

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, November 16, 2009 — 7:00 p.m.
210 State Street, City Hall, Council Chambers, Charlevoix, MI

Council members Dennis Kusina, Bryan Vollmer, and Jill Picha were sworn in to their respective offices prior to the call to order. 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.
Assistant City Attorney: Bryan Graham
City Manager: Rob Straebel
City Clerk: Carol A. Ochs
Members Present: Council members Shane Cole, Lyle Gennett, Dennis Kusina, Jill Picha, Greg Stevens, Bryan Vollmer
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 2, 2009 Regular Meeting Minutes, approved as corrected
- B. Accounts Payable Check Register – November 5, 2009
- C. Accounts Payable Check Register – November 17, 2009
- D. Payroll Check Register – November 13, 2009
- E. Payroll Transmittals – November 13, 2009
- F. Payroll: Vacation Buy-Back – November 12, 2009
- G. Board of Canvassers Election Results – accepted and entered into the record.
Council had been provided with the Board of Canvassers' certification of the election results. The canvass results are summarized as follows:

Whole number of votes given for the office of City Clerk 62, 49, 55
And they were given for the following named person.
Carol A. Ochs 166
Carol A. Ochs having received sufficient numbers of votes is hereby elected to the office of City Clerk.

Whole number of votes given for the office of First Ward City Councilmember 58
And they were given for the following named person.
Dennis Kusina 58
Dennis Kusina having received sufficient numbers of votes is hereby elected to the office of First Ward Councilmember.

Whole number of votes given for the office of Second Ward City Councilmember 42
And they were given for the following named person.
Bryan Vollmer 42
Bryan Vollmer having received sufficient numbers of votes is hereby elected to the office of Second Ward Councilmember.

Whole number of votes given for the office of Third Ward City Councilmember 53
And they were given for the following named person.
Jill Picha 53
Jill Picha having received sufficient numbers of votes is hereby elected Third Ward Councilmember.

- H. Bryan Vollmer – Letter of Resignation from the Planning Commission

Motion by Councilmember Greg Stevens, seconded by Councilmember Lyle Gennett, to accept the resignation of Councilmember Bryan Vollmer from the Planning Commission.

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

- I. Certificate of Appreciation, Bryan Vollmer, Planning Commission
The Mayor thanked Mr. Vollmer for his service to the City on the Planning Commission.

V. Public Hearings

None.

VI. Reports

The Manager provided an update on the LeHarve summons and the Carpenter property cleanup. Additionally, the Manager announced that the City of Charlevoix now has a Facebook page, set up by City Planner Mike Spencer.

VII. Requests, Petitions and Communications and Actions Thereon

- A. Organizational Items: Meeting times/days; Appointment of Deputy Mayor; Appointment of Council member to Board of Review
Council discussed meeting times. The Mayor stated that he had some constituents approach him about having an earlier meeting, similar to the County, which has a daytime meeting. Daytime meetings may also be more convenient for staff and presenters as they are during normal business hours. Some Council members expressed concerns about daytime meetings conflicting with their work schedules. Other Council members were in favor of trying a daytime meeting. The Manager encouraged Council to pick a schedule that suits the Council members, and not to be concerned about staff.

Motion by Councilmember Dennis Kusina, seconded by Councilmember Jill Picha, to have staff draft a resolution to change the Council Rules and Procedures to meet the first Monday of the month at 12:00 noon and the third Monday of the month at 7:00 p.m.

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

The Mayor entertained nominations for the position of Deputy Mayor. Councilmember Jill Picha was the sole candidate to receive a second for nomination. The Mayor closed nominations.

Motion by Councilmember Dennis Kusina, seconded by Councilmember Shane Cole, to appoint Councilmember Jill Picha as Deputy Mayor.

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

Motion by Councilmember Jill Picha, seconded by Councilmember Shane Cole, to appoint Councilmember Dennis Kusina to the Board of Review.

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

B. Presentation of 10 Year ACIP (Airport Capital Improvement Plan)

Airport Manager Matt Bailey was available to address the item and answer questions from Council. Mr. Bailey reviewed the Airport Capital Improvement Plan in detail.

Motion by Councilmember Greg Stevens, seconded by Councilmember Lyle Gennett, to approve the 10-Year Capital Improvement Plan for the Charlevoix Municipal Airport as presented on the handout revised 11/16/09.

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

C. Approval of Terminal Expansion Project, Schematic Design Phase

Architect Mark Buday was available to review the schematic design and answer questions from Council. Mr. Buday would like to meet with Council at a work session in the near future to discuss the aesthetic design of the proposed building.

Airport Terminal Building Steering Committee member Don Seelye questioned the need for the terminal building to be changed. He stated that the two charter services have no interest in moving into the new building. He doesn't think that Council should move forward on the building without a commitment from the operators to use it.

The Mayor addressed some of the comments, stating that although the airport does not currently make money, it is an asset in to the City and could possibly make money in the future. The City is exploring all options, one of which would be the City taking over the airport. The City is not trying to push anyone out, but no matter what happens there is going to be change at the airport, which will be done in the best interest of the City of Charlevoix. The Mayor stated that, in his talks with Fresh Air, they have not said they would not move into the building, but rather that they would look at anything in view of how it would affect their business. With the long term contract, it makes sense that Charlevoix is the connection to Beaver Island, but the City is not trying to take advantage of that. If the City does not use the money, it does not revert back to the airport users or the taxpayers; we lose it. Council discussed the importance of educating Beaver Island residents.

Chuck Sherping commented that the City is losing Fresh Air's fuel sales and that they had made a proposal regarding fuel that had not been considered. The Manager stated that there are insurance stipulations regarding another fuel farm. The Manager stated that the City would entertain a formal proposal, but had not received one at this point.

Motion by Councilmember Jill Picha, seconded by Councilmember Lyle Gennett, to approve the schematic drawings [for the airport terminal expansion project] so that they can be submitted to the FAA.

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

D. Vacation Leave Policy

Lynda Donner, Human Resources, was available to review the item and answer questions from Council.

Motion by Councilmember Lyle Gennett, seconded by Councilmember Dennis Kusina, to approve Policy no. 403, Section 403.1: Vacation Leave Policy, as presented.

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

E. Discussion Regarding Draft Local Bidder's Preference Policy

The Manager reviewed the policy and answered questions for Council regarding the proposed Local Bidder's Preference Policy, which has been drafted at Council's request. The policy, as presented, has been reviewed by staff. The policy would apply to goods as well as services. Council discussed the sliding scale versus a straight percentage. The policy would not come into play on grant projects where taking the lowest qualified bidder is required. The Mayor asked for audience comment.

Bob Timms spoke in favor of a flat rate two percent.

Chamber Director Erin Bemis complimented Council for entertaining a local bidder policy.

Lynda Donner, Human Resources, stated that part of the concern during the departmental meeting was the differential jump with the sliding scale between a \$500,000 bid and a \$525,000 bid, for example. With a flat percent, the difference was proportionate from lowest to highest. Council continued to discuss the sliding scale.

Action by resolution.

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

A. Local Bidder's Preference Policy

Motion by Councilmember Dennis Kusina, seconded by Councilmember Shane Cole, to approve Resolution 2009-11-01 as follows:

**CITY OF CHARLEVOIX
RESOLUTION NO. 2009-11-01
A RESOLUTION IN SUPPORT OF A LOCAL BIDDERS PREFERENCE POLICY**

WHEREAS, the City of Charlevoix solicits bids for a variety of different products, services and projects throughout the year; and

WHEREAS, the City of Charlevoix desires to be supportive of local businesses and recognizes value in hiring local firms: and

WHEREAS, hiring local businesses promotes sound economic development principles assisting to retain City tax dollars locally:
and

WHEREAS, the City of Charlevoix's City Council desires to create a Local Bidders Preference Policy which permits the City to award a bid to a local bidder/vendor if the local bid/quote is within a specific percentage of the lowest qualified bidder;

NOW THEREFORE, BE IT RESOLVED, by the City of Charlevoix City Council that the following "Local Bidders Preference Policy" be adopted.

LOCAL BIDDERS PREFERENCE POLICY

When preparing specifications or solicitations for bids, quotes, etc., the following policy shall be made available to bidders.

The City may grant an award to a qualified local bidder/vendor as defined below, if a local bid/quotation is within the following percentages of the lowest qualified bid:

- A. Within 3% for projects/purchases/services up to and including \$100,000;
- B. Within 2% for projects/purchases/services over \$100,000 up to and including \$500,000;
- C. Within 1% for projects/purchases/services over \$500,000;

To be considered for local bidder preference, a qualified local bidder/vendor shall have met the following qualifications for at least one year prior to date bids are due:

- 1. Shall have a legal permanent business address within Charlevoix County;
- 2. Shall be a personal property or real property taxpayer in Charlevoix County;
- 3. Shall not be indebted or in default to the City or in breach of any contract with the City.

Any Charlevoix County-based business awarded a contract or bid pursuant to this policy shall agree to make available to the City all records necessary to establish eligibility and compliance with all provisions of this policy.

All projects/purchases/services awarded under this policy shall be awarded pursuant to the applicable bid specifications and shall require a responsive bid from a Charlevoix County-based business who must be a responsible bidder as determined by the City. In accepting a bid under this policy, the City may consider some or all of the following as may be applicable:

- 1. The ability, capacity and skill of the bidder to complete project or offer products or services;
- 2. Whether the bidder can perform promptly or within the time specified, without delay or interference;
- 3. The character, integrity, reputation, judgment, experience and efficiency of the bidder;
- 4. The quality of performance of previous projects or services;
- 5. The previous and existing compliance by the bidder with laws and ordinances relating to performing project or providing goods and services;
- 6. The sufficiency of the financial resources and ability of the bidder to perform the project or provide the service;
- 7. The quality, availability and adaptability of the materials/supplies or services to the particular use required;
- 8. The ability of the bidder to provide future maintenance and services for the use of the subject of the contract or goods or services specified;
- 9. The number and scope of the conditions attached to the bid.

In furtherance of the best interest of the City, its taxpayers and residents, the City Council has adopted this policy to support local businesses in the procurement of City capital improvements and goods and services, whenever reasonably possible. This policy may be revised at any time by proper action of the City Council, acting in compliance with the City Charter the City Code, and the Rules and Procedures of the City Council.

RESOLVED, this 16th day of November, A.D. 2009.

Resolution was adopted by the following yea and nay vote:

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

X. Ordinances
None.

XI. Miscellaneous Business

Councilmember Jill Picha asked about branches being picked up in certain areas of the City. The Manager stated the crews have been working on leaves. He will look into getting the branches in question taken care of.

Ms. Picha stated that the City might consider having some of the DeWitt lot off of Park Avenue as permit parking.

Ms. Picha expressed concerns about the travel policy. The Manager stated that the policy was passed by Council and the entire staff follows it. Council can give direction to change the policy. The Clerk stated there may be some implementation issues. The Manager will discuss the matter with the Treasurer.

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

Bob Timms spoke against Council changing their meeting times. The Mayor said he would open the meeting times up to public comment at the next meeting, when the resolution is brought before Council.

XIII. Adjourn

The Mayor stated if there were no objections, the meeting would adjourn.
There were no objections.
Meeting adjourned at 9:16 p.m.

Carol A. Ochs	City Clerk	Norman L. Carlson, Jr.	Mayor
Accounts Payable – 11/05/2009			
DTE ENERGY	\$1,632.83	TOTAL	\$1,632.83
Accounts Payable – 11/17/2009			
ACCUMED BILLING INC.	\$ 1,870.02	LUDLOW, BRIAN	\$ 6.58
ACE HARDWARE	\$ 1,608.25	MAGNUM ELECTRIC INC.	\$ 123.00
AIRGAS GREAT LAKES INC.	\$ 424.83	MARVIN'S GARDENS INC	\$ 109.00
AMERICAN MARITIME	\$ 89.08	MATTHEW BENDER & CO. INC.	\$ 47.47
APPLIED INDUSTRIAL TECH	\$ 194.13	MEDICARE REFUNDS	\$ 310.74
AUTO VALUE	\$ 457.29	MEIER III, CHARLES A.	\$ 240.72
BREATHING AIR SYSTEMS	\$ 955.00	MI ASSOC OF AMBULANCE SVCS	\$ 155.00
CARQUEST OF CHARLEVOIX	\$ 1,401.15	MICHIGAN MUNICIPAL LEAGUE	\$ 28,818.00
CCP INDUSTRIES INC	\$ 248.09	MICHIGAN OFFICEWAYS INC	\$ 969.67
CHARLEVOIX CAR WASH	\$ 34.00	MID STATES BOLT & SCREW CO	\$ 420.78
CINTAS FIRST AID & SAFETY	\$ 55.00	MILLER, TOM	\$ 39.17
CITY TREASURER-CITY UTILITIES	\$ 24,642.50	MIRACLE RECREATION OF MICHIGAN	\$ 1,102.28
DeKORNE FARM	\$ 946.00	NORTHERN MICHIGAN REVIEW INC.	\$ 304.95
DESIGN ASSOCIATES	\$ 3,300.00	NYE UNIFORM CO	\$ 12.00
DITCH WITCH SALES OF MICHIGAN	\$ 145.10	PAT MCKEOWN FORD INC	\$ 434.81
DOWNING, CHRISTOPHER	\$ 597.00	PLUNKETT & COONEY	\$ 240.00
DRENTH BROS INC	\$ 4,540.38	POLYDYNE INC	\$ 379.50
EAST JORDAN IRON WORKS	\$ 71.00	POWER LINE SUPPLY	\$ 7,785.83
ENVIRONMENTAL RESOURCE ASSOC	\$ 464.15	QUILL CORP	\$ 44.08
FASTENAL COMPANY	\$ 62.13	RS TECHNICAL SERVICES	\$ 418.81
GIVENS, JUSTIN	\$ 47.50	RTI LABORATORIES INC.	\$ 114.00
GRAINGER	\$ 33.89	SIRMONS, JESSICA	\$ 44.24
GREAT LAKES PIPE & SUPPLY	\$ 712.74	SPARTAN DISTRIBUTORS INC	\$ 106.18
HACH COMPANY	\$ 215.70	SPEEDWRENCH INC.	\$ 317.50
HAGGARD'S INC	\$ 3,761.18	STANDARD ELECTRIC CO	\$ 846.37
HOLMES, CORINA	\$ 34.32	STATE OF MICHIGAN	\$ 16,072.53
HYDE EQUIPMENT	\$ 4,599.00	STATE OF MICHIGAN	\$ 250.00
IAFC MEMBERSHIP	\$ 329.00	STATE OF MICHIGAN	\$ 978.67
IDEXX DISTRIBUTION INC.	\$ 1,076.56	SUPERIOR MECHANICAL	\$ 257.70
JOHNSTONE SUPPLY #234	\$ 582.71	TRUCK & TRAILER SPECIALTIES	\$ 560.48
LAWSON PRODUCTS INC	\$ 132.16	TURFGRASS INC	\$ 3,002.88
LOUIS A. HOFFMAN NURSERY INC.	\$ 4,470.00	U S BANK	\$ 112.50

UP NORTH PROPERTY SERVICES LLC	\$ 1,036.00	WATERWORKS SYSTEMS & EQUIP INC.	\$ 969.00
USA BLUE BOOK	\$ 349.39	WILSON, RICHARD J.	\$ 59.16
VAN'S BUSINESS MACHINES	\$ 106.83	WORK & PLAY SHOP	\$ 65.71
VOORHIS, STEVEN	\$ 1.57	TOTAL	\$ 125,312.96

PAYROLL: NET PAY
Pay Period Ending 11/07/2009 – Paid 11/13/2009

WELLER, LINDA JO	\$ 1,328.57	MCGHEE, ROBERT R.	\$ 897.82
STRAEBEL, ROBERT J.	\$ 2,289.54	VANLOO, JOSEPH G.	\$ 386.02
BRANDI, RICHARD M.	\$ 1,621.59	BOSS, DWIGHT M.	\$ 362.72
LOY, EVELYN R.	\$ 933.48	STEBE, DAVID S.	\$ 49.87
KLOOSTER, ALIDA K.	\$ 1,386.77	RILEY, ANDREW	\$ 103.05
BROWN, STEPHANIE C.	\$ 1,211.01	BUDDE, ELAINE J.	\$ 154.88
OCHS, CAROL A.	\$ 937.37	CARLSON, JOANNE E.	\$ 145.00
HANCHIN, AMY	\$ 238.90	LALEWICZ, AMELIA	\$ 60.03
CAREY, KEITH V.	\$ 1,159.44	SHRIFT, PETER R.	\$ 1,085.98
SPENCER, MICHAEL D.	\$ 1,439.87	HANKINS, SCOTT A.	\$ 1,392.14
DONNER, LYNDA	\$ 1,061.09	COPPOCK, TIMOTHY M.	\$ 1,058.50
SPENCLEY, PATRICIA L.	\$ 991.93	WURST, RANDALL W.	\$ 1,153.59
SOMERVILLE, COLLIN P.	\$ 369.40	MEIER III, CHARLES A.	\$ 1,060.51
BAILEY, MATTHEW L.	\$ 1,119.19	WHITLEY, JOHN F.	\$ 1,759.18
UMULIS, MATTHEW T.	\$ 1,254.50	BLANCHARD, SCOTT W.	\$ 1,731.73
DOAN, GERARD P.	\$ 1,669.61	FRYE, EDWARD J.	\$ 1,040.35
METDEPENNINGEN, SARAH	\$ 1,114.43	SWEM, DONALD L.	\$ 1,704.73
ROBERTS, WESLEY S.	\$ 1,237.87	ROTTA, RUSSELL	\$ 1,418.01
WARNER, JANINE M.	\$ 1,311.05	MORRISON, KEVIN P.	\$ 983.01
SCHLAPPI, JAMES L.	\$ 801.42	HODGE, MICHAEL J.	\$ 1,354.08
ORBAN, BARBARA K.	\$ 750.48	JOHNSON, STEVEN P.	\$ 1,074.26
IVAN, PAUL M.	\$ 1,747.62	JONES, ROBERT	\$ 1,240.93
SCHWARTZFISHER, JOSEP	\$ 1,121.71	BISHAW, JAMES H.	\$ 597.02
ROLOFF, ROBERT P.	\$ 1,203.61	DISHONG, AARON S.	\$ 748.42
BRODIN, WILLIAM C.	\$ 2,049.26	ZIPP, DONALD R.	\$ 1,303.53
CALDWELL, JAMES P.	\$ 1,272.04	BOSS JR, DALE E.	\$ 582.25
MAYER, SHELLEY L.	\$ 1,454.05	BOSS, JAMES W.	\$ 467.25
HILLING, NICHOLAS A.	\$ 1,038.76	HOLM, ARTHUR R	\$ 819.35
JACOBS, DOUGLAS R.	\$ 2,150.71	HEID, THOMAS J	\$ 1,483.60
NISWANDER, JOSEPH F.	\$ 1,230.51	BOAL, DAVID W	\$ 883.39
WELLS JR., DONALD E.	\$ 1,433.63	BRENNAN, PEGGY L.	\$ 154.88
JONES, TERRI L.	\$ 1,133.75	STALEY, ARLENE L.	\$ 115.00
BRADLEY, KELLY R.	\$ 1,204.51	DZIEDZIC, MARY ALICE	\$ 145.00
EATON, BRAD A.	\$ 1,266.70	RUDOLPH, JOELLEN B.	\$ 145.00
WILSON, TIMOTHY J.	\$ 1,663.58	VON HELLENS, BENNIE L	\$ 115.00
ELLIOTT, PATRICK M.	\$ 1,556.70	LEFT, LILLIAN M.	\$ 145.00
WILSON, RICHARD J.	\$ 1,075.53	BUDAY, JOAN E.	\$ 154.88
SIEGMUND, CHRISTOPHER	\$ 655.29	STEPHAN, MARY ANN	\$ 60.00
BROWE, RAYMOND L.	\$ 261.36	TOTAL	\$ 75,882.79

PAYROLL: TRANSMITTAL
11/13/2009

**EFTPS* Payroll Taxes	\$ 31,850.78	MI STATE DISTRICT UNIT	\$ 179.89
CHAR EM UNITED WAY	\$ 26.00	NORTHWESTERN BANK	\$ 75.00
CHARLEVOIX STATE BANK	\$ 83.00	POLICE OFFICERS LABOR	\$ 299.25
COMMUNICATION WORKERS	\$ 501.41	PRIORITY HEALTH	\$ 103.82
ICMA RETIREMENT TRUST 401	\$ 669.43	STATE OF MICHIGAN	\$ 4,962.96
ICMA RETIREMENT TRUST 457	\$ 6,195.91	TOTAL	\$ 44,947.45

PAYROLL: VACATION BUY-BACK
11/12/2009

DOAN, GERARD P.	\$ 4,938.33	SWEM, DONALD L.	\$ 766.74
IVAN, PAUL M.	\$ 5,056.09	HEID, THOMAS J	\$ 3,957.63
CALDWELL, JAMES P.	\$ 3,565.67	TOTAL	\$ 18,284.46