



Agenda
City of Charlevoix City Council Regular Meeting
Monday, June 20, 2022 - 6:00 PM
Council Chambers, 210 State Street, Charlevoix, MI

- 1. Pledge of Allegiance**
- 2. Roll Call**
- 3. Presentations**
- 4. Inquiry Regarding Conflicts of Interest**
- 5. Consent Agenda**
 - A. City Council Meeting Minutes - June 6, 2022
 - B. Accounts Payable and Payroll Check Registers
 - C. Low-income Energy Assistance Fund Opt-out
 - D. Use of Bridge Park for Boyne Thunder Lunch
 - E. Water Treatment Plant Low Service Pump Improvements: \$16,000
 - F. Charlevoix Yacht Club Request for Free Parking for the Nucore Triangle Race & Red Fox Regatta Race
 - G. Building Authority Commission Appointment: City Manager Mark Heydlauff
- 6. Public Hearings and Actions Requiring Public Hearings**
- 7. All Other Actions and Requests**
 - A. Proposed Donation: Miniature Painted Sailboat Honoring Dale and Marilyn Boss
Linda Boss
Mark Heydlauff, City Manager
 - B. 2022 Charlevoix Venetian Festival-Approvals and Permits
Mark Heydlauff, City Manager
Dan Barron- Charlevoix Venetian Festival President
 - C. Special Event Policy for City Marina
Kent Knorr, Recreation Director
 - D. Electric Department Rules and Regulations
John Griffith, Electric Department Director

- E. Solar Valuation Study-Renewable Credits
- F. Resolution to Purchase Foreclosed Property
Mark Heydlauff, City Manager
- G. Housing Initiatives Fund Policy
Mark Heydlauff, City Manager

8. Reports and Communications

- A. Public Comment
- B. City Manager's Comments
- C. Mayor and Council Comments

9. Other Council Business

10. Adjourn

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Clerk's Office at 231-547-3250 or by email clerk@charlevoixmi.gov. A 24-hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodations requests.

Charlevoix City Council

Consent Agenda

Title: City Council Meeting Minutes - June 6, 2022

Date: June 20, 2022

Presented By:

Background:

Recommendation:

Motion to approve the minutes as presented.

Attachments:

1. City Council Draft Minutes from June 6, 2022

City of Charlevoix
City Council Regular Meeting minutes
Monday, June 6, 2022 - 6:00 PM
Council Chambers, 210 State Street, Charlevoix, MI

1. Pledge of Allegiance

The meeting was called to order at 6:00 p.m. by Mayor Kurtz. The Council, staff, and members of the public rose and recited the Pledge of Allegiance.

2. Roll Call

Mayor: Luther Kurtz

Members Present: Greg Bryan, Aaron Hagen, Janet Kalbfell, Phil Parr, Richard Spring

Members Absent: Mark Knapp

City Manager: Mark L. Heydlauff

City Clerk: Sarah J. Dvoracek

3. Presentations

4. Inquiry Regarding Conflicts of Interest

Council Member Hagen recused himself from item 7D. Request for Live Music in Bridge Park.

5. Consent Agenda

Mayor Kurtz opened the item for public comment. None were heard.

Motion by Parr , Second by Spring to approve the consent agenda as presented.

Yeas: Bryan, Hagen, Kalbfell, Parr, Spring

Nays: None

Absent: Knapp

Motion carried.

A. City Council Meeting Minutes - May 16, 2022

Motion to approve the minutes as presented.

B. Accounts Payable and Payroll Check Registers

<u>Dates</u>	<u>Description</u>	<u>Amount</u>
05/24/2022	Special Accounts Payable Run	\$72,106.05
05/27/2022	Payroll (net pay)	\$109,689.20
05/27/2022	Payroll Transmittal Checks	\$5,802.24
05/16/2022 - 05/31/2022	ACH/Wire Payments	\$344,988.28
Grand Total		\$901,230.12
To view the entire accounts payable and payroll check registers reports, please Click here.		

Motion to approve the accounts payable and payroll check registers as presented.

6. Public Hearings and Actions Requiring Public Hearings

7. All Other Actions and Requests

A. Tax-Foreclosed Right of First Refusal Purchase

Mark Heydlauff, City Manager

City Manager Heydlauff explained the City has the opportunity, per the law, to purchase this orphan parcel from the County. The parcel is extremely small and landlocked. City Manager Heydlauff stated the City could obtain ownership and then work with the adjoining parcel owners to purchase the parcel to increase the size of their lot. Discussion was held. City Manager Heydlauff stated Council could approve the motion as stated and direct the Clerk to prepare a resolution and then they could decide on whether or not to move forward with purchasing the parcel at the next Council meeting.

Mayor Kurtz opened the item for public comment. None were heard.

Motion by Hagen, Second by Kalbfell to authorize the City Clerk to prepare a resolution to exercise the purchase option for parcel 052-270-078-60.

Yeas: Bryan, Kalbfell, Hagen, Parr, Spring

Nays: None

Absent: Knapp

Motion carried.

B. Marina Slip Specific Assignments

Kent Knorr, Recreation Director

Kent Knorr, Recreation Director, explained the City Marina is currently utilizing boat slip rental software provided by the State of Michigan. The current software allows transient boaters the ability to reserve a slip based on various factors. The reservation only guarantees boaters will have a slip to stay when they arrive. The state is requiring all marinas that use this software transition into a slip specific system in 2024. The slip specific program would allow the boater to make their reservation and select which slip they will be staying on during their visit. The state has offered that marinas may opt in to begin using the software in 2023. By opting into the program early would allow the Marina employees receive more technical support during the initial phase of the transition. Discussion was held.

Mayor Kurtz opened the item for public comment. None were heard.

Motion by Parr, Second by Spring to direct the Recreation Department to transition to slip specific assignments in the 2023 season for transient boaters at the City Marina.

Motion carried by unanimous voice vote.

C. Michigan Beach Passport Grant

Kent Knorr, Recreation Director

Recreation Director Knorr stated the City was successful in receiving the Passport Grant and is ready to move forward. Edgewater Resources helped create the Michigan Beach Master Plan in 2018 and they are familiar with the City's goals. The grant has six key components, which are an overlook observation deck, an access pad, a trail path, new signage, paving ADA

parking spaces, and landscaping including rain gardens to help with water runoff. The City is requesting to engage with Edgewater for them to oversee the design and grant administration for the project. The City's match for the grant is \$48,000 while the state is funding approximately \$140,000 of the project. Discussion was held.

Mayor Kurtz opened the item for public comment. One was heard and opposed.

Motion by Spring, Second by Kalbfell to direct the City Manager to sign the engineering agreement with Edgewater Resources for an estimated \$24,300 for work on the Michigan Beach Park improvements as part of the Passport Grant.

Motion carried by unanimous voice vote.

D. Request for Live Music in Bridge Park

Richard Bergmann-Bridge Street Tap Room

Mark Heydlauff, City Manager

Council Member Hagen stepped down from the dais.

City Manager Heydlauff stated Mr. Bergmann of the Bridge Street Tap Room is requesting permission to sponsor live music in Bridge Park on several Wednesday and Saturday evenings in the summer. Music may not be available on each date listed due to weather, but all possible dates are stated in the request. The Tap Room does not seek any assistance from the City in setting up the music or with trash removal. Mr. Bergmann addressed the Mayor and City Council and stated in the past they have hosted different fundraisers and bands in the outdoor space. Bridge Park is a great location for our outdoor entertainment and would benefit the surrounding businesses as well.

Mayor Kurtz opened the item for public comment. None were heard.

Motion by Spring, Second by Parr, to authorize the Bridge Street Tap Room to hold small, live music events in Bridge Park on Wednesdays from June 15 through August 31 (excluding July 20), on the following Saturdays: June 25; July 9; July 16; July 30; August 6; August 13; August 20; August 27, and Labor Day Weekend.

Motion carried by unanimous voice vote.

Council Member Hagen returned to the dais.

8. Reports and Communications

A. Public Comment

B. City Manager's Comments

- City Manager Heydlauff wanted to bring attention to when event planners come to the City with a special event request, it is very appreciative when there is adequate time for the City staff to handle the request. Mr. Bergmann's request is a great example of the proper preplanning measures. Some event organizers don't always

plan ahead, which then doesn't allow the City staff to properly handle the request.

C. Mayor and Council Comments

- Council Member Kalbfell asked if the empty tour buses parked along Mason Street could move to another location while their passengers are exploring the downtown, because they are currently taking up parking spaces that City residents could utilize.
- Council Member Bryan stated the new striping on the City streets looks great and is helpful.

9. Other Council Business

10. Adjourn

Mayor Kurtz adjourned the meeting at 6:31 p.m.

Sarah J. Dvoracek

City Clerk

Luther Kurtz

Mayor

Charlevoix City Council

Consent Agenda

Title: Accounts Payable and Payroll Check Registers

Date: June 20, 2022

Presented By:

Background:

Recommendation:

Motion to approve the accounts payable and payroll check registers as presented.

Attachments:

1. Check Registers 06-20-22 Agenda

Check Number	Payee	Amount
06/09/2022		
136591	BUREAU OF COMMUNITY AND HEALT	200.00
Total 06/09/2022:		200.00
Grand Totals:		200.00

Summary of Check Registers & ACH Payments HUNTINGTON NATIONAL BANK - CHECKS ISSUED

06/09/22	Special Accounts Payable Run	\$	200.00
06/10/22	Payroll (net pay)	\$	120,117.23
06/10/22	Payroll Transmittal Checks	\$	5,544.99
06/21/22	Regular Accounts Payable	\$	250,274.01
Checks Sub-Total:		\$	376,136.23

HUNTINGTON NATIONAL BANK - ACH/WIRE PAYMENTS

06/03/22	AMG Payment Solutions	\$	95.24
06/03/22	Payment Service Network Inc.	\$	253.90
06/06/22	MI Public Power Agency	\$	47,519.32
06/08/22	State of MI (Sales Tax)	\$	20,750.98
06/09/22	DTE Energy	\$	16,534.59
06/10/22	IRS (Payroll Tax Deposit)	\$	43,684.71
06/10/22	Alerus Financial (HCSP)	\$	350.00
06/10/22	State of MI (Withholding Tax)	\$	6,499.66
06/10/22	Vantagepoint (401 Plan)	\$	957.68
06/10/22	Vantagepoint (457 Plan)	\$	20,194.02
06/10/22	Vantagepoint (Roth IRA)	\$	1,055.76
ACH Sub-Total:		\$	157,895.86

Huntington National Bank Total: \$ 534,032.09

CHARLEVOIX STATE BANK - CHECKS ISSUED

(PROPERTY TAX DISBURSEMENT TO VARIOUS TAXING AUTHORITIES)

06/21/22	Tax Disbursement	\$	-
Charlevoix State Bank Total:		\$	-

Grand Total: \$ 534,032.09

APPROVED:



CITY MANAGER

CITY TREASURER



CITY CLERK

M = Manual Check, V = Void Check

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
06/04/2022	PC	06/10/2022	35346	HEYDLAUFF, MARK L.	102		3,357.93
06/04/2022	PC	06/10/2022	35347	DVORACEK, SARAH J.	105		2,302.83
06/04/2022	PC	06/10/2022	35348	DEROSIA, PATRICIA E.	107		982.57
06/04/2022	PC	06/10/2022	35349	DOTSON, LINDSEY J.	109		1,420.38
06/04/2022	PC	06/10/2022	35350	KLOOSTER, ALIDA K.	121		2,246.08
06/04/2022	PC	06/10/2022	35351	BARNEVELD, RICHELLE	123		1,247.92
06/04/2022	PC	06/10/2022	35352	SCHULZ, GINNY L.	125		1,538.21
06/04/2022	PC	06/10/2022	35353	BRADLEY, KATHLEEN R.	126		819.93
06/04/2022	PC	06/10/2022	35354	MILLER, FAITH G.	142		433.94
06/04/2022	PC	06/10/2022	35355	MCGINN, KELLY A.	146		2,792.61
06/04/2022	PC	06/10/2022	35356	DOAN, GERARD P.	201		2,512.65
06/04/2022	PC	06/10/2022	35357	SCHOLEY, ROBERT W.	204		1,855.13
06/04/2022	PC	06/10/2022	35358	UMULIS, MATTHEW T.	205		1,440.39
06/04/2022	PC	06/10/2022	35359	ORBAN, BARBARA K.	209		1,400.45
06/04/2022	PC	06/10/2022	35360	RILEY, DENISE M.	213		430.64
06/04/2022	PC	06/10/2022	35361	MUNK, CHRISTOPHER J.	215		1,560.90
06/04/2022	PC	06/10/2022	35362	SCHICK, TIELER R.	216		1,986.24
06/04/2022	PC	06/10/2022	35363	STEWART, MORGAN J.	217		1,926.10
06/04/2022	PC	06/10/2022	35364	YOUNG, KRISTEN L.	230		1,903.24
06/04/2022	PC	06/10/2022	35365	BINGHAM, LARRY E.	240		824.47
06/04/2022	PC	06/10/2022	35366	MACGILLIVRAY, ROGER	244		459.67
06/04/2022	PC	06/10/2022	35367	WESTRICK, AARON J.	246		719.90
06/04/2022	PC	06/10/2022	35368	WURST, RANDALL W.	411		1,434.71
06/04/2022	PC	06/10/2022	35369	HILLING, NICHOLAS A.	413		2,511.92
06/04/2022	PC	06/10/2022	35370	MEIER III, CHARLES A.	421		1,830.27
06/04/2022	PC	06/10/2022	35371	ZACHARIAS, STEVEN B.	422		1,482.03
06/04/2022	PC	06/10/2022	35372	NEWMAN, MARK J.	424		1,652.84
06/04/2022	PC	06/10/2022	35373	LOUGHMILLER, JOHN A.	425		1,862.86
06/04/2022	PC	06/10/2022	35374	GRIFFITH, JOHN J.	500		2,887.09
06/04/2022	PC	06/10/2022	35375	EATON, BRAD A.	515		2,382.15
06/04/2022	PC	06/10/2022	35376	WILSON, TIMOTHY J.	516		3,196.61
06/04/2022	PC	06/10/2022	35377	LAVOIE, RICHARD L.	519		2,258.36
06/04/2022	PC	06/10/2022	35378	STEVENS, BRANDON C.	521		2,476.04
06/04/2022	PC	06/10/2022	35379	WHITLEY, ANDREW T.	522		2,074.50
06/04/2022	PC	06/10/2022	35380	DRAVES, MARTIN J.	523		2,776.04
06/04/2022	PC	06/10/2022	35381	FARRELL, MITCHELL L.	524		1,780.36
06/04/2022	PC	06/10/2022	35382	ANDERSON, ELIZABETH	526		1,338.42
06/04/2022	PC	06/10/2022	35383	KENWABIKISE, DAVID L.	528		1,184.64
06/04/2022	PC	06/10/2022	35384	ELLIOTT, PATRICK M.	600		3,149.67
06/04/2022	PC	06/10/2022	35385	SCHWARTZFISHER, JOS	603		1,387.24
06/04/2022	PC	06/10/2022	35386	BRADLEY, KELLY R.	614		1,554.01
06/04/2022	PC	06/10/2022	35387	HART II, DELBERT W.	616		1,906.57
06/04/2022	PC	06/10/2022	35388	JONES, ROBERT F.	618		1,912.46
06/04/2022	PC	06/10/2022	35389	THORP JR, WILLIAM D.	623		1,468.36
06/04/2022	PC	06/10/2022	35390	LEITNER, RYAN S.	624		1,442.97
06/04/2022	PC	06/10/2022	35391	FERGUSON, ROYCE L.	625		1,702.38
06/04/2022	PC	06/10/2022	35392	REID, ROB A.	632		435.57
06/04/2022	PC	06/10/2022	35393	DORAN, JUSTIN J.	634		2,265.74
06/04/2022	PC	06/10/2022	35394	NEDWICK, DAVID J.	642		933.30
06/04/2022	PC	06/10/2022	35395	FREY, DYLAN V.	643		636.78
06/04/2022	PC	06/10/2022	35396	HART III, DELBERT W.	657		986.84
06/04/2022	PC	06/10/2022	35397	CONWAY, JAKE P.	658		897.72
06/04/2022	PC	06/10/2022	35398	FINNERTY, HOLLY E.	669		999.13
06/04/2022	PC	06/10/2022	35399	HIGGINS, THERESE M.	689		185.00
06/04/2022	PC	06/10/2022	35400	CRANDELL, ZACKARY R.	691		740.90
06/04/2022	PC	06/10/2022	35401	FRANCE JR, JAMES A.	695		949.66
06/04/2022	PC	06/10/2022	35402	RABIDEAU, JACOB L.	696		889.55

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
06/04/2022	PC	06/10/2022	35403	KNORR, KENT J.	700		2,157.97
06/04/2022	PC	06/10/2022	35404	ANZELL, BETH A.	702		1,406.10
06/04/2022	PC	06/10/2022	35405	STEWART, SPENCER P.	720		653.13
06/04/2022	PC	06/10/2022	35406	MCDERMOTT, DENNIS J.	732		1,912.15
06/04/2022	PC	06/10/2022	35407	JASURDA, DONALD J.	748		540.56
06/04/2022	PC	06/10/2022	35408	DORST, KRISTA M.	749		527.87
06/04/2022	PC	06/10/2022	35409	PARRISH, SAMANTHA K.	750		502.35
06/04/2022	PC	06/10/2022	35410	MEEHAN, MAXIMUS M.	751		474.64
06/04/2022	PC	06/10/2022	35411	WHITE III, MARCUS W.	754		883.25
06/04/2022	PC	06/10/2022	35412	CUNNINGHAM, ABIGAIL A.	759		761.80
06/04/2022	PC	06/10/2022	35413	CURTIS, LILY E.	770		58.18
06/04/2022	PC	06/10/2022	35414	MAY, MEREDITH A.	771		171.13
06/04/2022	PC	06/10/2022	35415	KIRINOVIC, THOMAS F.	790		247.89
06/04/2022	PC	06/10/2022	35416	SMITH, ELLERY S.	795		232.58
06/04/2022	PC	06/10/2022	35417	COFFEY, JASON J.	798		937.38
06/04/2022	PC	06/10/2022	35418	DRENTH, DOUGLAS A.	838		832.81
06/04/2022	PC	06/10/2022	35419	GILL, DAVID R.	856		1,062.54
06/04/2022	PC	06/10/2022	35420	LABLANCE, MAUREEN J.	863		255.95
06/04/2022	PC	06/10/2022	35421	LIVINGSTON, BRIAN D.	866		1,948.83
06/04/2022	PC	06/10/2022	35422	STANLEY, MARK J.	867		62.33
06/04/2022	PC	06/10/2022	35423	KLOOSTER, PATRICK H.	868		522.11
06/04/2022	PC	06/10/2022	35424	WAY, KRISTINA M.	870		116.36
06/04/2022	PC	06/10/2022	35425	DIETRICH, ARLENE M.	871		827.50
06/04/2022	PC	06/10/2022	35426	PARKER, SCOTT W.	873		66.38
06/04/2022	PC	06/10/2022	35427	PETROSKY, TIMOTHY D.	874		136.77
06/04/2022	PC	06/10/2022	35428	WYMAN, MATTHEW A.	927		1,981.41
06/04/2022	PC	06/10/2022	35429	MILLER, WILLIAM S.	933		1,588.32
06/04/2022	PC	06/10/2022	35430	DOUGLAS, MARK	935		1,495.80
06/04/2022	PC	06/10/2022	35431	MCCRANEY, RUSSELL R.	936		1,527.48
06/04/2022	PC	06/10/2022	35432	FRATRICK, JOSEPH W.	940		1,230.22
06/04/2022	PC	06/10/2022	35433	PAALMAN, STEPHEN J.	942		806.60
06/04/2022	PC	06/10/2022	136579	MORRISON, KEVIN P.	601		1,587.34
06/04/2022	PC	06/10/2022	136580	SNYDER, JACOB M.	756		551.59
06/04/2022	PC	06/10/2022	136581	COX, RONALD L.	869		315.04
Grand Totals:			91				120,117.23

Km

Report Criteria:

☐ Computed checks included
☐ Manual checks included
☐ Supplemental checks included
☐ Termination checks included
☐ Void checks included

Pay Period Date	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
06/04/2022	06/10/2022	136582	4FRONT CREDIT UNION	9024	HSA-EMPLOYEE CONTRIB-4FR	935.00
06/04/2022	06/10/2022	136583	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-POST T	86.90
06/04/2022	06/10/2022	136583	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-PRETA	418.07
06/04/2022	06/10/2022	136584	CALIFORNIA STATE DISB	9033	Remittance ID 200000001923773	92.19
06/04/2022	06/10/2022	136585	CHARLEVOIX STATE BAN	9017	HSA - EMPLOYEE CONTRIB - C	990.00
06/04/2022	06/10/2022	136586	COMMUNICATION WORK	9004	CWA UNION DUES Pay Period:	678.21
06/04/2022	06/10/2022	136587	EQUITABLE FINANCIAL LI	9010	LIFE - VOLUNTARY Pay Period:	293.14
06/04/2022	06/10/2022	136587	EQUITABLE FINANCIAL LI	9010	SPOUSE LIFE Pay Period: 6/4/2	55.64
06/04/2022	06/10/2022	136587	EQUITABLE FINANCIAL LI	9010	CHILD LIFE Pay Period: 6/4/202	4.80
06/04/2022	06/10/2022	136587	EQUITABLE FINANCIAL LI	9010	AD&D - VOLUNTARY Pay Period	36.78
06/04/2022	06/10/2022	136587	EQUITABLE FINANCIAL LI	9010	SPOUSE AD&D Pay Period: 6/4/	10.28
06/04/2022	06/10/2022	136587	EQUITABLE FINANCIAL LI	9010	CHILD AD&D Pay Period: 6/4/20	3.33
06/04/2022	06/10/2022	136588	MI STATE DISBURSEMEN	9012	FRIEND OF THE COURT Pay Pe	116.55
06/04/2022	06/10/2022	136589	POLICE OFFICERS LABO	9003	POL UNION DUES Pay Period: 6	251.25
06/04/2022	06/10/2022	136590	PRIORITY HEALTH	392358	PRIORITY HEALTH Pay Period:	1,572.85
Grand Totals:		15				5,544.99

dm

Check Number	Payee	Amount
06/21/2022		
136592	ACE HARDWARE	5,869.74
136593	ACUSHNET COMPANY	551.62
136594	ALL-PHASE ELECTRIC SUPPLY CO	400.85
136595	ALPENA SUPPLY COMPANY	110.34
136596	ALTEC INDUSTRIES INC	2,096.65
136597	AMAZON CAPITAL SERVICES	2,397.64
136598	AT YOUR SERVICE PLUS INC	375.00
136599	AUTO-WARES GROUP	487.68
136600	AVFUEL CORPORATION	71,630.19
136601	BAKER VEHICLE SYSTEMS INC	151.09
136602	BD SERVICES	437.50
136603	BEAVER RESEARCH COMPANY	198.30
136604	BELL EQUIPMENT COMPANY	115.00
136605	BOLGER, MICHAEL	39.46
136606	BRADFORD MASTER DRYCLEANERS	19.50
136607	CARQUEST OF CHARLEVOIX	396.31
136608	CDW GOVERNMENT	113.71
136609	CENTRAL DRUG STORE	90.09
136610	CERTAPRO PAINTERS OF GRAND HA	23,715.00
136611	CHARLEVOIX AGENCY	548.80
136612	CHARLEVOIX AREA CHAMBER OF CO	7,500.00
136613	CHARLEVOIX SCREEN MASTERS INC	440.00
136614	CHARLEVOIX-EMMET ISD	1,031.72
136615	CHARTER COMMUNICATIONS OPERA	282.92
136616	CHEMTRADE CHEMICALS US LLC	7,760.59
136617	CINTAS	66.79
136618	CITY OF CHARLEVOIX - UTILITIES	35,270.10
136619	CLOTHING COMPANY, THE	54.00
136620	ELECTIONSOURCE	446.68
136621	ELLSWORTH FARMERS EXCHANGE	1,687.43
136622	EMMET BRICK & BLOCK	145.20
136623	FAMILY FARM AND HOME	1,327.55
136624	FARLEY PROMO	423.93
136625	FARMER WHITE'S	250.00
136626	FASTENAL COMPANY	61.50
136627	FICK & SONS DIESEL GARAGE	364.00
136628	FO BARDEN & SON INC	682.90
136629	FREEDOM MAILING SERVICES INC	2,380.50
136630	GILLESPIE, JEWELL	75.00
136631	GINOP SALES INC	28.17
136632	GOLOVICH, RENEE	50.00
136633	GORDON FOOD SERVICE	273.86
136634	GRAINGER	43.56
136635	GREAT LAKES ELEVATOR LLC	450.85
136636	HACH COMPANY	1,396.81
136637	HARRELL'S LLC	3,135.50
136638	HYDE SERVICES LLC	145.00
136639	IDEXX DISTRIBUTION INC	1,517.29

Check Number	Payee	Amount
136640	IPS GROUP INC	591.71
136641	JOE'S PROFESSIONAL SERVICES LLC	750.00
136642	JOHN E GREEN COMPANY	9,995.00
136643	JOINT APPRENTICESHIP & TRAINING	4,000.00
136644	KASSBOHRER ALL TERRAIN VEHICLE	770.95
136645	KEEP CHARLEVOIX BEAUTIFUL	10,000.00
136646	KP LANDSCAPING INC	3,000.00
136647	KSS ENTERPRISES	842.72
136648	LANDSCAPE FORMS INC	3,655.00
136649	LITTLE TRAVERSE DISPOSAL LLC	30.00
136650	LOTTIE'S BAGELS	93.00
136651	MACGREGOR PLUMBING & HEATING I	271.00
136652	MAGGRET, DAVID	200.00
136653	MCCARDEL CULLIGAN-PETOSKEY	54.50
136654	MCDERMOTT, DENNIS J.	44.56
136655	MI DEPT OF TREASURY - UNCLAIMED	291.96
136656	MILLER, FAITH G	23.98
136657	MINERAL MASTERS	3,549.00
136658	MUSIC IS THE FOUNDATION	250.00
136659	NAVIA BENEFIT SOLUTIONS	50.00
136660	NORTHWEST FIRE	79.00
136661	OLESON'S FOOD STORES	140.39
136662	OLSON BZDOK & HOWARD	2,402.50
136663	ORBAN, BARBARA K.	70.00
136664	PENCHURA LLC	2,225.00
136665	POWER LINE SUPPLY	1,603.07
136666	POWER SYSTEM ENGINEERING INC	2,219.50
136667	PREIN & NEWHOF	690.00
136668	PRESTON FEATHER	498.84
136669	QUILL LLC	359.90
136670	R & R PRODUCTS INC	446.95
136671	RANGE TELECOMMUNICATIONS	201.00
136672	RIETH-RILEY CONST CO INC	1,090.00
136673	SHARROW MASONRY INC	400.00
136674	SHARROW, JACOB	300.00
136675	SIGMA-ALDRICH INC	423.05
136676	SPARTAN DISTRIBUTORS INC	61.30
136677	SPRINGFIELD INC.	1,729.00
136678	STATE OF MICHIGAN	2,899.25
136679	STRICKER'S OUTDOOR POWER EQUI	5,828.16
136680	TARGET SPECIALTY PRODUCTS	2,161.15
136681	THE TROPHY CASE	90.00
136682	TRANSUNION RISK AND ALTERNATIV	75.00
136683	TRUCK & TRAILER SPECIALTIES	2,125.56
136684	UNIFIRST CORPORATION	962.34
136685	UNITED STATES PLASTIC CORP.	685.61
136686	UTILITIES INSTRUMENTATION SERVI	4,740.78
136687	WELLS, IVY L	110.00
136688	WEX BANK	156.96

Check Number	Payee	Amount
Total 06/21/2022:		250,274.01
Grand Totals:		250,274.01

Check Number	Payee	Amount
06/03/2022		
60322001	AMG PAYMENT SOLUTIONS	95.24
60322002	PAYMENT SERVICE NETWORK INC.	253.90
Total 06/03/2022:		349.14
Grand Totals:		349.14

Check Number	Payee	Amount
06/06/2022		
60622001	MICHIGAN PUBLIC POWER AGENCY	47,519.32
Total 06/06/2022:		47,519.32
Grand Totals:		47,519.32

Check Number	Payee	Amount
06/08/2022		
60822001	STATE OF MICHIGAN	20,750.98
Total 06/08/2022:		20,750.98
Grand Totals:		20,750.98

Check Number	Payee	Amount
06/09/2022		
60922001	DTE ENERGY	16,534.59
Total 06/09/2022:		16,534.59
Grand Totals:		16,534.59

Check Issue Date	Check Number	Payee	Amount
61022001			
06/10/2022	61022001	**EFTPS* Payroll Taxes	11,361.73
06/10/2022	61022001	**EFTPS* Payroll Taxes	11,361.73
06/10/2022	61022001	**EFTPS* Payroll Taxes	2,657.15
06/10/2022	61022001	**EFTPS* Payroll Taxes	2,657.15
06/10/2022	61022001	**EFTPS* Payroll Taxes	15,646.95
Total 61022001:			
	5		43,684.71
61022002			
06/10/2022	61022002	Alerus Financial	350.00
Total 61022002:			
	1		350.00
61022003			
06/10/2022	61022003	STATE OF MICHIGAN	6,499.66
Total 61022003:			
	1		6,499.66
61022004			
06/10/2022	61022004	Vantagepoint - 401 Plan 109153	957.68
Total 61022004:			
	1		957.68
61022005			
06/10/2022	61022005	Vantagepoint - 457 Plan 300959	4,775.00
06/10/2022	61022005	Vantagepoint - 457 Plan 300959	2,714.78
06/10/2022	61022005	Vantagepoint - 457 Plan 300959	4,218.42
06/10/2022	61022005	Vantagepoint - 457 Plan 300959	8,485.82
Total 61022005:			
	4		20,194.02
61022006			
06/10/2022	61022006	Vantagepoint - Roth IRA 706117	1,055.76
Total 61022006:			
	1		1,055.76
Grand Totals:			
	13		72,741.83



Charlevoix City Council

Consent Agenda

Title: Low-income Energy Assistance Fund Opt-out

Date: June 20, 2022

Presented By:

Background:

Michigan's Public Act 95 was signed into law in 2013 to create the Low-Income Energy Assistance Fund (LIEAF) within the State Treasury. This fund provides money to low-income households for heating assistance. The Act requires all utilities in the state to opt in or opt out of the program each year. If Charlevoix chooses to opt in, it would collect a surcharge of approximately one dollar per month from every electric account and forward these funds to the State of Michigan. The Department of Human Services, in consultation with the Public Service Commission, shall ensure that all money collected for the fund from a geographic area is returned, to the extent possible, to that geographic area. The estimated annual LIEAF funds for Charlevoix for 2022-2023 are \$56,000.

If Charlevoix chooses to opt out, it would not collect the surcharge and its customers would not be eligible for LIEAF assistance. In return, Charlevoix's residential electric customers could not be disconnected for non-payment between November 1 and April 15. Charlevoix must make its choice to opt in or opt out by July 1 each year. To date, Charlevoix has opted out of Public Act 95 participation.

Recommendation:

Motion to opt out of Public Act 95 of 2013 for the 2022 – 2023 heating season.

Attachments:

1. 2013-PA-0095_440175_7

Act No. 95
Public Acts of 2013
Approved by the Governor
July 1, 2013
Filed with the Secretary of State
July 1, 2013
EFFECTIVE DATE: July 1, 2013

**STATE OF MICHIGAN
97TH LEGISLATURE
REGULAR SESSION OF 2013**

Introduced by Senators Nofs, Bieda, Caswell, Hopgood, Proos, Young, Anderson, Brandenburg, Jones, Schuitmaker, Walker, Marleau and Pappageorge

ENROLLED SENATE BILL No. 284

AN ACT to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," (MCL 460.1 to 460.11) by adding section 9t.

The People of the State of Michigan enact:

Sec. 9t. (1) The low-income energy assistance fund is created within the state treasury.

(2) The state treasurer may receive money or other assets from any source for deposit into the fund. The state treasurer shall direct the investment of the fund. The state treasurer shall credit to the fund interest and earnings from fund investments.

(3) Money in the fund at the close of the fiscal year shall remain in the fund and shall not lapse to the general fund.

(4) The department of licensing and regulatory affairs shall be the administrator of the fund for auditing purposes.

(5) Subject to the limitations imposed in this section, the department of human services shall expend money from the fund, upon appropriation, as provided in the Michigan energy assistance act, 2012 PA 615, MCL 400.1231 to 400.1236. The department of human services, in consultation with the public service commission, shall ensure that all money collected for the fund from a geographic area is returned, to the extent possible, to that geographic area.

(6) Subject to the limitations imposed in this subsection, the public service commission may, after an opportunity to comment, annually approve a low-income energy assistance funding factor no later than July 31 of each year for the subsequent fiscal year. The low-income energy assistance funding factor shall be the same across all customer classes and shall not exceed \$1.00. The amount used by the public service commission to calculate a low-income energy assistance funding factor during each fiscal year shall not exceed \$50,000,000.00 minus both the amount appropriated from the general fund in that fiscal year for home energy assistance and the amount remaining in the fund from the prior fiscal year. An electric utility, municipally owned electric utility, or cooperative electric utility that collects money under this subsection shall remit that money to the state treasurer for deposit in the fund on a monthly basis no later than 30 days

(39)

after the last day in each calendar month. The electric utility, municipally owned electric utility, or cooperative electric utility shall list the low-income energy assistance funding factor as a separate line item on each customer's bill.

(7) An electric utility, municipally owned electric utility, or cooperative electric utility may elect to not collect a low-income energy assistance funding factor under this section by annually filing a notice with the public service commission by July 1. Notwithstanding any other provision of this act, an electric utility, municipally owned electric utility, or cooperative electric utility that elects to not collect a low-income energy assistance funding factor under this section shall not shut off service to any residential customer from November 1 to April 15 for nonpayment of a delinquent account.

(8) An electric utility, municipally owned electric utility, or cooperative electric utility that does not opt out under subsection (7), or an association representing a municipally owned electric utility or cooperative electric utility that does not opt out under subsection (7), shall annually provide to the public service commission by July 1 the number of retail billing meters it serves in this state that are subject to the low-income energy assistance funding factor.

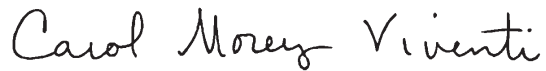
(9) Nothing in this act gives the public service commission the power to regulate a municipally owned electric utility.

(10) As used in this section:

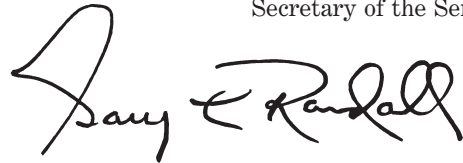
(a) "Fund" means the low-income energy assistance fund created in subsection (1).

(b) "Low-income energy assistance funding factor" means a nonbypassable surcharge on each retail billing meter payable monthly by every customer receiving a retail distribution service from an electric utility, municipally owned electric utility, or cooperative electric utility that does not opt out under subsection (7), regardless of the identity of the customer's electric generation supplier. The low-income energy assistance funding factor shall not be charged on more than 1 residential meter per residential site.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved

.....
Governor

Charlevoix City Council

Consent Agenda

Title: Use of Bridge Park for Boyne Thunder Lunch

Date: June 20, 2022

Presented By:

Background:

The Boyne Thunder Poker Run is a non-profit fundraiser that donates their proceeds to support Camp Quality Michigan (serving children with cancer), Challenge Mountain (serving children and adults with disabilities) and Boyne MainStreet. Boyne Thunder was established in 2004 and has grown to 120 boats providing entertainment for many communities in Northern Michigan. The poker run leaves Boyne City at 10 am on Saturday July 9th, traveling thru Lake Charlevoix to Elk Rapids, Northport, Charlevoix (stop for lunch), Bay Harbor, Harbor Springs, Horton Bay, and arrives back to Boyne City around 3:30 pm to turn in their poker cards.

The boaters will stop in Charlevoix around 12:00 for lunch. There will be approximately 400 boaters (120 boats). They have a staggered arrival. A boxed lunch is served (Lions Club of Charlevoix chicken dinner) and will only be handled and distributed by the Lions volunteers. Boaters (and Boyne Thunder Volunteers) will be following all CDC/MDHHS COVID guidelines. Boaters will be congregating in the Robert Bridge Memorial Park under several tents. All seating and food serving will follow COVID guidelines. Boaters will depart around 1:30 pm.

Boyne Thunder Poker Run has become a well visited event with hundreds of community members and tourists lining Round Lake, Pine River Channel, and Michigan Beach to watch the boats leave and enter Charlevoix. This brings an increase in people to Charlevoix who will then eat in our restaurants and visit our downtown businesses. The event also supports the Local Lions Club of Charlevoix by providing the boater's lunches.

Recommendation:

Motion to approve the use of Bridge Park for Boyne Thunder lunch.

Attachments:

None

Charlevoix City Council

Consent Agenda

Title: Water Treatment Plant Low Service Pump Improvements: \$16,000

Date: June 20, 2022

Presented By:

Background:

We plan to improve the original low service pumps at the Water Treatment Plant this winter with variable frequency drives. This system will ensure continued reliability of the plant and utilize a drive system that will reduce wear on valve mechanisms downstream of the pumps. Prein & Newhof has long been our engineer for the plant; they will prepare bid documents and oversee this project in coordination with Century A&E for the electrical aspects of the project. This fee is in accord with our master agreement with them on rates and fees for services negotiated several years ago. This phase will bring us to bidding the project out; approximately \$200,000 has been included in the current budget for all aspects of this work.

Recommendation:

Motion to approve the proposal from Prein & Newhof for the engineering of the improvement of the low service pumps at the Water Treatment Plant for time and material cost not to exceed \$16,000 and authorize the City Manager to sign the agreement.

Attachments:

1. Proposal from Prein & Newhof for Low Service Pump Improvements at the Water Treatment Plant

June 8, 2022

Mr. Mark Heydlauff
City Manager
210 State Street
Charlevoix, MI 49720

RE: Water Treatment Plant
Low Service Pump Improvements

Dear Mr. Heydlauff:

Thank you for the opportunity to prepare an engineering services proposal for the Low Service Pump (LSP) improvements at the Water Treatment Plant (WTP). This proposal is based on the addition of variable frequency drives at the three LSPs as requested by Mr. Nick Hilling. We understand that the project has been budgeted for this year. Below is a brief background summary, an overview of the anticipated project, and a proposed scope of work and schedule.

Background

On September 21, 2021, a WTP review was conducted as part of the Low Service Pump Upgrade Study. Since the project is electrical in nature, we teamed with Century A&E (CAE). Mr. Troy McDonald, P.E. from CAE was in attendance.

We have worked with Mr. Hilling to facilitate and review an updated Northern Pump & Well proposal to coordinate LSP work scope with motor replacement with maintenance activity to minimize mobilization activity and the associated costs. We understand the pump maintenance activity and motor replacements are in progress.

We have reached out to Ms. Caitlin Bates, Michigan EGLE, to discuss scope and confirm requirements for a basis of design for the project. We believe this will facilitate timely permitting.

Scope

We believe that information collected during our September 2021 site visit with Mr. Hilling will be sufficient. The following additional activities are anticipated:

- Conduct a kickoff call with City representatives to verify scope and secure input on operational requirements
- Prepare a preliminary basis of design and operational narrative for review with the City
- Contact Michigan EGLE to review the basis of design and current requirements
- Prepare plans and specifications
- Complete plans and specifications for Owner review
- Prepare EGLE Act 399 Water System Construction Permit Application with completed plans and specifications and accompanied by the basis of design

Mr. Mark Heydlauff
June 8, 2022
Page 2

- Update opinion of construction cost for project
- Bidding services to address questions from potential bidders
- Proposal review following bid opening by City
- Collaborate with you to prepare a bid summary and award letter for City

We propose to team with Century A&E. Century believes they can use the original contract drawings as a background for this project. We believe this is reasonable and will make the project most cost effective.

Schedule

We anticipate contract documents can be completed and available for bidding within three (3) months after your direction to proceed.

Fees for Services

We propose to perform the scope of work on a time and materials basis for a not-to-exceed total of \$16,000 in accordance with the Master Agreement – General Engineering Services. Should additional services be requested by you or water plant representatives, we would contact you and obtain your authorization prior to performing such services.

Thank you for allowing us the opportunity to present this proposal to you. Feel free to contact us with any additional thoughts or questions.

Sincerely,

Prein&Newhof

A handwritten signature in blue ink, appearing to read 'Mark R. Prein', with a stylized flourish at the end.

Mark R. Prein, P.E.

CAP/cap

cc: Mr. Nick Hilling

Charlevoix City Council

Consent Agenda

Title: Charlevoix Yacht Club Request for Free Parking for the Nucore Triangle Race & Red Fox Regatta Race

Date: June 20, 2022

Presented By:

Background:

The Charlevoix Yacht Club is requesting the City Council waive the parking fees at the Ferry Launch Ramp for the Nucore Triangle Race and Red Fox Regatta Race on September 2, 3 and 4, 2022. The Charlevoix City Code, Title VII, Chapter 71, Section 71.04 states: "The City Council, by resolution, may revise or waive fees for special or public events. The term "special or public events" shall mean a tournament, festival or other type of event, whether or not open to public participation or observation, the occurrence of which will, in the judgment of the City Council, benefit the city economically or by virtue of the publicity surrounding the event."

Recommendation:

Motion to approve Resolution 2022-06-01 to waive the parking fees at the Ferry Launch Ramp for the Nucore Triangle Race and the Red Fox Regatta Race on September 2, 3 and 4, 2022.

Attachments:

1. Request Letter from the Charlevoix Yacht Club
2. Resolution 2022-06-01 Waive fees for Charlevoix Yacht Club

June 10, 2022

Mayor and City Council
City of Charlevoix
210 State Street
Charlevoix, Mi 49720

RE: Use of Boat Launch Facility for Red Fox Regatta

Dear Mayor and Council;

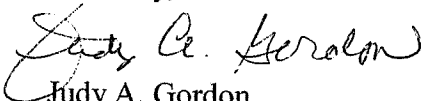
This letter is a request to the City Council to again allow free use of the boat launch ramp at the end of Stover Road on September 2, 3 and 4 of 2022. These are the dates of the Nucore Triangle Race, Friday evening and the annual Red Fox Regatta sailboat race between Charlevoix and Boyne City, Saturday and Sunday, sponsored by the Charlevoix Yacht Club. Currently, we have 30 boats registered to race.

We have sailboats participating in these races from out of town that will need to use the launch ramp. Last year there were about thirty launch passes used by out of town sailboats. Local boats are either in the water or already have seasonal launch passes. Participants will be identified by showing a colored card indicating that they are a Red Fox participant.

Many of the race participants come from out of town and will be patronizing Charlevoix restaurants, businesses and motels during their stay. All participants will be asked to observe CDC guidelines. There will be a definite economic benefit to the City of Charlevoix. Charlevoix also receives good community exposure as the host of this annual event.

Your consideration and approval of this matter will be appreciated.

Sincerely,



Judy A. Gordon
Red Fox Committee
Charlevoix Yacht Club

CITY OF CHARLEVOIX
RESOLUTION NO. 2022-06-01
WAIVE PARKING FEES FOR CHARLEVOIX YACHT CLUB

WHEREAS, the Charlevoix Yacht Club is hosting the Nucore Triangle Race and Red Fox Regatta on September 2-4, 2022; and

WHEREAS, the Charlevoix Yacht Club is requesting that parking fees be waived for the races; and

WHEREAS, the City Code permits the City Council to waive parking fees for special or public events.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Charlevoix, hereby waives parking fees for the Nucore Triangle Race and Red Fox Regatta on September 2-4, 2022.

RESOLVED this 20th day of June, 2022 A.D.

Resolution was adopted by the following yea and nay vote:

Yeas:

Nays:

Absent:

Charlevoix City Council

Consent Agenda

Title: Building Authority Commission Appointment: City Manager Mark Heydlauff

Date: June 20, 2022

Presented By:

Background:

In June of 2019, the Building Authority Commission was established to facilitate financing for the new Public Services Facility building. Pursuant to the Articles of Incorporation, members of the Commission shall be appointed by the City Council. The Commission consists of the City Clerk, City Manager, and City Treasurer and meets annually.

Recommendation:

Motion to appoint City Manager Heydlauff to the Building Authority Commission, term expiring June 2025.

Attachments:

None

Charlevoix City Council

All Other Actions and Requests

Title: Proposed Donation: Miniature Painted Sailboat Honoring Dale and Marilyn Boss

Date: June 20, 2022

Presented By: Linda Boss
Mark Heydlauff, City Manager

Background:

A group of folks would like to offer a donation of a miniature painted sailboat to memorialize the life and work of Dale and Marilyn Boss. The sails would feature scenes from Charlevoix reminiscent of activities Mr. and Mrs. Boss enjoyed and contributed to over their long lives in Charlevoix. Details and background of the proposal, submitted by the donors, are included as attachments.

Pursuant to the Donation Acceptance Policy, the Council first considers whether the donation has some likelihood for acceptance. It determines who and how feedback should be obtained for the donation before the Planning Commission is tasked with the following:

- The donation is in keeping with the spirit and design intentions of the public space and protects and preserves the natural resources of the City
- There is sufficient funding (either through a donated endowment or through City operations) to cover long-term costs and maintenance of the donation
- Determination of no-adverse affect from the gift either in financial cost or reputational harm to the community

Since this donation is proposed for some location in East Park, the Planning Commission will also need to "affirmatively find the donation in keeping with the City's Master Plan and Parks and Recreation Master Plan where applicable."

As currently described, I do not see a long-term maintenance cost that this item would create for the City to consider. The full Donation Acceptance Policy is included for your review.

Recommendation:

Council discussion and direction.

Attachments:

1. Proposal for Pictorial Memorial Dale & Marilyn Boss
2. Dale and Marilyn Boss - an exceptional legacy of volunteering
3. Donation Acceptance Policy 2022 Revision

A Pictorial Memorial on a Sailboat Sculpture of Dale and Marilyn Boss's Lifetime Contribution to Charlevoix

Hi I'm Linda Boss, Dale and Marilyn's daughter-in-law, their younger son Jim's wife. I am an artist and have been painting and drawing scenes of Charlevoix for the past forty years. You may be familiar with my work. I was asked to restore and redesign the Sailboat "Sailing through Time", that has been on display at the Depot since 2016. I am including photos of it for your reference. It depicts 16 scenes of landmarks that are from Charlevoix's past. It is fun to go down memory lane, please go check it out in person.

I would like to do the same on this new sailboat. The scenes would all represent places that Dale and Marilyn had direct contribution to the existence of. If it weren't for their involvement, these places either would not be in Charlevoix or would be very different. There will be a plaque accompanying the Sailboat.

Here is a list of the paintings that will be collaged onto the sails:

In no order of importance:

1. **Operation Petunia** (scene of people along the road planting the petunias)

2. **Petunia Truck pulling float in the Venetian Parade**

3. **Mt McSauba**

4. **Harsha House**

5. **Hoffman Park**

6. **Thanksgiving Day Parade in Detroit**

7. **Charlevoix Elementary School**

8. **Community Reformed Church**

9. **Old Charlevoix Library, now Charlevoix Circle of Arts**

10. **Rayder Bus**

11. **The Christmas House**

12. And of course, **Dale and Marilyn sitting downtown in the red Cadillac visiting with passerbys**

Colorful petunias will fill in where needed as accents



One of the Scenes

This sailboat sculpture consists of metal sails that are thin enough to bend slightly. They are primed, painted and will be clear-coated with auto clear coat. The one at the Historical Society was marine sealer and didn't hold as well as expected. It had to be recoated through the years. It measures approx 7 foot to 7.5 feet in total heighth. The boat part is carved wood and will be a stained light red, because it was Dale

and Marilyn's favorite color! The base/stand will be styled stone and cement like the one at the Depot.

I had been approached by Gail Gennett a few years ago to do this but we couldn't get the funding. Now, Pam and her husband Lane, have generously offered to gift this memorial to the city.

In closing, I had heard that Charlevoix was going to try to incorporate more Art in Public Places around town. What a perfect addition to Charlevoix! A beautiful, 3D sculpture, right downtown with local scenes painted tastefully on it that captures the spirit of volunteerism and honors a couple who loved Charlevoix dearly. We are respectfully requesting placement, somewhere prominent in East Park, location at your discretion so everyone may enjoy. Thank you!

Photos attached.





Dale and Marilyn Boss – An exceptional legacy of volunteering

“Remember that the happiest people are not those getting more, but those giving more.”
This is a quote by American author— **H. Jackson Brown Jr.**

My dad’s laugh was infectious – and at times, completely annoying to me, his youngest daughter. When something was funny to him, he laughed. When things went wrong, he laughed. His motto was...smile – be happy! I used to roll my eyes at that one....until one day I realized, my dad, Dale Boss was literally, one in a million, He taught me by example that the joy of life doesn’t come from achieving financial success, but by giving back to others and making the community you live in a better place for the next generation.

My mom and dad loved Charlevoix. They grew up here and did everything they could to promote Charlevoix as the most beautiful little town in the world. They were a compliment to each other as my dad was the outspoken one who talked to everyone, and I mean everyone... He was the little boy who hung out as Earl Young was building his mushroom houses and learned everything he could, somehow not being told to go away, but earning Earl’s respect by his persistence and curiosity. My mom was the organized genius behind Dale’s big ideas who saw to it that the sometimes lofty goals were accomplished.

In 1978, my dad began volunteering to drive the Venetian float around the state, promoting Charlevoix in every little town he could. He even finagled his way into being invited to the Detroit Thanksgiving Parade by his enthusiasm and persistence in promoting Charlevoix the Beautiful. Hours and hours of volunteering, sometimes paying for gas and food for the girls riding the float out of his own pocket was the norm until my mom made him start turning in his receipts. However, he never took a dime for any of his 40+ years volunteering.

Without Dale Boss, there probably would not be a Mt.McSauba ski hill and recreation area in Charlevoix. He was instrumental in obtaining the property and he put up the first \$100 to encourage many others, who did the same. My dad never skied himself, but he recognized the opportunity for the City of Charlevoix to make a difference in the lives of countless children and families in this community.

My dad was instrumental in convincing Ann Harsha to donate her house to the Charlevoix Historical Society and made good friends with Jim Flynn, who became the first tenant/caretaker of the Harsha House. My mom documented hours and hours of Charlevoix History in books, taped interviews and newspaper articles that are housed there today.

Dale was the one who talked to Betty Hoffman, convincing her to donate the property on the channel to the City (instead of selling it for profit). This is where beautiful Hoffman Park now sits.

It was my dad who brought to the City Council his idea of lining the streets of Charlevoix with Petunias 40 years ago. When asked how they would raise the money, he simply volunteered my mom to design a petunia license plate! It read: Charlevoix

the Beautiful, Michigan's resort city on 3 lakes. Come enjoy it with us! They were able to buy the blanks for \$1 apiece if they bought 1,000 – so he and Bruce McArthur went down to the First State Bank and borrowed from Lou Hollow, the bank President, \$1,000 on a note, interest free. My dad was an ex-milkman so he knew every street, alley and house in town. They advertised in the paper, that someone would be coming around to sell the license plates. They had almost every service organization come to city hall on the evening the plates were to be sold. Students from the high school went with the service organization automobile drivers and they covered the town and 8 miles into the countryside. \$3,500 was raised in less than 3 hours! Six hundred flats of petunias, at \$5 a flat were ordered from Renalda's Greenhouse on March 1, 1982, the date they had to be planted in the greenhouse.

Dale got up every morning to water the petunias at 4:00 in the morning, with my mom sitting on the back of the initial hand-made tank- getting sloshed with cold water on the daily trip. It was a team effort, working with the community volunteers and the city council and planning committees to bring to life "Project Petunia." What started 40 years ago is still attracting visitors to Charlevoix today.

Tom Brokaw once said, "it's easy to make a buck. It's a lot tougher to make a difference". Dale and Marilyn Boss have made a significant difference in the lives of not only those of us who are fortunate enough to live or summer in Charlevoix, but in preserving the quality of life for future generations who raise their children here.

Oh, I forgot to mention Mr. and Mrs. Claus and the Christmas House! My parents volunteered thousands of hours making figurines, setting up the annual Christmas scene. Mom also turned the inside of the house into "Santa's Workshop" decorating more than 30 trees along with displays of animated toys and stuffed animals. Mom and Dad dressed up as Mr. and Mrs. Claus on Christmas Eve, listening to children's wishes and giving out lollipops to boys and girls from all around the north. This continued until they went to be with the Lord. My family (particularly my brother, Bo) still carries on this tradition yearly - minus Mr. and Mrs. Claus. A neighborhood child said it best one summer when he exclaimed, "Momma – I saw Mrs. Claus mowing the lawn today!"

I figured out that Dale volunteered over 11,880 hours watering the Petunias alone, not to mention the parades, etc. When I found out that Gayle Gennett and Gordon VanWieren had brought up the original idea a few years ago to memorialize Dale and Marilyn's contributions to Charlevoix and heard of my sister-in-law Linda's theme to go along with the sailboat pictorial similar to the one at the Depot, I jumped on board. We are respectfully asking you, the Charlevoix City Council members, to preliminarily approve moving forward to the planning commission this tasteful, memorial pictorial showing the importance of volunteerism and community effort.

"Volunteers don't get paid – not because they are worthless, but because they are priceless."



Donation Acceptance Policy

Adopted by City Council on April 18, 2022

POLICY PURPOSE

The City appreciates the generosity of donors who offer improvements for the community. The residents of the Charlevoix have a well-established record of giving their time, talent and treasure to events, causes, and improvements in the community. The purpose of this policy is to establish guidelines, standards and procedures for the acceptance of gifts to the City, including the installation, long-term maintenance and operation of donated elements to the City which will enhance the quality of life. The City desires to encourage donations while at the same time considering aesthetic impacts and on-going maintenance and operational costs.

BACKGROUND

In 2013, a Donation Acceptance Committee was formed to develop a policy for the consideration and acceptance of gifts (whether funding for a specific purpose, a specific feature or item, or a building). The policy was adopted in September 2013 and established the public review process and criteria to evaluate a proposed donation.

The City Council resurrected the committee in 2015 to review potential changes. The revised policy was approved by City Council on October 19, 2015.

At the request of City Council in March 2022, the City Manager was asked to review the policy for potential further direction to the Planning Commission on how it considers gifts. The review included a recodification of the past work on the policy and its contents.

POLICY REVIEW

This policy will be reviewed at least annually by City Council and the Planning Commission; revisions and changes may be made. An updated copy will be kept on the City's website.

PROCEDURE FOR MAKING A DONATION

The City Council shall have the full and final authority to approve or deny all gift proposals. To promote an efficient review process though, as well as to prevent disappointed expectations, prior to preparing a written proposal the donor or donor's representatives should contact the City Manager's Office to discuss a proposed gift. Such pre-application meeting can assist both the prospective donor and the City in determining whether a gift will meet the criteria contained in this policy. City staff or City Council may request additional information including but not limited to scaled drawings, artist's renditions or other documents to better illustrate the exact nature of the donation. The City may choose to consult with other agencies or organizations in the review process.

CONSIDERATION GUIDELINES

Financial Gifts for Programming or Improvement Funds

Financial gifts are the easiest and preferred method of donation since the final outcome of a project is ultimately directed by City Council. Contributions without condition in the form of cash or other monetary instruments will automatically be accepted and can be directed to various causes.

Donations can be sent to several funds at the Charlevoix County Community Foundation intended for the benefit of the City:

- Charlevoix Canopy Fund—to support long-term tree planting in the city
- Brookside Cemetery Improvement Fund—to support long-term projects at the Brookside Cemetery
- Charlevoix Dog Park Fund—to support long-term operation and improvement to the dog park
- Mt. McSaubia Recreational Area Fund—to support the activities of Mt. McSaubia

In addition to these funds, the City can accept cash donations for a variety of projects and purposes to the various funds of the City including:

- Housing Fund
- Park-specific improvement funds
- Skate Park
- Scholarships for youth skiing and day camp
- Junior Golf or the golf course generally
- Mt. McSaubia

Additionally, the City may directly or through a third party, work to raise funds for a specific project from time to time. In the past, this has included efforts to create the Dog Park and improve Hoop Skirt Alley through Junior Main Street.

Gifts of Fixed Assets and Equipment/Vehicles

Gifts intended for installation on public land (including parks) as well as gifts of equipment, vehicles, boats or facilities often involve considerations of aesthetics, costs, and compatibility. These features shall be evaluated using the following criteria:

1. Aesthetics- The community has an interest in ensuring the best appearance and aesthetic quality of public lands and facilities. Donations and their recognition shall reflect the character and be consistent with the intended surroundings.
2. Requirement of Maintenance/Repair- Since donated elements and their associated recognition become City property, the community has an interest in ensuring that all elements remain in good repair. Elements must be of a quality to ensure a long life, be resistant to weather, wear and tear, and acts of vandalism.
3. Requirement of Consistency with Current and Future Use- Proposed donations should not substantially interfere with the intended current or future use of the land or facility.
4. Uniqueness of the Proposed Gift
5. Whether the Proposed Gift Requires Relocation, Removal or Installation of Other Equipment or Infrastructure to Accommodate the Donation
6. Absence of Substantial Impact on Public Health and Safety and/or Welfare
7. Costs Associated with the Proposed Gift- The City also has an interest in knowing in advance the full cost which may be associated with a gift, namely those which may relate to purchase,

installation, maintenance and operation during the gift's expected life cycle. In the ordinary course the amount of the gift must be sufficient to cover all such expenses.

- a. Neither purchase nor installation shall commence until the donor's gift has been completed and funds have been received by the City for such purposes.
- b. Gifts requiring on-going operation and maintenance which are estimated to exceed \$5,000 annually must include an additional amount sufficient to defray that expense for twenty years. Example: \$5000. maintenance annually for twenty years = \$100,000.
- c. In rare and unusual circumstances where the City has determined that the value of the gift substantially exceeds the cost associated therewith, these requirements may be waived, but only after appropriate notice and public hearing.

Fixed asset gifts for public land shall be reviewed first by City Council who shall determine whether the gift is reasonably appropriate for use somewhere in the City, if it finds the answer is yes, it shall determine what City departments and/or boards should also review it (such as the Department of Public Works, Marina, Shade Tree and Parks Commission, Recreation Advisory Committee, etc).

Following reviews and reports from these groups, the Planning Commission shall review the proposed donation and the findings of these other bodies to make a recommendation to Council. Based on the above criteria, the Planning Commission shall determine the following:

- The donation is in keeping with the spirit and design intentions of the public space and protects and preserves the natural resources of the City
- There is sufficient funding (either through a donated endowment or through City operations) to cover long-term costs and maintenance of the donation
- Determination of no-adverse affect from the gift either in financial cost or reputational harm to the community

Memorial Plaques

Plaques will be limited in use and small in scale when recognizing donations. Aside from plaques already contemplated for benches and tables and to ensure uniformity of appearance and good taste, the language of such plaques shall also be approved by the City. Donation acknowledgments and memorial plaques shall be made of bronze and be of the highest quality, life and durability. In cases where bronze plaques are not feasible, other alternative types may be considered.

Gifts in City Parks

In cases of donations to City parks which may reasonably affect the park or its immediate surroundings, the City Council shall hold a public hearing for such purpose to invite comment from the community with respect to impact on view corridors, safety, potential for noise generation, and compatibility with the aesthetic features of the park.

Prior to consideration by City Council, the Planning Commission will need to affirmatively find the donation in keeping with the City's Master Plan and Parks and Recreation Master Plan where applicable. Donations not consistent with these plans shall be declined with appreciation.

Benches and Tables

The City will maintain a map of future locations for donated benches and tables. These must be of uniform character and donors may choose locations from the map for their donation. Donors pay costs

for the bench or table and the City will install them as time allows when they are received. Plaques may be placed on these in keeping with past practice.

INSTALLATION OF FIXED-ASSET OR LAND ALTERING DONATION

Once a gift of a fixed asset or land-altering donations are received (projects not planned and executed by City staff), a written agreement will be developed between the donor, any and all licensed contractors used in the donation, and the City. This contract will determine payment, expectations for final results, and performance bonds as necessary for reimbursement for unplanned expenses or failures of the project. Costs for bonds and all aspects of the project will be borne by the donor. The City shall have sole discretion to determine the time and manner of construction. Various aspects of state and federal law may apply for work on public land and within public rights of way.

REMOVAL and RELOCATION

The City reserves the right to restore, relocate, remove or relinquish donations. This decision shall be made based upon the best interests of the City. Upon receipt of a donation, donated property becomes the sole property of the City of Charlevoix; disposal, sale, or other actions related to the donation shall be made by the City.

VETERANS and MILITARY MEMORIALS

Memorials honoring veterans and military memorial or improvements to existing memorials should be looked at on a case by case basis and approved at the discretion of City Council according to this policy.

OPPORTUNITIES FOR FUTURE GIFTS

The City will regularly identify a list of projects that would be desirable for the community. Donors unsure how to provide a meaningful benefit to the community could consult this list and provide funds for these purposes as described above:

- Upgrade the Michigan Beach access steps along Michigan Avenue
- Improve playground equipment at Depot Beach, Ferry Beach and Mt. McSaubia
- Combined recycling/trash receptacles in the downtown (Big Belly units)

Charlevoix City Council

All Other Actions and Requests

Title: 2022 Charlevoix Venetian Festival-Approvals and Permits

Date: June 20, 2022

Presented By: Mark Heydlauff, City Manager
Dan Barron- Charlevoix Venetian Festival President

Background:

The Charlevoix Venetian Festival is back again this year. As part of the event, they plan, as usual to stage two fireworks shows: one on Friday, July 22 and Saturday, July 23.

Also this year, they have updated the activities planned for downtown and to build on the pedestrian safety of past years by proposing a road closure of Bridge Street beginning on Thursday morning, July 21 and extending through Saturday evening July 23. During this time, they plan to have games and activities in the street including the return of the Street Legends Car Cruise on Friday afternoon. They plan activities both north and south of the stoplight at Clinton Street which will remain open for access.

Recommendation:

Motion to authorize the Mayor to sign the contract between the City of Charlevoix and the Charlevoix Venetian Festival including the payment of \$15,000 to the Venetian Festival.

Motion to authorize the City Clerk to issue the fireworks permit for the 2022 Venetian Festival fireworks displays and authorize the City Manager to sign the Hold Harmless Agreement with Colonial Fireworks Special Effects, LLC.

Motion to approve the Mass Gathering Permit and the street closure plan as presented.

Attachments:

1. 2022 Venetian Festival Requests for Permits and Approvals
2. 2022 Venetian Festival Fireworks Displays Approvals

CHARLEVOIX VENETIAN FESTIVAL, INC.

309 Petoskey Avenue
P.O. Box 120
Charlevoix, Michigan 49720
PH 231-547-3872 / FAX 231-547-2977
www.venetianfestival.com Email: info@venetianfestival.com

June 15, 2022
"HAND DELIVERED"

Mark Heydlauff
City Manager
City of Charlevoix
210 State Street
Charlevoix, Michigan 49720

RE: 92nd Annual Charlevoix Venetian Festival

Dear Mark:

The Venetian Board wishes to stage the 92nd Annual Charlevoix Venetian Festival in traditional manner, during the week of July 16, 2022 through July 23, 2022. A proposed Event Schedule is enclosed, together with informational literature pertaining to the Venetian Games and Kid's Day.

Closure of Bridge Street, in similar manner to recent Venetian Festivals, is proposed from Thursday morning (7/21) through Saturday evening (7/23), with a reopening upon the conclusion of fireworks. The closure will facilitate daytime events on Bridge Street itself, on Thursday (7/21), Friday (7/22) and Saturday (7/23), which are noted in the enclosed schedule.

I have also enclosed Venetian's customary Contract, which provides for financial support from the City at previously established levels. Venetian has also submitted its fireworks application under cover of separate correspondence.

I understand these matters will be placed on the agenda for review and approval by the City Council at its upcoming meeting of June 20, 2022.

Please feel free to contact me, in the interim, if you should have any questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to be 'Dan Barron', with a large, stylized loop at the end.

Dan Barron
President

DBB/jlm
Enclosures
xc: Sarah Dvoracek, Clerk



2022 event schedule

"pre" venetian

JR. GOLF FINALS & CAREY CUP

NICK KLING MEMORIAL TENNIS TOURNAMENT

Stroud Park Courts
Begins: July 16, Finals: July 21
Singles & Doubles open to all ages
Reg: venetianfestival.com/games

saturday - 7/16

AQUAPALOOZA

Beach & Boating Party
Ferry Beach: 12:00–6:00 p.m.,
Music Commences at 1:00 p.m.
UGOCHI & AFRO SOUL
Reggae & Afrobeat - Chicago

"CORNETIAN" CORN TOSS TOURNEY

Ferry Beach: 12:00 p.m.
\$20 per person, no double needed
Reg: On-site at 10:30 a.m.

VOLLEYBALL

Ferry Beach: 12:00 p.m.
6 Member Co-ed, \$90 per team
Reg: venetianfestival.com/games

sunday - 7/17

BEACH BASH BASKETBALL

Ferry Beach: 9:00 a.m.
3-v-3 Teams, \$80/team
Reg: venetianfestival.com/games

Sunday • 7/17 continued

DISC GOLF DOUBLES

Mt. McSaubia: 10:00 a.m.
Bring Own Partner ~ Best Shot Doubles
\$40 Rec Team ~ \$60 Advanced Team
Reg: venetianfestival.com/games

"WORSHIP ON THE WATER"

Odmark East Park Pavilion: 5:00 p.m.
LEGACY NASHVILLE
Christian Rock - Nashville, TN

monday - 7/18

NICK KLING MEMORIAL YOUTH TENNIS CLINIC

Stroud Park Courts: 9 am
Cost: Free for ages 6 - 17
Reg: venetianfestival.com/games

COTTAGE CROQUET TOURNEY

East Park: 1:30 p.m.
Reg: On-Site

tuesday - 7/19

JUNIOR SAILING REGATTA

Depot Beach North End - 10:30 a.m.
Ages 8 to 19
Reg: venetianfestival.com/games

BINGO

Castle Farms - 1:30 p.m.
Cost: Free! Open to all ages
No registration needed
Hosted by American House Charlevoix

3-ON-3 SOCCER TOURNAMENT

Shanahan Field: 5:30 p.m., Finals: July 20
Youth, High School, Adult, Over 35
Reg: venetianfestival.com/games
\$50/team

VENETIAN RHYTHMS

Odmark East Park Pavilion: 7:00 p.m.
CHARLEVOIX CITY BAND

wednesday - 7/20

3 CLUB GOLF TOURNAMENT

Charlevoix Municipal Course: 1:00 p.m.
Youth league - \$12/player
Adult Male & Female, Senior Male &
Female leagues - \$25/player
Reg: venetianfestival.com/games

Wednesday • 7/20 continued

SAILING REGATTA

Lake Charlevoix - Ferry Beach
Many Fleets: Personal Boats and Crews
Spectator Viewing, 5:30 to Dark

FOOD CONCESSIONS

East Park: Varies by Vendor
Daily: Wednesday 7/20 - Saturday, 7/23

VENETIAN MERCHANDISE

East Park: Noon - 10:00 p.m.

TIKI TENT

East Park: 6:00 - 11:30 P.M.
ALEX SCHOFIELD

ARNOLD CARNIVAL

Downtown: 5:00 - 11:00 p.m.

VENETIAN RHYTHMS

Odmark East Park Pavilion: 7:00 pm
SWEET TEA TRIO
Country - Alabama, USA

MISS CHARLEVOIX CORONATION

JOHN STONE & THE TRAILER

PARK ALL-STARS

Country - Nashville, TN

thursday - 7/21

CHARLEVOIX FARMERS MARKET

Bridge Park: 8:00 a.m. - 1:00 p.m.

KIDS DAY

Hungry Ducks Farm on M-66, east of Castle
Farms: 10:00 a.m. - 3:00 p.m.
Family Fun & Activities: Free & Armband
Armband: \$13 (Scholarships Available)

VENETIAN CAR SHOW HOSTED BY CHARLEVOIX STREET LEGENDS

Bridge Street, North & South of the light
12:00 p.m. - 4:00 p.m.

ARNOLD CARNIVAL

Downtown: 12:00 - 11:00 p.m.

VENETIAN MERCHANDISE

East Park: 6:00 - 10:00 p.m.

TIKI TENT

East Park: 6:00 - 11:30 P.M.
LOU THUMSER

VENETIAN RHYTHMS

Odmark East Park Pavilion: 7:00 p.m.
CHRIS CANAS BAND
Soul/Blues - Detroit, MI
38 SPECIAL
Original Classic Rock - Jacksonville, FL

friday - 7/22

PICKLEBALL

Charlevoix Courts (108 Elm St): 8:00 a.m.
Limit of 16 teams - \$20 per team
Friday 7/22 - Mixed Doubles Round Robin
Saturday 7/23 - Championship Play
Pre-registration only:
venetianfestival.com/games

ARNOLD CARNIVAL

Downtown: 1:00 p.m. - 11:00 p.m.

BRIDGE STREET BLOCK PARTY

Bridge Street beginning at Noon

KID'S ZONE

Bridge St - North of the light
Various activities for children of all ages!
Hosted by Scouts BSA Troop 15

"PEACHES 'N' CREAM" CORN

TOSS TOURNEY

Bridge St - South of the light
Reg: East Park Clock Tower at Noon
Play: Bridge Street - Time: 1:30 p.m.
Cost: \$20/team
Hosted by CHS Model United Nations
Student Club

VENETIAN MERCHANDISE

East Park: Noon - 10:00 p.m.

TIKI TENT

East Park: 6:00 - 11:30 p.m.
CHRIS CANAS BAND

VENETIAN RHYTHMS

Odmark East Park Pavilion: 7:00 p.m.

VENETIAN ART AUCTION

CHARLIE'S ROOT FUSION

Blues - Charlevoix, MI

PURPLE XPERIENCE

Prince Tribute Band - Minneapolis, MN

VENETIAN RHYTHMS

Ferry Beach: 7:00 - 10:00 p.m.
PINE RIVER JAZZ BIG BAND
Swing/Jazz - Charlevoix, MI

"NIGHT SKY" WORLD CLASS

FIREWORKS

Dusk on Lake Charlevoix
Including Airshow prior to Fireworks
Visible from Ferry Beach,
Depot Beach, and East Park

saturday - 7/23

PICKLEBALL CHAMPIONSHIPS

Charlevoix Courts (108 Elm St): 8:00 a.m.

DRENTH MEMORIAL FOOTRACE

Bridge Street: 9:00 a.m. (Prior to Street Parade)
Family Mile, 5k & 10k - All Ages
Reg: www.venetianraces.com

VENETIAN MERCHANDISE

East Park: 10:00 a.m. - 8:00 p.m.

RYAN SHAY MILE

Bridge Street: 10:30 a.m.
Championship Competition by Invitation Only

STREET PARADE

Bridge Street: 11:00 a.m.

ARNOLD CARNIVAL

Downtown: 11:00 a.m. - 11:00 p.m.

VENETIAN RHYTHMS

Bridge Street: 12:30 p.m.

PETOSKEY STEEL DRUM BAND

"ROCKIN' THE TOWNHOUSE"

Nashville Style Street Concert
Bridge Street, north of the light
3:30 p.m. - 6:30 p.m.

UNION GUNS

Country Rock - Grand Rapids, MI

TIKI TENT

East Park: 6:00 - 11:30 p.m.
KENNY THOMPSON

VENETIAN RHYTHMS

Odmark East Park Pavilion: 7:00 p.m.

ALEX SCHOFIELD

Country - Nashville, TN

LEATHERS & LACE

Fleetwood Mac Tribute

VENETIAN LIGHTED

BOAT PARADE

Dusk on Round Lake

SPECTACULAR HARBOR

FIREWORKS

Immediately following the Boat Parade

Schedule is subject to change.

Check our website & facebook page for the most up-to-date information:
www.venetianfestival.com -- www.facebook.com/cvxvenetianfestival



Kids Day

2022

Thursday - July 21st

10:00 am to 3:00 pm

Hosted by **Hungry Ducks Farm**

04580 M-66 North & Charlevoix, MI 49729

FREE ADMISSION

Some Activities Require a \$13 Armband

(Not associated with the carnival)

(All activities are subject to change due to staffing, availability
and weather. No Refunds.)

ARMBAND ACTIVITIES:

Huge Slide

Rayder Bounce House

Five and One Bounce House

Ace Hardware Bounce Houses

Dan Hopkins Two Ring Pony Rides

ACP Mechanical Bull Ride & Unicorn Ride

Craft Tent - Make a Keepsake Craft to Take Home

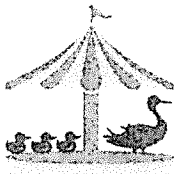
ACTIVITIES WITH NO CHARGE:

- *Charlevoix County Sheriff with Policemen and Police Car
 - *Charlevoix County Ambulance with First Responders
 - *Charlevoix Area Health Department Booth
 - *Big Red Firetruck with Real Firemen
 - *Charlevoix Area Hospital Booth
 - *Talented DJ to Sing Along With
 - *Juggler - Watch how it's done!
 - *Bowling Game - Knock Down the Pins!
 - *Hula Hoop Land Magic Show - Two Shows
-

Bubbleland * Giant Swing * Pick-A-Duck * Lollipop Tree
Amazing Stiltwalker * Go Go Squeeze Booth
Adel-Kookie The Clown * Twister Joe Balloon Man
Hay Ride on a Real Wagon * Dr. Burns the Science Guy
Happy Snappy Photo Booth

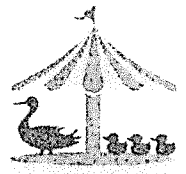
Food Concession Available!

Hungry Ducks Farm



Beautiful Carousel Whirlabout

See All the Animals on One Farm:



Pheasants, White Ducks, Peacocks, Turkeys, Fluffy Chickens, Baby Chicks, Baby Ducks, Quail, Miniature Goats, Guinea Pig, Pot Belly Pig, Baby Cows, Rabbits, Wild Turkeys, Trout Pond, Wild Turtles

For more Information, go to:
www.venetianfestival.com



VENETIAN FESTIVAL ROAD CLOSURE

PLEASE NOTE
THAT BRIDGE
STREET WILL
RE-ROUTE
TRAFFIC
DURING THE
FOLLOWING
TIMES:

**THURSDAY
MORNING
(7/21)**

through

**SATURDAY
(7/23)
AFTER
FIREWORKS**

**BRIDGE
STREET WILL
BE OPEN FOR
TRAFFIC AT
ALL OTHER
TIMES.**



**CITY OF
CHARLEVOIX**



RE-ROUTING KEY

- Northbound
- Southbound
- Beaver Island/
Bridge Access

All You Want To Know About The 2022 Venetian Games *Changes may occur

Event	When	Where	Information	To Participate	Contact Person	Phone	Email
Basketball: 3 on 3 Beach Bash	Sun, July 17	Ferry Beach	For all ages	Reg: City Rec Dept	Mark Sroufe		cbsroufe@hotmail.com
Beach Volleyball	Sat, July 16	Ferry Beach	6 Member co-ed teams	Reg: City Rec Dept	Audra Randall	231-459-5416	rocker23@icloud.com
Bingo	Tues, July 19	Castle Farms	Bingo with American House Seniors	On-site: 1:30 - 4:00 pm	American House	231-547-2599	
Cometian	Sat, July 16	Ferry Beach	For all ages	On-site reg: 10:00am-11:30am - Bags fly at noon	Boogie Carlson		
Cottage Croquet	Mon, July 18	East Park		On-site reg: 1:30pm	Brenda Bryan & Jan Kalbfell	231-547-3872	
Disc Golf	Sun, July 17	Mt. McSaub	Recreational \$40/team and Advanced \$60/team	Reg: City Rec Dept bringing your partner 10:00 ck in / 11:00 play	Spencer & Katie Bryan	231-330-1356	spencer@patobrien.com
Golf: 3 Club Golf Tournament	Wed, July 20	Municipal Course	Youth, Adult M/F Senior M/F	Reg: City Rec Dept	Dean Davenport Kent Knorr	231-349-0534	deanod@charter.net
Golf: Jr. Golf Finals		Country Club & Municipal Course	Restricted to Current Junior Golf Program Members Reg: City Golf Course		Dean Davenport	231-349-0534	deanod@charter.net
Races (Drenth Memorial): Family Mile, 5K and 10K. Invitation Only: "Ryan Shay Mile"	Sat, July 23	Finish Line located on Bridge Street	Family Mile, 5K & 10K - All Ages Begin at 9am Ryan Shay Mile: 10:30am	Reg: venetianraces.com Reg/Packet Pickup at First Congregational Church on Fri 7/23 3:00-6:30pm & Sat 7/24 6:30-8:30am	Matt Peterson	231-675-1746	petermatt1965@gmail.com
Pickleball	Fri, July 22 Sat, July 23	City Courts @ 183 Elm Street	Mixed Doubles/Round Robin & Championships 8:00am begins play	Pre-reg: Limit 16 teams / City Rec Dept			
Sailing: Regatta	Wed, July 20	Lake Charlevoix, Ferry Beach	Many Fleets Personal Boats and Crews	spectator event			
Sailing: Jr. Regatta	Tues, July 19	Depot Beach: North End	Under 19	Reg: Email Stan Carroll	Stan Carroll	240-876-5204	skicarrol@aol.com
Soccer: 3 on 3 Tournament	Tues, July 19 Wed, July 20	Shanahan Field	Youth, High School, Adult, Over 35 Play begins at 5:30pm	Reg: City Rec Dept	Jon Pearl	231-675-4579	jpearl111@gmail.com
Nick Kling Memorial Youth Tennis Clinic	Mon, July 18	Shanahan Field	FREE / Ages 6-9; 10-12; 13-17	Reg: City Rec Dept	Larry Letwin	517-243-5559	
Tennis: (Nick Kling Memorial) Finals	Fri, July 15 and finals Thurs July 21	Shanahan Field: Stroud Park Courts	Youth, Women, Men, Co-ed, Seniors \$10 per person/per event	Pre-reg: City Rec Dept By 7/15 (No Exceptions)	Joy Price	419-475-7200	joyaprice1@gmail.com

Kid's Day, Thursday, July 21, from 10am to 3 pm at Hungry Ducks Farms, 04580 M-66 N. Charlevoix. MI, 49720 - Games, music, activities, crafts, etc.
Contact CVF Headquarters for information or changes at 547-3872 or www.venetianfestival.com

CONTRACT

THIS CONTRACT is effective as of the _____ day of June, 2022, between the City of Charlevoix, a Michigan home rule city, whose address is 210 State Street, Charlevoix, Michigan 49720 ("City") and the Charlevoix Venetian Festival, Inc., a Michigan nonprofit corporation, whose address is 309 Petoskey Avenue, P.O. Box 120, Charlevoix, Michigan 49720 (the "Festival").

RECITALS

- A. Pursuant to MCLA 117.3(j) and Article I, Section 1.6 of the City Charter, the City is authorized to provide for the peace and health and for the safety of persons and property within the City and to expend funds for that purpose.
- B. The Festival will provide numerous recreational activities during the 92nd Annual Charlevoix Venetian Festival, being held July 16-23, 2022.
- C. Except for private donations from businesses and individuals, event registration fees, proceeds from the carnival and similar amusements and food & art concessionaire fees, the Festival charges no fees in connection with the multitude of music entertainment, public activities and recreation which it provides within the City.
- D. The parties desire to act cooperatively in providing the recreational activities and entertainment cited above, to the citizens and visitors in the City.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual promises contained in this Contract, the parties hereby agree as follows:

- 1. The City shall pay to the Festival the sum of \$15,000.00 relative to the 92nd Annual Charlevoix Venetian Festival.
- 2. The Festival shall use the subject funds to defray the expense of the activities and events of the 92nd Annual Charlevoix Venetian Festival.
- 3. The Festival shall charge no fees to spectators or event participants within the City, without the prior approval of the City Manager. This prohibition shall not apply to concessions where items or services (such as food, beverages, merchandise or carnival or amusement type rides or activities) are sold, nor shall it apply to fees charged to concession operators, or to registration fees charged for participation in athletic events.

"CITY"
CITY OF CHARLEVOIX

Date: _____, 2022

By: _____
Luther Kurtz, Mayor

"FESTIVAL"
CHARLEVOIX VENETIAN FESTIVAL, INC.

Date: _____, 2022

By: _____
Daniel B. Barron, President



CITY OF CHARLEVOIX

MASS GATHERING PERMIT APPLICATION

For outdoor events of 2,000+ people held on public or private land in the City

Event Name: Charlevoix Venetian Festival

Organization Name: Charlevoix Venetian Festival, Inc. Non-profit: ☒ YES* ☐ NO

Contact Person: Daniel Barron / Joan Miller

(231) 547-3872 Office

Telephone: (231) 675-6277 / Joan cell Email: info@venetianfestival.com

Date(s) of Event: July 16, 2022 through July 23, 2022 Hours: Noon 7/16/2022 through Midnight 7/23/2022

Type of Gathering: Festival, Musical Event
Ferry Avenue Beach, East Park

Location: Lake Mi Beach, Depot Beach Est. Attendance: 5,000 +

Consent Statement from property owner if located on private property:

N/A

N/A

Signature of Property Owner

Is event on City Property? Yes If yes, the City must be listed as additional insured on insurance policy and a copy of policy must be attached to this application.

Is event using the East Park performance pavilion? If yes, has a written request to use the pavilion been made to the DDA Director? Yes Has it been approved? Yes

Will merchandise be sold at this event? Yes If yes, briefly describe merchandise:

Venetian T-shirts, Sweatshirts, Coffee mugs, tumblers & beach towels. Venetian Artwork.

Artist Merchandise: T-shirts, posters, and CD's.

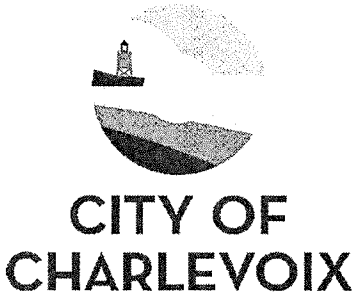
I hereby swear that I have answered all questions truthfully and I understand all rules pertaining to this permit.

Daniel B Barron 6/15/2022 Sarah J. Rutan 6-15-2022
Organization Representative President Date City Clerk Date Rcvd

APPROVALS

City Treasurer Approved/Denied Police Chief Approved/Denied

City Manager Approved/Denied \$Fee / Receipt Number Date
*No fee for non-profit organizations



Date Received: _____ Permit# _____
Decision Date: _____

Office of Planning and Zoning
210 State Street Charlevoix, MI. 49720
planner@charlevoixmi.gov
www.cityofcharlevoix.org
(231)547-3265

TEMPORARY BANNER PERMIT APPLICATION

Charlevoix Venetian Festival, Inc.

July 01, 2022 - July 23, 2022

Applicant

Requested Placement

309 Petoskey Avenue / PO Box 120 Charlevoix, Mi 49720

Address (City/State/Zip)

Daniel B. Barron

July 16, 2022 - July 24, 2022

Business Owner Name (If different than applicant)

Date of Event

Same

Business Owner Address (City/State/Zip) (If different than address of subject property)

Business Owner Phone

Email

(2 3 1) 547 - 3872

dbarron@barronengstrom.com

Agent Phone

Email

(231) 675-6277

info@venetianfestival.com

Please provide a brief description of how your event provides a substantial benefit to the city: 92 years of free entertainment and bringing the community together.

Height of the proposed banner: _____ Width of banner: _____

Roger at Screen Masters has all of this information and houses them for us in the off season

Square footage of all proposed signage: _____ (Maximum of 30 square feet)

*Banners may be erected not more than two (2) weeks before the event and will be removed within two (2) days after the event.

AFFIDAVIT

I hereby certify I have been empowered by the owner to make this application as his/her selected agent. I agree the statements made in the above application are true, and if found not to be true, any sign permit issued may be void. I also agree to comply with the conditions and regulations provided with any permit that may be issued. Further, I agree that any permit that may be issued is issued with the understanding that the individual(s) or organization(s) named or represented on that permit will comply with all applicable sections of the City of Charlevoix Zoning Ordinance. I also agree to give permission for officials of the City of Charlevoix, the County, and the State of Michigan to remove any sign that does not comply with any rule, regulation or ordinance. I understand that it is the responsibility of the City of Charlevoix to have the sign installed at the appropriate location. Finally, I understand that this is a sign permit application (not a sign permit) and that a sign permit, if issued, conveys only a right of sign placement, and does not include any representation or conveyance of rights in any other statute, building code, deed restriction, or other property rights.

Signed: _____

Daniel B. Barron, President

Zoning Administrator Signature: _____

Date: _____

Date: _____



CHARLEVOIX VENETIAN FESTIVAL, INC.

309 Petoskey Avenue
P.O. Box 120
Charlevoix, Michigan 49720
PH 231-547-9950 / FAX 231-547-2977
www.venetianfestival.com Email: info@venetianfestival.com

June 15, 2022
HAND DELIVERED

Dan Thorp
Charlevoix Township Fire Chief
Charlevoix Township Hall
12491 Waller Road
Charlevoix, Michigan 49720

RE: Proposed Fireworks Displays
92nd Annual Charlevoix Venetian Festival

Dear Chief Thorp:

I have enclosed the 2022 Application for Fireworks Display Permit, together with the following materials:

- USCG Application and Permit for Marine Event (with correspondence to and from USCG)
- USCG depiction of Lake Charlevoix display site with waypoints
- USCG depiction of Round Lake display site with waypoints
- Itinerary/ Colonial Fireworks Special Effects, LLC
- Venetian Festival Boat Parade Route
- Certificate of Liability Insurance
- Proposed Hold Harmless Agreement
- Summary of Experience / Lead Pyrotechnician

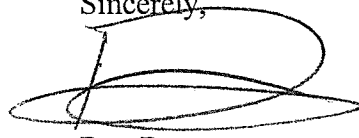
The master pyrotechnician overseeing the displays is once again Frank Loffredo, Jr., of Colonial Fireworks Special effects, LLC Great Lakes, the same individual who has overseen the Venetian fireworks displays since 1999. I have enclosed a Summary of Experience, to confirm references which you have on file. Please note that Mr. Loffredo possesses 43 years of experience as a pyrotechnician.

In addition to the foregoing, I would like to confirm the following matters relating to this year's proposal:

1. As you can see from the enclosed materials, the maximum shell size for the Friday night display (July 22, 2022) is 12". A clear zone radius of 1,200 feet will be maintained, which exceeds the NFPA clear zone standard of 840 feet. The maximum shell size for the "harbor" fireworks on Saturday night (July 23, 2022) is 3". A clear zone radius of 250 feet will be maintained, which exceeds the NFPA clear zone standard of 210 feet.
2. St. James Marine Co. of Beaver Island, Michigan, will be providing the barge and tug services, as they have since 2003.

3. There will be no manual ignition in either fireworks display. Such ignition shall be effected via computer and/or electronically.
4. The buoys marking the clear zone perimeters will once again be set by Irish Boat Shop, based upon data provided by the United States Coast Guard.
5. We will promptly provide an originally executed copy of the enclosed Hold Harmless Agreement.

Please feel free to contact me if you should have any questions or comments.

Sincerely,

Dan Barron
President

DBB/jlm

Enclosures

xc: Mark Heydlauff, City Manager
U.S.C.G. - BMC Bradley T. Bishop
Sarah Dvoracek, City Clerk
Frank Loffredo, Jr.
Gerard Doan, Charlevoix Police Chief
Tim Fitzgerald

Daniel B. Barron

From: Palenzuela, Deaven S LT USCG (USA) <Deaven.S.Palenzuela@uscg.mil>
Sent: Tuesday, May 17, 2022 12:33 PM
To: Daniel B. Barron
Subject: Venetian Festival
Attachments: Char Box 2022 All.pdf; 2022 CVF Fireworks App pkg.pdf; Permit _2022 Charlevoix Venetian Festival_signed.pdf

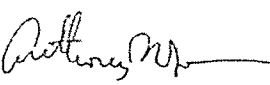
Good day Mr. Barron,

Please find the attached signed PERMIT letter for the upcoming 92nd Annual Venetian Festival. Please have this one your person at all times just in case Coast Guard or anyone else asks for it. Please notify my office ASAP at ssmprevention@uscg.mil if anything pertinent were to change from the application you submitted. Thank you for your time and consideration with this matter. Please let me know if you have any additional questions, comments, or concerns.

Very respectfully,
LT Deaven Palenzuela (ma'am)
USCG Sector Sault Sainte Marie
Prevention Department
Waterways Management Division Chief
906-635-3223

U.S. DEPARTMENT OF HOMELAND SECURITY U.S. COAST GUARD CG-4424 (Rev. 6-04)		PERMIT FOR MARINE EVENT Page 1 of 2		DATE APPROVED	
NAME OF EVENT 92nd Annual Charlevoix Venetian Festival		LOCATION Lake Charlevoix & Round Lake Hbr		DATE OF EVENT 22-23 July 2022	
SPONSORING ORGANIZATION Charlevoix Venetian Festival Inc.		NAME OF REPRESENTATIVE Daniel Barron		TITLE President	
Your application for the following event is approved. Special services to be rendered by the Coast Guard are listed. You are reminded that your organization is primarily responsible for safety in the regatta area and that this permit does not relieve you of such responsibility. Participants shall be adequately briefed and their boats equipped as required by law. A permit may also be required by a state, county or municipal agency. This authorization grants no exemption from state or local ordinances. In the event of any change in the information furnished in your application you will notify this office. ☒ There will not be a Special Local Regulation issued. No restriction is placed on the use of any navigable waters by other parties. Your event shall not obstruct any channel or normal shipping lane, or interfere with any aid to navigation. The Committeeman in Charge shall control participants to prevent conditions hazardous to other craft in the area. ☐ There will be a Special Local Regulation issued establishing a restricted area and other controls. You will be provided a copy for guidance. The Committeeman in Charge shall control participants to prevent conditions hazardous to other craft in the area. ☒ There will be a Local Notice to Manners issued to inform maritime interests and solicit their cooperation. ☐ There will not be a Regatta Patrol assigned by the Coast Guard. ☒ There will be a Regatta Patrol assigned by the Coast Guard. The attached instruction for Patrol Commanders outlines their responsibility and authority. You should work out specific details with the Patrol Commander. ☐ Additional safety equipment is stipulated below. This permit applies only to the marine event described herein, and is only valid for 22-23 July, 2022. Failure to comply with the following provisions will render this permit invalid and will result in the termination of the event: 1. The event sponsor shall provide adequate safety patrol for the event. Additional safety procedures related to instructions to, qualifications of, and positive control over participants, protective measures for any spectators and the general boating public, as well as preventing the impediment of commercial and recreational traffic must be implemented. Participating vessels/spectators must abide by all Federal, State, or local laws or regulations as applicable. 2. The event sponsor must observe weather forecasts/conditions and shall terminate the event if impending weather would make its completion hazardous. 3. Any markers or buoys used for this event are to be established on the date of the event and immediately withdrawn following the end of the event. The markers must not be colored in accordance with lateral system of aids to navigation. The setting and removal of markers will not be done by Coast Guard units. 4. On 22 July 2022, a safety zone box connecting the following points: beginning at 45°19'22"N, 085°14'16"W; thence to 45°19'13"N, 085°13'52"W; thence to 45°18'46"N, 085°14'14"W; thence to 45°18'55"N, 085°14'38"W; and back to the beginning point, will be established prior to the start of the air show and will remain established until the end of the fireworks show. 5. On 23 July 2022, a 500-ft radius safety zone will be established around the fireworks launch site, center position 45°19'03"N, 085°15'18"W. 6. The fireworks launching site must be positioned to ensure all fall-out and debris are contained within the established safety zone. See NFPA 1123 for guidance on where to position the fireworks to account for wind when using angled mortars. 7. This permit grants no exemption from Federal, State, or local laws or regulations. Issuance of this permit does not imply endorsement of the activity guarantee it will be accident free or make the Coast Guard responsible for the safety of the participants or spectators.					

PREVIOUS EDITION MAY BE USED

U.S. DEPARTMENT OF HOMELAND SECURITY U.S. COAST GUARD CG-4424 (Rev. 6-04)	PERMIT FOR MARINE EVENT Page 2 of 2	DATE APPROVED
NAME OF EVENT 92nd Annual Charlevoix Venetian Festival	LOCATION Lake Charlevoix & Round Lake Hbr	DATE OF EVENT 22-23 July 2022
SPONSORING ORGANIZATION Charlevoix Venetian Festival Inc.	NAME OF REPRESENTATIVE Daniel Barron	TITLE President
Your application for the following event is approved. Special services to be rendered by the Coast Guard are listed. You are reminded that your organization is primarily responsible for safety in the regatta area and that this permit does not relieve you of such responsibility. Participants shall be adequately briefed and their boats equipped as required by law. A permit may also be required by a state, county or municipal agency. This authorization grants no exemption from state or local ordinances. In the event of any change in the information furnished in your application you will notify this office. ☒ There will not be a Special Local Regulation issued. No restriction is placed on the use of any navigable waters by other parties. Your event shall not obstruct any channel or normal shipping lane, or interfere with any aid to navigation. The Committeeman in Charge shall control participants to prevent conditions hazardous to other craft in the area. ☐ There will be a Special Local Regulation issued establishing a restricted area and other controls. You will be provided a copy for guidance. The Committeeman in Charge shall control participants to prevent conditions hazardous to other craft in the area. ☒ There will be a Local Notice to Mariners issued to inform maritime interests and solicit their cooperation. ☐ There will not be a Regatta Patrol assigned by the Coast Guard. ☒ There will be a Regatta Patrol assigned by the Coast Guard. The attached instruction for Patrol Commanders outlines their responsibility and authority. You should work out specific details with the Patrol Commander. ☐ Additional safety equipment is stipulated below. Primary responsibility to protect the participants and spectators rests with the sponsoring organization. Reasonable measures must be taken to prevent pollution in the event area by trash, plastic, oil, fuel, and other debris. In the event that there is an oil or fuel spill, the National Response Center must be contacted at 800-424-8802. A copy of this permit shall be present during the event. U.S. Coast Guard information: Station Charlevoix 231-547-2565 or VHF Channel 16.  A. R. Jones Captain, U.S. Coast Guard Captain of the Port Sector Sault Ste. Marie		

PREVIOUS EDITION MAY BE USED



CHARLEVOIX VENETIAN FESTIVAL, INC.

309 Petoskey Avenue
P.O. Box 120
Charlevoix, Michigan 49720
PH 231-547-3872 / FAX 231-547-2977
www.venetianfestival.com E-mail: info@venetianfestival.com

April 15, 2022
VIA UPS NEXT DAY AIR
VIA E-MAIL (deaven.s.palenzuela@uscg.mil)

Lt. Deaven Palenzuela
Coast Guard Sector Sault Ste. Marie
337 Water Street
Sault Ste. Marie, Michigan 49783

RE: 92nd Annual Charlevoix Venetian Festival

Dear Lt. Palenzuela:

The Charlevoix Venetian Festival will be staging two nights of fireworks similar to the displays which have been produced since 2000. The displays will once again be conducted by Frank Loffredo Jr., the master pyrotechnician of Colonial Fireworks Special Effects, LLC/Great Lakes. Barge and tug operations will once again be conducted by the St. James Marine Co.

The Festival is also seeking approval for a single act nighttime aerobatic display with pyrotechnics, to be conducted and concluded on July 22, 2022, from approximately 10:00 p.m. to 10:15 p.m. The Lake Charlevoix fireworks display will thereafter commence upon conclusion of the aerobatic display at approximately 10:15 p.m.

As you know, a similar aerobatic display was conducted in 2021, overseen by Tim Fitzgerald as the Air Boss. Mr. Fitzgerald is seeking the same designation for the 2022 aerobatic display and is in process of preparing and submitting FAA Form 7711-2/Application for Certificate of Waiver. Mr. Fitzgerald is requesting waivers for those FAA Federal Aviation Requirements which were granted for the 2021 event. I understand that Mr. Fitzgerald has confirmed with you his intention to submit the Application within the next 10 days and to promptly forward to you the approval, once granted by the FAA.

Mr. Fitzgerald is also coordinating with Sienna Wenz, the current Charlevoix County Emergency Management Coordinator, updates to the Incident Action Plan and Emergency Response Plan. Such updates should only encompass current contact information and dates.

Lt. Deaven Palenzuela
April 15, 2022
Page 2

I have thus attached the following materials in the present regards:

- Application For Approval of Marine Event
- USCG depiction of Lake Charlevoix fireworks display site with waypoints
- USCG depiction of Round Lake fireworks display site with waypoints
- Venetian Festival Boat Parade Route
- Aerial photograph of aerobatic display Safety Zone (2021 actual, 2022 proposed)

Please feel free to contact me or Tim Fitzgerald (relative to the aerobatic display), if you should have any questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dan Barron', enclosed within a large, loopy oval shape.

Dan Barron
President

DBB/jlm

Enclosures

xc: Frank Loffredo, Jr. (via e-mail)
BMC Marcus Collison (USCG Life Station/Charlevoix)
Dan Thorp (Charlevoix Township Fire Chief)
Luther Kurtz (via e-mail)
Tim Fitzgerald (via e-mail)
Sienna Wenz (via e-mail)

**DEPARTMENT OF HOMELAND SECURITY
APPLICATION FOR MARINE EVENT**

OMB Number: 1625-0008

Date Submitted: 04/15/2022

FORM INSTRUCTIONS

1. Please, complete on a computer, a typewriter, or print in black ink to permit reproduction. You may also submit online at: <http://homeport.uscg.mil>.
2. This application must reach the appropriate USCG Sector at least 135 days prior to the event. A list of sectors may be found here: <http://www.uscg.mil/top/units/>.
3. Attach a section of a chart or a scale drawing showing boundaries and/or courses and markers contemplated.
4. Submit a copy of your entry requirements and any special rules pertaining to equipment, rigs, or procedures.

1. Name of Event	92nd Annual Charlevoix Venetian Festival			2. Date of Event	
3. Location of Event	Lake Charlevoix (7/22/2022) and Round Lake Harbor (7/23/2022)			4. Time: From 10:00 p.m. To 11:00 p.m.	
5. Name and Address of Sponsoring Organization (Include Zip Code)	Charlevoix Venetian Festival, Inc. PO Box 120 Charlevoix, MI 49720			6. No. of Participants see below	7. Sizes of Boats assorted spectator pleasure craft
8. Types of Boats	a. Fireworks - Tug-Wendy Anne and barge #150; b. Boat Parade - approximately 14 decorated pleasure craft			9. No. of Spectator Craft 250 - 7/22/2022 100 - 7/23/2022	

10. Description of Events

- a. Single act nighttime aerobic display with pyrotechnics (7/22/2022), over Lake Charlevoix.
- b. Fireworks (7/22/2022) shot from barge in Lake Charlevoix in vicinity of Depot Beach
- c. Boat Parade (7/23/2022) lighted pleasure craft to circle Round Lake Harbor (approximately 14 vessels)
- d. Fireworks (7/23/2022) shot from barge in Round Lake

11. Will This Event Interfere or Impede the Natural Flow of Traffic? NO ☒ YES

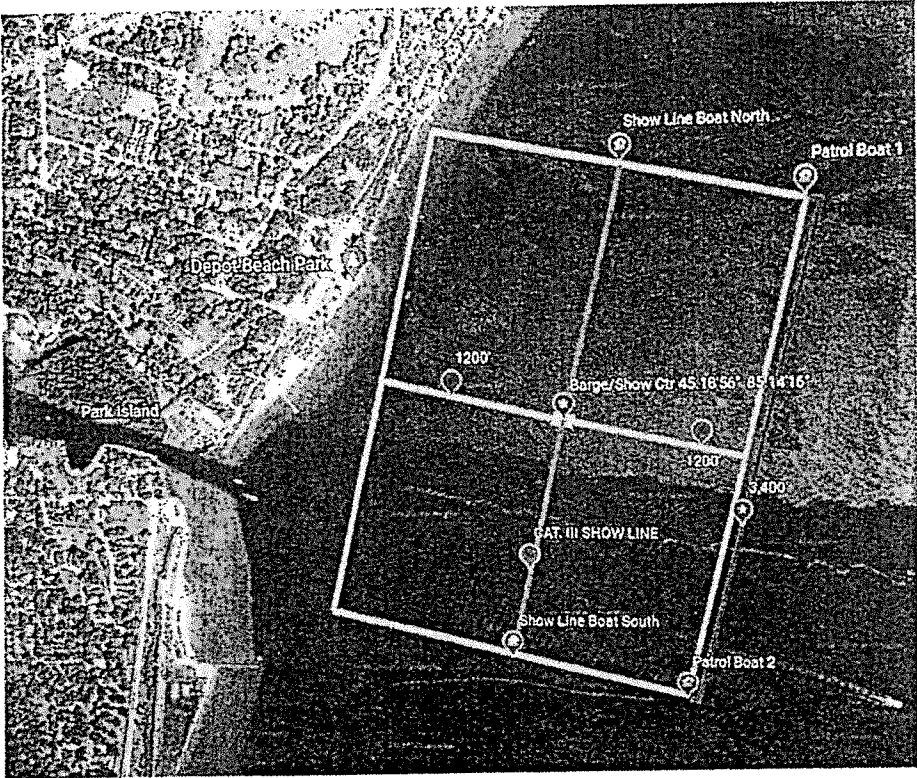
11a. If YES, briefly explain: Safety Zone to be maintained on Lake Charlevoix for aerobic display, per attached photographic depiction. Clear zone radius of (i) 1200 feet to be maintained for fireworks display on 7/22/2022; and (ii) 250 feet to be maintained for fireworks display on 7/23/2022.

12. What Extra or Unusual Hazard (to participants or non-participants) Will Be Introduced into the Regatta Area?

- Safety Zone to be maintained on Lake Charlevoix for aerobic display, per attached photographic depiction
- Fireworks (7/22/2022) maximum shell size is 12". Gross explosive weight on barge of approximately 4,000 lbs.
- Fireworks (7/23/2022) low level aerial product and 3" maximum shell size. Gross explosive weight on barge of approximately 3,000 lbs. Net explosive weight of approximately 1,500 lbs.

CG-4423 (09/14)

13. Have any Objections Been Received from Other Interested Parties? ☒ NO ☐ YES			
13a. If YES, briefly explain:			
14. Vessels Provided by Sponsoring Organization for Safety Purposes (<i>number and description</i>) Boat parade committee boat, fireworks barge and tug.			
15. Does the Sponsoring Organization Deem their Patrol Adequate for Safety Purposes? ☒ NO ☐ YES			
15a. If NO, briefly explain: Marine patrol historically provided by USCG, Charlevoix County Sheriff Department and Michigan DNR. Further assistance from US Power Squadron is also requested.			
16. Is a Coast Guard or Coast Guard Auxiliary Patrol Requested for Control of Spectator and/or Commercial Traffic? ☐ NO ☒ YES			
16a. If YES, how many vessels do you recommend and why? Defer to USCG expertise			
17. Person In Charge	Daniel B. Barron, President Charlevoix Venetian Festival, Inc.	18. Where Will 'Person In Charge' be During the Event?	Depot Beach Park, East Park or on fireworks barge
19. How Can 'Person In Charge' be Contacted During the Event?	radio or cell phone 231-675-4257		
20. Person to be Contacted for Further Details (Name, Address, Zip Code)	20a. Area Code and Phone No.: (231) 547-9950		
Daniel B. Barron, PO Box 120 309 Petoskey Avenue, Charlevoix, MI 49720	20b. Email Address: dbarron@barronengstrom.com		
The undersigned has full authority to represent the sponsoring organization.			
21. Name: Daniel B. Barron	22. Title: President		
23. Address (<i>Include Zip Code</i>) PO Box 120, 309 Petoskey Ave. Charlevoix, MI 49720	23a. Area Code and Phone No.: (231) 547-9950		
	23b. Email Address: dbarron@barronengstrom.com		
24. Signature: Daniel B. Barron	 PRIVACY ACT STATEMENT		
Privacy Act Notice Authority: 33 U.S.C. §1233 authorizes the collection of this information. Purpose: The Coast Guard will use this information to determine whether an event poses an extra or unusual hazard to the safety of life and whether or not, and under which conditions, to permit the event on the navigable waters of the United States. Routine Uses: The information will be used by and disclosed to Coast Guard personnel to evaluate the request. Additionally, the Coast Guard may share the information with facility operators, law enforcement or other government agencies as necessary to promote public safety during the requested marine event. Disclosure: Furnishing this information is voluntary; however, failure to furnish the requested information may delay or prevent the approval of the requested marine event.			
An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The Coast Guard estimates that the average burden for this report is 60 minutes. You may submit any comments concerning the accuracy of this burden estimate or any suggestions for reducing the burden to: United States Coast Guard, Commandant (VWM-1) Stop 7509, 2703 Martin Luther King Jr. Ave SE, Washington, DC, 20593-7509 or Office of Management and Budget, Paperwork Reduction Project (1625-0008), Washington, DC 20503.			

1. Incident Name Depot Beach/Venetian Airshow	2. Operational Period (Date/Time) From: 1700 23 July to 2230 23 July 2021	ASSIGNMENT LIST ATTACHMENT ICS 204a-
3. Branch USCG Station Charlevoix	4. Division/Group/Staging Operations Division	
5. Work Assignment Special Instructions, Special Equipment/Supplies Needed for Assignment, Special Environmental Considerations, Special Site-Specific Safety Considerations		
Safety Zone Assignment Locations 		
6. Prepared by Date/Time Name: Jill McDonnell OEM Coordinator Date: 22 June 2021	7. Reviewed by EMFR: Date/Time	8.



U. S. Coast Guard Sector Sault Sainte Marie

Supplement to Fireworks Marine Event Application

Company Name and Address Colonial Fireworks Special Effects, LLC 25 Marlindale Avenue Boardman, OH 44512	Pyrotechnic Company Representative Frank Loffredo, Jr.	Local Fire Dept Contact Daniel Thorp
Phone: 419-819-9165 (cell-Frank Loffredo, Jr)	Pyrotechnic Person in Charge: Frank Loffredo, Jr.	Phone:
	Permit No.:	Is the loading site different than the event site? If yes, where? ☒ N Ironton Stone Dock
Fax:	Years of Experience: 43	If yes, Responsible Fire Dept
Onsite Cell Number or VHF Radio Channel: 231-675-4257 (cell Daniel B Barron)	Event Date and Time: 07/22/2022 and 07/23/2022	Charlevoix Township Fire Department
	Inclement Weather Date and Time: N/A	Phone: 231-675-5600 (Fire Chief)
Loading Site Permit No.:		Phone: 231-675-5600 (Fire Chief)

Personnel Authorized to Enter Loading Area	Supplier of Fireworks																												
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 70%;">Name and Position</th> <th style="width: 30%;">Age</th> </tr> <tr><td>1 Frank Loffredo, Jr. / Lead Pyro</td><td>62</td></tr> <tr><td>2 Aaron Dusseu / Asst. Pyro</td><td>33</td></tr> <tr><td>3 Matt Fogg, St. James Marine Co.,</td><td>44</td></tr> <tr><td>4 Daniel B. Barron, Charlevoix Venetian Festival</td><td>66</td></tr> <tr><td>5 Colonial Fireworks personnel</td><td></td></tr> <tr><td>6 St. James Marine personnel</td><td></td></tr> <tr><td>7 Security personnel</td><td></td></tr> <tr><td>8</td><td></td></tr> <tr><td>9</td><td></td></tr> <tr><td>10</td><td></td></tr> <tr><td>11</td><td></td></tr> <tr><td>12</td><td></td></tr> <tr><td>13</td><td></td></tr> </table>	Name and Position	Age	1 Frank Loffredo, Jr. / Lead Pyro	62	2 Aaron Dusseu / Asst. Pyro	33	3 Matt Fogg, St. James Marine Co.,	44	4 Daniel B. Barron, Charlevoix Venetian Festival	66	5 Colonial Fireworks personnel		6 St. James Marine personnel		7 Security personnel		8		9		10		11		12		13		Name: Colonial Fireworks Special Effects, LLC Address: 25 Marlindale Avenue Boardman, OH 44512 Phone: 418-819-9165 (cell-Frank Loffredo, Jr.)
Name and Position	Age																												
1 Frank Loffredo, Jr. / Lead Pyro	62																												
2 Aaron Dusseu / Asst. Pyro	33																												
3 Matt Fogg, St. James Marine Co.,	44																												
4 Daniel B. Barron, Charlevoix Venetian Festival	66																												
5 Colonial Fireworks personnel																													
6 St. James Marine personnel																													
7 Security personnel																													
8																													
9																													
10																													
11																													
12																													
13																													

Event Information	Loading Site Information
Point of Contact: Charlevoix Venetian Festival/Daniel Barron, President Address: 309 Petoskey Avenue, PO Box 120 Charlevoix, MI 49720 Phone: 231-675-4257	Loading Site Address: Ironton Stone Dock, 03600 Lake Street, Charlevoix, MI

Does the pyrotechnic involve a floating platform or vessel? If the pyrotechnic is a land shoot, skip this box. Yes	Loading Site Address: Ironton Stone Dock, 03600 Lake Street, Charlevoix, MI
--	---

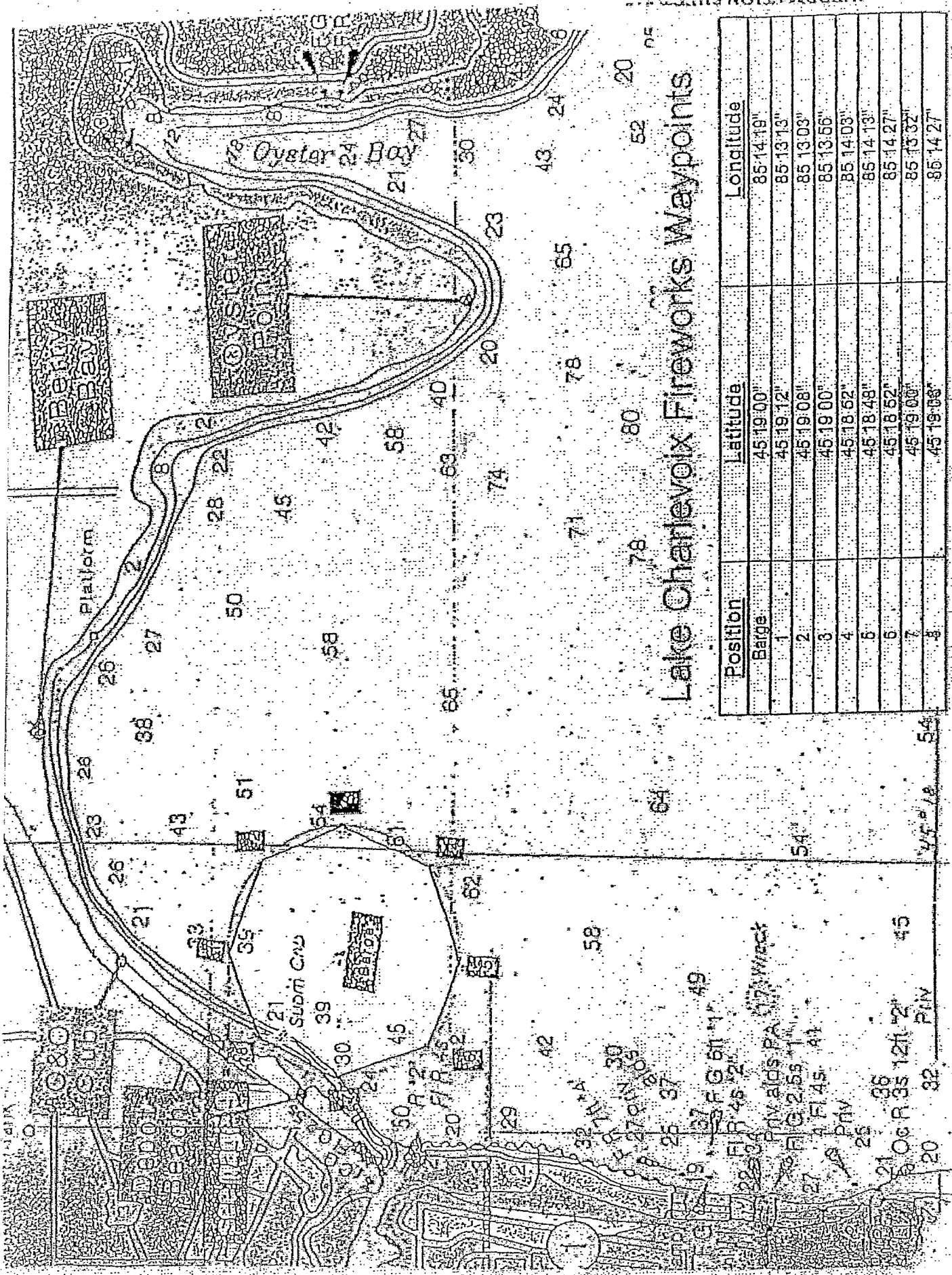
Name of Vessel(s) involved: Tug - Wendy Anne	Loading Date: July 20, 2022 through July 23, 2022
Size of barge or vessel (sq ft): barge # 150	Loading Time: 9:00 a.m. to 5:00 p.m.
Contact for Vessel/Barge: Matt Fogg, St. James Marine Co.	Phone Number for Loading Site: 419-819-9165 (cell-Frank Loffredo, Jr.)
Phone: 231-838-0254 age: 44	Net Explosive Radius (70 ft per inch of largest shell diameter) 420' see Application for Marine Event

Size of Aerial Shells (Diameter)	Approx. Number of Shells to be Fired	Hazard Class	Net Weight
1) 07/22/2022 300 pcs 4"; 300 pcs 5"; 200 pcs 6"; 30 pcs 8"; 15 pcs 10"; 30 pcs 12"		* *	* *
2) 07/23/2022 500 pcs 3" shells; 300 mm candles; 15 fans of 3; 25 pcs 1.4G 2" cake items		* *	* *
3)			
4)		* * See Application	

Directions: Information on company representative, person in charge, and other authorized personnel pertains to the company contracted to set-up/display the pyrotechnics. Information on net explosive radius, proper shipping name, hazard class, and weight may be obtained from the company contracted to set-up/display the pyrotechnics.

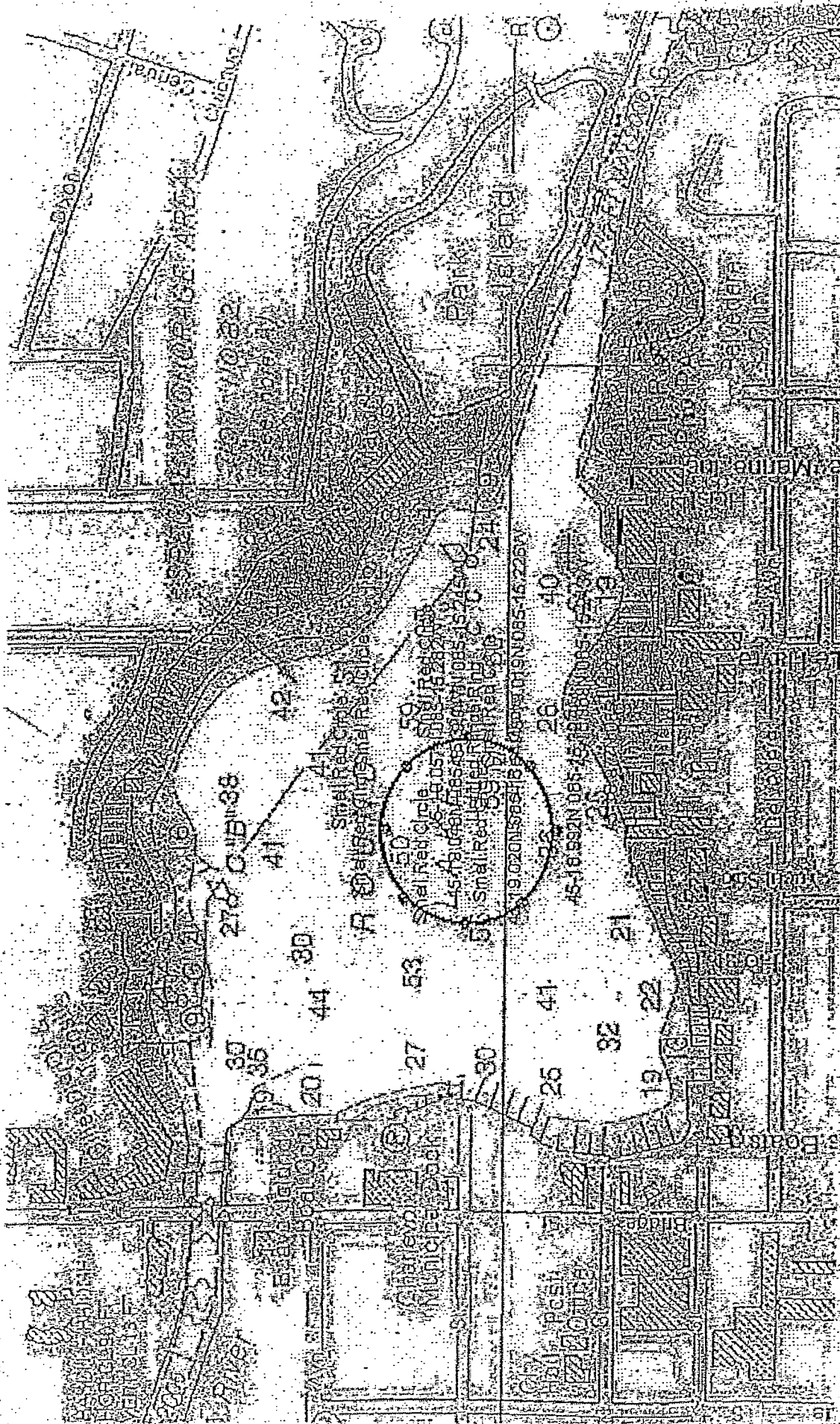
Attach a site map or diagram with dimensions of the loading site with desired spectator viewing area, parking areas, fall-out areas, and associated separation distances. The map or diagram of the event should also show the location of all buildings, roads, waterways, overhead lines, and other overhead obstructions.

PLEASE ENSURE THIS SUPPLEMENTAL FORM IS SUBMITTED WITH THE ENTIRE APPLICATION PACKAGE TO THE U.S. COAST GUARD SECTOR SAULT SAINTE MARIE MARINE EVENTS COORDINATOR.



Lake Charlevoix Fireworks Waypoints

Position	Latitude	Longitude
Barge	45 19 00"	85 14 19"
1	45 19 12"	85 13 13"
2	45 19 08"	85 13 03"
3	45 19 00"	85 13 56"
4	45 18 52"	85 14 03"
5	45 18 48"	85 14 13"
6	45 18 52"	85 14 27"
7	45 19 00"	85 13 32"
8	45 19 08"	85 14 27"



North - 45-19.057N 085-15.282W
 South - 45-18.977N 085-15.282W
 East - 45-19.019N 085-15.226W
 West - 45-19.020N 085-15.340W
 NE - 45-19.047N 085-15.245W
 SE - 45-18.989N 085-15.243W
 SW - 45-18.992N 085-15.327W
 NW - 45-19.048N 085-15.324W

**COLONIAL FIREWORKS SPECIAL EFFECTS, LLC
ITINERARY
JULY 22 AND JULY 23, 2022 DISPLAYS**

VENETIAN FESTIVAL
CHARLEVOIX, MICHIGAN

Please Note: Colonial Fireworks Special Effects, LLC must be permitted to follow all guidelines set forth in their entirety by NFPA 1123 and 1124 - 2000 Edition, as revised.

Monday, July 18, 2022

12:00 to 5:00 PM Colonial equipment truck arrives at "Port Ironton" Facility.
Pre-barge loading meeting with City of Charlevoix Police Chief Doan,
Charlevoix Township Fire Chief Dan Thorp, USCG Life Station Chief and
Colonial technicians. Colonial technicians begin off loading and setting up,
equipment only, onto barge.

5:00 PM Security arrives (24 hours/day of private security and/or Colonial
technicians), from this time through July 23, 2022

Tuesday, July 19, 2022

8:00 AM - 5:00 PM Set up of equipment continues.

9:00 AM Operations staging meeting at USCG Life Station - Charlevoix.
(tentative - may occur later in week)

Wednesday, July 20, 2022

8:00 AM - 5:00 PM Loading of fireworks into mortars begins.

Thursday, July 21, 2022

8:00 AM - 5:00 PM Loading of fireworks into mortars continues.

Friday, July 22, 2022

6:00 - 8:00 PM Barge towed from Port Ironton to Charlevoix - approximately two (2) hour
trip - loading of live material to continue.

8:00 PM Barge anchored at firing location - loading of live material continues and
connection of electrical system begins.

9:00 PM Final hookup of electrical system and final testing completed.

10:15 PM	Firing begins (time approximate).
10:35 PM	Firing ends (time approximate).
11:00 PM	Barge is towed back to Ironton - inspection of equipment takes place.

Saturday, July 23, 2022

1:00 AM	Barge arrives in Ironton to begin tearing down of aerial show. Begin loading of low aerial program for Round Lake on evening of July 23, 2022.
8:00 AM	Continue loading of low level program.
6:00 - 8:00 PM	Barge towed to Charlevoix - approximately two (2) hour trip - loading of live material to continue.
8:00 PM	Barge anchored at firing location - loading of live material continues and connection of electrical system begins.
9:00 PM	Final hookup of electrical system and final testing completed.
10:00 PM	Initial fireworks barrage begins with start of boat parade (time approximate).
10:45 PM	Primary fireworks display begins and concludes subsequent to conclusion of boat parade (time approximate).
11:30 PM	Barge is towed back to Ironton - inspection of equipment takes place.

Sunday, July 24, 2022

1:30 AM	Barge arrives in Ironton and electrical system is removed from barge.
8:00 AM	Unloading of equipment begins.
1:00 PM	Colonial truck departs for Clayton, Michigan.

WEATHER CONTINGENCY PLANS

1. Friday "rain out." The "large" (Lake Charlevoix) show will not be displayed in 2022, and on Saturday evening in Round Lake (i) the "low aerial" Harbor show will be displayed and (ii) the lighted boat parade will be staged.
2. Saturday "rain out." The "low aerial" Harbor show will not be displayed in 2022.

[illegible]

~~U.S.C.G.~~

BOAT PARADE LINEUP

* IRISH BOAT SHOP INC.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

4/20/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Britton-Gallagher and Associates, Inc. One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114	CONTACT NAME: PHONE (A/C, No, Ext): 216-658-7100 FAX (A/C, No): 216-658-7101 E-MAIL ADDRESS: info@brittongallagher.com														
INSURED Great Lakes Fireworks LLC Colonial Fireworks Special Effects LLC 3275 W M76 P.O. Box 276 West Branch MI 48661	<table><tr><th>INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr><tr><td>INSURER A : Everest Indemnity Insurance Co.</td><td>10851</td></tr><tr><td>INSURER B : Axis Surplus Ins Company</td><td>16044</td></tr><tr><td>INSURER C :</td><td></td></tr><tr><td>INSURER D :</td><td></td></tr><tr><td>INSURER E :</td><td></td></tr><tr><td>INSURER F :</td><td></td></tr></table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : Everest Indemnity Insurance Co.	10851	INSURER B : Axis Surplus Ins Company	16044	INSURER C :		INSURER D :		INSURER E :		INSURER F :	
INSURER(S) AFFORDING COVERAGE	NAIC #														
INSURER A : Everest Indemnity Insurance Co.	10851														
INSURER B : Axis Surplus Ins Company	16044														
INSURER C :															
INSURER D :															
INSURER E :															
INSURER F :															

COVERAGES

CERTIFICATE NUMBER: 1386293753

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PROJECT ☐ LOC OTHER:			SI8GL01969-221	1/21/2022	1/21/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
B	AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ ALL OWNED AUTOS ☒ HIRED AUTOS ☐ SCHEDULED AUTOS ☒ NON-OWNED AUTOS			SI8CA00273-221	1/21/2022	1/21/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	UMBRELLA LIAB ☒ OCCUR ☒ EXCESS LIAB DED RETENTION \$			P-001-000798280-01	2/4/2022	1/21/2023	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Additional Insured extension of coverage is provided by above referenced General Liability policy where required by written agreement.

Display Date: 7/22/2022 & 7/23/2022 Rain Date: N/A Location: Lake Charlevoix and Round Lake.

RE: General Liability, the following are named as additional insured in respects to the negligence of the named insured Excess in the follow form: American Girl Wendy Ann and Barge No. 19; City of Charlevoix; Colonial Fireworks; Colonial Fireworks Special Effects, LLC; Charlevoix Venetian Festival, INC.; Iron Stone Dock, LLC and St. James Marine CO. and all agents, representatives, volunteers, and employees of each.

CERTIFICATE HOLDER**CANCELLATION**

Charlevoix Venetian Festival, INC.
P.O. BOX 120
Charlevoix MI 49720

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2014 ACORD CORPORATION. All rights reserved.

**COLONIAL FIREWORKS SPECIAL EFFECTS, LLC
HOLD HARMLESS AGREEMENT**

Indemnity Provisions (Re: 2022 Venetian Festival Fireworks Displays):

Colonial Fireworks Special Effects, LLC (hereinafter "Vendor") agrees to indemnify and save harmless the **City of Charlevoix** (hereinafter "Corporation") and its agents, representatives and employees from any and all charges, claims and causes of action by third persons, including but not limited to, agents, representatives and employees of the Vendor and of the Corporation, based upon or arising out of any damages, losses, expenses, charges, cost, injuries or illnesses, including death, sustained or incurred by such person or persons resulting from or in any way, directly or indirectly connected with the performance or non performance of this Agreement, this includes only the Vendor's setup and exhibiting of the fireworks, of these vending services; provided, however, that notwithstanding the foregoing, the Vendor does not agree to indemnify and save harmless the Corporation, its agents, representatives and employees from any charges, claims or actions based upon or arising out of any damages, losses, claims, expenses, charges, costs, injuries or illnesses including death, sustained or incurred as a sole result of the negligence of the Corporation, its agents, representatives or employees. In the event a claim is filed against the Corporation for which the Vendor is to be held liable under the terms of this Agreement, the Corporation will promptly notify the Vendor of such claim and will not settle such claim without the prior written consent of the Vendor, which shall not be unreasonably withheld. The obligation of Vendor for reimbursement/indemnification hereunder shall encompass and include all reasonable attorney fees and costs of litigation which may be incurred by the Corporation.

The Corporation also requires additional insured extension of coverage, in the manner and amounts set forth within the Certificate of Liability Insurance issued by Britton-Gallagher and Associates, Inc. as the "Producer," dated 4/20/2022, Certificate Number 1386293753.

Signed:

Signed:

For the "Vendor"
Colonial Fireworks Special Effects, LLC
Brenda Loffredo, President
Date: _____

For the "Corporation"
City of Charlevoix
Date: _____



Colonial Fireworks Special Effects LLC/Great Lakes



April 11, 2022

LEAD PYROTECHNICIAN

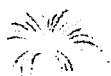
FRANK LOFFREDO, JR.
25 MARLINDALE AVENUE
BOARDMAN, OH 44512

D.O.B. July 20, 1960

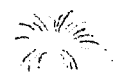
Mr. Loffredo has 43 years experience as a pyrotechnician. He has experience in electronic and manual firing. Mr. Loffredo has worked on numerous barge shows as well as roof top firings.

Some of the shows Mr. Loffredo has been involved with include: Charlevoix Venetian Festival, City of Harbor Springs, Bay Harbor, Sommerset Pointe, City of Saginaw, First Night Providence; Governor's Conference/Providence; Air and Sea Show in Fort Lauderdale and Thunder Over Louisville which is the kick off for the Kentucky Derby Festival. "Thunder" is fired from 6 barges and a 3,000 foot bridge that crosses the Ohio River and is one of the largest fireworks displays produced annually in the United States.

Mr. Loffredo has fired over 1,000 outdoor and indoor displays throughout the United States and has an excellent safety record.



Administration: 25 Marlindale Avenue, Boardman, OH 44512



Charlevoix City Council

All Other Actions and Requests

Title: Special Event Policy for City Marina

Date: June 20, 2022

Presented By: Kent Knorr, Recreation Director

Background:

Charlevoix City Marina is one of Michigan's busiest marinas. We are particularly busy during our peak season from Mid-June to Mid-August. During our peak season, we have three events that are annual events and they will not be impacted by this policy. Those include the Trout Tournament, Boyne Thunder, and the Venetian Festival. Our intention would be to keep these events on our schedule with no policy changes. However, any new event wishing to have a group hold for slips would need to submit a City Marina Special Event Application.

Previously, we have not had an application process or clear approval process for group holds at the Marina. We value the opportunity to welcome boat or sailing regattas, special touring clubs, and other social events. However, it is nearly impossible to accommodate these events during our peak season. With this policy, we would like to encourage the use of our shoulder seasons to do group holds at the marina. Based on the size of the event, approval will range from that of the Harbor Master, to the Recreation Director, or City Council. This policy does not prevent someone from applying during peak season, but it does allow staff the ability to navigate those requests in a consistent way. For the sake of this policy, we are considering our peak season to be from June 15th to August 15th.

Recommendation:

Motion to approve the Marina Event Policy.

Attachments:

1. City Marina Event Policy



City Marina Event Policy

This policy is used as a guide to manage event requests and traditional uses of the Marina. Charlevoix City Marina is one of the busiest marinas in the State of Michigan. From mid-June until mid-August (peak season) the Marina is at full capacity and events requests will always be challenging to accommodate. The Charlevoix City Marina is a highly desirable marina and regularly operates at full capacity. Special events (like regattas, group sailings, and similar activities) are beneficial but should not diminish overall marina operations. This policy will dictate the terms of when and how an event like this can be accommodated. This policy acknowledges long-standing events that will continue to be part of the Marina Calendar and will not be affected by this policy: Charlevoix Trout Tournament (second weekend of June); Boyne Thunder (second weekend of July); Venetian Festival (third full week of July); and Red Fox Regatta (Labor Day weekend).

In deciding whether to approve the application, the Charlevoix Recreation Department shall consider the following when reviewing an application:

Factors for event consideration
Recreation Department staff will review the following factors in considering approval of a marina event:

1. Time of year. Shoulder seasons, before June 15th and after August 15th are highly recommended for group holds (when we would be most likely to be able to block out slips for an event). Events should be planned before June 15 or after August 15; event planned between these dates are the most difficult to accommodate.
 -
2. Availability of space based on boat size and existing reservations requested.
 -
3. Will the proposed event likely conflict with or detract from any other previously scheduled event taking place at the marina or in the city? Coordination of event activities with other activities scheduled in the downtown
 -
4. How will the proposed event restrict the use of the Marina? Restrictions on the marina because of the event
 -
5. Are there any Ability of organizers and the marina to address any safety and/or security needs related to event and how do organizers plan to address those?
 -
6. Duration of the event (number of hours or days).
 -
7. Ability of staff and resources to accommodate Accommodations requested assistance (additional staffing, picnic tables, extra trash cans) and how organizers plan to address those.
 -

~~8. If the proposed event is sponsored by a non-profit entity, organizers should submit proof of the non-profit status at the time of application.~~

- ~~•~~
- ~~• Proof of insurance or indemnification agreement listing the "City of Charlevoix" as an additional insured may be required prior to final approval.~~

~~9. All aspects of the event (not in the marina itself) will need to comply with the City of Charlevoix Special Event policy if applicable~~

Requesting an Event: Process to request an event

~~1. Applications should be submitted at least 7 months before the event to allow for staff review and to ensure that slips are blocked for your event. The sooner the better! Applications (found on the marina website) should be submitted seven months prior to the planned dates for the event; applications received after this might be approved but it will be more difficult to reserve slips once reservations are open to the public.~~

~~2. Please submit a non-refundable application fee is required for all events and each event type will be approved with the following level of review.~~

- ~~○ 10 slips or fewer \$100 Approved by Harbormaster~~
- ~~○ 11-20 slips \$200 Approved by Recreation Director~~
- ~~○ 21 slips or more \$300 Approved by City Council~~

~~2. of \$100.00 for low impact events requests of 10 slips or less. \$200 for high impact events of 11 to 20 slips and \$300 for large events requesting 21 slips or more.~~

~~3. Submit application to:~~

~~Harbormaster Denny McDermott at dennym@charlevoixmi.gov~~

~~Or Mail~~

~~Charlevoix City Hall~~

~~210 State Street~~

~~Charlevoix MI, 49720~~

~~Attention: Harbormaster, Denny McDermott~~

~~4.3. Additional information may be required to properly evaluate the proposed use.~~

Approvals:

~~1. Low impact events can be approved by The Harbormaster~~

~~2. High Impact events must be approved by Parks and Recreation Director~~

~~3. Large events that require outside support or require additional resources from City staff may require appropriate approvals from City staff and City Council.~~

|

Charlevoix City Council

All Other Actions and Requests

Title: Electric Department Rules and Regulations

Date: June 20, 2022

Presented By: John Griffith, Electric Department Director

Background:

The attached draft Rules and Regulations are a framework for City staff to provide fair and consistent treatment of the City's electric customers. The Rules and Regulations of other Michigan municipal electric utilities were used as a template and edited for Charlevoix's particular situation. These Rules and Regulations will be a living document and will be updated at least annually and as needed. They cover general utility provisions, service characteristics, use of service, metering, application of rates, billing and payment, relocation of city-owned facilities, line extensions, applications for new and upgraded service, definitions of terms and the use of City equipment. Documents for customer-owned generation are also included by reference. This draft has been reviewed by City staff and the City Attorney.

Recommendation:

Motion to adopt the Charlevoix Electric Department Rules and Regulations as presented.

Attachments:

1. Charlevoix Electric Department's Rules and Regulations



RULE 1. GENERAL PROVISIONS

1.1 GENERAL PROVISIONS

- A. The City's Rate Schedules and Application for Electric Service are available on the City's website (www.charlevoixmi.gov) and at City Hall. Rates are subject to revision at any time upon approval by the Charlevoix City Council.
- B. All Charlevoix Electric Customers are subject to these Rules and Regulations.
- C. Electric Service shall not be supplied to new or remodeled buildings until such installations have been inspected and approved in writing by the appropriate inspection authority and are in accordance with these Rules and Regulations and all other applicable regulations.
- D. Prior to purchasing equipment or the installation of wiring, the Customer should contact the City to determine the characteristics of the Electric Service available at the Premises because all voltages may not be available.
- E. No rights, title, or interest in Facilities provided by the City will pass to any Person because of any deposit or payment made under these Rules and Regulations, unless otherwise specified herein or by contract. Deposits or payments made by Customers toward Facilities shall not be refundable.
- F. The City may disconnect Electric Service to a Customer for any breach of the City's Rules and Regulations, policies, procedures, and practices, or for noncompliance with Municipal, State, or Federal law. The Customer shall pay a reconnection fee in accordance with the Fee Schedule to cover the costs of restoring the disconnected Electric Service.
- G. This document is intended to cover most situations where standardized policies, procedures, and practices have been established. No officer, agent, or employee of the City has authority to waive or modify the provisions of this document unless specifically authorized to do so by City Council. At any time, the City Council may temporarily or permanently revise, modify, or suspend any portion of this document.

1.2 COLLECTION, USE, AND PRIVACY OF CUSTOMER INFORMATION

- A. The City collects Customer Information for the primary purpose of providing utility services. Examples of this include:
 - 1. Contact information that allows the City to communicate with Customers including name, address, telephone number, and email address;
 - 2. Account information including billing and payment information, credit history, driver's license or state ID number, social security number; and
 - 3. Consumption data such as kW, kWh, voltage, kVAR, and Power Factor.
- B. Customer Information shall be collected, stored, transferred, processed, analyzed, and used in accordance with these guidelines and in compliance with applicable law, including the following:
 - 1. Metering data may be used in aggregate for planning and managing Energy consumption.
 - 2. Metering and billing data may be used to discuss consumption and billing activity with the Customer.
 - 3. To plan, implement, or evaluate Energy assistance, demand response, Energy management, or Energy efficiency programs by the City, or its contractors, or as part of an authorized program conducted pursuant to state or federal statutes governing Energy assistance.
 - 4. Website cookie data for the purposes of analyzing how visitors use the City's website.

- C. The City shall not sell Customer Information to a third party. In some instances, the City will disclose Customer Information in accordance with Customer authorization or when required by law, which includes law enforcement requests supported by warrants or court orders specifically naming the Customer whose information is sought and judicially enforceable subpoenas. The provision of such information will be reasonably limited to that authorized by law or reasonably necessary to fulfill a request compelled by law.
- D. The City will only keep Customer Information for as long as necessary to fulfill the purpose for which it was originally collected and in accordance with its record retention schedule. The City shall comply with the provision of the Michigan Social Security Number Privacy Act, Act 454 of 2004 codified at MCL 445.81 et seq.

RULE 2. CHARACTERISTICS OF SERVICE

2.1 CHARACTER OF SERVICE

- A. The City supplies 60 Hertz alternating current throughout its service area and intends, but does not guarantee, to furnish a continuous supply of Electric Power and to maintain voltage and frequency within reasonable limits.
- B. The City shall not be liable for interruptions in the service, phase failure, or reversal or variations in the service characteristics or for any loss or damage of any kind or character occasioned thereby due to causes or conditions beyond the City's reasonable control.
- C. Notwithstanding any other provision of these Rules, the City may interrupt, curtail, or suspend Electric Service to some or all its Customers to protect the health, safety, and welfare of its employees, Customers, the general public and the reliability of its electric distribution system. The City is not liable for any such interruption, curtailment, or suspension of Electric Service.

2.2 AVAILABLE VOLTAGES

- A. Single-phase 120/240 Volt three-wire, single-phase 120/208 Volt three-wire services.
- B. Three-phase, four wire 120/208 Volt and 277/480 Volt service may be made available for commercial and industrial services. Existing three and four wire delta services will be supported but are no longer available for new or upgraded secondary services.
- C. Three-phase four wire 12,470/7,200-volt primary service may be available at the City's discretion.
- D. The Customer shall be responsible for making any voltage modifications beyond the Point of Common Coupling for equipment requiring a voltage different from this rule.

2.3 AGREEMENTS

- A. The City may require a written agreement outlining the terms and conditions for the construction of facility extensions, changes in load, and other changes in the Customer's service requirements.
- B. No promises, agreements, or representations of any agent or employee of the City shall be binding on the City unless the same is within the authority of that individual and incorporated in the written agreement.

2.4 MATERIAL AVAILABILITY

- A. Subject to the restrictions contained in Rule 3.2, the City will construct electric distribution Facilities and extensions if it is able to obtain or use the necessary materials, equipment, and supplies.

RULE 3. USE OF SERVICE

3.1 GENERAL

- A. Electric Power is supplied to a Customer for the exclusive use on the Premises to which it is delivered by the City. Service may not be shared with another Customer, sold to another Customer, or transmitted off the Premises. The Customer must use the service so as not to cause a safety hazard, endanger City Facilities, or disturb City service to other Customers.
- B. The location and use of Electric Power are only for the purposes authorized by the City. Electric service to appurtenant Residential structures such as a garage and pole barn may be served from the Residential service.
- C. Any Electric Service that has been disconnected for 12 months or longer must be inspected by the County Electrical Inspector before being energized by the City.
- D. The Customer shall contact the City regarding changes in loads or load characteristics to allow adequate time to plan and implement system upgrades.

3.2 ACCESS AND DAMAGES

- A. The Customer shall provide and maintain access to City electric Facilities in accordance with all applicable electrical codes and City standards to permit the safe operation and maintenance of such Facilities.
- B. The City shall have the right, privilege, and authority to trim trees, branches, hedges, shrubs, or move other obstructions that could affect the safe operation, construction, or maintenance of its Facilities. In such instances, the City shall have no obligation to restore the Customer's Premises but may do so on a best-efforts basis. By acceptance of Electric Service from the City, each electric Customer shall be deemed to have granted such right, privilege, and authority to the City. If any Customer thereafter should challenge or object to the exercise of such service in the general utility function of the City, service to such Customer may be refused and/or discontinued for that reason alone.
- C. City employees or agents shall have the right to enter upon the Premises of any electric Customer at any time during normal business hours to inspect, test, operate, replace, and maintain City Facilities, and to clear vegetation.
- D. If a meter, metering equipment, or other City property is damaged or destroyed through acts or failure to act by the Customer or someone other than the City, City employee, or agent, the cost of necessary repairs or replacements is the responsibility of the Customer.
- E. If the City is unable to read, operate, maintain, or inspect a meter for reasons beyond its control, including, but not limited to: Customer interference, the Premises being locked, the meter being inaccessible, or the presence of unsafe conditions, service may be disconnected or interrupted, and the Customer shall be responsible for paying a reconnection fee in accordance with the Fee Schedule.
- F. If a Customer intentionally interferes with the City's access to Facilities, including, but not limited to, physical or verbal threats, assault, or intimidation, the Customer's service may be discontinued, and the Customer will be subject to applicable fines, penalties, and prosecution as authorized by law.
- G. Service shall not be reconnected until safe and appropriate access has been provided, all fines and penalties have been paid in full, and all legal proceedings if any commenced against Customer have been resolved.
- H. The Customer is responsible for all losses, injuries, and damages associated with the Customer's failure to provide safe access to the Premises.

3.3 CUSTOMER EQUIPMENT

- A. The City shall deny or terminate service to any Customer whose wiring or equipment constitutes a hazard to the City's employees, its equipment, its service to others, or to the public. The City is not responsible for installing, inspecting, repairing, maintaining, testing, or removing the Customer's wiring or equipment and is not liable for any injury or damage resulting from the condition of such wiring or equipment.
- B. The Customer must install and maintain the necessary Facilities or devices to protect Customer-owned equipment against service interruptions, phase loss, variations in voltage, and other disturbances on the

City Electric Distribution system, as well as the necessary devices to protect City Facilities against overload caused by the Customer's Equipment.

- C. Alterations to the Customer's Electric Service or associated equipment require the approval of the City.
- D. Customer owned equipment shall not be installed on City Facilities.

3.4 POWER QUALITY AND DISTURBANCES

- A. The Customer must operate equipment and use the service in a manner that does not cause interference, affect voltage, affect frequency, add harmonics to, or disturb the City's system or another Customer's service. If the City notifies the Customer of such a condition, the Customer must discontinue operation of the equipment causing the condition until the condition is resolved to the City's satisfaction. If the Customer does not remedy the condition to the City's satisfaction within the time frame requested by the City, the City may discontinue service until the Customer has remedied the situation and has paid the reconnection fee and as well as any costs associated with investigation and resolution of the condition.
- B. The Customer is responsible for all costs associated with alterations to the City's system required to continue proper operation of the City's system in conjunction with the Customer's Equipment when the Customer causes such alterations. In determining the existence of disturbances, the City will rely on the latest revision of pertinent IEEE and ANSI Standards. The City may also use other appropriate standards or criteria in determining disturbances to the City's system.

3.5 IMPROPER USE AND TAMPERING

- A. A Person or Customer that uses Electric Power without making proper application for Electric Service is responsible for all charges for Electric Service. The amount of such charges shall be determined by the City either by an actual meter read or by estimated consumption for the time Electric Power was used.
- B. The City may disconnect service without notice if it determines the meter or wiring on a Premises has been tampered with or altered in any manner. If the City disconnects service for this reason, the City shall restore service only when the Person requesting reconnection pays a meter tampering fee and reconnection fees in accordance with the Fee Schedule, pays restitution for stolen service and damaged equipment, and makes arrangements for an outdoor meter installation or other metering changes as may be required by the City. This section shall supplement and not be in lieu of any provision of state law, including but not limited to MCL 750.282 and MCL 750.383a.

3.6 THEFT

- A. The City will investigate cases of suspected theft and/or fraud.
- B. All incidents with sufficient evidence of theft and/or tampering will be investigated and prosecuted by relevant agencies, including the police and/or sheriff's department.
- C. The City will attempt to recover all charges that were intentionally avoided or not paid plus all monthly accrued late fees.
- D. If the actual amount of service lost to the theft or diversion cannot be determined, the amount will be estimated.
- E. There is no limitation on the time for which past charges will be assessed.
- F. The City reserves the right to prosecute for all violations of the law.

3.7 DISCONNECTION OF SERVICE

- A. Service may be voluntarily or involuntarily disconnected either by:
 - 1. Customer Request:

- a) Service may be disconnected at the Customer's request. When a Customer who is not the owner of the building requests a disconnection of service, the service will transfer to the owner until the owner requests disconnection or a new tenant assumes responsibility.
 - b) Disconnects and reconnects of Electric Service are subject to costs in accordance with the City's Fee Schedule.
 - c) Service may be permanently disconnected for demolition purposes by submitting a demolition request form. Permanent disconnection is completed at the cost of labor and material required to complete the disconnection.
2. Noncompliance:
- a) Service may be involuntarily disconnected for noncompliance with the City's Rules and Regulations. The City shall provide notice to the Customer in accordance with the City's General Shutoff Rules for Residential Electric Service. Additional disconnect procedures in the City's General Shutoff Rules for Residential Electric Service are incorporated herein by reference.
 - b) Service may be involuntarily disconnected for noncompliance with municipal, state, or federal law.
 - c) The City will impose fees in accord with its Fee Schedule for all disconnections, including disconnections for noncompliance.

RULE 4. METERING

4.1 GENERAL

- A. All Electric Power sold to Customers is measured by metering equipment owned and maintained by the City. Where it is impractical or impossible to install or access metering equipment, or in the event of a meter malfunction, the City may estimate consumption.

4.2 INSTALLATION AND OWNERSHIP

- A. The Customer must install, own and maintain a metering enclosure. Enclosures may be furnished by the City at a cost to the Customer. The City will furnish, own, and maintain the meters, potential transformers, and current transformers. The Customer must furnish, install, own, and maintain all other service equipment and all wiring and conduits from the Point of Common Coupling for overhead and underground services.

4.3 EQUIPMENT LOCATION

- A. The Customer must provide a space suitable to the City for the installation of metering equipment.
- B. Metering equipment for all new and upgraded Electric Service shall be located outdoors on the Customer's building or a metering structure.
- C. Meter sockets, meter connection boxes, and instrument transformer enclosures shall not be used as junction boxes for supplying Customer's branch circuits or grounding conductor termination. No wiring other than Service Entrance Conductors and bonding conductors shall be routed through this equipment.
- D. The mounting height of single line meters shall be no less than 4 ½ feet and no more than 5 ½ feet above grade.
- E. For stacked multiple meter panels, the installed meter centerline must be a minimum of 30 inches from finished grade and a maximum of 72 inches from finished grade and limited to a maximum of a four-meter stack.

F.

4.4 MULTIPLE OCCUPANCY BUILDINGS

- A. The metering and Customer's service equipment for multiple occupancy buildings where several floors, apartments, stores, or other units are rented separately must be grouped in a common meter location approved by the City. The metering shall be accessible to City personnel and agents. Metering equipment in multiple occupancy buildings must be permanently marked identifying the apartment, office, store, or other unit or location being served. Such identification is the responsibility of the building owner. The meter location must be located on the ground floor.

4.5 SEPARATE DISCONNECT

- A. Customers shall provide a separate disconnect for City and emergency purposes for each service that is (1) not a self-contained metered service, and (2) in multi-occupancy buildings installed after the effective date of these Rules and Regulations. The disconnect shall be accessible to the City and emergency personnel, be capable of interrupting the Customer's load, and be lockable by the City. The disconnect and access to it shall be maintained by the property owner.

4.6 METER CALIBRATION REQUEST

- A. Upon Customer request, the City will test a meter's calibration to ensure that it is accurate within 2%.
- B. If meter accuracy is within 2%, the cost, per the City's Schedule of Rates, Fees and Charges, will be added to the Customer's next utility bill.
- C. If meter accuracy is outside 2%, the City will replace the meter and adjust the billing errors in accord with Section 6.3.
- D. If meter accuracy is within 2%, the City will, in its sole discretion, reinstall or replace the meter.

4.7 DAMAGED METERING EQUIPMENT

- A. The Customer is liable for acts or failure to act by the Customer, the Customer's tenant, or the Customer's agent, that result in damage to the City's metering equipment and other Facilities. This includes damage caused by ice buildup or falling ice. The City will repair or replace a meter so damaged, and the cost shall be billed to the Customer.

4.8 PRIMARY METERING GUIDELINES

- A. Customers served at Primary Voltage shall own, operate, and maintain all equipment beyond the Point of Common Coupling.
- B. The City will furnish, install, and maintain the primary service and necessary metering equipment.
- C. Customer applications for primary metered Electric Service shall include a site plan and shop drawings. The Customer shall obtain approval of the application before ordering major equipment to avoid delays and unnecessary expense. The City shall determine the location of its Facilities on the Customer's Premises.
- D. Service entrance equipment located at the Point of Common Coupling shall include a three phase, group operated load break disconnecting means, and over current protection. The disconnect shall be located to provide a visible open point and operating capabilities to both the Customer and the City.

RULE 5. APPLICATION OF RATES

5.1 GENERAL

- A. Electric Rates are predicated upon the delivery of each class of service to a single metering point for the total requirements of each separate Premises of the Customer. Service to different delivery points and/or different classes of service on the same Premises shall be separately metered and separately billed. In no case shall service be shared with another Premises or transmitted off the Premises to which it is delivered.

5.2 RESALE OF ELECTRIC POWER

- A. Except as provided in these Rules and Regulations, the resale of Electric Power is prohibited.
- B. The owner or operator of a mobile home park and/or marina may purchase Electric Power from the City for resale to occupants on the condition that service to each occupant is metered separately and the occupants are not charged more for such service than the appropriate City Rate available for similar service under like conditions. To qualify for the resale of Electric Power to occupants, the owner or operator must state in writing their intent to resell in the application for service. All Electric Power used at such mobile home park or marina Facilities shall be purchased from the City and the owner or operator is responsible for payment for purchased Electric Power for resale.
- C. The City has no obligation to furnish, test, or maintain meters or other equipment used for the resale of Electric Power to an occupant by the reselling owner or operator.
- D. The City may audit the billing records every 12 to 18 months using generally accepted auditing practices.
- E. The reselling owner or operator is responsible for testing each occupant's meter at least once every three years. Meter accuracy must be maintained within two percent (2%).

5.3 CHOICE OF RATES

- A. Customers may be eligible to receive service under more than one Rate. Upon request, the City will assist the Customer in the selection of a Rate based on available information, but the Customer remains solely responsible for the Rate selection.
- B. After the Customer has selected a Rate, the Customer must remain on that Rate for a minimum of 12 months.
- C. The City is not responsible for the difference in charges under different applicable Rates. If the Customer experiences a permanent change in load profile, the Customer may request a change of Rates. The City may, in its sole discretion, permit a change of Rates in this circumstance.

5.4 ELECTRIC VEHICLE CHARGING

- A. Reserved for future use.

5.5 MOBILE HOMES IN COURTS - INDIVIDUALLY SERVED

- A. Electric Service to new Mobile Home Courts and expanded service to existing Mobile Home Courts shall be provided through individual tenant metering.
- B. Electric Service to a mobile home must be in the name of the occupant; however, service to lots designated for occasional or short-term occupancy must be in the name of the owner of the Mobile Home Court or an authorized representative.
- C. An individually served mobile home used as a Residence will qualify for an appropriate Residential Electric Service Rate.

5.6 COGENERATION AND SMALL POWER PRODUCTION FACILITY

- A. Refer to the City's General Interconnection Requirements and Renewable Energy Generator Metering Agreement included herein by reference.

5.7 MINIMUM CHARGES

- A. A minimum charge, as defined by the Rate in effect, shall be applied to all energized services and billed to the Customer.

RULE 6. BILLS AND PAYMENTS

6.1 RESPONSIBILITY FOR PAYMENT OF BILLS

- A. Each Customer is responsible for paying all utility bills as rendered on or before the due date shown on the bill. The Customer remains responsible for payment of the bills until the Customer orders service to be disconnected and the City has had reasonable time to secure a final meter reading. Bills are rendered approximately every 30 days. Bills are mailed to Customers approximately fifteen (15) days before the due date. The Customer must pay the net amount if paid on or before the due date on the bill. Failure to receive the bill does not entitle the Customer to pay the net amount after the due date of the bill. If a bill remains unpaid after issuance of a five (5) day written shut-off notice, the City has the right to disconnect service in accordance with its General Shutoff Rules.
- B. Customers may be able to make payment arrangements by contacting the Utility Billing Clerk at (231) 547-3259.
- C. The City shall not shut off Electric Service from November 1 through April 15.
- D. Service to a Customer shall not be disconnected for nonpayment of a disputed bill pending the result of a hearing timely requested by a Customer. Service may be disconnected for nonpayment of sums billed that are not in dispute.
- E. A new Customer account may not be established for a Service Location if a delinquent Customer account holder resides at the same Service Location as the new Customer unless the new Customer agrees to pay a deposit in accordance with the Fee Schedule prior to the commencement of service.
- F. The City may require individual Customers to enter a written "Billing Service Agreement," ensuring the Customer is responsible for all services used.
- G. The City will make billing history available to Customers at no charge, provided the information is currently stored on an active database. Customer requests for billing history that is no longer on an active database will be subject to a charge based on staff wages and benefits.
- H. The City will charge a "Non-Sufficient Funds Fee" in accordance with the Fee Schedule for returned checks and Auto Pay payments.
- I. Electric service used by the same Customer but delivered and metered separately or at different locations will not be combined for billing purposes.

6.2 ESTIMATED CONSUMPTION

- A. Readings may be estimated when conditions warrant. Until reconciled by an actual reading, bills rendered on estimated consumption have the same force and effect as bills rendered on actual meter readings.
- B. If for any reason all consumption used cannot be measured accurately, the unmetered portion will be estimated by the City based on prior consumption, operating characteristics of the building and equipment, or the City's experience in like circumstances.

6.3 BILLING ERRORS

- A. When an error is found to exist in any billing rendered by the City, the City shall correct such error to recover or refund the difference between the original billing and the corrected billing for up to 3 months from the date the error is discovered. Refunds to Customers will normally be made promptly upon discovery of the error. Amounts due to the City from the Customer will be subject to normal collection policies, procedures, and practices.

6.4 ACCOUNT SECURITY DEPOSITS

- A. The City will require a security deposit in the following amounts for:
 - 1. First time renters:
 - a. Electric - \$75
 - b. Electric, water and sewer - \$100
 - c. Electric heat - \$150
 - 2. Businesses with no payment history with the City of Charlevoix:
 - a. Three times the average estimated utility bill
 - 3. Customers with an unacceptable credit history, as defined below.
- B. Deposits shall be non-interest bearing and will be refunded to the Customer after two years of on time payments.
- C. Deposits will be waived for all Customers who pay by direct deposit.
- D. Unacceptable credit history includes, but is not limited to, the following:
 - 1. The Customer intentionally misinformed or misrepresented facts to the City.
 - 2. The Customer misrepresents his or her identity.
 - 3. The Customer diverted, tampered with, or otherwise interfered with utility service in the past 6 years.
 - 4. The Customer has had one or more payments canceled in the last 12 months due to any of the following:
 - a. Non-sufficient funds returned check
 - b. Account closed returned check
 - c. Non-sufficient funds bank bill
 - d. Account closed bank bill
 - e. Credit card reversal
 - f. Failed electronic funds transfers
 - g. Other payment method cancellation
 - 5. The Customer has had a delinquent account within the last 6 years.

RULE 7. ELECTRIC FACILITY RELOCATION

7.1 General

- A. When a Customer or developer requests the relocation of City Facilities, the City may, in its sole discretion, relocate its electric Facilities.
- B. Prior to relocating electric Facilities, the Customer or developer will be required to pay for the relocation based on the estimated cost including, but not limited to, material, labor, excavation, infrastructure repairs, and modifications to the City's Electric Distribution System affected by the relocation.
- C. The Service Location shall be specified by the City so that its Facilities meet or exceed the National Electrical Code, National Electrical Safety Code, and other applicable codes.
- D. Should it become necessary, due to any cause beyond the City's control, to change the Service Location, the entire cost of any changes shall be borne by the Customer.

RULE 8. DISTRIBUTION SYSTEM EXTENSIONS

8.1 General

- A. The City will extend its distribution Facilities to the Point of Common Coupling on the Customer's Premises subject to these Rules and Regulations.
- B. The City shall determine service availability and load limits.
- C. The City shall provide, own, maintain, and specify the location of its distribution Facilities. No ownership

rights shall pass to any owner, developer, or Customer by reason of any payments made for the construction.

- D. City-owned, three phase, pad mount transformers must be installed within 25 feet of a drivable surface.
- E. The City may make such extensions at its cost if, in its sole judgement, the estimated revenue, probable stability, and potential load growth reasonably warrant the capital expenditure. If, in the City's sole judgement, the extension is not so warranted, it will require the Customer to pay for the extension.
- F. Prior to the installation of any distribution system the owner, developer, or Customer may be required to enter into a written agreement with the City generally describing the proposed distribution system and the conditions of the parties. Each system extension shall be a separate agreement. Further extensions will require a separate written agreement.
- G. Prior to the installation of any distribution system the owner, developer, or Customer shall provide, at no expense to the City, permits and easements acceptable to the City for the installation, operation, and maintenance of the proposed distribution system extension. The easement shall include, but is not limited to, a legal description, sketch, construction and maintenance rights, and vegetation management requirements.
 - 1. If the required permits and easements are not provided and the extension can be constructed in the public right-of-way, the applicant shall be required to pay the additional construction expense.
 - 2. If the owner, developer, or Customer requests the City to modify existing easements, such modifications shall be in the City's sole discretion. The requesting party will be responsible for all expenses associated with the modification.
- H. All overhead Distribution Line extensions constructed on private property shall be routinely cleared of encroaching vegetation and trees by the City or its contractor to maintain reliable Electric Service. This does not include the overhead service drop, which is the Customer's responsibility.
- I. Any poles, wires, or other equipment required beyond the Point of Common Coupling shall be furnished, installed, and maintained by the Customer. The City's responsibility (other than the meter or metering devices as required) ends at the Point of Common Coupling.
- J. The Service Entrance Conductors shall be furnished, installed, and maintained by the Customer in accordance with the National Electrical Code and other applicable codes and shall conform to the City's specifications.
- K. Primary facility extensions shall be installed, owned, and maintained by the City. Charges will be determined in accordance with all applicable provisions set forth in these rules.
- L. The owner, developer, or Customer is responsible for locating and marking the locations of privately owned underground Facilities such as lawn sprinkler systems, field drainage systems, septic tanks, electric lines, etc. The City assumes no responsibility for damage to unmarked private Facilities.
- M. Equipment Installation
 - 1. The Customer shall provide access to City-owned equipment, including transformers, switchgear, pedestals, and meters, for operation, maintenance, and cooling.
 - 2. The Customer shall maintain access and working clearance around City Facilities to permit safe operation and maintenance of such Facilities including testing, repairs, replacement, tree trimming, etc. in accordance with applicable codes, the City's construction standards, and any other applicable regulations. If the Customer does not maintain appropriate access and working space, the City is authorized to trim, cut down, remove, or otherwise prevent future growth of trees and brush, and remove anything that has or has the potential to contact, interfere with, or be hazardous to the operation and maintenance of City Facilities. In such instances, the City will have no obligation to restore the Customer's Premises.
 - 3. City personnel will use reasonable care to minimize damage to structures and landscaping while operating, maintaining, removing, and replacing City-owned equipment. The moving and replacement of encroaching structures and landscaping shall be at the owner's expense.

8.2 SINGLE PHASE RESIDENTIAL EXTENSION

A. Overhead

- 1. This section reserved for future incorporation of language addressing extensions to permanent year-round dwellings.

B. Underground

1. In Platted Subdivisions, the owner, contractor, or developer of Residential subdivisions shall be required to make a nonrefundable payment to the City for the underground Facilities. The payment shall include the cost for the entire subdivision as platted even though part of the subdivision remains undeveloped.
2. In Outside Subdivisions, the Residential Customer shall be required to make a nonrefundable payment to the City to cover the estimated cost of the underground Facilities required to serve the Customer.
3. The site must be within six (6) inches of final grade before the City will install its Facilities. The cost to relocate City Facilities due to changes in the final grade shall be borne by the Customer.

C. Residential Underground Service Connections:

1. The Customer shall be required to make a nonrefundable payment for construction to cover the installation cost of an underground service connection. The route of the underground service shall be determined by the City.
2. Multi-tenant Residential apartment complexes where more than two meters are required shall be considered a commercial extension. The owner, developer, or contractor shall supply all entrance service equipment, which shall include main panels, disconnect switches, and multiple meter socket service equipment and conduits as directed by the City.
3. The owner, developer, or contractor shall be responsible for labeling the meter socket to the proper apartment. The City assumes no responsibility for inappropriate or mistaken meter installations applied to the wrong apartment based on information provided by the owner, developer, or contractor. In case of incorrect identification costs resulting therefrom including but not limited to the cost of discovery, investigation, necessary repairs, and usage prior to discovery shall be paid by the property owner.

8.3 COMMERCIAL AND INDUSTRIAL SINGLE AND THREE PHASE EXTENSIONS

A. GENERAL SERVICE

1. The City will construct Distribution Line extensions to serve commercial and industrial Customers when such extensions are determined to be feasible in the City's sole discretion. The Customer shall make a non-refundable payment for all overhead and underground extensions. The payment must be paid before the City begins construction.
2. Prior to the installation of any distribution system, the owner, developer, or Customer may be required to enter into a written agreement with the City generally describing the proposed distribution system and the conditions of the parties. If a written agreement is required, each system extension shall be formalized in a separate agreement. Further extensions will require a separate written agreement.
3. Applications for commercial and industrial services shall include site and electrical plans indicating at a minimum the service size, voltage, connected load, estimated kW demand, and expected average power factor.
4. The developer will install, own, and maintain all Facilities beyond the Point of Common Coupling.
5. The developer will provide primary, secondary, and metering conduit per City specifications.

B. PRIMARY SERVICE

1. The Customer shall provide all necessary equipment beyond the Point of Common Coupling
 - a. For overhead and underground installations, this is typically the secondary side of the current transformers.
 - b. The City shall make the load side connections to the current transformers.

8.4. CONVERSIONS OF EXISTING OVERHEAD DISTRIBUTION SYSTEMS AND ASSOCIATED SERVICE CONNECTIONS

- A. At the request of a Customer, the City will, if the City determines it is feasible in the City's sole discretion, convert existing overhead Facilities to underground Facilities.
- B. The Customer shall make a nonrefundable payment for all costs of the conversion.

RULE 9. SERVICES

9.1 GENERAL

- A. The Service Entrance Conductors must be furnished, installed, and maintained by the Customer in accordance with the National Electrical Code, other applicable local codes, and the City's specifications.
- B. The Service Location must be specified by the City and must be located so the City's service Facilities meet or exceed all clearance requirements of the National Electrical Code, National Electrical Safety Code, other applicable law and regulations, and local codes.
- C. Service will not be provided to a Service Location through an existing structure.
- D. Should it become necessary for any reason beyond the City's control to change the Service Location, the entire cost of any changes in the Customer's service will be borne by the Customer.
- E. Should it become necessary for the City to reinforce or upgrade area distribution Facilities to accommodate the requested service, the Customer may be required to make a nonrefundable payment for the requested service.
- F. Any poles, wires, and other equipment required at or beyond the Customer's meter shall be furnished, installed, and maintained by the Customer.
- G. The City will maintain and repair only those service conductors owned by the City. While maintaining or repairing service conductors where the service conductors pass under any area not readily accessible, the City will bear no responsibility for damage incurred for restoration to said areas. The Customer will be responsible for additional repair costs due to these encumbered services or for damage because of acts or failure to act by the Customer, their agent, or their tenant.

9.2 APPLICATION FOR SERVICES

- A. For Existing Services:
 - 1. Requests regarding an Electric Service upgrade must be directed to the City of Charlevoix Electric Department, 401 W Carpenter Avenue, Charlevoix, MI 49720, or by calling (231) 547-3273 during normal business hours.
 - 2. All Electric Service upgrades must comply with these City Rules and Regulations; City electric requirements; and City policies, procedures, and practices.
 - 3. Electrical service upgrades not consistent with applicable codes or City requirements are the Customer's responsibility and will be corrected at the Customer's expense.
- B. For New Services:
 - 1. Requests regarding new services must be directed to the City of Charlevoix Electric Department, 401 W Carpenter Avenue, Charlevoix, MI 49720, or by calling (231) 547-3273 during normal business hours.
- C. For Residential Service Applications:
 - 1. The City is required to exercise due diligence to prevent identity theft. Therefore, Customers are required to produce acceptable proof of positive identification to establish a Residential service account. Acceptable proof of positive identification includes, but is not limited to, the following:
 - a. Full Name (an account can only be in one Person's name);
 - b. Address (a copy of the mortgage or lease agreement may be required to verify residency);
 - c. Telephone Number;
 - d. Email Address;
 - e. Social Security number (Only required for credit checks or when the Customer is not present to verify their identity); and
 - f. State or government issued identification (e.g., Driver License, Military ID, Passport).

1. For Commercial Service Applications:
 - a. Legal Business Name and Tax ID Number (registered in Michigan);
 - b. Type of Business;
 - c. Tax Status (Taxable, Tax Exempt or partial Tax Exempt, documentation will be required);
 - d. Telephone Number;
 - e. Email Address;
 - f. Contact Name;
 - g. Owner or Business Agent Name; and
 - h. Mailing Address if different from Service Address.

9.3 TEMPORARY SERVICES

The City will provide temporary Electric Service for construction, shows, vendors, events, and other non-recurring purposes according to these Rules and Regulations. Temporary service cannot be used as a permanent service or be connected for more than one year. The City will determine if the temporary service will be overhead or underground.

- A. General
 1. Applications for Temporary Electric Service must be made by the property owner or building contractor (if for construction purposes). A valid address for the temporary service and the permanent billing address of the applicant must be provided. Applications are available on the City's website (www.charlevoixmi.gov) and at 401 West Carpenter Avenue, Charlevoix MI 49720.
 2. The applicant will be responsible for installation and line extension fees. Energy will be billed to the applicant under an applicable City Rate.
 3. All temporary services must be inspected, with written notice to the City, prior to being energized. Applicant will contact the City when the temporary service is to be disconnected.
 4. Applicant will provide access, specifications on electrical loads, site plans, and any additional information needed to properly install and provide temporary service.
 5. The City must approve the Service Location.
- B. Overhead
 1. The City will own and install temporary service conductors up to 100 feet to the Customer's service pole.
 2. The Customer will install, own, and maintain the service pole and service entrance equipment.
- C. Underground
 1. For all underground temporary services, the Customer is responsible for Trenching and installing each underground temporary service conductor in accordance with the requirements of all applicable electric codes to a point within two (2) feet of the City's Facilities. The Customer will have existing underground utilities located before the installation of the underground temporary service conductors by calling the MISS DIG one call locating system by dialing 811 or (800) 482-7171.

9.4 RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL OVERHEAD SERVICES

- A. Where suitable service is available, the City will install, own, and maintain overhead service conductors from its Distribution Facilities to the nearest suitable point of attachment on the Customer's buildings or other structures as designated by the City. A drip loop must be formed on individual conductors of not less than 36" at the weather head. The City's overhead service conductors will be rated for the estimated electric Demand but not less than 50% of the Customer's main over current device.
- B. Where the Customer requests a point of attachment other than that specified by the City, the Customer is responsible for the cost of installing additional intermediate supports, wires, or fixtures necessary to reach the requested point of attachment.
- C. The Customer must furnish, own, install, and maintain service masts, when necessary, to obtain the required clearances.

- D. Where paralleled Service Entrance Conductors are used, the Customer or the contractor is responsible for terminating the paralleled conductors in a single conductor suitable for connection to the City's overhead service wires.

9.5 RESIDENTIAL UNDERGROUND SERVICES FROM UNDERGROUND DISTRIBUTION SYSTEMS

- A. Upon request and where suitable Facilities are available, the City will install, own, and maintain a single phase underground Service Lateral to the Point of Common Coupling for Electric Services not exceeding 200 A and for a distance not to exceed 150 feet. Single phase residential services greater than 200 A will be treated as commercial installations. The non-refundable cost is described in the City's Schedule of Rates, Fees and Charges.

9.6 RESIDENTIAL UNDERGROUND SERVICES FROM OVERHEAD DISTRIBUTION SYSTEMS

- A. The City will, where feasible, install, own and maintain single phase underground Residential Electric Service conductors from an overhead electric distribution system.
- B. If a crossing of a public road is necessary and the Customer requests the crossing be installed underground, the Customer may be required to make an additional non-refundable payment to the City.

9.7 COMMERCIAL AND INDUSTRIAL UNDERGROUND SERVICES

- A. The owner of each commercial or industrial building requiring an underground Electric Service must install, maintain, and own the underground secondary service conductors between the building and the Point of Common Coupling. Primary service conductors must be installed, maintained, and owned by the City.
- B. The Customer or developer will be required to make a nonrefundable payment toward the cost of such City-installed services.
- C. Secondary service conductors must be installed in accordance with applicable codes. The service conductor shall be landed in City equipment by City personnel only.

9.8 MULTI-DWELLING STRUCTURE SERVICES

- A. The owner or developer of each Multi-Dwelling Structure requiring an underground Electric Service system must install, maintain, and own the underground secondary service conductors between the building and the Point of Common Coupling. For single phase, the total capacity of the Dwelling Units connected to each service must not exceed the capacity of a single 50 kVA transformer.
- B. The Customer or developer is required to make a nonrefundable payment toward the cost of such City installed services.

9.9 CONVERSION OF EXISTING OVERHEAD ELECTRIC SERVICES

- A. At the request of a Customer, the City will, if feasible, convert an existing overhead Electric Service to an underground Electric Service in accordance with Rule 8.4

9.10 ELECTRIC SERVICE RELOCATIONS AND REMOVALS

- A. At the request of a Customer, as required due to a conflict, or to meet City Standards, the City may relocate or remove its Electric Service Facilities at the City's sole discretion.

RULE 10. USE OF CITY EQUIPMENT

10.1 GENERAL

- A. The City's wires, poles, and apparatus, together with any interconnections thereof, are the exclusive property of the City, and the connection of a Customer's Premises thereto does not entitle the Customer to any use thereof, as necessary for the delivery of the City's service to the Customer.
- B. The use of any part of the City's distribution without prior written City approval is expressly prohibited.
- C. The use of any pole by a Person, without first having entered into a Standard Pole Attachment License Agreement, is prohibited.

RULE 11. DISTRIBUTED GENERATION

11.1 GENERAL

- A. Refer to the City's General Interconnection Requirements and Renewable Energy Generator Metering Agreement which are included by reference.

DEFINITIONS

AMPERE - Unit of electrical current.

CITY – Means the City of Charlevoix Electric Department.

CUSTOMER - A purchaser of electric service supplied by the City.

CUSTOMER INFORMATION – Customer-specific information received and stored by the City for purposes of participating in utility services or programs, including but not limited to bill payment assistance, shutoff protection, renewable Energy, demand-side management, load management or Energy efficiency, payment data, credit history, driver's license, state ID numbers, social security number, and Customer's consumption data.

DEMAND - The load at the terminals of an installation or system, averaged over a specified interval of time. Demand is expressed in Kilowatts, Kilovolt Amperes (kVA) or other suitable units.

DISTRIBUTION LINE - That portion of the City's electric system that delivers Electric Power from its substations to the Customer.

DWELLING UNIT - A single room, suite or group of rooms or suites which have individual cooking and kitchen sink Facilities designed for or used exclusively for residential purposes.

ELECTRIC POWER - An electric power industry term meaning both Energy (the ability of an electric current to produce work) and power (the time rate of using electrical Energy) expressed in kilowatt-hours and kilowatts.

ELECTRIC SERVICE - The delivery of Electric Power to a Customer.

ENERGY – the ability to do work, typically measured in kilowatt-hours

FACILITIES – A general term which includes equipment, devices, associated structures and the like, used as a part of or in connection with an electric installation

FEE SCHEDULE – City of Charlevoix Schedule of Rates, Fees and Charges

HERTZ (Hz) - Cycle per second.

HORSEPOWER (hp) - Unit of mechanical Power equivalent to 746 watts of Electric Power.

KILO (k) - Prefix meaning one thousand.

KILOVOLT AMPERE (kVA) – Unit of apparent Electrical Power which at 100% Power Factor is equivalent to one Kilowatt.

KILOWATT (kW) - 1,000 watts of Electrical Power (approximately 1/3 Horsepower).

KILOWATT-HOUR (kWh) - Unit of electrical Energy equivalent to the use of one kilowatt for one hour.

LOAD - The amount of Power or kilovolt-amperes delivered at a given point.

MOBILE HOME COURT - A parcel or tract of land upon which three (3) or more mobile homes are located and occupied on a continuous non-recreational basis. The Mobile Home Court must be of a permanent nature with improved streets and with individual water and sewer connections to each lot.

MULTI-DWELLING STRUCTURE - A building containing 2 or more Dwelling Units, including, but not limited to, apartments, condominiums, or senior housing projects.

PERSON - Any individual, corporation, partnership, company, limited liability corporation, organization, or governmental entity.

POWER - Energy per unit of time.

POWER FACTOR (P.F.) - Ratio of Kilowatt Power to kilovolt-ampere apparent power, expressed as a percent.

PREMISES - A building and its grounds.

PRIMARY VOLTAGE – The nominal distribution system voltage of 7,200 volts or 12,470 Volts.

POINT OF COMMON COUPLING – The point at which the City's Facilities connect to the Customer's Facilities as determined by the City.

RATE - The unit prices as established by the City's ratemaking body and the quantities to which they apply as specified in the Rate Schedule.

RATE SCHEDULE - A filed statement of the electric Rates and the terms and conditions governing their application as established by the Charlevoix City Council.

RESIDENCE (also Residential) - Includes one family, two family and Multi-Dwelling Structures containing three or more individual Dwelling Units.

RISER POLE - Pole on which overhead electric Facilities transition to underground Facilities.

SERVICE ENTRANCE CONDUCTORS - The Customer-owned conductors located between the Customer's main disconnecting device and the termination of the City's service conductors.

SERVICE LOCATION - The point at which the City has agreed to deliver Electric Power to the Premises.

TRENCH – An excavation in which cables, pipes, etc. are installed.

VOLT - Unit of electrical force.

Charlevoix City Council

All Other Actions and Requests

Title: Solar Valuation Study-Renewable Credits

Date: June 20, 2022

Presented By: John Griffith, Electric Department Director

Background:

In the last fiscal year, renewable credits in Charlevoix's Fee Schedule for customer owned renewable generation was 8.44 cents per kWh. The residential retail rate was 8.00 cents per kWh. The rate paid for renewable energy is typically less than the retail rates, so Utility Financial Solutions (UFS) was asked to provide an initial analysis for the 2022-2023 budget. Based on their current financial model for Charlevoix, UFS recommended changing the Renewable Credits rate to 3.5 cents per kWh. This rate was included in the current budget. UFS was then asked for a more detailed analysis that would consider the impact of energy storage (batteries) and other power supply related charges. The analysis did not include other renewable generation resources such as wind. The study concluded that Charlevoix should pay 4.94 cents per kWh for solar generation and 6.45 cents per kWh for solar generation with storage.

The study included recommendations beyond the Renewable Credits rate:

1. Periodic Review of Solar Credit – the rate should be reviewed and updated annually as part of the City's budgeting process
2. Eventual move for all customers toward rate structures having a demand / TOU component
3. Right Sizing – develop a model to size customer owned generation to produce no more than the customer's annual peak kW or total annual kWh
4. System Verification – include system verification requirements in the City's interconnection policies
5. Metering and Billing – the study included several considerations for future cost of service studies
6. Metering and Billing Options (for customer owned generation) – the study recommended a Net Billing methodology for residential and small commercial customers

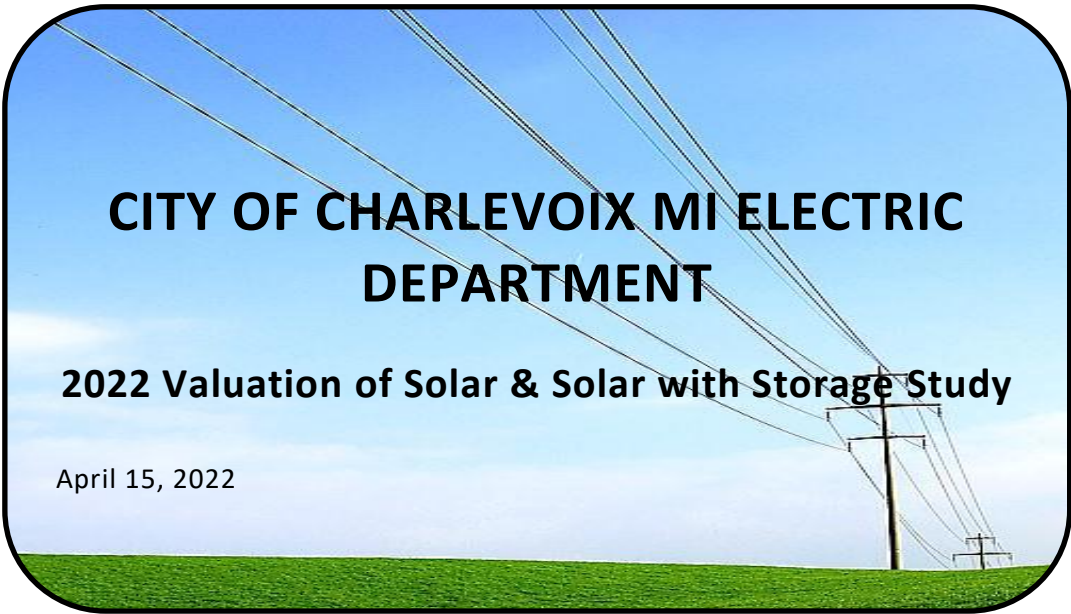
For larger commercial and industrial customers, UFS recommended a Buy All Sell All methodology. Recommendations (1.) through (6.) above are under review and will be brought to the Charlevoix City Council later this year.

Recommendation:

Motion to approve the Renewable Credit rate for customer owned solar generation as recommended in Utility Financial Solutions' study as presented.

Attachments:

1. Charlevoix MI 2022 Solar and Solar with Storage Valuation Executive Summary Report 04-15-2022



CITY OF CHARLEVOIX MI ELECTRIC DEPARTMENT

2022 Valuation of Solar & Solar with Storage Study

April 15, 2022



TABLE OF CONTENTS

Introduction	1
Summary Assumptions and Findings	1
Summary Avoided Cost Results.....	2
Table 1.fixed.without.storage: Short-Run Avoided Cost (Fixed Array without Storage @ 1 Standard Deviation Lower Production)	2
Table 1.fixed.with.storage: Short-Run Avoided Cost (Fixed Array with Storage @ Average Production)	2
Assumptions / Project Approach	3
Energy Value	3
Capacity Value.....	3
Table 2CC: Capacity Assumptions	3
Transmission Value	4
Table 2TC: Transmission Assumptions	4
Table 2TDFA.without.storage: Transmission Detail (Fixed Array without Storage)	5
Table 2TDFA.with.storage: Transmission Detail (Fixed Array with Storage)	5
Solar Production.....	6
Table 3.fixed: Projected Solar Production for Charlevoix 1 kW Fixed Array	6
Recommendations	7
Metering and billing options defined	8
Buy all sell all – (occasionally considered for larger installs, should be considered on a case-by-case basis and special study)	8
Net metering (not recommended unless required by statute)	9
Net billing (recommended to Charlevoix)	10
Appendix of Solar Production – Intermittency and the importance of storage	11
Chart 4: Projected Average Solar Production Charlevoix Characteristics (from NREL) – sample fixed array	11
Chart 5: Projected Minimum Average Solar Production Charlevoix Characteristics (from NREL) – sample fixed array	12
Chart 6: Projected Maximum Average Solar Production Charlevoix Characteristics (from NREL) – sample fixed array	13
Appendix of Solar Production Deviations – Intermittency and the importance of storage	14
Tables 7: NREL Capacity Summary of Solar Production	14
Tables 8: Standard Deviations higher than mean for Solar Production	15
Tables 9: Mean Capacity for Solar Production	16
Tables 10: Standard Deviations lower than mean for Solar Production	17

Introduction

This report was prepared to provide guidance on the valuation of customer-installed solar generation for The City of Charlevoix MI Electric Department (Charlevoix). UFS used short-run marginal cost valuation methodology to calculate the value of solar. The short-run savings were calculated by an hourly weighted power supply savings, transmission savings, capacity savings plus system loss savings. The purpose of this report is to identify the value of solar for electricity produced by customer-installed solar generation resources. **NOTE: The baseline summary values outlined in this report are assumed to be based on 1 standard deviation lower than mean capacity for solar without storage and mean capacity for solar with storage. The calculated credit values will ultimately depend on what standard deviation assumptions that Charlevoix assumes. All standard deviation values are in the final appendix.** As a baseline assumption, the short-run value of solar without storage was calculated to be 4.94 cents per kWh for a fixed array without storage. The short-run value of solar with storage was calculated to be 6.45 cents per kWh for a fixed array with storage. (Rounded to 1/100th of one cent) The solar with storage qualification is recommended to be at least a one-hour battery configured in power quality / frequency response mode, or blended mode to include power quality / frequency response.

Summary Assumptions and Findings

- The City of Charlevoix MI Electric Department (Charlevoix) retained Utility Financial Solutions to conduct an avoided cost (marginal cost) determination for the value of solar and solar with storage
- The study was conducted using Charlevoix's system load data
- Solar production profile was based on irradiance data for the Charlevoix area obtained from NREL.gov.
- Hourly Real-Time Locational Marginal Pricing (RT LMP) for MPPA Node for 2019 through 2021 weighted by solar production
- Average distribution system loss of 3.49% (Charlevoix supplied)
- Average \$/kW-month transmission based on Charlevoix CP of \$2.16 to a high of \$4.44 (3-year average)
- Average \$/kW-month capacity purchases based on Charlevoix CP of \$3.51 (3-year average)
- Short-run value of solar without storage was calculated to be 4.94 cents per kWh for a fixed array
- Short-run value of solar with storage was calculated to be 6.45 cents per kWh for a fixed array

Summary Avoided Cost Results

A summary of results is listed in the tables below. The detail calculations and assumptions used in the analysis are listed in the subsequent sections of this report. Please see Appendix for solar production characteristics. The 2022 study Annual values are expressed per installed solar kW DC. **This study was conducted using Charlevoix supplied system load data and detailed hourly solar production data from NREL.**

Table 1.fixed.without.storage: Short-Run Avoided Cost (Fixed Array without Storage @ 1 Standard Deviation Lower Production)

Summary Results for Solar Fixed Array					
Energy	Units Base	1,115	\$	0.0349	\$ 38.86
Capacity	Units Base	1,115	\$	0.0110	\$ 12.26
Transmission	Units Base	1,115	\$	0.0035	\$ 3.87
Total	Units Base	1,115	\$	0.0494	\$ 54.98

Table 1.fixed.with.storage: Short-Run Avoided Cost (Fixed Array with Storage @ Average Production)

Summary Results for Solar Fixed Array					
Energy	Units Base	1,115	\$	0.0349	\$ 38.86
Capacity	Units Base	1,115	\$	0.0207	\$ 23.02
Transmission	Units Base	1,115	\$	0.0089	\$ 9.97
Total	Units Base	1,115	\$	0.0645	\$ 71.85

Assumptions / Project Approach

The section that follows details the calculations and assumptions used to determine the value of solar distributed generation. The recommended energy avoided cost was calculated with a short-run methodology. This includes weighting the hourly RT LMP (energy value) plus increased for average 3.49% distribution system loss savings. The energy value was based on the 2019 through 2021 hourly RT LMP for Charlevoix. Capacity value was calculated from solar production at the time of the historical Charlevoix CP date and time per kW-month. This was then compared to the 3-year average of capacity purchases made by Charlevoix and the ability of solar production to reduce the CP for future capacity purchases. The transmission value was based on a \$2.16 to a high of \$4.44 per kW-month rate. This was also based on a blended 3-year average transmission value.

Energy Value

Energy savings were based on timing of solar production overlaid with the hourly 2019 through 2021 RT LMP for the MPPA Node for Charlevoix.

Capacity Value

Capacity value was calculated from solar production at the time of the historical Charlevoix CP date and time per kW-month. This was then compared to the 3-year (2019 through 2021) average of capacity purchases made by Charlevoix and the ability of solar production to reduce the CP for future capacity purchases.

Table 2CC: Capacity Assumptions

			kW Month
	KW	COST	AVG
7/19/2019	5,200	17,286	3.32
7/6/2020	4,900	18,320	3.74
8/11/2021	5,000	17,355	3.47
Most Recent 3 Years	15,100	52,961	3.51

Transmission Value

Transmission savings were based on a 3-year average of 2019 through 2021 per kW-month provided by MPPA.

Table 2TC: Transmission Assumptions

Month	Start Year	End Year	METC_VOL_REDIRECT	METC_VOL_NITS	Cost	Average kW	UFS Effective \$ per kW Month
1	2019	2021	\$3,607.51	\$0.00	\$ 3,607.51	1.67	\$ 2.16
2	2019	2021	\$2,622.01	\$0.00	\$ 2,622.01	1.22	\$ 2.16
3	2019	2021	\$3,937.68	\$0.00	\$ 3,937.68	1.82	\$ 2.16
4	2019	2021	\$5,213.80	\$0.00	\$ 5,213.80	2.42	\$ 2.16
5	2019	2021	\$4,362.10	\$0.00	\$ 4,362.10	2.02	\$ 2.16
6	2019	2021	\$853.14	\$4,260.21	\$ 5,113.35	1.19	\$ 4.31
7	2019	2021	\$1,855.19	\$6,144.04	\$ 7,999.23	2.00	\$ 4.00
8	2019	2021	\$1,059.59	\$6,336.38	\$ 7,395.98	1.67	\$ 4.44
9	2019	2021	\$4,202.40	\$0.00	\$ 4,202.40	1.95	\$ 2.16
10	2019	2021	\$4,405.26	\$0.00	\$ 4,405.26	2.04	\$ 2.16
11	2019	2021	\$5,372.05	\$0.00	\$ 5,372.05	2.49	\$ 2.16
12	2019	2021	\$3,865.75	\$0.00	\$ 3,865.75	1.79	\$ 2.16

Table 2TDFA.without.storage: Transmission Detail (Fixed Array without Storage)

Summary Results for Solar Fixed Array						
Transmission						
Date	HE		\$/kW Mo	Units	Avg Per Unit	Ext \$
2/10/2021		10	\$ 0.18	0.306	\$ 0.18	\$ 0.06
3/4/2021		11	\$ 0.52	0.031	\$ 0.52	\$ 0.02
4/8/2021		8	\$ 0.29	0.069	\$ 0.29	\$ 0.02
5/26/2021		10	\$ 0.76	0.677	\$ 0.76	\$ 0.51
6/22/2021		15	\$ 1.53	0.537	\$ 1.53	\$ 0.82
7/11/2021		14	\$ 2.32	0.590	\$ 2.32	\$ 1.37
8/13/2021		16	\$ 1.70	0.309	\$ 1.70	\$ 0.53
9/9/2021		14	\$ 0.79	0.643	\$ 0.79	\$ 0.51
10/13/2021		11	\$ 0.35	0.091	\$ 0.35	\$ 0.03
	\$/kW Yr		\$ 8.46	3.252		\$ 3.87
			Units Valued	1,154	\$ 0.0034	\$ 3.87
			Units Base	1,115	\$ 0.0035	\$ 3.87

Table 2TDFA.with.storage: Transmission Detail (Fixed Array with Storage)

Summary Results for Solar Fixed Array						
Transmission						
Date	HE		\$/kW Mo	Units	Avg Per Unit	Ext \$
2/10/2021		10	\$ 2.16	0.306	\$ 2.16	\$ 0.66
3/4/2021		11	\$ 2.16	0.031	\$ 2.16	\$ 0.07
4/8/2021		8	\$ 2.16	0.069	\$ 2.16	\$ 0.15
5/26/2021		10	\$ 2.16	0.677	\$ 2.16	\$ 1.46
6/22/2021		15	\$ 4.31	0.537	\$ 4.31	\$ 2.32
7/11/2021		14	\$ 4.00	0.590	\$ 4.00	\$ 2.36
8/13/2021		16	\$ 4.44	0.309	\$ 4.44	\$ 1.37
9/9/2021		14	\$ 2.16	0.643	\$ 2.16	\$ 1.39
10/13/2021		11	\$ 2.16	0.091	\$ 2.16	\$ 0.20
	\$/kW Yr		\$ 25.70	3.252		\$ 9.97
			Units Valued	1,154	\$ 0.0086	\$ 9.97
			Units Base	1,115	\$ 0.0089	\$ 9.97

Solar Production

The solar production projected was from National Renewable Energy Laboratory (NREL) historical irradiance data. The solar production details are the same as the prior study. The table below identifies the solar production would have an annual capacity factor of 13% for a fixed array. For example, a 5 kW DC fixed array on average would produce 5,575 kWh's over one year's time.

Table 3.fixed: Projected Solar Production for Charlevoix 1 kW Fixed Array

Year 2021 with Month Below	Charlevoix Snow Loss Days					Projected kWh Produced with Snow Loss	Capacity factor reduced by Snow Loss Days
		KW Unit	Days	Hours	Possible kWh	Days	Loss Days
1	17.0	1	31	744	744	21	3%
2	11.2	1	28	672	672	40	6%
3	7.2	1	31	744	744	100	13%
4	2.5	1	30	720	720	120	17%
5	0.1	1	31	744	744	153	21%
6	0.0	1	30	720	720	150	21%
7	0.0	1	31	744	744	160	22%
8	0.0	1	31	744	744	138	19%
9	0.0	1	30	720	720	113	16%
10	0.5	1	31	744	744	67	9%
11	5.8	1	30	720	720	36	5%
12	14.3	1	31	744	744	18	2%
	58.6	12	365	8760	8,760	1,115	13%

Recommendations

- **Solar credit**
- **NOTE: The baseline summary values outlined in this report are assumed to be based on 1 standard deviation lower than mean capacity for solar without storage and mean capacity for solar with storage. The calculated credit values will ultimately depend on what standard deviation assumptions that Charlevoix assumes. All standard deviation values are in the final appendix. The solar with storage qualification is recommended to be at least a one-hour battery configured in power quality / frequency response mode, or blended mode to include power quality / frequency response.**
 - Short-run valuation credit for customer-installed solar of:
 - **4.94 cents per kWh for a fixed array without storage**
 - **6.45 cents per kWh for fixed array with storage**
- **Periodic review of solar credit** – Charlevoix should review and update the solar credit and implementation methods as significant assumptions change. This will **typically mirror general (annual) rate making timing**
- **Eventual move for all customers toward rate structures having a demand / TOU component**
- **Right sizing** - (within allowed sizing of Charlevoix's interconnection policy)
 - Example: allow solar install **up to lesser of:**
 - 100% of a customer's peak demand "before solar"
 - Or 100% of a customer's average annual kWh usage "before solar" (net zero)
- **System verification** – As outlined in Charlevoix's interconnection policy
- **Metering & billing**
 - Final metering and billing options selected by Charlevoix is ultimately based on their Management and Board preferences. It is often based on a combination of philosophy preference as well as metering and billing capabilities of Charlevoix.
 - It is recommended that Charlevoix move toward a more robust retail rate structures. At a minimum, all rates, including residential rates should evolve to include a demand component. It is recommended that Charlevoix use a net billing metering and billing method.
 - In general, the closer Charlevoix can get their kWh retail rate to match their avoided cost, Charlevoix should be indifferent to customer-installed generation.
 - It is cautioned to ensure that retail kWh rates are at least as high as the customer credit for energy returned to the grid by the customer. The basic idea is that a Utility should avoid paying a higher credit to a customer for return energy than what the Utility is charging the customer for delivered retail energy.
 - It is cautioned to ensure that the credit paid to a customer for return energy is not higher than the actual cost of power supply paid by Charlevoix. The idea is that Charlevoix makes numerous investments in hedged resources which may be a lower cost than the market value of energy.
 - For future studies, it may be prudent to base the credit for solar without storage more on 2 standard deviations lower than mean. However, additional storage, let's say 2 to 4 hours of storage may allow for a higher credit closer to 1 standard deviation higher than mean.

Metering and billing options defined

Buy all sell all – (occasionally considered for larger installs, should be considered on a case-by-case basis and special study)

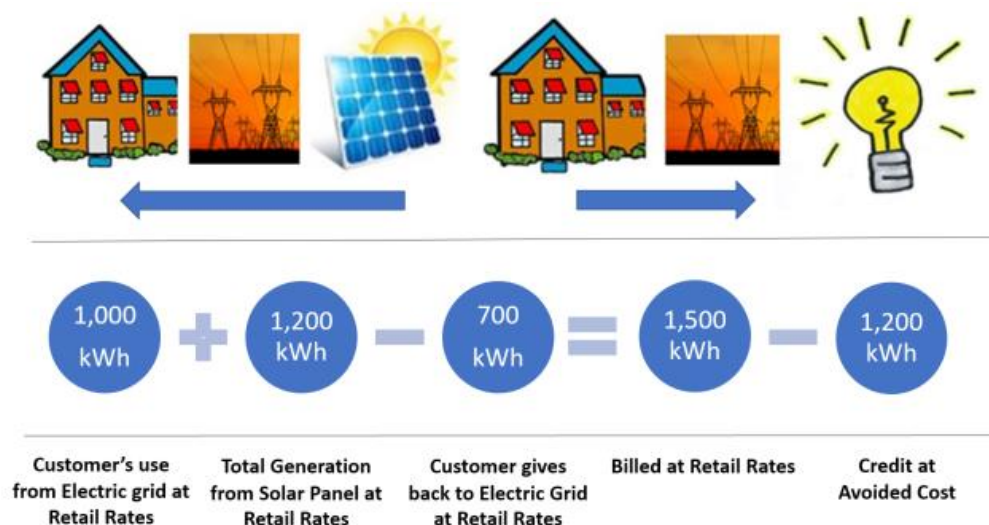
Under a buy all sell all metering and billing scenario, two meters are required. All power used by the customer will be supplied by the utility. This utility supplied power will be metered and billed at the current normal utility rates. The solar production will be metered by the second meter. All solar production will be sent back to the utility grid and credited at the current avoided cost. This option is occasionally used for larger commercial customers. This option is typically not used for residential solar since a second meter is required to accurately measure the actual solar production. However, this option can also be done on a “theoretical buy all sell all” agreement where the billing is netted on the customer bill. This allows the customer to keep as much of their solar production behind their meter as possible.

Buy all sell all summary

Metering: Two meters are required with a buy all sell all scenario. One meter is for power supplied by the utility to the customer. A second meter is used for solar production sent back to the utility by the customer.

Solar Production: All solar production gets sent back to the utility. The customer only uses power supplied by the utility.

Billing: The utility sells all the power to the customer at the normal rate. The utility buys all of the solar production at the avoided cost.



Summary: Customer billed on total customer usage at retail - Utility credits customer on the total solar production at avoided cost.

Metering required:

- Meter on facility (tracking customer's use from the electric grid and customer gives back to electric grid)
- Meter on solar unit

Net metering (not recommended unless required by statute)

Under a net metering scenario only one meter will be required. Net metering can be done under two different metering options. The first option is a meter that “spins both ways”. This type of meter will spin forward when power is being used from the utility. This meter will then spin in reverse when excess solar production is being sent back to the utility. The second option is a meter that tracks the “in and out” separately. The utility supplied power in will be tracked and the solar production excess sent back to the utility is tracked separately. These two numbers can be netted for billing at the current normal utility rates. Both metering options under net metering will yield the same customer bill. At the end of the billing cycle the net usage will be billed at the current normal utility rates. If there is a billing cycle that there is more power sent back to the utility than power supplied by the utility, the excess solar production will be credited at the current normal utility rates. This option is generally only used if mandated by state or local requirements. Some utilities will limit the dollar amount and/or number of months that an over-production of solar will be allowed to be credited.

Net metering summary

Metering: Only one meter is required with a net metering scenario. One meter is for power supplied by the utility to the customer. The same meter is used for solar production sent back to the utility by the customer. The two most typical single net meter options are a meter that spins both ways or a meter that tracks the in and out separately. Both meters should allow for the same customer bill to be calculated.

Solar Production: Only excess solar production gets sent back to the utility. The customer only uses power supplied by the utility when solar production does not meet their usage needs.

Billing: The utility sells all the power to the customer at the normal rate. The utility buys the excess solar production at the normal rate. (Net usage based on two metering options above). The customer is credited at normal rates if more solar production is sent to the utility then used from the utility.

Summary: Customer billed on total net customer usage at retail - Utility credits customer on the excess solar production at retail (if customer gives back more than they used from electric grid in a given month (over-production)).

Metering required:

- Meter on facility (tracking customer’s use from the electric grid and customer gives back to electric grid)

Net billing (recommended to Charlevoix)

Under a net billing scenario only one meter will be required. Net billing is typically done when the utility only has meters that spin both ways. Net billing can also be an option for customers that have a single bi-directional digital meter. Net billing can also be an option for customers on demand and / or demand time-of-use rates. For utilities with analog meters, at the end of the billing cycle the net usage will be billed at the current normal utility rates. If there is a billing cycle that there is more power sent back to the utility than power supplied by the utility the excess solar production will be credited at the current avoided cost. For a utility that has bi-directional digital meters, the utility generated kWhs are billed at retail while the customer generated kWhs are credited at the current avoided cost. This option is generally used for commercial and residential top solar customers. Some utilities will limit the dollar amount and/or number of months that an over-production of solar will be allowed to be credited.

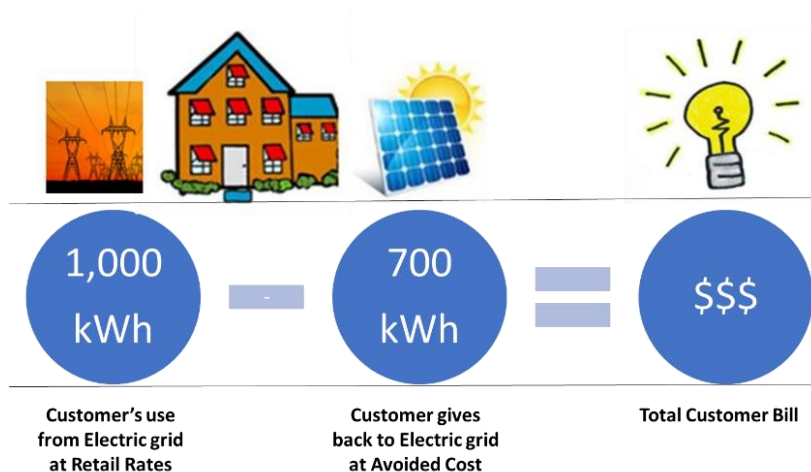
Net billing summary

Metering: Only one meter is required with a net billing scenario. One meter is for power supplied by the utility to the customer. The same meter is used for solar production sent back to the utility by the customer. This typical single analog net meter option is a meter that spins both ways. (Or is a bi-directional digital meter that tracks both utility generated and customer generated kWhs)

Solar Production: Only excess solar production gets sent back to the utility. The customer only uses power supplied by the utility when solar production does not meet their usage needs.

Billing: The utility sells all the power to the customer at the normal rate. The utility buys the excess solar production at the avoided cost. This only happens when there is a billing cycle that there is more power sent back to the utility than power supplied by the utility.

Net Billing - Digital Meter Example



Summary: Customer billed on total net customer usage at retail - Utility credits customer on the excess solar production at avoided cost (if customer gives back more than they used from electric grid in a given month (over-production)).

Metering required:

- Meter on facility (tracking customer's use from the electric grid and customer gives back to electric grid)

Appendix of Solar Production – Intermittency and the importance of storage

The charts below are summaries of the solar production profiles used for solar generation. The study considered the average hourly solar production for solar with storage for CP capacity and CP transmission, and 1 standard deviation lower than mean for solar without storage.

Chart 4: Projected Average Solar Production Charlevoix Characteristics (from NREL) – sample fixed array

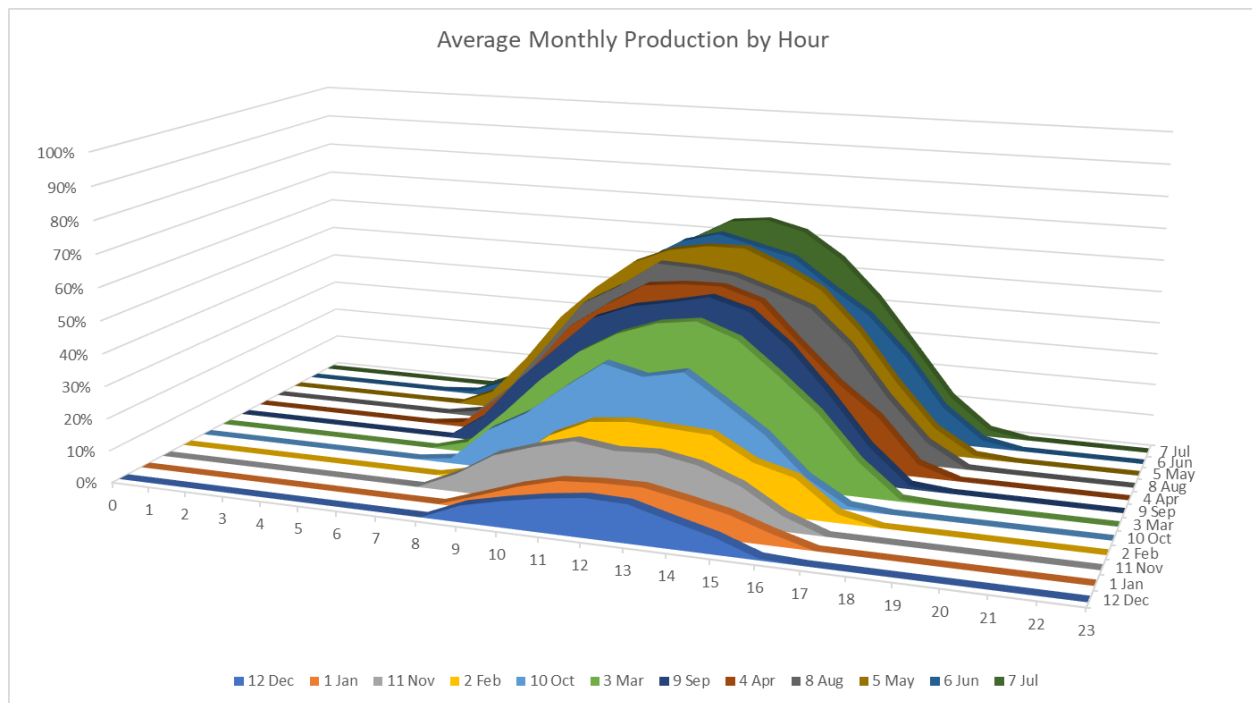


Chart 5: Projected Minimum Average Solar Production Charlevoix Characteristics (from NREL) – sample fixed array

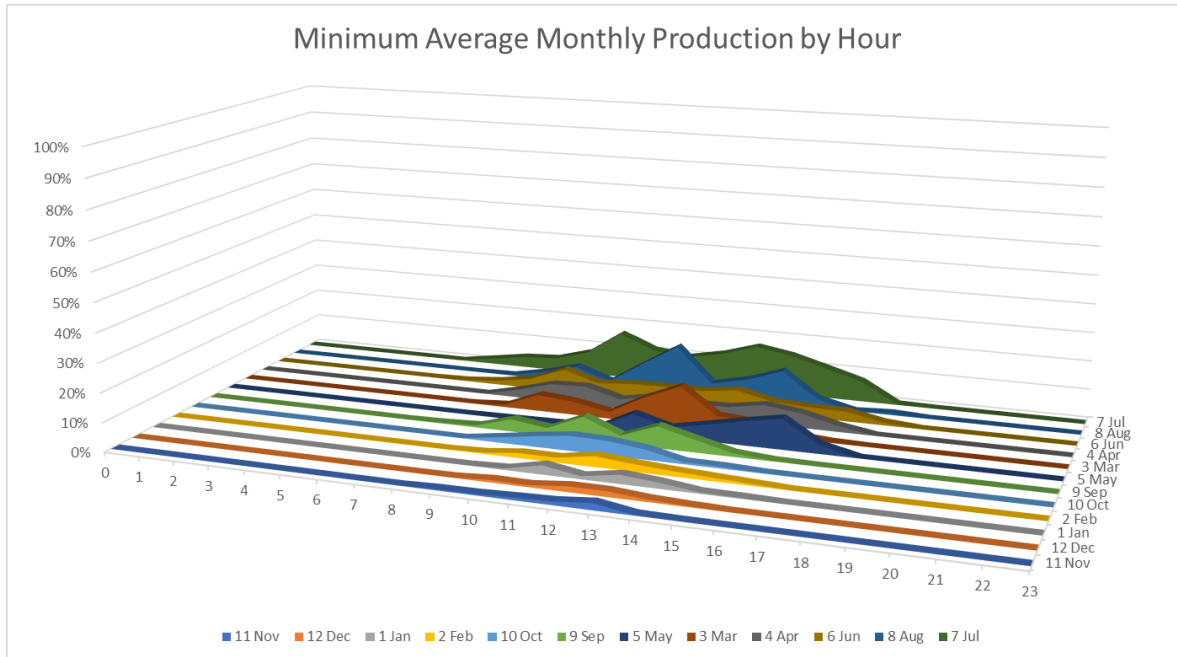
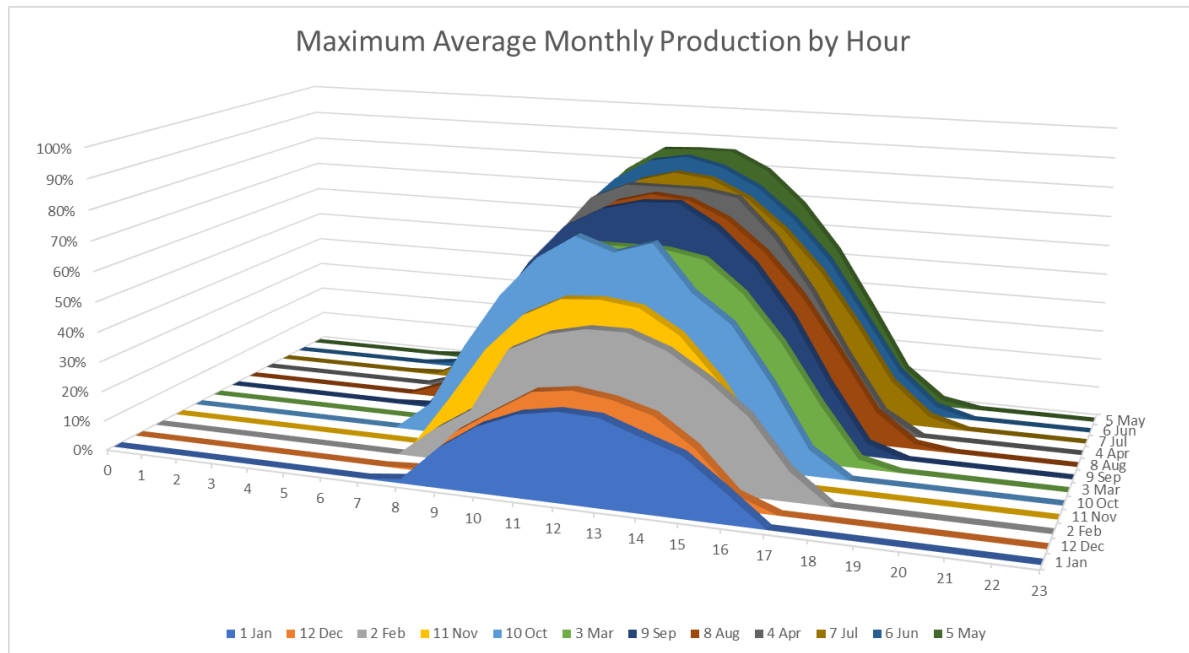


Chart 6: Projected Maximum Average Solar Production Charlevoix Characteristics (from NREL) – sample fixed array



Appendix of Solar Production Deviations – Intermittency and the importance of storage

Tables 7: NREL Capacity Summary of Solar Production

Fixed Array Capacity per NREL data	
Minimum	0%
Maximum	83%
Average Annual	13%

Tables 8: Standard Deviations higher than mean for Solar Production

With Storage 4 standard deviation higher than mean @ 246% Capacity (not possible)

Summary Results for Solar Fixed Array					
Energy	Units Base	1,115	\$	0.0349	\$ 38.86
Capacity	Units Base	1,115	\$	0.0928	\$ 103.42
Transmission	Units Base	1,115	\$	0.0604	\$ 67.31
Total	Units Base	1,115	\$	0.1881	\$ 209.59

With Storage 3 standard deviation higher than mean @ 185% Capacity (not possible)

Summary Results for Solar Fixed Array					
Energy	Units Base	1,115	\$	0.0349	\$ 38.86
Capacity	Units Base	1,115	\$	0.0697	\$ 77.72
Transmission	Units Base	1,115	\$	0.0431	\$ 48.04
Total	Units Base	1,115	\$	0.1477	\$ 164.61

With Storage 2 standard deviation higher than mean @ 132% Capacity (not possible)

Summary Results for Solar Fixed Array					
Energy	Units Base	1,115	\$	0.0349	\$ 38.86
Capacity	Units Base	1,115	\$	0.0500	\$ 55.75
Transmission	Units Base	1,115	\$	0.0288	\$ 32.06
Total	Units Base	1,115	\$	0.1137	\$ 126.67

With Storage 1 standard deviation higher than mean @ 89% Capacity (closest to Maximum Capacity)

Summary Results for Solar Fixed Array					
Energy	Units Base	1,115	\$	0.0349	\$ 38.86
Capacity	Units Base	1,115	\$	0.0337	\$ 37.52
Transmission	Units Base	1,115	\$	0.0174	\$ 19.37
Total	Units Base	1,115	\$	0.0860	\$ 95.74

Tables 9: Mean Capacity for Solar Production

With Storage @ mean @ 55% Capacity

Summary Results for Solar Fixed Array					
Energy	Units Base	1,115	\$	0.0349	\$ 38.86
Capacity	Units Base	1,115	\$	0.0207	\$ 23.02
Transmission	Units Base	1,115	\$	0.0089	\$ 9.97
Total	Units Base	1,115	\$	0.0645	\$ 71.85

Tables 10: Standard Deviations lower than mean for Solar Production

Without Storage 1 standard deviation lower than average (mean) @ 29% Capacity

Summary Results for Solar Fixed Array					
Energy	Units Base	1,115	\$	0.0349	\$ 38.86
Capacity	Units Base	1,115	\$	0.0110	\$ 12.26
Transmission	Units Base	1,115	\$	0.0035	\$ 3.87
Total	Units Base	1,115	\$	0.0494	\$ 54.98

Without Storage 2 standard deviations lower than average (mean) @ 12% Capacity (closest deviation to Average Annual Capacity)

Summary Results for Solar Fixed Array					
Energy	Units Base	1,115	\$	0.0349	\$ 38.86
Capacity	Units Base	1,115	\$	0.0047	\$ 5.23
Transmission	Units Base	1,115	\$	0.0008	\$ 0.92
Total	Units Base	1,115	\$	0.0404	\$ 45.01

Without Storage 3 standard deviations lower than average (mean) @ 3% Capacity

Summary Results for Solar Fixed Array					
Energy	Units Base	1,115	\$	0.0349	\$ 38.86
Capacity	Units Base	1,115	\$	0.0013	\$ 1.45
Transmission	Units Base	1,115	\$	0.0002	\$ 0.19
Total	Units Base	1,115	\$	0.0364	\$ 40.50

Without Storage 4 standard deviations lower than average (mean) @ % Capacity (closest deviation to Minimum Capacity)

Summary Results for Solar Fixed Array					
Energy	Units Base	1,115	\$	0.0349	\$ 38.86
Capacity	Units Base	1,115	\$	-	\$ 0.02
Transmission	Units Base	1,115	\$	-	\$ 0.01
Total	Units Base	1,115	\$	0.0349	\$ 38.88

Charlevoix City Council

All Other Actions and Requests

Title: Resolution to Purchase Foreclosed Property

Date: June 20, 2022

Presented By: Mark Heydlauff, City Manager

Background:

Last meeting, Council directed the City Clerk to prepare a resolution to purchase the foreclosed property commonly known as parcel 052-270-078-60. Council requested more time to consider the purchase of the parcel. The resolution and the notice are both included if Council decides to move forward with purchasing the orphan parcel. Also attached are the documents provided to Council last meeting.

Recommendation:

Attachments:

1. Resolution to approve purchase of foreclosed property
2. Notice City of Charlevoix waiver for foreclosed property
3. 1st right of refusal letter from County Treasurer
4. Tax Parcel Map

CITY OF CHARLEVOIX
RESOLUTION NO. 2022-06-02
AUTHORIZATION TO PURCHASE FORECLOSED PROPERTY

WHEREAS, the City of Charlevoix hereby notifies the Charlevoix County Treasurer of their intent to purchase foreclosed property commonly known as parcel number 052-270-078-60 and legal description of THE S HALF OF SD LOT AND ALSO EXCEPT THE N 54 FT OF SD LOT 2017 NEW TO ROLL E 10 FT OF LOT 77 UPRIGHT & HURLBUTS ADDITION TO THE CITY OF CHARLEVOIX EXCEPT; and

WHEREAS, the City of Charlevoix wishes to exercise its First Right of Refusal as stated in Public Act 123, as amended; and

WHEREAS, the City of Charlevoix agrees to the purchase price of \$442.33, which the amount is the minimum bid as defined in MCL 211.78m(1) as well as a \$52.12 recovery and deed recording fee; and

WHEREAS, the City of Charlevoix agrees to indemnify, defend, save and hold harmless Charlevoix County and Betty Simon, individually and/or as Charlevoix County Treasurer and/or as Foreclosing Governmental Unit, from any and all claims, liabilities, damages, losses, suits, fines, penalties, demands and expenses, including costs of suit and attorney fees, which Charlevoix County and/or Betty Simon, individually and/or as Charlevoix County Treasurer and/or as Foreclosing Governmental Unit incurred because of or related to the election of the City of Charlevoix to purchase the property above described.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Charlevoix authorizes the City Mayor and City Clerk to sign the Notice to Charlevoix County Treasurer, Betty Simon, the Foreclosing Government Unit, of Election to Purchase Foreclosed Property.

RESOLVED this 20th day of June 2022 A.D.

Resolution was adopted by the following yea and nay vote:

Yeas:

Nays:

Absent:

NOTICE TO CHARLEVOIX COUNTY TREASURER BETTY SIMON, THE
FORECLOSING GOVERNMENTAL UNIT, OF ELECTION TO PURCHASE
FORECLOSED PROPERTY

The [Local unit of government] hereby notifies Betty Simon, Charlevoix County Treasurer and Charlevoix County Foreclosing Governmental Unit, that it intends to purchase property described as parcel number 15-052-270-078-60, also known as Hurlbut Ave W, said property is located in Charlevoix, Michigan. The purchase price is \$442.33, which amount is the minimum bid as that term is defined in MCL 211.78m(1) as well as \$52.12 representing fee recovery and deed recording cost.

This election by the City of Charlevoix is made subject to any prior right of election vested in the State of Michigan.

The City of Charlevoix understands that neither Charlevoix County nor Betty Simon, either individually and/or as Charlevoix County Treasurer and/or as the Foreclosing Governmental Unit, makes any warranty of any kind as to the title transferred to the City of Charlevoix and will not indemnify, defend, save nor hold harmless the City of Charlevoix from any or all claims, liabilities, damages, losses, suits, fines, penalties, demands or expenses, including costs of suit and attorney fees, incurred by the City of Charlevoix because of or related to its election to purchase the property above described.

The [local unit] agrees to indemnify, defend, save and hold harmless Charlevoix County and Betty Simon, individually and/or as Charlevoix County Treasurer and/or as Foreclosing Governmental Unit, from any and all claims, liabilities, damages, losses, suits, fines, penalties, demands and expenses, including costs of suit and attorney fees, which Charlevoix County and/or Betty Simon, individually and/or as Charlevoix County Treasurer and/or as Foreclosing Governmental Unit incurred because of or related to the election of the City of Charlevoix to purchase the property above described.

Attached to this notice is a copy of the resolution authorizing the purchase which resolution incorporates the indemnification of Charlevoix County and Betty Simon.

Date: _____

Mayor or Supervisor

Date: _____

Clerk

COUNTY OF CHARLEVOIX

301 State St
Charlevoix, MI 49720
231-547-7202
simonb@charlevoixcounty.org

Betty Simon, County Treasurer

May 24, 2022

Dear Local Unit Clerk,

Attached is a list of parcels in your unit that the County Treasurer, acting as the Foreclosing Governmental Unit (FGU) under the authority of the General Property Tax Act has foreclosed upon in Circuit Court. The foreclosures were for delinquent 2019 and/or prior years unpaid property taxes. A public auction of these parcels will be held online August 6, 2021. Preliminary minimum bids have been established and include all delinquent taxes, fees, penalties, interest and any costs to date associated with preparing this property for auction. Further costs and fees may be added before the auction. The enclosed list includes those preliminary minimum bids.

Public Act 123, as amended, establishes the First Right of Refusal procedure for the purchase of foreclosed properties by state and local municipalities prior to auction. The law establishes the following order of preference for purchase:

1. The State of Michigan has the first right of refusal and it must pay the fair market value of the property
2. The city, village, or township, in which the property is located, may purchase the property for the minimum bid provided that no Notice of Claim has been filed or fair market value, if a Claim has been filed.
3. The county may purchase the property for the minimum bid if no Notice of Claim has been filed.

Please let me know before June 25, 2022, if your unit is interested **in purchasing** any of the parcels. (This date should give time for the Township/City Board to review the list at their May or June meeting). A "Notice to Purchase Foreclosed Property" form (contact my Office for the form) must be filled out for each parcel you are interested in purchasing, along with a copy of the Township Board's resolution authorizing the purchase. Use for Public Purpose is no longer required.

Local Unit transfer price depends on whether a Notice of Claim has been filed on or before July 1, 2022. If a Notice of Claim **has** been filed (pursuant to 211.78t(2)) The greater of the fair market value or minimum bid must be paid. If Notice of Claim **has not** been filed, the minimum bid may be paid.

If your unit **does not** wish to purchase any of the parcels, please sign and return the enclosed waiver for our records.

Please contact me at 231-547-7202 or simonb@charlevoixcounty.org, if you have any questions or need additional information.

Sincerely,

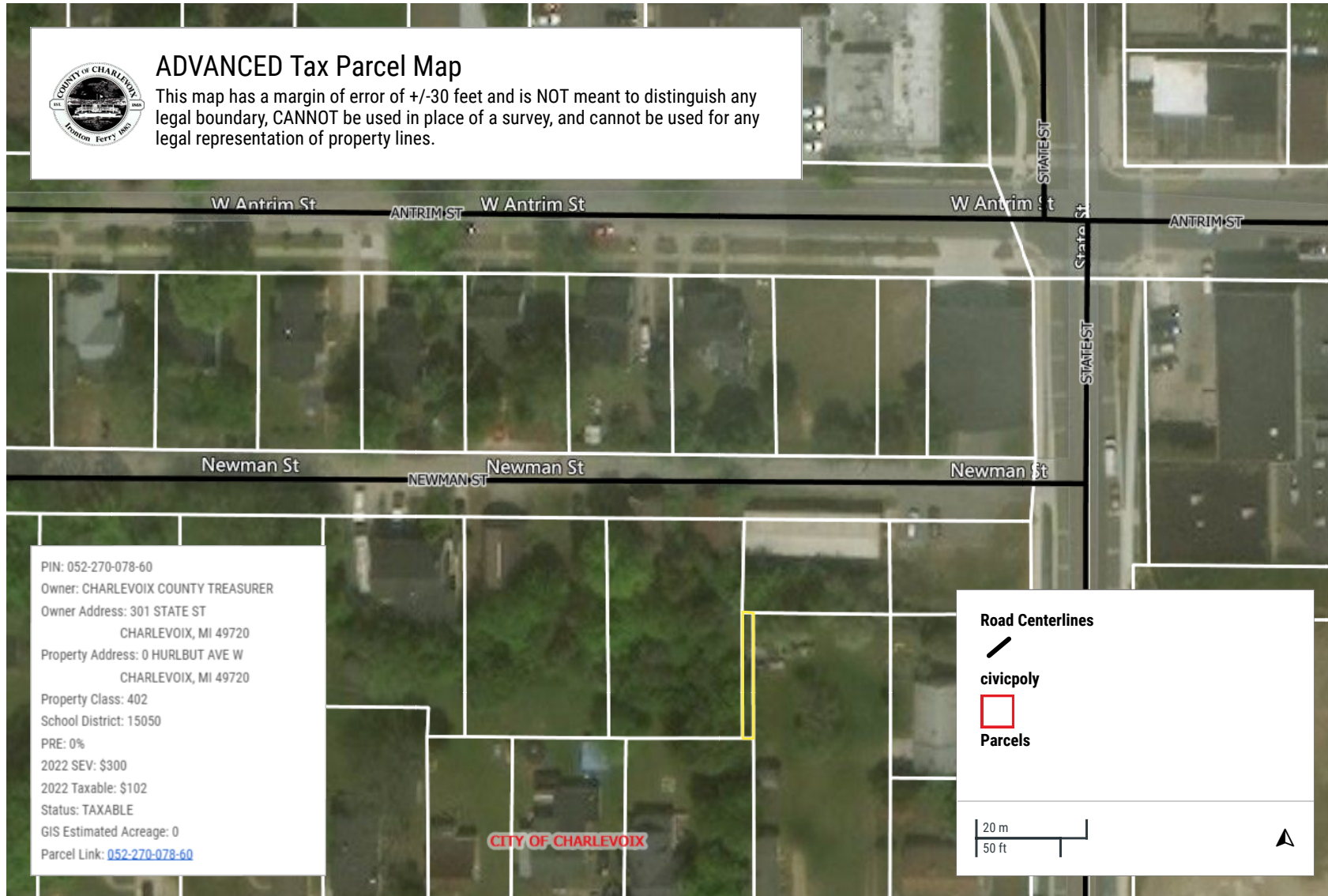
Betty Simon
Treasurer

Enclosures



ADVANCED Tax Parcel Map

This map has a margin of error of +/-30 feet and is NOT meant to distinguish any legal boundary, CANNOT be used in place of a survey, and cannot be used for any legal representation of property lines.



PIN: 052-270-078-60

Owner: CHARLEVOIX COUNTY TREASURER

Owner Address: 301 STATE ST

CHARLEVOIX, MI 49720

Property Address: 0 HURLBUT AVE W

CHARLEVOIX, MI 49720

Property Class: 402

School District: 15050

PRE: 0%

2022 SEV: \$300

2022 Taxable: \$102

Status: TAXABLE

GIS Estimated Acreage: 0

Parcel Link: [052-270-078-60](#)

Road Centerlines



civicpoly



Parcels

20 m
50 ft



Charlevoix City Council

All Other Actions and Requests

Title: Housing Initiatives Fund Policy

Date: June 20, 2022

Presented By: Mark Heydlauff, City Manager

Background:

In the preparation of the FY 2020-2021 Budget, we created the Housing Initiatives Fund. Most of our funds are fairly obvious for their purpose or are defined by law. The draft policy would clarify the intention of the use of these funds and give Council latitude to be supportive of workforce housing opportunities as they may arise in the future. Currently, the fund has roughly \$36,000.

Recommendation:

Motion to approve the Housing Initiatives Fund policy as presented.

Attachments:

1. Housing Initiatives Fund Policy

Housing Initiatives Fund Policy

Introduction

The City Council created the Charlevoix Housing Initiatives Fund in late 2019 as part of the annual budget process and in recognition of the growing challenges for housing in our area. This was coupled with earlier but ongoing efforts to incentivize job creation and housing development with the creation of tools like the Commercial Redevelopment District, Development Assistance Grants, and similar incentive-driven programs. The concept of the fund is modeled after the Industrial Park Fund which is used for routine and non-routine expenses tied to industrial development. Overall, the fund is intended as a targeted reserve account to benefit the entire community specifically as it relates to housing projects which may be practically unreasonable but may benefit from funding like this. The Council may revise and modify this policy from time to time as it sees fit. It may also dissolve the fund or expend its balance as projects and demands may necessitate.

Funding

In keeping with the Industrial Park Fund, money allocated to the Charlevoix Housing Initiatives Fund has largely been derived from the city's utility funds on the expectation that increasing the housing supply of all types in the City will increase the utility customer bases and thus self-perpetuate the utility services offered. Other revenue can be allocated toward the fund as Council may direct including: future ARPA funds; revenue from the sale of assets; grants; or transfers from the General Fund.

Expenses

Principally the intent of the Housing Initiatives Fund is to reduce financial barriers to the creation or maintenance of housing in the City. This may include the following items and areas:

- Infrastructure- The fund could support infrastructure improvements (in concert with other funds) or to offset fixed-costs for connection fees whether for City utilities or non-city utilities. The Fund might also be a good source of funding for changes to existing infrastructure that might aid the development or redevelopment of one or more parcels.
- Deed Restrictions- The long-term value of a restricted property is purchased to create up-front return for a project. Funds might be allocated by City Council for a deed restriction program to incentivize the creation of permanent, year-round and/or work restricted housing and thus infuse a project with cash at creation.
- Professional Services- Hiring consultants, professional staff, or surveyors to target specific tasks on housing related projects is a logical use of the fund.

Finally, the fund is NOT intended to conduct marketing efforts to tout the desirability of housing in Charlevoix. While other organizations may have this as a good and appropriate mission, the Housing Initiatives Fund is intended to aid in the creation of housing in the community at all levels of income and in various forms. The fund is also NOT intended to create city-owned or operated housing; this may be an activity of the Housing Commission. This fund is intended as a resource to spur private growth and development of housing by commercial housing developers, public-private partnerships, and non-profit housing organizations.

Charlevoix City Council

Reports and Communications

Title: City Manager's Comments

Date: June 20, 2022

Presented By:

Background:

A. 2022 Water Sanitary Survey

This spring, our Water Department staff, both distribution and treatment, completed the Sanitary Survey process with the Michigan Department of Environment, Great Lakes, and Energy (EGLE). I have included the final letter that serves as a report of their findings. This is a comprehensive survey and the findings of three deficiencies are a testament to the detailed and careful work our staff does to protect the safety of our drinking water supply. We had already begun work to update the reliability study they noted and expected to begin implementing residential cross-connection rules as well. Thanks to Pat Elliott and Nick Hilling for leading our staff and for the successful outcome of this survey.

B. Golf Course Updates

The Recreation Department and the staff at our golf course hosted the Chamber of Commerce after business hours last night and it was a great success. They outlined their golf events for the summer, discussed the Youth on Course initiative in conjunction with Junior Golf, and welcomed a great crowd for golf games and socializing. I want to compliment their work; I had several folks mention how well the course is being managed and operated.

Recommendation:

Attachments:

1. May 2022 Police Activity Report
2. Zoning Board of Appeal Minutes April 20, 2022
3. Planning Commission Minutes May 9, 2022
4. Zoning Board of Appeals Meeting Minutes May 18, 2022
5. Charlevoix Sanitary Survey Report Letter- 6/14/2022

CITY OF CHARLEVOIX

Police Activity Report for the Month of May 2022

ITEM	NUMBER THIS MONTH	THIS MONTH LAST YEAR	TOTAL THIS YEAR	TOTAL LAST YEAR
TRAFFIC CITATIONS	15	21	56	69
TRAFFIC WARNINGS	112	159	480	480
MOTORIST/CITIZEN ASSIST	13	24	78	76
ASSIST OTHER DEPT	26	42	125	144
FELONY ARRESTS	0	0	2	2
MISDEMEANOR ARRESTS	0	4	10	10
TRAFFIC CRASH: 9300-1	7	7	28	19
TRAFFIC CRASH: 9300-2	1	3	9	7
GENERAL ASSISTS	448	273	1,978	818
MEDICAL RESPONSES	12	5	41	15
LIQUOR INSPECTIONS	25	0	79	0
ORIGINAL COMPLAINTS	24	32	99	115
COMPLAINTS CLOSED	11	15	86	61
COMMERICAL/RESIDENTIAL	35	61	199	327
PARKING/SNOW TICKETS	3	6	123	159
METER TICKETS	0	11	0	27
PATROL MILES	5,412	5,226	24,667	21,829

TOTAL MILEAGE #87-1 949

TOTAL MILEAGE #87-2 0

TOTAL MILEAGE #17 4463


 Gerard Doan
 Chief of Police

CITY OF CHARLEVOIX
ZONING BOARD OF APPEALS MINUTES
Wednesday, April 20, 2022 – 6:00 p.m.
City Hall Council Chambers
210 State Street, Charlevoix, MI

A) CALL TO ORDER

The meeting was called to order by Chair Hodgson at 6:00 p.m.

B) ROLL CALL/PLEDGE OF ALLEGIANCE

Chair: Richard Hodgson
Vice Chair: Timothy Kish
Members Present: Shirley Gibson, Ann Gorney, Patricia Miller
Members Absent: None
Staff Present: Jonathan Scheel, Zoning Administrator

C) APPROVAL OF AGENDA

Motion by Member Gibson, second by Member Gorney to approve the agenda as presented. Motion passed by unanimous voice vote.

D) APPROVAL OF MINUTES

1. Motion to approve or amend the meeting minutes – 07/21/2021

Motion by Member Gibson, second by Member Kish to approve the meeting minutes of July 21, 2021 as presented. Motion passed by unanimous voice vote.

E) INQUIRY INTO POTENTIAL CONFLICTS OF INTEREST

F) CALL FOR GENERAL PUBLIC COMMENT

No public comment

G) OLD BUSINESS

None

H) NEW BUSINESS

1. Case 22-01 ZBA 6.7-foot variance for a side yard setback– 207 East Lincoln

a. Staff Presentation

Darren Romano, the applicant is requesting a 6.7 -foot variance for a side yard setback per requirements as defined in 153.072 (b) of the Zoning Ordinance. The property is zoned residential R-2. The applicant wishes to change the use of an existing accessory structure to an accessory dwelling unit. The side yard setback for an accessory dwelling unit is 8 feet. The applicant received a similar side yard variance for the structure to use as a garage/shop in 2019. The structure has been used as a short term rental most recently and was an enforcement issue because of that. The variance is the applicants attempt at making the use legal.

b. Applicant presentation

Applicant Darren Romano stated that as the new structure was being built, the contractor suggested that a bathroom be installed. Mr. Romano stated his business was having a hard time obtaining staff because of a lack of housing, he decided to use the structure as housing for his staff. He wanted to be legal, and he is seeking the variance for that reason.

c. Call for public comments

No public comments

d. Findings of fact

The members of the board collectively agreed that there were not extraordinary circumstances on the property. The parcel is a double lot with room to build an ADU that would meet all setback and lot coverage regulations.

Motion by Member Gibson, second by Member Kish to deny Case 22-01 ZBA 6.7-foot variance for a side yard variance – 207 East Lincoln per the findings of fact that there is not an extraordinary condition on the property.

Motion carried by roll call vote with all members voting affirmatively for the motion.

2. Case 22-02 ZBA 6-foot variance for maximum height of the building and a 5-foot maximum height of mechanical equipment variance-205 Bridge Street

a. Staff Presentation

Charannndor, LLC, the applicant is requesting a 6-foot variance for maximum height of the building and a 5-foot maximum height of mechanical equipment variance per requirements as defined in 153.087 and 153.174 of the Zoning Ordinance. The property is zoned Central Business District (CBD). The applicant wishes to construct a third story, a rooftop deck and mechanical equipment on the roof.

b. Applicant presentation

Applicant Charannndor, LLC stated they are required by the building department to have two accesses on the roof per the building code. One needs to be accessed per the American Disability Act and the second for fire/life and safety. They have a staircase for each apartment and an elevator that serves both. The board were confused on the plans that were submitted as some were contradictory with each other. After some discussion, it was realized the Zoning Administrator had submitted preliminary plans and final plans to the board.

c. Call for public comments

There were no public comments but there were three letters in support that were part of the public record.

d. Findings of fact

Motion by Member Kish, second by Member Gorney to table Case 22-02 ZBA 6-foot variance for maximum height of the building and a 5-foot maximum height of mechanical equipment variance-205 Bridge Street and request a clean set of plans.

Motion carried by roll call vote with all members voting affirmatively for the motion.

3. Case 22-03- ZBA 23.25-foot variance for rear yard setback and addition to the existing building

a. Staff Presentation

Charlevoix Historical Society, applicant is requesting a 23.25-foot variance for rear yard setback variance per requirements as defined in 153.087 of the Zoning Ordinance. The property is Professional Office District (PO). The applicant wishes to construct a fire-resistant storage addition to the existing building.

b. Applicant presentation

Denise Fate, President of the Charlevoix Historical Society, stated that the Historical Society has had a large donation of materials including many photographs in the last few years. Because of this, the need for safe proper storage is critical. The present historic structure they are in was donated to them with the condition that it be used only for the museum. They are trying to be sensitive to the architecture of the structure and sensitive to the neighborhood with their proposal.

c. Call for public comments

There were numerous public comments from Historical Society Members in support of the proposal.

d. Findings of fact

1. Variance for rear yard setback

Substantial justice –

Impact on the Surrounding Neighborhood –to read: “The ZBA finds that the applicant’s request will not have a negative impact on the neighborhood, as the new structure will have a negligible impact on the adjacent property because it is reasonably sized for the Office District and is adjacent to a parking lot and the input from the community has been supportive.

Public Safety and Welfare – No change

Not Self-Created – After much discussion - No change

2. Construction of addition to existing building

Extraordinary Circumstances - Chair Hodgson suggested a change to the first sentence to read: “The ZBA finds that the need for the requested variance is due to unique circumstances and physical conditions of the property including steepness, odd shape and layout.”

Motion by Member Gorney, second by Member Miller to approve Project 22-03-ZBA for a rear yard variance with the conditions that the addition is limited to one story and that storm water run off shall be managed in a manner that will not impact neighboring property.

Motion carried by roll call vote with all members voting affirmatively for the motion.

I) ADJOURNMENT

Motion by Member Kish, second by Member Gibson to adjourn the meeting at 8:45 p.m. Motion passed by unanimous voice vote.

Sarah Dvoracek

City Clerk

Richard Hodgson

Chair

City of Charlevoix
Planning Commission Regular Meeting minutes
Monday, May 9, 2022 - 6:00 PM
Council Chambers, 210 State Street, Charlevoix, MI

A. Call to Order / Pledge of Allegiance

The meeting was called to order at 6:00 p.m. by Chair Waddell.

B. Roll Call

Chair: RJ Waddell
Members Present: Sherm Chamberlain, Annemarie Conway, Toni Felter, Mary Millington, Jennfier Muladore, Maureen Radke
Members Absent: Reid Beegen
Staff Present: Jennifer Neal, Community Planner, Networks Northwest; Janet Koch, Zoning Administrator

C. Inquiry into Potential Conflicts of Interest

D. Approval of Agenda

Chair Waddell stated that the prior Zoning Administrator Jonathan Scheel would not be available to attend the meeting until later and asked to re-arrange the agenda items to move Item 4 from New Business to Item 1. Motion by Member Chamberlain, second by Member Conway to re-arrange the agenda as requested by Chair Waddell.

Motion carried by unanimous voice vote.

E. Approval of the Minutes

Motion by Member Radke, second by Member Felter to approve the minutes of April 11, 2022 as presented.

Motion carried by unanimous voice vote.

1. April 11, 2022 Meeting Minutes

F. Call for Public Comment Not Related to Agenda Items

G. New Business

1. Master Plan Draft for Public Comment

Planner Neal reviewed changes that were made to the Master Plan Draft since the April Planning Commission meeting. She stated the Draft Plan included changes discussed at previous meetings, including extensive changes in Chapter 2: *Community Profile*, minor changes in Chapter 8: *Implementation*, and modifications to pictures and plan formatting.

The Commission members referenced additional changes needed:

- Chapter 1, Page 9, Step 2, first line change “indicates” to “indicate”.
- Chapter 2, Page 11, last sentence to read: “Boyne City and East Jordan are located at the eastern end of Lake Charlevoix and on the south arm, respectively.”
- Chapter 2, Page 15, Member Chamberlain asked that a reference to the farming/agricultural industry be included in the history section.
- Chair Waddell stated the biggest threat to Lake Charlevoix’s water quality is its rivers and streams and the effect of the current clean-up is the chemicals are migrating toward the Lake which he felt should be included in the Plan.
- Chapter 2, Page 19, *Sand Dunes*, first line, change “acers” to “acres”.
- Chapter 2, Page 19, *Trees and Woodlands*, second line, indicate that the Chicago Club’s Old Island is the only wetlands within the City.
- Chapter 2, Page 24, Table 2.5, add Boyne City to the School Enrollment Table.
- Chapter 3, Page 33, *Significance for Planning Socioeconomics*, 2nd paragraph, “phenomenon’s” should be “phenomena”. Member Chamberlain also felt that language should be included “to ensure adequate staffing for all our services”. Picture at the bottom of page 33 deemed not attractive and needs to be replaced.
- Member Chamberlain stated that the municipal golf course was nine (9) holes instead of 18.
- Added note to the Implementation section to add connectivity to existing sidewalks and the Lake-to-Lake Trail.
- Discussion regarding lack of a sidewalk to the Lake to Lake Trail (Ferry Avenue to Stover Road), and Planner Neal recommended adding a recommendation to the Implementation section of the Plan to prioritize connectivity of existing sidewalks to trails and other sidewalks.
- Chapter 4, Page 49, *Infrastructure and Mobility*, 4th paragraph “Public Works Facility” should be “Public Services Facility”.
- Chapter 4, Page 52, *Infrastructure and Mobility*, 3rd paragraph, it should be noted that Coast Guard Park is only accessible by water.
- Chapter 4, Page 61, *Infrastructure and Mobility*, 6th paragraph, last sentence add “medical services”.
- Chapter 4, Page 67, *Infrastructure and Mobility*, 1st paragraph, 3rd sentence should read: “the city becomes more accessible to those living miles beyond city limits.”
- Chapter 4, Page 68, *Infrastructure and Mobility*, paragraph regarding the “Boyne City to Charlevoix Non-motorized Trail” needs to be updated with current information.
- Chapter 5, Page 73, *Housing and Neighborhoods, Community Response to Short-Term Rentals*, 2nd paragraph, 1st sentence, change to read: “The Charlevoix City Council and Planning Commission heard residents’ concerns...”
- Chapter 5, Page 75, *Housing and Neighborhoods, Expanding Housing Choices*, second paragraph, update references to ADU’s.

Motion by Member Felter, second by Member Conway to send the Draft Master Plan with the latest revisions to the City Council.

Motion carried by unanimous voice vote.

2. Public Hearing: 401 Antrim - Special Land Use

Janet Koch

The public hearing was opened and closed and there were no public comments.

3. 401 Antrim Site Plan Review

Janet Koch

Chair Waddell reviewed the Planning Commission's comments on this project from the previous meeting. He stated that the accessory dwelling unit (ADU) and the survey were scheduled for a Zoning Board of Appeals (ZBA) meeting next week.

Discussion followed regarding elevations of the proposed structures (house/store and garage/accessory building); basement wall exposure, no standard for the five (5) parking spaces, need for a complete survey and drawings, topography, lack of specific standards for a site plan for a bed and breakfast establishment, new build vs. renovations, and the character of the neighborhood.

The owner, Bev Barton of 401 Antrim Street, stated that when she filed out the application it was for a new build for a bed and breakfast and a remodel for an ADU. She stated that she was under the impression that the ADU could have bedrooms and bath and the only reason that it had to go before the ZBA was because they wanted to have a kitchen. Former Zoning Administrator Jonathan Scheel stated that the applicant wanted to take the existing accessory building and change it to an ADU with a kitchen. Ms. Barton stated that they had found a builder who could do the project in May, otherwise they would have to wait a year for an available builder. She stated that the site had two (2) parking spaces in the driveway, two (2) on the street and two (2) on site.

Ms. Barton stated that if she kept the house in the same condition and wanted a bed and breakfast with that, she would need to bring it back before the Planning Commission, and if she left the property as is and rented it out, then she wouldn't have to bring it back before the Commission.

Member Chamberlain stated that having the field dimensions and elevations were critical to ensure that the water is flowing away from the property and a topographical survey to show the location of the catch basins. Chair Waddell read through the Findings of Fact/Review Standards.

Motion by Member Conway, second by Member Felter to accept the plan to convert this property to a bed and breakfast establishment contingent on submittal of a topographical survey which shows water movement which the Zoning Administrator will administrate.

Motion carried by unanimous voice vote.

4. Zoning Ordinance Residential Districts Discussion

There was no board discussion regarding this item.

H. Old Business

I. Staff Updates

J. Requests For Next Months Agenda or Research Items

Chair Waddell stated that Mayor Kurtz advised that he would be asking the City Council to direct the Planning Commission to research efficiency apartments. Commission concurred it would be a good topic for the agenda in June.

Planner Neal stated the Annual Planning Report would also be on the June meeting agenda.

K. Adjournment by 8:00 p.m. unless extended by a motion

Motion by Member Felter, second by Member Conway to extend the meeting to 8:13 p.m.

Motion carried by unanimous voice vote.

The meeting was adjourned at 8:13 p.m.

Sarah J. Dvoracek/fgm

City Clerk

RJ Waddell

Chair

City of Charlevoix
Zoning Board of Appeals Regular Meeting minutes
Wednesday, May 18, 2022 - 6:00 PM
Council Chambers, 210 State Street, Charlevoix, MI

1. Call to Order

The meeting was called to order by Chair Hodgson at 6:00 p.m.

2. Roll Call/Pledge of Allegiance

Chair: Richard Hodgson
Vice Chair: Timothy Kish
Members Present: Shirley Gibson, Dan Reed
Members Absent: Ann Gorney, Patricia Miller
Staff Present: Janet Koch, Zoning Administrator

3. Inquiry into Potential Conflicts of Interest

Member Kish stated that he had worked with Harry Golski in the past on a couple of occasions related to real estate transactions. Member Reed stated that Mr. Golski had also helped him with a will.

4. Approval of Agenda

Motion by Member Gibson, second by Member Kish to approve the agenda as presented.

Motion carried by unanimous voice vote.

5. Approval of the Minutes from April 20, 2022

Chair Hodgson stated that he had just received the minutes and he proposed that the item be tabled until the next meeting and the Board concurred.

6. Old Business

A. Interpretation of 153.005 Definition of Building Height

i. Staff Presentation:

Previous Zoning Administrator Jonathan Scheel explained that the Zoning Administrator interprets the Zoning Ordinance and preceded to review the particulars of his interpretation of Zoning Ordinance, Section 153.005, *Definition of Building Height*, as reflected in the memo provided as part of the agenda packet. He explained the two possible interpretations of "building height" and responded to questions and comments from the Board members.

Chair Hodgson stated he felt the intent of the definition language was the maximum building height and 6' above that defines what "you can build within". He also noticed that the version in the memo is from 2020 and the latest is 2021 where they added the 50% coverage and when that happened part of the change (life safety structure) was dropped, therefore a correction to the Ordinance was needed. Chair Hodgson stated that the interpretation is "as written, 6' above maximum building height". Mr. Scheel stated for clarification based on that interpretation in the Central Business District it would be 6' above 40'. Member Reed stated that the interpretation needs to be spelled out in more detail.

Motion by Member Reed, second by Member Gibson to interpret maximum building height to

be consistent with that described under area and placement requirements later in this Chapter. **Motion carried by unanimous voice vote.**

Chair Hodgson asked the Zoning Administrator for a review of the Ordinance and its discrepancies from the Planning Commission

B. Public Hearing for Applicant **2022-02 ZBA**. Dimensional variance request from Charanndor LLC
- 205 Bridge Street

i. Staff Presentation

Chair Hodgson stated that it might be advisable if the applicant wanted to request tabling this item for the interpretation/correction needed related to the building height. The applicant advised that he would still need a variance for the corridor/staircase and elevator shaft as proposed in his application.

Former Zoning Administrator Jonathan Scheel stated that he believed with the flaws in the Ordinance that the ZBA would be derelict in their duties if it stopped the proceeding because of the flaws, but there are absolutely multiple other flaws in that Ordinance and the ZBA had to do its best under the circumstances with intent.

Zoning Administrator Janet Koch reviewed the staff report for ZBA-22-02 at 205 Bridge Street which included requests for two variances: one for the corridor/stairwell height (above the 40' maximum), and one for the elevator and elevator mechanicals (above the 46' maximum).

ii. Applicant presentation (if requested)

The applicant stated that the Board had the revised drawings for the project which included revisions to the location of the AC condensers and the privacy wall to align with the center of the building, limited the height of the privacy wall to 6' above the rooftop so the maximum is 46', shortened the remaining privacy wall in the front to be at the maximum 40' height. He believed that with those changes they did not need any variances for those items. The needed variances were for the elevator shaft height and the stairwell height. He stated he reviewed the building and fire codes which require two (2) stairwells at a minimum, and he described in detail the requirements discussed with John Cochrane, Building Inspector. He responded to questions from the ZBA members.

iii. Call for public comments

Jonathan Scheel stated that he did call the Building Inspector who gave him exactly the same response as the applicant just stated, but per the ADA and the Health & Safety Fire Code he called back and asked directly if the ADA is required because of the residential usage and he spoke to John Cook an inspector who stated that the Charlevoix Building Department was going to require both the elevator and the two staircases.

iv. ZBA determination of findings of fact

(1) Height variance request for corridor/stairwell.

The size of the variance is 1' not 7' as reflected in the staff report.

Extraordinary circumstances: Chair Hodgson stated that extraordinary circumstances do not exist because heights could be adjusted to meet the requirement; the members agreed.

(2) Height variance request for elevator/elevator mechanicals (above 46' max.).

Extraordinary circumstances: Chair Hodgson stated that it was the design of the building and the selection of the elevator that requires the variance.

v. Motion

Motion by Member Reed, second by Member Gibson to deny the variance for the height variance request for the corridor/stairwell (above 40' maximum) based on extraordinary circumstances not being met. **Motion carried by unanimous roll call vote.**

Motion by Member Reed, second by Member Gibson to deny the variance for the height variance request for the elevator/elevator mechanicals (above 46' maximum) based on extraordinary circumstances not being met. **Motion carried by unanimous roll call vote.**

7. New Business

A. Public Hearing for Applicant **2022-07 ZBA**. Dimensional variance request from Harry Golski, PLC (Maurine Watts, Trustee) - 103 Grant Street

i. Staff Presentation

Zoning Administrator Koch stated the applicant is proposing to split an existing lot with two primary structures into two lots with one primary structure on each lot on parcel ID #052-252-002-00. The property is within the Earl Young Historic District, but the District did not need to be consulted on this application as there is no physical change to the buildings. She stated that with this request the parent parcel would be 7,333 sq. ft. and the second parcel would be 3,042 sq. ft. significantly less than the minimum lot width requirement of 6,000 sq. ft.; and it does not meet the minimum parcel width of 50'.

ii. Applicant presentation (if requested)

Harry Golski, Attorney representing the Wallace sisters, stated that should the width variance be granted for 46', the applicants would have no objection to that being granted conditional upon the applicants obtaining a vacation of the alley to the north of the parcel. When that condition was satisfied they would pick up 8.25' which would be added to the north/south line. He explained that this was an unusual situation in that the daughters inherited the property from their mother and this "problem" has been in existence for 100 years. He further explained the reasons for the request to split the property into two separate lots.

Member Gibson stated that the lot size was 10,291 sq. ft. and it appeared that they could make the split more conforming to the minimum lot size at approximately 6,000 sq. ft. for the one lot and 4,291 sq. ft. for the second lot. Mr. Golski stated that the homes are of different sizes and the lot sizes are somewhat more proportional to the size of the existing structures.

iii. Call for public comments

Jonathan Scheel stated that when he was Zoning Administrator he did discuss the alley vacation with the City Manager, Public Works Director, and the Electrical Division and none of them had an issue with the vacation of that alley.

iv. ZBA determination of findings of fact

Member Gibson stated that she believed that this was a perfectly conforming lot in the R-2 with an accessory dwelling unit (ADU), and the City now allows ADU's. She stated that if this is approved they will be setting a precedent that lots with an ADU can be split and she felt that would cause a lot of problems. Discussion followed regarding what lot size is big enough to warrant a variance, creation of a non-conforming lot, non-conforming use of two (2) residences on one parcel, and possible precedents regarding ADU's.

(1) Request for a variance from the required 6,000 sq. ft. minimum lot area required in the R-2, Zoning District of Table 153.072 (a).

Extraordinary circumstances as included in staff report:

(1) Exceptional or extraordinary circumstances or conditions exist on the parent parcel, including exceptional topographic or physical conditions, that do not generally apply to other lots, parcels or tracts of land in the City.

Member Gibson stated that she was not in favor of non-conforming lots. Zoning Administrator Koch stated that they could not consider the smaller residence as an ADU since it was built long before ADU's were regulated and has been a primary residence for many years. Member Kish stated that the City was allowing people to create ADU's and they were not forcing people to create ADU's. Chair Hodgson and Member Gibson did not feel the situation was extraordinary.

(2) The exceptional or extraordinary circumstances or conditions existing on the parent parcel are not the result of any act or omission by the applicant or his or her predecessors in title. Board agreed that the parcel was "grandfathered in". Discussion followed regarding whether or not this was a unique situation.

(3) The granting of the variance shall not be injurious or otherwise detrimental to adjoining lots, parcels or tracts of land or to the general health, safety and general welfare of the City.

Chair Hodgson stated that this was a very small lot which could create additional problems if the owner wanted to add anything else to the property.

(4) The resulting lots, parcels or tracts of land with the variance granted shall be compatible with surrounding lots, parcels or tracts of land.

Member Gibson stated that the small lot does not meet the standards.

(5) The variance granted shall be the minimum variance that will make possible the reasonable use of the parent parcel.

v. Motion

Motion by Member Gibson, second by Member Reed to deny the project 2022-07-ZBA based on specific findings of fact that proves the project does not meet the review standards in 154.08 as there are no extraordinary circumstances and is self-created.

Motion carried by a 3 to 1 vote with Member Kish voting no.

B. Public Hearing for Applicant **2022-04 ZBA**. Dimensional variance request from Timothy Shindorf - 217 West Garfield Street

i. Staff Presentation.

Zoning Administrator Koch stated that the applicant was proposing to construct an attached two-story garage which requires a variance of 8.7' from Section 153.117(D) of the Zoning Ordinance which defines the dimensional requirements for accessory buildings. The corner lot (Grant & Garfield) has two housing units on the property, an older nonconforming mobile home and a newly remodeled home.

ii. Applicant Presentation.

Tim Shindorf stated that his family has owned the property for many years. He stated that he wanted to build a 24' x 26' garage and attach it to the house with a small breezeway and the reason was because the house is on a cement slab and where the two lines come into the house one in the front and one 20' to the back is the only place that he had to undermine the house to get up to Code footing and blocks put in. Member Kish questioned why the new garage couldn't be built in the same area as the small garage that would be demolished and Mr. Shindorf stated there was not enough room for the garage he wanted to build. Mr. Shindorf stated that he rented out the mobile home on the property.

iii. Call for public comments.

Tim Wojan, adjacent property owner, stated that there was a traffic problem in that area and the proposed garage would cause issues with the traffic and he was against granting of the variance. He felt that the property owner could remove the mobile home trailer which would provide more space for the garage.

Bruce Livingston, 803 Grant, questioned the purpose of the second story of the garage. He felt that he would need a variance to the front of the house and Chair Hodgson stated that was not part of the request before the Board. Mr.. Livingston expressed concern about the second story of the garage turning into a living area in the future.

iv. ZBA determination of findings of fact.

Chair Hodgson questioned if the breezeway and garage would come under that limitation where the maximum height was 16' and he felt right away that he could not build the two-story plan. Zoning Administrator Koch confirmed that the maximum height for the garage could only be 16' with the attached breezeway.

Chair Hodgson reviewed the Findings of Fact:

Extraordinary circumstances: Chair Hodgson stated that the applicant could build the garage in another area on the property that would not require variances or eliminate the breezeway.

v. Motion.

Motion by Member Gibson, second by Member Kish to deny 2022-04-ZBA based on specific findings of fact that proves the project does not meet the review standards as there are no extraordinary circumstances and is self created. **Motion carried by unanimous roll call vote.**

C. Public Hearing for Applicant **2022-05 ZBA**. Dimensional variance request from William and Beverly Barton - 401 Antrim Street

- i. Staff Presentation
- ii. Applicant presentation (if requested)
- iii. Call for public comment
- iv. ZBA determination of findings of fact
- v. Motion

Zoning Administrator Koch stated that there was a public hearing notice issue and she would send out the revised notice next week and this case would come before the ZBA in June.

D. Public Hearing for Applicant **2022-01 ZBA**. Dimensional variance request for Turn Key Property Services (Jordan Irish) - 808 East Dixon Avenue

- i. Staff Presentation
- ii. Applicant presentation (if requested)
- iii. Call for public comment
- iv. ZBA determination of findings of fact
- v. Motion

This case was withdrawn.

8. Call for General Public Comment

Mrs. Shindorf questioned why their case was denied and Chair Hodgson explained the extraordinary circumstances.

9. Adjournment

The meeting adjourned at 8:31 p.m.



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
LANSING DISTRICT OFFICE



LIESL EICHLER CLARK
DIRECTOR

June 14, 2022

Mark Heydlauff
City of Charlevoix
210 State Street
Charlevoix, Michigan 49720

WSSN: 01330
County: Charlevoix

Dear Mark Heydlauff:

SUBJECT: City of Charlevoix (City) 2022 Water System Sanitary Survey (Survey)

This letter confirms the Department of Environment, Great Lakes, and Energy's (EGLE) staff meetings with Pat Elliott and Nick Hilling on May 5, 6, and 18, 2022, to conduct a Survey of the City's water system, and to present the final findings, discuss areas for improvement, and identify timelines for corrective action where appropriate. The purpose of a Survey is to evaluate the water supply system with respect to the requirements of the Michigan Safe Drinking Water Act, 1976 PA 399, as amended (Act 399). It is also an opportunity to update EGLE's records, provide technical assistance, and identify potential risks that may adversely affect drinking water quality. Enclosed, is a copy of the Sanitary Survey Report for your reference.

Since the last Survey, EGLE acknowledges and appreciates that the City has completed the following water system improvements:

1. Replaced the filter media, air wash diffusers, influent and effluent valves, and inspected the underdrains.
2. Purchased and regularly use the mechanical inline rapid mixer for coagulation.
3. Constructed a new public works facility.
4. Conducted a rate study (Study) and started implementation of the Study's recommendations.
5. Initiated a service line verification program.
6. Continued to implement a meter replacement program.
7. Created and maintained a water treatment plant (WTP) standard operating procedures (SOPs) book.

During the Survey, EGLE observed that the City has excellent technical and managerial oversight of the water system. The City staff implement many preventative maintenance practices, maintain detailed records and SOPs, and are familiar with the regulatory requirements. EGLE appreciates the City's assistance during the Survey.

The following table summarizes EGLE's final findings from the Survey of the water system:

Survey Element	Findings
Source	Recommendations Made
Treatment	Recommendations Made
Distribution System	Deficiency Identified
Finished Water Storage	Deficiency Identified
Pumps	Recommendations Made
Monitoring & Reporting	No deficiencies/recommendations
Management & Operations	Deficiency Identified
Operator Compliance	Recommendations Made
Security	No deficiencies/recommendations
Financial	Recommendations Made
Other	No deficiencies/recommendations

Deficiencies:

Deficiencies indicate non-compliance with one or more Act 399 requirements, which include defects in a water system's infrastructure, design, operation, maintenance, or management that cause, or may cause, interruptions to the "multiple barrier" protection system and adversely affect the system's ability to produce safe and reliable drinking water in adequate quantities.

During the Survey, three deficiencies were identified and are listed below:

1. R 325.11112(c) states storage tanks shall have no unprotected openings. Per Ten States Standards, 7.0.7, overflows that use a solid flapper shall have size twenty-four non-corrodible mesh provided inside the overflow to prevent small contaminants from entering the tank. The elevated tank and WTP filter overflows had intact solid flappers but did not have mesh installed inside the overflow. Please install size twenty-four mesh inside these overflows by *July 31, 2022*.
2. R 325.11403 prohibits cross connections for all customer classes, including residential customers. The City has implemented a commercial cross connection control program and performs opportunistic inspections of residential customers when access is granted to the residence. The City revised the cross connection control ordinance in 2018 to include residential accounts, but has not formally implemented the residential program as required in the 2018 Survey. The City must submit an implementation plan and schedule by *August 31, 2022*, for a fully expanded residential cross connection control and inspection program. The City must submit progress updates on residential implementation efforts by *March 31, 2023*, and *March 31, 2024*, which may be submitted as part of the cross connection annual report to help evaluate progress toward resolving this deficiency. Please note that the annual report should include a summary of cross connection activities at all accounts.

3. R 325.11203 states that a water supply shall conduct a reliability study (RS) to determine the quantity of water needed for the waterworks system and shall update the RS every five years. The City's WTP RS was completed in 2015 and the distribution system RS was completed in 2016. Therefore, the RS is due for an update. Please submit an updated RS by *December 31, 2022*.

Required Actions:

During the Survey, the following required actions were identified:

1. R 325.10611(3) requires the City to provide sufficient disinfection in order to inactivate pathogens. The City calculates the Concentration of Chlorine x Time of Contact (CT) daily and reports the log inactivation achieved on the Monthly Operation Report (MOR). The City's current calculator includes disinfection credit for the filters, but the 2019 Survey revoked filter disinfection credit. Therefore, the City must remove the filters from the CT calculation. If the City wishes to receive credit for the filters, please provide additional information on the detention time through the filters, or consider conducting a tracer study of the filters in accordance with Appendix C of the United States Environmental Protection Agency's 1991 Surface Water Treatment Rules guidance manual.
2. Per Ten States Standards, Section 7.0.9, elevated tanks shall have an automatically resetting pressure/vacuum relief mechanism. According to information provided by the City, the elevated tank does not have this mechanism. The City must install the required mechanism by *December 31, 2024*.
3. R 325.10604f(6) requires full replacement of lead service lines (LSLs) and galvanized services if the service line is or was connected to lead piping. Please continue to pursue replacement of all LSLs.
4. R 325.11604(c)(ii) requires a complete distribution system materials inventory to be submitted to EGLE by *January 1, 2025*. EGLE appreciates the City's ongoing service line material verification efforts to meet this requirement.
5. Isolation valves in the distribution system are necessary to minimize interruptions in service and sanitary hazards during construction or repairs, per R 325.11108. The City has a valve turning program that should result in the turning of each valve annually. However, due to staffing limitations and the COVID-19 pandemic, there has been insufficient progress in the valve turning program in the last couple years. The valve turning program must be implemented. Consider creating a list of critical valves to help prioritize program efforts. Please provide an update on valve exercising activities by *December 31, 2022*.

Recommendations:

Recommendations are suggestions the public water supply should consider, to enhance its operations and services, and to avoid future deficiencies.

During the Survey, the following recommendations were identified:

1. The City should continue to conduct periodic inspections of the buried intake bed and develop a formal plan to address an unexpected loss of the buried intake considering seasonal conditions. As a potential component of this plan, EGLE recommends updating the interconnect agreement with Charlevoix Township to include valve exercising frequencies and approved use of the interconnects during system maintenance or emergencies.
2. Continue verifying chemical feeder performance and periodically certify scales to ensure accurate dosing of chemicals.
3. It is EGLE's understanding that the flocculation basins have not been fully drained for an inspection in recent years. Consider inspecting the flocculation basins to determine their structural integrity and allow for scheduling of any necessary maintenance.
4. Conduct a comprehensive filter study every five years to ensure filter media is within permitted parameters. The filter study should include measuring media depth, core sampling, and sieve analysis, as well as verifying the filter backwash expansion rates.
5. The City obtains most of their CT credit in the WTP reservoir. The City should develop a SOP for meeting CT requirements when reservoir maintenance and inspection is necessary.
6. Continue periodic third-party inspections of the pumps and storage facilities on a routine basis. Verify reservoir access hatch gaskets are in good condition and replace as needed.
7. Pursue revenues that sufficiently meet operational and capital improvement project needs. The City recently implemented a rate increase based on recommendations from the 2022 rate design report. Additionally, the City is halfway through a meter replacement program. EGLE recommends continuing to evaluate system needs, budget for crucial WTP and distribution system upgrades, and implement the meter replacement program to provide adequate financial capacity.

8. Evaluate distribution system staffing needs to ensure operation and maintenance activities are being completed in a timely manner and projects are seen to completion, including valve turning, residential cross connection control inspections, and service line verifications and replacements. Continue to encourage all water system operators obtain F-2 or S-3 licenses.
9. Continue to replace undersized 4-inch cast iron watermain, that is prone to freezing, in order to increase the reliability and hydraulic capacity of the water system.
10. Begin routinely using the Area-Wide Optimization Program worksheet to evaluate individual filter performance. Daily maximum raw, individual filter effluent, and filter confluence turbidity data is needed for the worksheet. Consider submitting the worksheet monthly to EGLE or include the maximum individual filter effluent turbidity on the MOR.

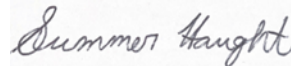
Please contact this office within 30 days of the date of this letter to acknowledge its receipt and respond to the recommendations and comments provided.

We anticipate and appreciate your cooperation in addressing these findings. If you have any questions, please feel free to contact me at 517-262-6795, or by e-mail at BatesC7@Michigan.gov.

Sincerely,



Caitlin Bates, P.E.
Surface Water Treatment Specialist
Field Operations Section
DWEHD
517-262-6795



Summer Haught
Surface Water Engineer
Field Operations Section
DWEHD
517-899-4962

Enclosures

cc/enc: Pat Elliott, City
Nick Hilling, City
cc: Michael Bolf, P.E., EGLE
Ernie Sarkipato, P.E., EGLE
Health Department of Northwest Michigan

Sanitary Survey of Community Water Supply - Review Summary

Water Supply: City of Charlevoix

County: Charlevoix

Evaluator: Bates/Haught

WSSN: 1330

District: 93

Date: 5/18/2022

Category	Comment	N/A	NotEv	NoD/R	Rec	Def	SigDef
Source					X		
Construction & Maintenance	<i>periodic inspections of intake</i>				X		
Standby Power				X			
Isolation				X			
Source Water Protection				X			
Capacity				X			
Treatment					X		
Disinfection				X			
Fluoride				X			
Phosphate Addition		X					
Softening		X					
Iron/Manganese Removal		X					
Arsenic Removal		X					
Pretreatment	<i>consider floc basin inspection</i>				X		
Filtration (gravity or membranes)	<i>comprehensive filter study every 5 years</i>				X		
C*T	<i>remove filters from CT, SOP for reservoir OOS</i>				X		
Other	<i>verify chemical feeder performance</i>				X		
Distribution System						X	
Interconnections w/ Other WS				X			
Hydrants & Valves	<i>implement valve turning program</i>				X		
Service Lines & Metering	<i>replace LSLs, complete DSMI, replace 4 inch cast</i>				X		
General Plan							
Cross Connections	<i>implement residential cross connection program</i>					X	
Construction & Maintenance				X			
Capacity				X			
Finished Water Storage						X	
Construction & Maintenance	<i>mesh needs to be installed in overflows</i>					X	
Controls	<i>vacuum/pressure relief mechanism on elv. tank</i>				X		
Capacity				X			
Pumps (All Pumping Facilities)					X		
Construction & Maintenance	<i>periodic inspections on pumps and storage</i>				X		
Controls				X			
Capacity				X			
Monitoring & Reporting				X			
Bacteriological Monitoring				X			
Chemical Monitoring				X			
MOR or Annual Pumpage Report				X			
Consumer Confidence Report				X			
Analytical Capabilities				X			
System Management & Operations						X	
Owner Responsibility				X			
Capacity Development				X			
Reliability Study	<i>reliability study due for update</i>					X	
Operations Oversight	<i>evaluate distribution staffing needs</i>				X		
Permits				X			
Operator Compliance				X			
Operator Certification				X			
Technical Knowledge & Training				X			
Security				X			
Emergency Response Plan				X			
Site Security (Fences, Alarms...)				X			
Financial					X		
Rates				X			
Budget & Capital Imp. Plan	<i>evaluate system needs & budget accordingly</i>				X		
Other				X			

N/A - Not Applicable

Rec - Recommendations Made

NotEv - Not Evaluated

Def - Deficiencies Identified

NoD/R - No Deficiencies/Recommendations Made

SigDef - Significant Deficiencies Identified

Charlevoix City Council

Reports and Communications

Title: Mayor and Council Comments

Date: June 20, 2022

Presented By:

Background:

Recommendation:

Attachments:

None