

**CITY OF CHARLEVOIX**  
**SPECIAL CITY COUNCIL MEETING MINUTES**  
**Tuesday, August 15, 2017 – 2:00 p.m.**  
Council Chambers, 210 State Street, Charlevoix, MI

The meeting was called to order at 2:00 p.m. by Mayor Luther Kurtz.

**1. Pledge of Allegiance**

**2. Roll Call**

Mayor: Luther Kurtz  
Members Present: Councilmembers, Shirley Gibson, Aaron Hagen, Janet Kalbfell, Tom Oleksy, Leon Perron  
Members Absent: Councilmember Shane Cole  
City Manager: Mark Heydlauff  
City Clerk: Joyce Golding

**3. Inquiry Regarding Conflicts of Interest**

**4. All Other Actions & Requests**

**A. Resolution to Approve Revised City Park Ballot Language**

City Manager Heydlauff stated that the City Attorney has been working with the Attorney General (AG) on a proposed Charter Amendment regarding the sale and disposition of City parks. He explained that the language approved by Council in June was rejected by the AG's Office. The AG noted that a 2/3 majority is not authorized by Michigan statute since there is already a park protection that requires a majority vote to dispose of designated parkland. City Manager Heydlauff further explained that the ballot language was revised to provide the next best alternative – clarifying what is a "City park" and requiring a vote for that designation to be removed.

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

**CITY OF CHARLEVOIX**  
**RESOLUTION NO. 2017-08-01**  
**CITY PARK BALLOT LANGUAGE**

**WHEREAS,** *the City Council desires to propose an amendment to the City Charter, as provided and permitted by Public Act No. 279 of the Public Acts of 1909, State of Michigan, as amended; and*

**WHEREAS,** *the City Charter would be amended to add the following sentences to the end of Article II, Section 2.16(f): "City park" shall include any property designated as a City park on the City's Recreation Master Plan or otherwise formally designated as a City park by official action of Council as a "City park". Once property is designated as a City park, the designation of property as a City park shall not be removed or changed unless specifically approved by a majority of the electors voting thereon at any general or special election."*

**WHEREAS,** *state law requires that the ballot language be phrased as a question and be no more than 100 words in length; and*

**WHEREAS,** *the City Council is required to provide ballot language for the proposed amendment consistent with state law through adoption by resolution; and*

**WHEREAS,** *the City Attorney has crafted proposed ballot language that is consistent with the requirements of state law.*

**NOW THEREFORE BE IT RESOLVED,** *that the City of Charlevoix City Council hereby adopts the following ballot language for the potential amendment of the City Charter and directs the Clerk to take appropriate action to put the question on the ballot for the November 2017 general election:*

*Shall Article II, Section 2.16 (f) of the Charlevoix City Charter be amended to add the following two sentences to the end of the section: "'City park' shall include any property designated as a City park on the City's Recreation Master Plan or otherwise formally designated as a City park by official action of Council as a 'City park'. Once property is designated as a City park, the designation of property as a City park shall not be removed or changed unless specifically approved by a majority of the electors voting thereon at any general or special election"?*

**RESOLVED** *this 15th day of August 2017 A.D.*

*Resolution was adopted by the following yea and nay vote:*

Yeas: Kalbfell, Perron, Gibson, Oleksy, Hagen  
Nays: None  
Absent: Cole

Motion by Councilmember Hagen, second by Councilmember Gibson, to approve Resolution 2017-08-01.

Yeas: Kalbfell, Perron, Gibson, Oleksy, Hagen  
Nays: None  
Absent: Cole

**8. Reports & Communications**

A. Public Comments

B. City Manager Comments

City Manager Heydlauff updated Council on the Prospect Street construction project as well as the timeline for the remaining work to be done.

C. Mayor & Council Comments

**9. Other Council Business**

**10. Adjourn**

The Mayor adjourned the meeting at 2:06 p.m.

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Joyce M. Golding

City Clerk

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Luther Kurtz

Mayor