Having been part of the marina process, the Mayor is aware of how long it took. Sometimes that's not bad; it can be good to have all that input. One of the first meetings on the park had a pretty contentious item that ended up going to a vote of the people. Council never had any of that kind of input at these meetings, so they had nothing to go by except what they had heard up until that point. People need to remember that. They weren't trying to push anything through or get anything done under the table. An Environmental Impact Statement was not required and the item didn't go to the Planning Commission because Council followed the same protocol they had on previous items.

The Mayor reviewed Council's options. The agenda item is to discuss changes to the community fireplace. Council could also suspend Rule 13(k) to allow for reconsideration of the item from an earlier meeting. The Mayor allowed discussion and answered some questions from the room at large.

Councilmember Lyle Gennett thanked the people for coming and said that last thing Council wanted to do was cause conflict among the community. The Council made decisions based on the facts and input they had at the time. Mr. Gennett said he listens to the people and so does the rest of the Council. He has been trying to figure out how to fix this. He agrees that something needs to be done, and would like to open the item up to allow everyone a chance to look at it and decide what to do. We have something that a lot of people thought was a good idea at first, and now a lot of people are saying it's not a good idea.

Councilmember Bryan Vollmer said that conceptually the fireplace was an idea that seemed good on paper at the time. When this was presented, there weren't many people present and there was no opposition to what was presented, so Council made a decision. Everyone has made a decision that maybe they regret. Council is elected to represent the people and, based on the number of people in front of him, maybe they hadn't made a good decision. Mr. Vollmer doesn't have an answer to the problem. Council does have the option to revisit the item, and that will be voted on.

Councilmember Jill Picha said that she was sorry to see all of the people here tonight and sorry that the audience doesn't read the paper. Like it or not, this was discussed in a couple of meetings and it was in the paper. The DDA was included in the special meeting in the park and three members showed up. At the same meeting, Council decided not to put the trees in because DDA members wanted to keep the park open. In those meetings, no one from the public showed up and Council tried to make the best decision given the information they had. Ms. Picha stated that she has never sat on the dais and made a decision without thinking of her constituents first. Ms. Picha said she has worked hard for the people of Charlevoix. This was a decision Council had to make when they had no public input, and she's sorry for the way they feel about it.

Councilmember Dennis Kusina thanked the people for coming out and stated that he respects their opinions. He said he agrees with a lot of what the other members said. Mr. Kusina said that, if Council reopens this and decides the City doesn't want it, there is \$40,000 invested that will need to be paid back. If Council goes that route, he has heard people say they will raise that money overnight. If Council scraps the project, the money's got to be there. The money belongs to the gentleman who donated the money.

The audience became loud and disruptive. The Mayor called for order.

Councilmember Greg Stevens thanked everybody for coming. A lot of times he has been the one lone vote. If he disagreed with something, he was not afraid of a 5-1 vote. Many times he has walked through the grocery stores asking for opinions because he didn't know what to do before a vote. Everyone Mr. Stevens talked to before the fireplace was in favor of it at that time. He had not heard one negative thing and he is sorry that they didn't see it in the paper. He doesn't know what to do, but he made the vote that he did in best interest of the City of Charlevoix.

The Mayor said that he thinks Council feels the need to defend themselves because a lot of the comments were directed at them, like "it was railroaded through." The Mayor has heard "Follow the trail of money" – he doesn't know what "trail of money" refers to. The money would have to go back to the benefactor because that's who's paying for this. The Mayor said that, because the benefactor was doing the project, he chose the contractors. Many of the contractors have made donations to the project. He thinks the mason is the one who did the other work in the park. The Mayor attempted to answer additional questions from the audience, and then announced he would take no more questions or discussions from the audience. The Mayor reviewed Council's options.

Council discussed having a joint meeting with the Planning Commission Wednesday, September 12, 2012.

Motion by Councilmember Lyle Gennett, seconded by Councilmember Jill Picha, to halt the project and direct staff to revise the fireplace plan considering location, height of the chimney, and protection of Round Lake views.

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

The Mayor called a recess at 9:10 p.m.  
Council reconvened at 9:24 p.m.

Councilmember Cole returned to the dais.

C. Meter Reading Handhelds

Electric Department Superintendent Don Swem was available to present the item and answer questions from Council. The old meter reading handhelds are wearing out and not working well at all. Mr. Swem compared the bidder services, and there's not a lot of difference between them. Mr. Swem is recommending the low bidder, ETNA Supply. The Mayor opened the item for public comment at 9:26 p.m. There were no comments. Mr. Swem answered various questions from Council regarding vendor support.

Motion by Councilmember Jill Picha, seconded by Councilmember Dennis Kusina, to approve the purchase of Meter Reading handhelds and accessories per the bid documents from ETNA Supply at a cost of \$11,125.

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

D. Approval of Annual Health Savings Incentive Program

City Manager Rob Straebel reviewed the program and was available to answer questions from Council. The program can be reconsidered during budget development and may be continued another six months.

Motion by Councilmember Greg Stevens, seconded by Councilmember Lyle Gennett, to adopt the Annual HSA Incentive Program, October 1, 2012 – March 31, 2013 as presented on p. 35 of the Council packet.

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

E. Discussion Regarding Charlevoix County Storm Water Management Ordinance

Motion by Councilmember Bryan Vollmer, seconded by Councilmember Dennis Kusina, to postpone the discussion regarding the Charlevoix County Storm Water Management Ordinance.

Yeas: Vollmer, Cole, Gennett, Kusina, Picha, Stevens  
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 Lyle Gennett stated that, based on the letter from the Coast Guard saying they had no input regarding changing the color of the lighthouse and considering all the work that has gone in to the lighthouse from the Historical Society, Council should not consider changing the color of the lighthouse. If the Historical Society hadn't done what they did at the time, the South Pier would have a post with

a light on it the same as the North Pier. Mr. Gennett thinks we should drop it and leave it alone. The Mayor said we should let Ms. Roth have her presentation. Councilmember Jill Picha said that the City took over the lighthouse so the Historical Society could keep and maintain it, and the Historical Society got a grant to do that. In the City, if we take something away we used grant money for, we have to pay the grant back. She thinks the Historical Society may have to pay the grant back if they change it back to white. That's not fair to the Historical Society. The Mayor agreed, but he didn't think they should dismiss the item without hearing Ms. Roth out.

Councilmember Greg Stevens asked to revisit the airport interview process. He would like to wait 60 days before the interviews start. Whether or not the current airport guy is the right guy, he wants to make sure the City makes the right decision, so we are not back where we were before and so we don't lose the airport. The Manager confirmed that Mr. Stevens would be on the interview committee. He also stated that the entire interview process will probably take 60 days before they are ready to offer the job to someone. Ultimately this is a Manager hire.

The Mayor informed Council that the Community Food Pantry will have an open house at their new location on West Hurlbut, next Monday from 6-8 p.m.

The Mayor relayed that someone had commented to him if the only issues we really have in Charlevoix is the color of the lighthouse or whether or not to accept a \$40,000-\$50,000 donation to put a fireplace in the park, we're pretty lucky. He complimented Council for listening to the audience and agreeing to hear more options and trying to come to a compromise. We don't know a lot of things or how it's going to come out, but we are really fortunate we don't have any huge issues. We have such a wide variety of people with different views. He said that even though they sometimes vote differently, in the end, all the Council members respect each other and they always do what they honestly feel is right for the community. They have done, and will continue to do, a great job.

Council members thanked Mayor Carlson for doing a great job at tonight's meeting.

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

Birdie Whitley thanked Council for listening to the people.

Maureen LaBlance said that she is proud of our community. She said she likes the lighthouse red.

**XIII. Closed Session – Manager Review**

**A. Review of City Manager's Performance September 2011-2012**

Motion by Councilmember Lyle Gennett, seconded by Councilmember Bryan Vollmer, to enter closed session to complete the City Manager's annual evaluation, per his written request dated August 16, 2012.

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

Council entered closed session at 9:51 p.m.  
Council reconvened in open session at 10:25 p.m.

**XIV. Adjourn**

The Mayor stated if there were no objections, the meeting would adjourn.  
There were no objections.  
Meeting adjourned at 10:26 p.m.

Carol A. Ochs	City Clerk	Jill Picha	Mayor Pro Tem
<b>Accounts Payable – 08/23/2012</b>			
AT&T MOBILITY	146.30	STANDARD INSURANCE CO	1,344.18
CHARLEVOIX STATE BANK	2,811.47	VERIZON WIRELESS	56.72
DELTA DENTAL	4,395.60	VISION SERVICE PLAN	519.87
GREAT LAKES ENERGY	202.73		
PRIORITY HEALTH	38,213.86	<b>TOTAL</b>	<b>47,690.73</b>
<b>Accounts Payable – 09/05/2012</b>			
AIRGAS USA LLC	796.29	CHARLEVOIX YOUTH SPORTS ASSN	525.00
AMERICAN WASTE INC.	719.95	CITY OF CHARLEVOIX - MISC	1,574.54
AMSTUTZ, LINDA	57.19	CONSUMER OFFICE FURNITURE	1,387.86
ANDY'S CLEANING SYSTEMS	158.00	CRYSTAL FLASH ENERGY	1,554.82
APPLIED INDUSTRIAL TECH	105.14	DARNTON, COLIN	250.00
ARGUS/HAZCO	2,420.53	DELL MARKETING L P	1,456.00
AT&T	40.00	DESIGN ASSOCIATES	620.00
AT&T - CLAIM FOR DAMAGES	551.36	DEYOUNG, JEREMY	85.00
AT&T LONG DISTANCE	325.63	DOAN, GERARD	41.00
AVFUEL CORPORATION	68,412.06	DTE ENERGY	997.62
B & L SOUND INC	43.98	DVORACEK, DANA J.	41.00
B C PIZZA	30.39	EJ USA INC.	3,583.26
BAILEY, MATTHEW L.	48.34	ELLIOTT, PATRICK M.	41.00
BEHAN WINDOW CLEANING	285.00	ELLSWORTH FARMER'S EXCHANGE	296.00
BIOTECH AGRONOMICS INC	14,877.66	EMERGENCY MEDICAL PRODUCTS INC	214.57
BLECHEL, KATHLEEN J.	30.00	EMPTY SHELL LLC	775.07
BRADFORD'S	57.00	EVANS, HAL	41.00
BRANDI, RICHARD	41.00	FAUST, ERICKA	23.31
BROWN, MELINA	32.19	FISHER SCIENTIFIC	447.95
BULBS.COM	99.80	FOX CHARLEVOIX FORD	28,916.72
CALDWELL, JAMES P.	365.88	GOLF ASSOCIATION OF MICHIGAN	310.00
CAREY, KEITH	41.00	GORDON FOOD SERVICE	53.94
CENTRAL DRUG STORE	98.40	GRAINGER	88.55
CHANNING BETE COMPANY INC.	177.76	GREAT LAKES PIPE & SUPPLY	612.29
CHARLEVOIX COUNTY TREASURER	146.28	GRIFFIN BEVERAGE CO	77.50
CHARLEVOIX COURIER	58.80	GRP ENGINEERING INC.	108.20
CHARLEVOIX GLASS INC.	11.05	HACH COMPANY	416.35
CHARLEVOIX SCREEN MASTERS INC.	580.75	HAGGARD'S INC	108.66
CHARLEVOIX TOWNSHIP	11.03	HANKINS, SCOTT	41.00

HEERES EXCAVATING INC.	7,978.00	PREIN & NEWHOF	4,141.67
HEID, THOMAS J.	41.00	PURITY CYLINDER GASES INC	459.29
HENNE, JOHN	76.00	QUILL CORP	204.61
HENRY, MEREDITH	74.80	RHINO SEED & LANDSCAPE SUPP	672.00
HERZOG ELECTRIC	568.95	RIZZO, ANDREA	100.00
HYDE SERVICES LLC	83.20	ROLOFF, ROBERT	125.00
INDEPENDENT DRAFTING SERVICES	512.00	S&W HEALTHCARE CORPORATION	118.09
INDUSTRIAL MARKETING	18,949.74	SCUBA NORTH INC.	12.00
IRISH BOAT SHOP	1,380.00	SHARROW MASONRY INC	721.00
J & S PORTABLE RESTROOMS	5,832.00	SLO-PITCH UMPIRES FED	432.00
KLOOSTER, TRAVIS	41.63	SPARTAN DISTRIBUTORS INC	811.43
KMart	83.92	SPENCER, MICHAEL	41.00
KSS ENTERPRISES	476.23	STATE OF MICHIGAN	488.77
LAKESHORE TIRE & AUTO SERVICE	422.00	STATE OF MICHIGAN	155.00
LSL PLANNING INC.	4,429.20	STRAEBEL, ROBERT J.	41.00
MDC CONTRACTING LLC	703.50	SUPERIOR MECHANICAL	356.68
MEYERS, JESSICA	24.95	SWANK MOTION PICTURES	461.00
MICH CON	300.00	SWANSON K & D INC	480.00
MICHIGAN RURAL WATER ASSN	345.00	SWEM, DONALD L.	41.00
MIELKE, LAUREN	33.86	SYSTEMS SPECIALISTS INC	645.00
MISS DIG SYSTEM INC	488.47	TRANSACT TECHNOLOGIES INC	94.93
MORLEY, ANDREW	250.00	TURFGRASS INC	727.78
NASH, JENNIFER	41.00	UP NORTH PROPERTY SERVICES LLC	4,327.00
NEWSWEEK	50.00	VAN'S BUSINESS MACHINES	79.00
NORTHERN FIRE & SAFETY INC.	101.00	VENETIAN BUSINESS TEE'S	150.00
NORTHERN MICHIGAN JANITORIAL	243.25	VILLAGE GRAPHICS INC.	140.50
NOVOTNY, RYAN	28.78	WELLER, LINDA	41.00
ORIENTAL TRADING COMPANY INC	140.64	WILLCOME TREE SERVICE	3,335.00
PERFORMANCE ENGINEERS INC	7,517.50	WINNELL, CHARLES	930.00
PETERS, BRIDGET	41.63	WOJAN PLUMBING & HEATING	85.00
PETERSON, ELIZABETH	29.97	WORK & PLAY SHOP	179.62
PHYSIO-CONTROL INC.	650.60	YOUNG GRAHAM	7,775.32
PLUNKETT & COONEY	360.00		
POWER LINE SUPPLY	2,661.58	<b>TOTAL</b>	<b>218,642.76</b>

**Accounts Payable - 09/05/2012**

**Tax Disbursements**

CHARLEVOIX COUNTY TREASURER	706,181.19	CHARLEVOIX PUBLIC SCHOOLS	4,361.61
CHARLEVOIX COUNTY TREASURER	447.49	CITY OF CHARLEVOIX - TAXES DUE	834,400.11
CHARLEVOIX COUNTY TREASURER	5,548.10	GIBSON, SHIRLEY	30.00
CHARLEVOIX DISTRICT LIBRARY	51.42	RECREATIONAL AUTHORITY	9.25
CHARLEVOIX PUBLIC SCHOOLS	757,501.70	STATE OF MICHIGAN	29,706.60
CHARLEVOIX PUBLIC SCHOOLS	130,111.97	WELLS FARGO HOME MORTGAGE	1,917.00
CHARLEVOIX PUBLIC SCHOOLS	64,728.23	<b>TOTAL</b>	<b>2,534,994.67</b>

**ACH Payments - 08/17/2012 - 08/31/2012**

IRS (PAYROLL TAX DEPOSIT)	1,542.33	MERS OF MICHIGAN	39,160.45
VANTAGEPOINT (457 ICMA PLAN)	468.45	IRS (PAYROLL TAX DEPOSIT)	31,416.93
MI PUBLIC POWER AGENCY	36,098.31	VANTAGEPOINT (457 ICMA PLAN)	12,663.72
NEOPOST (POSTAGE)	5,000.00	VANTAGEPOINT (401 ICMA PLAN)	699.79
MI PUBLIC POWER AGENCY	26,879.01		
MI PUBLIC POWER AGENCY	288,154.31	<b>TOTAL</b>	<b>442,083.30</b>

**FINAL PAYROLL: Paid 08/17/2012**

BAILEY, MATTHEW L.	851.94		
BAILEY, MATTHEW L.	3,731.07	<b>TOTAL</b>	<b>4,583.01</b>

**PAYROLL: NET PAY**

**Pay Period Ending 08/25/2012 - Paid 08/31/2012**

WELLER, LINDA JO	1,377.28	MEIER III, CHARLES A.	1,483.68
STRAEBEL, ROBERT J.	2,010.82	NISWANDER, JOSEPH F.	1,274.36
BRANDI, RICHARD M.	1,761.61	FRYE, EDWARD J.	1,018.60
LOY, EVELYN R.	1,005.73	WELLS JR., DONALD E.	1,449.57
KLOOSTER, ALIDA K.	1,376.48	JONES, TERRI L.	905.75
BROWN, STEPHANIE C.	1,087.35	BRADLEY, KELLY R.	1,252.21
OCHS, CAROL A.	915.66	EATON, BRAD A.	1,712.90
CAREY, KEITH V.	1,160.07	WILSON, TIMOTHY J.	1,900.35
SPENCER, MICHAEL D.	1,525.30	LAVOIE, RICHARD L.	1,380.55
SPENCLEY, PATRICIA L.	1,023.13	STEVENS, BRANDON C.	1,127.08
NASH, JENNIFER B.	901.69	DRAVES, MARTIN J.	1,888.79
CASTIGLIONE, BENJAMIN	629.13	BIRTCH, CHARLES W.	221.07
SHRIFT, PETER R.	1,165.39	ELLIOTT, PATRICK M.	1,467.22
SCHLAPPI, JAMES L.	1,034.68	WILSON, RICHARD J.	1,282.41
UMULIS, MATTHEW T.	1,441.10	JONES, ROBERT F.	1,213.67
ORBAN, BARBARA K.	1,357.73	MANKER JR, DAVID W.	519.25
TRAEGER, JASON A.	1,096.02	NISWANDER, LOGAN J.	635.12
WARNER, JANINE M.	989.78	SIEGMUND, CHRISTOPHER	658.99
EVANS, HALBERT K.	1,421.10	BROWE, RAYMOND L.	347.28
LEE, LOREN G.	605.12	RAMSEY, ARIEL M.	465.83
BINGHAM, LARRY E.	819.96	CHRISTENSEN-DIEHL, CLAUDE	298.15
CALDWELL, MARY K.	530.05	LEUSINK, DANIEL L.	473.14
BRANDI, MAURA E.	420.07	MCGHEE, ROBERT R.	1,039.36
WITHROW, KATHERINE S.	511.60	VANLOO, JOSEPH G.	610.03
GREYERBIEHL, KEVIN M.	383.14	HART, TERESA M.	484.22
KALBFELL, ELLE L.	410.68	STEBE, LAURA A.	213.46
IVAN, PAUL M.	1,704.33	AMSTUTZ, LINDA J.	851.96
SCHWARTZFISHER, JOSEPH	804.35	PETERS, BRIDGET R.	349.73
ROLOFF, ROBERT P.	1,317.09	KLOOSTER, TRAVIS F.	307.06
BRODIN, WILLIAM C.	1,416.38	CRICK, HAILEY C.	115.22
RILEY, DENISE M.	422.05	PETERSON, ELIZABETH A.	303.18
CALDWELL, JAMES P.	1,409.13	FAUST, ERICKA N.	172.27
WURST, RANDALL W.	1,410.20	SCHEMANSKI, CHRYSTAL	128.79
MAYER, SHELLEY L.	1,693.17	DRURY JR., DAVID C.	136.06
HILLING, NICHOLAS A.	1,309.29	BROWN, MELINA M.	338.68

BRADLEY, ASHLIE D.	409.75	SWEM, DONALD L.	1,637.79
BOAL, DAVID W.	1,077.81	WHITLEY, ANDREW T.	1,307.85
WESCOTT, DENNIS M.	443.95	MORRISON, KEVIN P.	1,099.80
DURRENBERGER, LARRY J	261.73	HODGE, MICHAEL J.	1,094.25
RYPSTRA III, BART	224.22	JOHNSON, STEVEN P.	1,033.28
DVORACEK, DANA J.	1,456.87	ZIPP, DONALD R.	1,355.92
SCHERPING, CHARLES L.	424.42	BISHAW, JAMES H.	690.56
STEIN, DONNA E.	548.39	TOWSLEY, CALVIN J.	556.75
TOUGH, KENDALL J.	462.96	SCAFIDI, DAVID J.	466.76
GENGLE, SUE E.	144.03	WALDRON, DANIEL C.	299.47
RILEY, CASEY W.	168.19	MORLEY, ANDREW J.	339.90
O'CONNOR, BRUCE E.	476.91	DARNTON, COLIN T.	289.07
DOAN, GERARD P.	1,245.56	HEID, THOMAS J	1,341.78
HANKINS, SCOTT A.	1,563.80	BAIER, GEORGE A.	283.15
KLOOSTER, PATRICK H.	529.32	GRUNCH, RONALD J.	255.99
WHALEN, ERIC J.	834.59	DAVIS, RONALD L.	221.03
BOSS, JOHN M.	289.88	GILL, DAVID R.	1,010.97
GLENNY, GRACE A.	539.13	HAND, HEATHER K.	481.62
GREYERBIEHL, KELLY M.	336.27	WENZEL, PEGGY A.	444.51
COPPOCK, TIMOTHY M.	1,407.45	SCHNEIDER, DENNIS R.	583.96
BLANCHARD, SCOTT W.	1,634.87	<b>TOTAL</b>	<b>95,747.16</b>

**PAYROLL: TRANSMITTAL**  
**08/31/2012**

AMERICAN FAMILY LIFE	402.61	MERS	390.00
CHAR EM UNITED WAY	93.00	MI STATE DISBURSEMENT	596.19
CHARLEVOIX STATE BANK	743.47	NORTHWESTERN BANK	252.00
COMMUNICATION WORKERS	519.16	PRIORITY HEALTH	813.53
INDIANA STATE	80.00	<b>TOTAL</b>	<b>3,889.96</b>