

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, February 1, 2010 — 7:00 p.m.
210 State Street, City Hall, Council Chambers, Charlevoix, MI

I. Pledge of Allegiance

II. Roll Call of Members Present

Mayor: Norman L. Carlson, Jr.
City Attorney: James Young
City Manager: Rob Straebel
City Clerk: Carol A. Ochs
Members Present: Council members Bryan Vollmer, Shane Cole, Lyle Gennett, Dennis Kusina, Jill Picha, Greg Stevens
Absent: None

III. Inquiry Regarding Possible Conflicts of Interest

None.

IV. Consent Agenda

The following items were approved and filed:

- A. Approval of Minutes – January 18, 2010 Regular Meeting Minutes
- B. Accounts Payable Check Register – January 14, 2010
- C. Accounts Payable Check Register – February 2, 2010
- D. Tax Disbursement – February 2, 2010
- E. Payroll Check Register– January 22, 2010
- F. Payroll Transmittal – January 22, 2010

V. Public Hearings

None.

VI. Reports

The Manager stated that City Planner Mike Spencer has completed a draft Recreation/Parks plan, which will be brought to Council in the near future. Mr. Spencer is also working on completion of the Master Plan, with the help of consultants.

The Manager reminded Council the budget public hearing is February 15. He asked if Council had any last minute revisions to contact him or City Treasurer Rick Brandi.

Council was reminded to contact Linda Weller if they wished to attend the Michigan Municipal League Capital Conference in April.

VII. Requests, Petitions and Communications and Actions Thereon

A. Discussion Regarding Donating Flagpole to Local VFW Post 1153

The Mayor summarized the history of a flagpole donated to the City from Big Rock and current plans to place the flagpole at Michigan Beach. Bill Trubilowicz and John Winn are spearheading efforts to raise funds to cover the costs of installing the flagpole. Staff is looking for direction of a reasonable deadline by which the funds need to be raised. If the funds are not raised by the deadline, the flagpole will be donated to VFW Post 1153. Charlie Butcher, Trustee for the Post, stated that they are agreeable to the deadline. The Post just wants to get the flagpole placed. Council generally agreed that funds need to be raised by July 1, 2010.

B. Update on DeWitt Parking Lot

Downtown Development Authority Director Keith Carey gave a summary regarding the DeWitt Parking lot. Council had previously granted Mr. Carey permission to pursue options regarding this property, including the possible parking lot expansion and demolition of the building. Mr. Carey and the DDA have tried to be sensitive to historic significance of the structure. They have worked unsuccessfully to find an alternative site for the building. Due to the current condition of the structure, it would be unable to survive a move without a significant investment. The DDA is not currently willing or financially able to participate in the preservation of the structure. The Historical Society is not able to take on this structure at this time. Grants require utilization of the structure as a museum, which would also be a significant and ongoing investment in terms of maintenance, staffing, and programs. Mr. Carey is asking for Council to ratify the DDA's recommendation for dispensation of the property by demolishing the structure at 108 Park Avenue and expanding the current parking lot with landscaping. Council discussed the possibility of charging for some of the parking spaces once the lot is completed.

Property owner John Haggard spoke in favor of retaining the structure for its historical value. Mr. Haggard also referenced a letter previously received by Council from his brother George Haggard, also in favor of conserving the building. He encouraged Council to pursue financial compensation in civil court from the Charlevoix County Land Conservancy, who had contracted to use and maintain the structure.

The Mayor queried Mr. Carey regarding specific stipulations of the Land Conservancy agreement. Items addressed included electrical and plumbing upgrades and a new roof. Mr. Carey does not believe that the agreement addressed the building foundation specifically. The Attorney answered some general questions regarding possible civil litigation. Council still expressed concerns about who would maintain the building if it were saved. The Mayor reviewed that the DDA had originally purchased the property for parking, and at that time there were no other interested parties.

Mr. Haggard stated that he doesn't think the historical value of the structure was thought about at the time the property was purchase in 1995. He stated that there can still be a parking lot behind the building if the building and its history is saved.

Motion by Councilmember Lyle Gennett, seconded by Councilmember Dennis Kusina, to accept the recommendation of the Charlevoix Downtown Development Authority regarding the 108 Park Avenue parcel and to authorize the expenditure of monies from the Downtown Parking Fund (PI #16) in order to demolish the DeWitt House and expand the DeWitt Parking Lot to approximately forty (40) parking spaces, including appropriate green space, landscaping, and an attractive entryway.

Yeas: Vollmer, Cole, Gennett, Kusina, Picha, Stevens
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
 None.

XI. Miscellaneous Business

A. Human Resources Position

Councilmember Lyle Gennett talked about the human resources position. He stated that the intention was to review the need for the position in two years. It has been two years and he can appreciate what has been done for the City. People in the community, when they hear about laying off police, fire, or lifeguards, do not understand how we could do that when we could eliminate the human resources position, and Mr. Gennett thinks they have a good point. Councilmember Gennett stated that he thinks the position should be terminated and seven thousand dollars could be put back for the part time assistant for the Manager's office.

The Manager asked for other opinions from Council to see if they are unified in eliminating that position as a whole. Staff can bring forward a budget with or without that position included. The Manager appreciates the notice and will prepare and look at all the ramifications of eliminating the position for the February 15 meeting.

The Manager also asked Council to consider what their respective roles are in a Council-Manager form of government. Council is here to set policy, look at long range projects, give direction to staff, while the Manager has been hired to manage the staff. The Manager stated he is an advocate for the human resources position, which is why he kept it in the budget. The Manager stated that he had thought the position would be in place for two years and then reevaluated, not eliminated.

Councilmember Gennett asked the Manager to meet with staff and get their input. The Mayor asked for clarification as to whether staff had issues with the position or the person in the position; issues with personnel should be addressed to the Manager in his office and let him handle it. The Mayor asked Council members to discuss the matter in the upcoming week with the Manager to allow him to prepare for the next meeting. Councilmember Picha stated that Council members had received a lot of complaints from the departments.

The Attorney confirmed that an appropriate first step would be to discuss the matter with the Manager privately. Councilmember Stevens stated that if it comes to a choice between a fire position or a human resources position, he would want to save the fire position. The Mayor reminded Council that the human resources position's cost is spread against all the departments, whereas the fire position is strictly billed to the General Fund. Mr. Stevens stated that still, if the money is saved elsewhere across the City, there should be a way to save the fire position. The Attorney stated that, from a legal perspective, the human resources position must be viewed from the perspective that the person and the position are two different entities. From a human resources perspective, things have become so complex because of State and Federal laws that it is his professional opinion that the City Manager's office must have the ability to tap into human resources expertise as needed, whether that be from an in-house position or an outside consultant. Secondly, if the Manager doesn't have a good way to tap into human resources expertise, the City could in the long run find itself in a labor liability position.

The Clerk stated that the reasons for originally creating the human resources position still exist. Councilmember Picha expressed concern about employee morale.

B. Other Miscellaneous Business

The Mayor provided an update on the Fire/EMS negotiations with Hayes, Eveline, Marion, Charlevoix and Norwood townships

Councilmember Jill Picha thanked the Mayor and City Manager Straebel for their letter to the Michigan Fish Producers Association regarding preventing the spread of Asian Carp into Lake Michigan.

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

John Haggard encouraged Council to look at the issue of the cormorants as well as the Asian carp. He suggested Council get some funds to prove the economic impact of the cormorants.

Mr. Haggard stated that he was disappointed with Council for their vote on the DeWitt lot and he highly recommends they have their legal counsel pursue the loss of a facility that was supposed to be maintained under a contract and the related cost.

Mr. Haggard stated that he thought Council had gone against the people of the City that had elected them with the 5-1 vote on the Klooster family decision.

Bob Timms stated that it had been the Fire Department's job to care for the City Hall building in the past and he says someone should be removing the snow out front. He proposed Council consider saving money in the budget by making the Police secretary part time again. The Manager stated that the Fire personnel do keep busy maintaining the building and grounds and do an excellent job.

XIII. Adjourn

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

There were no objections.

Meeting adjourned at 7:59 p.m.

 Carol A. Ochs City Clerk Norman L. Carlson, Jr. Mayor

Accounts Payable – 01/14/2010

VOID - WILSON, TIMOTHY J.	\$ (24.48)	M	MICHIGAN PUBLIC POWER AGENCY	\$184,335.05
WILSON, TIMOTHY J.	\$ 24.48		TOTAL:	\$ 184,335.05

Accounts Payable – 02/02/2010

AIRGAS GREAT LAKES INC.	\$ 718.78	KORTHASE FLINN	\$ 793.70
ALL-PHASE ELECTRIC SUPPLY CO.	\$ 321.40	KSS ENTERPRISES	\$ 207.37
AMERICAN PUBLIC WORKS ASSN	\$ 232.00	LAVANWAY, KAREN	\$ 8.71
AMERICAN WASTE INC.	\$ 3,783.50	LORMAN EDUCATION SERVICES	\$ 116.95
AT&T LONG DISTANCE	\$ 46.23	M A A E AIRPORTS DIVISION	\$ 125.00
AT&T MOBILITY	\$ 272.56	MAFC	\$ 150.00
BAILEY, MATT	\$ 365.14	MAGNUM ELECTRIC INC.	\$ 510.00
BOSS, DWIGHT	\$ 41.00	MCMASTER-CARR	\$ 714.01
BRADY'S CARPET CLEANING	\$ 490.00	MDC CONTRACTING LLC	\$ 99,537.50
BRANDI, RICHARD	\$ 41.00	MICHIGAN ASSN/AMBULANCE SVCS	\$ 60.00
BREWER, JOHN	\$ 1,065.00	MICHIGAN ASSN/CHIEFS OF POLICE	\$ 100.00
CALDWELL, JAMES	\$ 235.99	MICHIGAN PUBLIC POWER AGENCY	\$ 74,848.63
CAREY, KEITH	\$ 41.00	MID STATES BOLT & SCREW CO	\$ 47.60
CENTRAL DRUG STORE	\$ 8.98	MISS DIG SYSTEM INC	\$ 69.65
CHARLEVOIX COUNTY CLERK	\$ 3,283.35	NATIONAL ASSOCIATION OF	\$ 40.00
CHARLEVOIX COUNTY EQUALIZATION	\$ 698.61	NETSOURCE ONE INC.	\$ 90.00
CHARLEVOIX SCREEN MASTERS INC	\$ 20.00	NFPA	\$ 150.00
CHARLEVOIX STATE BANK	\$ 2,462.01	NORTHERN CREDIT BUREAU	\$ 135.80
CHARTER COMMUNICATIONS	\$ 83.39	NORTHERN FIRE & SAFETY	\$ 139.00
CITY OF CHARLEVOIX - MISC	\$ 8.92	NORTHERN MICHIGAN	\$ 25.00
CUMMINS BRIDGEWAY LLC	\$ 699.00	PERFORMANCE ENGINEERS INC	\$ 931.50
DELTA DENTAL	\$ 3,835.85	POWER LINE SUPPLY	\$ 1,137.10
DELTA VISION	\$ 502.61	PRIORITY HEALTH	\$ 34,659.74
DESIGN ASSOCIATES	\$ 3,160.00	PROSTAR BATTERIES, INC	\$ 448.66
DOAN, GERARD	\$ 41.00	PURITY CYLINDER GASES INC.	\$ 175.55
DONNER, LYNDA	\$ 41.00	ROTARY CLUB OF CHARLEVOIX	\$ 37.50
DTE ENERGY	\$ 15,534.85	SAFARILAND	\$ 51.49
ELLIOTT, PATRICK	\$ 41.00	SCIENTIFIC BRAKE & EQUIP CO	\$ 81.76
ELLSWORTH FARMER'S EXCHANGE	\$ 421.65	SEELEY'S PRINTING SERVICE	\$ 58.00
EVANS, HAL	\$ 41.00	SITE PLANNING DEVELOPMENT INC	\$ 85.00
FISHER SCIENTIFIC	\$ 1,393.34	SMEMSIC	\$ 205.00
GRAINGER	\$ 184.68	SPENCER, MICHAEL	\$ 41.00
GRAND TRAVERSE RUBBER SUPPLY	\$ 36.51	STANDARD INSURANCE CO	\$ 1,382.25
GREAT LAKES ENERGY	\$ 190.36	STRAEBEL, ROBERT J.	\$ 41.00
HACH COMPANY	\$ 193.51	STRYKER SALES CORPORATION	\$ 165.17
HANKINS, SCOTT	\$ 54.85	SWEM, DONALD	\$ 41.00
HEID, THOMAS	\$ 41.00	TRIPLE M TIRE	\$ 628.64
HOLIDAY COMPANIES	\$ 7,839.34	TRUCK & TRAILER SPECIALTIES	\$ 681.00
HYDE EQUIPMENT	\$ 108.22	VILLAGE GRAPHICS INC.	\$ 177.40
INDEPENDENT DRAFTING SERVICES	\$ 1,344.00	VOSS LIGHTING	\$ 296.16
INTAGLIO LLC	\$ 506.00	WILMOT ELECTRIC INC	\$ 123.00
IVAN, PAUL	\$ 41.00	WILSON, TIMOTHY J.	\$ 26.21
KELLOGG HOTEL & CONFERENCE CTR	\$ 196.88	WOLVERINE TRACTOR & EQUIPMENT	\$ 59.51
KELLY PLUMBING & HEATING	\$ 1,050.00	WORK & PLAY SHOP	\$ 329.75
KIWANIS CLUB OF CHARLEVOIX	\$ 74.00	YOUNG GRAHAM	\$ 7,949.60
KMart	\$ 77.88	TOTAL:	\$ 279,550.30

Accounts Payable – 01/19/2010

Tax Disbursements

CHARLEVOIX COUNTY TREASURER	\$ 73,130.96	CITY OF CHARLEVOIX - MISC	\$ 35.00
CHARLEVOIX DISTRICT LIBRARY	\$ 20,375.16	CITY OF CHARLEVOIX - TAXES DUE	\$ 4,073.86
CHARLEVOIX PUBLIC SCHOOLS	\$ 5,297.99	HENNINK, MICHAEL & JANICE	\$ 540.66
CHARLEVOIX PUBLIC SCHOOLS	\$ 360.32	RECREATIONAL AUTHORITY	\$ 3,924.91
CHARLEVOIX PUBLIC SCHOOLS	\$ 373.19	TOTAL:	\$ 108,112.05

PAYROLL: NET PAY

Pay Period Ending 01/16/2010 – Paid 01/22/2010

WELLER, LINDA JO	\$ 1,589.16	LOY, EVELYN R.	\$ 929.18
STRAEBEL, ROBERT J.	\$ 1,963.03	KLOOSTER, ALIDA K.	\$ 1,073.22
BRANDI, RICHARD M.	\$ 1,613.99	BROWN, STEPHANIE C.	\$ 1,006.71

OCHS, CAROL A.	\$ 931.07	WURST, RANDALL W.	\$ 1,150.21
HANCHIN, AMY	\$ 227.05	MEIER III, CHARLES A.	\$ 1,491.33
CAREY, KEITH V.	\$ 1,153.17	WHITLEY, JOHN F.	\$ 1,640.83
SPENCER, MICHAEL D.	\$ 1,435.00	BLANCHARD, SCOTT W.	\$ 1,522.68
DONNER, LYNDA	\$ 1,180.72	FRYE, EDWARD J.	\$ 1,000.86
SPENCLEY, PATRICIA L.	\$ 1,017.43	SWEM, DONALD L.	\$ 1,697.29
SOMERVILLE, COLLIN P.	\$ 406.34	ROTTA, RUSSELL	\$ 1,542.47
BAILEY, MATTHEW L.	\$ 1,142.45	MORRISON, KEVIN P.	\$ 1,202.81
UMULIS, MATTHEW T.	\$ 1,279.07	HODGE, MICHAEL J.	\$ 1,104.12
DOAN, GERARD P.	\$ 1,691.92	JOHNSON, STEVEN P.	\$ 1,200.79
METDEPENNINGEN, SARAH	\$ 1,239.48	JONES, ROBERT	\$ 1,316.28
ROBERTS, WESLEY S.	\$ 1,312.17	ZIPP, DONALD R.	\$ 1,363.44
WARNER, JANINE M.	\$ 1,037.79	BOSS JR, DALE E.	\$ 1,083.38
SCHLAPPI, JAMES L.	\$ 1,076.49	WASHBURNE, MICHAEL J	\$ 73.88
ORBAN, BARBARA K.	\$ 689.28	BOSS, JAMES W.	\$ 910.23
IVAN, PAUL M.	\$ 1,625.17	CRICK, HAILEY C.	\$ 193.60
SCHWARTZFISHER, JOSEPH	\$ 1,121.09	STEBE JR, JOHN M.	\$ 425.04
ROLOFF, ROBERT P.	\$ 1,690.20	BOSS, SHERRY M.	\$ 102.05
BRODIN, WILLIAM C.	\$ 1,158.75	BEHAN, DEAN T.	\$ 287.29
CALDWELL, JAMES P.	\$ 1,267.17	BEHAN, HALEY C.	\$ 390.07
MAYER, SHELLEY L.	\$ 1,234.56	STEVENS, WILLIAM J.	\$ 630.69
HILLING, NICHOLAS A.	\$ 1,120.02	HOLM, ARTHUR R	\$ 859.20
JACOBS, DOUGLAS R.	\$ 1,948.01	HEID, THOMAS J	\$ 1,315.84
NISWANDER, JOSEPH F.	\$ 1,300.57	STEVENS, JEFFREY W.	\$ 235.62
WELLS JR., DONALD E.	\$ 1,145.54	HAND, REBECCA J.	\$ 92.86
JONES, TERRI L.	\$ 901.67	MEGGISON, JERRY B.	\$ 141.29
BRADLEY, KELLY R.	\$ 1,303.05	ROLOFF, AUDREY M.	\$ 211.00
EATON, BRAD A.	\$ 1,083.06	BARNWELL, SAM M.	\$ 55.41
WILSON, TIMOTHY J.	\$ 1,294.23	MARSH JR., JAMES D.	\$ 78.50
ELLIOTT, PATRICK M.	\$ 1,589.33	RILEY, TIMOTHY	\$ 66.00
WILSON, RICHARD J.	\$ 1,184.03	BUCKNER, DAVID D	\$ 245.34
STEVENS, BRANDON	\$ 502.37	TRAVERS, MANUEL J	\$ 29.92
BOSS, DWIGHT M.	\$ 362.72	SCOTT, WINFIELD	\$ 66.00
CHAMBERLAIN, BAILEY L	\$ 83.49	WINNELL, CHARLES J.	\$ 152.94
GILLESPIE, MURPHY L.	\$ 333.51	RILEY, DANIEL	\$ 315.78
STEBE, DAVID S.	\$ 716.52	BARRETT, SCOTT T	\$ 525.80
WITTHOEFT, MARVIN J.	\$ 221.64	RILEY, JEFFERY C	\$ 55.41
SILVA, JESSE L.	\$ 66.85	BERGMANN, DOUGLAS M.	\$ 79.19
O'CONNOR, BRUCE E	\$ 128.51	MACDONALD, BRIAN K	\$ 350.97
RILEY, ANDREW	\$ 488.47	HERRIMAN, LUKE J.	\$ 39.60
SHRIFT, PETER R.	\$ 1,123.86	ZIMMERMAN, ANTHONY J.	\$ 90.24
HANKINS, SCOTT A.	\$ 1,384.55		
COPPOCK, TIMOTHY M.	\$ 1,264.31	TOTAL:	\$ 76,974.22

PAYROLL: TRANSMITTAL
01/22/2010

**EFTPS* Payroll Tax	\$ 26,369.12	ICMA RETIREMENT TRUST	\$ 5,890.59
AMERICAN FAMILY LIFE	\$ 34.60	MI STATE DISTRICT UNI	\$ 179.89
CHAR EM UNITED WAY	\$ 41.00	NORTHWESTERN BANK	\$ 75.00
CHARLEVOIX STATE BANK	\$ 83.00	PRIORITY HEALTH	\$ 103.82
COMMUNICATION WORKERS	\$ 501.41	STATE OF MICHIGAN	\$ 3,986.08
ICMA RETIREMENT TRUST	\$ 669.43	TOTAL:	\$ 37,933.94