

**CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES**

Monday, May 18, 2009 — 7:00 p.m.

210 State Street, City Hall, Council Chambers, Charlevoix, MI

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.
City Attorney: Bryan Graham, Assistant City Attorney
City Manager: Rob Straebel
City Clerk: Stephanie C. Brown, Deputy Clerk
Members Present: Council members Gabe Campbell, Shane Cole, Lyle Gennett, Dennis Kusina, Jill Picha, and Greg Stevens
Absent: None.

III. Inquiry Regarding Possible Conflicts of Interest

Councilmember Picha reported that she has a conflict with the ordinance on the agenda tonight. Attorney Graham stated that Councilmember Picha does not have a conflict with the scheduling of the public hearing, but will have a conflict on the evening of the public hearing on the ordinance.

IV. Consent Agenda

The following items were approved and filed:

- A. Approval of Minutes – May 4, 2009 Regular Meeting Minutes
- B. Accounts Payable Check Register – May 6, 2009
- C. Accounts Payable Check Register – May 19, 2009
- D. Payroll Check Register – May 15, 2009
- E. Payroll Transmittal Check Register – May 15, 2009
- F. Certificate of Appreciation – Peggy Brennan
The Mayor thanked Ms. Brennan for her service to the City.

- G. Mayoral Proclamation – Zonta Day

**MAYORAL PROCLAMATION
Zonta Day Proclamation**

WHEREAS, Zonta International is a global organization of executives and professionals working together to advance the status of women worldwide through service and advocacy, was founded in 1919, and is celebrating its 90th anniversary, and

WHEREAS, Zonta International seeks to improve the legal, political, economic, health, educational, and professional status of women through service and advocacy and its work for the advancement of understanding, goodwill, and peace through a world fellowship of executives in business and the professions to promote justice and universal respect for human rights and fundamental freedoms and to provide mutual support and fellowship for members who serve their communities, their nations, and the world, and

WHEREAS, the Zonta Club of Charlevoix Area was chartered on May 19, 1989 by the Zonta Club of Petoskey and is part of District 15, Zonta International and is celebrating its 20th anniversary on May 20th, and

THEREFORE, I Norman L. Carlson, Jr., Mayor of Charlevoix, do hereby proclaim May 20, 2009 as Zonta Day in honor of the Zonta Club of Charlevoix Area for volunteering their time, talents, and money to local and international service projects, as well as Zonta's scholarship and award programs aimed at furthering women's education, leadership, and youth development work.

Norman L. Carlson, Jr.
Mayor, City of Charlevoix
May 15, 2009

V. Public Hearings

None.

VI. Reports

- A. The Manager reported that staff has discussed dock improvements to accommodate at least one more 65' boat and feels that the cost of \$2,600 will be recouped in the first summer due to demand for space for the larger boats. Additional improvements will be considered in the fall.

- B. The Manager noted that a report from Tip of the Mitt Watershed has a proposal for rain gardens or a rain water interceptor on Park Avenue. The interceptor is typically more expensive than a rain garden; however, the rain garden adjacent to the road way would be an aesthetic change for the neighborhood. Done correctly, this approach has a lot of merit and will show the City's commitment to environmental stewardship. The Manager is looking for Council's approval to begin work on the rain garden proposal by approaching affected property owners and starting the engineering work. There were no objections from Council.

VII. Requests, Petitions and Communications and Actions Thereon

A. Consideration of Contract with Charlevoix City Band

City Manager Rob Straebel was available to review the item and answer questions for Council. The Charlevoix City Band entertains residents in East Park on Tuesday evenings during the summer. The Pine Lake Adult Band, an extension of the Charlevoix City Band, performs at Boulder Park and other sites in the wintertime. If approved, the Charlevoix City Band shall use the funds granted by the City to help defray the costs of providing its musical programs to Charlevoix residents and visitors.

Motion by Councilmember Campbell, seconded by Councilmember Gennett, to approve the contract with the Charlevoix City Band in the amount of \$4,800 as outlined in the agreement on page 15 of the [agenda] packet.

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

B. Consideration of Contract with the Charlevoix Senior Citizen's Center

City Manager Rob Straebel was available to review the item and answer questions for Council. Residents of the City of Charlevoix receive services, activities, and programs from the Charlevoix Senior Center. The funds received by the City help pay for the Center's operational expenses, as well as provide meals, health clinics, educational speakers, and music and art classes at little or no cost for participants.

Motion by Councilmember Cole, seconded by Councilmember Stevens, to approve the contract [with the Charlevoix Senior Citizen's Center] in the amount of \$5,000 as outlined on page 18 [of the agenda packet].

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

C. Discussion of Youth Golf Age Restrictions

Director of Golf and Grounds Tom Heid was available to present the item and answer questions for Council. On May 19, 2008, an age restriction policy was enacted restricting children under the age of eight years from playing on the course. Staff recommends amending the restriction for golfers under eight years old, making an allowance for children under eight to play at the Charlevoix Golf Club at the discretion of the Pro Shop staff with certain variable time and day restrictions.

The Mayor noted that in the policy should also be amended in the supervision section to strike the wording "all students who are between the age of eight and twelve" and replace with "all students under the age of twelve". Council generally agreed.

Motion by Councilmember Campbell, seconded by Councilmember Cole, to approve the changes to the Youth Golf Age Restrictions as proposed by the Golf Course Manager, Tom Heid.

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

D. Permit Parking

Police Chief Gerard Doan was available to present the item and answer questions for Council. Since the U.S. Coast Guard (U.S.C.G.) Cutter Acacia was decommissioned, there are additional parking spaces available in the Bridge Park parking lot and a limited number of parking meters available to cover parking spaces in that lot. During budget discussions, it was suggested that the Police Department consider providing permit parking for a number of the spaces formerly occupied by U.S.C.G. personnel. After contacting the Petoskey Chamber of Commerce to gather additional information and a fee schedule, it is being suggested that the City of Charlevoix City Police Department offer parking permits for up to 10 parking spaces on a first come, first serve basis for designated parking spots in the Bridge Park parking lot. Chief Doan proposed that cost would be \$50 for one month/30 days or \$150 for three months/90 days. After brief discussion Council generally agreed that, with only 10 permits available, there was no need to offer 30-day permits.

Motion by Councilmember Campbell, seconded by Councilmember Gennett, to approve the sale of 90-day permits for the cost of \$150 for up to ten spaces at the Coast Guard [Bridge Park] parking lot.

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

E. Adoption of a "Red Flag Rules" Identity Theft Policy for Fire and EMS Billing

City Manager Rob Straebel was available to review the item and answer questions for Council. This policy is drafted after the "Red Flag Rules" Identity Theft Policy for Utility Billing that was passed earlier this year. The policy is required by federal law.

Motion by Councilmember Stevens, seconded by Councilmember Picha, to approve the Red Flag Rule Policy for Fire and EMS as outlined on pp. 25 and 26 of the agenda packet.

Yeas: Campbell, 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

A. Introduction – Amendment to Title V, Chapter 51, Zoning and Planning.

City Planner Mike Spencer was available to review the item and answer questions for Council. Spencer is asking that the public hearing be scheduled for June 15, 2009, to allow sufficient time for Council to review the information.

Motion by Councilmember Kusina, seconded by Councilmember Gennett, to set a public hearing for Amendment to Title V, Chapter 51, Zoning and Planning [of the City Code] on June 15, 2009 at 7:00 p.m. in City Council Chambers at City Hall.

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

IX. Resolutions

None.

X. Ordinances

None.

XI. Miscellaneous Business

Councilmember Picha stated that the fish pond fits into the park very well and looks like it has been there forever. Councilmember Cole stated that he is concerned about the safety of younger visitors leaning over the pool. Councilmember Gennett stated that children have also been seen jumping from one side of the stream to the other. City Manager Straebel reported that "No Trespassing" signs have been ordered and will be placed in strategic areas surrounding the water feature. Additionally, the ponds provide a different type of safety hazard and an MML Risk Manager has been asked to do a risk assessment.

Councilmember Stevens noted that there is a dead tree located at 315 W. Hurlbut and stated that he is not sure if the tree is on City property or private property but will fall onto Newman Street.

Councilmember Kusina wanted to go on record thanking the young men and women for their military service as we approach Memorial Day.

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

City Planner Mike Spencer noted that some businesses have requested having "OPEN" flag signs. He has spoken to the Planning Commission whose members feel each business should be able to have one flag sign. With Council's support, the Planning Commission will modify language to allow one flag sign per business. Long standing businesses are very happy with the changes that were made in the recent sign ordinance changes. Council generally agreed that the Planning Commission should go ahead with this change.

Recreation Director Ike Boss stated that he has spoken to some of the townships regarding alternative funding for McSauba. Director Boss would like to have a lunch meeting on Tuesday at noon at the Villager Pub for an informational meeting and is asking for a representative from Council to attend the meeting. The Mayor and City Manager agreed to attend the meeting.

XIII. Adjourn

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

There were no objections.

Meeting adjourned at 7:45 p.m.

Stephanie C. Brown

City Clerk

Norman L. Carlson, Jr.

Mayor

Carol A. Ochs

City Clerk