

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, May 4, 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: Jim Young
City Manager: Rob Straebel
City Clerk: Carol A. Ochs
Members Present: Council members Greg Stevens, Shane Cole, Lyle Gennett, Dennis Kusina, Jill Picha
Absent: Councilmember Gabe Campbell

III. Inquiry Regarding Possible Conflicts of Interest

None.

IV. Consent Agenda

The following items were approved and filed:

- A. Approval of Minutes – April 20, 2009 Regular Meeting Minutes
- B. Accounts Payable Check Register – April 24, 2009
- C. Accounts Payable Check Register – May 5, 2009
- D. Payroll Check Register – May 1, 2009
- E. Payroll Transmittal – May 1, 2009

- F. Mayor Proclamation – Youth Week

MAYORAL PROCLAMATION
Youth Week Proclamation

WHEREAS, the Benevolent and Protective Order of Elks has designated the first week in May as Youth Week to honor American's Junior Citizens for their accomplishments, and to give fitting recognition of their services to Community, State and Nation; and

WHEREAS, the Charlevoix Elk's Lodge will sponsor an observance during that week in tribute to the Junior Citizens of this Community; and

WHEREAS, no event could be more deserving of our support and participation than one dedicated to these young people who represent the nation's greatest resource, and who in the years ahead will assume the responsibility for the advancement of our free society; and

WHEREAS, our Youth need guidance, inspiration and encouragement which we alone can give in order to help develop those qualities of character essential for future leadership, and go forth to serve America; and

WHEREAS, to achieve this worthy objective we should demonstrate our partnership with Youth, our understanding of their hopes and aspirations and a sincere willingness to help prepare them in every way for the responsibilities and opportunities of citizenship;

NOW THEREFORE, I Norman L. Carlson, Jr., Mayor of Charlevoix, Michigan, do hereby proclaim the first week of May as Youth Week, and urge all departments of government, civic, fraternal and patriotic groups, and our citizens generally, to participate wholeheartedly in its observance.

Norman L. Carlson, Jr. Mayor
City of Charlevoix May 4, 2009

V. Public Hearings

A. Consideration for Approval of Energy Optimization Plan

Electric and Water Superintendent Don Swem was available to review the plan and answer questions for Council. The Mayor opened the public hearing at 7:02 p.m. There were no comments. The Mayor closed the public hearing at 7:02 p.m.

B. Consideration for Approval of the Renewable Energy Plan

Electric and Water Superintendent Don Swem was available to review the plan and answer questions for Council. The Mayor opened the public hearing at 7:03 p.m.

Steven Hansen stated that he pays City taxes and uses City of Charlevoix electricity at a home at 113 Pine River Lane and also uses City of Charlevoix electricity at a home and barn in Eveline Township. He wants the City of Charlevoix to encourage individual homeowners and businesses to generate some of their own electricity from renewable sources. He stated that the way to encourage this activity is to help individuals and businesses to return excess electricity to the City power grid and to be paid for this electricity. He said the City of Charlevoix will need to take two steps: the first is to permit the entrance of the excess individually generated electricity into the City power grid; the second step is for the City to buy this excess individually generated electricity. Mr. Hansen stated that he is asking the City to encourage individuals to make their own renewable source electricity, not to just allow, in a passive or grudging way, individuals to sell their excess electricity back to the City. He said that the way for the City to encourage this movement is by minimizing hookup fees and new meter fees and by the City paying the retail price for the renewable individually generated electricity. Mr. Hansen stated that paying retail price to individuals and businesses generating renewable electricity is the policy of the State of Michigan; encouraging individual electricity generation is the policy of America; creating more renewable energy is a worldwide movement, and he wants Charlevoix to keep in step.

Upon question from the Mayor, Don Swem stated that the City does not currently have a policy in place to buy back individually generated electricity, and that there are questions that need to be answered before establishing such a policy, such as the cost of the program to a small number of users and safety issues. He is working on a policy to present to Council and hopes to have something in place soon, but it won't be immediate. He wants to be sure the City looks at all the concerns and does the policy the right way.

There were no additional comments from the audience. The Mayor closed the public hearing at 7:10 p.m.

Motion by Councilmember Dennis Kusina, seconded by Councilmember Greg Stevens, to approve the Energy Optimization Plan.

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

Motion by Councilmember Jill Picha, seconded by Councilmember Shane Cole, to approve the Renewable Energy Plan.

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

VI. Reports

- A. The Mayor disclosed that he has applied for a license and contract agreement with the City to run one of the City-owned concession stands at the beach. There are no other interested parties at this time.
- B. The Manager informed Council that the fire department has purchased some fire hose from low bidder Sales & Marketing of Michigan. Fire employee Joe Schwartzfisher and his wife have a sales affiliation with the company.
- C. The Manager reviewed the proposed memorial bench program and asked Council if they had any concerns about the program. Council generally agreed it was a good program.
- D. The Manager informed Council of a broken water line in front of the Harbor Master Building. The item is still under warrantee and Hallmark Construction will be repairing it.
- E. The Manager stated the trout stream will be completed Monday, May 11.
- F. The Clerk reminded everyone of the school election Tuesday, May 5.
- G. The Mayor stated the Compensation Commission will be meeting Wednesday, May 6 at 9:00 a.m.

VII. Requests, Petitions and Communications and Actions Thereon

- A. Discussion on Charlevoix Area Chamber of Commerce Request for Community Kiosk
City Planner Mike Spencer was available to review the item and answer questions for Council. Charlevoix Area Chamber of Commerce Executive Director Erin Bemis was available to present her proposal for the Chamber to sponsor and develop the information on the back of the sign. Street Superintendent Pat Elliott expressed some concerns about the placement of the sign in regards to booth placement for some of the festivals. Council concurred to pursue the two-sided sign option and to explore the option of the Chamber sponsoring the back side information. Council asked that Mr. Elliott be kept involved in the process of sign placement.
- B. Engineering Proposals for Infrastructure Work
Street Superintendent Pat Elliott was available to present the item and answer questions for Council.

Motion by Councilmember Dennis Kusina, seconded by Councilmember Lyle Gennett, to award the engineering proposal for the infrastructure work to Performance Engineers [in the amount of \$18,402.00 plus the additional cost of \$2,500.00 for the soil borings

and to video existing conditions. The total contract amount will be \$20,902.00].

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

C. Fuel Bid Award

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

Motion by Councilmember Shane Cole, seconded by Councilmember Greg Stevens, to accept the bid from Holiday Station Stores and enter into a two year agreement with them.

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

D. Petunia Weeding Bid Award

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

Motion by Councilmember Jill Picha, seconded by Councilmember Greg Stevens, to accept the bid from Charlevoix Band Boosters at a rate of \$20 per hour, not to exceed \$16,000 to weed the petunias.

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

E. Consideration to Approve Definition of Temporary (Seasonal) Employees per MERS Plan Document

Human Resources Assistant Lynda Donner was available to review the item and answer questions for Council. Action by resolution.

F. Consideration to Approve Definition of Hours Worked for MERS Eligibility

Human Resources Assistant Lynda Donner was available to review the item and answer questions for Council. 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. Consideration to Approve Definition of Temporary (Seasonal) Employees per MERS Plan Document

**CITY OF CHARLEVOIX
RESOLUTION 2009-05-01
RESOLUTION TO EXCLUDE TEMPORARY EMPLOYEES FROM MEMBERSHIP IN MERS
UNDER PLAN DOCUMENT SECTION 3(2)**

TEMPORARY EMPLOYEES who are employed in positions normally requiring less than 6 or more whole months, not to exceed 12 months of work may be excluded by Resolution of the Governing Body from membership in the Municipal Employees' Retirement System (MERS). Temporary employees must be notified in writing by the participating municipality that they are excluded from membership. In accordance with Section 3(2) of the MERS Plan Document, the City Council of the City of Charlevoix Formally elects to EXCLUDE effective June 1st, 2009, all employees in positions requiring less than Twelve whole month in these Divisions:

All Divisions

RESOLVED, this 4th day of May, A.D. 2009

Resolution was adopted by the following yea and nay vote:

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

B. Consideration to Approve Definition of Temporary (Seasonal) Employees per MERS Plan Document

**CITY OF CHARLEVOIX
RESOLUTION 2009-05-02**

RESOLUTION FOR DEFINING A DAY OF WORK OR HOURS PER MONTH FOR MERS RETIREMENT PURPOSES

Note: To adopt the part-time to full-time employee service credit program under Plan Document Section 4(6), the governing body must adopt the Uniform Resolution Defining Hours Per Month for Part-Time Employees and Service Credit Conversion Upon Promotion to Full-Time Status.

In accordance with Section 3(1) of the MERS Plan Document, as the City Council, City of Charlevoix does hereby certify that a day of work, or the number for hours of work in a month, for All employees for retirement purposes, shall consist of one of the following to be effective as of June 1, 2009.

- A. A day shall consist of ___ hours. (Ten(10) days a month of such work days equals one month of credited service.)
- B. A month shall consist of 130 hours. (Each month of such work hours equals one month of credited service.)

RESOLVED, this 4th day of May, A.D. 2009

Resolution was adopted by the following yea and nay vote:

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

X. Ordinances
None.

XI. Miscellaneous Business

Councilmember Jill Picha inquired who someone should contact to put up a tent at the ramp for the trout tournament. The Clerk said they should contact the Manager's assistant, Linda Weller.

Councilmember Greg Stevens would like some more information on the Wood Street sewer issues. The Manager stated he thinks the plans are to flush it out more often and possibly video the line to see what the problem is.

XII. Audience - Non-agenda Input (written requests take precedent)
None.

XIII. Adjourn

The Mayor stated if there were no objections, the meeting would adjourn.
There were no objections.
Meeting adjourned at 7:58 p.m.

Carol A. Ochs

City Clerk

Norman L. Carlson, Jr.

Mayor