

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, December 5, 2011 — 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 Attorney: Jim Young
City Manager: Rob Straebel
City Clerk: Stephanie C. Brown, Deputy Clerk
Members Present: Council members Lyle Gennett, Dennis Kusina, Jill Picha, Greg Stevens, Bryan Vollmer, and Shane Cole
Absent: None

III. Inquiry Regarding Possible Conflicts of Interest

None.

IV. Consent Agenda

The following items were approved and filed:

- A. Approval of Minutes – November 21, 2011 Regular Meeting Minutes
- B. Accounts Payable Check Register – November 23, 2011
- C. Accounts Payable Check Register – December 6, 2011
- D. Tax Disbursement – December 6, 2011
- E. ACH Payments – November 14 – November 28, 2011
- F. Payroll Check Register – November 23, 2011
- G. Payroll Transmittal – November 23, 2011
- H. Toys for Tots Mayoral Proclamation

MAYORAL PROCLAMATION

Toys for Tots Week
City of Charlevoix

WHEREAS The U.S. Marine Corps created a community action program known as "Toys for Tots" in 1947 and over the years has solicited and distributed over 400,000,000 toys; and

WHEREAS One Thousand Six Hundred and Twenty-Five (1,625) toys were collected and distributed to 450 children in the Charlevoix School District in 2010; and

WHEREAS The Northern Detachment of the Marine Corps League has a mission to provide a tangible sign of hope to economically disadvantaged children at Christmas time.

NOW, THEREFORE, I Norman L. Carlson, Jr., Mayor of the City of Charlevoix, Michigan, do hereby proclaim December 4th through December 10th as "Toys for Tots Week" in Charlevoix.

Mayor Norman L. Carlson, Jr.
December 5, 2011

V. Public Hearings

A. Public Hearing on Amendment to Title II, Chapter 26, Charlevoix Municipal Airport Ordinance

Airport Manager Matt Bailey presented the item and answered questions from Council. The current Minimum Standards are not enforceable because they are not currently incorporated in the present Airport Ordinance; this ordinance will correct that situation and make some other changes and additions. Mr. Bailey reviewed those changes and additions.

Council member Stevens asked for clarification on who would be affected by the Off-Airport Car Rental, Section 2.193-C.(b); because the section stipulates a place of business within five miles of the Airport, Councilmember Stevens is concerned that we are requiring any car rental within that area to get a license, not just those car rentals that are anticipating doing business at the airport.

The Mayor opened the public hearing at 7:06 p.m.

Citizen Chuck Scherping had several questions. First, section 2.193(b)(6), states that a vehicle can be parked in the loading/unloading zone for up to 10 minutes for the purposes of loading/unloading passengers and luggage, provided that the driver stay with the vehicle at all times. Mr. Scherping questioned how a driver could get luggage into the terminal when unloading if he must stay with the vehicle. Second, Mr. Scherping asked about the time frame for annual parking permits and suggested that instead of it being valid from April 1 to March 31, the permit should be effective for the 12 months following the purchase. Mr. Scherping feels that this will make the act of selling parking permits during this time frame very confusing, especially for the customer. Third, Mr. Scherping noted that per section 2.193-B.(g)(2), the City requires Flying Clubs to be registered with the Michigan Department of Aeronautics. Mr. Scherping stated that there is no Michigan Department of Aeronautics. Finally, Mr. Scherping questioned section 2.193-B.(j)(6) which requires general liability insurance for "repair stations." Mr. Scherping questioned the cost of insurance, the benefits of insurance, and the difficulty of obtaining insurance, and the advisability of requiring insurance when a repair person might only be on-site for a few days. Attorney Young explained that our insurance requirements are regularly reviewed to ensure that they are not out of line and that general liability insurance protects not just the airport but anyone harmed in the case of negligence. Mayor Carlson stated that the insurance is not expensive.

The Mayor closed the public hearing at 7:20 p.m.

VI. Reports

City Manager Straebel reviewed a memo from the Office of Planning and Zoning regarding a transitional home at 801 State Street being proposed by the Third Day Fellowship Church. Attorney Young has been consulted on the appropriate approval process and has determined that the item should go to the Zoning Board of Appeals (ZBA) for an interpretation as to whether this is a "church-related structure" and therefore an allowed use in a R-2 Zoning District. The decision of the ZBA will be final. Upon questioning, Councilmember Stevens stated that the property and the building will be owned by the Third Day Fellowship Church. Manager Straebel reported that Councilmember Stevens, who is involved in this project, is working hard to keep everything transparent and professional, and to avoid any conflicts of interest.

VII. Requests, Petitions and Communications and Actions Thereon

A. Non-Emergency Use of the City Alert Siren

Fire Chief Paul Ivan reviewed the history of the siren and discussed reasons to eliminate all "routine" uses of the siren, most significantly, so that the siren will always indicate an emergency. Fire Chief Ivan answered questions from Council. Council member Gennett stated that the siren tends to freeze in the winter if it is not used. Fire Chief Ivan reported that the system will still be tested monthly and the fire department is aware that there may be freezing issues in the winter months. The long term goal is to ensure that if a siren is heard anywhere in Charlevoix County, citizens will know that a significant event is taking place. City Manager Straebel suggested that public comment be taken on the item to ensure that the public is not only aware of this pending change, but also agreeable to the long-term objective. Council agreed to take public comment at a future meeting.

B. Consideration to Approve City of Charlevoix Cooperation/Collaboration/Consolidation Plan

City Manager Straebel presented the item and answered questions from Council. Per the State of Michigan's Economic Vitality Incentive Program (EVIP), the City must complete three criteria to qualify for statutory revenue sharing, one of which is to submit a Cooperation/Collaboration/Consolidation Plan by January 1, 2012. Mr. Straebel presented the City's draft plan and asked for Council's input.

Motion by Councilmember Kusina, seconded by Councilmember Gennett, to approve the 2011 Consolidation/Cooperation/Collaboration Plan.

Yeas: Gennett, Kusina, Picha, Stevens, Vollmer, Cole
Nays: None
Absent: None

C. Approval of Job Descriptions

City Manager Straebel presented six job descriptions and answered questions from Council. Job descriptions for all employees are approved by Council, and job description reviews are done either on a periodic basis or when the position becomes vacant. The six descriptions being reviewed at this time are: Golf Course Equipment & Maintenance Operator, Golf Course Greens Pin & Cup Setter, Golf Course Fairway Equipment Operator, Ice Rink Operator, WTP/WWTP Superintendent, and Journeyman Lineman.

Motion by Councilmember Vollmer, seconded by Councilmember Picha, to approve the six job descriptions as presented on pp. 48 - 57 [of the agenda packet].

Yeas: Gennett, Kusina, Picha, Stevens, Vollmer, Cole
Nays: None
Absent: None

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

None.

X. Ordinances

A. Amendment to Title II, Chapter 26, Charlevoix Municipal Airport Ordinance

Attorney Young requested additional time to make changes to the ordinance, based on new information and tonight's comments.

Mayor Carlson suggested that a pro-rated system for sales of annual passes be used to keep record keeping simple, that the requirement to stay with the vehicle during unloading of luggage is confusing, and that the requirement for general liability insurance is an absolute necessity. There were no additional comments from Council.

Motion by Councilmember Stevens, seconded by Councilmember Cole, to postpone the Amendment to Title II, Chapter 26, the Charlevoix Municipal Airport Ordinance.

Yeas: Gennett, Kusina, Picha, Stevens, Vollmer, Cole
Nays: None
Absent: None

XI. Miscellaneous Business

None.

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

None.

XIII. Adjourn

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

There were no objections.

Meeting adjourned at 7:46 p.m.

Stephanie C. Brown

Deputy City Clerk

Norman L. Carlson, Jr.

Mayor

Carol A. Ochs

City Clerk

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|-----------------------|----------|-----------------------|------------------|
| AT&T MOBILITY | 145.00 | PRIORITY HEALTH | 35,191.28 |
| CHARLEVOIX STATE BANK | 2,510.06 | STANDARD INSURANCE CO | 1,319.07 |
| DELTA DENTAL | 4,597.84 | VISION SERVICE PLAN | 532.23 |
| GREAT LAKES ENERGY | 160.43 | TOTAL | 44,455.91 |

Accounts Payable – 12/06/2011

| | | | |
|--------------------------------|-----------|-------------------------------|-------------------|
| AIRGAS GREAT LAKES INC. | 644.70 | HYDE SERVICES, LLC | 4,148.00 |
| AMERICAN WASTE INC. | 65.00 | INDEPENDENT DRAFTING SERVICES | 608.00 |
| AMERICAN WATER WORKS ASSN | 108.50 | IVAN, PAUL | 41.00 |
| APPLIED INDUSTRIAL TECH | 73.48 | J & S PORTABLE RESTROOMS | 204.00 |
| AT&T LONG DISTANCE | 173.87 | JERRY'S TIRE | 1,780.74 |
| AVFUEL CORPORATION | 22,959.16 | KENDALL ELECTRIC INC. | 1,000.48 |
| BAILEY, MATTHEW L. | 129.61 | KMart | 12.99 |
| BARRETT'S AUTO & MARINE TRIM | 439.90 | LAVOIE, RICHARD | 10.87 |
| BRADY'S CARPET CLEANING | 320.00 | MANAGEMENT AND BEHAVIOR | 700.00 |
| BRANDI, RICHARD | 41.00 | MERS | 1,500.00 |
| BRONNER'S | 894.03 | MICHIGAN ELECTRIC | 1,300.00 |
| BULBS.COM | 228.25 | MURRAY'S CREATIONS | 964.00 |
| CALDWELL, JAMES P. | 41.00 | NASH, JENNIFER | 41.00 |
| CAREY, KEITH | 41.00 | NORTHERN MICHIGAN JANITORIAL | 106.90 |
| CHARLEVOIX SCREEN MASTERS INC | 67.50 | OLD DOMINION BRUSH | 623.63 |
| CHARLEVOIX TOWNSHIP | 10.50 | OTSEGO CRANE & HOIST CO. | 252.00 |
| CITY OF CHARLEVOIX - UTILITIES | 23,567.74 | PERFORMANCE ENGINEERS INC | 2,540.25 |
| CITY OF CHARLEVOIX TREASURER | 3,150.00 | PLUNKETT & COONEY | 420.00 |
| CITY OF PETOSKEY | 450.00 | POWER LINE SUPPLY | 1,414.60 |
| COMPLETE MUFFLER | 14.69 | PRESTON FEATHER | 89.84 |
| DELL MARKETING L P | 1,425.11 | PROGRESSIVE MEDICAL INT'L | 164.99 |
| DESIGN ASSOCIATES | 2,140.00 | RTI LABORATORIES INC. | 83.00 |
| DITCH WITCH SALES OF MICHIGAN | 364.91 | SALES & MARKETING OF MICHIGAN | 727.02 |
| DOAN, GERARD | 41.00 | SCHALLER, GRETCHEN | 40.51 |
| DTE ENERGY | 4,619.79 | SEELEY'S PRINTING SERVICE | 99.94 |
| DVORACEK, DANA J. | 41.00 | SPARTAN DISTRIBUTORS INC | 887.31 |
| EAST JORDAN FAMILY HEALTH CTR | 82.00 | SPENCER, MICHAEL | 41.00 |
| ELLIOTT, PATRICK M. | 41.00 | STATE FARM | 498.50 |
| ELLSWORTH FARMER'S EXCHANGE | 176.29 | STATE OF MICHIGAN | 183.00 |
| EMERGENCY MEDICAL PRODUCTS INC | 53.25 | STATE OF MICHIGAN | 95.00 |
| EVANS, HAL | 41.00 | STEVENS, BRANDON | 10.87 |
| FASTENAL COMPANY | 238.90 | STRAEBEL, ROBERT J. | 41.00 |
| FISHER SCIENTIFIC | 262.20 | SWEM, DONALD L. | 41.00 |
| GBS INC. | 123.75 | TERMINAL SUPPLY CO | 116.57 |
| GOSLING CZUBAK | 2,600.00 | VanGUILDER, BARRY | 225.00 |
| GRAINGER | 147.00 | VILLAGE GRAPHICS INC. | 142.92 |
| GRAND TRAVERSE GARAGE DOOR | 146.00 | WADE TRIM OPERATIONS SERVICES | 1,960.08 |
| HACH COMPANY | 510.79 | WELLER, LINDA | 41.00 |
| HANKINS, SCOTT | 41.00 | WOJAN PLUMBING & HEATING | 56.14 |
| HART, TERESA | 41.00 | WORK & PLAY SHOP | 83.98 |
| HEALTH DEPT OF NW MICHIGAN | 212.00 | YOUNG GRAHAM | 9,002.80 |
| HEID, THOMAS J. | 41.00 | ZURICH NORTH AMERICA | 2,020.00 |
| HSBC BUSINESS SOLUTIONS | 39.99 | TOTAL | 101,168.84 |

Tax Disbursement – 12/06/2011

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|-----------------------------|-----------|--------------------------------|------------------|
| CHARLEVOIX COUNTY TREASURER | 11,024.03 | CHARLEVOIX PUBLIC SCHOOLS | 836.96 |
| CHARLEVOIX COUNTY TREASURER | 520.54 | CITY OF CHARLEVOIX - TAXES DUE | 12,839.07 |
| CHARLEVOIX DISTRICT LIBRARY | 65.47 | RECREATIONAL AUTHORITY | 11.97 |
| CHARLEVOIX PUBLIC SCHOOLS | 4,821.03 | TOTAL | 32,293.46 |
| CHARLEVOIX PUBLIC SCHOOLS | 2,174.39 | | |

ACH Payments – 11/14/2011 – 11/28/2011

| | | | |
|------------------------|------------|------------------------|-------------------|
| NEOPOST | 5,000.00 | MI PUBLIC POWER AGENCY | 4,059.04 |
| MI PUBLIC POWER AGENCY | 13,089.63 | MERS OF MICHIGAN | 33,238.17 |
| MI PUBLIC POWER AGENCY | 237,188.93 | TOTAL | 409,045.25 |

PAYROLL: NET PAY

Pay Period Ending 11/19/2011 – Paid 11/23/2011

| | | | |
|------------------------|----------|-----------------------|----------|
| WELLER, LINDA JO | 1,276.74 | WELLS JR., DONALD E. | 1,235.02 |
| STRAEBEL, ROBERT J. | 2,008.32 | JONES, TERRI L. | 953.86 |
| BRANDI, RICHARD M. | 1,739.66 | BRADLEY, KELLY R. | 1,301.47 |
| LOY, EVELYN R. | 983.31 | EATON, BRAD A. | 1,540.27 |
| KLOOSTER, ALIDA K. | 1,086.24 | WILSON, TIMOTHY J. | 1,835.10 |
| BROWN, STEPHANIE C. | 1,217.25 | HART II, DELBERT W. | 670.38 |
| OCHS, CAROL A. | 900.00 | LAVOIE, RICHARD L. | 1,143.85 |
| CAREY, KEITH V. | 1,153.11 | STEVENS, BRANDON C. | 1,308.77 |
| SPENCER, MICHAEL D. | 1,500.83 | ELLIOTT, PATRICK M. | 1,457.00 |
| SPENCLEY, PATRICIA L. | 1,033.91 | WILSON, RICHARD J. | 1,264.30 |
| NASH, JENNIFER B. | 856.63 | JONES, ROBERT F. | 1,088.55 |
| SCHLAPPI, JAMES L. | 1,073.87 | NISWANDER, LOGAN J. | 553.99 |
| UMULIS, MATTHEW T. | 1,362.09 | SIEGMUND, CHRISTOPHER | 311.90 |
| ORBAN, BARBARA K. | 1,329.02 | BROWE, RAYMOND L. | 153.68 |
| WARNER, JANINE M. | 745.66 | EAGLESON, WAYNE L. | 164.17 |
| IVAN, PAUL M. | 1,676.29 | MCGHEE, ROBERT R. | 795.72 |
| SCHWARTZFISHER, JOSEPH | 1,066.19 | VANLOO, JOSEPH G. | 604.09 |
| ROLOFF, ROBERT P. | 2,164.07 | HART, TERESA M. | 717.41 |
| BRODIN, WILLIAM C. | 1,434.60 | BOAL, DAVID W. | 436.91 |
| RILEY, DENISE M. | 371.90 | BAILEY, MATTHEW L. | 1,713.81 |
| CALDWELL, JAMES P. | 1,507.13 | DVORACEK, DANA J. | 1,140.74 |
| WURST, RANDALL W. | 1,279.69 | SCHERPING, CHARLES L. | 400.90 |
| MAYER, SHELLEY L. | 1,339.85 | STEIN, DONNA E. | 246.40 |
| HILLING, NICHOLAS A. | 1,368.02 | TOUGH, KENDALL J. | 331.10 |
| MEIER III, CHARLES A. | 1,196.04 | CESARO, JASON M. | 40.50 |
| NISWANDER, JOSEPH F. | 1,312.75 | RAMSEY, KYLE J. | 54.00 |
| FRYE, EDWARD J. | 932.69 | TRIVERS, MANUEL J. | 243.47 |

| | | | |
|---------------------|----------|-----------------------|------------------|
| SILVA, JESSE L. | 66.77 | HEID, THOMAS J | 1,318.54 |
| RILEY, DANIEL | 326.51 | GILL, DAVID R. | 462.38 |
| WHITLEY, ADAM | 81.90 | SARASIN, CHRISTIAN M. | 363.35 |
| SCHOOFF, WILLIAM R. | 721.75 | ROLOFF, AUDREY M. | 425.87 |
| BUDDE, ELAINE J. | 162.75 | MATTER, DAWSON K. | 475.41 |
| CARLSON, JOANNE E. | 152.50 | MARSH JR., JAMES D. | 80.20 |
| COLT, JUDITH C. | 155.00 | RILEY, TIMOTHY | 80.99 |
| LALEWICZ, AMELIA | 47.17 | MACMILLAN, RACHEL A. | 79.19 |
| DOAN, GERARD P. | 1,559.35 | SCOTT JR., WINFIELD | 121.50 |
| SHRIFT, PETER R. | 1,098.76 | BARRETT, SCOTT T. | 687.17 |
| HANKINS, SCOTT A. | 1,570.42 | BERGMANN, DOUGLAS M. | 94.50 |
| COPPOCK, TIMOTHY M. | 1,174.24 | MACDONALD, BRIAN K. | 511.02 |
| WHITLEY, JOHN F. | 1,633.69 | BRENNAN, PEGGY L. | 162.75 |
| BLANCHARD, SCOTT W. | 1,915.64 | DZIEDZIC, MARY ALICE | 92.50 |
| SWEM, DONALD L. | 1,645.45 | RUDOLPH, JOELLEN B. | 155.00 |
| MORRISON, KEVIN P. | 1,034.17 | VON HELLENS, BENNIE L | 87.50 |
| HODGE, MICHAEL J. | 1,094.25 | LEFT, LILLIAN M. | 155.00 |
| JOHNSON, STEVEN P. | 1,042.01 | BUDAY, JOAN E. | 162.75 |
| ZIPP, DONALD R. | 1,246.31 | STEPHAN, MARY ANN | 155.00 |
| BISHAW, JAMES H. | 683.35 | | |
| DISHONG, AARON S. | 412.54 | TOTAL | 79,118.37 |

PAYROLL: TRANSMITTAL
11/23/2011

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|---------------------------|-----------|-----------------------|------------------|
| **EFTPS* Payroll Taxes | 25,411.62 | MERS | 390.00 |
| AMERICAN FAMILY LIFE | 872.32 | MI STATE DISBURSEMENT | 274.35 |
| CHAR EM UNITED WAY | 63.00 | NORTHWESTERN BANK | 252.00 |
| CHARLEVOIX STATE BANK | 743.47 | PRIORITY HEALTH | 664.61 |
| COMMUNICATION WORKERS | 518.51 | STATE OF MICHIGAN | 4,176.52 |
| ICMA RETIREMENT TRUST 401 | 699.79 | | |
| ICMA RETIREMENT TRUST 457 | 7,071.22 | TOTAL | 41,137.41 |