

**CITY OF CHARLEVOIX**  
**REGULAR CITY COUNCIL MEETING MINUTES**  
**Monday, December 7, 2009 — 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: Jim Young  
City Manager: Rob Straebel  
City Clerk: Carol A. Ochs  
Members Present: Council members Lyle Gennett, Dennis Kusina, Jill Picha, Greg Stevens, Bryan Vollmer, 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 16, 2009 Regular Meeting Minutes
- B. Accounts Payable Check Register – November 20, 2009
- C. Accounts Payable Check Register – December 8, 2009
- D. Tax Disbursement – December 8, 2009
- E. Payroll Check Register – November 25, 2009
- F. Payroll Transmittal – November 25, 2009

**V. Public Hearings**

None.

**VI. Reports**

The Manager stated that he would be sitting down this week with department heads to discuss goals for the 2010-11 budget year. The Manager asked Council to let him know if they have any projects they would like to see done in the coming year. The Manager said that the upcoming budget year will be even more challenging than the last. The Manager would like to bring some Street and Utility projects to Council at the December 21 meeting to get their input before the actual budget meetings.

The Mayor stated Council would be postponing discussion of the Lake to Lake Trail to the December 21 meeting.

**VII. Requests, Petitions and Communications and Actions Thereon**

A. Purchase of ¾ Ton Pickup Truck

Street Superintendent Pat Elliott was available to present the item and answer questions from Council.

Motion by Councilmember Jill Picha, seconded by Councilmember Lyle Gennett, to approve the purchase of \$11,995 for a ¾ ton [Chevrolet Silverado] pickup truck \$11,995.

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

B. Consideration to Approve Hayes and Charlevoix Township Intergovernmental Agreement for Sewer Service

City Manager Rob Straebel gave a history and review of the item and was available to answer questions from Council.

Motion by Councilmember Shane Cole, seconded by Councilmember Greg Stevens, to approve the Intergovernmental Agreement for Administration, Operation, and Enforcement of Sewer Services for both Hayes and Charlevoix Townships, as outline on pp. 17-26 [of the agenda packet].

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

C. Revoke IFT Certificate #2008-494 Held by Charlevoix Real Estate/ALP Lighting (Lexalite International)

The Mayor reviewed the item. The Clerk was available to address questions from Council. Action by resolution.

D. Consideration to Approve Goals for Michigan Municipal League Green Community Challenge

City Manager Rob Straebel reviewed the item and was available to address questions from Council. Steps 1-3 have been completed. Step 4 is to assess the situation and identify gaps. Step 5 is to develop goals and activities. The City is not obligated to complete all the goals.

Motion by Councilmember Dennis Kusina, seconded by Councilmember Jill Picha, to support Steps 4 and 5 of the Michigan Green Communities Challenge.

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

E. Appointments

Motion by Councilmember Lyle Gennett, seconded by Councilmember Jill Picha, to confirm the Mayor's reappointment of Ken Polakowski to the Shade Tree Commission.

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

Motion by Councilmember Dennis Kusina, seconded by Councilmember Shane Cole, to confirm the Mayor's reappointment of John Kurtz to the Compensation Commission.

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

Motion by Councilmember Lyle Gennett, seconded by Councilmember Greg Stevens, to reappoint Bob Timms to the Board of Review.

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

Councilmember Jill Picha will contact the ZBA members with expiring terms to see if they want to be reappointed.

The Mayor asked the Clerk to research the Big Rock Point Citizen's Advisory Committee to see if there is still a need for an appointment.

The Mayor stated that if there were no objections, the following ad hoc committees would be dissolved: the Downtown Park Renovation Committee, the City Hall Renovation Committee, the Citizens Study Committee, and the Cemetery Chapel Committee. There were no objections.

**VIII. Introduction and Initial Actions Relating to Ordinances or to Resolutions That Require Publication or Hearings Prior to Final or Further Action**

- A. Consideration to Amend Rules of Procedure for City Council  
Council discussed the meeting times and generally agreed to keep the meeting time at 7:00 p.m. on the first and third Mondays of the month.

**IX. Resolutions**

- A. Revoke IFT Certificate #2006-494 Held by Charlevoix Real Estate/ALP Lighting  
Motion by Councilmember Greg Stevens, seconded by Councilmember Jill Picha, to approve Resolution 2009-12-01 as follows:

**CITY OF CHARLEVOIX**  
**RESOLUTION NO. 2009-12-01**  
RESOLUTION REVOKING  
INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE #2006-494  
FOR LEXALITE INTERNATIONAL CORPORATION

WHEREAS, the City of Charlevoix City Council approved an industrial facilities exemption application for Lexalite International Corporation on September 18, 2006 for real and personal property located at 12555 Taylor Road, Charlevoix, Michigan; and

WHEREAS, the City of Charlevoix hereby finds that Lexalite International Corporation is no longer using the real or personal property associated with IFT Certificate # 2006-494 at the above location or elsewhere within the limits of the City of Charlevoix; and

WHEREAS, the City of Charlevoix provides to the State Tax Commission the current mailing address of Lexalite International Corporation as: Charlevoix Real Estate II, c/o ALP Lighting, 6333 Grosse Pointe Road, Niles, IL 60714-3900

NOW, THEREFORE, BE IT RESOLVED that the City of Charlevoix City Council hereby requests that the State of Michigan State Tax Commission revoke IFT Certificate #2006-494

RESOLVED this 7<sup>th</sup> day of December, A.D. 2009.

Motion adopted by the following yea and nay votes:

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

**X. Ordinances**

None.

**XI. Miscellaneous Business**

Councilmember Greg Stevens asked about getting the Council microphones fixed. The Clerk said that parts had been ordered and staff is working on getting them fixed.

Councilmember Lyle Gennett complimented staff on the Citizens Guide that had gone out with the tax bills. Other Council members agreed.

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

None.

**XIII. Closed Session**

- A. Use of City Property by Third Parties  
Motion by Councilmember Greg Stevens, seconded by Councilmember Shane Cole, to go into closed session for the purpose of discussing a written legal opinion by the City Attorney regarding the use of City property by third parties.

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

Council entered closed session at 7:38 p.m.  
Council reconvened in open session at 8:06 p.m.

**XIV. Adjourn**

The Mayor stated if there were no objections, the meeting would adjourn.  
There were no objections.  
Meeting adjourned at 8:07 p.m.

Carol A. Ochs	City Clerk	Norman L. Carlson, Jr.	Mayor
<b>Accounts Payable – 11/20/2009</b>			
AT&T	\$ 2,711.46	MICH DEPT OF COMMUNITY HEALTH AGENCY	\$ 100.00
AT&T MOBILITY	\$ 271.15	MICHIGAN PUBLIC POWER	\$ 186,971.56
CHARLEVOIX STATE BANK	\$ 1,253.20	PRIORITY HEALTH	\$ 35,246.55
DELTA DENTAL	\$ 3,691.98	ZURICH NORTH AMERICA	\$ 1,531.00
DELTA VISION	\$ 456.18		
GREAT LAKES ENERGY	\$ 185.53	<b>TOTAL</b>	<b>\$ 232,418.61</b>
<b>Accounts Payable – 12/08/2009</b>			
AGER, RICHARD	\$ 75.00	ENMET CORP	\$ 499.35
AIRGAS GREAT LAKES INC.	\$ 768.93	EVANS, HAL	\$ 41.00
ALL-PHASE ELECTRIC SUPPLY CO.	\$ 731.80	FAMILY FARM & HOME	\$ 1,119.49
AMERICAN WASTE INC.	\$ 4,757.00	FASTENAL COMPANY	\$ 79.70
ARROW UNIFORM-TAYLOR L.L.C.	\$ 870.78	FERGUSON & CHAMBERLAIN ASSOC	\$ 484.00
AT&T LONG DISTANCE	\$ 86.53	FISHER SCIENTIFIC	\$ 197.82
B & L SOUND INC	\$ 155.75	FISHER, TIFFANY	\$ 20.32
BAILEY, MATT	\$ 41.00	FLOTATION DOCKING SYSTEMS INC.	\$ 1,403.55
BAKER COLLEGE OF CADILLAC	\$ 700.00	GENOW & ASSOCIATES	\$ 641.56
BASSETT, RICHARD	\$ 300.00	GRAINGER	\$ 38.74
BENNETT, BARRY	\$ 750.00	GRAPHIC CONTROLS LLC	\$ 221.45
BOSS, DWIGHT	\$ 41.00	HAGGARD'S INC	\$ 100.00
BOUND TREE MEDICAL LLC	\$ 678.53	HANKINS, SCOTT	\$ 41.00
BRADFORD'S	\$ 93.00	HARBOR STEEL & SUPPLY CORP	\$ 157.27
BRANDI, RICHARD	\$ 41.00	HEID, THOMAS	\$ 41.00
BREATHING AIR SYSTEMS	\$ 30.95	HOLIDAY COMPANIES	\$ 6,722.98
CALDWELL, JAMES	\$ 41.00	HOXIE, DAVE OR SANDY	\$ 600.00
CAREY, KEITH	\$ 75.88	HUSKIE TOOLS INC	\$ 173.46
CDW GOVERNMENT INC.	\$ 296.14	HYDRO DESIGNS INC.	\$ 900.00
CENTRAL DRUG STORE	\$ 34.53	INDEPENDENT DRAFTING SERVICES	\$ 2,848.00
CHANNING BETE COMPANY INC.	\$ 171.78	ISLAND AIRWAYS	\$ 2,194.03
CHARLEVOIX COUNTY FIRE	\$ 650.00	IVAN, PAUL	\$ 41.00
CHARLEVOIX COUNTY TREASURER	\$ 9.30	J & S PORTABLE RESTROOMS	\$ 219.70
CHARLEVOIX DISTRICT LIBRARY	\$ 30,000.00	KENNEDY INDUSTRIES INC	\$ 600.62
CHARLEVOIX ELECTRIC SERVICE	\$ 800.00	KORTHASE FLINN	\$ 1,360.00
CHARLEVOIX GLASS INC.	\$ 50.00	KSS ENTERPRISES	\$ 298.26
CHARLEVOIX SEWER & DRAIN	\$ 225.00	LTAP/MTU	\$ 20.00
CHARLEVOIX TOWNSHIP	\$ 10.50	MAGNUM ELECTRIC INC.	\$ 333.97
CHARTER COMMUNICATIONS	\$ 266.44	MDC CONTRACTING LLC	\$ 160,489.60
CITY OF CHARLEVOIX - MISC	\$ 3,100.00	MICHIGAN DOWNTOWN ASSOCIATION	\$ 400.00
CITY OF CHARLEVOIX - UTILITIES	\$ 21,151.93	MICHIGAN PUBLIC POWER AGENCY	\$ 61,308.56
CITY OF CHARLEVOIX-PETTY CASH	\$ 552.22	MICHIGAN STATE FIREMEN'S ASSN	\$ 75.00
COUNTRY INN & SUITES	\$ 72.80	MICHIGAN STATE INDUSTRIES	\$ 28.25
DITCH WITCH SALES OF MICHIGAN	\$ 480.67	MILLER CANFIELD ET AL	\$ 250.00
DOAN, GERARD	\$ 41.00	MISS DIG SYSTEM INC	\$ 218.85
DONNER, LYNDIA	\$ 41.00	NATIONAL FIRE CODES	\$ 810.00
DRENTH BROS INC	\$ 261.12	NETSOURCE ONE INC.	\$ 3,823.60
DTE ENERGY	\$ 6,864.39	NORTHERN CREDIT BUREAU	\$ 89.05
EAST JORDAN IRON WORKS	\$ 2,572.63	NORTHERN FIRE & SAFETY	\$ 455.00
EATON, BRAD	\$ 21.33	NORTHERN SAFETY CO INC	\$ 506.40
ELLIOTT, PATRICK	\$ 87.20	NORTHWEST DESIGN GROUP	\$ 1,677.50
ELLSWORTH ENERGY SERVICES LLC	\$ 386.58	OLESON'S FOOD STORES	\$ 35.89
ELLSWORTH FARMER'S EXCHANGE	\$ 1,548.42	OMS COMPLIANCE SERV INC	\$ 60.00
EMERGENCY MEDICAL PRODUCTS INC	\$ 134.83	OTEC	\$ 15.00
ENERCO CORPORATION	\$ 700.00	PERFORMANCE ENGINEERS INC	\$ 9,312.50

PINE RIVER MEDICAL ASSOCIATES	\$ 110.00	STANDARD INSURANCE CO	\$ 1,029.90
POLLUTION CONTROL SERVICES INC	\$ 1,125.00	STATE OF MICHIGAN	\$ 15,741.61
POWER LINE SUPPLY	\$ 2,669.47	STRAEBEL, ROBERT J.	\$ 41.00
QUILL CORP	\$ 200.81	SUNRISE ELECTRONICS & SECURITY	\$ 201.45
REHMANN-ROBSON & CO	\$ 3,060.00	SWEM, DONALD	\$ 41.00
RESCO	\$ 708.00	T & R ELECTRIC	\$ 1,503.00
REZNICK, HOWARD	\$ 314.49	UP NORTH PROPERTY SERVICES LLC	\$ 994.00
SALES & MARKETING OF MICHIGAN	\$ 526.45	USA BLUE BOOK	\$ 1,273.14
SCENIC TRAILS COUNCIL	\$ 65.00	VANLOO, ANGEL	\$ 14.17
SCHWARTZFISHER, JOSEPH	\$ 61.60	VILLAGE GRAPHICS INC.	\$ 973.00
SIKORSKI, GREGORY	\$ 67.55	WELLER, LINDA	\$ 39.60
SPARTAN DISTRIBUTORS INC	\$ 504.95	WEST SHORE FIRE INC	\$ 810.00
SPARTAN STORES LLC	\$ 38.68	WILLCOME TREE SERVICE	\$ 260.00
SPENCER, MICHAEL	\$ 41.00	WORK & PLAY SHOP	\$ 395.90
SPORT SUPPLY GROUP INC	\$ 909.97		
STANDARD ELECTRIC CO	\$ 80.64	<b>TOTAL</b>	<b>\$ 375,522.81</b>

**Accounts Payable – 12/08/2009**  
**Tax Disbursements**

CHARLEVOIX COUNTY TREASURER	\$ 9,971.38	CHARLEVOIX PUBLIC SCHOOLS	\$ 1,818.15
CHARLEVOIX COUNTY TREASURER	\$ 99.86	CHARLEVOIX PUBLIC SCHOOLS	\$ 1,873.29
CHARLEVOIX DISTRICT LIBRARY	\$ 7.55	CITY OF CHARLEVOIX - TAXES DUE	\$ 16,147.13
CHARLEVOIX PUBLIC SCHOOLS	\$ 20,277.20	RECREATIONAL AUTHORITY	\$ 1.54
CHARLEVOIX PUBLIC SCHOOLS	\$ 3.04	<b>TOTAL</b>	<b>\$ 50,199.14</b>

**PAYROLL: NET PAY**  
**Pay Period Ending 11/21/2009 – Paid 11/25/2009**

WELLER, LINDA JO	\$ 1,313.96	WILSON, TIMOTHY J.	\$ 1,367.69
STRAEBEL, ROBERT J.	\$ 1,975.45	ELLIOTT, PATRICK M.	\$ 1,556.70
BRANDI, RICHARD M.	\$ 1,621.59	WILSON, RICHARD J.	\$ 1,208.91
LOY, EVELYN R.	\$ 933.48	SIEGMUND, CHRISTOPHER	\$ 366.65
KLOOSTER, ALIDA K.	\$ 1,071.74	MCGHEE, ROBERT R.	\$ 740.75
BROWN, STEPHANIE C.	\$ 1,032.20	VANLOO, JOSEPH G.	\$ 316.72
OCHS, CAROL A.	\$ 937.37	BOSS, DWIGHT M.	\$ 362.72
HANCHIN, AMY	\$ 349.72	GILLESPIE, MURPHY L.	\$ 93.61
CAREY, KEITH V.	\$ 1,159.44	SILVA, JESSE L.	\$ 342.46
SPENCER, MICHAEL D.	\$ 1,439.87	O'CONNOR, BRUCE E	\$ 408.32
DONNER, LYNDA	\$ 1,110.19	RILEY, ANDREW	\$ 770.62
SPENCLEY, PATRICIA L.	\$ 1,027.87	SHRIFT, PETER R.	\$ 1,293.25
SOMERVILLE, COLLIN P.	\$ 332.46	HANKINS, SCOTT A.	\$ 1,392.14
BAILEY, MATTHEW L.	\$ 1,025.50	COPPOCK, TIMOTHY M.	\$ 1,046.32
UMULIS, MATTHEW T.	\$ 1,254.24	WURST, RANDALL W.	\$ 1,341.20
DOAN, GERARD P.	\$ 1,669.61	MEIER III, CHARLES A.	\$ 1,337.90
METDEPENNINGEN, SARAH	\$ 1,290.71	WHITLEY, JOHN F.	\$ 1,591.16
ROBERTS, WESLEY S.	\$ 1,390.49	BLANCHARD, SCOTT W.	\$ 1,862.03
WARNER, JANINE M.	\$ 1,045.15	FRYE, EDWARD J.	\$ 1,005.75
SCHLAPPI, JAMES L.	\$ 844.17	SWEM, DONALD L.	\$ 1,704.73
ORBAN, BARBARA K.	\$ 1,034.37	ROTTA, RUSSELL	\$ 838.54
IVAN, PAUL M.	\$ 1,608.91	MORRISON, KEVIN P.	\$ 1,097.70
SCHWARTZFISHER, JOSEPH	\$ 1,523.22	HODGE, MICHAEL J.	\$ 1,111.71
ROLOFF, ROBERT P.	\$ 2,292.55	JOHNSON, STEVEN P.	\$ 1,056.09
BRODIN, WILLIAM C.	\$ 1,162.75	JONES, ROBERT	\$ 1,136.71
CALDWELL, JAMES P.	\$ 1,480.14	BISHAW, JAMES H.	\$ 369.60
MAYER, SHELLEY L.	\$ 1,341.27	DISHONG, AARON S.	\$ 393.64
HILLING, NICHOLAS A.	\$ 904.25	ZIPP, DONALD R.	\$ 1,256.94
JACOBS, DOUGLAS R.	\$ 1,987.02	BOSS JR, DALE E.	\$ 1,090.80
NISWANDER, JOSEPH F.	\$ 1,358.29	BOSS, JAMES W.	\$ 916.93
WELLS JR., DONALD E.	\$ 1,169.02	HOLM, ARTHUR R	\$ 457.60
JONES, TERRI L.	\$ 909.26	HEID, THOMAS J	\$ 1,483.60
BRADLEY, KELLY R.	\$ 1,409.93	BOAL, DAVID W	\$ 648.86
EATON, BRAD A.	\$ 1,210.52	HAND, REBECCA J.	\$ 183.29

MEGGISON, JERRY B.	\$ 78.50	RILEY, DANIEL	\$ 395.99
ROLOFF, AUDREY M.	\$ 111.65	BARRETT, SCOTT T	\$ 975.36
BARNWELL, SAM M.	\$ 36.94	RILEY, JEFFERY C	\$ 429.43
MARSH JR., JAMES D.	\$ 188.39	BERGMANN, DOUGLAS M	\$ 52.80
RILEY, TIMOTHY	\$ 26.39	MACDONALD, BRIAN K	\$ 1,428.16
BUCKNER, DAVID D	\$ 337.99	HERRIMAN, LUKE J.	\$ 131.99
TRAVERS, MANUEL J	\$ 134.63	ZIMMERMAN, ANTHONY	\$ 151.71
SCOTT, WINFIELD	\$ 59.39		
WINNELL, CHARLES J.	\$ 115.88	<b>TOTAL</b>	<b>\$ 79,023.55</b>

**PAYROLL: TRANSMITTAL**  
**11/25/2009**

**EFTPS* Payroll Taxes	\$ 26,207.26	ICMA RETIREMENT TRUST	\$ 6,195.91
AMERICAN FAMILY LIFE	\$ 34.60	MI STATE DISTRICT UNIT	\$ 179.89
CHAR EM UNITED WAY	\$ 26.00	NORTHWESTERN BANK	\$ 75.00
CHARLEVOIX STATE BANK	\$ 83.00	PRIORITY HEALTH	\$ 103.82
COMMUNICATION WORKERS	\$ 501.41	STATE OF MICHIGAN	\$ 4,049.71
ICMA RETIREMENT TRUST	\$ 669.43	<b>TOTAL</b>	<b>\$ 38,126.03</b>