

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, June 4, 2018 – 6:00 p.m.
Council Chambers, 210 State Street, Charlevoix, MI

The meeting was called to order at 6:00 p.m. by Mayor Luther Kurtz.

1. Pledge of Allegiance

2. Roll Call

Mayor: Luther Kurtz
Members Present: Greg Bryan, Shane Cole, Aaron Hagen, Janet Kalbfell, Tom Oleksy, Leon Perron
Members Absent: None
City Manager: Mark L. Heydlauff
City Clerk: Joyce Golding

3. Presentations

4. Inquiry Regarding Conflicts of Interest

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 – May 21, 2018
- B. Charlevoix City Band Contract – Authorize contract for \$5,000
- C. Purchase WWTP Service Vehicle – Approve purchase for \$68,546
- D. John Yaroch Resignation from DDA – Accept resignation
- E. Accounts Payable and Payroll Check Registers
 - a. Special Accounts Payable Check Register – May 22, 2018
 - b. Regular Accounts Payable Check Register – June 5, 2018
 - c. ACH Payments – May 21, 2018 to June 1, 2018
 - d. Payroll Check Register – June 1, 2018
 - e. Payroll Transmittal – June 1, 2018
 - f. Tax Disbursement – June 5, 2018

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

Yeas: Perron, Hagen, Oleksy, Kalbfell, Cole, Bryan

Nays: None

6. Public Hearings & Actions Requiring Public Hearings

7. All Other Actions & Requests

A. Little Libraries Project

Alexandria Snabes is working to complete her Girl Scouts Gold Award and would like to create three "Charlevoix Little Libraries" at Michigan Beach, Depot Beach, and Ferry Beach as her project. She explained that they will contain books for both children and adults. Miss Snabes explained that there will be no cost to the City.

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

Motion by Kalbfell, second by Cole, to approve the Gold Award Project of Alexandria Snabes and authorize City Staff to assist with relevant arrangements.

Yeas: Perron, Hagen, Oleksy, Kalbfell, Cole, Bryan

Nays: None

B. Peppervine Place Development

Larry Sullivan, Zoning Consultant for the project, recalled that in January, developers of a piece of property on Division Street appeared before the Planning Commission requesting approval for a Site Condominium to construct a 21-unit, single-family medium density housing development. Mr. Sullivan presented an overview the project. The Planning Commission recommended approval of the project with five stipulations (as noted in their minutes). With those stipulations now having been met, the project comes to City Council for final approval.

He explained that approval of the project should be based upon four stipulations:

- Provision of a landscaping plan compliant with the Landscaping Section of the Zoning Ordinance (Section 5.81 (5)).
- Site plan dimensions showing the setbacks for each development envelope.
- Approval of the Condominium Documents by the City Attorney.

- Establishment of an escrow account to ensure that all items being proposed to be constructed are constructed in accord with the plans and all landscaping elements are planted in compliance with the Zoning Ordinance requirements.

Mr. Sullivan answers multiple questions from Council.

Mayor Kurtz opened the item to public comment.

- Dan Barron, General Counsel for the applicants, took exception to the four stipulations and explained his reasoning. He felt that a landscape plan could not be imposed according to the ordinance, additional setback dimensions were unnecessary, the City Attorney only needed to review sections of the Condominium Documents that pertained to City infrastructure, and the escrow account was excessive. A lengthy discussion ensued with regards to each stipulation. Mr. Barron noted that the Condominium Documents are written with the ability for lots 7-12 to be built as duplexes (provided that the zoning ordinance was amended to allow such). It was noted that the Condominium Documents specify that any short-term rentals would be a 30 day minimum.
- Bob Timms felt there should be a sidewalk to American House. There is such a sidewalk in the plan.
- John Stimson, applicant, described the project as a front porch community and hoped to have one or two homes built before winter.
- Jim Malewitz, Performance Engineering, offered further comments on the project.

The item was closed to the public.

Council continued their deliberations and arrived at a general consensus.

Motion by Hagen, second by Kalbfell, to approve the Peppervine Place Site Condominium with the following stipulations: landscaping that complies with the ordinance and approval of the Condominium Documents by the City Attorney.

Yeas: Perron, Hagen, Oleksy, Kalbfell, Cole, Bryan

Nays: None

8. Reports & Communications

A. Public Comment

Mr. Sullivan expressed his appreciation for his time working as Interim Zoning Administrator for the City.

B. City Manager Comments

C. Mayor & Council Comments

9. Other Council Business

Oleksy commented that Emmet County commissioners recently passed a Code of Ethics and Conduct. He recalled Council's discussion on ethics in the fall of 2017 and the failure to pass an Ethical Conduct Ordinance. He felt that Council's current ethics resolution was too loose and it was important to revisit the topic.

Motion by Oleksy, second by Perron, to revisit the Ethical Conduct topic [with the City Attorney present.]

Yeas: Perron, Hagen, Oleksy, Kalbfell, Cole, Bryan

Nays: None

10. Adjourn

The Mayor adjourned the meeting at 7:41 p.m.

Joyce M. Golding	City Clerk	Luther Kurtz	Mayor
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Special Accounts Payable – 05/22/2018

AT&T LONG DISTANCE	155.30	METLIFE SMALL BUSINESS CENTER	753.80
AT&T MOBILITY	88.75	PRIORITY HEALTH	41,470.38
CHARLEVOIX STATE BANK	9,137.75	VERIZON WIRELESS	56.72
CHARTER COMMUNICATIONS	604.11	VISION SERVICE PLAN	497.56
DELTA DENTAL	3,388.43		
GREAT LAKES ENERGY	400.08	TOTAL	56,552.88

Regular Accounts Payable – 06/05/2018

ALL-PHASE ELECTRIC SUPPLY CO.	400.48	BROWN, ROBERT	15.00
ARCADIA BENEFITS GROUP INC	25.00	CAMPBELL, LARRY	21.18
ARNOLD, KIM	2.18	CCI SOUTH LLC	52.50
AT YOUR SERVICE PLUS INC	115.00	CCP INDUSTRIES INC	286.26
AT&T	582.73	CDW GOVERNMENT INC.	181.92
AVFUEL CORPORATION	2,300.18	CENTRAL DRUG STORE	19.88
B & L SOUND INC	440.91	CHARLEVOIX AGENCY	462.56
BELL EQUIPMENT COMPANY	273.94	CHARLEVOIX TOWNSHIP	15.00
BOYNE IRRIGATION	80.00	CURREY FARMS LLC	5.00
BRADFORD'S	5.25	DAMAN, VICKIE	61.74

DCASSESSING SERVICES	4,371.08	METAL HEAD WELDING LLC	1,502.50
DELL MARKETING L P	1,288.57	MICHIGAN MUNICIPAL LEAGUE	1,758.00
DeROSIA, PATRICIA E.	50.00	MICHIGAN MUNICIPAL LEAGUE	80.20
DHASELEER, CARL	35.00	MICHIGAN WATER ENV ASSOC	140.00
DOAN, GERARD P.	341.84	MIDSTATE SECURITY	2,504.20
DOTSON, LINDSEY J.	760.75	MILLER, WILLIAM S.	50.00
E-CONOLIGHT	74.99	MODERN MARKETING	149.11
EJ USA INC.	989.25	MUNSON HEALTHCARE CHX HOSPITAL	55.40
ELLIOTT, PATRICK M.	50.00	NORTH COUNTRY POWER GENERATION	545.00
ELLSWORTH FARMER'S EXCHANGE	158.00	OHM ADVISORS	19,990.00
EMERGENCY MEDICAL PRODUCTS INC	390.27	OUDBIER INSTRUMENT CO	857.00
EMILY PANTERA CONSULTING	2,700.00	PEARSALL, MICHAEL	450.00
FASTENAL COMPANY	138.63	PHYSICIAN'S CLINIC OF CHARLEVOIX	115.00
FEBEY, RICHARD	3.40	POWER LINE SUPPLY	72.00
GBS INC.	301.89	PREIN & NEWHOF	59,471.44
GINOP SALES INC	324.85	PRO IMAGE DESIGN INC	2,599.21
GOLDING, JOYCE M.	113.05	PRO WEB MARKETING LLC	318.75
GRAINGER	762.31	PRODUCTIVITY PLUS ACCOUNT	813.32
GRAND TRAVERSE DIESEL INC.	178.40	PURITY CYLINDER GASES INC	103.03
GREENVIEW DATA INC	3.12	R & R PRODUCTS INC	546.60
GSK ENTERPRISES LLC	300.00	RECORD AUTOMATIC DOORS INC	356.00
HAGGARD'S INC	541.10	RESIDEX LLC	1,504.33
HANKINS, SCOTT A.	50.00	SITE ONE LANDSCAPE SUPPLY	74.75
HARRELL'S	1,698.00	SNAP-ON	45.00
HEID, THOMAS J.	50.00	SPARTAN DISTRIBUTORS INC	430.87
HEIDER, MICHAEL	62.83	SPRINGFIELD INC.	1,294.00
HEYDLAUFF, MARK L	50.00	STRYKER SALES CORPORATION	114.51
HOGARTH'S PEST CONTROL INC.	225.00	SWANK MOTION PICTURES	665.00
HOLIDAY COMPANIES	6,652.61	SWEM, DONALD L.	50.00
HYDE SERVICES LLC	2,031.34	THE TROPHY CASE	15.00
JESS CONSTRUCTION CO. INC.	8,473.00	TOP LINE	1,352.65
KENDALL ELECTRIC INC.	129.27	TRAVERS, MANUEL J.	50.00
KLOOSTER, ALIDA K.	50.00	UNIFIRST CORPORATION	505.81
KLOOSTER, PATRICK H	50.00	UNITED STATES PLASTIC CORP.	221.42
KNORR, KENT	50.00	UP NORTH PROPERTY SERVICES LLC	2,117.00
KOORSEN FIRE & SECURITY	300.00	USA BLUE BOOK	1,026.64
KSS ENTERPRISES	1,122.06	VAN'S BUSINESS MACHINES	24.50
LOTTIE'S BAGELS	43.00	VILLAGE GRAPHICS INC.	789.71
MACGREGOR PLUMBING & HEATING	1,631.39	WORK & PLAY SHOP	513.85
MAYER, SHELLEY L.	301.63	WURST, RANDALL W.	50.00
McGINN, KELLY A.	50.00	WYMAN, MATTHEW A.	50.00
MCMASTER-CARR	826.30		
MCMULLEN, DONALD R	205.74	TOTAL	146,647.18

ACH Payments – 05/21/2018 to 06/01/2018

MI PUBLIC POWER AGENCY	29,557.10	STATE OF MI (WITHHOLDING TAX)	5,775.58
MI PUBLIC POWER AGENCY	169,238.31	VANTAGEPOINT (401 ICMA PLAN)	742.50
MI PUBLIC POWER AGENCY	13,035.40	VANTAGEPOINT (457 ICMA PLAN)	14,245.34
IRS (PAYROLL TAX DEPOSIT)	37,293.49	VANTAGEPOINT (ROTH IRA)	1,186.53
ALERUS FINANCIAL (HCSP)	400.00	TOTAL	271,474.25

Payroll Net Pay – Pay Period Ending 05/26/2018 (Paid 06/01/2018)

HEYDLAUFF, MARK L.	2,648.97	MATELSKI, RYAN G.	907.16
GOLDING, JOYCE M.	2,181.12	MACGILLIVRAY, ROGER	239.12
DEROSIA, PATRICIA E.	1,452.82	WURST, RANDALL W.	1,274.05
DOTSON, LINDSEY J.	1,457.31	MAYER, SHELLEY L.	1,605.06
LOY, EVELYN R.	1,086.31	HILLING, NICHOLAS A.	1,571.96
KLOOSTER, ALIDA K.	2,013.71	MEIER III, CHARLES A.	1,215.99
GOLOVICH, KAREN J.	969.63	ZACHARIAS, STEVEN B.	1,364.76
SPENCLEY, PATRICIA L.	1,009.86	NEWMAN, MARK J.	740.36
MILLER, FAITH G.	31.03	SWEM, DONALD L.	1,975.53
MCGINN, KELLY A.	1,670.39	EATON, BRAD A.	1,890.79
JONES, JANET M.	523.77	WILSON, TIMOTHY J.	2,319.72
JOLLETTE, MELISSA N.	753.84	LAVOIE, RICHARD L.	1,734.42
DOAN, GERARD P.	1,697.63	STEVENS, BRANDON C.	2,373.77
SCHLAPPI, JAMES L.	913.73	DRAVES, MARTIN J.	1,729.66
UMULIS, MATTHEW T.	981.08	ANDERSON, ELIZABETH A.	1,240.03
HANKINS, SCOTT A.	1,588.37	LEITNER, RYAN S.	1,067.28
ORBAN, BARBARA K.	1,326.66	ELLIOTT, PATRICK M.	2,167.95
WILLIAMS, ASHLEY M.	1,287.17	SCHWARTZFISHER, JOSEPH L.	1,349.49
FLICKEMA, ANDREW M.	1,965.56	BRADLEY, KELLY R.	1,646.90
RILEY, DENISE M.	454.96	HART II, DELBERT W.	1,299.55
MATELSKI, KRISTEN L.	1,078.75	JONES, ROBERT F.	1,300.27
BINGHAM, LARRY E.	635.48	DORAN, JUSTIN J.	1,491.16

FARRELL, MITCHELL L.	1,925.83	WYMAN, MATTHEW A.	1,547.68
MANKER JR, DAVID W.	495.28	BOSS, RYDER S.	146.73
MANKER SR, DAVID W.	823.57	MILLER, WILLIAM S.	1,526.05
BECKER, MICHAEL S.	828.57	DOUGLAS, MARK	753.30
NEDWICK, DAVID J.	756.31	HASTINGS, MICHAEL A.	289.15
MCGHEE, ROBERT R.	1,199.94	PRIOR, ERIN C.	211.82
CRANDELL, ZACKARY R.	642.39	TRAVERS, MANUEL J.	1,846.04
FERGUSON, ROYCE L.	751.42	STEVENS, JEFFREY W.	759.16
BOSS, SHERRY M.	767.91	RILEY, CASEY W.	379.72
SAYWARD, MADISON E.	754.96	JONES, LARRY M.	728.73
ROSENTHAL, GABRIEL M.	493.96	FLORE, ROBERT A.	387.50
KNORR, KENT J.	1,958.07	WILLSON, BRENDA R.	1,679.27
STEBE, LAURA A.	92.35	BEAN, PETER J.	960.42
MILAN, JANE E.	155.84	RILEY, REBECCA J.	209.47
ANZELL, BETH A.	751.09	ERWIN, RACHELLE L.	551.35
MILAN, BAC P.	121.91	MCMULLEN, DONALD R.	3,110.08
KLOOSTER, PATRICK H.	1,465.01	SILVA, JESSE L.A.	773.10
EVANS JR, HALBERT K.	667.30	NEWINGTON, BENJAMIN K.	178.39
KLINGER, LUCAS D.	608.59	RILEY, DANIEL A.	722.62
GREENE, GLORIA C.	482.52	WHEELER, MICHAEL W.	1,347.53
DAVIS, LEAH R.	482.52	SNYDER, CORY G.	140.19
TELGENHOF, WILL G.	564.33	PEARSALL, KRISTA M.	269.23
GREYERBIEHL, KELLY M.	420.12	DRAKE, WILLIAM F.	558.99
BOSS, BEAU J.	156.37	JOHNSON, MELISSA A.	505.20
KIRINOVIC, THOMAS F.	467.52	GERBER, SAMUEL A.	55.41
DUTCHER, ROBERT G.	339.19	WHITLEY, ANDREW T.	1,687.37
HEID, THOMAS J	1,317.16	MORRISON, KEVIN P.	1,051.86
LEESE, ALAN K.	453.38	JOHNSON, STEVEN P.	1,196.12
HART, DAVID R.	19.40	BISHAW, JAMES H.	683.03
GRUNCH, RONALD J.	332.88	ZIPP, BRANDON M.	327.31
DAVIS, RONALD L.	310.68	BOSS JR, DALE E.	189.78
FAIRCHILD, GALEN W.	354.55	KLINGER, BRADLEY W.	564.33
MASSON, DONALD J.	524.07	HOLM, ARTHUR R.	166.79
KUSINA, DENNIS W.	360.77	GILL, DAVID R.	1,228.25
LABLANCE, MAUREEN J.	303.25	STANLEY, MARK J.	137.14
LIVINGSTON, BRIAN D.	1,142.90		
VANLOO, JOSEPH G.	736.61	TOTAL	111,130.76

Payroll Transmittal – 06/01/2018

4FRONT CREDIT UNION	558.84	CHEMICAL BANK	150.00
AMERICAN FAMILY LIFE	158.28	COMMUNICATION WORKERS OF AMER	548.50
AMERICAN FAMILY LIFE	345.60	MI STATE DISBURSEMENT UNIT	679.30
BARRY COUNTY TRIAL COURT	20.00	POLICE OFFICERS LABOR COUNCIL	201.00
CHAR EM UNITED WAY	52.00	PRIORITY HEALTH	1,720.48
CHARLEVOIX STATE BANK	1,160.77	TOTAL	5,594.77

Tax Disbursement – 06/05/2018

CHARLEVOIX COUNTY TREASURER	23.83	CHARLEVOIX PUBLIC SCHOOLS	0.41
CHARLEVOIX DISTRICT LIBRARY	5.66	CITY OF CHARLEVOIX - TAXES DUE	14.90
CHARLEVOIX PUBLIC SCHOOLS	4.90	RECREATIONAL AUTHORITY	1.06
CHARLEVOIX PUBLIC SCHOOLS	2.06		
CHARLEVOIX PUBLIC SCHOOLS	0.41	TOTAL	53.23