

**CITY OF CHARLEVOIX**  
**PLANNING COMMISSION MEETING MINUTES**  
**Monday, February 10, 2014 – 7:00 p.m.**  
210 State Street, City Hall, Council Chambers, Charlevoix, MI

**A. Call to Order/Pledge of Allegiance**

The meeting was called to order at 7:05 p.m. by Chair John Hess.

**B. Roll Call**

Chair: John Hess

Members Present: RJ Waddell, Toni Felter, Keith Sherwood, Dave Novotny, Judy Clock, John Elzinga, Sherm Chamberlain

Members Absent: None

City Planner: Michael Spencer

**C. Inquiry Into Potential Conflicts of Interest**

Member Chamberlain stated that he would abstain from voting on the Marina Expansion Project, as he had done all the surveying for the initial Marina project.

**D. Approval of Agenda**

No changes.

**E. Approval of January 15, 2014 Minutes**

Member Clock stated that "boat" in the second to last line of the second to last paragraph on page 1 should be "boats".

Motion by Member Chamberlain, second by Member Novotny, to approve the January 15, 2014 minutes as corrected.  
Motion passed by unanimous voice vote.

**F. Call for Public Comment not Related to Agenda Item**

Chair Hess opened and closed the meeting to public comment as there were no public comments.

City Planner Spencer stated that members of Leadership Charlevoix County were present in the audience and one of their projects is to approach the three Cities in Charlevoix County to explore the feasibility of establishing a dog park in each City. He stated that City staff met with the group and suggested that they do a community survey first, to see if there is public support before looking for a location. They have an online survey and Planner Spencer will add it to the City's webpage.

Chris Leese stated that there are 17 members working on proposals for a dog park in each of the three cities, and that the Boyne City and East Jordan sites have approval at this point. Ms. Leese read the group's statement of intent. She stated that their survey ran for two weeks, and stated that 80% of the people who took the survey own dogs, 95.9% of the total felt that Charlevoix needs a dog park, and 86.9% would take their dog to a dog park. The group has reviewed area dog parks and feels that there is a need for a dog park in Charlevoix both for visitors and City residents.

**G. New Business**

1. Review of 2014-15 Capital Plan

a) Staff Presentation

City Planner Spencer introduced Joe Zielinski, the City's new Treasurer, who stated that he was present to review the proposed 2014-15 Capital Plan. For the 2014-2015 Capital Plan, staff is proposing \$5.9 million in capital spending, with the \$3.5 million of that in the Sewer Fund for the Wastewater Treatment Plant improvements. The next largest expenditure is in the Electric Fund. The State Street project is budgeted in the Major Street Fund, with an approximate cost of \$900,000 to be paid by a State grant of \$430,000 and the City portion of \$470,000. Treasurer Zielinski reviewed the list of proposed capital projects which have an estimated cost over \$50,000. The General Fund includes the Lake to Lake Trails' project projected at an estimated cost of \$359,000 of which \$248,000 will be paid by a State grant with the 20% match to be funded by the City and the Charlevoix Township with the City's out of pocket expense being \$51,000. There were also various motor pool purchases totaling \$300,000, upgrades to electric infrastructure of \$110,000, new decorative lights on Park Avenue of \$105,000, various electric capital items of \$50,000, and LED streetlight upgrades of \$50,000.

Planner Spencer provided a quick overview of the Lake to Lake Trail project, which connects Ferry Beach Park with Fisherman's Island State Park and the City.

b) Planning Commission Questions/Comments

Upon questioning, City Manager Straebel reported that the Wastewater Plant improvements should be sufficient for the City's needs for 30-40 years. Manager Straebel also reported that the City is under a National Pollutant Discharge Elimination System permit, which has very stringent criteria, and that the sewer rates will go up substantially over the next three years.

Member Waddell referenced a proposed land swap between Medusa and the State of Michigan. Planner Spencer explained the conceptual plans for a new entrance to the State Park and noted that this was a very long-term project that would not affect the Lake to Lake Trail project.

c) Motion

Motion by Member Elzinga, second by Member Chamberlain, to approve the Capital Plan as presented. Motion passed by unanimous voice vote.

**H. Old Business**

1. Discussion on potential expansion of Dock A at the City Marina

a) Staff Presentation

Planner Spencer reported that the Commission has received comment from Water and Air Team Charlevoix (WATCH), which was included in the agenda packet. Also in the packet is a copy of a Resolution adopted on January 31, 2014 by the Downtown Development Authority (DDA), supporting the Marina expansion project.

Planner Spencer stated that staff has done more research on why the particular recommended design was chosen, and Jim Muschel, original engineer for the project, was present to answer any questions. Mr. Muschel stated that the major problem with expanding the other docks is the riparian line, which needs to have a 32' offset. Pier B could be expanded, but the City is getting requests for 50' to 80' boat slips and that size could not be accommodated on Pier B.

b) Planning Commission Questions/Comments

Discussion ensued regarding the riparian line. Member Chamberlain stated that they established a riparian line for Round Lake in 1996, which was utilized during the construction process for the Marina. He explained how the line was determined.

c) Call for public comment

Nancy Ferguson, President of WATCH, stated that, because of where she works and where she buys groceries, several people have approached her about the project. Of the people that approached her, 13 of 15 are against the expansion of the marina. She reported that the City wanted to go 150' farther into the Marina several years ago. At that time, the community approached WATCH to represent their interests. Through negotiations, the marina project came to be what it is now. Ms. Ferguson believes that the community should be surveyed to determine how the residents feel about this proposed dock expansion.

Kirby Dipert, business owner in downtown Charlevoix, stated he is in favor of the marina expansion. He believes that every time something is discussed that might benefit the downtown community, there is always a group of people against it. Mr. Dipert noted that many are concerned about the success of the downtown and the number of storefront vacancies. The additional dock space would be of economic benefit to the community.

d) Motion

Chair Hess polled the members.

- Member Elzinga reported that he is still in favor of the Marina expansion.
- Member Novotny stated that he has feelings both ways, but believes the expansion would be good for the economics of the area.
- Member Sherwood supports the expansion.
- Member Waddell stated that, while he understands the economic component, he is concerned about the visual impact.
- Member Felter stated she is in support of the proposed expansion.
- Member Clock reported that she understands the economic basis for the expansion, but is still worried about the "use line". Additionally, she asked if there is any paperwork documenting the compromises made in the past.

Planner Spencer reported that both the surveyor and the engineer have said that they do not know where “the use line” originated. Regarding a public survey, Planner Spencer stated that the dog park is a completely new concept; that’s why a public survey is recommended for that project. The Marina is an existing use. Having a DDA meeting, two Planning Commission meetings, and a City Council meeting gives the public ample opportunity to express their thoughts about the Marina expansion. He also reported that everyone he had spoken to is in favor of the project.

Chair Hess stated that, though a compromise was reached 10 years ago, things change. He agrees with Planner Spencer that there have been several opportunities for the public to comment on the project. He is in support of the Marina expansion.

Motion by Member Felter, second by Member Novotny, that the Planning Commission recommends that City Council approve the original design [for the Marina expansion project.]

Motion passed by a 5 to 1 vote, with Member Waddell dissenting.

## I. Staff Updates

### 1. Lake to Lake Trail

Planner Spencer project, which was discussed earlier in the meeting, is hoping to break ground by June with completion by fall. Staff is seeking additional grant funds for the project.

### 2. Planning Commission Bylaws

Planner Spencer reported that the Bylaw Sub-Committee has met twice and have provided very good input. He will be making changes, submitting the document to the City Attorney for review, and hopes to bring the document to the Commission at the March meeting.

### 3. Change to City laws regarding PC membership

Planner Spencer stated that staff is taking the proposed change regarding Planning Commission membership to City Council’s first meeting in March for consideration; this change would allow a residents within the five townships to serve on the City’s Planning Commission, even though they may not be registered voters in the City.

### 4. Placemaking Training Program

Staff is participating in a Placemaking Training Program given by the Land Policy Institute and the Extension Service. Fifteen communities throughout the State have been selected to attend this training, which will help shape Charlevoix’s future. Planner Spencer invited the Commission to attend the training sessions, which are scheduled for March 11<sup>th</sup> and April 8<sup>th</sup> at 6:00 p.m. in the Council Chambers.

### 5. Paddleboard Rentals at Ferry and Depot Beaches

Schulman Paddleworks was granted approval last summer to rent stand up paddle boats at Ferry and Depot beaches. This year Irish Boat Shop has also expressed interest in providing this service. Both businesses want to erect temporary 10’ x 10’ tents in each park, so that staff and paddle boards can be on site for rentals.

Chair Hess polled the members.

- Member Novotny believes that a tent should not be allowed, as others would want to do it.
- Member Sherwood also believes that allowing tent rental may get out of control with vendors.
- Member Waddell stated that food vendors started out this way; he has concerns about an existing business going portable.
- Member Clock stated believes that the concept is “a slippery slope” but access to the lake is public.

Planner Spencer stated that the Commission would not be saying no to the use, but possibly to a tent in the park. As an alternative, the businesses could rent the paddle boards from their van in the parking lot of the park and at the Irish Boat Shop near their property. Consensus from the Planning Commission was to not allow vendor tents in the City parks for the purpose of renting paddle boards.

## J. Request for Next Month’s Agenda or Research Items

None.

**K. Adjournment**

Motion by Member Chamberlain, second by Member Novotny to adjourn the meeting. Motion passed by unanimous voice vote. Meeting adjourned at 7:19 p.m.

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Stephanie C. Brown/fgm Deputy City Clerk

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John Hess Chair