

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, May 5, 2014 – 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 Manager: Rob Straebel
City Clerk: Joyce Golding
Members Present: Councilmembers Peggy Brennan, Shane Cole, Lyle Gennett, Shirley Gibson, Leon Perron, and Jeff Porter

III. Inquiry Regarding Possible Conflicts of Interest

None.

IV. Consent Agenda

The following items were approved and filed:

- A. Approval of Minutes – April 21, 2014 Regular Meeting Minutes
- B. Approval of Minutes – April 24, 2014 Special Meeting Minutes
- C. Accounts Payable Check Register – April 24, 2014
- D. Accounts Payable Check Register – May 6, 2014
- E. ACH Payments – April 21, 2014 - April 28, 2014
- F. Payroll Check Register – April 19, 2014
- G. Payroll Transmittal – April 19, 2014
- H. Housing Commission Resignation – James Jinsky

Motion by Councilmember Brennan, second by Councilmember Gibson, to accept the resignation of James Jinsky from the Housing Commission.

Yeas: Gibson, Perron, Porter, Brennan, Cole, Gennett
Nays: None
Absent: None

- I. Mayor Proclamation – Smart Commute Week June 2-5, 2014

V. Public Hearings

None.

VI. Reports

City Manager Straebel reported on the continuation of minor broken water mains due to the weather. Water flows are being monitored on a daily basis to determine if any other issues exist.

The Michigan Department of Environmental Quality (MDEQ) has issued a dredging permit for the Anderson boathouse.

City Manager Straebel and Treasurer Zielinski have discussed the golf course and Mt. McSauba ski hill operations, both of which have been operating at a deficit and subsidized by the General Fund. City Manager Straebel requested Council to give consideration to whether the viability of these two operations will be sustainable.

VII. Requests, Petitions and Communications and Actions Thereon

A. Review of Stage One and Consideration of Approval for Stage Two of the Downtown Wi-Fi Project

John Childs of Childs Consulting Services was hired to complete a feasibility study regarding implementing a free public Wi-Fi system throughout the downtown. The study is being done in three stages, with each stage needing approval by the City of Charlevoix, Charlevoix Downtown Development Authority, and the Charlevoix Area Chamber of Commerce.

Three systems were identified that could provide the capabilities that we need, (1) hardwired, (2) Wi-Fi, or (3) 4G LTE. Option 2, a Wi-Fi system, is the best option because of the cost (estimated at \$51,275 for installation) and ease of installation. With this system there is a potential operating cost estimated at \$3,600 annually and a total revenue estimate of \$3,600 - \$18,000 annually, which would be generated through advertising sales.

The next stage of the process includes creating, submitting and advertising a RFP, hiring a contractor(s), obtaining rights to install devices, holding a pre-bid meeting with all the potential contractors, and developing and preparing the vendor contract. Stage Two has a total cost of \$5,680, which would be split equally between the City, DDA, and Chamber.

Mayor Carlson opened the item to public comment. There was no public comment and the item was closed.

Motion by Councilmember Gennett, second by Councilmember Cole, to approve funding for Stage Two of the Downtown Wi-Fi Study at an amount not to exceed \$1,900 for the City's portion.

Yeas: Gibson, Perron, Brennan, Cole, Gennett
Nays: Porter
Absent: None

B. Consideration of Marina Expansion

At the March 3 City Council meeting, Council voted to postpone a decision on dock expansion for various reasons. With a fair amount of opposition to the full 159' 9" expansion to Dock A, Staff is submitting to City Council two other shorter dock expansion options that may be beneficial to the discussion.

Option A with 33' 3" of additional dockage is the least impactful from a visual standpoint but does very little to increase revenues to the City Marina. Option B with 96' 6" of additional dockage may be the best compromise between economic development and minimizing visual impacts to Round Lake. Option C with 159' 9" additional dockage has a fair amount of opposition because of the perceived intrusions on Round Lake view sheds; however, Option C does bring in over \$100,000 in marina revenues and would be an economic stimulus for the downtown area and greater Charlevoix.

Councilmember Gibson asked how many 80' boats use the docks and how many have been turned away. Harbormaster Evans responded that the 80' boat slips were filled 8-10 weeks last summer. Of the boats that have been turned away over the last few years, the vast majority have been boats over 50 feet in length.

Councilmember Porter questioned whether shopper's docks could be constructed in the vicinity of the Keweenaw Star. City Manager Straebel pointed out that Staff was tasked with developing a proposal to accommodate additional 80' boats. Mayor Carlson added that additional shopper's docks would be a benefit and during previous discussions it was agreed that future grants may be used to help fund these docks.

Mayor Carlson opened the item to public comment.

Bernie Ward, Ward Brothers Boats, voiced concern with regard to Option C in a congested area with boat traffic to the channel. Mr. Ward stated that Option B may be a good choice.

Loren Lee, Jefferson Beach Yacht Sales, voiced his support for the expansion. Mr. Lee has received feedback from large boat owners throughout Michigan and in the Chicago market who are in support of the expansion and has verbal commitment from several who would be willing to lease slips.

Motion by Councilmember Brennan, second by Councilmember Gennett, to schedule a Public Hearing for May 19, 2014 at 7:00 p.m. in Council Chambers to discuss the proposed marina expansion.

Yeas: Gibson, Perron, Porter, Brennan, Cole, Gennett
Nays: None
Absent: None

C. Consideration of Charlevoix Area Chamber of Commerce Program of Action/Marketing Program

In 2012, the City of Charlevoix entered into an agreement with the Charlevoix Area Chamber of Commerce (Chamber) for promoting and disseminating information on Charlevoix's industrial, commercial, educational, recreational, civic, and resort opportunities in the Charlevoix area. The agreement expired on March 31, 2014. The Chamber received \$6,700 each year for these services.

Steven Seely, Charlevoix Area Chamber of Commerce Chairman, reviewed the 2014 Program of Action and Resource Allocation Report which details the promotional and advertising opportunities provided to the City by the Chamber.

Councilmember Porter stated the 'gypsy' artists who participate in the Summer Solstice Art Show have taken revenue out of the community and the show has come close to destroying some galleries in town. He added that the Summer Solstice Art Show does not benefit anyone in Charlevoix.

Mayor Carlson opened the item to public comment. There was no public comment and the item was closed.

Discussion regarding a three year agreement with the Charlevoix Area Chamber of Commerce to promote the City of Charlevoix will be placed on the May 19th City Council Meeting agenda.

Mayor Carlson called for a brief recess at 8:13 p.m. Council reconvened at 8:20 p.m.

D. Liquor License Application – Adventure Center USA LLC d/b/a Charlevoix Cinema III

On November 30, 2012, Adventure Center USA, LLC acquired the Charlevoix Cinema III. Since purchasing the closed theater, the applicant has refurbished the business to create what is now a "state of the art" entertainment center. With the addition of the new liquor license, Charlevoix Cinema will be able to serve wine and beer at some movies, sporting events and red carpet events with wait staff offering individual servings of both alcoholic and non-alcoholic beverages by the glass, thus creating a more attractive entertainment destination for local citizens as well as tourists.

Attorney David Campbell introduced Luther Kurtz, owner of Charlevoix Cinema. Mr. Kurtz stated his intent is to keep the cinema family-focused. To create balance, the cinema will not be serving alcohol at all events.

Mayor Carlson opened the item to public comment. There was no public comment and the item was closed.

Action by resolution.

E. Consideration to Approve Selection of Airport Consultant

As part of the Airport Capital Improvement Plan, the Federal Aviation Administration requires airport sponsors go through a consultant selection process every five years. The last time Charlevoix went through the process was 2006. In an effort to comply with these requirements, the Airport Advisory Committee advertised and received Statements of Qualifications from six consulting firms. After interviewing all six firms, the Committee unanimously selected the firm of RS&H as the new airport consultant.

Mayor Carlson opened the item to public comment. There was no public comment and the item was closed.

Motion by Councilmember Gibson, second by Councilmember Cole, to approve the Airport Advisory Committee's recommendation and appoint RS&H as the City of Charlevoix Airport consultant.

Yeas: Gibson, Perron, Porter, Brennan, Cole, Gennett
Nays: None
Absent: None

F. Purchase and Installation of Walk-Through Doors in the Fire & Police Portion of City Hall

The Fire and Police portion of City Hall was constructed in 1986 with metal walk-through doors. When City Hall was remodeled in 2002-2004, the original metal doors were left in place and painted. The doors and door jambs have rusted, with significant structural damage. Replacement doors are budgeted in the 2014-15 City Hall and Grounds budget.

On April 11, 2014 sealed bids were sought to replace the damaged doors with matching doors. Fire Chief Ivan recommends that City Council authorize the purchase of Kawneer doors (same as the existing doors) from Charlevoix Glass for \$17,126.85, noting that \$14,000 was budgeted for this purchase. The remaining \$3,126.85 will be paid out of the City Hall and Grounds Professional Services budget.

Mayor Carlson opened the item to public comment. There was no public comment and the item was closed.

Motion by Councilmember Perron, second by Councilmember Brennan, to approve the purchase and installation of walk-through doors in the fire/police portion of City Hall in the amount of \$17,126.85 from Charlevoix Glass.

Yeas: Gibson, Perron, Porter, Brennan, Cole, Gennett
Nays: None
Absent: None

G. Adoption of the City Hall Emergency Procedures / Business Continuity Plan

For the last several months, City Staff and Charlevoix, Cheboygan and Emmet (CCE) Central Dispatch management has been working on an Emergency Procedures and Business Continuity Plan in the event of an incident/disaster occurring at City Hall.

Councilmember Gennett questioned whether this plan is similar to the County's emergency plan. Fire Chief Ivan replied that the plan is nearly identical to the County.

Mayor Carlson opened the item to public comment. There was no public comment and the item was closed.

Motion by Councilmember Cole, second by Councilmember Brennan, to accept the City Hall Emergency Procedures / Business Continuity Plan, as written.

Yeas: Gibson, Perron, Porter, Brennan, Cole, Gennett
Nays: None
Absent: None

H. Radio Tower Lease Agreements with CCE Central Dispatch

Currently, the communications towers that cover Police/Fire/EMS communications for the City are located several miles away, and radio communications are situational at best. CCE (Charlevoix, Cheboygan, Emmett) Central Dispatch radio engineers looked at many different options to improve communications, and decided on a plan that impacts the City in two ways:

- (1) CCE would re-use one of the two communications towers already in existence at Mt. McSaubia. CCE plans to add a 20' extension to the tower, and use the site for Fire/EMS communications. Changes to the site would be funded by CCE.
- (2) Install a 25' tall freestanding tower on the roof of City Hall. This tower would also be capable of holding the antenna necessary for the proposed downtown Wi-Fi. CCE would be responsible for the tower construction and installation costs.

Mayor Carlson opened the item to public comment. There was no public comment and the item was closed.

Motion by Councilmember Brennan, second by Councilmember Gibson, to approve the tower lease agreement for the City Hall site.

Yeas: Gibson, Perron, Porter, Brennan, Cole, Gennett

Nays: None

Absent: None

Motion by Councilmember Gennett, second by Councilmember Cole, to authorize the Mayor to sign the lease agreement for the Mt. McSaubia site, contingent upon the transfer of ownership of the tower from Verizon (Wireless) to the City.

Yeas: Gibson, Perron, Porter, Brennan, Cole, Gennett

Nays: None

Absent: None

I. Fish Waste Removal Contract

The Ferry Beach fish cleaning station contract for removing fish waste expired December 2, 2013. On April 1, 2014 a two year bid proposal was posted for removing the fish waste at the Ferry Beach fish cleaning station. On April 15, a single bid was opened from John Cross for \$6,500 per year for 2014 and 2015. This is the same amount that was provided for the service in the past by John Cross.

Mayor Carlson opened the item to public comment. There was no public comment and the item was closed.

Motion by Councilmember Cole, second by Councilmember Gennett, to award the contract for the fish waste removal at the Ferry Beach fish cleaning station to John Cross for 2014 and 2015 in the amount of \$6,500/year.

Yeas: Gibson, Perron, Porter, Brennan, Cole, Gennett

Nays: None

Absent: None

J. Consideration to Modify the Utility Bill Format and Outsource the Printing and Mailing of Utility Bills

The City currently prints and mails its utility bills in-house on a postcard. Due to having electric, water, and sewer utility charges, as well as regulations requiring certain information be printed on each bill, there is no space available on the bill to add additional information. As a result, City Staff recommends changing the format of the utility bill to a full page bill in order to accommodate more information, as well as to enhance the service provided to the City's utility customers. With a full page bill, the City will be able to clearly display customer account and payment information, utility readings, charges, and usage history on the front of the bill, as well as have a dedicated space to print special City messages and notices.

In order to cost effectively move to a full page utility bill, Staff recommends outsourcing the printing and mailing of the bills. For a few cents more than what it would cost the City for just postage to mail its own full page bill, a third party vendor can print, fold, insert with return envelope, and mail the utility bills.

Councilmember Perron asked if the City would lay off an employee as a result of the change in utility billing. Treasurer Zielinski responded no employees would be laid off. Changing to the new billing format would free up the Utility Clerk's time to provide additional customer service to City residents.

Mayor Carlson opened the item to public comment. There was no public comment and the item was closed.

Motion by Councilmember Brennan, second by Councilmember Gibson, to approve modifying the utility bill from a postcard to a full page bill, and to outsource the printing and mailing of utility bills to Freedom Mailing Service.

Yeas: Gibson, Perron, Porter, Brennan, Cole, Gennett

Nays: None

Absent: None

K. Consideration of a Resolution to Allow Credit Cards Transactions for Utility, Property Tax, and Ambulance Payments

Currently, the City accepts cash, check or money order for payment of utility, property tax, and ambulance bills. Utility customers also have the option of setting up ACH direct payment to pay their bills. However, in order to provide greater customer service to the City's taxpayers and customers as well as to respond to the demand from seasonal and year-round residents, City Staff would like to begin accepting payments for utility, property tax, and ambulance bills by credit or debit card. This would be in addition to credit card payments already being accepted at the City Airport, the City Marina, City Hall, the Electric Car Charging Station, Farmers' Market and for Recreational Department activities.

Councilmember Porter asked if there is a credit card transaction fee involved. Treasurer Zielinski reported that the fee is 2.75% per transaction and would be passed on to the customer.

Mayor Carlson opened the item to public comment. There was no public comment and the item was closed.

Action by resolution.

L. Consideration to Approve Payment Service Network (PSN) Service Agreement

After an extensive review of vendors, Treasurer Zielinski recommended the City enter into a three-year agreement with Payment Service Network (PSN) to provide online billing for the City's utilities and to provide online, mobile, automated, and live phone payment solutions for utilities and property taxes. PSN was selected due to its low upfront costs (\$399) and monthly fees (\$59.95), but most importantly due to its partnership with Civic Systems, which is the provider of the City's financial and utility software.

Online billing for utilities will give the City's customers the ability to view and pay bills online, view a 12-month history of their bills and payments, and the option to opt-out of receiving a paper bill. Payments can be made with Visa, MasterCard and Discover credit and debit cards as well with eChecks. There is no cost to the City for these services. However, customers will be required to pay a transaction fee to use these payment options.

Councilmember Gibson asked how the public will become aware of this new service. Treasurer Zielinski responded that PSN will provide marketing materials in addition to including information on the website and the new utility bill.

Mayor Carlson opened the item to public comment. There was no public comment and the item was closed.

Motion by Councilmember Brennan, second by Councilmember Gennett to approve the service agreement with Payment Service Network (PSN) to provide online billing for utilities and various payments solutions for utilities and property taxes for three years.

Yeas: Gibson, Perron, Porter, Brennan, Cole, Gennett
Nays: None
Absent: None

M. Consideration to Approve Invoice from EJ, USA, Inc.

The City had an emergency repair and upgrade to the water main in the 500 and 600 block of State Street due to the frozen/broken four inch water main. As a result, the City purchased 540 lineal feet of 8" ductile iron pipe to complete the upgrade. The total invoice for the pipe is \$11,350.80.

Mayor Carlson opened the item to public comment. There was no public comment and the item was closed.

Motion by Councilmember Gibson, second by Councilmember Cole to approve the invoice from EJ, USA, Inc. in the amount of \$11,350.80 for 540 feet of 8" ductile pipe.

Yeas: Gibson, Perron, Porter, Brennan, Cole, Gennett
Nays: None
Absent: None

N. Consideration to Approve Retainer Agreement for Scott Howard

The City Attorney Interview Committee has unanimously recommended that City Council approve the appointment of Scott Howard as the City Attorney. After interviewing four well qualified candidates, the committee felt that Mr. Howard has the municipal law knowledge (including land-use issues), professional demeanor, and experience to represent the City as the new City Attorney.

The Retainer Agreement has been fully vetted by both the City Manager and current City Attorney Jim Young. The City has negotiated that no travel expenses will be charged to the City for travel to and from Charlevoix. Mr. Howard also has adequate malpractice insurance for up to \$2 million per occurrence. The agreement is for one year with an option to renew for unlimited one year periods. The City has the option to terminate the agreement at any time upon written notice. Hourly rates are \$155 per hour and there is no requirement for Mr. Howard to attend City Council meetings. Whether his presence is needed at City Council meetings will be determined by the City Manager or at the request of the Mayor or City Council.

Mayor Carlson opened the item to public comment. There was no public comment and the item was closed.

Motion by Councilmember Gibson, second by Councilmember Perron, to approve the Retainer Agreement establishing Scott Howard as the City of Charlevoix's City Attorney effective May 5, 2014.

Yeas: Gibson, Perron, Porter, Brennan, Cole, Gennett
Nays: None
Absent: None

O. Consideration to Approve a Resolution Approving Ballot Language for a Charter Amendment Regarding City Clerk Position

City Manager Straebel was contacted by City Attorney Young regarding the resolution establishing ballot language for the City Clerk position. Michigan Statutes state Charter amendments require a 3/5 vote (60%) of the members of the City's elected body. The Attorney General's (AG) Office is stating the Mayor is part of the elected body, creating a body of seven.

At the special meeting on Thursday, April 24 where Council approved the resolution, there were four Council members present that voted in the affirmative. Four out of seven is 57% and does not comply with the 60% threshold. The AG's Office is requiring that another vote on the measure be taken. There are no language changes to the resolution.

Mayor Carlson opened the item to public comment. There was no public comment and the item was closed.

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 Application – Adventure Center USA, LLC d/b/a Charlevoix Cinema III

Motion by Councilmember Brennan, seconded by Councilmember Cole, to approve Resolution 2014-05-01, Local Government Approval of a Redevelopment Liquor License for Adventure Center USA, LLC, as follows:

**CITY OF CHARLEVOIX
RESOLUTION NO. 2014-05-01
LOCAL GOVERNING BODY APPROVAL OF LIQUOR LICENSE APPLICATION
(Authorized by MCL 436.1501)**

At a REGULAR meeting of the City of Charlevoix City Council called to order by Mayor Norman L. Carlson, Jr., on May 5, 2014 at 7:00 p.m., the following resolution was offered:

Moved by Councilmember Brennan and supported by Councilmember Cole that the application from ADVENTURE CENTER USA, LLC d/b/a CHARLEVOIX CINEMA III for the following license(s): REDEVELOPMENT CLASS C & SDM MICHIGAN LIQUOR CONTROL COMMISSION LICENSES, to be located at 107 Antrim Street, Charlevoix, MI 49720

and the following permit, if applied for: ___ Banquet Facility Address of Banquet Facility: N/A

be considered for approval by the Michigan Liquor Control Commission.

RESOLVED this 5th day of May, A.D. 2014.

Yeas: Gibson, Perron, Porter, Brennan, Cole, Gennett
Nays: None
Absent: None

B. Consideration of a Resolution to Allow Credit Card Transactions for Utility, Property Tax, and Ambulance Payments

Motion by Councilmember Brennan, seconded by Councilmember Gennett, to approve Resolution 2014-05-02, to Approve Credit Card Payments for Utility, Property Tax, and Ambulance Bills, as follows:

**CITY OF CHARLEVOIX
RESOLUTION 2014-05-02
APPROVE CREDIT CARD PAYMENTS FOR UTILITY, PROPERTY TAX, AND AMBULANCE BILLS**

WHEREAS, Act 280 of the Public Acts of Michigan of 1995 authorizes units of local government to accept payments by credit card, or by other financial transaction devices; and

WHEREAS, the City has in the past accepted credit card payments at the City Airport, the City Marina, City Hall, the Electric Car Charging Station, the Farmers Market and for Recreational Department activities to strengthen internal controls and provide improved customer service; and

WHEREAS, the City currently has an agreement to accept Visa, MasterCard, and Discover with direct verification and validation of cards at a negotiated rate per transaction; and

WHEREAS, except for the items mentioned in this resolution, the City does not wish to accept credit cards at this time for any additional services provided citizens, due to the cost; and

WHEREAS, the City has internal controls in place to monitor credit card transactions to verify the proper recording of non-cash transactions.

NOW, THEREFORE, BE IT RESOLVED, THAT THE CITY COUNCIL OF THE CITY OF CHARLEVOIX authorizes staff to provide for acceptance of payments by credit card, debit card or other electronic funds transfer card for City of Charlevoix utility, property tax, and ambulance bills.

RESOLVED, this 5th day of May, 2014.

Resolution was adopted by the following yea and nay vote:

Yeas: Gennett, Brennan, Cole, Perron, Gibson, Porter

Nays: None

Absent: None

- C. Consideration to Approve a Resolution Approving Ballot Language for a Charter Amendment Regarding City Clerk Position
Motion by Councilmember Brennan, seconded by Councilmember Gibson, to approve Resolution 2014-05-03, Resolution to Propose an Amendment to the City Charter, Making the City Clerk an Appointed Position, as follows:

CITY OF CHARLEVOIX
RESOLUTION NO. 2014-05-03
RESOLUTION TO PROPOSE AN AMENDMENT TO THE CITY CHARTER,
MAKING THE CITY CLERK AN APPOINTED POSITION

WHEREAS, since approximately June 2013, the City has been considering whether to place before the electors of the City the question of amending the City Charter to make the currently vacant City Clerk's position an appointed position and has been gathering public input; and

WHEREAS, the City has determined that the electors of the City should determine whether the City Clerk should be appointed in the same manner as the City Treasurer, Police Chief, Fire Chief and other important city positions, and that this charter amendment question should be submitted to the electors in August of 2014.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The electors of the City be asked whether the City Charter should be amended to make the City Clerk an appointed position using the method of appointment and the method of determining compensation as is currently used with the City Treasurer and other appointed City officials;
2. The sections of the Charter to be amended are 2.11 (which currently allows the Compensation Commission to set the City Clerk's compensation as an elected official); 3.8 (which currently makes the Clerk an elected position); 4.4 (which currently provides for the nomination of the City Clerk as an elected official); and 4.7 (which makes the Clerk an elected position and states when the elected Clerk takes office).
3. The amendment is being proposed for the following reason(s): currently, the City Clerk is an elected position and there are no minimum job skills to assume this position; the City Clerk is an integral part of City government with numerous legal and administrative duties and is a component of a financial "checks and balances" system with the City Treasurer; the City Treasurer is appointed by the City Council as provided in the City Charter and it is in the best interests of the City to appoint the City Clerk in an identical manner; and if the proposed Charter amendment is approved by the electors, a vacancy in the office can be avoided by authorizing the City Council to select a City Clerk who would assume that position only when the Charter amendment becomes effective as provided in Michigan law.
4. This resolution supersedes any prior resolution regarding amending the Charter to make the City Clerk an appointed position.
5. The proposed amendment to be submitted to the City's electors at the election to be held on August 5, 2014 consists of changes to sections 2.11, 3.8, 4.4 and 4.7 of the Charter as set forth herein:

In Section 2.11, the reference to the City Clerk would be eliminated, so that Section 2.11 shall read as follows:

COUNCIL - COMPENSATION

Each Council Member, the Mayor and the Deputy Mayor shall receive as payment for services a sum as determined by the local Compensation Commission, which shall be established in accordance with Public Act 1972, No. 8 as amended.

Such compensation shall be payable bi-weekly or as otherwise determined by the local Compensation Commission, and except as otherwise provided in the Charter, shall constitute the only remuneration which may be paid for services performed by such officers for the discharging of official duties for or on behalf of the City during their term of office.

Section 3.8 shall read as follows:

CITY CLERK - APPOINTMENT – DUTIES

The City Clerk shall be appointed by a majority vote of the entire Council for an indefinite term. The City Clerk may be removed by a majority vote of the entire Council. The first appointed clerk shall be appointed by the Council after the Charter amendment providing for an appointed clerk is approved by the City's voters and filed with the County Clerk and the Secretary of State.

The City Clerk shall be Clerk of the Council and shall, with the Mayor, sign all ordinances. The City Clerk shall keep a permanent journal of all Council proceedings and ordinances. In addition, the City Clerk shall perform all other duties prescribed by law, this Charter, and the Council. The City Clerk may, with the approval of the City Council, appoint one Deputy Clerk.

In Section 4.4, the reference to the City Clerk would be eliminated, so that Section 4.4 shall read as follows:

NOMINATION OF MAYOR

Registered electors seeking the office of Mayor shall file nominating petitions bearing the bona fide signatures of no fewer than twenty-five (25) nor more than forty (40) registered voters residing in the City at large. Such petitions shall be filed with the City Clerk's office no later than 4:00 p.m. in the afternoon of the twelfth Tuesday prior to the primary election.

In Section 4.7, the references to the City Clerk and the beginning of the elected Clerk's term would be eliminated, so that Section 4.7 shall read as follows:

ELECTION OF MAYOR

The Mayor shall be elected at the annual election, for a two year term by balloting of the electors of the City at large. The Mayor shall take office at the first regular City Council meeting after the Mayor's election. Names of the nominees shall appear on the ballots and election materials of the primary and of the General Election without reference to ward residence.

6. The ballot language for this proposed amendment shall be as follows:

<p>PROPOSED AMENDMENT TO THE CHARLEVOIX CITY CHARTER TO CHANGE THE OFFICE OF CITY CLERK TO AN APPOINTED OFFICE</p> <p>The Charter currently states that the City Clerk is elected for a 2 year term. The proposed amendment would require the City Council to appoint the City Clerk in the same manner as other appointed officials, such as the City Treasurer, and to set the Clerk's compensation.</p> <p>Shall Sections 2.11, 3.8, 4.4 and 4.7 of the City Charter be amended to provide for the appointment of the City Clerk?</p> <p>YES: _____</p> <p>NO: _____</p> <p>A "Yes" vote will be a vote in favor of the proposed amendment.</p> <p>A "No" vote will be a vote against the proposed amendment.</p>

RESOLVED, this 5th day of May, 2014.

Resolution was adopted by the following yea and nay vote:
Yeas: Gibson, Perron, Porter, Brennan, Cole, Gennett
Nays: None
Absent: None

X. Ordinances

None.

XI. Miscellaneous Business

Petunia planting has been moved to Thursday, May 29 due to the cold weather.

Councilmember Porter suggested that the City should approach the Coast Guard regarding an ice breaking tug in Charlevoix.

Councilmember Brennan questioned City Manager Straebel about the possibility of introducing a bond to support City infrastructure. With the interest rates being low and the amount of emergency work performed this winter due to the bad weather, it may be a good time to pursue this idea. Mayor Carlson recommended that this be an agenda item at a future meeting.

Councilmember Gibson asked to present the City Manager and City Attorney resolution language for Council to take an advocacy position or an opposition position with regards to the proposed Fisherman's Island land swap. City Manager Straebel commented that we may not know all of the details of the land swap issue at this time. Councilmembers Perron and Porter expressed support to bring the resolution forward to Council. Councilmember Gennett voiced concerns regarding the future of the airport and the potential for harmful relationships. Councilmember Brennan questioned whether Council should be taking a stand on property outside the City limits. Councilmember Gibson's item will be added to the May 19 Council Meeting agenda for further discussion.

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

Larry Sullivan, County Commissioner, stated there is a committee being established to discuss pros and cons of the proposed Fisherman's Island land swap and the discussion will be moderated by a Cooperative Extension employee. He noted that there is a web address where persons interested in serving on the committee can respond. Commissioner Sullivan agreed with Councilmember Gibson that Council should take a position at some point, but it may be premature until we know what is actually being proposed. He will be recommending that the County Board take a position as well, but Commissioner Sullivan will advocate waiting to see what exactly is being proposed.

XIII. Adjourn

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

There were no objections.

Meeting adjourned at 9:23 p.m.

Joyce M. Golding

City Clerk

Norman L. Carlson, Jr.

Mayor

Accounts Payable – 04/24/2014

AT&T MOBILITY	72.22	VERIZON WIRELESS	56.74
CHARLEVOIX STATE BANK	2,682.10	VISION SERVICE PLAN	517.80
DELTA DENTAL	4,514.90		
PRIORITY HEALTH	45,673.88	TOTAL	54,859.43
STANDARD INSURANCE CO	1,341.79		

Accounts Payable – 05/06/2014

AIRGAS USA LLC	868.55	DOAN, GERARD	41.00
ALL-PHASE ELECTRIC SUPPLY CO.	563.51	DTE ENERGY	7,113.13
ASPLUNDH TREE EXPERT CO	3,577.20	EDM PUBLISHERS INC.	257.24
AT&T LONG DISTANCE	904.28	EJ USA INC.	7,206.42
AVFUEL CORPORATION	2,250.00	ELHORN ENGINEERING COMPANY	1,632.00
B & L SOUND INC	51.98	ELLIOTT, PATRICK M.	41.00
BECKER, BRADY	32.88	ELLSWORTH FARMER'S EXCHANGE	212.00
BELL EQUIPMENT COMPANY	216.67	EMERGENCY MEDICAL PRODUCTS INC	234.03
BRANAN, MICHAEL	7.04	ENMET CORP	178.85
BREATHING AIR SYSTEMS	62.14	ETNA SUPPLY	5,810.10
CHARLEVOIX AGENCY	100.00	EVANS, HAL	41.00
CHARLEVOIX LIONS CLUB, THE	45.00	FASTENAL COMPANY	88.62
CHARLEVOIX TOWNSHIP	15.45	FERGUSON & CHAMBERLAIN	1,911.00
CHASE, PAUL	53.27	FISHER SCIENTIFIC	438.32
CITY OF CHARLEVOIX - PETTY CASH	433.49	GOVERNMENT FINANCE	160.00
COAST TO COAST COMPUTER	63.98	GRAINGER	209.15
CUMMINS BRIDGEWAY LLC	232.23	GREAT LAKES PIPE & SUPPLY	814.72
DCASSESSING SERVICES	4,291.92	GUTTER PROS	330.00
DeROSIA, PATTY	41.00	HACH COMPANY	874.47

HAND, HEATHER	41.00	ROTARY CLUB OF CHARLEVOIX	37.50
HANKINS, SCOTT	41.00	SCHMUCKAL OIL CO	1,345.75
HARBOR FENCE COMPANY	280.00	SEELEY'S PRINTING SERVICE	500.00
HARRELL'S	340.00	SHORELINE POWER SERVICES INC.	203.14
HEID, THOMAS J.	41.00	SIGMA-ALDRICH RTC	378.34
HYDE SERVICES LLC	391.19	SIKORSKI, KATHY	1.40
IVAN, PAUL	41.00	SNABES PLLC, MAURA A	475.00
J & B MEDICAL SUPPLY INC.	171.32	SPARTAN DISTRIBUTORS INC	137.77
J. THOMAS DISTRIBUTORS LLC	82.30	SPEEDWRENCH INC.	528.95
JACK DOHENY SUPPLIES INC	76.51	SPENCER, MICHAEL	41.00
JONES & JONES GARAGE DOOR SVCS.	630.17	STATE OF MICHIGAN	70.00
JP MOTORS AND DRIVES	201.16	STRAEBEL, ROBERT J.	41.00
KMart	98.68	SWEM, DONALD L.	41.00
KSS ENTERPRISES	320.53	SYSCO GRAND RAPIDS	147.00
LAKESHORE TIRE & AUTO SERVICE	290.00	TEUNIS, STEVEN	41.00
MICHIGAN ELECTION RESOURCES	13.61	TRI-TURF	39.66
MICHIGAN STATE INDUSTRIES	126.50	UNITED STATES PLASTIC CORP.	230.53
MID STATES BOLT & SCREW CO	505.04	UP NORTH PROPERTY SERVICES LLC	858.00
MSU EXTENSION	47.00	USA BLUE BOOK	185.43
NATIONWIDE INSURANCE	397.80	VILLAGE GRAPHICS INC.	59.75
NCL OF WISCONSIN INC.	156.04	WADE TRIM OPERATIONS SERVICES	304.13
NETSOURCE ONE INC.	48.00	WATCH INC.	160.00
NORTHERN CREDIT BUREAU	429.27	WELLER, LINDA	41.00
NORTHERN SAFETY CO INC	305.79	WHITLEY, ANDREW	14.00
PARASTAR INC.	1,181.51	WILKIN, AMANDA	41.00
PEARSON, BETHANY	134.52	WINDER POLICE EQUIPMENT	378.87
PERFORMANCE ENGINEERS INC	5,425.00	WOODY, SCOTT	41.00
PIONEER RESEARCH CORPORATION	179.90	WORK & PLAY SHOP	777.70
POWER LINE SUPPLY	1,954.32	ZIELINSKI, JOSEPH A.	41.00
REHMANN-ROBSON & CO	9,400.00	TOTAL	71,914.72

Tax Disbursement – 05/06/2014

CHARLEVOIX COUNTY TREASURER	2,548.43	CHARLEVOIX PUBLIC SCHOOLS	146.18
CHARLEVOIX DISTRICT LIBRARY	290.81	CITY OF CHARLEVOIX - TAXES DUE	2,257.53
CHARLEVOIX PUBLIC SCHOOLS	1,061.80	RECREATIONAL AUTHORITY	51.75
CHARLEVOIX PUBLIC SCHOOLS	297.21		
CHARLEVOIX PUBLIC SCHOOLS	13.95	TOTAL	6,667.66

ACH Payments –04/21/2014 – 04/28/2014

MI PUBLIC POWER AGENCY	20,777.41	VANTAGEPOINT (457 ICMA PLAN)	12,662.88
MI PUBLIC POWER AGENCY	257,129.41	MERS (DEFINED BENEFIT PLAN)	28,342.21
IRS (PAYROLL TAX DEPOSIT)	33,730.33	MI PUBLIC POWER AGENCY	34,853.72
ALERUS FINANCIAL (HCSP)	280.00	MICHIGAN PUBLIC POWER AGENCY	257,129.42
STATE OF MI (WITHHOLDING TAX)	4,741.95		
VANTAGEPOINT (401 ICMA PLAN)	728.06	TOTAL	120,734.63

PAYROLL: NET PAY

Pay Period Ending 04/19/2014 – Paid 04/25/2014

CARLSON JR., NORMAN	784.97	TRAEGER, JASON A.	1,283.35
GENNETT, LYLE E.	132.14	WARNER, JANINE M.	939.21
WELLER, LINDA JO	1,339.67	IVAN, PAUL M.	1,664.74
STRAEBEL, ROBERT J.	2,186.47	SCHWARTZFISHER, JOSEPH L.	1,321.73
GOLDING, JOYCE M.	1,020.25	ROLOFF, ROBERT P.	2,067.82
LOY, EVELYN R.	997.10	BRODIN, WILLIAM C.	1,609.81
KLOOSTER, ALIDA K.	1,388.54	RILEY, DENISE M.	341.12
BROWN, STEPHANIE C.	1,045.90	TEUNIS, STEVEN L.	1,772.79
SPENCER, MICHAEL D.	1,589.69	WURST, RANDALL W.	1,585.25
SPENCLEY, PATRICIA L.	1,077.77	MAYER, SHELLEY L.	1,565.25
NASH, JENNIFER B.	852.40	HILLING, NICHOLAS A.	1,172.93
PANOFF, ZACHARY R.	743.98	MEIER III, CHARLES A.	1,274.00
PEARSON, BETHANY S.	1,224.97	ZACHARIAS, STEVEN B.	1,543.01
ZIELINSKI, JOSEPH A.	1,706.40	NISWANDER, JOSEPH F.	1,255.82
DOAN, GERARD P.	1,356.15	FRYE, EDWARD J.	371.28
SHRIFT, PETER R.	1,241.27	JONES, TERRI L.	941.05
SCHLAPPI, JAMES L.	1,045.70	SWEM, DONALD L.	1,628.63
UMULIS, MATTHEW T.	1,400.70	EATON, BRAD A.	2,173.90
HANKINS, SCOTT A.	1,459.53	WILSON, TIMOTHY J.	2,308.88
ORBAN, BARBARA K.	1,404.15	LAVOIE, RICHARD L.	1,263.41

STEVENS, BRANDON C.	1,501.07	WYMAN, MATTHEW A.	752.44
WHITLEY, ANDREW T.	1,718.14	DRAVES, MICHAEL J.	305.43
ELLIOTT, PATRICK M.	1,695.94	STEVENS, JEFFREY W.	223.21
MORRISON, KEVIN P.	929.77	FUNKEY, KRAIG R.	159.30
HODGE, MICHAEL J.	1,065.51	ROLOFF, AUDREY M.	652.73
WELLS JR., DONALD E.	2,589.33	MATTER, DAWSON K.	533.06
BRADLEY, KELLY R.	2,329.73	MARSH JR., JAMES D.	31.40
WILSON, RICHARD J.	1,058.60	RILEY, TIMOTHY C.	193.78
HART II, DELBERT W.	863.27	RAMSEY, KYLE J.	66.07
JOHNSON, STEVEN P.	1,569.99	RILEY, CASEY W.	13.85
DORAN, JUSTIN J.	1,170.34	THORMAN, MIKAYLA R.	78.67
MANKER SR, DAVID W.	295.00	JONES, LARRY M.	648.12
BECKER, MICHAEL S.	195.58	OCHS, THOMAS F.	27.70
COLE, STEVEN D.	230.33	TRAVERS, MANUEL J.	190.30
MCGHEE, ROBERT R.	508.84	SCOTT JR., WINFIELD	39.65
WILKIN, AMANDA J.	826.34	SILVA, JESSE L.	47.57
AMSTUTZ, LINDA J.	88.66	KITELEY, FISHER L.	46.25
RAMSEY, MADISON L.	530.43	COLLINS, CHAD M.	262.75
HEID, THOMAS J	1,248.98	RILEY, DANIEL A.	780.30
STEIN, DONNA E.	133.29	BERGMANN, DOUGLAS M.	52.86
GILL, DAVID R.	905.29	SCHOOFF, WILLIAM R.	463.60
WOODY, SCOTT R.	1,523.84	LEESE, MERRI C.	156.30
VANLOO, JOSEPH G.	435.00	DRAVES, MARTIN J.	2,094.11
HAND, HEATHER K.	841.78	JONES, ROBERT F.	1,281.24
TABER, HOLLY S.	609.94		
CROFT, JAMES E.	189.78	TOTAL	86,237.19

PAYROLL: TRANSMITTAL
04/25/2014

AMERICAN FAMILY LIFE	182.40	COMMUNICATION WORKERS OF AMER	536.12
AMERICAN FAMILY LIFE	269.17	MI STATE DISBURSEMENT UNIT	596.19
BAY WINDS FEDERAL CREDIT UNION	110.00	NORTHWESTERN BANK	150.00
CHAR EM UNITED WAY	84.54	PRIORITY HEALTH	1,052.77
CHARLEVOIX STATE BANK	1,041.16	TENHOUTEN RINGSTROM, PLLC	25.51
CHARLEVOIX STATE BANK	393.41	TOTAL	4,441.27