

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, April 20, 2015 – 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 Deputy Mayor Jeffrey Porter.

I. Pledge of Allegiance

II. Roll Call of Members Present

Mayor: Absent
Deputy Mayor: Jeff Porter
Interim City Manager: Mike Spencer
City Clerk: Joyce Golding
Members Present: Councilmembers Shane Cole, Shirley Gibson, Luther Kurtz, Leon Perron
Absent: Councilmember Bill Supernaw

III. Inquiry Regarding Possible Conflicts of Interest

None.

IV. Consent Agenda

The following items were approved and filed:

- A. Approval of Minutes – April 6, 2015 Special Meeting Minutes
- B. Approval of Minutes – April 6, 2015 Regular Meeting Minutes
- C. Regular Accounts Payable Check Register – April 21, 2015
- D. ACH Payments – April 6, 2015 – April 13, 2015
- E. Payroll Check Register – April 10, 2015
- F. Payroll Transmittal – April 10, 2015

V. Public Hearings

None.

VI. Reports

Interim City Manager Spencer suggested scheduling the joint budget meeting with the DDA and Council in May or June. He stated that the DDA will be very busy with the Main Street program in the near future. In addition, both the City Treasurer and CED Director need additional time to review the DDA budget to best be prepared for discussion topics.

The Street Department property appraisal was scheduled with Northern Michigan Real Estate Consultants with a completion date in one month. The appraisal fee was negotiated down to \$3,000.

The Charlevoix Golf Course opened on April 17. The new course reservation system and website should be functional in May. Little League is erecting a storage building and new scoreboard at the ball field.

Interim City Manager Spencer expressed his thanks to Todd Wyatt for facilitating a congratulatory Main Street letter from the Governor along with the signature pen.

An anonymous donor from the Charlevoix Community Foundation wishes to assist the Bike Share Program by funding the repainting of City bike racks to increase their visibility.

Councilmember Supernaw arrived at 7:06 p.m.

VII. Requests, Petitions and Communications and Actions Thereon

A. Consideration to Donate Garden Plots

Since the 1960's, the City of Charlevoix has maintained a cost-neutral community garden for citizens. The fee for each 24' x 24' plot is \$25. Janice McKay requested that the City donate 10 plots so she can plant corn for Charlevoix's food pantries. The space is currently available and local pantries have indicated that they will accept produce from Ms. McKay. She will seek volunteers and donations to sustain her efforts.

Deputy Mayor Porter opened the item to public comment. There was no comment, and the item was closed.

Motion by Councilmember Perron, second by Councilmember Gibson, to waive the fee for ten garden plots for Janice McKay.

Yeas: Gibson, Cole, Supernaw, Porter, Kurtz, Perron
Nays: None
Absent: None

B. Consideration to Approve a Resolution Waiving Parking Fees at Ferry Beach Boat Launch for Lake Charlevoix Area Trout Tournament

Kent Seymour, President of the Lake Charlevoix Area Trout Tournament, is hosting a fishing tournament from June 12 to June 14, 2015. He asked Council to waive the parking fees for a practice fishing day on June 11th and for the tournament on June 12-14, 2015. Section 10.84 of Chapter 148 of the City Code permits the City Council to waive the fees.

Deputy Mayor Porter opened the item to public comment.

Jan McKay asked the cost for the launch fee. Interim City Manager Spencer indicated that it was approximately \$5.

The item was closed to the public.

Action by Resolution.

C. Consideration to Approve a Resolution Waiving Parking Fees at Ferry Beach Boat Launch for the Shimano/G. Loomis Charlevoix Shootout Bass Tournament

Randy VanDam of D & R Sports Center wishes to host the Shimano/G. Loomis Charlevoix Shootout Bass Tournament in Charlevoix on June 6, 2015 and is asking Council to waive the parking fees for the tournament. Section 10.84 of Chapter 148 of the City Code permits the City Council to waive the fees.

Deputy Mayor Porter opened the item to public comment. There was no comment, and the item was closed.

Action by Resolution.

D. Consideration to Accept and Approve an Interdepartmental Loan Agreement to Finance Water Main Replacement

Due to the severity of the water main breaks during the winter of 2015, the recommendation to permanently correct the current infrastructure issues was discussed. In order to fund the infrastructure project and to keep a \$75,000 Charter Reserve, Staff is requesting that Council approve an Interdepartmental Loan Agreement between the Department of Public Works/Fund and the Water Department/Fund not to exceed \$400,000 for a nominal interest charge. If a grant from the State Disaster Contingency Fund becomes available for 2015, any funds received will be applied to the Interdepartmental Loan as repayment.

Deputy Mayor Porter opened the item to public comment. There was no comment, and the item was closed.

Motion by Councilmember Gibson, second by Councilmember Cole, to accept and approve the Interdepartmental Loan Agreement as presented, and authorize the Mayor and City Clerk to sign on behalf of the City and the City Manager to sign on behalf of the DPW fund.

Yeas: Gibson, Cole, Supernaw, Porter, Kurtz, Perron

Nays: None

Absent: None

E. Consideration to Approve the Water Main Upgrade on the 200 Block of Nettleton

On the 200 block of Nettleton, the City has approximately 200' of water main that is broken due to the extreme weather conditions. This main is 4" cast iron pipe, buried to 4' and is estimated to be 90 years old. DPW Superintendent Elliott is recommending that the water main be upgraded to 8" ductile iron pipe buried 6-7' deep, new services added and one new hydrant. MDC Contracting and Team Elmer's submitted competitive bids with MDC having the low bid of \$79,260. The project will be scheduled in June.

Deputy Mayor Porter opened the item to public comment. There was no comment, and the item was closed.

Motion by Councilmember Kurtz, second by Councilmember Supernaw, to enter into an agreement with MDC Contracting, to replace the water main [on the 200 block of Nettleton] for \$79,260.

Yeas: Gibson, Cole, Supernaw, Porter, Kurtz, Perron

Nays: None

Absent: None

F. Consideration of a Letter to State Representatives Seeking Funds for Water Main Repairs

Interim City Manager Spencer presented a draft letter addressed to our elected officials in Lansing requesting financial assistance for water main breaks during the winter of 2015. Council reviewed the letter and concurred that it should be forwarded to Lansing. Interim City Manager Spencer will also forward the letter to surrounding communities affected by the weather with the suggestion for them to contact their legislators as well.

G. Consideration to Approve a Tree Planting Bid

In the approved 2015/16 City Budget, Staff allocated \$28,200 to plant trees throughout the City. An additional \$7,500 is being donated by the Charlevoix County Community Foundation, for a total of \$35,700. Staff advertised for tree planting and bids were opened on April 6th from Landscape Logic and Louis A. Hoffman. Hoffman was the low bidder. DPW Superintendent Elliott recommended contracting with Louis A. Hoffman who has provided similar services and quality trees in the past.

Councilmember Perron questioned the weekly watering price in the bid tabulation. DPW Superintendent Elliott stated that he requested a separate quote for watering to confirm that it would be more cost effective to hire seasonal employees to do the watering.

Deputy Mayor Porter opened the item to public comment. There was no comment, and the item was closed.

Motion by Councilmember Gibson, second by Councilmember Perron, to accept the tree planting quote from Louis A. Hoffman and enter into an agreement to plant 105 trees for a total cost of \$35,772.

Yeas: Gibson, Cole, Supernaw, Porter, Kurtz, Perron
Nays: None
Absent: None

H. Volunteer EMS/Fire Staffing

The Charlevoix City Emergency Medical Service Department (EMS) is experiencing a shortage of trained personnel to equip the department. The shortage is mainly due to our neighboring EMS providers paying their personnel more than we offer. Therefore, some of the City's volunteers have sought employment in other communities. The department is in need of additional paid on-call volunteers in order to provide immediate and professional services to the communities which we service.

Chief Doan recommended the creation of a committee to review options and determine a possible solution. He suggested the following members for the committee: Chief Doan, Interim City Manager Spencer, Treasurer McGinn, retired City firefighter Lyle Gennett, Petoskey Director of Public Safety John Calabrese, a member of the Charlevoix County Medical Control Authority, as well as three Councilmembers. Councilmembers Porter, Gibson, and Supernaw volunteered to sit on the committee. Chief Doan suggested May 6 or May 7 as the first meeting date.

I. Arbor Day and Tree City USA Award

Charlevoix has been designated as a "Tree City USA" 23 times since 1987. This award is a feather in the City's cap that can help sustain or improve our forestry program in these tight economic times. Staff asked City residents to support and observe the week of April 19th as Arbor Week.

Deputy Mayor Porter opened the item to public comment. There was no comment, and the item was closed.

Motion by Councilmember Kurtz, second by Councilmember Cole, to authorize the Deputy Mayor to sign the attached proclamation proclaiming April 24th as National Arbor Day in the City of Charlevoix.

Yeas: Gibson, Cole, Supernaw, Porter, Kurtz, Perron
Nays: None
Absent: None

J. General Discussion on the Proposed Mural

The mural proposed for the side of the Rexall building is fully funded by grants and was approved by the Downtown Development Authority in 2014. City Council reviewed the design on October 6, 2014. The artist commissioned for the project has been paid \$5,000 and the mural is being painted.

Deputy Mayor Porter stated he and his wife have been twenty year members of "Scenic Michigan", an organization to eliminate billboards. He feels that the words "Welcome to Charlevoix the Beautiful" on the mural turn the mural into a billboard and it violates the City's sign ordinance. Deputy Mayor Porter believes that the ordinance should be changed and the City has plenty of signs downtown.

Interim City Manager stated that the mural is a piece of art that promotes Charlevoix and not a billboard. He cited the zoning ordinance which creates an exemption for the mural.

CEDD Doyle expressed her concern with regards to undermining of the decision making process that brought the mural project to this point in time.

Deputy Mayor Porter opened the item to public comment.

Ginny Saul, 1st Ward, agreed with Councilmember Porter.

Maureen LaBlance stated that she liked the mural without the lettering.

The item was closed to the public.

Councilmember Kurtz questioned whether the donor should be contacted for his opinion. Deputy Mayor Porter replied that he thought the donor would not care what the mural looks like. Interim City Manager Spencer felt that the committee members and the DDA should be contacted.

The general consensus from Council was to forgo the verbiage on the sign if it was not too late to do so. Deputy Mayor Porter directed Interim City Manager Spencer to contact the artist in a timely manner to determine the status of the piece.

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

- A. Introduction of Amendment to Title III – Parks and Public Grounds Chapter 31 Parks – General Regulations, Section 3.3 Fireworks
Chief Doan stated that the amended Fireworks Ordinance will be more detailed and will include the prohibition of Chinese Lanterns (Sky Lanterns/Kongming Lanterns). The amended Ordinance lists ten holidays when fireworks are permitted the day before the holiday, the day of the holiday, and the day after.

Councilmember Gibson doesn't agree with the State with regards to the number of days for fireworks and expressed her concern for the endangerment of the health, peace, and safety of citizens. Chief Doan stated that the State sets the guidelines for the number of allowable days and any violators of the ordinance would be addressed on a case-by-case basis.

Chief Doan suggested that the City Attorney attend the public hearing.

Motion by Councilmember Supernaw, second by Councilmember Cole, to set a public hearing for May 4, 2015 to consider the adoption of an amendment to Title III – Parks and Public Grounds Chapter 31 Parks – General Regulations, Section 3.3 - Fireworks.

Yeas: Gibson, Cole, Supernaw, Porter, Kurtz, Perron
Nays: None
Absent: None

IX. Resolutions

- A. Consideration to Approve a Resolution Waiving Parking Fees at Ferry Beach Boat Launch for the Lake Charlevoix Area Trout Tournament
Motion by Councilmember Cole, seconded by Councilmember Gibson, to approve Resolution 2015-04-02, Waive Parking Fees for Trout Tournament, as follows:

**CITY OF CHARLEVOIX
RESOLUTION NO. 2015-04-02
WAIVE PARKING FEES FOR TROUT TOURNAMENT**

WHEREAS, the Lake Charlevoix Area Trout Tournament will be held on June 12, 13 and 14, 2015; and
WHEREAS, the Lake Charlevoix Area Trout Tournament is requesting that parking fees be waived for the tournament; and
WHEREAS, the Charlevoix Area Trout Tournament is requesting parking fees to be waived for a practice fishing day on June 11, 2015; and
WHEREAS, the City Code permits City Council to waive parking fees for special or public events.

NOW THEREFORE BE IT RESOLVED, that the City of Charlevoix hereby waives parking fees for the Lake Charlevoix Area Trout Tournament from June 11 to June 14, 2015.

RESOLVED this 20th day of April, 2015, A.D.

Resolution was adopted by the following yea and nay vote:

Yeas: Gibson, Cole, Supernaw, Porter, Kurtz, Perron
Nays: None
Absent: None

- B. Consideration to Approve a Resolution Waiving Parking Fees at Ferry Beach Boat Launch for the Shimano/G. Loomis Charlevoix Shootout Bass Tournament
 Motion by Councilmember Kurtz, seconded by Councilmember Perron, to approve Resolution 2015-04-03, Waive Parking Fees for Bass Tournament, as follows:

**CITY OF CHARLEVOIX
 RESOLUTION 2015-04-03
 WAIVE PARKING FEES FOR BASS TOURNAMENT**

WHEREAS, Randy VanDam of D & R Sports Center plans to host a bass tournament named "The Shimano/G. Loomis Charlevoix Shootout" on June 6, 2015; and

WHEREAS, tournament organizers are requesting that parking fees be waived the day of the tournament; and

WHEREAS, the City Code permits City Council to waive parking fees for special or public events.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Charlevoix hereby waives parking fees for the "The Shimano/G. Loomis Charlevoix Shootout" on June 6, 2015.

RESOLVED this 20th day of April, 2015, A.D.

Resolution was adopted by the following yea and nay vote:

Yeas: Gibson, Cole, Supernaw, Porter, Kurtz, Perron
 Nays: None
 Absent: None

X. Ordinances
 None.

XI. Miscellaneous Business

Councilmember Supernaw questioned CED Director Doyle regarding her memo dated April 13, 2015 regarding the Main Street Select Level. She clarified and reviewed the upcoming meetings and trainings that are required in the near future.

Councilmember Supernaw questioned whether the sign ordinance went into effect. Interim City Manager Spencer stated that the ordinance is now in effect and there is one individual who believes that he is grandfathered in with regards to the sandwich board regulations. The ordinance has generally been well received however, warnings have been issued.

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

XIII. Adjourn

Motion by Councilmember Kurtz, second by Councilmember Cole to adjourn. Motion passed by unanimous voice vote. Meeting adjourned at 8:25 p.m.

Joyce Golding City Clerk Jeffrey Porter Deputy Mayor

Accounts Payable – 04/21/2015			
ACE HARDWARE	8,935.84	BRADFORD'S	48.25
ALL-PHASE ELECTRIC SUPPLY CO.	39.73	CHARLEVOIX SCREEN MASTERS INC	333.50
AMERICAN WASTE INC.	2,106.00	CHARTER COMMUNICATIONS	1,022.42
AMERICAN WATER WORKS ASSN	178.00	CHEMICAL SYSTEMS INC.	1,872.00
AMERICAN WATER WORKS ASSOC	400.00	CINTAS CORPORATION #729	60.00
APX INC.	101.89	CITY OF CHARLEVOIX - PETTY CASH	360.00
ARROW UNIFORM-TAYLOR L.L.C.	1,163.42	CITY OF CHARLEVOIX - UTILITIES	34,997.11
AUTO VALUE	312.83	DAVE KRING CHEVROLET	23.90
AVFUEL CORPORATION	235.90	DELL MARKETING L P	1,272.01
B & L SOUND INC	122.94	DORAN, JUSTIN J.	60.00
BAKER COLLEGE OF CADILLAC	45.00	EJ USA INC.	2,678.93

ETNA SUPPLY	2,097.11	NORTHERN SAFETY CO INC	211.98
FAMILY FARM & HOME	502.46	OLESON'S FOOD STORES	87.83
FASTENAL COMPANY	124.79	OMS COMPLIANCE SERVICES INC	236.25
FERGUSON & CHAMBERLAIN	1,089.00	PERFORMANCE ENGINEERS INC	6,636.75
FOX CHARLEVOIX	47.36	POLLARD WATER	284.76
FREIGHTLINER OF GRAND RAPIDS	376.84	POWER LINE SUPPLY	1,551.44
GALLS AN ARAMARK COMPANY	78.90	PRESTON FEATHER	486.00
GBS INC.	35.00	PURITY CYLINDER GASES INC	311.29
GORDON FOOD SERVICE	149.97	RS&H MICHIGAN INC	7,550.00
GOVERNMENT FINANCE	160.00	S&W HEALTHCARE CORPORATION	131.44
GRAINGER	100.20	SPARTAN STORES LLC	53.91
HYDRO CORP	515.00	STANDARD ELECTRIC CO	24,150.00
INDEPENDENT DRAFTING SERVICES	2,112.00	STATE OF MICHIGAN	70.00
JACK DOHENY SUPPLIES INC	656.52	STATE OF MICHIGAN	86,300.00
KING, THOMAS	37.24	SUPERIOR MECHANICAL	80.00
KIWANIS CLUB OF CHARLEVOIX	39.00	TERMINAL SUPPLY CO	226.80
KNOX COMPANY	41.00	TRAVERSE REPRODUCTION	476.83
LOUKA TACTICAL TRAINING	400.00	TRUCK & TRAILER SPECIALTIES	169.90
MCMICHAEL, AMANDA	11.72	UP NORTH PROPERTY SERVICES LLC	351.00
MEIER III, CHARLES A.	88.09	UTILITIES INSTRUMENTATION SERVICE	6,972.00
MI-AWWA	250.00	VILLAGE GRAPHICS INC.	91.80
MICHIGAN OFFICEWAYS INC	895.81	VOSS LIGHTING	127.66
MICHIGAN SURVEYORS SUPPLY	7,640.00	WATCH INC.	100.00
NCL OF WISCONSIN INC.	117.05	WILMOT ELECTRIC INC	7.97
NETSOURCE ONE INC.	24.00	WORK & PLAY SHOP	930.09
NORTHERN CREDIT BUREAU	599.73		
NORTHERN MICHIGAN REVIEW INC.	1,271.17	TOTAL	213,425.33

ACH Payments – 04/06/2015 – 04/13/2015

MI PUBLIC POWER AGENCY	24,628.60	VANTAGEPOINT (401 ICMA PLAN)	14,467.92
PAYMENT SERVICE NETWORK	217.70	STATE OF MI (SALES TAX)	22,487.11
IRS (PAYROLL TAX DEPOSIT)	34,999.78	MI PUBLIC POWER AGENCY	18,533.20
ALERUS FINANCIAL (HCSP)	370.00		
STATE OF MI (WITHHOLDING TAX)	4,821.22	TOTAL	120,525.53

PAYROLL: NET PAY

Pay Period Ending 04/04/2015 – Paid 04/10/2015

CAMPBELL, GABRIEL M.	1,025.08	WURST, RANDALL W.	1,312.04
GIBSON, SHIRLEY J.	854.23	MAYER, SHELLEY L.	1,557.58
PORTER, JEFFREY L.	588.06	HILLING, NICHOLAS A.	1,407.85
PERRON, LEON R.	714.26	MEIER III, CHARLES A.	1,957.75
KURTZ, LUTHER J.	535.63	ZACHARIAS, STEVEN B.	1,825.85
SUPERNAW, WILLIAM J.	1,126.12	NISWANDER, JOSEPH F.	1,283.76
WELLER, LINDA JO	1,610.94	FRYE, EDWARD J.	2,701.38
GOLDING, JOYCE M.	1,051.56	JONES, TERRI L.	961.45
DEROSIA, PATRICIA E.	873.80	EATON, BRAD A.	2,352.71
DOYLE, ANNE E.	1,376.26	WILSON, TIMOTHY J.	2,115.55
LOY, EVELYN R.	1,017.73	LAVOIE, RICHARD L.	1,708.04
KLOOSTER, ALIDA K.	1,665.50	STEVENS, BRANDON C.	2,496.24
SPENCER, MICHAEL D.	2,229.95	DRAVES, MARTIN J.	2,217.16
SPENCLEY, PATRICIA L.	1,324.76	BROWN, STEPHANIE C.	1,023.65
PANOFF, ZACHARY R.	622.82	ELLIOTT, PATRICK M.	1,749.47
LEESE, MERRI C.	507.98	WELLS JR., DONALD E.	2,444.00
MCGINN, KELLY A.	1,573.70	BRADLEY, KELLY R.	2,706.19
DOAN, GERARD P.	1,649.92	WILSON, RICHARD J.	1,572.06
SHRIFT, PETER R.	1,257.87	HART II, DELBERT W.	379.65
SCHLAPPI, JAMES L.	1,129.45	JONES, ROBERT F.	1,705.78
UMULIS, MATTHEW T.	1,352.70	DORAN, JUSTIN J.	1,213.39
HANKINS, SCOTT A.	1,479.84	MCGHEE, ROBERT R.	306.78
ORBAN, BARBARA K.	1,256.66	KIRINOVIC, THOMAS F.	600.53
TRAEGER, JASON A.	1,303.96	FORRESTER, KATHERINE A.	470.92
WARNER, JANINE M.	1,072.51	BERTINELLI, DAVID P.	459.61
SCHWARTZFISHER, JOSEPH L.	1,208.72	HEID, THOMAS J	1,242.42
ROLOFF, ROBERT P.	2,129.96	DAVIS, RONALD L.	85.33
BRODIN, WILLIAM C.	1,315.69	MYER, ELIZABETH A.	1,840.46
RILEY, DENISE M.	386.08	VANLOO, JOSEPH G.	625.10
TEUNIS, STEVEN L.	1,667.97	WYMAN, MATTHEW A.	947.58

DRAVES, MICHAEL J.	395.07	MORRISON, KEVIN P.	946.74
SCHRADER, LOU ANN	479.32	HODGE, MICHAEL J.	1,294.50
SCHWAGER, EDWARD J.	704.33	JOHNSON, STEVEN P.	1,263.86
COLE, SHANE	651.07	BOSS JR, DALE E.	590.05
DOAN, GERARD P.	181.89	HOLM, ARTHUR R.	278.12
HANKINS, SCOTT A.	175.35	CURTIS, DENNIS E.	447.68
SWEM, DONALD L.	1,682.60	GILL, DAVID R.	474.23
WHITLEY, ANDREW T.	2,005.63	TOTAL	90,750.43

PAYROLL: TRANSMITTAL
04/10/2015

4FRONT CREDIT UNION	218.46	COMMUNICATION WORKERS OF AMER	542.30
AMERICAN FAMILY LIFE	216.00	MI STATE DISBURSEMENT UNIT	424.02
AMERICAN FAMILY LIFE	287.17	POLICE OFFICERS LABOR COUNCIL	392.00
CHAR EM UNITED WAY	32.00	PRIORITY HEALTH	1,784.24
CHARLEVOIX STATE BANK	1,021.16	TOTAL	5,067.35
CHEMICAL BANK	150.00		