

AGENDA
CITY OF CHARLEVOIX CITY COUNCIL MEETING

Monday, April 3, 2017 - 7:00 p.m.
City Hall Council Chambers, 210 State Street Charlevoix, Michigan

1. Pledge of Allegiance

2. Roll Call

3. Presentations

- A. Check Presentation from Cherry Republic
- B. Sexual Assault Awareness Month Proclamation PG 1
- C. US 31 Lane Configuration- Matt Radulski & Jason Bodell, Michigan Department of Transportation

4. Inquiry regarding conflicts of interest

5. Consent Agenda

All items listed under Consent Agenda are considered routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion of an item is required, it will be removed from the Consent Agenda and considered separately.

- A. City Council Meeting Minutes – March 20, 2017 Regular Meeting PG 2-8
- B. Accounts Payable Check Registers & Payroll Check Registers PG 9-21

6. Public Hearings & Actions Requiring Public Hearings

- A. Celebrate Me Home, LLC Commercial Facilities Exemption Certificate Application PG 22-38

7. All Other Actions & Requests

- A. License for Sidewalk Encroachment: LSB Ventures PG 39-43
- B. Commercial Dock Slip Lease PG 44-68
- C. Introduction of Ethical Conduct Ordinance PG 69-79
- D. Fire Services Agreement with Charlevoix Township PG 80-86
- E. Mayoral/Council Appointments PG 87-97

8. Reports & Communications

- A. Public Comments
- B. City Manager Comments PG 98-110
- C. Mayor and Council Comments

9. Other Council Business

10. Adjourn

The City of Charlevoix will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting upon one weeks' notice to the City of Charlevoix. Individuals with disabilities requiring auxiliary aids or services should contact the City of Charlevoix Clerk's Office in writing or calling the following: City Clerk, 210 State Street, Charlevoix, MI 49720 (231) 547-3250.

Posted March 30, 2017 12 Noon

PROCLAMATION

SEXUAL ASSAULT AWARENESS MONTH ~ APRIL 2017

WHEREAS, sexual assault affects women, children and men of all racial, cultural and economic backgrounds; and

WHEREAS, in addition to the immediate physical and emotional costs, sexual assault may also have associated consequences of post-traumatic stress disorder, substance abuse, depression, homelessness, eating disorders and suicide; and

WHEREAS, sexual assault can be devastating for not only the survivor, but also for the family and friends of the survivor; and

WHEREAS, no one person, organization, agency or community can eliminate sexual assault on their own, but we can work together to educate our entire population about what can be done to prevent sexual assault, support victims/survivors and their significant others and increase support for agencies providing services to victims/survivors; and

WHEREAS, Sexual Assault Awareness Month provides an excellent opportunity for citizens to learn more about preventing sexual violence before it can start and to show support for the numerous organizations and individuals who provide critical advocacy, services and assistance to sexual assault survivors; and

WHEREAS, The City of Charlevoix strongly supports the efforts of national, state, and local partners, and of every citizen, to actively engage in public and private efforts to prevent sexual violence. It's time for all of us to start conversations, take appropriate action and support one another to create a safer environment for all.

NOW, THEREFORE BE IT RESOLVED, that I, Luther Kurtz, Mayor of the City of Charlevoix, support efforts to eliminate sexual assault and hereby declare April 2017 to be in our city

Sexual Assault Awareness Month

Dated this 1st day of April, 2017.



Mayor Luther Kurtz
City of Charlevoix

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

Monday, March 20, 2017 – 7:00 p.m.

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

The meeting was called to order at 7:00 p.m. by Mayor Luther Kurtz.

1. Pledge of Allegiance

2. Roll Call

Mayor: Luther Kurtz

Members Present: Councilmembers Shane Cole, Shirley Gibson, Aaron Hagen, Janet Kalbfell, Tom Oleksy, Leon Perron

Members Absent: None

City Manager: Mark Heydlauff

City Clerk: Joyce Golding

3. Presentations

Van Pelt Alley Presentation

Mayor Kurtz stepped down from the dais. Evan Chappuies, Cantina Mexican Restaurant, facilitated the Van Pelt Alley presentation. He described the vision of the Alley referring to it as Mercado and discussed handicap accessibility, safety, walkability, and a vibrant atmosphere. Mr. Chappuies introduced the future tenants, which in turn briefly described their businesses. Gail DeMeyere, Charlevoix Circle of Arts Executive Director, was in favor of the plans for the Alley and described future programming and the walkability of the area. In closing, Mr. Chappuies offered options for a trial period whereby the Alley could be closed to vehicles at certain times of the day.

Deputy Mayor Cole opened the floor to the public. Several folks expressed concern with delivery logistics in the Alley which included pedestrian safety and vehicle accessibility, as well as an additional comment regarding how deliveries are made to businesses directly on Bridge Street without an issue.

City Manager Heydlauff explained that he is collaborating with Staff Planner Lucas to submit the Sustainable Built Environment Initiative application. Public spaces, alleys, and parking areas bounded by Bridge, State, Park and Clinton will be included in the study. Council agreed to revisit this topic in more detail after MSU approves the application. The Mayor returned to the meeting.

4. Inquiry Regarding Conflicts of Interest

The Mayor stated that he would recuse himself from the Airport Rates agenda item and he disclosed that Council will be setting a public hearing in the Consent Agenda for a business that he co-owns.

5. Consent Agenda

All items listed under Consent Agenda are considered routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion of an item is required, it will be removed from the Consent Agenda and considered separately.

- A. City Council Meeting Minutes – March 6, 2017 Regular Meeting
- B. Regular Accounts Payable Check Register – March 21, 2017
- C. ACH Payments – March 6, 2017 to March 13, 2017
- D. Payroll Check Register – March 10, 2017
- E. Payroll Transmittal – March 10, 2017
- F. Tax Disbursement – March 12, 2017
- G. Approve Farmers Market Manager and EMS Director Job Descriptions
- H. Set Public Hearing for CFEC Application: Celebrate Me Home, LLC

Motion by Councilmember Gibson, second by Councilmember Kalbfell, to approve the Consent Agenda.

Yeas: Gibson, Cole, Oleksy, Hagen, Kalbfell, Perron

Nays: None

Absent: None

6. Public Hearings & Actions Requiring Public Hearings

None.

7. All Other Actions & Requests

A. Forestry Management Plan

City Manager Heydlauff recalled that last spring the Shade Tree Commission recommended Council have a Forestry Management Plan completed to address the long-term health and sustainability of the forested areas of Lake Michigan Beach Park and Mt. McSaub. He stated that the final plan reflects community input on the condition of the wooded area of Lake Michigan Beach Park, how brush and dead trees will be cleaned up, as well as an appendix regarding the care and maintenance needed for the disc golf area of Mt. McSaub. City Manager Heydlauff suggested that going forward, it would make sense to have the City perform maintenance of this area.

Council discussed and agreed upon several changes to the draft which included clarifying the area for leaving large logs on the forest floor (page 14), removing the proposal for reducing the disc golf course to twelve holes (page 19), removing the Erosion paragraph requiring dogs on leashes (page 19), and changing 'Goulding' to 'Golding' (page 21). Council also discussed the possibility of beach bonfires (page 14) but, agreed to talk about this further at a later date.

Mayor Kurtz commended the Shade Tree Commission and Disc Golf representatives for their efforts in accommodating each other's interests. City Manager Heydlauff noted that there was a map included with the Management Plan which could be used for estimating and planning purposes.

Mayor Kurtz opened the item to public comment.

Larry Sullivan, Sherman Street, agreed with dogs running loose and he noted a safety issue with fire embers on the beach. He had a concern with mowing on the top of the ridge between Sherman and Antrim Streets and felt the area should be allowed to regenerate naturally.

Ms. Langeweg, Park Avenue, felt the ridge should be hand mowed so small trees could be saved and she commented that the area has been neglected for too long. She noted that the rustic steps need to be addressed.

The item was closed to the public.

Motion by Councilmember Cole, second by Councilmember Kalbfell, to remove the whole 'Erosion' paragraph, page 19 [of the Forestry Management Plan].

Yeas: Gibson, Cole, Oleksy, Hagen, Kalbfell, Perron

Nays: None

Absent: None

Motion by Councilmember Kalbfell, second by Councilmember Perron, to strike the second and third sentence, page 19, under 'Disc Golf', first bullet [of the Forestry Management Plan].

Yeas: Gibson, Cole, Oleksy, Hagen, Kalbfell, Perron

Nays: None

Absent: None

Motion by Councilmember Kalbfell, second by Councilmember Hagen, include 'in Mt. McCauba' to page 14, under 'Tree Removal', fourth bullet point [of the Forestry Management Plan].

Yeas: Gibson, Cole, Oleksy, Hagen, Kalbfell, Perron

Nays: None

Absent: None

Motion by Councilmember Gibson, second by Councilmember Cole, to adopt the Forestry Management Plan, as submitted by the Shade Tree Commission and direct City Staff to implement the recommendations as amended.

Yeas: Gibson, Cole, Oleksy, Hagen, Kalbfell, Perron

Nays: None

Absent: None

B. Live from Charlevoix – Round Lake Music Festival

Tim Fore stated that Live from Charlevoix will be presenting the Round Lake Music Festival on May 27-28. Three bands will perform in the Odmark Pavilion each day. The event organizers requested a beer tent in the north end of East Park. Mr. Fore noted that the event will not interfere with the Memorial Day parade.

The City of Charlevoix City Code, Section 3.14 (alcoholic beverages- consumptions prohibited in certain places), states:

It shall be unlawful for any person to consume alcoholic beverages in any part of any park which lies within one thousand (1,000) feet U.S. Highway 31, except that such restriction does not extend to privately owned vessels moored in the yacht basin nor does it extend to any specific function authorized by the city manager, provided, however, that any person or persons or legal entity authorized to control any playground, recreational area or athletic field covered by this chapter which property is not owned, leased or rented by the City of Charlevoix, may extend authority to consume alcoholic beverages on said premises, upon written notification to the city manager.

Mayor Kurtz opened the item to public comment. There was no comment and the item was closed.

Motion by Councilmember Cole, second by Councilmember Kalbfell, to allow the City Manager to waive the provision in the City Code under Title III: Parks and Public Grounds, Chapter 31, Section 3.14.

Yeas: Gibson, Cole, Oleksy, Hagen, Kalbfell, Perron

Nays: None

Absent: None

C. 2017-2018 Airport Rates and Fees Schedule

Mayor Kurtz stepped down from the dais. Interim Airport Manager Wyman recalled that at the February 20, 2017 meeting, City Council approved a resolution setting the 2017-2018 Rates and Fees Schedule with the exception of the Airport fees. After review by the Interim Airport Manager and Vice-Chair Woody of the Airport Advisory Committee, it was agreed that all business rates should be \$2,000.

Mayor Kurtz opened the item to public comment. There was no comment and the item was closed.

Motion by Councilmember Gibson second by Councilmember Kalbfell, to approve Resolution #2017-03-02 setting the 2017-2018 Airport Rates and Fees Schedule.

**CITY OF CHARLEVOIX
RESOLUTION NO. 2017-03-02
AIRPORT RATES & FEES ASSOCIATED WITH THE 2017-18 BUDGET**

WHEREAS, the City of Charlevoix annually must adopt a balanced budget to comply with the City Charter; and

WHEREAS, the City of Charlevoix in preparing the budget, assumes the adoption of rates and fees for various services they provide in order to pay for those services in whole or in part as proposed in their annual budget; and

WHEREAS, the City of Charlevoix defines all of their rates and fees in the rate section of the proposed budget; and

WHEREAS, on February 20, 2017, City Council approved all rates and fees associated with the 2017-18 budget with the exception of the Airport fees; and

WHEREAS, the Interim Airport Manager and the Airport Advisory Committee have reviewed and revised the fees and recommend that City Council approve them for adoption; and

WHEREAS, the City of Charlevoix proposes to make these rates and fees effective on April 1, 2017.

NOW THEREFORE BE IT RESOLVED that the City of Charlevoix adopts the revised Airport rates and fees included in the 2017-18 Proposed Budget, thus completing the rates and fees approval process for the upcoming fiscal year.

RESOLVED, this 20th day of March, 2017 A.D.

Resolution adopted by the following yea and nay votes:

Yeas: Gibson, Cole, Oleksy, Hagen, Kalbfell, Perron

Nays: None

Absent: None

D. Van Pelt Alley Utility Upgrades

The Mayor returned to the meeting and disclosed that he would recuse himself if his project was discussed. Electric Superintendent Swem recalled the 2016 Christmas Eve fire at the Trademark Properties Building which eliminated the infrastructure, specifically the riser atop the building and overhead wires in the Alley. To make a long-term fix and improve this space, Staff recommended burying all the electric line as well as phone and cable. Furthermore, the existing water main under Bridge Street is extremely old and Staff felt it was advantageous to add a water main in the Alley so that new services could be installed in the future without disrupting the highway. Due to the unexpected nature of this critical project, Superintendent Swem stated that Staff abbreviated the normal bid process and provided rough specs to Manthei Development Corporation (MDC) and Team Elmer's, both local firms who have done excellent work for the City. MDC was the low bidder at \$97,186.50 and Superintendent Swem would like the work to be completed before Memorial Day with an estimated timeline of one month to complete.

Mayor Kurtz opened the item to public comment and stepped down from the dais.

Maureen Owens questioned whether the Alley could be more 'aesthetically pleasing.' City Manager Heydlauff advised that using brick pavers would increase the cost of the project as well as extend the timeline. He suggested waiting with any improvements until all construction and the study were complete. Council agreed. Discussion continued with members of the public which included suggestions to visually improve the Alley.

The item was closed to the public by Deputy Mayor Cole.

Motion by Councilmember Kalbfell, second by Councilmember Perron, to declare the infrastructure improvements in the Van Pelt Alley an emergency and award the reconstruction work to Manthei Development Co. for a total price not to exceed \$97,186.50.

Yeas: Gibson, Cole, Oleksy, Hagen, Kalbfell, Perron

Nays: None

Absent: None

E. Sale of Property: Marion Center and US-31

The Mayor returned to the meeting. City Manager Heydlauff stated that the City owns a parcel at the corner of Marion Center Road and US-31 across from the Airport. He indicated that he has been approached by parties expressing interest in purchasing this property. Staff does not know of a future use the City may have for it beyond the utility easement on the east side of the property. Michigan Appraisal Company placed the property value at \$110,000. City Manager Heydlauff noted that if Council was willing to sell this property, it would be back on the tax rolls and provide some income for the City. He suggested advertising this property for sealed bids and requiring disclosure of the property's intended use.

Councilmember Perron expressed concern with the proximity to the Airport and the potential of using the parcel for a building or parking lot. City Manager Heydlauff clarified that any and all bids need not be accepted.

Mayor Kurtz opened the item to public comment.

Interim Airport Manager Wyman commented that the parcel is currently used for overflow Airport parking during busy weekends and with potential hangar development there may be a need for additional permanent parking.

The item was closed to the public.

Motion by Councilmember Gibson, second by Councilmember Hagen, to authorize the City Manager to advertise for sealed proposals for the sale of the property at the intersection of Marion Center Road and US-31.

Yeas: Gibson, Cole, Oleksy, Hagen, Kalbfell

Nays: Perron

Absent: None

F. Conflict of Interest Policy

Councilmembers Gibson, Oleksy, and Perron requested this item be placed on the agenda. Councilmember Gibson felt that Resolution 2009-06-03 was an inadequate attempt at defining a code of ethics and conflict of interest policy. She stated that she would like to see a comprehensive ordinance which defines a code of ethics and conflict of interest which would include a procedure. She wondered if the City Manager had any examples that could be used as a draft. City Manager Heydlauff stated that the Michigan Municipal League (MML) would be a good resource.

Mayor Kurtz quoted a paragraph from the MML which cautioned that while an ethics ordinance is a good tool, it can be used as both a sword and a shield. He felt that conflict of interest has been 'a little bit of a moving target' over the last year.

Councilmember Perron stated that a conflict of interest is not something negative but, a circumstance. Councilmember Hagen agreed. Councilmember Perron felt there should be a set procedure for recusal.

Councilmember Oleksy agreed with Councilmembers Perron and Gibson. He stated that Council was here to serve the City and wondered where you draw the line for a Member having to be recused repeatedly from discussion and questioned whose interest the Member is serving.

Councilmember Kalbfell felt that each circumstance is unique and it would be difficult to have a well-defined list of items. She suggested speaking to the Member if a conflict was perceived and Council would decide as a group whether there was a conflict or not. Mayor Kurtz confirmed that this approach was recommended by the City Attorney.

Councilmember Cole agreed with Councilmember Kalbfell and felt that in a small town it was difficult to not have circumstances that may involve a conflict. He proposed that City Manager Heydlauff and the City Attorney work together using MML suggestions.

Mayor Kurtz stated that it was his understanding that Council should not be influencing the Planning Commission in how they work. He stated that at a Short-Term Rental Subcommittee meeting Planning Commission Member Julie Roth announced that a couple of Councilmembers reached out to her saying that if the Planning Commission did not draft a short-term rental ordinance, then they would. Mayor Kurtz then read a brief transcript of the meeting audio confirming this dialog. He questioned each Councilmember individually whether this was true. All responded negatively. Councilmember Gibson disclosed that she has attended some meetings and had spoken to Member Roth. Mayor Kurtz felt that while Council is discussing ethics and conflicts of interest, they should discuss how they interact with the Planning Commission. Councilmember Cole indicated that this situation would be considered undue influence. Councilmember Hagen suggested that Council boundaries be defined in the draft policy.

Mayor Kurtz opened the item to public comment.

Greg Stevens recalled the history of the City's conflict of interest policy.

Ms. Langeweg felt that the Mayor is moving Charlevoix forward as promised.

Steve Bennett, 1st Ward, stated that he voted to keep Charlevoix positive knowing Mr. Kurtz's background and business interests. He declared that he believes in the First Amendment and Mr. Kurtz's right to free speech and the right to recuse himself.

Terry Osterhaut, 1st Ward, commended Council on being effective and moving forward.

The item was closed to the public.

Motion by Councilmember Kalbfell, second by Councilmember Gibson, to have the City Manager connect with City Attorney Scott Howard, in conjunction with the MML, and put together a draft of what a code of ethics could look like for Charlevoix.

Yeas: Gibson, Cole, Oleksy, Hagen, Kalbfell, Perron

Nays: None

Absent: None

8. Reports & Communications

A. Public Comments

Larry Sullivan, suggested WiFi in City Hall (which is already being installed.) He voiced his concern over the loss of public parking, the 'rustic stairs' signage, and the condition of the stairs at Lake Michigan Beach park. He also suggested designated fire pits at the beaches.

Don Seelye suggested using lapel microphones to enable the public to hear Council better.

Greg Stevens felt that the Airport Advisory Committee was a vigilante committee and responsible for 'cheap shots' at then Councilmember Kurtz. Mr. Stevens suggested that Council disband the committee.

B. City Manager Comments

City Manager Heydlauff congratulated Charlevoix High School freshman Elise Stuck, Class C All-State Basketball Team and Ferris State sophomore Zach Hanson, NABC Division II All-America First Team. He also congratulated Clerk Golding for completing the three-year Certified Michigan Municipal Clerk program.

C. Mayor & Council Comments

None.

9. Other Council Business

None.

10. Adjourn

The Mayor stated if there were no objections, the meeting would adjourn. There were no objections. Meeting adjourned at 8:55 p.m.

Joyce M. Golding	City Clerk	Luther Kurtz	Mayor
Regular Accounts Payable – 03/21/2017			
ABILITA	1,852.50	CHANNING BETE COMPANY INC.	119.95
ACE HARDWARE	1,592.93	CHARLEVOIX COLLISION INC.	358.46
ALTEC INDUSTRIES INC	214,877.62	CHARLEVOIX COUNTY FIRE	135.00
AMERICAN PUBLIC WORKS ASSN	370.00	CHARTER COMMUNICATIONS	522.55
AMERICAN WASTE INC.	338.36	CINTAS CORPORATION	112.75
ASPLUNDH TREE EXPERT CO	9,780.00	CINTAS CORPORATION #729	30.00
AT&T	567.93	CITY OF CHARLEVOIX - UTILITIES	36,955.22
AUTO VALUE	1,414.88	CRYSTAL FLASH ENERGY	845.41
AVFUEL CORPORATION	34,422.01	EJ USA INC.	869.64
AVSURANCE CORPORATION	4,295.00	ELLSWORTH FARMER'S EXCHANGE	1,087.16
BERGER CHEVEROLET	23,217.00	EMERGENCY MEDICAL PRODUCTS INC	541.47
BOLHOUSE, MICHAEL	57.95	ETNA SUPPLY	12,083.50
BOSS JR, DALE E.	239.96	FAMILY FARM & HOME	253.41
BRADFORD'S	22.75	FOCHTMAN CARQUEST	23.33
CARQUEST OF CHARLEVOIX	943.18	FOX CHARLEVOIX	39,131.31
CENTRAL DRUG STORE	85.22	FREIDINGER, REED	27.50

GILMET CONSTRUCTION SERVICES	142.35	NORTHERN SAFETY CO. INC	83.49
GINOP SALES INC	41.58	NORTHWEST HYDRAULICS & ENGRG.	1,205.51
GRAINGER	7.71	OLSON BZDOK & HOWARD	2,762.00
GREEN GUARD	47.25	OWENS, MAUREEN	293.04
HEALTH DEPT OF NW MICHIGAN	1,325.00	PARASTAR INC.	1,069.87
HERITAGE-CRYSTAL CLEAN LLC	75.00	PLUNKETT & COONEY	200.00
HERRIMAN, THOMAS	25.00	POWER LINE SUPPLY	1,861.25
HOLIDAY COMPANIES	4,665.64	PRESTON FEATHER	93.98
HYDRO CORP	515.00	RANGE TELECOMMUNICATIONS	114.00
INDEPENDENT DRAFTING SERVICES	1,960.00	RIETH-RILEY CONST CO INC	2,369.13
INDUSTRIAL MARKETING	298.16	ROWE PROFESSIONAL SERVICES CO	1,310.00
JACK DOHENY SUPPLIES INC	648.95	SCHMIDT, ELISE	4,915.38
KASSBOHRER ALL TERRAIN VEHICLE	174.04	SPOK INC	9.99
KIRKPATRICK, TOM	94.47	STATE OF MICHIGAN	1,445.41
KSS ENTERPRISES	673.69	SUPERIOR MECHANICAL	592.68
L & S TREE SERVICE	240.00	SYSTEMS SPECIALISTS INC	175.00
LAKESHORE TIRE & AUTO SERVICE	917.70	TREDROC TIRE GAYLORD 758	551.20
LASER PRINTER TECHNOLOGIES	469.90	TRUCK & TRAILER SPECIALTIES	554.62
MCCARDEL CULLIGAN-PETOSKEY	50.00	TRUE FITNESS TECHNOLOGY INC	8,925.00
MICHIGAN ASSN/CHIEFS OF POLICE	675.00	UP NORTH PROPERTY SERVICES LLC	304.50
MICH LAW ENFORCEMENT TRAINING	250.00	USA BLUE BOOK	293.12
MICHIGAN NURSERY LANDSCAPE ASSOC	190.00	VERIBANC INC.	432.00
MICHIGAN OFFICEWAYS INC	3,137.63	VILLAGE GRAPHICS INC.	280.00
MICHIGAN SURVEYORS SUPPLY	1,296.00	WILLCOME TREE SERVICE	320.00
MSU/HIGHWAY TRAFFIC SAFETY PGM	675.00	WORK & PLAY SHOP	93.04
NORTHERN CREDIT BUREAU	328.75	YP	210.00
NORTHERN FIRE & SAFETY INC.	674.00		
NORTHERN MICHIGAN REVIEW INC.	3,032.95	TOTAL	440,268.93

ACH Payments – 03/06/2017 to 03/13/2017

MI PUBLIC POWER AGENCY	14,866.15	VANTAGEPOINT (401 ICMA PLAN)	699.94
PAYMENT SERVICE NETWORK	241.30	VANTAGEPOINT (457 ICMA PLAN)	12,428.77
DTE ENERGY	8,488.74	VANTAGEPOINT (ROTH IRA)	911.53
IRS (PAYROLL TAX DEPOSIT)	30,104.04	STATE OF MI (SALES TAX)	19,086.68
ALERUS FINANCIAL (HCSP)	420.00	MI PUBLIC POWER AGENCY	8,448.69
STATE OF MI (WITHHOLDING TAX)	4,359.30	TOTAL	100,055.14

Payroll Net Pay – Pay Period Ending 03/04/2017 (Paid 03/10/2017)

WELLER, LINDA JO	1,469.19	DRAVES, MARTIN J.	1,588.42
HEYDLAUFF, MARK L.	2,405.58	BROWN, STEPHANIE C.	1,042.19
GOLDING, JOYCE M.	1,080.01	ANDERSON, ELIZABETH A.	1,108.01
DEROSIA, PATRICIA E.	891.92	ELLIOTT, PATRICK M.	1,962.28
DOTSON, LINDSEY J.	1,393.28	SCHWARTZFISHER, JOSEPH L.	1,336.12
LOY, EVELYN R.	1,050.16	BRADLEY, KELLY R.	1,393.57
KLOOSTER, ALIDA K.	1,736.98	HART II, DELBERT W.	1,102.13
GOLOVICH, KAREN J.	970.67	JONES, ROBERT F.	1,603.41
SPENCLEY, PATRICIA L.	1,074.26	DORAN, JUSTIN J.	1,631.49
PANOFF, ZACHARY R.	1,169.91	KIRINOVIC, THOMAS F.	521.46
MILLER, FAITH G.	73.40	BITELY, KATHERINE A.	140.18
LEESE, MERRI C.	402.98	MILAN, JANE E.	90.04
MCGINN, KELLY A.	1,564.08	BOSS, SHERRY M.	351.16
DOAN, GERARD P.	1,559.32	DIXON, MIKAYA S.	133.81
SCHLAPPI, JAMES L.	979.53	NIMPHIE, NOAH J.D.	217.98
UMULIS, MATTHEW T.	1,274.84	PORATH, JACOB P.	217.98
HANKINS, SCOTT A.	1,456.97	HAGEN, MADISON L.	267.81
ORBAN, BARBARA K.	1,159.93	CRANDELL, ZACKARY R.	280.88
TRAEGER, JASON A.	1,108.69	BERTINELLI, DAVID P.	923.57
FLICKEMA, ANDREW M.	1,472.51	ARNOLD, HAILEE M.	165.12
MATELSKI, KIMBERLY A.	1,143.81	BOSS, BEAU J.	849.92
RILEY, DENISE M.	422.67	FICHTNER, KRISTIE S.	295.00
WURST, RANDALL W.	1,272.36	HEID, THOMAS J.	1,273.44
MAYER, SHELLEY L.	1,459.91	VANLOO, JOSEPH G.	585.91
HILLING, NICHOLAS A.	1,092.80	WYMAN, MATTHEW A.	1,423.43
MEIER III, CHARLES A.	1,134.87	BOSS, RYDER S.	481.90
ZACHARIAS, STEVEN B.	1,297.00	MILLER, WILLIAM S.	1,216.66
EATON, BRAD A.	1,822.62	DOUGLAS, MARK	467.61
WILSON, TIMOTHY J.	2,254.75	STEVENS, JEFFREY W.	260.26
LAVOIE, RICHARD L.	1,630.19	FUNKEY, KRAIG R.	69.26
STEVENS, BRANDON C.	1,674.70	MEGGISON, JERRY B.	66.07

RILEY, CASEY W.	331.65	SWEM, DONALD L.	1,834.08
THORMAN, MIKAYLA R.	301.72	WHITLEY, ANDREW T.	1,816.49
JONES, LARRY M.	476.70	MORRISON, KEVIN P.	1,221.22
FLORE, ROBERT A.	997.55	HODGE, MICHAEL J.	1,265.87
WILLSON, BRENDA R.	689.93	JOHNSON, STEVEN P.	1,106.41
BEAN, PETER J.	1,132.82	BOSS JR, DALE E.	1,212.17
FENNELL, DREW M.	521.40	STEBE JR, JOHN M.	432.75
WHITLEY, TYLER J.	642.32	STEBE, CATHERINE M.	365.20
MCCALIB, RACHELLE L.	157.23	HOLM, ARTHUR R.	591.38
TRAVERS, MANUEL J.	389.77	WHITLEY, ADAM T.	147.76
SILVA, JESSE L.A.	26.42		
RILEY, DANIEL A.	1,479.55	TOTAL	79,707.35

Payroll Transmittal - 03/10/2017

4FRONT CREDIT UNION	307.69	CHEMICAL BANK	150.00
4FRONT CREDIT UNION	2,054.00	COMMUNICATION WORKERS OF AMER	519.37
AMERICAN FAMILY LIFE	191.88	MI STATE DISBURSEMENT UNIT	323.45
AMERICAN FAMILY LIFE	461.64	POLICE OFFICERS LABOR COUNCIL	251.25
CHAR EM UNITED WAY	59.00	PRIORITY HEALTH	2,014.96
CHARLEVOIX STATE BANK	1,284.62	TOTAL	7,617.86

Tax Disbursement 03/21/2017

CHARLEVOIX COUNTY TREASURER	8,495.91	CITY OF CHARLEVOIX - TAXES DUE	3,659.01
CHARLEVOIX DISTRICT LIBRARY	2,354.00	RECREATIONAL AUTHORITY	462.06
CHARLEVOIX PUBLIC SCHOOLS	293.21	STERLY, MICHAEL	4.00
CHARLEVOIX PUBLIC SCHOOLS	30.81	WHITLEY, ADAM & JILL	36.51
CHARLEVOIX PUBLIC SCHOOLS	44.45	TOTAL	15,379.96

Check Number	Payee	Amount	Void/Manual
03/16/2017			
119658	U S BANK	142,400.00	
Total 03/16/2017:		142,400.00	
Grand Totals:		142,400.00	

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

03/16/17	Special Accounts Payable Run	\$	142,400.00
03/22/17	Special Accounts Payable Run	\$	54,108.10
03/24/17	Payroll (net pay)	\$	80,769.81
03/24/17	Payroll Transmittal Checks	\$	5,330.56
04/04/17	Regular Accounts Payable	\$	118,858.29
Checks Sub-Total:		\$	401,466.76

HUNTINGTON NATIONAL BANK - ACH/WIRE PAYMENTS

03/20/17	MI Public Power Agency	\$	23,365.42
03/24/17	IRS (Payroll Tax Deposit)	\$	30,009.31
03/24/17	Alerus Financial (MCSP)	\$	420.00
03/24/17	State of MI (Withholding Tax)	\$	4,352.50
03/24/17	Vantagepoint (401 ICMA Plan)	\$	699.94
03/24/17	Vantagepoint (457 ICMA Plan)	\$	12,358.34
03/24/17	Vantagepoint (Roth IRA)	\$	911.53
03/24/17	MERS Defined Benefit Plan	\$	26,686.24
03/27/17	MI Public Power Agency	\$	9,533.97
03/27/17	MI Public Power Agency	\$	249,037.02

ACH Sub-Total: \$ 357,374.27

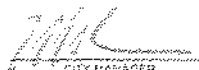
Huntington National Bank Total: \$ 758,841.03

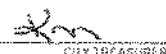
CHARLEVOIX STATE BANK - CHECKS ISSUED

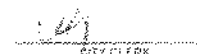
(PROPERTY TAX DISBURSEMENT TO VARIOUS TAXING AUTHORITIES)			
03/22/17	Special Run Tax Disbursement	\$	5.00
Charlevoix State Bank Total:		\$	5.00

Grand Total: \$ 758,846.03

APPROVED


CITY MANAGER


CITY TREASURER


CITY CLERK

M = Manual Check, V = Void Check

Check Number	Payee	Amount
03/22/2017		
119682	AT&T	1,608.46
119683	AT&T LONG DISTANCE	39.91
119684	AT&T MOBILITY	88.45
119685	CHARLEVOIX STATE BANK	6,026.61
119686	DELTA DENTAL	3,579.16
119687	GREAT LAKES ENERGY	297.16
119688	METLIFE SMALL BUSINESS CENTER	711.37
119689	PRIORITY HEALTH	41,181.38
119690	VERIZON WIRELESS	56.72
119691	VISION SERVICE PLAN	518.88
Total 03/22/2017:		54,108.10
Grand Totals:		54,108.10

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
03/18/2017	PC	03/24/2017	23048	WELLER, LINDA JO	101		1,469.19
03/18/2017	PC	03/24/2017	23049	HEYDLAUFF, MARK L.	102		2,121.63
03/18/2017	PC	03/24/2017	23050	GOLDING, JOYCE M.	106		1,080.00
03/18/2017	PC	03/24/2017	23051	DEROSIA, PATRICIA E.	107		891.92
03/18/2017	PC	03/24/2017	23052	DOTSON, LINDSEY J.	109		1,393.28
03/18/2017	PC	03/24/2017	23053	LOY, EVELYN R.	117		1,050.16
03/18/2017	PC	03/24/2017	23054	KLOOSTER, ALIDA K.	121		1,540.11
03/18/2017	PC	03/24/2017	23055	GOLOVICH, KAREN J.	122		970.67
03/18/2017	PC	03/24/2017	23056	SPENCLEY, PATRICIA L.	136		1,387.40
03/18/2017	PC	03/24/2017	23057	PANOFF, ZACHARY R.	141		1,169.91
03/18/2017	PC	03/24/2017	23058	LEESE, MERRI C.	146		350.12
03/18/2017	PC	03/24/2017	23059	MCGINN, KELLY A.	146		1,564.07
03/18/2017	PC	03/24/2017	23060	DOAN, GERARD P.	201		1,559.32
03/18/2017	PC	03/24/2017	23061	SCHLAPPI, JAMES L.	204		935.42
03/18/2017	PC	03/24/2017	23062	UMULIS, MATTHEW T.	205		1,230.72
03/18/2017	PC	03/24/2017	23063	HANKINS, SCOTT A.	208		1,456.97
03/18/2017	PC	03/24/2017	23064	ORBAN, BARBARA K.	209		1,166.92
03/18/2017	PC	03/24/2017	23065	TRAEGER, JASON A.	210		1,219.93
03/18/2017	PC	03/24/2017	23066	FLICKEMA, ANDREW M.	211		1,499.27
03/18/2017	PC	03/24/2017	23067	MATELSKI, KIMBERLY A.	212		1,143.81
03/18/2017	PC	03/24/2017	23068	RILEY, DENISE M.	306		424.69
03/18/2017	PC	03/24/2017	23069	WURST, RANDALL W.	411		956.90
03/18/2017	PC	03/24/2017	23070	MAYER, SHELLEY L.	412		1,476.84
03/18/2017	PC	03/24/2017	23071	HILLING, NICHOLAS A.	413		1,356.79
03/18/2017	PC	03/24/2017	23072	MEIER III, CHARLES A.	421		1,185.08
03/18/2017	PC	03/24/2017	23073	ZACHARIAS, STEVEN B.	422		1,274.21
03/18/2017	PC	03/24/2017	23074	EATON, BRAD A.	515		1,742.86
03/18/2017	PC	03/24/2017	23075	WILSON, TIMOTHY J.	516		2,020.78
03/18/2017	PC	03/24/2017	23076	LAVOIE, RICHARD L.	519		1,630.19
03/18/2017	PC	03/24/2017	23077	STEVENS, BRANDON C.	521		2,066.19
03/18/2017	PC	03/24/2017	23078	DRAVES, MARTIN J.	523		1,750.15
03/18/2017	PC	03/24/2017	23079	BROWN, STEPHANIE C.	524		1,042.19
03/18/2017	PC	03/24/2017	23080	ANDERSON, ELIZABETH	526		1,151.81
03/18/2017	PC	03/24/2017	23081	ELLIOTT, PATRICK M.	600		1,962.28
03/18/2017	PC	03/24/2017	23082	SCHWARTZFISHER, JOS	603		1,165.23
03/18/2017	PC	03/24/2017	23083	BRADLEY, KELLY R.	614		1,239.53
03/18/2017	PC	03/24/2017	23084	HART II, DELBERT W.	616		1,256.72
03/18/2017	PC	03/24/2017	23085	JONES, ROBERT F.	618		1,086.57
03/18/2017	PC	03/24/2017	23086	DORAN, JUSTIN J.	621		1,406.80
03/18/2017	PC	03/24/2017	23087	KIRINOVIC, THOMAS F.	700		346.77
03/18/2017	PC	03/24/2017	23088	BITELY, KATHERINE A.	704		204.44
03/18/2017	PC	03/24/2017	23089	MILAN, JANE E.	711		120.05
03/18/2017	PC	03/24/2017	23090	BERNIER, RACHEL M.	718		99.73
03/18/2017	PC	03/24/2017	23091	BOSS, SHERRY M.	730		514.33
03/18/2017	PC	03/24/2017	23092	DIXON, MIKAYA S.	736		70.48
03/18/2017	PC	03/24/2017	23093	NIMPHE, NOAH J.D.	737		129.29
03/18/2017	PC	03/24/2017	23094	PORATH, JACOB P.	741		217.98
03/18/2017	PC	03/24/2017	23095	HAGEN, MADISON L.	752		406.34
03/18/2017	PC	03/24/2017	23096	CRANDELL, ZACKARY R.	753		230.11
03/18/2017	PC	03/24/2017	23097	BERTINELLI, DAVID P.	764		923.57
03/18/2017	PC	03/24/2017	23098	ARNOLD, HAILEE M.	768		110.82
03/18/2017	PC	03/24/2017	23099	BOSS, BEAU J.	769		849.92
03/18/2017	PC	03/24/2017	23100	FICHTNER, KRISTIE S.	792		295.00
03/18/2017	PC	03/24/2017	23101	HEID, THOMAS J.	802		1,273.44
03/18/2017	PC	03/24/2017	23102	KUSINA, DENNIS W.	862		132.14
03/18/2017	PC	03/24/2017	23103	LIVINGSTON, BRIAN D.	866		468.32
03/18/2017	PC	03/24/2017	23104	VANLOO, JOSEPH G.	902		548.20

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
03/18/2017	PC	03/24/2017	23105	WYMAN, MATTHEW A.	927		1,423.43
03/18/2017	PC	03/24/2017	23106	BOSS, RYDER S	932		452.40
03/18/2017	PC	03/24/2017	23107	MILLER, WILLIAM S	933		988.59
03/18/2017	PC	03/24/2017	23108	DOUGLAS, MARK	935		478.58
03/18/2017	PC	03/24/2017	23109	STEVENS, JEFFREY W	1028		346.60
03/18/2017	PC	03/24/2017	23110	FUNKEY, KRAIG R.	1034		106.20
03/18/2017	PC	03/24/2017	23111	MEGGISON, JERRY B	1036		29.95
03/18/2017	PC	03/24/2017	23112	RILEY, CASEY W.	1052		566.97
03/18/2017	PC	03/24/2017	23113	THORMAN, MIKAYLA R	1055		711.02
03/18/2017	PC	03/24/2017	23114	JONES, LARRY M.	1057		878.76
03/18/2017	PC	03/24/2017	23115	FLORE, ROBERT A.	1058		778.25
03/18/2017	PC	03/24/2017	23116	WILLSON, BRENDA R	1059		750.83
03/18/2017	PC	03/24/2017	23117	BEAN, PETER J.	1060		1,324.97
03/18/2017	PC	03/24/2017	23118	FENNELL, DREW M.	1062		202.62
03/18/2017	PC	03/24/2017	23119	RILEY, REBECCA J	1063		192.38
03/18/2017	PC	03/24/2017	23120	WHITLEY, TYLER J.	1065		501.96
03/18/2017	PC	03/24/2017	23121	MCMULLEN, DONALD R.	1067		452.05
03/18/2017	PC	03/24/2017	23122	TRAVERS, MANUEL J	1071		590.12
03/18/2017	PC	03/24/2017	23123	SILVA, JESSE L.A.	1073		13.21
03/18/2017	PC	03/24/2017	23124	RILEY, DANIEL A.	1079		1,429.71
03/18/2017	PC	03/24/2017	119659	TIMMS, ROBERT N	92		184.70
03/18/2017	PC	03/24/2017	119660	EVELEIGH, MARY J.	96		92.36
03/18/2017	PC	03/24/2017	119661	SWEM, DONALD L.	512		1,834.09
03/18/2017	PC	03/24/2017	119662	WHITLEY, ANDREW T	522		1,612.54
03/18/2017	PC	03/24/2017	119663	MORRISON, KEVIN P.	601		1,048.39
03/18/2017	PC	03/24/2017	119664	HODGE, MICHAEL J.	608		1,259.66
03/18/2017	PC	03/24/2017	119665	JOHNSON, STEVEN P	617		984.99
03/18/2017	PC	03/24/2017	119666	BOSS JR, DALE E	701		1,212.17
03/18/2017	PC	03/24/2017	119667	STEBE JR, JOHN M	729		398.38
03/18/2017	PC	03/24/2017	119668	STEBE, CATHERINE M.	765		294.90
03/18/2017	PC	03/24/2017	119669	HOLM, ARTHUR R	791		509.37
03/18/2017	PC	03/24/2017	119670	GILL, DAVID R	856		561.23
03/18/2017	PC	03/24/2017	119671	SCOTT JR., WINFIELD	1072		207.03
03/18/2017	PC	03/24/2017	119672	WHITLEY, ADAM T.	1089		13.85
Grand Totals:			91				80,769.61

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
03/18/2017	03/24/2017	119673	4FRONT CREDIT UNION	9024	HSA-EMPLOYEE CONTRIB-4FR	307.69
03/18/2017	03/24/2017	119674	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-POST	191.88
03/18/2017	03/24/2017	119674	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-PRETA	461.64
03/18/2017	03/24/2017	119675	CHAR EM UNITED WAY	9009	UNITED WAY Pay Period: 3/18/2	59.00
03/18/2017	03/24/2017	119676	CHARLEVOIX STATE BA	9017	HSA - EMPLOYEE CONTRIB - C	1,284.62
03/18/2017	03/24/2017	119677	CHEMICAL BANK	9018	HSA - EMPLOYEE CONTRIB - C	150.00
03/18/2017	03/24/2017	119678	COMMUNICATION WORK	9004	CWA UNION DUES Pay Period:	537.32
03/18/2017	03/24/2017	119679	MI STATE DISBURSEME	9012	FRIEND OF THE COURT Pay P	323.45
03/18/2017	03/24/2017	119680	PRIORITY HEALTH	392358	PRIORITY HEALTH Pay Period:	2,014.96
Grand Totals:		9				5,330.56

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Check Number	Payee	Amount
04/04/2017		
119692	360WATER	39.00
119693	a5 Branding & Design	6,221.16
119694	AIRGAS USA LLC	62.88
119695	AIS CONSTRUCTION EQUIPMENT	219.50
119696	ALTA CONSTRUCTION EQUIP LLC	251.89
119697	ARCADIA BENEFITS GROUP INC	25.00
119698	ARROW UNIFORM-TAYLOR L.L.C.	1,020.79
119699	ASPLUNDH TREE EXPERT CO	9,918.75
119700	BRADLEY, KELLY R.	150.00
119701	BREWER, JOHN	1,475.00
119702	BROWN, STEPHANIE C.	150.00
119703	CHARLEVOIX COUNTY TREASURER	1,518.28
119704	CHARLEVOIX SCREEN MASTERS INC	1,570.00
119705	CHARLEVOIX TOWNSHIP	15.23
119706	CHEMICAL SYSTEMS INC.	1,952.00
119707	CINTAS CORPORATION	76.74
119708	CITY OF CHARLEVOIX - PETTY CASH	48.52
119709	COCA-COLA REFRESHMENTS	228.24
119710	DCASSESSING SERVICES	4,371.08
119711	DeROSIA, PATRICIA E.	50.00
119712	DOAN, GERARD P.	50.00
119713	DORAN, JUSTIN J.	150.00
119714	DOTSON, LINDSEY J.	50.00
119715	DRAVES, MARTIN J.	150.00
119716	EATON, BRAD A.	150.00
119717	EJ USA INC.	2,092.40
119718	ELLIOTT, PATRICK M.	200.00
119719	EMERGENCY MEDICAL PRODUCTS I	239.55
119720	EVANS, HAL	50.00
119721	FERGUSON & CHAMBERLAIN	9,400.00
119722	FOX CHARLEVOIX FORD	221.90
119723	FREEDOM MAILING SERVICES INC.	2,267.03
119724	GOLDING, JOYCE M.	344.31
119725	GRAINGER	253.30
119726	GRAND TRAVERSE RUBBER SUPPLY	208.82
119727	HACH COMPANY	957.48
119728	HANKINS, SCOTT A.	50.00
119729	HARBOR STEEL & SUPPLY CORP	160.00
119730	HART II, DELBERT W.	150.00
119731	HARTFORD, THE	608.49
119732	HEID, THOMAS J.	200.00
119733	HERITAGE-CRYSTAL CLEAN LLC	85.58
119734	HEYDLAUFF, MARK L.	50.00
119735	HILLING, NICHOLAS A.	150.00
119736	HODGE, MICHAEL J.	150.00
119737	HOLMES, CORINA	49.28
119738	IDEXX DISTRIBUTION INC.	1,314.21
119739	JERRY'S TIRE	1,774.36

Check Number	Payee	Amount
119740	JOHNSON, STEVEN P.	150.00
119741	JONES, ROBERT F.	150.00
119742	KALBFELL, JANET P.	16.59
119743	KIRINOVIC, THOMAS F.	50.00
119744	KLOOSTER, ALIDA K.	50.00
119745	KMart	23.26
119746	KSS ENTERPRISES	135.25
119747	LAKESHORE TIRE & AUTO SERVICE	155.95
119748	LAVOIE, RICHARD L.	150.00
119749	MAYER, SHELLEY L.	200.00
119750	McGINN, KELLY A.	50.00
119751	MEIER III, CHARLES A.	150.00
119752	MI-AWWA	160.00
119753	MICHIGAN ASSN OF MUNICIPAL CLE	100.00
119754	MICHIGAN MUNICIPAL LEAGUE	4,896.56
119755	MIDWESTERN BROADCASTING COM	462.40
119756	MILLER, WILLIAM S.	50.00
119757	MITCHELL GRAPHICS INC.	290.00
119758	MORRISON, KEVIN P.	150.00
119759	NETSOURCE ONE INC.	320.00
119760	NORTHERN FIRE & SAFETY INC.	44.00
119761	NUB'S NOB	4,950.00
119762	OLD DOMINION BRUSH	1,307.12
119763	OTEC	1,084.65
119764	PANOFF, ZACHARY R.	50.00
119765	PERFORMANCE ENGINEERS INC	18,530.00
119766	PICTURE THIS	206.00
119767	POWER LINE SUPPLY	2,808.22
119768	PREIN & NEWHOF	17,084.82
119769	PRO WEB MARKETING LLC	50.00
119770	RESCO	1,674.00
119771	RILEY, DANIEL	50.28
119772	ROLOFF, ROBERT	620.00
119773	SCHWARTZFISHER, JOSEPH L.	150.00
119774	SHORELINE POWER SERVICES INC.	141.00
119775	STATE OF MICHIGAN	1,040.00
119776	STEVENS, BRANDON C.	150.00
119777	SWEM, DONALD L.	200.00
119778	SYSTEMS SPECIALISTS INC	1,800.00
119779	TERMINAL SUPPLY CO	25.20
119780	TIGER SCORECARD COMM	805.00
119781	TREDROC TIRE GAYLORD 758	1,084.12
119782	TROPHY CASE, THE	32.00
119783	USA BLUE BOOK	786.38
119784	UTILITY FINANCIAL SOLUTIONS	1,840.00
119785	VILLAGE GRAPHICS INC.	124.00
119786	WELLER, LINDA J.	50.00
119787	WHITLEY, ANDREW T.	150.00
119788	WILSON, TIMOTHY J.	150.00

Check Number	Payee	Amount
119789	WINTER EQUIPMENT COMPANY INC.	1,025.31
119790	WORK & PLAY SHOP	1,845.41
119791	WURST, RANDALL W.	200.00
119792	WYMAN, MATTHEW A.	50.00
119793	ZACHARIAS, STEVEN B.	150.00
Total 04/04/2017:		118,858.29
Grand Totals:		118,858.29

Check Number	Payee	Amount
03/20/2017		
32017001	MICHIGAN PUBLIC POWER AGENCY	23,365.42
Total 03/20/2017:		23,365.42
Grand Totals:		23,365.42

Check Issue Date	Check Number	Payee	Amount
32417001			
03/24/2017	32417001	**EFTPS* Payroll Taxes	7,598.81
03/24/2017	32417001	**EFTPS* Payroll Taxes	7,598.81
03/24/2017	32417001	**EFTPS* Payroll Taxes	1,777.19
03/24/2017	32417001	**EFTPS* Payroll Taxes	1,777.19
03/24/2017	32417001	**EFTPS* Payroll Taxes	11,257.31
Total 32417001:			
	5		30,009.31
32417002			
03/24/2017	32417002	Alerus Financial	420.00
Total 32417002:			
	1		420.00
32417003			
03/24/2017	32417003	STATE OF MICHIGAN	4,352.50
Total 32417003:			
	1		4,352.50
32417004			
03/24/2017	32417004	Vantagepoint - 401 Plan 109153	699.94
Total 32417004:			
	1		699.94
32417005			
03/24/2017	32417005	Vantagepoint - 457 Plan 300959	4,927.95
03/24/2017	32417005	Vantagepoint - 457 Plan 300959	603.86
03/24/2017	32417005	Vantagepoint - 457 Plan 300959	1,683.71
03/24/2017	32417005	Vantagepoint - 457 Plan 300959	5,142.82
Total 32417005:			
	4		12,358.34
32417006			
03/24/2017	32417006	Vantagepoint - Roth IRA 706117	911.53
Total 32417006:			
	1		911.53
Grand Totals:			
	13		48,751.62

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Check Number	Payee	Amount
03/24/2017		
32417007	MERS	26,686.24
Total 03/24/2017:		26,686.24
Grand Totals:		26,686.24

Check Number	Payee	Amount
03/27/2017		
32717001	MICHIGAN PUBLIC POWER AGENCY	9,533.97
32717002	MICHIGAN PUBLIC POWER AGENCY	249,037.02
Total 03/27/2017.		258,570.99
Grand Totals		258,570.99

Check Number	Payee	Amount
03/22/2017		
2886	CHARLEVOIX COUNTY TREASURER	5.00
Total 03/22/2017:		5.00
Grand Totals:		5.00

CHECKS DRAWN ON CHARLEVOIX STATE BANK ACCOUNT

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Public Hearing - Celebrate Me Home LLC Commercial Facilities Exemption Request

DATE: April 3, 2017

PRESENTED BY: Mark L. Heydlauff, City Manager

ATTACHMENTS: Resolution 2017-04-01
Celebrate Me Home Application Package
Memo from Sara Christiansen, Northern Lake Economic Alliance

BACKGROUND INFORMATION:

Public Act 255 of 1978 encourages the replacement, restoration and new construction of commercial property by abating the property taxes generated from new investment for a period up to 12 years in a designated redevelopment district. On October 17, 2016, City Council established a Commercial Redevelopment District for the City.

The local legislative body is authorized to exempt a commercial property from certain parts of the General Property Tax Act. A facility issued a certificate is exempt from real property taxes and is instead subject to a new commercial facilities tax.

Celebrate Me Home LLC has submitted an Application for Commercial Facilities Exemption Certificate for the following properties: 217 Bridge Street, 100 Van Pelt Place, and 101 Van Pelt Place. The City Clerk and City Manager have reviewed the complete application and have determined that Celebrate Me Home LLC is eligible for 12 year tax abatement per the City of Charlevoix Commercial Facilities Exemption Certificate Policy based on the application provided to us. A public hearing is part of the application approval process.

RECOMMENDATION:

Motion to approve Resolution 2017-04-01 granting a Commercial Facilities Exemption Certificate for property located in the Charlevoix Main Street Commercial Redevelopment District No. 1 at 217 Bridge Street, 100 Van Pelt Place, and 101 Van Pelt Place for a period of 12 years beginning December 31, 2017.

CITY OF CHARLEVOIX
RESOLUTION NO. 2017-04-01
RESOLUTION APPROVING COMMERCIAL FACILITIES EXEMPTION CERTIFICATE APPLICATION
FOR CELEBRATE ME HOME LLC LOCATED AT 217 BRIDGE STREET, 100 VAN PELT PLACE AND 101 VAN PELT PLACE,
CHARLEVOIX, MICHIGAN (PA255 OF 1978 AS AMENDED)

WHEREAS, the City of Charlevoix legally established the Charlevoix Main Street Commercial Redevelopment District No.1 on October 17, 2016, after a public hearing held on October 17, 2016; and

WHEREAS, the state equalized value of the property proposed to be exempt plus the aggregate state equalized value of property previously exempt and currently in force under Public Act 255 of 1978 and under Public Act 198 of 1974 (IFT's) does not exceed 5% of the total state equalized value of the City of Charlevoix; and

WHEREAS, the application was approved at a public hearing as provided by section 6(2) of Public Act 255 of 1978 on April 3, 2017; and

WHEREAS, Celebrate Me Home LLC is not delinquent in any taxes related to the facility; and

WHEREAS, the application is for commercial property as defined in section 3(3) of Public Act 255 of 1978; and

WHEREAS, the applicant Celebrate Me Home LLC has provided answers to all required questions under Section 6(1) of PA 255 of 1978 to the City of Charlevoix; and

WHEREAS, the City of Charlevoix requires that the construction, restoration or replacement of the facility shall be completed by December 30, 2018; and

WHEREAS, the commencement of the construction, restoration or replacement of the facility did not occur more than 45 days prior to the filing of the application for exemption; and

WHEREAS, the commencement of the construction, restoration or replacement of the facility did not occur prior to the establishment of the Commercial Redevelopment District; and

WHEREAS, the application relates to a construction, restoration or replacement program which when completed constitutes a new, replacement or restored facility within the meaning of Public Act 255 of 1978 and that is situated within a Commercial Redevelopment District established under Public Act 255 of 1978; and

WHEREAS, completion of the facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to increase commercial activity and create employment in which the facility is situated.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Charlevoix be and hereby is granted a Commercial Facilities Exemption for the real property, excluding land, located in the Charlevoix Main Street Commercial Redevelopment District No.1 at 217 Bridge Street, 100 Van Pelt Place, 101 Van Pelt Place for a period of 12 years, beginning December 31, 2017, and ending December 30, 2029, pursuant to the provisions of PA 255 of 1978, as amended.

RESOLVED this 3rd day of April, 2017 A.D.

Resolution was adopted by the following yea and nay vote:

Yeas:

Nays:

Absent:

CITY OF CHARLEVOIX
COMMERCIAL FACILITIES EXEMPTION CERTIFICATE WORKSHEET

APPLICANT: CELEBRATE ME HOME LLC

DATE: 2-17-17

Pursuant to Public Act 255 of 1978, the City Council is authorized to grant Commercial Facilities Exemption Certificates (CFEC) within Commercial Redevelopment Districts. The following guidelines shall govern Council's decision on the length of the CFEC.

1. Number of full-time or full-time equivalent jobs created by and/or retained by project:

15 FTEs

NUMBER OF JOBS	RETAINED	AND/OR	CREATED	POINTS EARNED
1 - 5	10 points		20 points	
6 - 10	20 points		40 points	
11 - 20	30 points		60 points	60
21 or more	40 points		80 points	

2. Cost of construction for new facilities (includes cost of all taxable property):

NEW CONSTRUCTION COST	POSSIBLE	POINTS EARNED
Up to \$150,000	5 points	
\$150,000 - \$300,000	10 points	
\$300,000 - \$450,000	15 points	
\$450,000 - \$600,000	20 points	N/A
\$600,000 - \$750,000	25 points	
\$750,000 - \$1,000,000	35 points	
Over \$1,000,000	50 points	

-OR-

Cost of renovation as percent of taxable real property and the true cash value of the building portion of the property at commencement of restoration:

TV = \$157,970 EST REHAB \$1,200,000

RENO COST % TO TAXABLE VALUE	POSSIBLE	POINTS EARNED
10 - 19%	5 points	
20 - 29%	10 points	
30 - 44%	15 points	
45 - 59%	20 points	
60 - 74%	25 points	50
75 - 99%	35 points	
100% or more	50 points	

3. Installation of an automatic fire sprinkler system in all new or rehabilitated areas:

POSSIBLE
10 points

POINTS EARNED

4. Degree to which the rehabilitation conforms to Main Street Design Committee Standards and/or adheres to Historic Preservation Standards:

POSSIBLE
20-40 points

POINTS EARNED

5. A technically qualified engineer or architect certifies that energy-saving devices, materials, and/or design has been incorporated into the renovation or new construction which exceed minimum applicable cost requirements:

POSSIBLE
10 points

POINTS EARNED

6. The project creates second-story housing units in the downtown at a market-based rental level or provides housing conducive to use by seasonal workers:

6-8 UNITS CREATED

HOUSING UNITS
1 - 2
3 - 4
5 or more

POSSIBLE
10 points
20 points
40 points

POINTS EARNED

40

TERM OF ABATEMENT

TOTAL POSSIBLE POINTS
230 points

POINTS EARNED
150

POINTS

YEARS OF ABATEMENT

70 - 84

6

85 - 109

9

110 or more

12

With a score of 150 points Applicant hereby qualifies for 12 years of tax abatement.

[Signature]
CITY MANAGER

3/28/17
DATE

[Signature]
CITY CLERK

3-28-17
DATE

RECEIVED

FEB 27 2017

Michigan Department of Treasury
4757 (Rev. 08-09)

City of

STATE USE ONLY		
City of Charlevoix	Date Received	LUCI Code

Application for Commercial Facilities Exemption Certificate

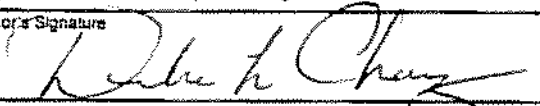
Issued under authority of Public Act 255 of 1978, as amended.

Read the instructions page before completing the application. This application must be filed after a Commercial Redevelopment District is established. The original application and required documents are filed with the clerk of the Local Governmental Unit (LGU).

PART 1: OWNER / APPLICANT INFORMATION (applicant must complete all fields)			
Applicant (Company) Name Celebrate Me Home LLC		NAICS or SIC Code 531120	
Facility's Street Address 217 Bridge St, 100 Van Pelt Pl, 101 Van Pelt Place		City Charlevoix	State MI
Name of City, Township or Village (taxing authority) City of Charlevoix		County Charlevoix	ZIP Code 49720
☒ City ☒ Township ☒ Village		School District Where Facility is Located 15050	
Date of Rehabilitation Commencement (mm/dd/yyyy) 01/17/2017		Planned Date of Rehabilitation Completion (mm/dd/yyyy) 12/30/2018	
Estimated Cost of Rehabilitation \$1,200,000		Number of Years Exemption Requested (1-12) 12	
Expected Project Outcomes (check all that apply)			
☒ Increase Commercial Activity ☐ Retain Employment ☐ Revitalize Urban Areas ☒ Create Employment ☐ Prevent Loss of Employment ☒ Increase Number of Residents in Facility's Community			
No. of perm. jobs to be created due to facility's rehab. 15	No. of perm. jobs to be retained due to facility's rehab. 0	Number of construction jobs to be created during rehabilitation 6	
Each year, the State Treasurer may approve 25 additional reductions of half the state education tax for a period not to exceed six years. ☐ Check this box if you wish to be considered for this exclusion.			
PART 2: APPLICATION DOCUMENTS			
Prepare and attach the following items:			
☒ General description of the facility (year built, original use, most recent use, number of stories, square footage)		☒ Descriptive list of the fixed building equipment that will be a part of the facility	
☒ General description of the facility's proposed use		☒ Time schedule for undertaking and completing the facility's restoration replacement or construction	
☒ General description of the nature and extent of the restoration, replacement, or construction to be undertaken		☒ Statement of the economic advantages expected from receiving the exemption	
☒ Legal description of the facility			
PART 3: APPLICANT CERTIFICATION			
Name of Authorized Company Officer (no authorized agents) Luther Kurtz		Telephone Number (231) 622-2052	
Fax Number		E-mail Address lutherkurtz@hotmail.com	
Mailing Address 427 Michigan Street		City Charlevoix	State MI
		ZIP Code 49720	
I certify that, to the best of my knowledge, the information contained herein and in the attachments is truly descriptive of the property for which this application is being submitted. Further, I am familiar with the provisions of Public Act 255 of 1978, as amended, and to the best of my knowledge the company has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local governmental unit and the issuance of a Commercial Facilities Exemption Certificate by the State Tax Commission.			
I further certify that this application relates to a program, when completed, will constitute a facility, as defined by Public Act 255 of 1978, as amended.			
Signature of Authorized Company Officer (no authorized agents) 		Title Managing Member	Date 2-17-17

Continue on Page 2

100 VAN PELT

PART 4: LGU ASSESSOR CERTIFICATION			
Provide the Taxable Value and State Equalized Value of the Commercial Property.			
	Taxable Value (excluding land)	State Equalized Value (SEV) (excluding land)	
Building	\$49,324	\$49,324	
The property to be covered by this exemption may not be included on any other specific tax roll while receiving the Commercial Facilities Exemption. For example, property on the Eligible Tax Reverted Property (Lend Bank) specific tax roll cannot be granted a Commercial Facilities Exemption that would also put the same property on the Commercial Facilities specific tax roll.			
☒ By checking this box I certify that, if approved, the property to be covered by this exemption will be on the Commercial Facilities Exemption specific tax roll and not on any other specific tax roll.			
Name of Assessor (first and last name)		Telephone Number	
Deb Chavez		(231) 373-6521	
Fax Number		E-mail Address	
		dcassess@gmail.com	
Mailing Address		City	State ZIP Code
429 Lewis Ave.		Boyne City	MI 49712
I certify that, to the best of my knowledge, the information contained in Part 4 of this application is complete and accurate.			
Assessor's Signature			Date
			03/13/2017
PART 5: LGU ACTION / CERTIFICATION (LGU Clerk must complete Part 5)			
Action Taken By LGU			
☐ Exemption approved for _____ years, ending December 30, _____ (not to exceed 12 years)			
☐ Exemption Denied			
Date District Established (attach resolution for district)	Local Unit Classification Identification (LUCI) Code	School Code	
Name of Clerk (first and last name)		Telephone Number	
Fax Number		E-mail Address	
Mailing Address		City	State ZIP Code
LGU Contact Person for Additional Information		LGU Contact Person Telephone Number	Fax Number
I certify that, to the best of my knowledge, the information contained in this application and attachments is complete and accurate.			
Clerk's Signature			Date

If you have questions, need additional information or sample documents, call (517) 373-2408 or visit www.michigan.gov/propertytaxexemptions.

101 VAN PELT

PART 4: LGU ASSESSOR CERTIFICATION

Provide the Taxable Value and State Equalized Value of the Commercial Property.

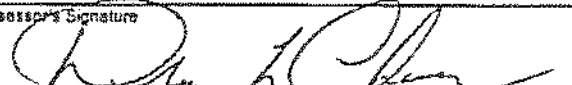
	Taxable Value (excluding land)	State Equalized Value (SEV) (excluding land)
Building	\$4,803	\$4,803

This property to be covered by this exemption may not be included on any other specific tax roll while receiving the Commercial Facilities Exemption. For example, property on the Eligible Tax Reverted Property (Land Bank) specific tax roll cannot be granted a Commercial Facilities Exemption that would also put the same property on the Commercial Facilities specific tax roll.

☒ By checking this box I certify that, if approved, this property to be covered by this exemption will be on the Commercial Facilities Exemption specific tax roll and not on any other specific tax roll.

Name of Assessor (first and last name) Deb Chavez	Telephone Number (231) 373-6521		
Fax Number	E-mail Address dcassess@gmail.com		
Mailing Address 429 Lewis Ave.	City Boyne City	State MI	ZIP Code 49712

I certify that, to the best of my knowledge, the information contained in Part 4 of this application is complete and accurate.

Assessor's Signature 	Date 03/13/2017
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PART 5: LGU ACTION / CERTIFICATION (LGU Clerk must complete Part 5)

Action Taken By LGU			
☐ Exemption approved for _____ years, ending December 30, _____ (not to exceed 12 years)			
☐ Exemption Denied			
Date District Established (attach resolution for district) 10/17/2016	Local Unit Classification Identification (LUCI) Code 15202	School Code 15050	
Name of Clerk (first and last name) Joyce M. Golding	Telephone Number (231) 547-3250		
Fax Number	E-mail Address clerk@cityofcharlevoix.org		
Mailing Address 210 State Street	City Charlevoix	State MI	ZIP Code 49720
LGU Contact Person for Additional Information Mark L. Heydlauff, City Manager	LGU Contact Person Telephone Number (231) 547-3263	Fax Number	
I certify that, to the best of my knowledge, the information contained in this application and attachments is complete and accurate.			
Clerk's Signature			Date

If you have questions, need additional information or sample documents, call (517) 373-2408 or visit www.michigan.gov/propertytaxexemptions.

217 BRIDGE ST

PART 4: LGU ASSESSOR CERTIFICATION

Provide the Taxable Value and State Equalized Value of the Commercial Property

	Taxable Value (excluding land)	State Equalized Value (SEV) (excluding land)
Building	\$103,843	\$103,843

The property to be covered by this exemption may not be included on any other specific tax roll while receiving the Commercial Facilities Exemption. For example, property on the Eligible Tax Reverted Property (Land Bank) specific tax roll cannot be granted a Commercial Facilities Exemption that would also put the same property on the Commercial Facilities specific tax roll.

☒ By checking this box I certify that, if approved, the property to be covered by this exemption will be on the Commercial Facilities Exemption specific tax roll and not on any other specific tax roll

Name of Assessor (first and last name) Deb Chavez	Telephone Number (231) 373-6521		
Fax Number	E-mail Address dcassess@gmail.com		
Mailing Address 429 Lewis Ave.	City Boyne City	State MI	ZIP Code 49712

I certify that, to the best of my knowledge, the information contained in Part 4 of this application is complete and accurate.

Assessor's Signature	Date 03/13/2017
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PART 5: LGU ACTION / CERTIFICATION (LGU Clerk must complete Part 5)

Action Taken By LGU

- ☐ Exemption approved for _____ years, ending December 30, _____ (not to exceed 12 years)
- ☐ Exemption Denied

Date District Established (attach resolution for district)	Local Unit Classification Identification (LUCI) Code	School Code	
10/17/2016	15202	15050	
Name of Clerk (first and last name)	Telephone Number		
Joyce M. Golding	(231) 547-3250		
Fax Number	E-mail Address		
	clerk@cityofcharlevoix.org		
Mailing Address	City	State	ZIP Code
210 State Street	Charlevoix	MI	49720
LGU Contact Person for Additional Information	LGU Contact Person Telephone Number	Fax Number	
Mark L. Heydlauff, City Manager	(231) 547-3263		

I certify that, to the best of my knowledge, the information contained in this application and attachments is complete and accurate

Clerk's Signature	Date
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If you have questions, need additional information or sample documents, call (517) 373-2408 or visit www.michigan.gov/propertytaxexemptions.

General Description of the Facility (year built, original use, most recent use, number of stories, square footage)

217 Bridge Street: This building was constructed in 1909 with the purpose of being the Charlevoix Post Office. Sometime between 1920 and 1935 Procter and Gamble opened a store front in the building. Then between 1944 and 1949, Sloan Abstract and Title moved into the space and the business was later known as Sloan then Advanced Geomatics. A small portion of the building was being used as office space before being purchased by Celebrate Me Home, LLC.

Year built: Building was constructed in 1909, remodeled in 1983

Original use: Post Office

Most recent use: Survey & Title Company

Number of stories: 2 plus a partially finished basement

Approx. Sq. Footage: 3,500

100 Van Pelt Place: This building was built in 1909 and the first floor consisted of a store and shop for a plumber known as "Powers". The second story was originally the Christian Science Hall. At some point in time, Hess Furniture moved into the building before becoming vacant for some time. In 1975, the building was remodeled as the Rainbow resale shop, eventually becoming Consign Design, a consignment and resale store. It again sat vacant for many years before recently being purchased by Celebrate Me Home, LLC.

Year built: 1909

Original use: Multiple tenants of commercial and retail enterprises.

Most recent use: vacant

Number of stories: 2 plus a full basement

Approx. Sq. Footage: 7,000

101 Van Pelt Place: This single story, cement building was constructed in 1909 as a warehouse and may have briefly been occupied by the Courier, a local newspaper. It was remodeled in 1978 and over the years has served as additional storage space for the buildings on the Van Pelt Alley.

Year built: 1909

Original use: Warehouse

Most recent use: Storage

Number of stories: 1

Sq. footage: 896

General Description of the Facility's Proposed Use

Celebrate Me Home, LLC is proposing a construction project involving three separate buildings along the Van Pelt Alleyway. The first is at 217 Bridge Street and will be a mixed-use, two story commercial building with residential above. The first floor which is approximately 1,600 square feet will be divided into three (3) retail/commercial spaces. The second floor which is a total of approximately 1,700 square feet will be divided into two (2) residential apartments.

The second building, 100 Van Pelt Place, will also be a mixed-use, two story commercial building with residential above. The first floor consisting of approximately 3,500 square feet will be divided into two spaces with retail or a restaurant in the front and a retail/commercial space on the backside. The second floor which is a total of approximately 3,500 square feet will be divided into four (4) to six (6) residential apartments.

The third building, 101 Van Pelt Place, is a single story building that will be turned into a Mexican Restaurant. The restaurant will consist of a kitchen, bar, and inside seating for approximately 45 people with an outdoor dining patio that can accommodate an additional 40 patrons.

General Description of the Nature and Extent of Construction to be Undertaken

Complete redevelopment of the three buildings along the Van Pelt Alley includes: exterior brick restoration; new windows; new roofs; upgraded mechanical, plumbing and electrical, fire suppression where needed, and barrier free access upgrades to current standards in the commercial portions, site utilities, site improvement at 101 Van Pelt place to create an outdoor dining space, and finishing of all interior space for lease.

Both two story buildings are historic and will retain their character with high ceilings and large windows. Landscaping around the dining patio and new signage along the alley will be completed as part of this project. Total estimated cost for the entire project is approximately \$1,200,000. Redevelopment of the three buildings began in January 2017 and is expected to be complete by December 2018.

Legal Description of the Facility

Parcel 052-246-001-00 217 Bridge Street
217 BRIDGE ST DDA 1984 C1 BEG AT SE COR LOT 1 BLK 6 TH N 24 FT TH W 82 FT TH S 24 FT TH E TO POB PT LOTS 1&2 BLK 6 VIL OF CX

Parcel 052-265-008-00 100 Van Pelt Place
1 VAN PELT PL DDA 1984 C1 E 66FT OF LOT 8 OF HILLS SUBDIVISION BEING PT OF LOTS 12,13 & 14 ORIGINAL PLAT OF CITY OF CHARLEVOIX

Parcel 052-246-003-10 101 Van Pelt Place
. DDA 1984BEG AT SE COR LOT 3 OF BLK 6 OF ORIG PLAT OF VIL (NOW CITY) OF CX TH AL S LI OF SD LOT 3 N89DEG19'27"W 31.18FT TH N0 DEG37'36"W 59.99FT TH S89DEG19'26"E 31.13FT TO NW COR OF PROP DESC L292P834 CX CTY R/D TH AL N LI OF LAST DESC CRSE S89DEG19'27"E 36.09FT TH AL E LI OF SD PROP S0DEG32'18"W 60FT TO S LI OF SD LOTTH N89DEG19'27"W 36.13FT TO POB BEING PTLOTS 2&3 OF ORIG PLAT OF CITY OF CX 97SP/COMB1096 246-003-00/246-002-50

Descriptive List of the Fixed Building Equipment that will be a part of the Facility

Following is a list of the fixed building equipment that will be part of the project:

- Interior Lighting;
- New or Upgraded HVAC equipment to service all interior spaces;
- Equipment for a full-service kitchen including oven, range, fryer, refrigerator, freezer, and dishwasher.

Time Schedule for Undertaking and Completing the Facility's Construction

Interior redevelopment of the three existing buildings began in January 2017.

Exterior redevelopment of the three buildings began in January 2017.

Complete construction is estimated to last 24 months, with an anticipated completion date around December 2018.

Landscaping and improvements along the alley are anticipated directly following construction completion in Fall 2018.

Statement of the Economic Advantages Expected from Receiving the Exemption

The redevelopment of these three existing, currently vacant buildings in downtown Charlevoix will be an economic advantage to the community and its residents. Not only will each of them create job opportunities for existing and future residents, additional residential opportunities are in high demand in and around the City. The three buildings will provide a total of six (6) commercial spaces plus at least six (6) residential units. These new business and restaurants not only provide additional job opportunities in the City, they bring outside money into the community.

The area of downtown Charlevoix where redevelopment will occur is thriving with activity during the summer season, but in the off-season activity drops off dramatically. The three buildings involved in this project have been either vacant or not used to their highest potential during recent years. Although one of the buildings was occupied until fairly recently, it was not attractive or generating the revenue that it could, nor providing desirable employment opportunities. The proposed redevelopment will blend historic character with modern functionality, with the expectation of increasing activity in the downtown on a more year-round basis. The types of retail sales and service establishments that are expected to fill these buildings will create an economic advantage for all downtown businesses.

Receiving this tax exemption on the commercial spaces will allow the project to be economically feasible. Without the tax abatement, the project may not commence or the redevelopment will have to be scaled back dramatically, potentially jeopardizing the historic character of the buildings. This project proposes to bring a mix of permanent full-time and part-time jobs to the community with an expectation of 15 permanent full-time equivalent new jobs to be created.

Celebrate Me Home LLC
Charlevoix, MI 49712

Real Property Investment in Building Renovations:	Estimated Cost Commercial Space	Estimated Cost Residential Space	Beginning Construction Date	Estimated Ending Construction Date
217 Bridge Street	\$100,000	\$200,000	01/17/17	5/15/2017
100 Van Pelt Place	\$300,000	\$400,000	05/15/17	12/15/2018
101 Van Pelt Place	\$200,000		01/17/17	5/15/2017
Total:	\$600,000	\$600,000		

Grand Total:	\$1,200,000
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CHARLEVOIX COUNTY
Department of Building Safety
301 State Street, Suite #5
Charlevoix, MI 49720
Phone: (231) 547-7236
Fax: (231) 547-7250

Building

PERMIT

PERMIT: PB2016-0683
DATE: 01/17/2017

APPLICANT
NOIROT BRYAN
305 W HURLBUT #23
CHARLEVOIX MI 49720
LICENSE #: 2101108940
LICENSE EXP: 05 31 2017

OWNER
CELEBRATE ME HOME LLC
427 MICHIGAN AVE
CHARLEVOIX MI 49720

LOCATION: 101 VAN PELT PLACE
CITY/TWP: CHARLEVOIX CITY
PROPERTY #: 15-052-246-003-10

Dimensions 1.396

Use Group: A2

Const Type: SB

Proj Cost: \$116,256

Building Official Kavin Schlickau

Issued: 01/17/2017

REMARKS:

#96SF COMM REMODEL/SLAB & ADDITION CHANGING EXISTING BLDG TO RESTAURANT

Permit Item	Work Type	Fee Basis	Item Total
Administration	Standard Item	1.00	45.00
Commercial Addition	Standard Item	550.00	314.00
Commercial Remodel	Standard Item	896.00	306.00
Piers/Slab on grade	Standard Item	550.00	31.00

REMARKS:

RECEIPT# 110976. PAID 100.00, CK#1055, 12/19/16
REVIEWED 12/19/16
RECEIPT# 111299 PAID \$263.00, ck#1062, 12/29/2016
REPT #111850 PD \$333 01-17-17 CK #1079

Fee Total: \$696.00
Amount Paid: \$696.00
Balance Due: \$0.00

Viewing Parcel Number: 052-246-001-00

Parcel Details

Property Address: 217 BRIDGE ST
CHARLEVOIX, MI 49720

Owner Information: CELEBRATE ME HOME LLC
427 MICHIGAN
CHARLEVOIX, MI 49720

Property Class: 201 - Commercial - Improved

School District: 15050 - Charlevoix

P.R.E. Percentage: 0%

2016 SEV: \$215,000

2016 Taxable Value: \$213,839

2015 SEV: \$213,200

2015 Taxable Value: \$213,200

Sales Information

DATE	Transaction Type	Sheet/Range	Sales Price
06/15/2016	WDT	1129/500	Confidential
09/28/2009	QC	900/823	\$0

Legal Description

217 BRIDGE ST DDA 1984 C1 BEG AT SE COR LOT 1 BLK 6 TH N 24 FT TH W 82 FT TH S 24 FT TH E TO
POB PT LOTS 1&2 BLK 6 VIL OF CX

Viewing Parcel Number: 052-265-008-00

Parcel Details

Property Address: 100 VAN PELT PL
CHARLEVOIX, MI 49720

Owner Information: CELEBRATE ME HOME LLC
427 MICHIGAN AVE
CHARLEVOIX, MI 49720

Property Class: 201 - Commercial - Improved

School District: 15050 - Charlevoix

P.R.E. Percentage: 0%

2016 SEV: \$98,800

2016 Taxable Value: \$93,801

2015 SEV: \$98,000

2015 Taxable Value: \$93,521

Sales Information

Effective Date	Document Type	Owner/Agent	Sales Price
07/29/2016	MLC	1132/817	\$0
11/15/1999	WD	399:698	Confidential

Legal Description

1 VAN PELT PL DDA 1984 C1 E 66FT OF LOT 8 OF HILLS SUBDIVISION BEING PT OF LOTS 12,13 & 14
ORIGINAL PLAT OF CITY OF CHARLEVOIX

Viewing Parcel Number: 052-246-003-10

Parcel Details

Property Address: VAN PELT PLACE
CHARLEVOIX, MI 49720

Owner Information: CELEBRATE ME HOME LLC
427 MICHIGAN
CHARLEVOIX, MI 49720

Property Class: 201 - Commercial - Improved

School District: 15050 - Charlevoix

P.R.E. Percentage: 0%

2016 SEV: \$38,300

2016 Taxable Value: \$30,061

2015 SEV: \$38,200

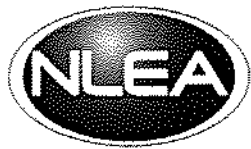
2015 Taxable Value: \$29,972

Sales Information

Effective Date	Property Type	Assessed Value	Sale Price
06/15/2016	WDT	1129/500	Confidential
11/19/2011	QC	976/707	\$0

Legal Description

. DDA 1984BEG AT SE COR LOT 3 OF BLK 6 OF ORIG PLAT OF VIL (NOW CITY) OF CX TH AL S LI OF SD LOT 3 N89DEG19'27"W 31.18FT TH N0 DEG37'36"W 59.99FT TH S89DEG19'26"E 31.13FT TO NW COR OF PROP DESC L292P834 CX CTY R/D TH AL N LI OF LAST DESC CRSE S89DEG19'27"E 36.09FT TH AL E LI OF SD PROP 50DEG32'18"W 60FT TO S LI OF SD LOTTH N89DEG19'27"W 36.13FT TO POB BEING PTLOTS 2&3 OF ORIG PLAT OF CITY OF CX 975P/COMB1096 246-003-00/246-002-50



Northern Lakes ECONOMIC ALLIANCE

A regional public/private economic development organization serving Antrim, Charlevoix, Cheboygan and Emmet Counties, Michigan, USA

Date: March 23, 2017

To: Mark Heydlauff, City Manager, and City Commissioners

From: Sara Christensen, Community Development Director/CFEC Application Staff

RE: Commercial Facilities Exemption Certificate from Celebrate Me Home LLC

Northern Lakes Economic Alliance staff has been working with representatives of Celebrate Me Home following creation of the Charlevoix Main Street Commercial Redevelopment District No.1 last fall. The owner's buildings at 217 Bridge Street, 100 Van Pelt Place and 101 Van Pelt Place located in the Commercial Redevelopment District (CRD) are slated for redevelopment.

This \$1,200,000 project is expected to increase commercial activity in the CRD, create employment with an anticipated 15 new full-time equivalent jobs, and increase the number of residents in the community with the completion of 6-8 new residential units all while revitalizing underutilized buildings in the heart of downtown. Construction is expected to be complete by the end of 2018.

An exemption means the real property is taken off the ad valorem tax roll and placed on the commercial facilities tax roll for the length of the exemption, up to 12 years. Personal property, residential space, and land are not eligible for the exemption. For a restored facility, the taxable value of the facility's commercial portion of the property is frozen at its value prior to restoration, therefore exempting the new investment in commercial space from local taxes for a period not to exceed 12 years. The school operating tax and the State Education Tax (SET) are also frozen. At the end of the exemption period, the entire property reverts back to the ad valorem tax roll.

Celebrate Me Home LLC proposes to redevelop 217 Bridge Street into a mixed-use building with 2-3 retail/commercial spaces on the main level and 2 residential units upstairs. The building at 100 Van Pelt Place will also be a mixed-use building with commercial spaces on the first floor and 4-6 residential units above. The building at 101 Van Pelt Place is a single story building that will house a restaurant.

The City decides on whether or not to approve the exemption and for the length of time, from one to twelve years. We respectfully ask the City Council to approve a twelve-year exemption in order to make the project financing viable.

1313 Boyne Ave / P.O. Box 8

Boyne City, Michigan 49712

Phone: 231.582.6482 - Fax: 231.582.3213

www.northernlakes.net * info@northernlakes.net

- Core Partners -

MICHIGAN STATE
UNIVERSITY Extension

MEDC
MICHIGAN ECONOMIC
DEVELOPMENT CORPORATION



Networks
Northwest
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Char-Em
CHARLEVOIX EMMET ISD

North Central
MICHIGAN COLLEGE
your growth. our mission.

Baker
College

CHARLEVOIX CITY COUNCIL

AGENDA ITEM

AGENDA ITEM TITLE: License for Sidewalk Encroachment: LSB Ventures

DATE: April 3, 2017

PRESENTED BY: Mark L. Heydlauff, City Manager

ATTACHMENTS: Draft License Agreement
Map of Project

BACKGROUND INFORMATION:

As you know, Harwood Gold has redeveloped the former Murdick's Fudge space at the corner of Clinton and Bridge. For the upcoming summer, they would like to add several seating areas on the Clinton side of the building. They would also like to build a set of steps to access the rear door along the Clinton side of the building. While the seating is covered under our Outdoor Dining Policy, the steps represent an encroachment on our right-of-way.

The City Attorney drafted the included license for your review. It would permit the steps be built but the owner would acknowledge that the City retains the right to have them removed at any time for any reason. The steps would be constructed to allow at least six feet of space on the sidewalk.

Granting an encroachment like this should not be taken lightly but I believe it does preserve ample access on our sidewalks and encourages the further growth of a new business like Harwood Gold. This is akin to the license granted to Stafford's Weathervane in 2015 to allow them to install a handicap ramp into the right of way in front of the restaurant.

LSB Ventures is the owner of the building and Harwood Gold is the business occupying that space.

RECOMMENDATION:

Motion to approve the License with LSB Ventures, LLC and authorize the City Manager to sign the agreement.

LICENSE FOR STAIRWAY IN EAST CLINTON STREET RIGHT OF WAY

This Agreement is made on the last date set forth below between the City of Charlevoix, a Michigan municipal corporation (the "City"), 210 State Street, Charlevoix, MI 49720 and LSB Ventures LLC ("Licensee") 8534 E Kemper Road, Cincinnati, OH 45249.

RECITALS

- A. The City owns the East Clinton Street right-of-way located in the City of Charlevoix as dedicated in the Original Plat of the Village of Charlevoix as recorded with the Charlevoix County Register of Deeds.
- B. LSB Ventures LLC own the lot described as: 230 & 230A BRIDGE DDA 1984 S1 BEG AT A PT AT SW COR LOT 2 BLK 5 TH N 25 FT TH E 100 FT TH S 25 FT TH W TO POB PT LOT 2 BLK 5 VIL OF CX EX: BEG AT PT 25 FT N OF SW COR LOT 2 BLK 5 TH E PARA WI S LI LOT 2 80 FT FOR POB TH S 25 FT TO S LI OF SD LOT TH E AL S LI 20 FT TO 16 FT ALLEY TH N PARA WI E LI OF BRIDGE ST 25 FT TH W 20 FT TO POB, commonly known as 230 and 230A Bridge Street.
- C. The owners wish to place a new stairway in the East Clinton Street right-of-way leading to a door on the side of the building facing East Clinton Street (the "Encroachment").
- D. The parties wish to resolve any disputes between them with respect to the proposed Encroachment.

In consideration of the foregoing and other good and valuable consideration, the parties agree as follows:

- 1. The City agrees that the Licensee, and their heirs, successors, or assigns (collectively the "Licensee") may occupy a portion of the East Clinton Street right-of-way with a stairway, so long as:
 - a. The Licensee constructs the stairway according to proposed dimensions, and
 - b. The City, in its sole discretion, does not wish to make any other use of the East Clinton Street right-of-way for any reason.

2. In consideration for this License Agreement, Licensee acknowledge the City's ownership of the road right-of-way and that Licensee have not obtained any right, title or interest in the East Clinton Street right-of-way by way of adverse possession, prescriptive easement or any other way. Licensee further expressly waive any and all claims for any right, title or interest in the East Clinton Street right-of-way.
3. The privilege granted by the City to the Licensee is made with the express condition that the Licensee shall not acquire any right of easement or any other rights with respect to the Encroachment in the future. Such permission shall also not evolve into a property right or easement by lapse of time or otherwise.
4. This Agreement shall remain in force and effect only so long as the proposed stairway remains in place. Upon the removal of the stairway, all rights of the Licensee under this agreement shall cease. Should the City decide, in its sole discretion, to use any portion of the East Clinton Street right-of-way as provided in Paragraph 1(b), this agreement shall cease.
5. Licensee's proposed stairway shall comply with all applicable City Ordinances.

Date:_____

City of Charlevoix
a Michigan municipal corporation

WITNESSES:

By:_____

Its:_____

STATE OF MICHIGAN
COUNTY OF CHARLEVOIX

Signed and acknowledged before me on _____, 2017 by _____, its _____ of the City of Charlevoix, a Michigan municipal corporation, on behalf of the corporation.

Notary Public
_____ County, Michigan
Commission Expires:_____

WITNESSES:

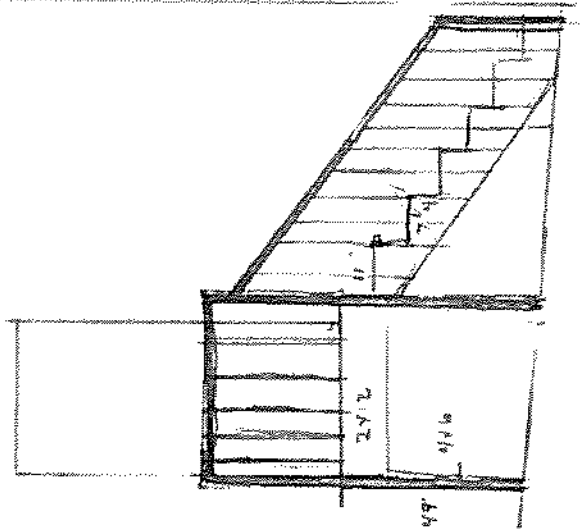
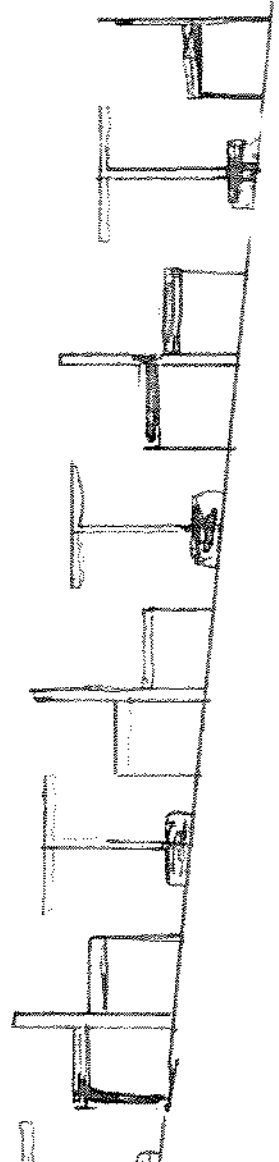
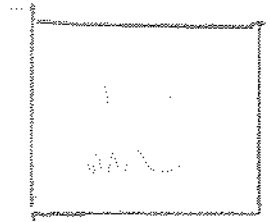
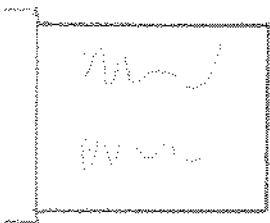
LICENSEE:

STATE OF MICHIGAN
COUNTY OF CHARLEVOIX

Signed and acknowledged before me on _____, 2017 by LSB Ventures LLC.

Notary Public
_____ County, Michigan
Commission Expires: _____

Prepared by:
Scott W. Howard (P52028)
OLSON, BZDOK & HOWARD, P.C.
420 E. Front Street
Traverse City, MI 49685
231-946-0044



43



6'-6"

10'-6"

side walk

curb

Clinton st.

CHARLEVOIX CITY COUNCIL

AGENDA ITEM

AGENDA ITEM TITLE: Contract for Commercial Boat Slip
DATE: April 3, 2017
PRESENTED BY: Mark L. Heydlauff, City Manager
ATTACHMENTS: Bid Tabulation
Proposal from Little Traverse Charters LLC
Draft Lease Agreement

BACKGROUND INFORMATION:

The Charlevoix City Marina is permitted two slips within the Marina for lease to entities performing commercial activities. Sunshine Charters, LLC has been a long-time tenant with one of these slips, while the second has been vacant for several years. With some restructuring of the Request for Proposals this year, we obtained more interest in this second slip.

You will find attached the Bid Tabulation form showing the one bid we received by the deadline indicated on the Request for Proposals; the RFP was available for more than a month in advance of the deadline. At the day and time indicated for opening of bids, the City Clerk opened the one bid received from Little Traverse Charters, LLC. Approximately 10 minutes later, a representative from Jefferson Beach Yacht Sales brought a bid, which we declined to receive since it was past the deadline and the bid had already been opened. In full disclosure, Little Traverse Charters, LLC is owned by Dr. John Kalbfell, husband of Councilmember Kalbfell.

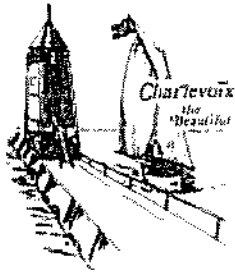
Representatives from Jefferson Beach contacted me well in advance of the release of the RFP. I advised them of the requirements and we delivered a copy of the RFP directly to them. In their defense, their main office in St. Clair Shores was affected by a windstorm in southern Michigan which caused power outages and communications issues.

In spite of the challenges posed by weather, I believe we must hold firm to deadlines for bids. In past bid openings, specifically for design services for the Public Services Facility, we had several bidders present for the opening, they took notes as bids were read aloud. We received a late proposal, which we did not accept.

Should Council wish to award the contract to Little Traverse Charters, LLC, a draft contract is prepared for you and is based on the contract approved in February 2017 for Sunshine Charters, LLC. As stated in the RFP, this contract is only for three years, rather than the five granted to Sunshine. While Sunshine has a long history as a tenant, any new lease holder would not have such a reputation, and I felt it made sense for the City to shorten the initial lease and consider how the slip holder fits with the Marina.

RECOMMENDATION:

Motion to award the Commercial Slip to Little Traverse Charters, LLC and authorize the City Manager and City Clerk to sign the documents on behalf of the City.



CITY OF CHARLEVOIX
Commercial Dock
Bid Opening
City Hall, Upper Level
March 8, 2017 – 10:00 a.m.

Bidder Name & Contact Info	Total Cost
Little Traverse Charters LLC Charlevoix, MI	\$4100/year

Commercial Dock Proposal Form

Company Name: Little Traverse Charters, LLC

Mailing Address: 133 C and O Club Dr.

City, State and Zip Code: Charlevoix, MI 49720

Contact Person: John Kalbfell

Phone Number: 517-930-2745

Email Address: jkalbfelldds@gmail.com

Name of Vessel: Open Wide

Type of Boat: SeaRay Sundancer

Length of Boat: 41 feet

Width of Boat: 13.8 feet

Draft of Boat: 3.5 feet

Checklist for additional information to attach:

- Provide information on the proposed commercial service.
- Submit materials on the company's business activities for the past three (3) years.
(i.e., number of passengers, types of cruises, brochures, etc.)
- Copy of US Coast Guard Inspection Certificate
- Provide information on what services you plan to offer and how your business aligns with promoting tourism
- List community contributions and/or partnerships
- Accident and safety procedures

- Outline business experience and provide three (3) business references and client references
 - Information on proposed compensation for the slip
-

Proposed Commercial Service:

Little Traverse Charters, LLC, is a day charter boat available for full day, half day and extended pleasure cruises in northern MI waters and associated ports. This service fills the gap between the large charter boats, sailing charters and the numerous fishing charters.

Company's Business Activities for the past three years:

Volunteered as a sponsor boat for Camp Quality for the past 3 years. Camp Quality provided food and drinks and we were responsible for cruising Lake Charlevoix and Michigan following the Boyne Thunder Boats with 4-5 guests aboard who donated to Camp Quality for the opportunity to see Boyne Thunder from the water. All day cruise.

Provided day cruises for family of the master technician of Colonial Fireworks, which included cruising Lakes Charlevoix and Michigan, with food, drinks, and water toys.

Lake Charlevoix cruise boat for the Venetian Committee in the past.

U.S. Coast Guard Inspection Certificate:

Current certificate attached (2016). Inspection for 2017 will be conducted in the spring of 2017 when Coast Guard examiner available.

Provide information how business aligns with promoting tourism:

Tourists to the area will have another option to see our beautiful area from the water, as Little Traverse Charters, LLC, will offer full day, half day and extended

charters, and as stated previously, will fill the gap between larger charter boats, sail boats and the smaller and numerous fishing charters. Open Wide is an express cruiser that has an open cockpit and aft entertainment area that can easily accommodate up to 6 passengers and crew for day trips around Lake Charlevoix or extended cruising to Bay Harbor, Harbor Springs, Beaver Island, Traverse City, Leland or any of the many northern MI ports. It will also be available for dinner and sunset cruises with catering provided by local restaurants. Open Wide (Little Traverse Charters, LLC) will also be the perfect venue for wedding parties wishing to cruise the lakes and take wedding pictures on a boat in the harbor.

List community contributions and/or partnerships:

In addition to being the owner of Little Traverse Charters, LLC, I have owned and paid city tax for my home in Charlevoix since 1992. I am actively involved in the community by volunteering every year for Venetian Festival in various capacities including: collecting thousands of dollars in donations for Venetian from fellow boaters, I have planted petunias, become a member of the Elks Club and donated to the Charlevoix Area Hospital. My wife is a friend of the Charlevoix Chamber of Commerce. We have partnered with Boyne Thunder as a sponsor boat for the past 3 years and we will partner with whatever organization or association, etc. who desires to use our service. We intend to use local food establishments for any catering required.

Accident and safety procedures:

Safety is the number one priority in boating whether it be recreational or commercial boating. A detailed description of all safety procedures would be too lengthy for this application, but all recommended Coast Guard procedures would be adhered to by both the charter crew and guests. Examples include: instructions will be given to passengers before all charters leave the dock on personal safety by covering location of the life jackets, throw rings, fire extinguishers and all other safety equipment. Passengers will also be instructed to remain in the cockpit or cabin while the boat is underway.

If a medical emergency should arise, both 911 (via cell phone) and the Coast Guard (via boat VHF radio) would be contacted depending on the location of the

vessel. I am certified in CPR and AED and the boat is equipped with an updated and extensive first aid kit.

If for some reason damage to the city docks should occur by the subject charter boat, the following will immediately be notified: Charlevoix Harbor Master, Charlevoix City Manager's office and the insurance company indemnifying the boat causing the damage. Photos of the damage and an accident report will be filed with both the insurance company and the Charlevoix City Police/Manager's Office. Repairs, depending on the nature of the damage, will likely require an estimate by a marine contractor and any deductibles will be paid by the charter company.

Outline of business experience and 3 references (business and client):

For the past 39 years, I have been self-employed as the owner of a large dental practice in Okemos, so I think my business experience speaks for itself. Marketing of Little Traverse Charter, LLC will expand if commercial dockage is approved.

Business references include:

Greg Bryan, RE/MAX Charlevoix, 231-547-9980

Steve Andreae, RE/MAX Charlevoix, 231-547-9980

Dan Barron, Attorney, Barron & Engstrom, 231-547-9950

Client references include:

Gary Deters, RE/MAX Boyne City, 231-582-2400, on behalf of all the individual Camp Quality clients

Proposed compensation for the slip:

\$4100 = 41 foot boat X \$100.00/foot



VESSEL SAFETY CHECK (VSC)

To be completed by a U.S. Coast Guard approved Vessel Examiner.
See the back of this form for a brief explanation of required items.
A Federal Requirements pamphlet is also available.

Date of VSC: 5/22/10

Decal Awarded: Yes ☐ No ☐

Owner/Operator Name:

John Kalbfell

Owner/Operator has attended a CGAUX, USPS, State
or _____ Boating Safety Class: Yes ☐ No ☐

Location of VSC - County: Charlevoix State: MI

Replaced decal was: Last Year ☒ Outdated ☐ First time ☐

VESSEL INFORMATION:

Registration or Documentation Number: MC 9546RW
1100808

HIN: SEZF796RA000

Length: <16 ☐ 16-25 ☐ 26-39 ☐ 40-65 ☒ >65 ☐

Powered by: Gas ☐ Diesel ☒ Sail ☐ Other ☐

Area of Operations: Inland ☐ Coastal ☐

Type: PWC ☐ Open ☐ Cabin ☒ Other ☐

VESSEL SAFETY CHECK DECAL REQUIREMENTS

Item	Yes	No	N/A
1. Display of Numbers			☒
2. Registration/Documentation	☒		
3. Personal Flotation Devices (PFD)	☒		
4. Visual Distress Signals (VDS)	☒		
5. Fire Extinguishers	☒		
6. Ventilation	☒		
7. Backfire Flame Control			☒
8. Sound Producing Devices/Bell	☒		
9. Navigation Lights	☒		
10. Pollution Placard	☒		
11. MARPOL Trash Placard	☒		
12. Marine Sanitation Devices	☒		
13. Navigation Rules	☒		
14. State and/or Local Requirements			
15. Overall Vessel Condition: as applies	☒		
a. Deck Free of Hazards / Clean Bilge	☒		
b. Electrical - Fuel Systems	☒		
c. Galley - Heating Systems	☒		

RECOMMENDED AND DISCUSSION ITEMS (While encouraged, items below are not VSC requirements)

Item	Yes	No
I. Marine Radio	☒	☒
II. Dewatering Device & Backup	☒	
III. Mounted Fire Extinguishers	☒	
IV. Anchor & Line for Area	☒	
V. First Aid and PIW Kits (**over)	☒	
VI. Inland Visual Distress Signals	☒	
VII. Capacity/Certificate of Compliance	☒	
VIII. Discussion Items: as applies	☒	
a. Accident Reporting - Owner Responsibility		
b. Offshore Operations		
c. Nautical Charts / Navigation Aids		
d. Survival Tips / First Aid		
e. Fueling / Fuel Management		
f. Float Plan / Weather & Sea Conditions		
g. Insurance Considerations		
h. Boating Check List		
i. Safe Boating Classes		
j. Maritime Domain Awareness		

I certify that I have personally examined this vessel and find it meets the above requirements at the time of this Vessel Safety Check. I am a qualified Vessel Examiner of the: CGAUX ☒ USPS ☐ State of Michigan ☐ or ☐

Printed Name of the Examiner Colin Stelt Examiner Number 1230392

Examiner Signature [Signature] Telephone Number 231-547-6619

Additional Comments: This is not an official boarding for law enforcement purposes. It is recommended that you correct any deficiencies noted. This checklist is furnished for your information. There is no assumption of liability of any kind for advice given or opinions expressed in connection to this examination. By accepting the Vessel Safety Check decal you are pledging to maintain your boat and equipment to the standard of safety exhibited during this examination. Please remove the Vessel Safety Check decal if the boat is sold or no longer meets these requirements.

I am consenting to this Vessel Safety Check of my watercraft with full knowledge that it is provided to me as a public service on a volunteer basis without cost, and I understand and agree that my receipt of a Vessel Safety Check shall not constitute or be construed as a warranty or guarantee as to either the qualification, knowledge, or skills of the operator; the seaworthiness of the vessel; or the serviceability or adequacy of any equipment on board.

Owner/Operator Signature: [Signature]

Date: 5/22/10

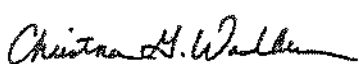


UNITED STATES OF AMERICA

DEPARTMENT OF HOMELAND SECURITY
UNITED STATES COAST GUARD

NATIONAL VESSEL DOCUMENTATION CENTER

CERTIFICATE OF DOCUMENTATION

VESSEL NAME WIDE OPEN II		OFFICIAL NUMBER 1100808	IMO OR OTHER NUMBER SERF7908A000	YEAR COMPLETED 2000	
HAILING PORT CHARLEVOIX MI		HULL MATERIAL FRP (FIBERGLASS)		MECHANICAL PROPULSION YES	
GROSS TONNAGE 25GRT	NET TONNAGE 20NRT	LENGTH 40.7	BREADTH 13.7	DEPTH 6.8	
PLACE BUILT MERRITT ISLAND FL					
OWNERS JOHN J KALBFELL JANET P KALBFELL		OPERATIONAL ENDORSEMENTS RECREATION			
MANAGING OWNER JOHN J KALBFELL 133 C AND O CLUB DRIVE CHARLEVOIX MI 49720					
RESTRICTIONS NONE					
ENTITLEMENTS NONE					
REMARKS None					
ISSUE DATE APRIL 20, 2016		 ACTING DIRECTOR, NATIONAL VESSEL DOCUMENTATION CENTER			
THIS CERTIFICATE EXPIRES MAY 31, 2017					



**MICHIGAN WATERCRAFT
REGISTRATION**

**Ruth Johnson
Secretary of State**

Expires On: 03/31/2019 MC: 9546RW
Make: 2000 SEARAY Fl. 040 In 07
Hull Id: SERF7908A000 County: CHARLEVOIX
Material: FIBERGLASS Type: CABIN Power: INBOARD
Use: PLEASURE Fuel: DIESEL

JOHN JOSEPH KALBFELL
133 C AND O CLUB DR
CHARLEVOIX MI 49720-1196

Fec: 244.00

04092016 E1008300916 244.00

**MICHIGAN WATERCRAFT
REGISTRATION**

**Ruth Johnson
Secretary of State**

Expires On: 03/31/2019 MC: 9546RW
Make: 2000 SEARAY Fl. 040 In 07
Hull Id: SERF7908A000 County: CHARLEVOIX
Material: FIBERGLASS Type: CABIN Power: INBOARD
Use: PLEASURE Fuel: DIESEL

JOHN JOSEPH KALBFELL
133 C AND O CLUB DR
CHARLEVOIX MI 49720-1196

Fec: 244.00

04092016 E1008300916 244.00



Underwritten by:
GEICO Marine Insurance Company



Issued Through:
Global Marine Insurance Agency
12935 S. West Bay Shore Dr
Suite 205
Traverse City, MI 49684
(800)748-0224
Policy No. GPP1006114-04 REN

**PLATINUM PLUS PROGRAM
DECLARATIONS PAGE**

Named **JOHN KALBFELL & JANET P. KALBFELL**
Insured **133 C AND O CLUB DR.**
and **CHARLEVOIX, MI 49711**
Address

Policy Period: From **12/11/2016** to **12/11/2017** beginning and ending at 12:01 A.M. at the address of the Insured on this page.

Company: **GEICO MARINE INSURANCE COMPANY**

Upon the Yacht: **2016** **SEA RAY** **41** **CRUISER** **SERF7908A000**
YEAR MANUFACTURER LENGTH FT IDENTIFICATION NUMBER

COVERAGE IS PROVIDED ONLY WHERE AN AMOUNT OF INSURANCE IS SHOWN

	COVERAGES	AMOUNT OF INSURANCE/LIMITS	PREMIUM
A	Hull and Equipment	Amount of Insurance and Agreed Value \$150,000	Incl
A1	Emergency Service	Each Incident \$2,500	Incl
B	Boating Liability Protection & Indemnity	Liability Limit Each Accident, Bodily Injury & Property Damage \$1,000,000	Incl
B1	Fuel and Other Spillage Liability	Limit Each Accident \$939,800	Incl
C	Longshore and Harbor Workers Compensation	Limit of Liability Statutory	Incl
D	Medical Payments	Limit Per Person Each Accident \$25,000	Incl
E	Boat Trailer - Global Platinum Plus	Amount of Insurance and Agreed Value \$0	Incl
F	Personal Effects	Amount of Insurance \$5,000	Incl
G	Uninsured Boater	Limit Each Accident \$1,000,000	Incl

FORMS AND ENDORSEMENTS made a part of this Policy at time of issue.

Total Premium	\$800.00
State Taxes/Fees	\$0.00
Net Annual Premium	\$800.00

DEDUCTIBLES \$3,000 Applicable to Hull and Equipment. For any covered loss due to a Named Storm that occurs while the insured boat is located in AL, FL, GA, LA, MS, NC, SC, TX, Bahamas, Caribbean or Mexico, the Coverage A deductible becomes the Greater of the Hull and Equipment deductible shown at left, \$1000, or 10% of boat's Agreed Value.

 \$100 Applicable to Boat Trailer, Coverage E only

 \$50 Applicable to Personal Effects, Coverage F only

CRUISING LIMITS: While afloat, warranted the Insured Yacht shall be confined to the waters indicated below:
(There is no coverage outside of this area without the Company's written permission.)

Inland Lakes and Rivers of the U.S. and Canada, including the Great Lakes

Loss, if any, payable to Named Insured and the Loss Payee printed below, as their interests may appear

SUNTRUST BANK
PO BOX 792270
SAN ANTONIO TX 78279

Print Date 10/11/16

RDECGP 07 14

EXPIRATION DATE

53

Page 1 of 1

**DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIMITED LIABILITY COMPANY ANNUAL STATEMENT**

2017



Due February 15, 2017 File Online at www.michigan.gov/fileonline

Identification Number B3300E		Limited Liability Company Name LITTLE TRAVERSE CHARTERS, LLC	
1. Resident agent name and mailing address of the registered office JOHN & JANET P. KALBFELL 133 C AND O CLUB DR CHARLEVOIX MI 48864		If different from 1, change resident agent and mailing address of registered office in MICHIGAN.	
2. The address of the registered office 133 C AND O CLUB DR CHARLEVOIX MI 48864		If different from 2, change address of registered office (number, street, city, state, zip) in MICHIGAN.	
3. Signature of authorized member, manager or agent.	Title	Date	Phone (Optional)

Filing Fee: \$25.00

Annual Statement must be received by agency on or before February 15, 2017.

Annual Statement Must Be Signed

Domestic: Signature of a manager if management is vested in managers, by at least 1 member if management remains in the members or by an authorized agent of the domestic limited liability company.

Foreign: Signature of a person with authority to do so under the laws of the foreign limited liability company's jurisdiction of organization.

Veterans - Pursuant to MCL 450.5101(7), if a majority of the membership interests in the domestic or foreign limited liability company responsible for paying the fee are held by 1 or more honorably discharged veterans of the armed forces of the United States, you may contact the Corporations Division regarding a fee waiver.

Required by Section 207, Act 23, Public Acts of 1993, as amended.

File online at www.michigan.gov/fileonline
or mail your completed statement with a check or money order payable to the State of Michigan.

Return to: Corporations Division
P.O. Box 30768
Lansing MI 48909
(517) 241-6470

BATZ700LLC_NOV

**OPERATING AGREEMENT
OF
LITTLE TRAVERSE CHARTERS, LLC**

A MICHIGAN LIMITED LIABILITY COMPANY

11

EFFECTIVE AS OF March __, 2002

Issuance and transfer of the Membership Interests ("Membership Interests") represented hereby is restricted by the terms of this Agreement. In addition, the sale of the Membership Interests has not been registered under the Securities Act of 1933, as amended, the Michigan Uniform Securities Act nor any other state's security law, and they may not be transferred or sold unless such sale is subsequently registered or an exemption from registration is available.

12

OPERATING AGREEMENT

OF

LITTLE TRAVERSE CHARTERS, LLC

THIS AGREEMENT is made as of March __, 2002, between Janet P. Kalbfell, (the "Member") and Little Traverse Charters, LLC (the "Company").

WHEREAS, the member desires to form a Limited Liability Company pursuant to the Michigan Limited Liability Company Act, MCL 450.4101 *et seq.* ("Act") on the terms and conditions set forth in this Agreement:

NOW THEREFORE, the Member, states as follows:

Article I
Organization

1.1 Formation. The Member forms a Limited Liability Company pursuant to the Act. The Company is neither a corporation, general partnership, limited partnership, joint venture, nor sole proprietorship and no Member shall be construed to be a partner or shareholder in the Company. The relationships established by this Agreement shall exist solely as set forth in this Agreement.

1.2 Name. The name of the Company shall be Little Traverse Charters, LLC and all business shall be conducted under such name, or such other names as may be determined by the Member and duly authorized by the Company.

1.3 Registered Office. The registered office of the Company shall be located in the State of Michigan at 4265 Okemos Rd., Suite E, Okemos, MI 48864, or such other location(s) as shall be designated from time to time by the Member. The Company may also have offices in such other places as the Member may from time to time decide, or as the business of the Company may require.

1.4 Effective Date and Term. The Company formed pursuant to this Agreement shall be effective as of the date that the Articles of Organization are filed with the Michigan Department of Commerce and shall continue in perpetuity until it is dissolved or terminated pursuant to the Act or any provision of this Agreement.

1.5 Purpose of Business. The Company may engage in any lawful activity in which a Limited Liability Company may engage pursuant to the Act, including, but not limited to, the ownership, management and provision of charter boat services.

1.6 Liability. No Member shall be liable for any debt, obligation, or liability of the Company except to the extent expressly assumed.

Article II
Membership Interests

2.1 Capital Contributions. The Member has 100% of the Membership Interest of the Company. The Member acknowledges that for tax purposes only the Company will be treated as a sole proprietorship.

Article III
Management of the Company

3.1 Management of the Company. The day to day management and operation of the Company shall in respects be the full and complete responsibility of the Member.

3.2 Certain Rights and Obligations of the Member. In addition to the provisions of Section 3.1, the Member:

- a. May purchase or sell any personal property or any real estate interests for the Company and may execute on behalf of the Company all documents or instruments of any kind that the Member may deem appropriate in carrying out the purposes of the Company including, but not limited to, contracts, mortgages, deed, assignments, leases, subleases, management agreements, or other contracts of any kind or character or amendments to them, which relate to the affairs of the Company.
- b. Shall maintain complete and accurate books of account for the Company, keeping the books at the Company's principal place of business and open to inspection after reasonable notice and request by any Member or his or her authorized representative, at his or her own expense, at any time during ordinary business hours.
- c. May purchase, at the Company's expense, liability and other insurance to protect the Company's assets and business.
- d. May enter into any loan agreement to borrow money necessary or desirable to conduct the Company's business. The Member may assign any portion or all of the Company assets and revenues derived from it to secure the borrowed money or loan agreements. No Member shall have personal liability for these borrowed amounts. In no event will any lender have the election to convert its position as a creditor into an equity interest in the Company. A Member may make unsecured loans and advances to the Company. The interest on loans and advances made by a Member shall not exceed amounts that would be charged by unrelated banks (without regard to the Member's financial abilities or guaranties) on comparable loans for the same purpose, and no fees, points, or other financing charges will be charged to the company by the Member.
- e. Shall file any necessary instruments required to qualify the Company to do business in the states where the Company conducts activities.
- f. May invest Company funds in its discretion until the funds are committed to Company activities, including retaining balances in interest bearing or non-interest

bearing bank accounts.

- g. Shall do any and all things necessary or appropriate to accomplish the purposes of the Company subject to the provisions of this Agreement.

3.3 Reliance on Acts of Member. No financial institution or any other person, firm or corporation dealing with a Member shall be required to ascertain whether that Member is acting in accordance with this Agreement, but shall be protected in relying solely on the assurance of and the execution of all instruments by the Member.

Article IV Meeting of the Members

4.1 Meetings. In the event the Company has more than one Member, meetings of the Members may be called by Members representing in the aggregate at least 50% of the total outstanding Membership Units of the Company. A meeting shall be properly called when Members with an aggregate of at least 50% of the total Membership Interests give written notice to all other Members setting forth their desire to hold a meeting and the reason therefor.

4.2 Subject of Meetings. At a properly called meeting, the Members may vote on all of the following:

1. The dissolution of the Company;
2. The merger of the Company pursuant to Act Section 701 through 706;
3. A transaction involving an actual or potential conflict of interest between a Member and the Company;
4. An amendment to the Articles of Organization or this Operating Agreement;
5. The sale, exchange, lease or other transfer of all or substantially all of the assets of the Company outside of the ordinary course of business; and
6. Whether to permit an assignee to be a substitute Member.

4.3 Notice of Meetings. When a meeting of the Members is properly called, the calling Member shall deliver or mail written notice stating the date, time, and place of any meeting of Members and, when otherwise required by law, a description of the purposes for which the meeting is called, to each Member of record entitled to vote at the meeting, as such address as appears in the records of the Company, such notice to be mailed at least ten (10), but no more than sixty (60), days before the date and time of the meeting. A Member may waive notice of any meeting, before or after the date of the meeting, by delivering a signed waiver to the Company for inclusion in the minutes of the Company. A Member's attendance at any meeting, in person or by proxy; (i) waives objection to lack of notice or defective notice of the meeting, unless the Member at the beginning of the meeting objects to holding the meeting or transacting business at the meeting; and (ii) waives objection to consideration of a particular matter at the meeting that is not within any purposes described in the meeting notice, unless the Member objects to considering the matter when it is presented.

4.4 Record Date. The record date for the purpose of determining the Members entitled to notice of a Members' meeting, for demanding a meeting, for voting, or for taking any other action shall be tenth (10th) day prior to the date of the meeting or other action.

4.5 Proxy Vote. A Member may appoint a proxy to vote or otherwise act for the Member pursuant to a written appointment form executed by the Member or the Member's duly authorized attorney-in-fact. An appointment of a proxy is effective when received by the Company. The general proxy of a fiduciary is given the same effect as the general proxy of any other Member. A proxy appointment is valid for twelve (12) months unless otherwise expressly stated in the appointment form.

4.6 Number of Votes. Each Member shall have one vote for each Membership Interest owned by him or her as of the record date. At any meeting of members, presence of Members entitled to cast at least 51% of the total votes constitutes a quorum. Unless otherwise provided in this Agreement or the Articles of Organization, actions on a matter is approved if it receives approval by more than 50% of the total number of votes entitled to be cast by all Members in the Company entitled to vote at such meeting. Any purchaser or assignee of a Member's interest in the Company shall not be entitled to vote or participate on any matters at any meeting unless assignee becomes a substitute Member as provided in this Agreement.

4.7 Written Consent. Any action required or permitted to be taken at a Members meeting may be taken without a meeting if the action is taken by the Members holding a majority of the Membership Interests. The action must be evidenced by one or more written consents describing the action taken or to be taken, signed by the Members holding a majority of the Membership Interests and delivered to the Company for inclusion in the minutes.

4.8 Participation. Any or all Members may participate in any Members meeting by, or through the use of, any means of communication by which all Members participating may simultaneously hear each other during the meeting. A Member so participating is deemed to be present in person at the meeting.

4.9 Administration of Meeting. At any Members meeting, the Members shall appoint a person to preside at the meeting and a person to act as secretary of the meeting. The secretary of the meeting shall prepare minutes of the meeting which shall be placed in the minute book of the Company.

5.1 Dissolution. Upon the unanimous consent of all the Members ("Event of Dissolution"), the Company shall be dissolved and its affairs shall be wound up.

5.2 Liquidation. The dissolution of the Company shall be effective on the ninetieth (90th) day after the occurrence of an Event of Dissolution. The Company shall not be wound up until the Company's Articles of Organization have been canceled and the assets of the Company have been distributed as provided herein. Upon the dissolution of the Company, the Members shall liquidate the assets of the Company, apply and distribute the proceeds thereof as provided by this Agreement and cause the cancellation of the Company's Articles of Organization.

5.3 Distribution in Liquidation. Upon the dissolution of the Company and incident to the winding-up of the Company's business and affairs, the Company shall pay or make provision for the payment of its liabilities and obligations, actual or contingent, and all expenses of liquidation. Any amounts deemed necessary by the Members to provide a reserve for any unforeseen liabilities and obligations may, in the Member's discretion, be deposited in a bank or trust company upon such terms and for such period of time as the Members may determine. Following the payment of or provision for the liabilities of the Company as provided above, the remaining assets of the Company shall be distributed in the following order

of priority: (i) to the payment of the Members of any amounts then distribute to them under this Agreement, and (ii) any remaining assets shall then be allocated to the Members proportionately in accordance with the number of Membership Interests owned by them.

Article VI Amendments

6.1 Amendments. Amendments to this Agreement may be proposed by any Member holding at least 50% of the Membership Interests. Following such proposal, the Members shall submit a written, verbatim statement of any proposed amendment, providing that counsel for that Company shall have the opportunity to approve the proposed amendment as to form, and they shall include in any such submission a recommendation as to the proposed amendment. The Member proposing the amendment shall seek the written vote of the Members on the proposed amendment or shall call a meeting to vote thereon. For purposes of obtaining a written vote, the Member may require a response within a reasonable specified time, but not less than seven (7) days, and failure to respond in such time period shall constitute a vote which is consistent with the Member's recommendation with respect to the proposal. A proposed amendment shall be adopted and be effective as an amendment hereto if it receives the affirmation vote of holders of a majority of the Membership Interests.

6.2 Restrictions on Amendments. Notwithstanding foregoing, this Agreement shall not be amended without consent of each Member adversely affected if such amendment would alter the interest of a Member in profits, losses, Company distributions or voting rights.

Article VII Miscellaneous

7.1 Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Michigan, without regard to any conflict of law provisions.

7.2 Entire Agreement. This Agreement contains the entire understanding among the parties and supersedes any previous understanding and agreements understanding and agreements between them respecting the subject matter of this Agreement. There are no representations, agreements, arrangements, or understandings, oral or written, between or among the parties to this Agreement, relating to the subject matter of this Agreement, that are not fully expressed in this Agreement.

7.3 Severability. This Agreement is intended to be performed in accordance with, and only to the extent permitted by, all applicable laws, ordinances, rules, and regulations of the jurisdictions in which the Company does business. If any provision of this Agreement or its application to any person or circumstances shall, for any reason and to any extent, be invalid or unenforceable, the remainder of this Agreement and the application of that provision to other persons or circumstances shall not be affected by it, but rather shall be enforced to the greatest extent permitted by law.

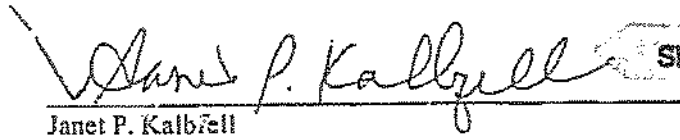
7.4 Notices. Notices to Members or to the Company shall be deemed to have been given when mailed, by prepaid registered or certified mail, addressed as set forth in this Agreement or as set forth in any notice or change of address previously given in writing by the addressee to the addresser.

7.5 Captions. The section titles or captions contained in this Agreement are provided for the sake of convenience only and shall not be deemed part of the context of this Agreement.

7.6 Number and Gender. All of the terms and words used in this Agreement, regardless of the number and gender in which they are used, shall be deemed and construed to include any other number, singular or plural, and any other gender, masculine, feminine or neuter, that the context or sense of this Agreement may require, as if the words had been fully and properly written in the number and gender.

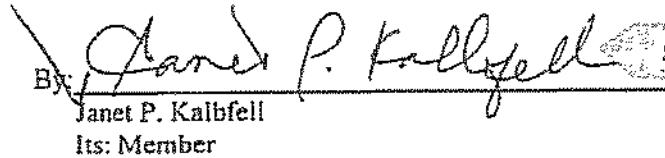
IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year written above.

MEMBER:

 **SIGN HERE**
Janet P. Kalbfell

COMPANY

LITTLE TRAVERSE CHARTERS, LLC

By:  **SIGN HERE**
Janet P. Kalbfell
Its: Member

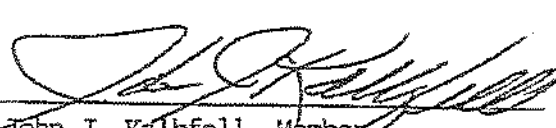
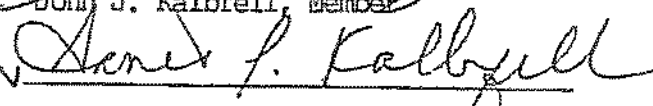
**LIMITED LIABILITY COMPANY
ACTION OF MANAGER(S) – MEMBER(S) CERTIFICATION AND APPROVAL**

The undersigned constituting all of the Little Traverse Charters, LLC
_____("Company") hereby certify that _____

John J. Kalbfell and Janet P. Kalbfell is/are the
only Manager(s) of the Company, duly appointed by the undersigned pursuant to the
Articles of Organization and the Operating Agreement of Company.

The undersigned hereby approve of any action taken or to be taken by said Manager(s) in
connection with such credit accommodations by Essex Credit Corp. as said
Manager(s) may authorize for and on behalf of the Company pursuant to that certain
Limited Liability Company Resolution to Borrower and Pledge (Resolution of
Managers), and the resolutions set forth therein, certified by said Manager(s) on
May 28, 2004. We further hereby certify that the specimen signature(s)
appearing in the certification of those resolutions as the signature(s) of said Manager(s)
is/are in fact the signature(s) of said Manager(s) authorized to sign for Company by
reason of those resolutions.

Dated: July 21, 2004

✓ 
John J. Kalbfell, Member
✓ 
Janet P. Kalbfell, Member

1032

LITTLE TRAVERSE CHARTERS, LLC.
DR. JOHN KALBFELL OR JANET KALBFELL
4007 SHOALS DRIVE
OKEMOS, MI 48864

74-1368-724

DATE

\$

PAY TO THE ORDER OF

DOLLARS

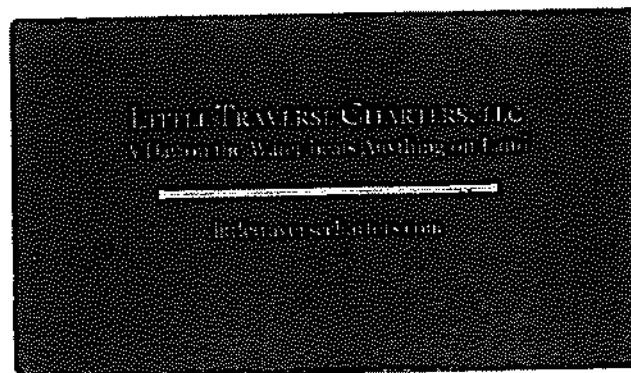
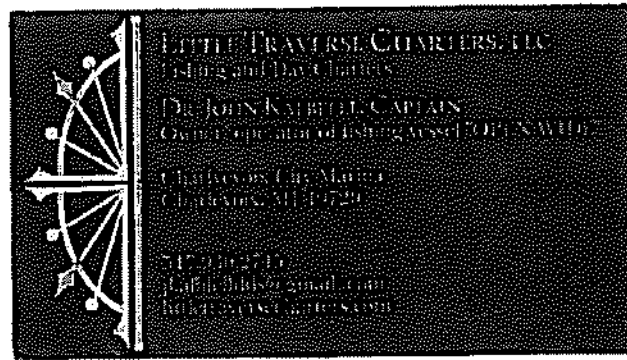


Amount in Words
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MEMO

⑈001032⑈ ⑆072413683⑆



CARDIO PULMONARY RESOURCE CENTER, INC.

This certifies that

John J Kalbfell, DDS

has successfully completed a course in Healthcare CPR &
in accordance with the current American Heart Association AED
Guidelines for CPR and ECC

Issue Date 2/17

Expiration Date 2/19

Instructor

Shirley K. K. K.

Holder's Signature

J. Kalbfell

BOAT DOCKAGE LEASE

This Lease is between the City of Charlevoix, a Michigan municipal corporation, ("CITY") and Little Traverse Charters, LLC., ("Lessee"), 133 C & O Club Drive, Charlevoix, MI 49720, a Michigan limited liability company, along with its successors.

1. DESCRIPTION OF PREMISES - The dock site shall be designated by the CITY. The location shall be determined by the Harbormaster.

2. TERM - This Lease shall be deemed to have commenced on May 1, 2017, and shall terminate on October 15, 2019.

3. RENT - The annual rent for the dock for the 2017 – 2019 seasons, shall be Four thousand, one hundred & no/100's (\$4,100.00) Dollars (equaling \$100 per vessel foot) unless specified differently within the terms of this lease. There shall be two annual payments of \$2,050 for dockage rent. The first dockage rent installment of \$2,000 shall be made by July 1 with the second annual payment of \$2,050 due by August 1 of each year.

4. USAGE - The dockage shall be for a commercial charter/cruise ship only. Any other use is prohibited. The dock space shall be used at least seventy-five (75) days a year. If a second boat is docked at the slip, it must be approved by the City prior to mooring. In the event that a second boat is allowed to moor at the dock, the rent shall be an additional \$4,100. This is effective upon the date which the second boat is approved and is in effect for the entire season and subsequent seasons for the term of this agreement. There shall be no refunds for partial use.

5. SERVICES PROVIDED BY LESSEE - With prior approval of the CITY, the vessel at the dock may be serviced by electricity and water and such approval shall not be unreasonably withheld. However, Lessee shall be responsible for relocating all electrical and water plumbing and for all associated costs.

6. TERMINATION - Lessee acknowledges that the CITY has an interest in promoting public safety for those persons who will use Lessee's services since CITY docks are being used in connection with Lessee's business. Accordingly, the Lessee shall obtain all applicable state and federal licenses and continually comply with all local and state marine regulations which relate to Lessee's charter services. The vessel shall have a U.S. Coast Guard inspection certificate and/or comparable Michigan DNR certificate, if required. During the term of this lease, if Lessee fails to maintain all required licenses and/or certificates or if Lessee violates any applicable marine regulation, then the CITY may declare that the Lessee has committed an incurable breach of this lease and may immediately terminate this lease. There shall be no refund of rent and rent shall continue until the effective date of lease termination.

7. UTILITIES - Lessee shall not be responsible to pay any utility charges for preexisting utilities that are provided by Lessor. This exemption from utility charges does not apply to additional utilities that may be installed by Lessee pursuant to paragraph 5 above.

8. ALTERATION OF PREMISES - Lessee shall also be responsible for welding any necessary cleats and/or bollards on the dock after obtaining prior approval of the CITY for installation of these items. Lessee may not make any alteration to the dock, including making improvements to the dock, without the prior written permission of the CITY.

9. WASTE AND NUISANCE PROHIBITED - Lessee shall comply with all applicable laws and shall not commit waste on or damage the premises nor create any nuisance by its use of the premises.

10. CITY'S RIGHT OF ENTRY - The CITY has the right to enter the dock site and any boat located at the dock site at reasonable times for inspection.

11. NOTICES - Notices required pursuant to this Lease may be given by personal service or sent by certified mail, e-mail or facsimile. Notice shall be deemed made on the date of personal service or on the date of mailing. For purposes of this provision, the CITY's address shall be 210 State Street, Charlevoix, MI 49720. Lessee's address shall be 133 C and O Club Drive, Charlevoix, Michigan 49720. It should be the responsibility of each party to notify the other of any change of address.

12. INDEMNIFICATION - The Lessee agrees to defend, indemnify and hold harmless the CITY and the State of Michigan, its departments, officers, agents and employees, from and against all claims resulting from Lessee's use of the dock site or kiosk, including but not limited to such loss, damage, injury or other casualty resulting from Lessee's negligence or willful misconduct or resulting from a breach by Lessee of its obligations hereunder.

13. THEFT/DAMAGE - The CITY is not responsible for loss, damage, theft or pilferage related to any vessel or any other type of personal property of Lessee, employees of Lessee or any guest, invitee or customer of Lessee. The Lessee is responsible for properly securing its vessel. The Lessee is responsible for fully repairing any damage it causes to the dock. Failure to repair damage within 30 days of written notice of default by the CITY shall be a breach of this Lease.

14. MISCELLANEOUS - This Lease does not convey any interest in the property. The lease authorizes the use of the property by the Lessee only for the authorized activities, dockage of a commercial vessel and is subject to the conditions set forth by the CITY. Lessee shall be liable for damage to any City-owned property resulting from this commercial service. Damages resulting from the commercial service shall be repaired or replaced by the Lessee at his expense and to the satisfaction of the CITY. The Lessee shall advise the CITY in writing, of any additional repairs needed to the City Marina.

15. REMEDIES CUMULATIVE - In the event of a default under this Lease, the CITY shall have the right to exercise all remedies provided by law in addition to remedies provided in this Lease.

16. INSURANCE - Lessee shall maintain a public liability insurance which lists the CITY as a named insured. Lessee's policy of insurance must be for one million dollars (\$1,000,000) for personal injury or death and one million dollars (\$1,000,000) for property damage. The Lessee shall provide the CITY certificates of insurance on an annual basis and all policies of insurance shall require that the CITY be notified prior to a cancellation of the policy.

17. DEFAULT - If Lessee shall default in the performance of any covenant, except for rent, contained in the Lease and shall not cure such default within thirty (30) days after written notice from the CITY specifying the default complained of, then the CITY may terminate this Lease. If Lessee fails to make a timely rental payment, then the CITY shall give written notice to Lessee. If Lessee fails to cure the non-payment within five (5) days of the notice, then

the CITY may terminate this Lease. Notice pursuant to this provision may be made as set forth in Paragraph 11.

18. DISPOSITION OF IMPROVEMENTS - Any improvements made to the premises shall remain the property of the CITY upon termination of this Lease.

19. SECTION CAPTIONS - All headings of this Lease are convenience only and are not actual terms of the Lease.

20. RESTRICTION ON ALCOHOLIC BEVERAGES - The Lessee will not allow the use, possession, sale or consumption of any alcoholic beverages on the leased premises.

21. NO WAIVER - One or more waivers of any covenant or condition by the CITY should not be construed as a waiver of a further breach of the same covenant or condition.

22. EFFECTIVE DATE - This Lease shall become effective upon the last of the parties to execute it.

IN WITNESS OF this Agreement, the parties have executed this document as set forth below.

WITNESSES:

THE CITY OF CHARLEVOIX

By: _____
Mark L. Heydlauff, City Manager

By: _____
Joyce M. Golding, City Clerk

LITTLE TRAVERSE CHARTERS, LLC

By: _____
John Kalbfell

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Introduction of Ethical Conduct Ordinance

DATE: April 3, 2017

PRESENTED BY: Mark L. Heydlauff, City Manager

ATTACHMENTS: Draft Ethical Conduct Ordinance (Ordinance 782 of 2017)
City of Battle Creek Ethics Ordinance
City of Charlotte Ethics Ordinance

BACKGROUND INFORMATION:

As requested by Council, I have researched various ethics policies. As some communities do, you can approve an ordinance covering ethical conduct. Other communities do it simply as a policy or a resolution, as we currently have.

The City Attorney and I have reviewed the draft Ethics Ordinance, which is largely based on an ordinance I wrote as City Manager in Bronson, Michigan. I have added sections contemplating the procedure for Councilmembers interacting with other bodies, boards, and committees. I have also added a section reflecting the procedure in cases when a Councilmember believes another Councilmember may have a conflict.

Currently, there is a resolution in place relating to conflicts of interest. Council could leave it in place or rescind it and replace it with this ordinance.

RECOMMENDATION:

Motion to set a public hearing for Ordinance 782 of 2017 for April 17, 2017 at 7pm in the Council Chambers of City Hall.

**CITY OF CHARLEVOIX
ORDINANCE NO. 782 of 2017**

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF CHARLEVOIX BY ADDING A NEW CHAPTER, WHICH NEW CHAPTER SHALL BE DESIGNATED AS CHAPTER 10 OF TITLE 1 – ADMINISTRATION OF SAID CODE

THE CITY OF CHARLEVOIX ORDAINS:

SECTION 1. Title I, Chapter 10, Sections 1.801 through 1.806 of the City Code are hereby added as follows:

**CHAPTER 10
ETHICAL CONDUCT**

1.801. Ethical Conduct.

In all actions, employees, the City Manager, and City Council members will adhere to all local, state and federal laws regulating ethical action. Various professional codes of ethics and other similar documents may be used to supplement determinations of ethical conduct.

1.802. Conflicts of Interest.

- (1) Conflicts of interest will naturally occur from time to time and in such cases when they may or do in fact arise, should be presented publicly to diminish the potential of actual or perceived special interests.
- (2) *Definitions.* For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.
 - (a) "Conflict of interest" may occur when action by the city, either through its employees or the City Council, could be construed as impacting negatively or positively an interest of an employee or Council Member, his or her relatives, business or financial investments, property, or other interests.
 - (b) "Immediate family" shall mean the spouse, child, parents, brother, sister, half-sister, half-brother or the spouses of any listed relatives. All relationships shall include those arising from adoption and marriage.
 - (c) "City Council", except where specifically referred to, shall refer to the Mayor and each member of the City Council.
- (3) City Council reporting of conflicts of interest.
 - (a) If a case may arise when a Council Member or the Mayor has a conflict of interest, he or she shall make known the potential conflict in open session when City Council business might involve such interest. The Council Member or Mayor need not provide detail on the potential conflict so as to injure a client or patient relationship.
 - (b) In addition to the general rule on conflicts of interest above, the following specific conflicts of interest are specifically prohibited:
 - (i) *Holding of other offices.* No Council Member shall hold any other city office or employment during the term for which they were elected to the Council except where specifically allowed by the Charter and/or statute.
 - (ii) *Voting involving a conflict of interest.* No member of the Council shall vote on any question in which he, she or a member of their immediate family as defined in this subchapter, has a financial interest, other than the common public interest, or on any question concerning his or her own conduct. Council Members who may have a financial interest shall state such interest and then refrain from debating, commenting, or otherwise seeking to influence the Council on such question.
 - (iii) If a member of City Council believes that another member of City Council has a conflict, he or she shall raise such perceived conflict. If the member in question does not concede a conflict, the majority of the remaining Council Members may vote to prohibit that Council Member or the Mayor who may have a conflict from participating in that item of business. The Council shall solely be the judge of its own members and the Mayor.
- (4) City Manager reporting of conflicts of interest.

- (a) If a case may arise when the City Manager has a conflict of interest, he or she shall make written notification of such conflict to the Mayor and the City Clerk. To the extent possible, the City Manager's involvement in the situation will be minimized to avoid the appearance of impropriety. The City Manager's conduct shall at all times be in accord with the ICMA Code of Ethics.
- (b) It shall not be deemed a conflict of interest by the City Manager to enforce or cause to be enforced zoning or ordinance violations in keeping with standard practice. It shall also not be deemed a conflict of interest for action to be taken by the city to improve or otherwise conduct normal public activities in the neighborhood where the City Manager may reside.
- (5) *Employee reporting of conflicts of interest.* If a case may arise when an employee of the city or the city's Attorney, Auditor, or other professional contractor may have a conflict of interest, he, she, or the corporation, partnership or entity shall promptly report such conflict or potential conflict to the City Manager. The City Manager shall determine what steps if any may be necessary to avoid the potential for preferential or adverse action because of the conflict.
- (6) *Council appearance before other bodies.* City Council shall not appear before or seek to influence members of other Boards, Commission, Committees, or similarly elected or appointed bodies of the City of Charlevoix except when they may be appointed to such body, serve as a member by virtue of statute or Charter, or may be invited to address the body by a majority vote of the body.

1.803. Statutory Prohibitions.

In accord with Public Act 196 of 1973 (being M.C.L.A. §§ 15.342 et seq.) the following shall apply to members of the City Council, the City Manager, and all other employees of the city.

- (1) *Confidential information.* The City Council, the City Manager, or an employee shall not divulge to an unauthorized person, confidential information acquired in the course of employment in advance of the time prescribed for its authorized release to the public.
- (2) *Personal opinions.* The City Council, the City Manager, or an employee shall not represent his or her personal opinion as that of the city.
- (3) *Use of city resources.* The City Council, the City Manager, or an employee shall use city personnel resources, property, and funds judiciously and solely in accordance with prescribed constitutional, statutory, and regulatory procedures and not for personal gain or benefit.
- (4) *Acceptance of gifts.* The City Council, the City Manager, or an employee shall not solicit or accept a gift or loan of money, goods, services, or other thing of value for the benefit of a person or organization, other than the state, which tends to influence the manner in which the public officer or employee or another public officer or employee performs official duties.
- (5) *Use of office for private gain.* The City Council, the City Manager or an employee shall not engage in a business transaction in which the public officer or employee may profit from his or her official position or authority or benefit financially from confidential information which the person has obtained or may obtain by reason of that position or authority. Instruction which is not done during regularly scheduled working hours except for annual leave or vacation time shall not be considered a business transaction pursuant to this division if the instructor does not have any direct dealing with or influence on the employing or contracting facility associated with his or her course of employment with this state.
- (6) *Outside employment.* The City Council, the City Manager, or an employee shall not engage in or accept employment or render services for a private or public interest when that employment or service is incompatible or in conflict with the discharge of the officer or employee's official duties or when that employment may tend to impair his or her independence of judgment or action in the performance of official duties.
- (7) *Negotiation for private gain.* Except in cases of an employment agreement or contract, the City Council, the City Manager, or an employee shall not participate in the negotiation or execution of contracts, making of loans, granting of subsidies, fixing of rates, issuance of permits or certificates, or other regulation or supervision relating to a business entity in which the person has a financial or personal interest.

1.804. Non-Discrimination.

The city will not discriminate against any person in the provision of public service or employment on the basis of gender, race, creed, age, sexual orientation, language proficiency, income level, or any other legally protected classification. Such non-discrimination provisions may be limited by state or federal law.

1.805. Promulgation.

The City Manager is authorized to draft policies, procedures, and other documents necessary to enforce provisions of this subchapter. To the extent deemed necessary, statements from this subchapter may be appended to contracts with outside vendors and contractors. The City Manager may also revise the city's Personnel Policy as needed to reflect this subchapter.

1.806. Penalty.

- (1) *Violations by Council members.* Violation of any provision of by a member of the City Council may be punishable by action of the City Council to censure, reprimand, or otherwise discipline its own members. Additionally, violations of may also be felonies or misdemeanors under state or federal law.
- (2) *Violations by employees.* Violation of any provision may subject an employee to punishment up to and including termination. In addition to employment disciplinary action, the city may seek remedy in a court of competent jurisdiction for damages.

SECTION 2. Severability.

No other portion, paragraph or phase of the Code of the City of Charlevoix, Michigan shall be affected by this Ordinance except as to the above sections, and in the event any portion, section or subsection of this Ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this Ordinance or of the Code of the City of Charlevoix, Michigan.

SECTION 3. Effective Date.

This Ordinance shall become effective thirty (30) days after its enactment.

Ordinance No. 782 was adopted on the 17th day of April, 2017 A.D., by the Charlevoix City Council as follows:

Motion by:

Seconded by:

Yeas:

Nays:

Absent:

State of Michigan)
) ss
City of Charlevoix)

Joyce M. Golding Clerk

Luther Kurtz Mayor

Battle Creek Code of Ordinances

212.05 CODE OF ETHICS FOR CITY COMMISSIONERS.

(a) Preamble.

(1) The citizens of Battle Creek are entitled to have fair, ethical and accountable local government that has earned the public's full confidence for integrity.

(2) Furthermore, the effective functioning of democratic government requires that public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government; public officials be independent, impartial and fair in their judgment and actions; public office be used for the public good, not for personal gain; and public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

(3) To this end, the Battle Creek Commissions adopts this Code of Ethics for Battle Creek City Commissioners to assure public confidence in the integrity of local government and its effective and fair operation.

(b) Code of Ethics.

(1) Acts in the public interest. Recognizing that stewardship of the public interest must be their primary concern, City Commissioners will work for the common good of the people of Battle Creek and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims, and transactions coming before the Battle Creek City Commission.

(2) Compliance with law. City Commissioners shall comply with the laws of the nation, the State of Michigan, and the City of Battle Creek in the performance of their public duties. These laws include, but are not limited to: the United States and Michigan constitutions; the Battle Creek City Charter; laws pertaining to conflicts of interest, contracts with public entities, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and City ordinances and policies.

(3) Respect for process. City Commissioners shall perform their duties in accordance with the processes and rules of order established by the City Commission governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Commission by City staff.

(4) Conduct of public meetings.

A. City Commissioners shall prepare themselves for public issues, listen courteously and attentively to all public discussions before the body, and focus on the business at hand. They shall refrain from interrupting other speakers, making comments not germane to the business of the body, or otherwise interfering with the orderly conduct of meetings.

B. A City Commissioner and any family member claimed as a dependent of the Commissioner shall refrain from soliciting or accepting any gifts, loans or favors except that a Commissioner and a family member claimed as a dependent of the Commissioner may:

(5) Communication. City Commissioners shall publicly share substantive information that is relevant to a matter under consideration by the City Commission, which they may have received from sources outside of the public decision-making process.

(6) Full disclosure.

A. A City Commissioner in the performance of their public duties shall not act upon any matter in which they have a material financial interest, or where they have a legal or fiduciary duty to another organization or entity or personal relationship that may give the appearance of a conflict of interest, without disclosing the full nature and extent of the interest to the other members of the City Commission on the official record. Such disclosure must be made before the time to perform their duty or concurrently with the performance of the duty.

B. The disclosure required by this subsection shall not supplant, but instead shall supplement, any disclosure of a personal, contractual, financial, business, employment or pecuniary interest required by state statute.

(7) Gifts, favors, and loans.

A. A City Commissioner shall refrain from financial and business dealings that would tend to reflect adversely on the Commissioner impartiality, interfere with the performance of their public duties or exploit their official position. A City Commissioner should not take any special advantage of services, goods or opportunity for personal gain that is not available to the public in general.

B. A City Commissioner and any family member claimed as a dependent of the Commissioner shall refrain from soliciting or accepting any gifts, loans or favors except that a Commissioner and a family member claimed as a dependent of the Commissioner may:

1. Accept a gift or honorarium, not exceeding a value of one hundred dollars (\$100.00), for services rendered in the performance of their public duties or other activity devoted to the improvement of cities, communities and the lives of citizens.

2. Accept ordinary social hospitality; a gift, bequest, favor or loan from a relative; a wedding or engagement gift; a loan in the regular course of business from a lending institution on the same terms as generally available to the public; and a scholarship, grant or fellowship awarded on the same terms as applied to other applicants.

3. Accept any other gift, favor or loan only if the donor is not a person or entity whose interests have come or are likely to come before the City Commission.

4. Solicit and accept campaign contributions.

(8) Confidential information. City Commissioners shall respect the confidentiality of information concerning the property, personnel or affairs of the City. They shall neither disclose nor divulge to an unauthorized person confidential information acquired in the course of their duties in advance of the time prescribed for its authorized release to the public without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

(9) Use of public resources. Public resources, including City staff time, equipment, supplies, and facilities, not available to the public in general shall only be used for the benefit of the public and

not for a City Commissioner's personal or private use.

(10) Representation of private interests. In keeping with their role as stewards of the public interest, a City Commissioner shall not appear on behalf of the private interests of third parties, including their spouses and family members within the third degree of consanguinity to the City Commissioner or their spouse, before the City Commission or any board, committee, commission or proceeding of the City.

(11) Advocacy. City Commissioners shall represent the official policies or positions of the City Commission to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, City Commissioners shall neither state nor imply that they represent the opinions or positions of the City Commission or the City of Battle Creek.

(12) Policy role of members.

A. City Commissioners shall respect and adhere to the Commission-manager structure of Battle Creek City government as outlined by the Battle Creek City Charter. In this structure, the City Commission determines the policies of the City with the advice, information, and analysis provided by the public, subordinate boards, committees and commissions, and City staff.

B. City Commissioners therefore shall not interfere with the administrative functions of the City or the professional duties of City staff; nor shall they impair the ability of staff to implement City Commission policy decisions.

(13) Independence of boards and commissions. Because of the value of the independent advice of subordinate boards, committees, and commissions to the public decision-making process, members of the City Commission shall, except when the Commissioner is a member of the public body, limit their participation in the proceedings of such subordinate public bodies to the communication of requested information and providing factual information relevant to the discussion at hand and shall not otherwise attempt to unduly influence the deliberations or outcomes of the proceedings.

(14) Positive workplace environment.

A. City Commissioners shall support the maintenance of a positive and constructive workplace environment for City employees and for citizens and businesses dealing with the City. City Commissioners shall recognize their special role in dealings with City employees so as to in no way create the perception of inappropriate direction to staff nor, except for the purpose of inquiry, give specific orders to subordinates of the City Manager or City Attorney.

B. Because City Commissioner actions and comments contribute to the environment in which all City employees must work, in order to create and promote a positive work environment under no circumstances shall a City Commissioner, either in public or private, intimidate, humiliate, or otherwise abuse a City employee.

(15) Compliance and enforcement.

A. This Code of Ethics for Battle Creek City Commissioners expresses standards of ethical conduct expected for members of the Battle Creek City Commission. City Commissioners themselves have the primary responsibility to assure that they understand and meet the ethical standards expressed in this code of ethics and that the public can continue to have full confidence in the integrity of

government.

B. All City Commissioners shall have a responsibility to intervene when they learn of actions of another City Commissioner that appear to be in violation of the Code of Ethics. Upon acquiring reasonable suspicion of a violation of the Code of Ethics, the Mayor shall set, or any three Commissioners may require the setting of, a public hearing at a regular or special meeting of the City Commission to determine whether a violation of the Code of Ethics occurred and, if so, what sanctions shall be imposed for the violation.

C. The City Commission may impose sanctions on City Commissioners whose conduct does not comply with the City's ethical standards. Sanctions may include reprimand, formal censure, loss of committee assignment, restrictions on budget or travel, and removal from office by the governor in the manner and for the causes provided by law.

D. A violation of this code of ethics shall not be considered a basis for challenging the validity of a City Commission decision.

(16) Implementation.

A. As an expression of the standards of conduct for City Commissioners expected by the public, this Code of Ethics is intended to be self-enforcing. It therefore becomes most effective when City Commissioners are thoroughly familiar with it and embrace its provisions.

B. For this reason, ethical standards shall be included in the regular orientations for newly elected or appointed City Commissioners. At the first regular meeting of City Commission in December of each year, City Commissioners entering office shall sign a statement affirming that they have read and understand the Code of Ethics for Battle Creek City Commissioners.

C. In addition, the City Commission shall annually review the Code of Ethics for Battle Creek City Commissioners.

(c) Commissioner Statement of Acknowledgment.

Model of Excellence

Battle Creek City Commission

Commissioner Statement

As a member of the Battle Creek City Commission, I agree to uphold the Code of Ethics adopted by the City Commission and conduct myself by the following model of excellence. I will:

-Recognize the worth of individual members and appreciate their individual talents, perspectives, and contributions;

-Help create an atmosphere of respect and civility where individual members, City staff, and the public are free to express their ideas and work to their full potential;

-Respect the dignity and privacy of individuals and organizations;

-Respect and maintain the nature of confidential and privileged information and opinions acquired as a result of my position;

-Conduct my public affairs with honesty, integrity, fairness and respect for others;

-Avoid and discourage conduct that is divisive or harmful to the best interests of Battle Creek; and

-Keep the common good as my highest purpose and focus on achieving constructive solutions for the public benefit.

I affirm that I have read and fully understand the Code of Ethics for Battle Creek City Commissioners.

Signature/Date

Name/Office

(Ord. 07-04. Passed 4-20-04; Ord. 12-05. Passed 7-19-05.)

Disclaimer:

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Charlotte, MI Code of Ordinances

ARTICLE VI. ETHICS**§ 2-250 DEFINITIONS.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

CITY. The City of Charlotte.

EMPLOYEE. An individual employed by the city, whether part-time or full-time, but excluding city contractors and officials as defined in this section.

OFFICIALS. The elected officers of the city, the members of the appointed boards and commissions of the city, the administrative officers and department directors described in § 2-51 and the deputies of administrative officers and department directors.

RELATIVE. A person related to an official within the third degree of consanguinity or affinity.

(Ord. 2009-05, passed 10-26-2009)

§ 2-251 PRINCIPLES OF ETHICAL CONDUCT.

To ensure that every citizen can have complete confidence in the integrity of city government, each official shall respect and adhere to the following principles of ethical service.

(A) Public service is a public trust requiring officials and employees to place loyalty to laws, ordinances, rules and policies above private gain.

(B) Officials and employees shall not hold financial interests that conflict with the conscientious performance of duty.

(C) Officials and employees shall not engage in financial transactions using nonpublic city information or allow the improper use of such information to further any private interest.

(D) Officials and employees shall not, except pursuant to such reasonable exceptions as are provided by policy promulgated by the City Council, solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the city, or whose interest may be substantially affected by the performance or nonperformance of the official's duties.

(E) Officials and employees shall put forth honest effort in the performance of their duties.

(F) Officials and employees shall make no unauthorized commitments or promises of any kind purporting to bind the government.

(G) Officials and employees shall not use public office for private gain for themselves or their relatives.

(H) Officials and employees shall act impartially and not give preferential treatment to any private organization or individual.

(I) Officials and employees shall protect and conserve city property and shall not use it for other than authorized activities.

(J) Officials and employees shall not engage in outside employment or activities, including seeking or negotiating employment, that conflict with official city duties and responsibilities.

(K) Officials and employees shall disclose waste, fraud, abuse and corruption to appropriate authorities.

(L) Officials and employees shall adhere to all laws and regulations that provide equal opportunity for all regardless of race, color, religion, sex, national origin, age or disability.

(M) Officials and employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards promulgated pursuant to this article.

(Ord. 2009-05, passed 10-26-2009)

§ 2-252 IMPLEMENTATION.

The City Council shall implement the principles of ethical conduct contained in § 2-251 by promulgating policies, defining terms, establishing rules and regulations and providing sanctions or penalties for violations. The City Council shall have the authority to repeal, replace or amend such policies from time to time as circumstances warrant.

(Ord. 2009-05, passed 10-26-2009)

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**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Fire Services Agreement with Charlevoix Township

DATE: April 3, 2017

PRESENTED BY: Mark L. Heydlauff, City Manager

ATTACHMENTS: Draft Agreement with Charlevoix Township

BACKGROUND INFORMATION:

As you are aware, in mid-December Charlevoix Township formally proposed joining our fire services together. Since that time, I have been working with Supervisor Chuck Center, Township Fire Chief Dan Thorp and Chief Gerard Doan on how this arrangement might work. We are pleased to present a draft agreement that would shift responsibility for our fire coverage to the Township. We would pay an annual fee to Charlevoix Township of just over \$132,000, due in quarterly payments. We would continue to be responsible for providing a ladder truck, which is a very expensive piece of equipment. Our current vehicles would stay in service and be operated by the Township, along with our station, which would essentially become a sub-station.

Currently, the Fire budget is just over \$248,000. Paying the Township does not completely eliminate our costs since we would still insure our equipment, conduct maintenance on the vehicles we own, plan for major repair and eventual replacement of the ladder truck, and some smaller costs like utilities for the building. This would allow us to increase our savings for these future costs and also lower our overall expenses. The EMS Director position is currently funded 50% by the Fire budget and that will be shifted fully to the EMS Fund in the 2018-2019 budget. Currently, a third of Chief Doan's salary comes from the Fire Fund. This will be re-appropriated back to Police and Buildings and Grounds. I also plan to expand the scope of his supervision in buildings and grounds to include some additional City and DDA-owned buildings, most notably the Bridge Park Building and off-season work at the Harbormaster Building and Odmark Pavilion.

Beyond costs and colors of trucks, this agreement is a major step forward to continued improvement of relations between the City and Charlevoix Township. When an emergency strikes, our residents expect a good response from trained staff, regardless of the color of truck they drive. This is also a strong step toward more efficient use of our resources. The Agreement would take effect May 1, 2017. Additional memos of understanding are likely to be drafted to deal with smaller details of equipment sharing and procedures.

The existing agreement we have to provide fire service to Eveline Township will be absorbed by Charlevoix Township. This reduces our revenue by roughly \$24,000, but also reduces our need for certain types of equipment for the future.

COUNCIL GOAL AREA(S):

Provide strong stewardship of public resources and promote good governance

RECOMMENDATION:

Motion to approve the Fire Services Agreement with Charlevoix Township and authorize the Mayor and City Clerk to sign on behalf of the City.

CITY OF CHARLEVOIX AGREEMENT FOR FIRE PROTECTION

THIS AGREEMENT by and between the Township of Charlevoix, a Municipal Corporation of the County of Charlevoix, State of Michigan, hereinafter referred to as the "Provider", and the City of Charlevoix, a Municipal Corporation of the County of Charlevoix, State of Michigan, hereinafter referred to as the "City" is effective as of May 1, 2017.

WITNESSETH:

WHEREAS, the Provider maintains an organized and equipped Fire Department and the City desires to have the services of the Provider's Fire Department; and

WHEREAS, the Provider is willing to cooperate with the City in providing said fire services in consideration for City's contributing to the expense of equipping and maintaining the Fire Department;

NOW THEREFORE, it is agreed by and between the parties hereto as follows:

1. Subject to Paragraph 2, below, the Provider agrees to furnish the City and its residents firefighting services, utilizing the Provider's firemen and firefighting apparatus and equipment owned and operated by said Provider, as the Fire Chief of said Provider shall determine on an "as available" basis. The Fire Chief of the Provider shall determine the number of firemen and the type of equipment which is reasonably necessary to respond to a particular fire or other emergency. Provider agrees that it will accept applications from qualified members of the City of Charlevoix Fire Department for employment as an on-call firefighter for Provider.
2. City agrees that it will, at its sole expense, make available for use by Provider certain vehicles, equipment and facilities used for firefighting and for training. The vehicles and equipment are itemized in the attached List of Equipment. The aerial ladder truck and other equipment designated by Provider shall remain located at the existing City Fire garage which will be available for use by Provider as a sub-station for the storage of vehicles and equipment and for training purposes. Notwithstanding the above, City shall

remain responsible for providing necessary inspections, maintenance and repair of the City's vehicles and equipment which are available for Provider's use. City shall furnish records of completion of inspections, maintenance and repair to Provider. City shall maintain insurance coverage on City-owned vehicles and equipment which is available for use by Provider and shall furnish Provider satisfactory proof of insurance showing that Provider and its firefighters are named as additional insureds under the terms of all such policies.

3. The fire services described hereunder shall begin at 12:00 a.m. on May 1, 2017 and shall continue for five (5) years, beginning at 12:00 a.m. on July 1, 2017 and terminating at 11:59 p.m. June 30, 2022. Either party shall have the right to terminate the Agreement only after a substantial breach constituting good cause for termination and only after providing a written notice of intent to terminate to the other party which shall include a thirty (30) day opportunity to cure any such default or breach.
4. For each one (1) year period of time during which this Agreement shall be in effect, said City agrees to pay to the Provider the sum of One Hundred Thirty-Two Thousand Three Hundred Ninety-Seven (\$132,397.00) Dollars per year in quarterly payments, beginning July 1, 2017. Payments for the partial year running from May 1, 2017 to June 30, 2017 shall be prorated and paid to Provider upon execution of this Agreement. The contract price shall not be increased except by the agreement in writing of both parties.
5. Provider agrees that it will accept, with the consent of any unit of government with which City has contractually agreed to provide fire protection services, the assignment of any such agreement or contract. City agrees to forward any prepaid amounts to Provider on a pro-rata basis.
6. It is hereby expressly agreed that the Provider, in extending the services of its Fire Department to the City, as herein set forth, is doing so exclusively for the purpose of cooperating with and assisting the City in the City's carrying out of a governmental function. In doing so, the Provider, its agents, and employees in discharging any duty of service as prescribed hereunder shall be construed as engaged in a governmental function of the City and in so doing shall not be construed as being engaged in a propriety endeavor.

7. The Provider shall make all reasonable efforts to respond to a request for fire protection services in the City as contemplated in this Agreement. Although it is anticipated that Provider will have sufficient equipment and personnel to respond to multiple, simultaneous events, Provider may not be the first or sole responder to a fire or other emergency event in the City if, in the judgment of the officer in charge of Provider's Fire Department, Provider's response to an event in the City would jeopardize Provider's ability to safely service an existing, on-going fire or similar emergency in Provider's own jurisdiction or in one of its contracted jurisdictions. However, under such circumstances the Provider shall immediately summon a mutual aid fire company to the City. When a mutual aid fire company is called, the Provider shall not be responsible for any loss or claim which may result from failure to respond promptly to any call for fire protection or service from the City.
8. The Provider agrees to indemnify and hold City harmless from all damages, claims, demands, costs, or expenses which the City or other parties sustain or may be subject to as a result of any act or omission (regardless of whether such act or omission is by negligence, gross negligence, or intentional) on the part of Provider or Provider's employees, agents, or representatives, in connection with the services provided pursuant to this Agreement.
9. The City agrees to indemnify and hold Provider harmless from all damages, claims, demands, costs, or expenses which the Provider or other parties sustain or may be subject to as a result of any act or omission (regardless of whether such act or omission is by negligence, gross negligence, or intentional) on the part of City or City's employees, agents, or representatives, in connection with the services provided pursuant to this Agreement.
10. The fire protection services to be provided under this Agreement are not limited merely to fighting fires, but include any emergency situation to which the Provider's Fire Department is authorized by law to respond in its own jurisdiction. This includes, by way of example and not limitation, responding to spills of toxic or hazardous substances, rescue runs, etc. Reference in this Agreement merely to fire calls, responding to a fire or similar terminology shall be broadly construed as to be consistent with this provision. The Provider reserves the right to refuse to perform or provide services which it, in

Provider's sole discretion, is not equipped, trained or otherwise capable of providing or which it is legally not authorized to provide.

11. If any dispute or claim arises under or as a result of this Agreement, the party with the dispute or claim shall provide written notice of the claim or dispute to the other party. Within fourteen days of the date of the written notice, the City Manager and Township Supervisor shall discuss the matter and seek a resolution to the claim or dispute. If no acceptable agreement is reached, the Parties agree to submit to mediation within 60 days of the notice. If the claim or dispute is not resolved at mediation, then either party may pursue any remedies it has under law. This paragraph does not prevent a party from seeking appropriate preliminary injunctive relief from a court of competent jurisdiction in the event of an emergency.
12. This Agreement will be governed by and enforced in accordance with the laws of the state of Michigan and venue shall be proper in the Charlevoix County, Michigan, for any disputes arising under this Agreement. Neither this Agreement nor any part of it shall be assigned by either party without the prior written consent of the other party. This Agreement is the full understanding of the Parties concerning this matter and supersedes all written or oral understandings pertaining to the subject matter of this Agreement.

CITY OF CHARLEVOIX
(City)

Dated: _____

By: _____

Luther Kurtz
Its: Mayor

By: _____

Joyce Golding
Its: Clerk

CHARLEVOIX TOWNSHIP
(Provider)

Dated: _____

By: _____
Charles Center
Its: Supervisor

By: _____
Sandra Witherspoon
Its: Clerk

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Mayoral Appointments

DATE: April 3, 2017

PRESENTED BY: Joyce M. Golding, City Clerk

ATTACHMENTS: Mayor Kurtz memo to City Clerk
Volunteer Boards and Committees Applications

BACKGROUND INFORMATION:

The following list includes vacancies on City boards and committees:

- Housing Commission – current member Joan Buday (requested reappointment)
Mayoral appointment/Council approval for a five year term
- DDA/Main Street – current member Dan Barron (resigned)
Mayoral appointment/Council approval for a four year term
- DDA/Main Street – current member Maureen Owens (requested reappointment)
Mayoral appointment/Council approval for a four year term
- Planning Commission – current member Julee Roth
Mayoral appointment/Council approval for a three year term
- Planning Commission – current member R.J. Waddell (requested reappointment)
Mayoral appointment/Council approval for a three year term
- Planning Commission – current member Toni Felter (requested reappointment)
Mayoral appointment/Council approval for a three year term

RECOMMENDATION:

Motion to appoint [reappoint] Citizen Name to the Housing Commission, term expiring April 2022.

Motion to appoint Citizen Name to the DDA, term expiring April 2021.

Motion to appoint [reappoint] Citizen Name to the DDA, term expiring April 2021.

Motion to appoint Citizen Name to the Planning Commission, term expiring April 2020.

Motion to appoint [reappoint] Citizen Name to the Planning Commission, term expiring April 2020.

Motion to appoint [reappoint] Citizen Name to the Planning Commission, term expiring April 2020.



CITY OF CHARLEVOIX

210 STATE ST. CHARLEVOIX, MICH. 49720

MEMO

TO: Joyce Golding, City Clerk
FROM: Luther Kurtz, Mayor
SUBJECT: April Mayoral Appointments
DATE: March 27, 2017

Joyce,

I plan to nominate the following for appointment:

- Maureen Owens and Richard Christner to the DDA
- RJ Waddell, Toni Felter and Dennis Halverson to the Planning Commission
- Joan Buday to the Housing Commission

I have had some interest in the other Housing Commission vacancy, but haven't decided yet.

Thanks.
Luther

City of Charlevoix

Application for Volunteer Boards and Advisory Committees

Date: 11/10/16

- ☐ Planning Commission ☐ Historic District Commission ☒ Main Street Program
☐ Board of Review ☒ Downtown Development Authority
☐ Zoning Board of Appeals ☐ Shade Tree Commission ☐ Historic District Study
☐ Housing Commission ☐ Compensation Commission ☐ No Preference

Name: Maureen B. OwensAddress: 205 PARK AVE, UNIT 4, CHARLEVOIX MI 49720Phone: X Cell Phone: 231-622-3238 Email: MAUREEN-OWENS@HOTMAIL.COMBusiness Phone: 231-547-4602 May we call you there? Yes

Describe the reasons you are interested in this position: I AM A PROponent OF CHARLEVOIX AND ITS POSITIVE ECONOMIC GROWTH. I AM OPEN Minded AND BELIEVE IN DEVELOPING IDEAS THAT ARE TRADITIONAL AND CUTTING EDGE. I AM COMMITTED TO THE SUCCESS OF THE MAIN STREET PROGRAM

Describe any background, experience and interests that you have which may assist you in performing the responsibilities of this appointment:

Occupation: BRANCH PROFESSIONAL - BICKERSTETH BROWN WEATH ADVISORSEducation: DIPLOMA IN BUSINESS ADMINISTRATIONExperience: MAIN STREET PROMOTIONS, ORGANIZATION AND ECONOMIC RESTRUCTURING(Please attach a detailed resume if desired) COMMITTEE MEMBER

CO-OWNER LIVE FROM CHARLEVOIX AND CHARLEVOIX GROWTH SHOWFEST

Have you served on any previous boards or in any governmental positions in the past? If yes, please explain: NOT IN THE CITY GOVERNMENT - PRES. CHARLEVOIX SPORTS BOOSTERS, PRES CHARLEVOIX PERFORMING ARTS BOOSTERS

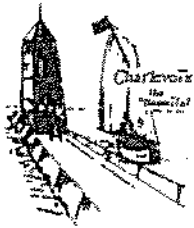
Are you available for night meetings? Yes Daytime meetings? Yes

Do you foresee any potential conflicts of interest that you might have in executing the duties of this appointed position? If yes, please explain: NO

If a conflict of interest arose for you, how would you deal with it as an appointed member of this board?

THROUGH OPEN TRANSPARENT COMMUNICATION - I WOULD RECUSE MYSELF IF NECESSARY OR RESIGN SHOULD THE SITUATION BECOME. BECAUSE THE GREATER NEEDS OF THE PROGRAM/DDA WOULD ALWAYS BE MY FIRST CONCERN

Please return this application to the City of Charlevoix Offices. It can be returned in person, by mail to 210 State Street, Charlevoix, MI 49720, by fax to 231.547.3617 or by email to mgr@cityofcharlevoix.org



CITY OF CHARLEVOIX
VOLUNTEER BOARDS AND COMMITTEES APPLICATION

Thank you for your interest in serving on a volunteer board, commission or committee. The purpose of this form is to provide the Mayor and City Council members with some information about residents considered for appointment. Your application will be kept active for six months and you will be contacted if you are chosen to serve.

☐ AIRPORT ADVISORY COMMITTEE
☐ BOARD OF REVIEW
☐ COMPENSATION COMMISSION
☒ DD/MAN STREET BOARD

☐ HISTORIC DISTRICT COMMISSION
☐ HOUSING COMMISSION
☐ PLANNING COMMISSION
☐ RECREATION ADVISORY COMMITTEE

☐ SHADE TREE COMMISSION
☐ ZONING BOARD OF APPEALS
☐ OTHER _____
☐ NO PREFERENCE

PLEASE PRINT

NAME: RICHARD CHRISTNER

ADDRESS: 00188 NORTH RANNEY ROAD, EAST JORDAN, MI 49727

HOME PHONE: _____ CELL PHONE: 231-350-1208

EMAIL: CHRISTNER.RICHARD@GMAIL.COM

ARE YOU A REGISTERED VOTER IN THE CITY? NO

HOW LONG HAVE YOU LIVED IN THE CITY? RESIDE OUTSIDE OF CITY
COMMUNITY MEMBER FOR

HAVE YOU EVER BEEN CONVICTED FOR ANYTHING OTHER THAN A MINOR TRAFFIC VIOLATION? NO 27 YEARS

EDUCATIONAL BACKGROUND: NORTH CENTRAL MICHIGAN COLLEGE: AAS - ACCOUNTING

DAVENPORT UNIVERSITY: SOME WORK TOWARDS BBA - FINANCE

PROFESSIONAL QUALIFICATIONS AND/OR WORK EXPERIENCE: COMMERCIAL LOAN OFFICER - CHARLEVOIX STATE BANK

COMMUNITY ACTIVITIES AND/OR OTHER EXPERIENCE: YOUTH WRESTLING COACH

YOUTH FLAG FOOTBALL COACH

GRADUATE OF LEADERSHIP CHARLEVOIX COUNTY

HAVE YOU SERVED ON A BOARD/COMMITTEE OR HELD A CIVIC POSITION IN THE PAST? IF YES, PLEASE EXPLAIN:

CHARLEVOIX MAIN STREET STEERING COMMITTEE

CHARLEVOIX MAIN STREET ORGANIZATIONAL COMMITTEE

DO YOU FORESEE ANY POTENTIAL CONFLICTS OF INTEREST WHILE EXECUTING THE DUTIES OF THIS POSITION? IF YES, PLEASE EXPLAIN:

NO MORE THAN ANY OTHER BUSINESSPERSON ACTIVELY DOING BUSINESS IN THE DOWNTOWN AREA

REASON(S) YOU WISH TO SERVE: TO BECOME MORE ACTIVELY INVOLVED IN THE DOWNTOWN.

HAVE YOU REVIEWED THE CURRENT MEETING SCHEDULE OF THE BOARD/COMMITTEE AND CAN COMMIT TO REGULAR MEETING ATTENDANCE? _____

SIGNATURE: [Signature] DATE: 3-10-17

RETURN APPLICATION TO THE CITY CLERK'S OFFICE:
210 STATE STREET CHARLEVOIX, MI 49720 - FAX (231) 547-3617 - EMAIL clerk@cityofcharlevoix.org



CITY OF CHARLEVOIX
VOLUNTEER BOARDS AND COMMITTEES APPLICATION

Thank you for your interest in serving on a volunteer board, commission or committee. The purpose of this form is to provide the Mayor and City Council members with some information about residents considered for appointment. Your application will be kept active for six months and you will be contacted if you are chosen to serve.

- ☐ AIRPORT ADVISORY COMMITTEE
☒ BOARD OF REVIEW
☐ COMPENSATION COMMISSION
☒ DDA/MAIN STREET BOARD

- ☐ HISTORIC DISTRICT COMMISSION
☐ HOUSING COMMISSION
☐ PLANNING COMMISSION
☐ RECREATION ADVISORY COMMITTEE

- ☐ SHADE TREE COMMISSION
☐ ZONING BOARD OF APPEALS
☐ OTHER _____
☐ NO PREFERENCE

PLEASE PRINT

NAME: Luke LaBlance

ADDRESS: 105 Cherry Street

HOME PHONE: 231 675 9717 CELL PHONE: 231 675 9717

EMAIL: lukelablance@hotmail.com

ARE YOU A REGISTERED VOTER IN THE CITY? YES HOW LONG HAVE YOU LIVED IN THE CITY? 37 years

HAVE YOU EVER BEEN CONVICTED FOR ANYTHING OTHER THAN A MINOR TRAFFIC VIOLATION? No

EDUCATIONAL BACKGROUND: BS from Michigan State University in Supply Chain Management

PROFESSIONAL QUALIFICATIONS AND/OR WORK EXPERIENCE: I have extensive experience in Purchasing, Scheduling, Manufacturing, and operations management

COMMUNITY ACTIVITIES AND/OR OTHER EXPERIENCE: I am currently employed at the MAIWA Food Project Incubator with my outreach programs related to Feeding the hungry I also volunteer for the junior basketball program.

HAVE YOU SERVED ON A BOARD/COMMITTEE OR HELD A CIVIC POSITION IN THE PAST? IF YES, PLEASE EXPLAIN
No

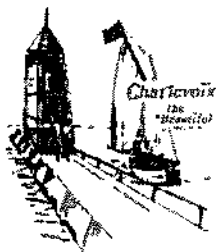
DO YOU FORESEE ANY POTENTIAL CONFLICTS OF INTEREST WHILE EXECUTING THE DUTIES OF THIS POSITION? IF YES, PLEASE EXPLAIN:
I do own 2 homes in Charlevoix, and my mom owns 3 properties, 1 in town, 2 in the township

REASON(S) YOU WISH TO SERVE: Looking to increase my involvement in the community

HAVE YOU REVIEWED THE CURRENT MEETING SCHEDULE OF THE BOARD/COMMITTEE AND CAN COMMIT TO REGULAR MEETING ATTENDANCE? _____

SIGNATURE: [Signature] DATE: 1/31/17

RETURN APPLICATION TO THE CITY CLERK'S OFFICE:
210 STATE STREET CHARLEVOIX, MI 49720 - FAX (231) 547-3617 - EMAIL clerk@cityofcharlevoix.org



CITY OF CHARLEVOIX
VOLUNTEER BOARDS AND COMMITTEES APPLICATION

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☐ PLANNING COMMISSION
☐ RECREATION ADVISORY COMMITTEE

- ☐ SHADE TREE COMMISSION
☐ ZONING BOARD OF APPEALS
☐ OTHER _____
☐ NO PREFERENCE

PLEASE PRINT

NAME: Julie Mann
ADDRESS: 309 W Upright St
HOME PHONE: 231-373-2554 CELL PHONE: same
EMAIL: candjmann@yahoo.com
ARE YOU A REGISTERED VOTER IN THE CITY? yes HOW LONG HAVE YOU LIVED IN THE CITY? 5 yrs
HAVE YOU EVER BEEN CONVICTED FOR ANYTHING OTHER THAN A MINOR TRAFFIC VIOLATION? No

EDUCATIONAL BACKGROUND: Highschool Diploma, Executive Secretary Degree @ Rasmussen Biz College, some classed @ U of MN

PROFESSIONAL QUALIFICATIONS AND/OR WORK EXPERIENCE: owner/executive chef @ Smoke on the Water; Ameriprise Financial phone rep for qualified plans & REITS - had my Series 7 & 66 Events Coordinator @ major church in Grand Rapids

COMMUNITY ACTIVITIES AND/OR OTHER EXPERIENCE: ran MI beach concession stand - 1 season insight of owning a business off "main street"

HAVE YOU SERVED ON A BOARD/COMMITTEE OR HELD A CIVIC POSITION IN THE PAST? IF YES, PLEASE EXPLAIN: Yes created Best Practices Committee @ Transamerica's new branch to set up policies & procedures

DO YOU FORESEE ANY POTENTIAL CONFLICTS OF INTEREST WHILE EXECUTING THE DUTIES OF THIS POSITION? IF YES, PLEASE EXPLAIN: No - as a business owner in CHX I believe I have a good insight, but my intent is to help Chx grow and prosper as a whole.

REASON(S) YOU WISH TO SERVE: 1. assist in helping Chx become a more vibrant community for the locals, tourists and business community. To help expand Chx to more than 4 blocks.

HAVE YOU REVIEWED THE CURRENT MEETING SCHEDULE OF THE BOARD/COMMITTEE AND CAN COMMIT TO REGULAR MEETING ATTENDANCE? _____

SIGNATURE: Julie A Mann DATE: 12-30-16

RETURN APPLICATION TO THE CITY CLERK'S OFFICE:
210 STATE STREET CHARLEVOIX, MI 49720 - FAX (231) 547-3617 - EMAIL clerk@cityofcharlevoix.org



CITY OF CHARLEVOIX

VOLUNTEER BOARDS AND COMMITTEES APPLICATION

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☐ PLANNING COMMISSION
☒ RECREATION ADVISORY COMMITTEE

- ☒ SHADE TREE COMMISSION
☐ ZONING BOARD OF APPEALS
☐ OTHER _____
☐ NO PREFERENCE

PLEASE PRINT

NAME: Deborah Grant
ADDRESS: 13456 Stover #10
HOME PHONE: _____ CELL PHONE: 248 345 8419
EMAIL: lebbieg8255@yahoo.com
ARE YOU A REGISTERED VOTER IN THE CITY? Yes HOW LONG HAVE YOU LIVED IN THE CITY? Twoshp - 5 years
HAVE YOU EVER BEEN CONVICTED FOR ANYTHING OTHER THAN A MINOR TRAFFIC VIOLATION? No

EDUCATIONAL BACKGROUND: 2 yrs College

PROFESSIONAL QUALIFICATIONS AND/OR WORK EXPERIENCE: 1987 Worked in the Print Industry with my husband 20 years all aspects of office management and sales

COMMUNITY ACTIVITIES AND/OR OTHER EXPERIENCE: 1985 worked for Farmington Hills Chamber in sales and for our downtown Summer Festival in many capacities. Volunteered on many other programs

HAVE YOU SERVED ON A BOARD/COMMITTEE OR HELD A CIVIC POSITION IN THE PAST? IF YES, PLEASE EXPLAIN:
Yes, sat on our local board for Youth & Family Services for 10 years

DO YOU FORESEE ANY POTENTIAL CONFLICTS OF INTEREST WHILE EXECUTING THE DUTIES OF THIS POSITION? IF YES, PLEASE EXPLAIN:

No, other than retail summer employment @ American Spoon Foods, Charlevoix

REASON(S) YOU WISH TO SERVE: To be an active community member

HAVE YOU REVIEWED THE CURRENT MEETING SCHEDULE OF THE BOARD/COMMITTEE AND CAN COMMIT TO REGULAR MEETING ATTENDANCE? Not yet

SIGNATURE: Deborah Grant

DATE: 2/8/2017

RETURN APPLICATION TO THE CITY CLERK'S OFFICE:

210 STATE STREET CHARLEVOIX, MI 49720 - FAX (231) 547-3617 - EMAIL clerk@cityofcharlevoix.org



CITY OF CHARLEVOIX
VOLUNTEER BOARDS AND COMMITTEES APPLICATION

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☐ BOARD OF REVIEW	☐ HOUSING COMMISSION	☐ ZONING BOARD OF APPEALS
☐ COMPENSATION COMMISSION	☒ PLANNING COMMISSION	☐ OTHER _____
☐ DDA/MAIN STREET BOARD	☐ RECREATION ADVISORY COMMITTEE	☐ NO PREFERENCE

PLEASE PRINT

NAME: R. J. Waddell
ADDRESS: 363 Antrim St
HOME PHONE: 231 547-2462 CELL PHONE: 231 881-4445
EMAIL: lrjwaddell@att.net
ARE YOU A REGISTERED VOTER IN THE CITY? yes HOW LONG HAVE YOU LIVED IN THE CITY? Since 2010
HAVE YOU EVER BEEN CONVICTED FOR ANYTHING OTHER THAN A MINOR TRAFFIC VIOLATION? no

EDUCATIONAL BACKGROUND: BS in Education, MS in Reading, Master in Library Science
and other university coursework

PROFESSIONAL QUALIFICATIONS AND/OR WORK EXPERIENCE: public school librarian and teacher,
extensive committee work with union, church, and volunteer including
officer positions

COMMUNITY ACTIVITIES AND/OR OTHER EXPERIENCE: Church, yacht club, MARSP, and others

HAVE YOU SERVED ON A BOARD/COMMITTEE OR HELD A CIVIC POSITION IN THE PAST? IF YES, PLEASE EXPLAIN:
Board of Review for City of Three Rivers for 10 years
Presently on Planning Commission for City of Charlevoix

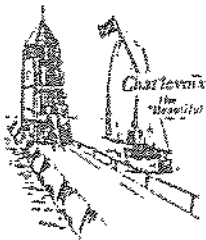
DO YOU FORESEE ANY POTENTIAL CONFLICTS OF INTEREST WHILE EXECUTING THE DUTIES OF THIS POSITION? IF YES, PLEASE EXPLAIN:
No

REASON(S) YOU WISH TO SERVE: I have attended trainings and feel I still have something
to contribute to the Planning Commission.

HAVE YOU REVIEWED THE CURRENT MEETING SCHEDULE OF THE BOARD/COMMITTEE AND CAN COMMIT TO REGULAR MEETING ATTENDANCE? yes

SIGNATURE: R. J. Waddell DATE: 02-20-2017

RETURN APPLICATION TO THE CITY CLERK'S OFFICE:
210 STATE STREET CHARLEVOIX, MI 49720 - FAX (231) 547-3617 - EMAIL clerk@cityofcharlevoix.org



RECEIVED

CITY OF CHARLEVOIX

MAR 16 2017

VOLUNTEER BOARDS AND COMMITTEES APPLICATION

CITY OF CHARLEVOIX

Thank you for your interest in serving on a volunteer board, commission or committee. The purpose of this form is to provide the Mayor and City Council members with some information about residents considered for appointment. Your application will be kept active for six months and you will be contacted if you are chosen to serve.

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☐ RECREATION ADVISORY COMMITTEE

- ☐ SHADE TREE COMMISSION
☐ ZONING BOARD OF APPEALS
☐ OTHER _____
☐ NO PREFERENCE

PLEASE PRINT

NAME: Toni FELTERADDRESS: 116 E HurlbutHOME PHONE: 231-547-5315 CELL PHONE: 231-881-5895EMAIL: tonifelter@charlevoixmi.netARE YOU A REGISTERED VOTER IN THE CITY? YES HOW LONG HAVE YOU LIVED IN THE CITY? 47 yrsHAVE YOU EVER BEEN CONVICTED FOR ANYTHING OTHER THAN A MINOR TRAFFIC VIOLATION? NOEDUCATIONAL BACKGROUND: MA +PROFESSIONAL QUALIFICATIONS AND/OR WORK EXPERIENCE: Educator, coach, - school & city Rec.COMMUNITY ACTIVITIES AND/OR OTHER EXPERIENCE: Park Plan. Comm.

HAVE YOU SERVED ON A BOARD/COMMITTEE OR HELD A CIVIC POSITION IN THE PAST? IF YES, PLEASE EXPLAIN:

Plan Comm. Also Women's Resource Center Board FOR 6 YEARSTEEN ADVISORY BOARD

DO YOU FORESEE ANY POTENTIAL CONFLICTS OF INTEREST WHILE EXECUTING THE DUTIES OF THIS POSITION? IF YES, PLEASE EXPLAIN:

NOREASON(S) YOU WISH TO SERVE: Give time to my community. An interest to see chxgrow & welcome young families & new business!HAVE YOU REVIEWED THE CURRENT MEETING SCHEDULE OF THE BOARD/COMMITTEE AND CAN COMMIT TO REGULAR MEETING ATTENDANCE? YESSIGNATURE: Toni Felter DATE: 2.13.17

RETURN APPLICATION TO THE CITY CLERK'S OFFICE:

210 STATE STREET CHARLEVOIX, MI 49720 - FAX (231) 547-3617 - EMAIL clerk@cityofcharlevoix.org



CITY OF CHARLEVOIX
VOLUNTEER BOARDS AND COMMITTEES APPLICATION

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☐ RECREATION ADVISORY COMMITTEE

- ☐ SHADE TREE COMMISSION
☐ ZONING BOARD OF APPEALS
☐ OTHER _____
☐ NO PREFERENCE

PLEASE PRINT

NAME: Dennis Halverson

ADDRESS: 104 Overlook Dr.

HOME PHONE: 231-675-8701 CELL PHONE: _____

EMAIL: dshalverson@gmail.com

ARE YOU A REGISTERED VOTER IN THE CITY? Yes HOW LONG HAVE YOU LIVED IN THE CITY? 30 years

HAVE YOU EVER BEEN CONVICTED FOR ANYTHING OTHER THAN A MINOR TRAFFIC VIOLATION? NO

EDUCATIONAL BACKGROUND: B.S. - MSU Master's Degree - GVSU

PROFESSIONAL QUALIFICATIONS AND/OR WORK EXPERIENCE: City Retiree, Education Administrator, Realtor.

COMMUNITY ACTIVITIES AND/OR OTHER EXPERIENCE: Chamber of Commerce; Rotary

HAVE YOU SERVED ON A BOARD/COMMITTEE OR HELD A CIVIC POSITION IN THE PAST? IF YES, PLEASE EXPLAIN:
Chamber Chairman; Rotary President; United Way Chairman
School Board President.

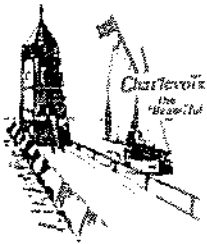
DO YOU FORESEE ANY POTENTIAL CONFLICTS OF INTEREST WHILE EXECUTING THE DUTIES OF THIS POSITION? IF YES, PLEASE EXPLAIN:
No.

REASON(S) YOU WISH TO SERVE: I feel I have the ability to make a positive impact on the City government.

HAVE YOU REVIEWED THE CURRENT MEETING SCHEDULE OF THE BOARD/COMMITTEE AND CAN COMMIT TO REGULAR MEETING ATTENDANCE? Yes

SIGNATURE: [Signature] DATE: 1/20/17

RETURN APPLICATION TO THE CITY CLERK'S OFFICE:
210 STATE STREET CHARLEVOIX, MI 49720 - FAX (231) 547-3617 - EMAIL clerk@cityofcharlevoix.org



CITY OF CHARLEVOIX
VOLUNTEER BOARDS AND COMMITTEES APPLICATION

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☒ HOUSING COMMISSION
☐ PLANNING COMMISSION
☐ RECREATION ADVISORY COMMITTEE

☐ SHADE TREE COMMISSION
☐ ZONING BOARD OF APPEALS
☐ OTHER _____
☐ NO PREFERENCE

PLEASE PRINT

NAME: Joan Buday
ADDRESS: 104 St Mary's Drive
HOME PHONE: 547-2474 CELL PHONE: _____
EMAIL: ChxJoan@shrglobal.net
ARE YOU A REGISTERED VOTER IN THE CITY? yes HOW LONG HAVE YOU LIVED IN THE CITY? 54 years
HAVE YOU EVER BEEN CONVICTED FOR ANYTHING OTHER THAN A MINOR TRAFFIC VIOLATION? no

EDUCATIONAL BACKGROUND: one course college - H.S. diploma

PROFESSIONAL QUALIFICATIONS AND/OR WORK EXPERIENCE: accounting for family owned business 30 years

COMMUNITY ACTIVITIES AND/OR OTHER EXPERIENCE: charter member 2012 - volunteered food pantry, Rainbow Shop - Church committees, Chair of Food Raising dinners - parent involvement school activities

HAVE YOU SERVED ON A BOARD/COMMITTEE OR HELD A CIVIC POSITION IN THE PAST? IF YES, PLEASE EXPLAIN:
School Board member - election Inspector

DO YOU FORESEE ANY POTENTIAL CONFLICTS OF INTEREST WHILE EXECUTING THE DUTIES OF THIS POSITION? IF YES, PLEASE EXPLAIN:
no

REASON(S) YOU WISH TO SERVE: Am interested in providing low income housing

HAVE YOU REVIEWED THE CURRENT MEETING SCHEDULE OF THE BOARD/COMMITTEE AND CAN COMMIT TO REGULAR MEETING ATTENDANCE? yes

SIGNATURE: _____ DATE: _____

RETURN APPLICATION TO THE CITY CLERK'S OFFICE:
210 STATE STREET CHARLEVOIX, MI 49720 - FAX (231) 547-3617 - EMAIL clerk@cityofcharlevoix.org



CITY OF CHARLEVOIX

210 STATE ST. CHARLEVOIX, MICH. 49720

Charlevoix City Manager's Office
231-547-3270 markh@cityofcharlevoix.org

Memo

To: The Honorable Mayor Kurtz and the Charlevoix City Council
From: Mark L. Heydlauff, City Manager
Subject: City Manager's Report for April 3, 2017
Date: March 29, 2017

A. Senior Forum

In an effort toward the goal of including Charlevoix's senior citizen residents in all activities and public spaces, I have been meeting with Lyn Jenks of Munson Healthcare Charlevoix Hospital and Lisa Peacock and Erika Van Dam of the Health Department of Northwest Michigan. Together, we are holding a senior forum on April 26 (a flyer is enclosed) to gather input from the community about how we are serving our seniors now and areas they would like to see emphasized in the future. As a guide, we are using a checklist developed by the World Health Organization Age-Friendly Cities project. I am also developing a review of our facilities and public spaces to see where we may need to improve for accessibility ease of use.

B. Bridge Construction

To date, we have had no issues with the on-going bridge construction and we look forward to the completion of it in the next couple of weeks.

C. Airport FBO RFP

We held our mandatory pre-bid meeting for the Airport FBO earlier this week. Four firms attended and we had a good discussion. I emphasized that firms are free to submit their proposals and that we welcome a range of options to consider. Those bids are due April 17.

D. Marion Center Property

We released a flyer and request for bids for the property we own at the corner of Bridge Street and Marion Center Road. Those proposals are due back by May 22.

E. Charlevoix Area Joint Board Meeting

On Thursday, April 6 at 5:30 p.m. we'll hold a joint work session with members of the Charlevoix Public School Board, the Board of Directors of Munson Healthcare Charlevoix Hospital, and the Charlevoix Township Trustees. As with last year, it will be at Scovle's with light refreshments.

The following documents are for Council's information:

- Council Work Session Agenda for April 5, 2017
- Senior Forum Flyer
- Zoning Board of Appeals Minutes – November 2, 2016
- Airport Advisory Committee Minutes – December 19, 2016
- Airport Advisory Committee Minutes - January 16, 2017

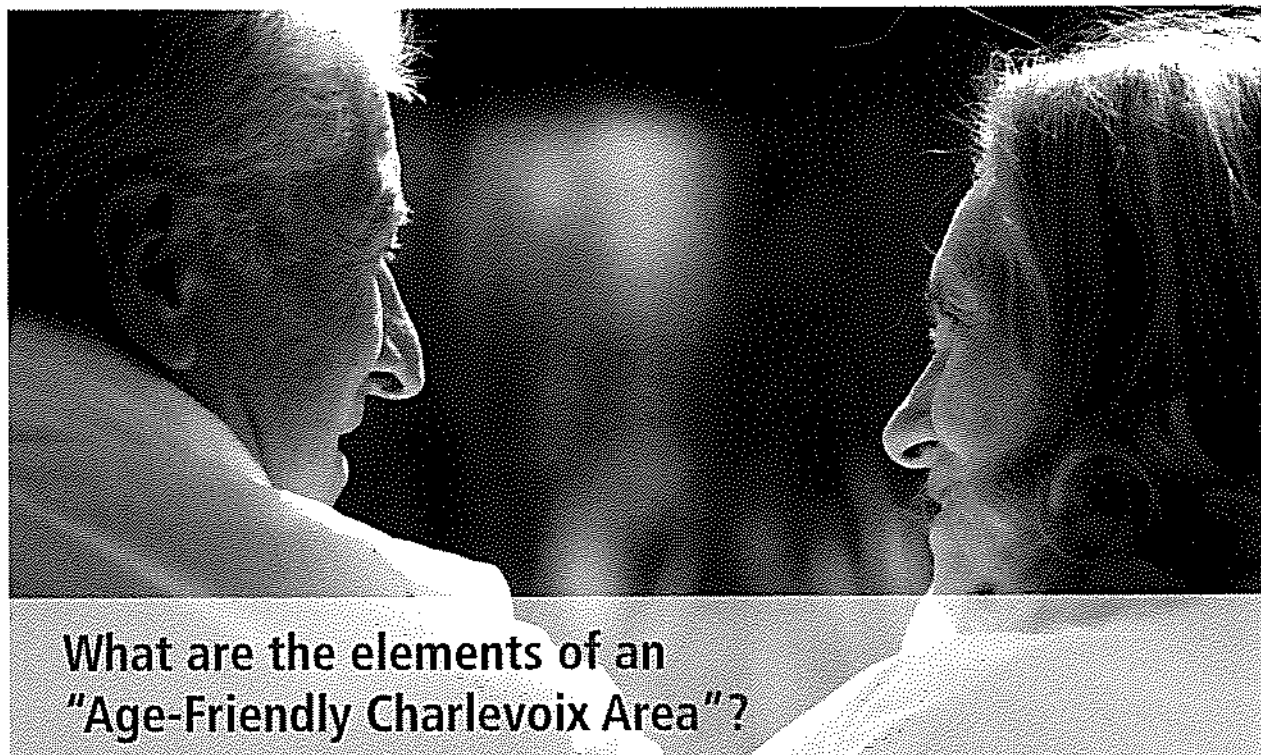
**AGENDA
CITY OF CHARLEVOIX
CITY COUNCIL WORK SESSION**

Thursday, April 6, 2017 – 5:30 p.m.
Scovie's Gourmet, 111 Bridge Street, Charlevoix, MI

- 1. Roll Call**
- 2. Discussion**
 - A. Discussion on areas of joint collaboration in the community**
- 3. Adjourn**

The City of Charlevoix will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting upon one weeks notice to the City of Charlevoix. Individuals with disabilities requiring auxiliary aids or services should contact the City of Charlevoix Clerk's Office in writing or calling the following: City Clerk, 210 State Street, Charlevoix, MI 49720 (231) 547-3250

March 27, 2017 12:30 p.m.

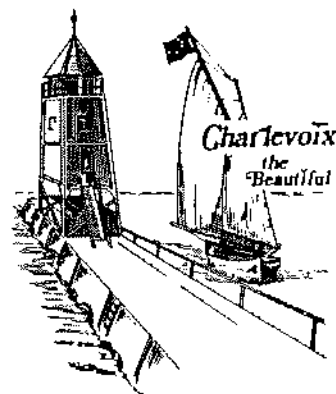


What are the elements of an "Age-Friendly Charlevoix Area"?

Join us for a fun afternoon, giving broad input and voting on the elements of an age-friendly city that you think are the most critical needs for us. Results will be shared widely and will act as the basis for a planning process involving the Health Department, City, Hospital and many others throughout the community.

Wednesday, April 26 – 1:00 pm
Charlevoix Library, Rooms A&B

Don't miss this chance to give your input!



 **MUNSON HEALTHCARE**
Charlevoix Hospital

Co-sponsored by the City of Charlevoix &
Munson Healthcare Charlevoix Hospital

CITY OF CHARLEVOIX
ZONING BOARD OF APPEALS MINUTES
Wednesday, November 2, 2016 - 6:00 p.m.
210 State Street, City Hall, Charlevoix, MI

A) CALL TO ORDER

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

B) ROLL CALL/PLEDGE OF ALLEGIANCE

Members Present: Greg Bryan, Ann Gorney, Pat Miller, Greg Withrow

Members Absent: Gary Anderson, Bob Bergmann, Art Nash

Staff Present: Interim City Planner Zach Panoff

Chair Withrow indicated that there was a quorum present.

C) INQUIRY INTO POTENTIAL CONFLICTS OF INTEREST

None.

D) APPROVAL OF AGENDA

No changes.

E) APPROVAL OF MINUTES

Motion by Member Gorney, second by Member Miller, to approve the August 3, 2016 meeting minutes as presented.

Motion passed by unanimous voice vote.

F) NEW BUSINESS

1. Public Hearing for Project 2016-11 ZBA: Variance request from Nicholas Whitley, 1209 State St.

a. Staff Presentation.

Interim Planner Panoff presented background of the project and stated that the applicant was requesting a dimensional variance from the City's Zoning Ordinance for the construction of an addition to his home at 1209 State Street. The applicant wishes to construct a 14' x 16' addition to the north side of the home in the side yard, and a 17' x 4' addition to the east side of the home in the front yard. The proposed addition does not meet the setback requirements for side yards in an I-Industrial Zone. The existing home was present when the property was designated as part of the West Carpenter/State Street Industrial Overlay District as part of the 2013 Zoning Ordinance adoption.

Interim Planner Panoff noted that Industrial Zone setbacks were more restrictive and this issue involved side yard setbacks.

b. Applicant Presentation

Jodi Bergmann, representing the Whitleys, stated that this was a residential property and the City decided to zone it Industrial. She questioned the legality of changing the zoning to Industrial when families were living in three of the homes that were re-zoned. Ms. Bergmann indicated that the Whitleys wanted to add a master bathroom and add on to the living room. She stated that the additions met the residential setbacks.

c. Call for Public Comments

None.

d. ZBA Determination of Findings of Fact

No discussion.

e. Motion

Motion by Member Bryan, second by Member Gorney that the Board approve Project 2016-11 ZBA without conditions based on the findings of fact contained in the staff report.

Yeas: Bryan, Gorney, Miller, Withrow

Nays: None

2. Public Hearing for Project 2016-12 ZBA: Variance request from Tom Heckman and Linda Sawyer, 201 E. Lincoln Ave.

a. Staff Presentation

Interim Planner Panoff presented background of the project and stated that the owners were requesting dimensional and rear lot coverage variances from the City's Zoning Ordinance for an addition and new detached garage at 201 E. Lincoln Avenue. The applicants wish to construct a 10' x 43' carport addition to the existing home, and a new 24' x 27' detached garage in the rear yard. The proposal does not meet Section 5.27(2) for side setbacks, Section 5.46(1)(h) for rear accessory structure setbacks and Section 5.46(1)(f) for rear yard lot coverage.

Interim Planner Panoff referenced the conceptual photos on page 31 of the packet and explained that the applicant wanted to build a carport with storage above it. He stated that the main portion of the house would come within 4' of the west property line and the proposed garage would allow for a 3' rear yard setback. He indicated that the lot was 50' x 90' and the garage would need a rear lot coverage variance because the applicant was asking to cover 31.8% of the rear yard with the proposed detached garage. Member Miller questioned the less than 50% lot coverage as the diagrams made it look like the structures covered more than 50% of the lot, and Interim Planner Panoff replied that the lot coverage with the proposed structures was approximately 48%.

b. Applicant Presentation

None.

c. Call for Public Comments

None.

d. ZBA Determination of Findings of Fact

Member Gorney felt that the applicants wanted living quarters above the garage in the rear. Chair Withrow stated that he was inclined to table this matter until the applicants were present for a meeting. Member Gorney stated that she would like the lot coverage ratio re-calculated as it appeared to be over 50% and Member Bryan stated that he did not like the setbacks on the west side. Chair Withrow felt that Public Safety should be asked if other people build on the adjacent lots would that change their mind regarding access to the subject property once the proposed structures were built. He felt that they could not authorize a variance knowing that it impacts another property owner. Member Gorney questioned if the Project was tabled could the applicants come back to the Board with less than three variance requests. Chair Withrow stated that the applicants should be aware that the Board has a fair amount of hesitancy with respect to the variance requests.

e. Motion

Motion by Member Bryan, to turn down the Project and they could re-apply with a revised plan. No second to the motion.

Motion by Member Gorney, second by Member Miller to table this Project until such time as the applicants could be present at a meeting to present their proposal.

Yeas: Bryan, Gorney, Miller, Withrow

Nays: None

3. Public Hearing for Project 2016-13 ZBA: Interpretation request from the Planning Commission regarding current lots

a. Staff Presentation

Interim Planner Panoff explained that in the past few months the Planning Commission received questions related to determining the primary front yard for corner lots in single family residential districts, and the accompanying setbacks. The Planning Commission asked for an interpretation from the ZBA on these main questions:

1. Does the address of a property factor into determining its primary front yard?
2. Can the primary front yard of a corner property be changed if additions/alterations are made to the primary structure to reorient it on the site?
3. Which section of the Code takes precedent when determining the front lot line of a property?

4. Can existing non-conforming buildings or conditions have an effect on determining which yard is which on a property?

Interim Planner Panoff referenced materials in the staff report including Section 5.11, *Lot Lines*, which includes language that reads: *For a corner lot, the front lot line shall be the shortest of the two lot lines tangent to the street right-of-way or road easement.* Section 5.50, *Setback requirements*, which reads: *A corner lot shall have two front lot lines; a principal front lot line and a secondary front lot line. The principal front lot line shall be the location of the traditional front entrance of the structure.*

Member Gorney disclosed that she lived on a corner lot and Chair Withrow stated this was not a conflict.

b. Call for Public Comments

Al Wojan stated that his sister asked him to speak on her behalf and informational copies with pictures that may aid the discussion were distributed. He briefly explained the history of why this issue was before the Board and fully reviewed exhibits included in the information he provided to the Board. He reviewed inconsistencies in the applications, and pictures of the property at Sheridan and Hurlbut Streets, and other corner lots in the City. He questioned who enforces the applicable ordinances and how a determination could be made with the obvious ambiguity in the Zoning Ordinance.

Madeline Renauld, 503 W. Hurlbut, stated that she now has a garage that was built 11' from her side yard because Interim Planner Panoff turned the property around to have the front yard face W. Hurlbut. She stated that it said in the Zoning Ordinance that the traditional front entrance is the front yard where the property owner has a door and she is supposed to be 25' from her side yard but she was only 11'. She indicated that there has never been a survey. Ms. Renauld recalled that Interim Planner Panoff measured from the fence to the garage and noted that the fence is not the property line, so she has a garage, a shed and a fence on her side yard and "nobody seems to want to do anything about it".

Ms. Renauld questioned why the Zoning Ordinance provides for the traditional front yard and said that "if it isn't clearly evident then the Zoning Administrator can make the determination of what the front yard is". She felt that Sheridan Street is her neighbor's front yard.

Mary Eveleigh, Planning Commission member, stated that it was very confusing based on the two sections in question as it was hard to determine lot lines on corner lots. She felt that the ZBA needed to determine what the Ordinance should say and eliminate any conflicts.

Chair Withrow indicated that the ZBA would review the issue and give an opinion, but it was up to the Planning Commission to make recommendations on Zoning Ordinance changes to be presented to City Council for consideration. Member Bryan commented that corner lots have been one of their main applications for variances.

c. ZBA Determination of Findings of Fact

Chair Withrow questioned whether staff had a preferred position on this matter and Interim Planner Panoff replied that he was in favor of clearing up the language. Chair Withrow questioned which provision Interim Planner Panoff thought was appropriate and easiest to enforce and Interim Planner Panoff suggested altering Section 5.11, the definition of a front lot line. He felt the sentence should be removed or altered to mirror previous ordinances or the first section of Section 5.60, whereby the principal front lot line shall be the location of the traditional front entrance of the structure.

Mr. Wojan felt that it was important if the traditional front entrance was used that the definition be clearly stated.

Member Miller questioned whether they would have to define a "traditional front entrance" and Interim Planner Panoff responded that it would be up to the Planning Commission. She questioned if the traditional front entrance would be the side where the address is and Chair Withrow answered that was generally the case. Discussion followed regarding normal lots, front entrances, side yards, rear and side setbacks, corner lots having two front yards and two side yards but no rear yard, and other provisions of the Zoning Ordinance relative to corner lots.

Mr. Wojan stated that in his search for answers he found it very difficult to find what he needed in the Zoning Ordinance. He said that when a zoning permit is issued the applicant has two years to activate that permit, and the adjacent property owner is not notified if there is no variance required. Once the zoning permit is issued the

adjacent owner only has 30 days to appeal the permit to the Zoning Board of Appeals. He felt that this issue should also be addressed.

Discussion followed regarding the building permit process.

Member Bryan recommended that the contradiction in Section 5.1, Lot lines (1) be removed, specifically the sentence that reads: "For a corner lot, the front lot line shall be the shortest of the two lot lines tangent to the street right-of-way or road easement." and leave Section 5.60 as written. Chair Withrow recommended that a change in the definition of a corner lot relative to rear yards should be changed as he felt there should be two front lot lines and two side yards.

d. Motion

Motion by Member Bryan, second by Member Miller for the ZBA to make its interpretations based on the findings of fact contained (specifically #3) and to also ask that the Planning Commission address the need to redefine a corner lot by eliminating the rear yard and including two front lot lines and two side yards. Motion passed by unanimous voice vote.

Findings of Fact #3: *"The ZBA finds that Sections 5.11(1) and 5.60(1) of the Zoning Ordinance contain overlap and potential conflict in their language. It is recommended that the Zoning Administrator submit potential changes to the language in Section 5.1(1) to the Planning Commission for their consideration that removes the portion of the definition that states, "For a corner lot, the front lot line shall be the shortest of the two lot lines tangent to the street right-of-way or road easement."*

G) **CALL FOR GENERAL PUBLIC COMMENT**

Chair Withrow referenced a home at the corner of Dixon and Mercer where 6' stakes with cables were installed to keep the deer out which looks a fence to him. He said there is another house on Dixon that has plastic fence above the normal fence to keep the deer out, both in the front yards. He stated that in theory, both are illegal according to the Zoning Ordinance. He recalled that the ZBA recently refused two zoning applications for different fence heights that are the same issue. He asked Interim Planner Panoff to consult with the City Manager to see what to do about the situation.

Ms. Renauld reiterated her concerns about the property next door to her home as discussed previously in the meeting.

H) **ADJOURNMENT**

Motion by Member Gomey, second by Member Miller to adjourn the meeting. Motion passed by unanimous voice vote. The meeting adjourned at 7:20 p.m.

Greg Withrow, Chair

Joyce Golding/fgm, City Clerk

CITY OF CHARLEVOIX
AIRPORT ADVISORY COMMITTEE SPECIAL MEETING MINUTES
Monday, December 19, 2016 — 1:00 p.m.
210 State Street, City Hall, Council Chambers, Charlevoix, MI

I. Call to Order

The meeting was called to order at 1:00 p.m. by Chair Tough.

Roll Call of Members Present

Chair: Ken Tough
Members Present: Shirley Gibson, Richie Gillespie, Scott Woody
Member Absent: Don Seelye
City Staff: Mark Heydlauff, City Manager; Liz Myer, Airport Manager

II. Inquiry Regarding Possible Conflicts of Interest

None.

III. Approval of November 28th Meeting Minutes

Motion by Member Gibson, second by Member Gillespie, to approve the minutes of November 28, 2016 as presented.
Motion passed by unanimous voice vote.

IV. Public Comment Related to Agenda Items

None.

V. General Business

A. Minimum Standards & Requirements

Member Woody stated that he would facilitate the discussion. He commented that the Minimum Standards were a legal document; they are rules of how the Airport operates. He stated that the Airport was operating under an unknown set of rules in certain areas. He noted that the Minimum Standards which Airport Manager Myer supplied at the last meeting were a copy from the Canton-Plymouth Mettetal Airport which contained items that didn't apply to their Airport. Airport Manager Myer stated that she contacted Michigan Aeronautics and talked to Randy about the Charlevoix Standards needing overhauling. Member Woody questioned when Airport Manager Myer talked to Randy and she responded "sometime in November" before the last meeting. Member Woody recalled that Randy told him that he never heard from Airport Manager Myer until after the meeting. Airport Manager Myer stated that she was not an attorney, but the Mettetal Airport spent the time and money to get the Minimum Standards right and it made sense to her to save the taxpayers' money. Member Woody responded that the Airport already had a set of Minimum Standards that just needed to be revised.

Member Woody began a review of the Minimum Standards presented by Airport Manager Myer. He explained that the first item was created for the Airport's big terminal project and that language was no longer needed because it was not a standard, it was an agreement. Member Woody stated that other red items were other businesses that could potentially come into the Airport, and if there was a chance that such a business wanted to come in, the Standards could be updated. He commented that "whatever you put in here somebody could use to say we're going to operate the way your rules state, so get it out of there and wait for somebody to come in, and hopefully they would, and then you could learn from their process of how you're going to word the rulings". Member Woody stated that the Minimum Standards relate to the Airport Ordinance and the Ordinance has more detailed rules than the actual Minimum Standards, so he thought the best way to approach the Minimum Standards was to take the Ordinance and reference the Minimum Standards.

Member Woody stated another issue was parachuting which referenced "comprehensive liability insurance". He noted that parachuting cannot obtain comprehensive liability insurance, so that language needed to be revised, also adding in the issue with the waivers (parachuting and the City). City Manager Heydlauff stated that as part of the schedule of insurances it specifically defines all the required insurance and the Minimum Standards could reference the insurance schedule. Member Woody stated that parachuting should be like the other operators that they be required to develop a Ramp Safety and Landing Zone Plan. Airport Manager Myer stated that the Plan was part of the business license.

Member Woody referenced the green items in the documents and he stated that Aircraft Charter and Federal Aviation Regulations Part 135 should be combined. He commented that there were many redundancies in the document and felt that the Standards should also include a section on hangar development. Member Woody stated that they needed Standards for an Off Airport Operator which defines the whole operation similar to the "Through-the-Fence" operations.

He stated that there should be some sort of "grandfather language" as the FAA does not like Through-the-Fence operations. The City should allow them to stay, but develop language to not allow any additional "Through-the-Fence" operators. He stated that Unmanned Aerial Vehicles (drones) should also be in the rules. Member Woody stated that it should be a simple Ordinance that just refers to the Airport's Minimum Standards. Airport Manager Myer stated that they do not have a business license for an Off-Airport Operator and Member Woody responded "create one."

Member Gibson questioned the Airport Passenger Services on page 7, item 3. Member Woody stated that there were details in the document about the airport car rental that required a counter and staff which is not how it operates. Member Gillespie noted that the rental activities were off premises. Member Woody mentioned Airport catering and Member Gibson stated that if that was happening it needed to be in the Minimum Standards. Airport Manager Myer stated that it was still happening and "Goldy's was the big one".

City Manager Heydlauff asked if David Joy was going to join them by phone today and Member Gillespie felt that they were good for now. Member Gibson questioned if the Standards were something for City Attorney Howard to review and City Manager Heydlauff replied that it made sense for the Committee to create a draft for City Attorney Howard's review. Member Gibson questioned if they were utilizing Airport Attorney Cliff Main and City Manager Heydlauff responded that they could use Mr. Main as needed. Member Gillespie questioned whether they should ask for comments from the operators.

Members Gillespie and Gibson suggested that Member Woody clean up the document and go from there. City Manager Heydlauff noted that Ramp Safety Plan comes up in a number of the Standards. Member Gillespie questioned when the Ramp Safety Plan is approved shouldn't there be concurrence from the City Manager. Member Gibson stated that the City Clerk signs off on the business plan, not the City Manager. Member Woody felt that other aviation related activities would be reviewed on a case by case basis. City Manager Heydlauff suggested that there should at least be some general rule in the Standards that states "other businesses not covered shall provide at least a minimum of." Member Gibson stated that under every business category there should be a clause about requiring them to have a business license. Member Woody said that was included in the proposed Standards and it was in the Ordinance as well. City Manager Heydlauff stated that they could indicate that other uses may be permitted as a special use after review by the City. Member Gillespie questioned whether Member Woody would make the changes to the draft. Member Woody said that he could, but it was not his job. City Manager Heydlauff stated that he would incorporate the changes and present a revised document for the January meeting.

Motion by Member Gillespie, second by Member Gibson, to take the current draft Standards, make amendments as discussed and discuss the revised draft Standards at their January meeting. Motion passed by unanimous voice vote.

Member Gibson thanked Member Woody for doing the Airport Manager's job. Member Gibson commented that the Airport Manager was paid \$60,000 a year and someone on a voluntary committee had to do her job. Chair Tough stated that he was happy to see that they were moving forward.

VI. Miscellaneous Business

Airport Manager Myer stated that the 5-Year Capital Improvement Plan for 2017-2021 was updated. She stated in the spring they were doing the taxiway alpha lighting and rehab construction and they discussed the ALP update. She stated that they wanted to come back in the spring to discuss the ALP more and they discussed the construction in the parking lot and noted "that's probably doable; David Joy is going to work with them on that." The perimeter fencing was moved up to 2018 and the t-hangar design was moved to 2020 with construction in 2021.

Member Woody stated that non-primary funding was \$150,000 and Airport Manager Myer stated that they will have \$300,000 after this year. He questioned if there was any talk of recovering the million dollar grant money. Member Woody stated that securing the annual million dollar grant was important to the City, and "it seems so foolish to just let it go" for the last two years. Chair Tough questioned if the funding was gone or if it was recoverable. Airport Manager Myer stated that it was discussed at the MAP meeting, but that was voluntary and they could not force people to comply. City Manager Heydlauff recalled that Airport Manager Myer said "that it would be in the benefit of the City to move toward the non-primary money" and that was the discussion we agreed on, don't try to turn it into this meeting that I didn't do something." Airport Manager Myer stated that she was not saying that, she was just saying that she did not know where it was because maybe there was lack of communication. City Manager Heydlauff stated that "yes, there is a lack of communication." Airport Manager Myer stated that they were running out of big projects. Member Woody felt that they could acquire land, add pavement, among other things. He stated that when a million dollars

comes to the Airport it stays there for four years and falls off. There was a way to assign the leftover funds to a local airport because they did it with Traverse City and Pellston. He said "and that's how airports in your region get their funding, but to just let the million dollars go away because you don't have any big projects, I just don't get it." Chair Tough stated that they should find out if the funding is recoverable. Airport Manager Myer replied that it was not once the year has passed and they moved into non-primary funding. Member Woody noted that they were one of two airports in the country that were non-airline airports who received that funding.

Member Gillespie stated that when he taxied in on Friday there was snow on the ramp and he did not know why they could not get that snow off the ramp. Airport Manager Myer stated that they get about one plane a weekend so there's enough room there to park 10 or 15 planes, so why waste the money to have it plowed when no one is going to park there. She questioned if he needed the whole ramp to park and Member Gillespie stated that the whole ramp was bought and paid for by the public and it should be clear. Airport Manager Myer stated no planes were parking on the south ramp. Member Gillespie stated that they were plowing all around it. Airport Manager Myer stated that they issue NOTAMs for all surfaces and one was issued that morning. Member Gillespie said that he did not like it and Airport Manager Myer replied that "you don't like anything I do." Member Gillespie said "we are the Committee that helps manage this Airport and the next thing I'm going to do is put up a motion for a 'vote of no confidence' because she has not done a d..n thing."

Motion by Member Gillespie, second by Member Gibson, for a 'vote of no confidence' in the Airport Manager and that it be forwarded to the City Council. Member Woody said that "she told it right to us that we're a joke and not worth her time". Motion passed by unanimous voice vote.

Rachel Teague, Fresh Air Aviation, stated that the Committee needs the Minimum Standards to be relevant to what is currently happening at the Airport. She felt that the current Minimum Standards are not very friendly to new businesses or anyone who wants to come here. She also felt the Standards should reflect a desire for new businesses and how efficiently they wanted the Airport to operate and she encouraged the Committee to look at the big picture.

Ms. Teague stated that she was surprised that the million dollars in funding was brought up at this meeting because she thought the issue was closed. When she previously questioned it, she perceived that the Committee was not concerned by the fact that the million dollars was gone.

Member Gillespie asked Ms. Teague to send her Minimum Standards suggestions to the City Manager. She felt that it was essential that the Airport and the Committee work with their operators, listen to their opinions, have them involved in the process, and gain their support for the Standards. She noted that the Airport was a wonderful asset for the community and that it needs to be protected and operated efficiently. She felt these power struggles are not helpful.

City Manager Heydlauff asked to set the meetings for 2017 as the fourth Monday of each month. Motion by Member Gillespie, second by Member Woody to set the Committee meetings for 2017 as the fourth Mondays of each month. Motion passed by unanimous voice vote.

VII. Adjournment

Motion by Member Woody to adjourn the meeting. Motion passed by unanimous voice vote. Meeting adjourned at 1:43 p.m.

Joyce Golding/fgm

City Clerk

Ken Tough

Chair

CITY OF CHARLEVOIX
AIRPORT ADVISORY COMMITTEE SPECIAL MEETING MINUTES
Monday, January 16, 2017 — 10:00 a.m.
210 State Street, City Hall, Council Chambers, Charlevoix, MI

I. Call to Order

The meeting was called to order at 10:03 a.m. by Vice Chair Woody.

Roll Call of Members Present

Members Present: Shirley Gibson, Don Seelye, Scott Woody

Member Absent: Richie Gillespie, Ken Tough

City Staff: Mark Heydlauff, City Manager; Matt Wyman, Interim Airport Manager

II. Inquiry Regarding Possible Conflicts of Interest

None.

III. Approval of December 19, 2016 Special Meeting Minutes

After discussion, Committee members agreed to delay approval of the minutes until the next regular Committee meeting.

IV. Public Comment on Agenda Items

None.

V. Airport Manager's Report

Since the change in Airport management, Interim Airport Manager Wyman spoke with the Committee, both Airport operators, AvFuel, and the Airport consultant. He stated that the Airport was in a peculiar place right now with potential Fixed-base Operator (FBO) services going out for bid. He noted that new minimum standards are being drafted which aligns the Airport's Rules & Regulations with the existing City Ordinance.

Interim Airport Manager Wyman stated that he provided a summary of current operations. Committee members agreed with the format of the summary and did not have any specific questions. He commented that the biggest contention right now was lack of staff, as it was he and three other employees. He stated they were conducting interviews to add another seasonal staff person.

VI. General Business

A. Hangar Development Update

Vice Chair Woody reiterated that the FAA approved the area near the SRE building for new hangar construction. Interim Airport Manager Wyman stated that he spoke to Mr. Sutton who would move forward in that location. He indicated that the hangar waiting list had about six names on it, there were two vacancies at the T-hangar complex and he filled one recently. He stated the next person on the list was interested in a hangar, but was unhappy that it was in the communal area. However, he was interested in the new five-year lease option and would forward his letter of intent next week. Member Gibson asked that the Committee receive a copy of the waiting list at the next meeting. Interim Airport Manager Wyman stated that everyone he called on the list had "passed" on the T-hangar in the hopes that a private, enclosed hangar would become available. Discussion followed regarding other possibilities for airplane owners to use the hangars on a temporary basis.

B. Minimum Standards/Ordinance Review

Vice Chair Woody stated that he would like himself and another Committee member to spend a little more time on the Minimum Standards with Interim Airport Manager Wyman. Member Seelye referenced page 8 of the packet, Section 2.194, and advised that the first sentence: "The City shall own all buildings and property on the Airport shall be subject to a lease between the user of the building or building amenities and the City" would need to be changed. Vice Chair Woody stated that the Ordinance had more details than the Minimum Standards and he felt that the Ordinance should refer to the Minimum Standards. Member Seelye stated that item E under Section 2.194 would also need to be changed. He referenced Section 2.197, (D) on page 10, and City Manager Heydlauff stated that landing fees were included in the Airport's *Schedule of Rates and Charges*. Vice Chair Woody stated that there should also be a section on acronyms in the Minimum Standards. Member Gibson stated that she would like to review the Minimum Standards with Vice Chair Woody and City Manager Heydlauff.

C. 2017/18 Airport Budget and Fee Review

Vice Chair Woody noted that the estimates for the end of the year help reflect the next year's budget and he stated that they were off by over \$200,000 compared to last year's budget. He felt that projected revenue from parking fees for FY 2017/18 (\$96,000) was \$30,000 too high because parking revenue should decrease rather than increase due to the Island Airways parking arrangement. He indicated that revenue from land leases was almost \$57,000 two years ago, \$52,000 this year, and projected in the new budget to be \$49,000. Vice Chair Woody questioned discounts, airport sales tax, and lavatory service fees.

Interim Airport Manager Wyman suggested reducing the minimum fuel purchase from 50 gallons to 30 gallons for small twin aircraft and from 150 gallons to 100 gallons for Type 1 jets. He also recommended that they ~~do away with the parking rates and that they eliminate the rate at the City lot~~ adjust the parking rates and do away with the daily rate. He also recommended reducing the annual fee from \$200 to \$175, and the six-month fee from \$110 to \$100.

Interim Airport Manager Wyman stated that they discussed removing the tiered business license fees and implement one flat fee straight across the board. He noted that would impact some smaller businesses as some of their fees would go up but, the \$135 operating fee would then be reduced. City Manager Heydlauff stated that none of the fees they were discussing really made much difference to the bottom line. He felt it was more a sense of customer service. He stated they generate revenue based on landing fees, fuel fees, and so forth.

D. FBO Contracting Update

City Manager Heydlauff stated he asked Interim Airport Manager Wyman to look at the Request for Proposal (RFP) and wanted to get his feedback. He believed that the RFP would be released fairly quickly.

VII. Miscellaneous Business

Interim Airport Manager Wyman suggested a flagpole at the Airport to be placed either out front of the terminal, or at the end of the sidewalk or closer to the ramp where the picnic tables are located. The Committee members agreed with the addition of a flagpole at the Airport.

City Manager Heydlauff suggested replacing the parking lot lights with LED bulbs which would be more cost effective. Interim Airport Manager Wyman noted that both Fresh Air and Island Airways were interested in the old runway lights. He stated that they received a lot of lighting parts free of charge from Traverse City.

VIII. Public Comment

Rachel Teague, Fresh Air Aviation, questioned the timeline on the FBO RFP and contract. City Manager Heydlauff stated they would develop a schedule, and City Council would have to approve any contract for the next fiscal year.

IX. Adjournment

Motion by Member Seelye, second by Member Gibson to adjourn the meeting. Motion passed by unanimous voice vote. Meeting adjourned at 10:42 a.m.

Joyce Golding/fgm

City Clerk

Scott Woody

Vice Chair