

**CITY OF CHARLEVOIX**  
**REGULAR CITY COUNCIL MEETING MINUTES**  
**Monday, August 7, 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**

**4. Inquiry Regarding Conflicts of Interest**

Mayor Kurtz disclosed that he owned a downtown apartment for personal use that he occasionally rents, but he did not feel that this was a conflict.

Motion by Councilmember Gibson, second by Councilmember Oleksy, that Mr. Kurtz recuse himself on the agenda item Short Term Rentals.

Yeas: Perron, Gibson, Oleksy  
Nays: Kalbfell, Cole, Hagen  
Motion failed.

**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 – July 17, 2017 Regular Meeting
- B. City Council Meeting Minutes – July 31, 2017 Special Meeting
- C. Accounts Payable and Payroll Check Registers
  - a. Special Accounts Payable Check Register – July 24, 2017
  - b. Regular Accounts Payable Check Register – August 8, 2017
  - c. ACH Payments – July 17, 2017 to July 31, 2017
  - d. Payroll Check Register – July 28, 2017
  - e. Payroll Transmittal – July 28, 2017
  - f. Tax Disbursement – August 8, 2017
- D. 2017 MERS Annual Conference Officer Delegate – Andrew Whitley, employee delegate; Elizabeth Anderson, alternate
- E. 2017 Michigan Municipal League Delegate – City Manager Heydlauff

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

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

**6. Public Hearings & Actions Requiring Public Hearings**

**7. All Other Actions & Requests**

**A. Hampton Village Street Improvement**

DPW Superintendent Elliott stated that we are currently working on the 2017 infrastructure projects, which include complete utility upgrades as well as repaving a number of streets. He explained the scope of the proposed Hampton Village Street plan and stated that it was Staff's recommendation to amend the MDC contract in order to complete the Hampton project, increasing the contract amount by \$95,096.69. This project will use up the money derived from the 2016 Infrastructure Improvement Bonds and money set aside in the 2017/2018 Operating Budget for street improvements.

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

Motion by Councilmember Cole, second by Councilmember Oleksy, to approve change order #1, in the amount of \$95,096.69, and add this work to MDC's existing contract.

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

B. Short Term Rental Options and Senate Bill 329

Staff Planner Lucas stated that the Rental Regulations Subcommittee developed a draft short-term rental ordinance for City Council's review and discussion. As currently written, the draft ordinance would:

- Require registration of properties that are rented two or more weeks per year providing basic information about the unit
- Require a "good neighbor guide" and compliance with relevant City codes

She noted that the goal of the ordinance was to require property owners to register their homes, not to regulate them. Staff Planner Lucas will clarify rooms over garages and a remediation process for easily corrected issues.

Mayor Kurtz opened the item to public comment.

RJ Waddell, Planning Commission, explained that there would not be an inspection with the registration but, only with complaints from a renter. Sherm Chamberlain, Planning Commission, added that the applicable building code for a home would be the one in effect when it was built or remodeled.

Linda Sawyer felt that the Planning Commission should focus on long-term rentals which create a blight problem and questioned when long-term rentals would be addressed.

Ed Mann explained that rentals in Grand Rapids were inspected every four years and he felt that this would be a good policy for all rentals in the City.

Bob Timms felt the ordinance was another layer of bureaucracy and was not in favor.

The item was closed to the public.

Council concurred that the Planning Commission should continue the ordinance introduction process.

Staff Planner Lucas then discussed legislation that is currently proposed in the Michigan State Senate that would restrict the ability of local governments to regulate short-term rentals. The Planning Commission directed Staff to prepare a letter for consideration by Council to send to state senators and representatives expressing their position against the bill.

Mayor Kurtz opened the item to public comment.

Dave Gudritz, 204 Alice, questioned how rental regulations would be managed.

The item was closed to the public.

Motion by Councilmember Perron, second by Councilmember Hagen, to approve the [draft] letter from the Planning Commission concerning Bill 329 and to direct Staff to send the letter to the appropriate Senators and Representatives.

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

Nays: None

**8. Reports & Communications**

A. Public Comments

Beth Egler commented on dangerous jumping at Michigan Beach, a buoy that drifted, and she suggested more trash barrels on the beach, as well as installing a drain near the steps to avoid washouts.

Robert Taylor, 103 Maranatha, wanted to set the record straight regarding continuous complaints about campfires in his backyard. He stated that he is a good neighbor and respectful of those around him when having a fire. He suggested that this problem was an enforcement issue and doesn't warrant a change to the nuisance ordinance.

Ed Mann, Smoke on the Water, felt the City's temporary signage at Van Pelt Alley and the Trademark Building was unfair.

B. City Manager Comments

City Manager Heydlauff reported on the following:

- Park preservation ballot language submitted to the Governor for approval was rejected as written; the City Attorney will redraft language upon the recommendation of the Assistant Attorney General
- Carbon monoxide detectors are being installed in City police cruisers
- August 17<sup>th</sup> is the second Sustainable Built Environment Initiative visioning session at the Library
- Chamber microphones are being reviewed

C. Mayor & Council Comments

Councilmember Oleksy commented that Olesons' business suffered during the Venetian street closure and he questioned what the plan was for next year. It was noted that the closure was being evaluated and City Manager Heydlauff responded that nothing was set in stone.

**9. Other Council Business**

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

Motion by Councilmember Kalbfell, second by Councilmember Perron, 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: Kalbfell, Perron, Gibson, Cole, Oleksy, Hagen  
 Nays: None

Council moved into Closed Session at 7:57 p.m. Council resumed Open Session at 9:32 p.m.

Motion by Councilmember Cole, second by Councilmember Gibson, to extend the City Manager's employment contract by one year [effective July 27, 2017.]

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

**10. Adjourn**

The Mayor adjourned the meeting at 9:34 p.m.

Joyce M. Golding	City Clerk	Luther Kurtz	Mayor
<b>Special Accounts Payable – 07/24/2017</b>			
AT&T	2,722.94	HOLIDAY COMPANIES	4,969.45
AT&T LONG DISTANCE	89.17	METLIFE SMALL BUSINESS CENTER	739.57
AT&T MOBILITY	90.33	PRIORITY HEALTH	39,032.49
CHARLEVOIX STATE BANK	6,397.70	VERIZON WIRELESS	56.72
CHARTER COMMUNICATIONS	816.51	VISION SERVICE PLAN	512.74
DELTA DENTAL	3,643.24		
GREAT LAKES ENERGY	191.92	<b>TOTAL</b>	<b>59,262.78</b>
<b>Regular Accounts Payable – 08/08/2017</b>			
1400 BRIDGE STREET LLC	535.29	CHARLEVOIX TOWNSHIP	15.23
a5 Branding & Design	5,250.00	CINTAS CORPORATION	124.76
ACCESS LOCKSMITHING INC	75.00	CINTAS CORPORATION #729	243.71
ADVANCED BUILDING	490.00	CITY OF CHARLEVOIX - UTILITIES	34,095.42
ADVANCED PAVEMENT MARKING LLC	1,542.00	CIVIC SYSTEMS	210.00
AIRGAS USA LLC	66.30	COOK FAMILY FARMS	192.00
AIS CONSTRUCTION EQUIPMENT	4,518.00	CRYSTAL FLASH ENERGY	798.51
ALL-PHASE ELECTRIC SUPPLY CO.	435.50	CURREY FARMS LLC	92.00
ALTEC INDUSTRIES INC	737.27	CWIK, ADOLPH	25.00
AMERICAN WASTE INC.	257.46	DCASSESSING SERVICES	4,371.08
ARCADIA BENEFITS GROUP INC	25.00	DELL MARKETING L P	713.90
ASPEN WIRELESS	3,210.00	DeROSIA, PATRICIA E.	50.00
AVFUEL CORPORATION	96,802.39	DERRER OIL & PROPANE CO	542.85
BAKER COLLEGE OF CADILLAC	35.00	DHASELEER, CARL	214.00
BALL, MATTHEW	75.00	DOAN, GERARD P.	50.00
BEAR EARTH HERBALS	10.00	DORNBOS SIGN INC.	7,628.96
BEIJO DE CHOCOLAT LLC	80.00	DOTSON, LINDSEY J.	50.00
BELL EQUIPMENT COMPANY	811.43	EAST JORDAN COMMUNITY POOL	50.00
BERLAGE, JIM	30.00	ECONO SIGNS LLC	123.00
BLACK PEARL PLATINUM BRAND	40.00	EJ USA INC.	1,681.64
BLARNEY CASTLE OIL CO	822.09	ELLIOTT, PATRICK M.	203.84
BOSS, KEN	33.89	ELLSWORTH FARMER'S EXCHANGE	375.60
BRADFORD'S	48.75	EMERGENCY MEDICAL PRODUCTS INC	405.39
CCI SOUTH LLC	26.25	EMMET BRICK & BLOCK	71.53
CELEBRATE ME HOME	10,000.00	EVANS, HAL	50.00
CENTRAL DRUG STORE	51.85	FARMER WHITE'S	407.00
CHAPDELAINE, EMILY	50.00	FASTENAL COMPANY	310.92
CHARLEVOIX COMMUNITY SHOPPER	299.00	FERGUSON & CHAMBERLAIN	4,700.00
CHARLEVOIX COUNTY NEWS	260.00	FISHER SCIENTIFIC	514.46
CHARLEVOIX SCREEN MASTERS INC	513.00	FREIDINGER, REED	15.00
CHARLEVOIX SEWER & DRAIN	170.00	GEI CONSULTANTS	3,400.00

GERBER HOMEMADE SWEETS	66.00	PHILLIPS, BILL	50.00
GILLESPIE, ALISON	15.00	PHYSICIAN'S CLINIC OF CHARLEVOIX	75.00
GINOP SALES INC	57.46	POND HILL FARM LLC	271.00
GLEN'S MARKET - CHARLEVOIX	1,676.15	POWER LINE SUPPLY	5,244.90
GLOBAL EQUIPMENT COMPANY	86.96	PREFERRED WASTE 2 LLC	425.00
GOLDING, JOYCE M.	50.00	PREIN & NEWHOF	3,021.13
GOLOVICH, RENEE	48.00	PRO WEB MARKETING LLC	30.00
GORDON FOOD SERVICE	136.81	QUILL CORP	540.39
GREENVIEW DATA INC	5,545.00	R & R PRODUCTS INC	703.32
GUNTZVILLER, RHONDA	529.00	REEDY, JOSEPH	38.77
HANKINS, SCOTT A.	50.00	REHMANN-ROBSON & CO	10,500.00
HARRELL'S	166.00	RESIDEX LLC	411.87
HEALEY, BRUCE	15.00	RICK-BIDDICK, MICHELLE	1,785.64
HEID, THOMAS J.	50.00	ROCKY TOP FARMS	36.00
HEP'S HOMEBAKED GRANOLA	68.00	ROTARY CLUB OF CHARLEVOIX	37.50
HERSEY, BRADFORD	150.00	ROWE PROFESSIONAL SERVICES CO	400.00
HERZOG ELECTRIC	259.85	RS TECHNICAL SERVICES	2,004.00
HEYDLAUFF, MARK L	50.00	RUSSELL, ANNE	346.00
IDEXX DISTRIBUTION INC.	1,312.86	RUSTIC BAKER	78.00
INTERWATER FARMS INC	761.00	SAUL, GINNIE	125.00
JANE'S SASSY SALSA	39.00	SEARS COMMERCIAL ONE	224.84
JOHN E. GREEN COMPANY	47,189.50	SHINDORF BUILDERS	322.00
JONES & JONES GARAGE DOOR SVCS	240.00	SHORELINE POWER SERVICES INC.	450.00
JTHOMAS PARTS	123.27	SIEGRIST, DAVID	42.00
KILWINS CHARLEVOIX	1,037.50	SIGN & DESIGN	30.00
KIRINOVIC, THOMAS F.	50.00	SITE ONE LANDSCAPE SUPPLY	3,838.91
KLOOSTER, ALIDA K.	50.00	SKILLPATH SEMINARS	417.00
KSS ENTERPRISES	2,886.45	SMITH, MILO	103.58
LAKE FOREST BAKING COMPANY	220.00	SNAP-ON	214.95
LAKESHORE TIRE & AUTO SERVICE	99.31	SNIVELY, KIRBY	75.00
LANDSCAPE LOGIC	225.00	SPARTAN STORES LLC	35.82
LANGE, JEFFREY	150.00	STATE OF MICHIGAN	725.00
LOTTIE'S BAGELS	330.00	SULLIVAN, LAWRENCE R	1,000.00
MAYER, SHELLEY L.	50.00	SUPERIOR MECHANICAL	4,815.77
MCCALLUM, KADIN	50.00	SWANSON, RACHEL	15.00
McGINN, KELLY A.	50.00	SWEM, DONALD L.	50.00
MDC CONTRACTING LLC	25,495.02	SYSTEMS SPECIALISTS INC	1,952.00
MICHELS, CHRISTOPHER	150.00	TERMINAL SUPPLY CO	408.38
MICHIGAN BOATING INDUSTRIES ASSOC	295.00	THE CHARLES MACHINE WORKS INC	10,304.28
MICHIGAN MUSHROOM MARKET LLC	32.00	THE GO ROUNDS LLC	1,000.00
MICHIGAN WATER ENV ASSOC	140.00	THE TROPHY CASE	40.00
MILLER, WILLIAM S.	50.00	TIMMS, ROBERT	332.00
MOORS & MCCUMBER	1,250.00	TRAVERS, MANUEL J.	50.00
MUSTANG TOOL SERVICE	332.97	TRI-TURF	76.61
NETSOURCE ONE INC.	104.00	UNIFIRST CORPORATION	221.08
NORTH COUNTRY CRITTERS	15.00	UP NORTH PROPERTY SERVICES LLC	5,568.00
NORTHERN CREDIT BUREAU	251.00	VILLAGE GRAPHICS INC.	199.90
NORTHERN FIRE & SAFETY INC.	381.86	WAGNER, JODI	66.00
NORTHERN SAFETY CO INC	1,231.67	WARD BROTHERS BOATS INC	113.79
NORTHWEST DESIGN GROUP	350.00	WATTA COOKIE LLC	64.00
NW MI COG	12,180.00	WCMU PUBLIC MEDIA	695.00
OLD DOMINION BRUSH	933.08	WELLER, LINDA J.	50.00
OLSON BZDOK & HOWARD	1,634.70	WILTFONG, DAVID	34.68
OLSTROM EXCAVATING AND PAVING	3,040.00	WINNIE'S ORIGINAL LLC	5.00
OMS COMPLIANCE SERVICES INC	202.50	WITMER PUBLIC SAFETY GROUP	432.53
P.I.W. CORPORATION	82.50	WORK & PLAY SHOP	486.73
PARKER, MICHAEL	81.00	WURST, RANDALL W.	50.00
PENCHURA LLC	45,537.00	WYMAN, MATTHEW A.	50.00
PERSONAL GRAPHICS	799.48	<b>TOTAL</b>	<b>408,161.54</b>

**ACH Payments – 07/17/2017 to 07/31/2017**

MI PUBLIC POWER AGENCY	37,245.95	VANTAGEPOINT (401 ICMA PLAN)	713.94
NEOFUNDS BY NEOPOST (POSTAGE)	4,990.00	VANTAGEPOINT (457 ICMA PLAN)	13,296.88
MI PUBLIC POWER AGENCY	16,760.06	VANTAGEPOINT (ROTH IRA)	961.53
MI PUBLIC POWER AGENCY	254,726.70	MERS (DEFINED BENEFIT PLAN)	31,193.05
IRS (PAYROLL TAX DEPOSIT)	44,005.50	MI PUBLIC POWER AGENCY	13,905.90
ALERUS FINANCIAL (HCSP)	420.00		
STATE OF MI (WITHHOLDING TAX)	6,355.71	<b>TOTAL</b>	<b>424,575.22</b>

**Payroll Net Pay – Pay Period Ending 07/22/2017 (Paid 07/28/2017)**

WELLER, LINDA JO	1,499.87	MUMICH, BARRY J.	595.90
HEYDLAUFF, MARK L.	2,161.23	CRANDELL, ZACKARY R.	643.67
GOLDING, JOYCE M.	1,132.69	LEITNER, RYAN S.	802.81
DEROSIA, PATRICIA E.	483.25	FERGUSON, ROYCE L.	788.84
DOTSON, LINDSEY J.	1,421.14	BOSS, SHERRY M.	405.84
LOY, EVELYN R.	1,050.16	KIRINOVIC, THOMAS F.	432.86
KLOOSTER, ALIDA K.	1,566.56	STEBE, LAURA A.	18.47
GOLOVICH, KAREN J.	970.67	SROUFE, MARC E.	85.88
SPENCLEY, PATRICIA L.	1,233.43	SROUFE, PAMELA B.	74.81
MILLER, FAITH G.	28.07	MILAN, JANE E.	1,092.80
LEESE, MERRI C.	523.99	ANZELL, BETH A.	650.22
MCGINN, KELLY A.	1,618.00	BERNIER, RACHEL M.	719.19
JONES, JANET M.	496.47	MACGILLIVRAY, RAYMOND L.	660.32
DOAN, GERARD P.	1,603.59	DIXON, MIKAYA S.	481.50
SCHLAPPI, JAMES L.	1,290.95	MILAN, BAC P.	691.58
UMULIS, MATTHEW T.	1,457.52	HOLECHECK, JENNACA R.	828.08
HANKINS, SCOTT A.	2,182.32	LABELLE, DAVIS B.	409.75
ORBAN, BARBARA K.	1,402.10	BAILEY, ALYSSA M.	700.06
TRAEGER, JASON A.	1,936.32	HEID, THOMAS J.	1,299.22
FLICKEMA, ANDREW M.	1,862.15	LEESE, ALAN K.	455.33
MATELSKI, KIMBERLY A.	1,188.90	HART, DAVID R.	48.48
RILEY, DENISE M.	477.84	GRUNCH, RONALD J.	433.97
EVANS JR, HALBERT K.	1,470.62	DAVIS, RONALD L.	243.31
KLOOSTER, PATRICK H.	1,050.59	FAIRCHILD, GALEN W.	321.25
BINGHAM, LARRY E.	836.39	DAKROUB, JOSEPH E.	247.12
ENGSTROM, TYLER A.	600.58	MASSON, DONALD J.	437.37
WARNER, PAYTON J.	1,110.09	KUSINA, DENNIS W.	374.96
MATELSKI, RYAN G.	980.40	LABLANCE, MAUREEN J.	286.73
GREENE, GLORIA C.	760.38	LIVINGSTON, BRIAN D.	662.34
DAVIS, LEAH R.	725.82	VANLOO, JOSEPH G.	965.01
TELGENHOF, WILL G.	645.24	WYMAN, MATTHEW A.	1,761.58
WILLIAMS, BRANDON S.	431.22	BOSS, RYDER S.	793.72
CARLSON, JOSHUA A.	281.03	MILLER, WILLIAM S.	1,354.08
GREYERBIEHL, KELLY M.	812.46	HOUSER, JAMES F.	533.48
WURST, RANDALL W.	1,414.01	DOUGLAS, MARK	686.91
MAYER, SHELLEY L.	1,957.22	MITCHELL, JACOB A.	648.90
HILLING, NICHOLAS A.	1,343.65	TRAVERS, MANUEL J.	1,636.68
MEIER III, CHARLES A.	1,261.35	STEVENS, JEFFREY W.	239.12
ZACHARIAS, STEVEN B.	1,484.58	RILEY, CASEY W.	161.60
EATON, BRAD A.	1,809.08	JONES, LARRY M.	715.73
WILSON, TIMOTHY J.	2,027.54	FLORE, ROBERT A.	829.43
LAVOIE, RICHARD L.	1,630.19	WILLSON, BRENDA R.	857.17
STEVENS, BRANDON C.	1,629.38	BEAN, PETER J.	693.48
DRAVES, MARTIN J.	2,008.03	FENNELL, DREW M.	127.75
BROWN, STEPHANIE C.	1,042.19	MCMULLEN, DONALD R.	1,076.90
ANDERSON, ELIZABETH A.	1,151.81	SILVA, JESSE L.A.	373.30
ELLIOTT, PATRICK M.	2,004.05	RILEY, DANIEL A.	389.38
SCHWARTZFISHER, JOSEPH L.	1,437.91	TIMMS, ROBERT N	46.17
BRADLEY, KELLY R.	1,509.35	GERBER, SAMUEL A.	41.56
HART II, DELBERT W.	1,217.48	KLINGER, LUCAS D.	520.94
JONES, ROBERT F.	1,082.88	KLINGER, BRADLEY W.	691.29
DORAN, JUSTIN J.	1,812.58	WILLIAMS, SYDNEY K.	772.91
FARRELL, MITCHELL L.	1,256.48	SWEM, DONALD L.	1,878.07
MANKER JR, DAVID W.	581.41	WHITLEY, ANDREW T.	1,939.21
MANKER SR, DAVID W.	796.02	MORRISON, KEVIN P.	1,775.07
BECKER, MICHAEL S.	942.35	JOHNSON, STEVEN P.	1,660.50
NEDWICK, DAVID J.	596.66	BISHAW, JAMES H.	733.83
FREY, DYLAN V.	572.14	WITTHOEFT, LUKILA F.	537.69
SHEPARD, ZACHARY N.	601.55	ITTER, DAVID M.	661.68
HART III, DELBERT W.	637.92	PETERSON, BENJAMIN D.	235.30
SLADEK, RYLYNN S.	543.57	GILL, DAVID R.	1,094.55
HAWKINS, JAMES S.	445.38	MATTER, DAWSON K.	3,521.89
MCGHEE, ROBERT R.	1,154.49		
ALDEN, CAMDEN D.	610.52	<b>TOTAL</b>	<b>118,701.35</b>

**Payroll Transmittal – 07/28/2017**

4FRONT CREDIT UNION	277.69	CHAR EM UNITED WAY	59.00
AMERICAN FAMILY LIFE	191.88	CHARLEVOIX STATE BANK	1,259.62
AMERICAN FAMILY LIFE	447.24	CHEMICAL BANK	150.00

COMMUNICATION WORKERS OF AMER	516.80	PRIORITY HEALTH	1,938.69
MI STATE DISBURSEMENT UNIT	401.83	<b>TOTAL</b>	<b>5,242.75</b>

**Tax Disbursement – 08/08/2017**

CHARLEVOIX COUNTY TREASURER	366,196.55	CHARLEVOIX PUBLIC SCHOOLS	9.18
CHARLEVOIX COUNTY TREASURER	153.07	CHARLEVOIX PUBLIC SCHOOLS	21,419.92
CHARLEVOIX DISTRICT LIBRARY	19.38	CITY OF CHARLEVOIX - TAXES DUE	303,458.07
CHARLEVOIX PUBLIC SCHOOLS	507,117.77	CITY OF CHARLEVOIX/DDA	303,034.24
CHARLEVOIX PUBLIC SCHOOLS	107,122.52	RECREATIONAL AUTHORITY	3.48
CHARLEVOIX PUBLIC SCHOOLS	21,419.76	<b>TOTAL</b>	<b>1,629,953.94</b>