

**CITY OF CHARLEVOIX**  
**REGULAR CITY COUNCIL MEETING MINUTES**  
**Monday, August 21, 2017 – 7:00 p.m.**  
Council Chambers, 210 State Street, Charlevoix, MI

The meeting was called to order at 7:00 p.m. by Mayor Luther Kurtz.

**1. Pledge of Allegiance**

**2. Roll Call**

Mayor: Luther Kurtz  
Members Present: Councilmembers Shane Cole, Shirley Gibson, Aaron Hagen, Janet Kalbfell, Tom Oleksy, Leon Perron  
Members Absent: None  
City Manager: Mark Heydlauff  
City Clerk: Joyce Golding

**3. Presentations**

A. Jim Bartlett

Mt. McSauba Manager Boss recalled Charlevoix's relationship with Jim Bartlett, retired General Manager of Nubs Nob and acknowledged his contribution to the children of Charlevoix. Mayor Kurtz read a proclamation commending Mr. Bartlett for 25 years of support and presented him with a plaque.

**4. Inquiry Regarding Conflicts of Interest**

Mayor Kurtz stated that he would recuse himself from the Airport Advisory Committee appointment.

**5. Consent Agenda**

All items listed under Consent Agenda are considered routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion of an item is required, it will be removed from the Consent Agenda and considered separately.

- A. City Council Meeting Minutes – August 7, 2017 Regular Meeting
- B. City Council Meeting Minutes – August 15, 2017 Special Meeting
- C. Accounts Payable and Payroll Check Registers
  - a. Regular Accounts Payable Check Register – August 22, 2017
  - b. ACH Payments – August 7, 2017 to August 15, 2017
  - c. Payroll Check Register – August 11, 2017
  - d. Payroll Transmittal – August 11, 2017
  - e. Tax Disbursement – August 22, 2017
- D. PA 152 Annual Exemption for 2017-18 Medical Benefit Plan Coverage Year

**CITY OF CHARLEVOIX**  
**RESOLUTION 2017-08-02**

**RESOLUTION TO ADOPT THE ANNUAL EXEMPTION OPTION AS SET FORTH IN 2011 PUBLIC ACT 152,  
THE PUBLICLY FUNDED HEALTH INSURANCE CONTRIBUTION ACT**

**WHEREAS,** 2011 Public Act 152 (the "Act") was passed by the State Legislature and signed by the Governor on September 24, 2011;  
and

**WHEREAS,** the Act contains three options for complying with the requirements of the Act; and

**WHEREAS,** the three options are as follows:

- 1) Section 3 - "Hard Caps" Option - limits a public employer's total annual health care costs for employees based on coverage levels, as defined in the Act;
- 2) Section 4 - "80%/20%" Option - limits a public employer's share of total annual health care costs to not more than 80%. This option requires an annual majority vote of the governing body;
- 3) Section 8 - "Exemption" Option - a local unit of government, as defined in the Act, may exempt itself from the requirements of the Act by an annual 2/3 vote of the governing body; and

**WHEREAS,** the City Council has decided to adopt the annual Exemption option as its choice of compliance under the Act.

**NOW THEREFORE BE IT RESOLVED,** that the City Council of the City of Charlevoix elects to comply with the requirements of 2011 Public Act 152, the Publicly Funded Health Insurance Contribution Act, by adopting the annual Exemption option for the medical benefit plan coverage year October 1, 2017 through September 30, 2018.

**RESOLVED**, this 21st day of August, A.D. 2017.

Resolution was adopted by the following ye and nay vote:

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

Motion by Councilmember Kalbfell, second by Councilmember Hagen, to approve the Consent Agenda.

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

## 6. Public Hearings & Actions Requiring Public Hearings

### 7. All Other Actions & Requests

#### A. Pegasus Wind PPC

Electric Superintendent Swem recalled that on June 6, 2016, Council approved a Power Purchase Commitment (PPC) between the Michigan Public Power Agency and Huron Wind LLC, a proposed wind farm. Since that time, the Huron Wind Project was opposed by the local township where it was to be built and was dropped as a project. NextEra Energy offered a replacement deal with nearby Pegasus Wind Project in Tuscola County. This new PPC is nearly identical to the Huron PPC.

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

Motion by Councilmember Oleksy, second by Councilmember Hagen, to approve the authorization of the Michigan Public Power Agency to enter into a Power Purchase Commitment (PPC) with Pegasus Wind and to terminate the agreement for Huron Wind, LLC.

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

#### B. Sale of Property: 1522 Bridge Street

City Manager Heydlauff recalled that earlier this spring Council authorized Staff to solicit sealed bids for a parcel of City-owned property at 1522 Bridge Street. In June, Council rejected both bids but did not give clear direction on what future steps to take with this property. City Manager Heydlauff suggested that we return to the two interested bidders and set a minimum bid Council would accept for the property. When questioned, he stated that the appraised value was \$110,000 and he recommended \$80,000 as the minimum bid.

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

Motion by Councilmember Kalbfell, second by Councilmember Cole, to return the property back to the previous bidders with a minimum bid of \$80,000.

Yeas: Hagen, Oleksy, Kalbfell, Cole, Gibson  
Nays: Perron

#### C. Set Public Hearing – Historic District Commission Ordinance

City Manager Heydlauff stated that on behalf of the Historic District Commission, Commission Chair Polakowski requested that their Statement of Purpose be expanded to include the investigation and nomination of properties to list in the National Register of Historic Places. In order to approve this ordinance amendment, we need to schedule a public hearing for the September 5th meeting after which Council can take final action.

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

Motion by Councilmember Gibson, second by Councilmember Kalbfell, to set a Public Hearing regarding Ordinance No. 783 of 2017 for Tuesday, September 5, 2017 at 7:00 p.m. in Council Chambers.

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

#### D. Pillars for Brookside Cemetery Entrance

City Manager Heydlauff stated that a local person wishes to anonymously donate new stone pillars for the M-66 entrance to Brookside Cemetery matching the entrance off Marion Center Road. The Planning Commission reviewed this donation during their meeting on August 14 and recommended Council approval.

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

Motion by Councilmember Cole, second by Councilmember Gibson, to accept with thanks the donation of new pillars at Brookside Cemetery and authorize Sharrow Masonry and City Staff to make all necessary arrangements.

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

**E. Airport Advisory Committee Appointment**

Mayor Kurtz recused himself. Clerk Golding stated that current Airport Advisory Committee member Ken Tough requested re-appointment. After advertising per the Volunteer Board and Committee Appointment Policy, no other applications were received for this position. This is a Council appointment with a two year term.

Deputy Mayor Cole opened the item to public comment.

Del Terrell began to read a statement regarding the Airport that he felt might influence the re-appointment of Mr. Tough, but Deputy Mayor Cole stated that it did not pertain to the appointment and requested that Mr. Terrell hold his statement until Reports & Communications – Public Comments. Councilmember Gibson supported Deputy Mayor Cole’s position.

The item was closed to the public.

Motion by Councilmember Gibson, second by Councilmember Perron, to reappoint Ken Tough to the Airport Advisory Committee, term expiring August 2019.

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

**8. Reports & Communications**

**A. Public Comments**

Mayor Kurtz returned to the meeting.

Del Terrell read a detailed statement regarding an aircraft that allegedly violated the Airport’s Voluntary Quiet Policy and preferred runway.

John Haggard felt all Councilmembers should recuse themselves from the short-term ordinance vote citing that they all owned property in the City, therefore they may rent their homes in the future, and that constituted a conflict of interest.

**B. City Manager Comments**

City Manager Heydlauff reported on the following:

- New Wayfinding signage will be recommended to the DDA at their next meeting
- A Redevelopment Ready Community representative will attend the October 16<sup>th</sup> Council meeting to present their findings

**C. Mayor & Council Comments**

**9. Other Council Business**

**9. Closed Session: City Manager Performance Review**

Motion by Councilmember Hagen, second by Councilmember Cole, to enter Closed Session [for the purpose of conducting a performance evaluation at the request of the employee MCL 15.268 Section 8(a).]

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

Council moved into Closed Session at 7:36 p.m. Council resumed Open Session at 8:29 p.m.

Motion by Councilmember Kalbfell, second by Councilmember Oleksy, to award a 4% increase in his [City Manager Heydlauff] salary, change the contract language as suggested at the initial Council meeting [August 7, 2017], and extend the contract by one year [effective July 27, 2017.]

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

**10. Adjourn**

The Mayor adjourned the meeting at 8:31 p.m.

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Joyce M. Golding City Clerk Luther Kurtz Mayor

**Regular Accounts Payable – 08/22/2017**

ACE HARDWARE	3,335.40	ALL-PHASE ELECTRIC SUPPLY CO.	264.68
AIRGAS USA LLC	68.01	ALTEC INDUSTRIES INC	1,046.75
ALLEN SUPPLY	590.00	AMERICAN TOTAL SECURITY INC	873.47

AMERICAN WASTE INC.	3,606.36	MACGREGOR PLUMBING & HEATING	2,042.00
APEX SOFTWARE	235.00	MCCARDEL CULLIGAN-PETOSKEY	45.00
AT YOUR SERVICE PLUS INC	14,070.00	MDC CONTRACTING LLC	99,470.28
AT&T	2,780.26	MI-AWWA	160.00
AUTO VALUE	1,552.76	MICHIGAN APPRAISAL CO INC	600.00
AVFUEL CORPORATION	86,769.82	MICHIGAN MUSHROOM MARKET LLC	98.00
B & L SOUND INC	463.79	MICHIGAN OFFICEWAYS INC	1,251.54
BEIJO DE CHOCOLAT LLC	19.00	MILLER, BLAIR	75.00
BELL EQUIPMENT COMPANY	40.67	MUNSON HEALTHCARE CHARLEVOIX	132.27
BERG, REBECCA	479.00	MURRAY'S CREATIONS	451.00
BERGER CHEVEROLET	46,578.00	MUSTANG TOOL SERVICE	61.28
BIDDICK, KEN	27.50	NEALIS ENGINEERING	190.00
BOOP, JENNIFER	78.00	NORTH COUNTRY CRITTERS	23.00
BRADFORD'S	68.25	NORTHERN CREDIT BUREAU	627.55
BRANDI, RICHARD	180.00	NORTHERN MICHIGAN BRASS BAND	1,000.00
BUDAY'S SOUND ADVICE	1,670.91	NORTHERN MICHIGAN REVIEW INC.	1,212.02
BY THE BAY WINDOW CLEANING SVCS.	357.00	NORTHERN PUMP SERVICE INC.	2,622.28
CARQUEST OF CHARLEVOIX	1,260.38	NORTHERN SAFETY CO INC	158.81
CCP INDUSTRIES INC	160.02	OLESON'S FOOD STORES	767.43
CHAMPION AMERICA	266.16	OLSON BZDOK & HOWARD	1,557.20
CHARLEVOIX AREA CHAMBER OF COMM	135.00	PARASTAR INC.	1,064.48
CHARLEVOIX COUNTY NEWS	195.00	PARKER, MICHAEL	153.00
CHARLEVOIX COUNTY TREASURER	3,553.39	PERFORMANCE ENGINEERS INC	22,620.75
CHARLEVOIX GLASS INC.	92.65	PHILLIPS, BILL	50.00
CHARLEVOIX SCREEN MASTERS INC	143.00	PLUNKETT & COONEY	2,945.81
CHARLEVOIX SEWER & DRAIN	347.50	POND HILL FARM LLC	236.00
CHARLEVOIX STATE BANK	1,900.23	POWER LINE SUPPLY	7,893.50
CHARTER COMMUNICATIONS	1,008.42	PREIN & NEWHOF	240.00
CINTAS CORPORATION #729	121.78	PROTEC	314.13
CITY OF CHARLEVOIX - PETTY CASH	556.35	PROVIDENCE FARM LLC	581.00
CIVIC SYSTEMS	9,354.00	PURITY CYLINDER GASES INC	69.65
COOK FAMILY FARMS	323.00	QUILL CORP	208.98
DHASELEER, CARL	234.00	RANGE TELECOMMUNICATIONS	142.80
DISTRICT 21 SOFTBALL	50.00	REHMANN-ROBSON & CO	10,500.00
DORNBOS SIGN INC.	155.23	REVOLUTION BIKE LLC	56.00
ECONO SIGNS LLC	1,519.64	RIETH-RILEY CONST CO INC	109.78
EJ USA INC.	1,446.10	ROCKY TOP FARMS	42.00
ELHORN ENGINEERING COMPANY	1,371.50	ROWE PROFESSIONAL SERVICES CO	450.00
EMERGENCY MEDICAL PRODUCTS INC	677.91	RUSTIC BAKER	31.00
FAMILY FARM & HOME	281.37	SHARROW MASONRY INC	1,983.75
FARMER WHITE'S	235.00	SHINDORF BUILDERS	650.00
FASTENAL COMPANY	110.10	SNIVELY, KIRBY	75.00
FREEDOM MAILING SERVICES INC.	2,296.90	SPARTAN STORES LLC	186.45
GELDERBLOM, PAUL	50.00	STANDARD ELECTRIC CO	513.00
GERBER HOMEMADE SWEETS	94.00	STATE OF MICHIGAN	331.10
GINOP SALES INC	113.51	STATE OF MICHIGAN	70.00
GLOBAL EQUIPMENT COMPANY	131.80	STEVENSON, JOSHUA	41.89
GORDON FOOD SERVICE	151.12	SULLIVAN, LAWRENCE R	1,750.00
GREAT LAKES COCA-COLA DISTR	271.78	SURFACE ECO BLAST	3,375.00
GREAT LAKES ELEVATOR LLC	353.25	SYSTEMS SPECIALISTS INC	1,977.00
GREAT LAKES PIPE & SUPPLY	496.21	T.P.S. COLOR INC	120.00
GRIFFIN BEVERAGE CO	84.00	TELE-RAD INC	1,412.12
GUNTZVILLER, RHONDA	189.00	TRAVERSE REPRODUCTION	200.00
HACH COMPANY	871.39	UNIFIRST CORPORATION	2,040.52
HAGGARD'S INC	6,657.65	UP NORTH PROPERTY SERVICES LLC	5,655.00
HERZOG ELECTRIC	188.45	UPPER CASE PRINTING INK.	1,105.30
HOLIDAY COMPANIES	5,396.96	USA BLUE BOOK	1,596.04
HYDE SERVICES LLC	261.00	VILLAGE GRAPHICS INC.	723.50
HYDRO CORP	515.00	WAGNER, JODI	82.00
INDEPENDENT DRAFTING SERVICES	1,995.00	WATTA COOKIE LLC	26.00
INDESIGN	1,876.25	WEBB CHEMICAL SERVICE CORP	5,025.53
JANE'S SASSY SALSA	27.00	WEINGARDEN, MICHELE	50.00
KSS ENTERPRISES	2,833.15	WILBERT BURIAL VAULT CO	392.00
LAKESHORE TIRE & AUTO SERVICE	67.95	WITTHOEFT, CHARLES	150.00
LOTTIE'S BAGELS	145.00	WORK & PLAY SHOP	319.96
LUNDTEIGEN, GUNNAR	1,130.16	<b>TOTAL</b>	<b>406,953.59</b>

**ACH Payments – 08/07/2017 to 08/15/2017**

MI PUBLIC POWER AGENCY	12,256.38	IRS (PAYROLL TAX DEPOSIT)	40,688.62
PAYMENT SERVICE NETWORK	243.70	ALERUS FINANCIAL (HCSP)	420.00
STATE OF MI (SALES TAX)	26,489.83	STATE OF MI (WITHHOLDING TAX)	5,899.93

VANTAGEPOINT (401 ICMA PLAN)	713.94	MI PUBLIC POWER AGENCY	13,100.19
VANTAGEPOINT (457 ICMA PLAN)	12,912.78	DTE ENERGY	1,847.51
VANTAGEPOINT (ROTH IRA)	961.53	<b>TOTAL</b>	<b>115,534.41</b>

**Payroll Net Pay – Pay Period Ending 08/05/2017 (Paid 08/11/2017)**

WELLER, LINDA JO	1,499.87	HAWKINS, JAMES S.	208.77
HEYDLAUFF, MARK L.	2,445.18	MCGHEE, ROBERT R.	1,173.12
GOLDING, JOYCE M.	1,132.69	ALDEN, CAMDEN D.	469.80
DEROSIA, PATRICIA E.	967.97	MUMICH, BARRY J.	499.04
DOTSON, LINDSEY J.	1,421.14	CRANDELL, ZACKARY R.	546.26
LOY, EVELYN R.	1,050.16	LEITNER, RYAN S.	711.43
KLOOSTER, ALIDA K.	1,763.44	FERGUSON, ROYCE L.	815.79
GOLOVICH, KAREN J.	970.68	BOSS, SHERRY M.	330.86
SPENCLEY, PATRICIA L.	1,003.67	KIRINOVIC, THOMAS F.	234.59
MILLER, FAITH G.	42.13	STEBE, LAURA A.	18.47
LEESE, MERRI C.	477.13	SROUFE, MARC E.	260.26
MCGINN, KELLY A.	1,617.99	SROUFE, PAMELA B.	33.25
JONES, JANET M.	496.47	MILAN, JANE E.	1,092.80
DOAN, GERARD P.	1,603.59	ANZELL, BETH A.	683.11
SCHLAPPI, JAMES L.	1,111.10	BERNIER, RACHEL M.	655.04
UMULIS, MATTHEW T.	1,255.27	MACGILLIVRAY, RAYMOND L.	771.34
HANKINS, SCOTT A.	1,486.25	DIXON, MIKAYA S.	586.02
ORBAN, BARBARA K.	1,363.88	MILAN, BAC P.	672.68
TRAEGER, JASON A.	1,349.54	HOLECHECK, JENNACA R.	812.04
FLICKEMA, ANDREW M.	1,618.47	LABELLE, DAVIS B.	460.50
MATELSKI, KIMBERLY A.	1,188.90	BAILEY, ALYSSA M.	647.43
RILEY, DENISE M.	471.67	HEID, THOMAS J.	1,299.22
EVANS JR, HALBERT K.	1,470.62	LEESE, ALAN K.	432.78
KLOOSTER, PATRICK H.	1,050.59	HART, DAVID R.	41.56
BINGHAM, LARRY E.	836.39	GRUNCH, RONALD J.	256.97
ENGSTROM, TYLER A.	593.09	DAVIS, RONALD L.	292.52
WARNER, PAYTON J.	879.83	FAIRCHILD, GALEN W.	438.74
MATELSKI, RYAN G.	768.04	MASSON, DONALD J.	484.53
GREENE, GLORIA C.	645.24	KUSINA, DENNIS W.	284.11
DAVIS, LEAH R.	645.24	LABLANCE, MAUREEN J.	222.31
TELGENHOF, WILL G.	645.24	LIVINGSTON, BRIAN D.	823.54
WILLIAMS, BRANDON S.	510.67	VANLOO, JOSEPH G.	885.91
CARLSON, JOSHUA A.	372.12	WYMAN, MATTHEW A.	1,450.92
GREYERBIEHL, KELLY M.	606.86	BOSS, RYDER S.	817.78
WURST, RANDALL W.	1,241.09	MILLER, WILLIAM S.	1,509.04
MAYER, SHELLEY L.	1,644.35	HOUSER, JAMES F.	512.20
HILLING, NICHOLAS A.	1,329.04	DOUGLAS, MARK	695.68
MEIER III, CHARLES A.	1,374.66	MITCHELL, JACOB A.	626.23
ZACHARIAS, STEVEN B.	1,781.91	TRAVERS, MANUEL J.	1,864.75
SWEM, DONALD L.	1,878.07	STEVENS, JEFFREY W.	301.67
EATON, BRAD A.	1,794.84	JONES, LARRY M.	544.68
WILSON, TIMOTHY J.	2,412.19	FLORE, ROBERT A.	239.19
LAVOIE, RICHARD L.	1,630.19	WILLSON, BRENDA R.	345.81
STEVENS, BRANDON C.	1,859.12	BEAN, PETER J.	377.69
DRAVES, MARTIN J.	1,711.83	MCMULLEN, DONALD R.	612.46
BROWN, STEPHANIE C.	1,042.19	MCFARLAND, JONATHAN A.	136.67
ANDERSON, ELIZABETH A.	1,151.81	SILVA, JESSE L.A.	274.39
ELLIOTT, PATRICK M.	2,004.06	RILEY, DANIEL A.	180.67
SCHWARTZFISHER, JOSEPH L.	1,151.88	GERBER, SAMUEL A.	18.47
BRADLEY, KELLY R.	1,374.24	KLINGER, LUCAS D.	385.24
HART II, DELBERT W.	1,531.55	KLINGER, BRADLEY W.	568.48
JONES, ROBERT F.	1,082.88	WILLIAMS, SYDNEY K.	660.53
DORAN, JUSTIN J.	1,775.09	WHITLEY, ANDREW T.	1,692.56
FARRELL, MITCHELL L.	1,463.16	MORRISON, KEVIN P.	1,197.03
MANKER JR, DAVID W.	596.77	JOHNSON, STEVEN P.	1,050.37
MANKER SR, DAVID W.	724.16	BISHAW, JAMES H.	705.72
BECKER, MICHAEL S.	815.70	WITTHOFT, LUKILA F.	623.85
NEDWICK, DAVID J.	425.61	RITTER, DAVID M.	661.68
FREY, DYLAN V.	497.22	PETERSON, BENJAMIN D.	700.00
SHEPARD, ZACHARY N.	349.84	GILL, DAVID R.	1,031.68
HART III, DELBERT W.	382.08	MATTER, DAWSON K.	2,597.41
SLADEK, RYLYNN S.	611.18	<b>TOTAL</b>	<b>110,525.47</b>

**Payroll Transmittal – 08/11/2017**

4FRONT CREDIT UNION	277.69	CHEMICAL BANK	150.00
AMERICAN FAMILY LIFE	191.88	COMMUNICATION WORKERS OF AMER	516.80
AMERICAN FAMILY LIFE	447.24	MI STATE DISBURSEMENT UNIT	401.83
BARRY COUNTY TRIAL COURT	20.00	POLICE OFFICERS LABOR COUNCIL	251.25
CHAR EM UNITED WAY	59.00	PRIORITY HEALTH	1,938.69
CHARLEVOIX STATE BANK	1,259.62	<b>TOTAL</b>	<b>5,514.00</b>

**Tax Disbursement – 08/22/2017**

CHARLEVOIX COUNTY TREASURER	237.29	CHARLEVOIX PUBLIC SCHOOLS	11,146.67
CHARLEVOIX COUNTY TREASURER	231,307.04	CITY OF CHARLEVOIX - TAXES DUE	273,675.71
CHARLEVOIX PUBLIC SCHOOLS	263,021.56	STATE OF MICHIGAN	639.90
CHARLEVOIX PUBLIC SCHOOLS	55,738.51		
CHARLEVOIX PUBLIC SCHOOLS	11,146.67	<b>TOTAL</b>	<b>846,913.35</b>