

**AGENDA
CITY OF CHARLEVOIX CITY COUNCIL MEETING**

Monday, May 16, 2016 - 7:00 p.m.

210 State Street, City Hall, Second Floor City Council Chambers, Charlevoix, Michigan

- I. Invocation or Pledge of Allegiance**
 - II. Roll Call of Members Present**
 - III. Inquiry Regarding Possible Conflicts of Interest**
 - IV. Consent Agenda**
 - A. City Council Meeting Minutes - May 2, 2016 Regular Meeting **PG 1-7**
 - B. Accounts Payable Check Registers & Payroll Check Registers **PG 8-18**
 - V. Public Hearings**
 - VI. Reports**
 - VII. Requests, Petitions and Communications and Actions Thereon**
 - A. Bridge Street Commons Site Plan Review (Project #2016-03 SP) **PG 19-46**
 - B. Liquor License Application from LC Brewers, LLC **PG 47-67**
 - C. Pavement Marking Bid **PG 68-68**
 - D. Fire Hydrant Painting **PG 70**
 - E. Ball Field Sale/Purchase Agreement **PG 71-77**
 - F. Disc Golf Discussion **PG 78**
 - VIII. Introduction and Initial Actions Relating to Ordinances or to Resolutions That Require Publication or Hearings Prior to Final or Further Action**
 - IX. Resolutions**
 - A. Liquor License Application from LC Brewers, LLC **Pg 49**
 - B. Council Rules of Procedure **PG 79-80**
 - X. Ordinances**
 - XI. Miscellaneous Business**
 - XII. Audience – Non-Agenda Input (written requests take precedent)**
 - XIII. Closed Session**
 - A. Real Property - Section 15.268, Section 8 (d)
- "I move that the City Council meet in closed session under Section 8(d) of the Open Meetings Act, to consider the purchase or sale of real property."
- XIII. 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 May 12, 2016 4:00 p.m.

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, May 2, 2016 – 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 Gabe Campbell.

I. Pledge of Allegiance

II. Roll Call of Members Present

Mayor: Gabe Campbell
City Manager: Mark Heydlauff
City Clerk: Joyce Golding
Members Present: Councilmembers Shane Cole, Shirley Gibson, Aaron Hagen, Luther Kurtz, Leon Perron, Bill Supernaw
Absent: None

III. Inquiry Regarding Possible Conflicts of Interest

Councilmember Hagen recused himself from items G and I.

Mayor Campbell requested a moment of prayer for former Mayor Norm Carlson who experienced a health issue last week.

IV. Consent Agenda

The following items were approved and filed:

- A. Approval of Minutes – April 18, 2016 Regular Meeting Minutes
Councilmember Supernaw questioned Councilmember Gibson's statement regarding Miscellaneous Business agenda items being "abused in the past by many Councils". Mayor Campbell and Councilmember Gibson responded that this statement was reflected accurately in the minutes. Councilmember Supernaw felt "abuse" was a strong term and requested examples to support the statement.
- B. Special Accounts Payable Check Register – April 21, 2016
- C. Regular Accounts Payable Check Register – May 3, 2016
- D. ACH Payments – April 18, 2016–April 22, 2016
- E. Tax Disbursement – May 3, 2016
- F. Payroll Check Register – April 22, 2016
- G. Payroll Transmittal – April 22, 2016
- H. Mayor Proclamation – Charlevoix City Band

V. Public Hearings

None.

VI. Reports

City Manager Heydlauff reported that Howard Kohn, Chesapeake Group, would be visiting on May 26th to present the Downtown Charlevoix Market Study; details to follow. Charlevoix County Community Foundation approved a \$5,000 grant for the Recreation Department Master Plan. South Arm Construction advised the replacement of rotten wood on the back roof of the Chamber building for an additional cost of \$4,900. It was the general consensus of Council to approve this additional work. City Manager Heydlauff stated that community events are scheduled every weekend through the season.

VII. Requests, Petitions and Communications and Actions Thereon

A. Concession Agreement with Jack and Annie Russell

Recreation Director Kirinovic stated that Jack and Annie Russell requested a concession agreement for Lake Michigan Beach, Ferry Beach, and the Carpenter Street ball field. The proposed concession agreement will take effect May 15, 2016 and conclude November 14, 2019. The days and hours of operation will be set forth at the discretion of the concessionaire and Recreation Director.

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

Motion by Councilmember Gibson, second by Councilmember Hagen, to approve the concession stand agreement with Jack and Annie Russell to operate the Lake Michigan Beach, Ferry Beach, and the Carpenter Street Ball Field concessions (contingent upon receipt of liability insurance validation, purchase of a business license) and authorize the City Manager to sign the concession agreement.

Yeas: Gibson, Cole, Supernaw, Hagen, Kurtz, Perron
Nays: None
Absent: None

B. Mt. McSaubia Assistant Camp Director Job Description

Recreation Director Kirinovic requested the approval of a part-time, seasonal Assistant Camp Director job description. This position will assist our Camp Director with oversight of Camp McSaubia and extended day camp activities.

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

Motion by Councilmember Hagen, second by Councilmember Kurtz, to approve the Mt. McSaubia Assistant Camp Director (seasonal, part-time) job description as presented.

Yeas: Gibson, Cole, Supernaw, Hagen, Kurtz, Perron
Nays: None
Absent: None

C. Lake Charlevoix Mariners License and Stand Agreements

Recreation Director Kirinovic stated that the Lake Charlevoix Mariners are seeking approval to renew their contract for their sailing school at Depot Beach. The Mariners also rent stands for kayak and stand up paddle board storage.

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

Motion by Councilmember Cole, second by Councilmember Perron, to approve the agreements with Lake Charlevoix Mariners, Inc. as presented and authorize the Mayor and City Clerk to sign all necessary agreements.

Yeas: Gibson, Cole, Supernaw, Hagen, Kurtz, Perron
Nays: None
Absent: None

D. Charlevoix City Band Contract

Gary Stutzman, Band Director, thanked the City for its Proclamation and he gave a brief history of the Charlevoix City Band along with upcoming events. The Charlevoix City Band uses the City's contribution to help defray the costs of providing its musical programs to Charlevoix residents and visitors. Mr. Stutzman introduced the new band director Tom Harder.

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

Motion by Councilmember Kurtz, second by Councilmember Gibson, to approve the draft contract for the Charlevoix City Band and authorize the Mayor to sign the contract.

Yeas: Gibson, Cole, Supernaw, Hagen, Kurtz, Perron
Nays: None
Absent: None

E. Sea Scout Ship 11 Use of Marina Slip

City Manager Heydlauff stated that Scott Stebe, representing local Sea Scout Ship 11, would like the City to consider waiving docking fees for the summer months.

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

Motion by Councilmember Perron, second by Councilmember Cole, to approve free dockage for the Sea Scouts for the 2016 Boating Season when the marina is not full, contingent upon support from the Waterways Commission and approval from the DNR.

Yeas: Gibson, Cole, Supernaw, Hagen, Kurtz, Perron
Nays: None
Absent: None

F. Resolution to Waive Parking Fees at Ferry Beach Boat Launch for Lake Charlevoix Area Trout Tournament

City Manager Heydlauff stated that the Charlevoix Area Trout Tournament wishes to host a fishing tournament from June 10-12, 2016 and recommended waiving the parking fees as done in the past.

Mayor Campbell opened the item to public comment.

Dean Davenport thanked Council for their support and briefly explained the event.

The item was closed to the public.

Action by Resolution.

G. Charlevoix Craft Brew Festival

City Manager Heydlauff spoke on behalf of DDA Director Doyle who was not in attendance. He stated that the Charlevoix Main Street along with Bridge Street Tap Room and the Lake Charlevoix Brewing Company will be presenting the 3rd Annual Charlevoix Craft Beer Festival on Saturday, June 4, 2016 in Robert Bridge Memorial Park. City Manager Heydlauff recommended waiving the restriction of alcohol consumption within one thousand feet of US-31.

Councilmember Supernaw questioned why the event was only one day. Adam Engelman, Round Lake Group, responded that the logistics of Brewers traveling from around the state proves challenging.

Councilmember Gibson read from the March DDA minutes whereby the Round Lake Group requested that the DDA facilitate the licensing process for this event and questioned whether this was completed. City Manager Heydlauff responded that his office coordinated with the Chamber to complete the licensing process.

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

Motion by Councilmember Supernaw, second by Councilmember Cole, 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, Supernaw, Kurtz, Perron
Nays: None
Absent: None
Abstain: Hagen

H. Planter Design in East Park

City Manager Heydlauff stated that John Campbell of Site Planning brought forth a proposal to update the plantings in East Park. Due to the design of the Harbormaster Building, there are unique challenges for these planters because of the weight of soil and water. He said rather than do a full-scale redesign of all planters, it may be best to redo one planter to see how the plants performed, consider the maintenance time requirements for those plantings, and plan our way forward.

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

Motion by Councilmember Gibson, second by Councilmember Hagen, to authorize the redesign as presented.

Yeas: Gibson, Cole, Supernaw, Hagen, Kurtz, Perron
Nays: None
Absent: None

I. Food Truck Pilot Program Policy

City Manager Heydlauff recalled that Council appointed a committee last fall to study the issue of food trucks. The Committee met extensively over the past several months. The policy includes a provision for the City Manager to place certain other requirements and qualifications into effect based on further discussion by the Committee. The policy would expire October 31, 2016 giving Council the option to reconsider the issue in the fall.

Mayor Campbell thanked Maureen Owen for her work and City Manager Heydlauff acknowledged the other Committee members as well. Councilmember Perron congratulated the Committee for working well together.

City Manager Heydlauff confirmed that the two Thursday food trucks would be located together at Plaza B.

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

Action by Resolution.

J. Amendment to Rules of Procedure for City Council

City Manager Heydlauff recalled that Council requested the City Attorney, City Clerk, and himself to develop a draft amendment to the *Rules of Procedure for City Council*. The amendment was developed with an eye toward making Council meetings smooth and

concise. In addition, minor amendments to remove language regarding the election of the City Clerk, to clarify all resolutions need not be read aloud and delete the 8 p.m. notation in Rule 1. C were proposed.

Pursuant to Rule 20 of the *Rules of Procedure for City Council*, this amendment can be approved at the May 16th meeting.

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

Motion by Councilmember Gibson, second by Councilmember Cole, to introduce Resolution 2016-05-03 and lay it upon the table in accord with Rule 20 of the *Rules of Procedure for City Council*.

Yeas: Gibson, Cole, Supernaw, Hagen, Kurtz, Perron
Nays: None
Absent: None

VIII. Introduction and Initial Actions Relating to Ordinances or to Resolutions That Require Publication or Hearings Prior to Final or Further Action
None.

IX. Resolutions

A. Charlevoix Trout Tournament Parking Fee

Motion by Councilmember Kurtz, second by Councilmember Hagen, to adopt Resolution 2016-05-01 Waive Parking Fees for Trout Tournament, as follows:

**CITY OF CHARLEVOIX
RESOLUTION NO. 2016-05-01
WAIVE PARKING FEES FOR TROUT TOURNAMENT**

WHEREAS, the Lake Charlevoix Area Trout Tournament will be held on June 10, 11 and 12, 2016; and

WHEREAS, the Lake Charlevoix Area Trout Tournament is requesting that parking fees be waived for the tournament; and

WHEREAS, the Charlevoix Area Trout Tournament is requesting parking fees to be waived for a practice fishing day on June 9, 2016; and

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

NOW THEREFORE BE IT RESOLVED, that the City of Charlevoix hereby waives parking fees for the Lake Charlevoix Area Trout Tournament from June 9 to June 12, 2016.

RESOLVED this 2nd day of May, 2016, A.D.

Resolution was adopted by the following yea and nay vote:

Yeas: Gibson, Cole, Supernaw, Hagen, Kurtz, Perron
Nays: None
Absent: None

B. Food Truck Pilot Program Policy

Motion by Councilmember Gibson, second by Councilmember Cole, to adopt Resolution 2016-05-02 Food Truck Pilot Program Policy, as follows:

**CITY OF CHARLEVOIX
RESOLUTION NO. 2016-05-02
FOOD TRUCK PILOT PROGRAM POLICY**

WHEREAS, the City Council appointed a committee to study how and where food trucks might be permitted in Charlevoix; and

WHEREAS, the Committee has met frequently over the past several months to discuss these matters.

NOW THEREFORE BE IT RESOLVED, that the City of Charlevoix City Council hereby adopts the following pilot program policy regarding food trucks on City property:

FOOD TRUCK PILOT PROGRAM POLICY

Food trucks, food carts, and other mobile food vendors (collectively hereafter referred to as vendors) shall be permitted at certain locations and certain days on City-owned property according to the following rules:

- Vendors shall obtain a business license from the City Clerk in accord with City Code.
- Vendors shall pay a fee of \$450 for a license to operate on City property and fulfill all requirements for vendors; the City Manager is directed to develop reasonable standards for vendors in consultation with the Food Truck Committee. Vendors shall be required to obtain appropriate health department certifications and provide to the City certificates of insurance. Failure to adhere to these standards shall be cause for termination of the license to operate without a refund of fees paid.
- The City Manager shall cause a schedule to be created and maintained permitting vendors to register their location based on the following stipulations from May 1-October 31:
 - On Thursdays, two vendors shall be permitted downtown in the parking lane in the vicinity of Plaza B from 9am until 8pm.
 - On Tuesdays, one vendor each shall be permitted at Lake Michigan Beach and Ferry Beach and shall park in the parking lot near the concession stands. Such vendors are permitted from 10am until 10pm. The Recreation Director may specify exact parking locations and may move this location as necessary based on events and activities in the parks.
 - One vendor may locate at Depot Beach in the parking lot on any day from 10am-9pm.
 - One vendor may locate at the Charlevoix Golf Club in the parking area near the clubhouse on any day from 10am-8pm.
 - One vendor may locate at the Charlevoix Municipal Airport in a parking spot designated by the Airport Manager from 9am-8pm. A vendor parking at the Airport shall be responsible to pay applicable parking fees.
 - The City Manager is permitted to restrict scheduling based on community events, inclement weather, or reasons as necessary.
- This policy shall expire October 31, 2016.

Vendors locating on private property shall be subject to the provisions of the Charlevoix City Code relative to temporary business licenses. Vendors used during festivals and events not sponsored by the City of Charlevoix but which occur on City property shall be subject to the terms of use for those festivals and events.

RESOLVED this 2nd day of May, 2016 A.D.

Resolution was adopted by the following yea and nay vote:

Yeas:	Gibson, Cole, Supernaw, Kurtz, Perron
Nays:	None
Absent:	None
Abstain:	Hagen

X. Ordinances
None.

XI. Miscellaneous Business
Councilmember Supernaw questioned why the Ferry Beach Dock was closed. City Manager Heydlauff will discuss with Chief Doan. Mayor Campbell reminded the public that there are memorial bricks available in East Park.

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

XIII. Adjourn

Motion by Councilmember Kurtz, second by Councilmember Perron, to adjourn. Motion passed by unanimous voice vote Meeting adjourned at 7:44 p.m.

Joyce M. Golding City Clerk Gabe Campbell Mayor

Special Accounts Payable – 04/21/2016

AT&T LONG DISTANCE	39.88	PRIORITY HEALTH	38,800.78
CHARLEVOIX STATE BANK	5,526.41	STATE OF MICHIGAN	100.00
DELTA DENTAL	3,756.80	VERIZON WIRELESS	56.72
GREAT LAKES ENERGY	294.65	VISION SERVICE PLAN	495.36
METLIFE SMALL BUSINESS CENTER	705.61	TOTAL	49,776.21

Regular Accounts Payable – 05/03/2016

ABILITA	292.50	JONES & JONES GARAGE DOOR SVCS.	434.40
AIRGAS USA LLC	58.43	KIRINOVIC, THOMAS	41.00
ALEXANDER, TOM	300.00	KIWANIS CLUB OF CHARLEVOIX	39.00
ALL-PHASE ELECTRIC SUPPLY CO.	546.32	KLOOSTER, ALIDA K.	41.00
ALTEC INDUSTRIES INC	337.50	KSS ENTERPRISES	705.99
AVFUEL CORPORATION	2,270.00	LALONDE, GEORGE	38.50
BARRETT'S AUTO & MARINE TRIM	430.00	MASSON, DONALD J.	132.24
BELLEROC TIRE/GAYLORD	295.00	MATELSKI, KIM	14.00
BOSS, KEN	8.50	MAYER, SHELLEY L.	41.00
CANNON EQUIPMENT	54.71	MCGINN, KELLY	272.74
CHANNING BETE COMPANY INC.	540.37	METAL HEAD WELDING LLC	963.90
CHARLEVOIX DISTRICT LIBRARY	70.00	MI-AWWA	155.00
CHARLEVOIX GLASS INC.	230.64	MICHIGAN WATER ENV ASSOC	200.00
CHARLEVOIX SCREEN MASTERS INC	461.00	MYER, ELIZABETH A	41.00
CHARLEVOIX TOWNSHIP	15.23	N M A C P	50.00
CHESAPEAKE GROUP INC.	4,400.00	NORTHERN LAKES	60.00
CINTAS CORPORATION #729	118.23	NORTHERN PUMP SERVICE INC.	3,908.23
CITY OF CHARLEVOIX - PETTY CASH	264.00	OLSON BZDOK & HOWARD	1,066.60
CLOTHING COMPANY, THE	1,905.00	ORBAN, BARBARA	14.00
DCASSESSING SERVICES	4,371.08	OTEC	1,591.25
DELL MARKETING L P	1,567.55	OVERHEAD DOOR COMPANY	675.00
DeROSIA, PATTY	41.00	PANOFF, ZACH	41.00
DITCH WITCH SALES OF MICHIGAN	26.34	PARASTAR INC.	723.06
DOAN, GERARD	41.00	PLUNKETT & COONEY	582.63
DOYLE, ANNIE	41.00	PRO WEB MARKETING LLC	50.00
ELECTION SYSTEMS & SOFTWARE	31.60	PURITY CYLINDER GASES INC	49.15
ELHORN ENGINEERING COMPANY	942.10	QUILL CORP	716.67
ELLIOTT, PATRICK M.	41.00	REHMANN-ROBSON & CO	11,483.20
ELLSWORTH FARMER'S EXCHANGE	366.01	ROLOFF, ROBERT	41.00
EVANS, HAL	41.00	SHORELINE POWER SERVICES INC.	634.50
FASTENAL COMPANY	40.07	SPARTAN DISTRIBUTORS INC	137.18
FREIDINGER, REED	33.00	STATE OF MICHIGAN	14,723.17
GEMPLER'S	519.15	SUPERIOR MECHANICAL	556.93
GOLDING, JOYCE	41.00	SWEM, DONALD L.	41.00
GORDON FOOD SERVICE	212.95	TERMINAL SUPPLY CO	35.58
GOVERNMENT FINANCE	160.00	TRI-TURF	188.89
GRAINGER	448.09	UNITED STATES PLASTIC CORP.	259.15
GREAT LAKES PIPE & SUPPLY	110.20	UP NORTH PROPERTY SERVICES LLC	434.00
HACH COMPANY	1,190.10	USA BLUE BOOK	308.23
HANKINS, SCOTT	223.00	WELLER, LINDA	41.00
HARRELL'S	290.00	WHARFSIDE ENT. LTD.	1,100.00
HEID, THOMAS J.	41.00	WILMOT ELECTRIC INC	119.69
HELNER, JOHN	12.81	WURST, RANDALL W.	41.00
HEYDLAUFF, MARK L	41.00	WYMAN, MATTHEW A.	41.00
HYDE SERVICES LLC	332.57		
INDEPENDENT DRAFTING SERVICES	1,225.00	TOTAL	67,859.93

ACH Payments – 04/18/2016–04/22/2016

MI PUBLIC POWER AGENCY	35,564.66	VANTAGEPOINT (ROTH IRA)	261.53
DTE ENERGY	7,161.30	MERS (DEFINED BENEFIT PLAN)	29,163.78
IRS (PAYROLL TAX DEPOSIT)	30,340.14	DEVERE CONSTRUCTION COMPANY	251,080.84
ALERUS FINANCIAL (HCSP)	420.00	MI PUBLIC POWER AGENCY	237,685.49
STATE OF MI (WITHOLDING TAX)	4,319.77	MI PUBLIC POWER AGENCY	29,402.29
VANTAGEPOINT (401 ICMA PLAN)	699.94		
VANTAGEPOINT (457 ICMA PLAN)	12,391.23	TOTAL	638,490.97

TAX DISBURSEMENT – 05/03/2016

CHARLEVOIX COUNTY TREASURER	436.84	RECREATIONAL AUTHORITY	30.12
CHARLEVOIX DISTRICT LIBRARY	165.24		
CITY OF CHARLEVOIX - TAXES DUE	97.54	TOTAL	729.74

PAYROLL: NET PAY

Pay Period Ending 04/16/2016 – Paid 04/22/2016

WELLER, LINDA JO	1,481.58	DORAN, JUSTIN J.	1,203.59
HEYDLAUFF, MARK L.	2,118.60	MANKER JR, DAVID W.	24.94
GOLDING, JOYCE M.	1,082.62	HAWKINS, JAMES S.	39.65
DEROSIA, PATRICIA E.	894.15	MCGHEE, ROBERT R.	419.47
DOYLE, ANNE E.	1,387.69	KIRINOVIC, THOMAS F.	312.79
LOY, EVELYN R.	1,029.15	BITELY, KATHERINE A.	433.30
KLOOSTER, ALIDA K.	1,554.10	MILAN, JANE E.	420.10
GOLOVICH, KAREN J.	985.42	HEID, THOMAS J.	1,272.04
SPENCLEY, PATRICIA L.	1,249.37	LEESE, ALAN K.	398.03
PANOFF, ZACHARY R.	1,180.04	DAVIS, RONALD L.	115.02
MILLER, FAITH G.	111.83	DAKROUB, JOSEPH E.	106.78
LEESE, MERRI C.	262.02	MASSON, DONALD J.	231.10
MCGINN, KELLY A.	1,492.91	MYER, ELIZABETH A.	1,653.03
DOAN, GERARD P.	1,558.33	VANLOO, JOSEPH G.	613.18
SCHLAPPI, JAMES L.	956.47	WYMAN, MATTHEW A.	1,006.89
UMULIS, MATTHEW T.	1,219.71	SCHRADER, LOU ANN	467.36
HANKINS, SCOTT A.	1,494.68	BOSS, RYDER S.	294.85
ORBAN, BARBARA K.	1,355.76	MILLER, WILLIAM S.	960.02
TRAEGER, JASON A.	1,098.76	FUNKEY, KRAIG R.	92.35
FLICKEMA, ANDREW M.	1,241.80	MEGGISON, JERRY B.	87.66
MATELSKI, KIMBERLY A.	1,118.59	RILEY, CASEY W.	406.82
ROLOFF, ROBERT P.	3,327.37	JONES, LARRY M.	1,242.91
RILEY, DENISE M.	418.25	WILLSON, BRENDA R.	153.29
LOPER II, GARY D.	906.09	BEAN, PETER J.	338.95
WURST, RANDALL W.	1,317.21	OCHS, THOMAS F.	30.01
MAYER, SHELLEY L.	1,486.95	TRAVERS, MANUEL J.	453.32
HILLING, NICHOLAS A.	1,266.18	RILEY, DANIEL A.	542.41
MEIER III, CHARLES A.	1,244.18	SWEM, DONALD L.	1,833.28
ZACHARIAS, STEVEN B.	1,479.08	WHITLEY, ANDREW T.	1,603.09
EATON, BRAD A.	1,771.19	MORRISON, KEVIN P.	1,255.24
WILSON, TIMOTHY J.	1,962.89	HODGE, MICHAEL J.	1,284.79
LAVOIE, RICHARD L.	1,662.97	JOHNSON, STEVEN P.	1,271.07
STEVENS, BRANDON C.	1,821.51	GILL, DAVID R.	968.20
DRAVES, MARTIN J.	1,703.08	TODD, RICHARD D.	191.89
BROWN, STEPHANIE C.	1,020.24	STEVENS, JEFFREY W.	420.16
ELLIOTT, PATRICK M.	1,961.37	ROLOFF, AUDREY M.	1,501.43
SCHWARTZFISHER, JOSEPH L.	984.13	MATTER, DAWSON K.	26.42
BRADLEY, KELLY R.	1,363.14	SCOTT JR., WINFIELD	35.24
HART II, DELBERT W.	821.21		
JONES, ROBERT F.	1,375.70	TOTAL	76,476.99

PAYROLL: TRANSMITTAL – 04/22/2016

4FRONT CREDIT UNION	248.46	CHEMICAL BANK	150.00
AMERICAN FAMILY LIFE	166.74	COMMUNICATION WORKERS OF AMER	489.93
AMERICAN FAMILY LIFE	379.74	MI STATE DISBURSEMENT UNIT	652.06
CHAR EM UNITED WAY	56.00	PRIORITY HEALTH	1,858.52
CHARLEVOIX STATE BANK	1,286.16	TOTAL	5,287.61

Check Number	Payee	Amount
04/26/2016		
116609	AARMOR SEAL	1,050.00
Total 04/26/2016:		1,050.00
Grand Totals:		1,050.00

Summary of Check Registers & ACH Payments

FIRSTMERIT BANK - CHECKS ISSUED

04/26/16	Special Accounts Payable Run	\$	1,050.00
05/06/16	Payroll	\$	75,224.57
05/06/16	Payroll Transmittal Checks	\$	5,509.06
05/17/16	Regular Accounts Payable	\$	148,891.78
Checks Sub-Total:		\$	230,675.41

FIRSTMERIT BANK - ACH PAYMENTS

05/02/16	MI Public Power Agency	\$	29,632.77
05/04/16	Payment Service Network	\$	232.10
05/06/16	IRS (Payroll Tax Deposit)	\$	28,042.09
05/06/16	Alerus Financial (HCSP)	\$	420.00
05/06/16	State of MI (Withholding Tax)	\$	4,060.08
05/06/16	Vantagepoint (401 ICMA Plan)	\$	699.94
05/06/16	Vantagepoint (457 ICMA Plan)	\$	12,017.52
05/06/16	Vantagepoint (Roth IRA)	\$	696.53
05/09/16	MI Public Power Agency	\$	13,579.11
05/11/16	DTE Energy	\$	1,836.60
05/11/16	State of MI (Sales Tax)	\$	20,302.04

DTE Energy

ACH Sub-Total: \$ 111,518.78

First Merit Bank Total: \$ 342,194.19

CHARLEVOIX STATE BANK - CHECKS ISSUED

(PROPERTY TAX DISBURSEMENT TO VARIOUS TAXING AUTHORITIES)

05/17/16	Tax Disbursement	\$	-
Charlevoix State Bank Total:		\$	-

Grand Total: \$ 342,194.19

APPROVED:


CITY MANAGER


CITY TREASURER


CITY CLERK

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
04/30/2016	PC	05/06/2016	21214	WELLER, LINDA JO	101		1,481.58
04/30/2016	PC	05/06/2016	21215	HEYDLAUFF, MARK L.	102		2,402.53
04/30/2016	PC	05/06/2016	21216	GOLDING, JOYCE M.	106		1,082.62
04/30/2016	PC	05/06/2016	21217	DEROSIA, PATRICIA E.	107		894.15
04/30/2016	PC	05/06/2016	21218	DOYLE, ANNE E.	108		1,387.69
04/30/2016	PC	05/06/2016	21219	LOY, EVELYN R.	117		1,029.15
04/30/2016	PC	05/06/2016	21220	KLOOSTER, ALIDA K.	121		1,750.97
04/30/2016	PC	05/06/2016	21221	GOLOVICH, KAREN J.	122		960.43
04/30/2016	PC	05/06/2016	21222	SPENCLEY, PATRICIA L.	136		1,155.98
04/30/2016	PC	05/06/2016	21223	PANOFF, ZACHARY R.	141		1,180.04
04/30/2016	PC	05/06/2016	21224	MILLER, FAITH G.	142		38.70
04/30/2016	PC	05/06/2016	21225	LEESE, MERRI C.	145		262.02
04/30/2016	PC	05/06/2016	21226	MCGINN, KELLY A.	146		1,492.91
04/30/2016	PC	05/06/2016	21227	DOAN, GERARD P.	201		1,558.33
04/30/2016	PC	05/06/2016	21228	SCHLAPPI, JAMES L.	204		878.17
04/30/2016	PC	05/06/2016	21229	UMULIS, MATTHEW T.	205		1,169.46
04/30/2016	PC	05/06/2016	21230	HANKINS, SCOTT A.	208		1,494.68
04/30/2016	PC	05/06/2016	21231	ORBAN, BARBARA K.	209		1,118.64
04/30/2016	PC	05/06/2016	21232	TRAEGER, JASON A.	210		426.27
04/30/2016	PC	05/06/2016	21233	FLICKEMA, ANDREW M.	211		1,570.58
04/30/2016	PC	05/06/2016	21234	MATELSKI, KIMBERLY A.	212		1,118.59
04/30/2016	PC	05/06/2016	21235	ROLOFF, ROBERT P.	304		1,674.13
04/30/2016	PC	05/06/2016	21236	RILEY, DENISE M.	306		418.25
04/30/2016	PC	05/06/2016	21237	LOPER II, GARY D.	308		368.22
04/30/2016	PC	05/06/2016	21238	WURST, RANDALL W.	411		1,282.89
04/30/2016	PC	05/06/2016	21239	MAYER, SHELLEY L.	412		1,615.10
04/30/2016	PC	05/06/2016	21240	HILLING, NICHOLAS A.	413		1,263.51
04/30/2016	PC	05/06/2016	21241	MEIER III, CHARLES A.	421		1,056.59
04/30/2016	PC	05/06/2016	21242	ZACHARIAS, STEVEN B.	422		1,153.76
04/30/2016	PC	05/06/2016	21243	EATON, BRAD A.	515		1,879.79
04/30/2016	PC	05/06/2016	21244	WILSON, TIMOTHY J.	516		2,190.96
04/30/2016	PC	05/06/2016	21245	LAVOIE, RICHARD L.	519		1,571.72
04/30/2016	PC	05/06/2016	21246	STEVENS, BRANDON C.	521		1,690.78
04/30/2016	PC	05/06/2016	21247	DRAVES, MARTIN J.	523		1,585.72
04/30/2016	PC	05/06/2016	21248	BROWN, STEPHANIE C.	524		1,020.24
04/30/2016	PC	05/06/2016	21249	ELLIOTT, PATRICK M.	600		1,961.36
04/30/2016	PC	05/06/2016	21250	SCHWARTZFISHER, JOS	603		1,152.70
04/30/2016	PC	05/06/2016	21251	BRADLEY, KELLY R.	614		1,397.04
04/30/2016	PC	05/06/2016	21252	HART II, DELBERT W.	616		817.55
04/30/2016	PC	05/06/2016	21253	JONES, ROBERT F.	618		1,210.20
04/30/2016	PC	05/06/2016	21254	DORAN, JUSTIN J.	621		1,631.03
04/30/2016	PC	05/06/2016	21255	MANKER JR, DAVID W.	638		488.92
04/30/2016	PC	05/06/2016	21256	MANKER SR, DAVID W.	639		692.15
04/30/2016	PC	05/06/2016	21257	BECKER, MICHAEL S.	641		595.12
04/30/2016	PC	05/06/2016	21258	SHEPARD, ZACHARY N.	656		567.49
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04/30/2016	PC	05/06/2016	21261	STANTS, JACOB W.	664		586.74
04/30/2016	PC	05/06/2016	21262	BLOOMER, GABRIELLE J.	665		524.22
04/30/2016	PC	05/06/2016	21263	STEWART, SAMUEL D.	668		333.94
04/30/2016	PC	05/06/2016	21264	KIRINOVIC, THOMAS F.	700		647.59
04/30/2016	PC	05/06/2016	21265	BITELY, KATHERINE A.	704		303.84
04/30/2016	PC	05/06/2016	21266	MILAN, JANE E.	711		377.81
04/30/2016	PC	05/06/2016	21267	HEID, THOMAS J.	802		1,272.04
04/30/2016	PC	05/06/2016	21268	LEESE, ALAN K.	835		415.62
04/30/2016	PC	05/06/2016	21269	GRUNCH, RONALD J.	844		42.52
04/30/2016	PC	05/06/2016	21270	DAVIS, RONALD L.	853		329.99

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
04/30/2016	PC	05/06/2016	21271	FAIRCHILD, GALEN W.	855		193.75
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04/30/2016	PC	05/06/2016	21273	MASSON, DONALD J.	861		453.10
04/30/2016	PC	05/06/2016	21274	KUSINA, DENNIS W.	862		198.44
04/30/2016	PC	05/06/2016	21275	LABLANCE, MAUREEN J.	863		145.08
04/30/2016	PC	05/06/2016	21276	MYER, ELIZABETH A.	900		1,881.11
04/30/2016	PC	05/06/2016	21277	VANLOO, JOSEPH G.	902		618.21
04/30/2016	PC	05/06/2016	21278	WYMAN, MATTHEW A.	927		1,061.72
04/30/2016	PC	05/06/2016	21279	SCHRADER, LOU ANN	929		613.41
04/30/2016	PC	05/06/2016	21280	BOSS, RYDER S.	932		316.92
04/30/2016	PC	05/06/2016	21281	MILLER, WILLIAM S.	933		1,189.29
04/30/2016	PC	05/06/2016	116610	LALEWICZ, AMELIA	131		46.17
04/30/2016	PC	05/06/2016	116611	SWEM, DONALD L.	512		1,833.28
04/30/2016	PC	05/06/2016	116612	WHITLEY, ANDREW T.	522		1,716.40
04/30/2016	PC	05/06/2016	116613	MORRISON, KEVIN P.	601		870.48
04/30/2016	PC	05/06/2016	116614	HODGE, MICHAEL J.	606		1,264.49
04/30/2016	PC	05/06/2016	116615	JOHNSON, STEVEN P.	617		1,163.41
04/30/2016	PC	05/06/2016	116616	BISHAW, JAMES H.	633		654.22
04/30/2016	PC	05/06/2016	116617	GILL, DAVID R.	856		937.75
04/30/2016	PC	05/06/2016	116618	TODD, RICHARD D.	859		284.55
Grand Totals:			<u>77</u>				<u>75,224.57</u>

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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
04/30/2016	05/06/2016	116619	4FRONT CREDIT UNION	9024	HSA-EMPLOYEE CONTRIB-4FR	248.46
04/30/2016	05/06/2016	116620	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-POST	166.74
04/30/2016	05/06/2016	116620	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-PRETA	379.74
04/30/2016	05/06/2016	116621	CHAR EM UNITED WAY	9009	UNITED WAY Pay Period: 4/30/2	56.00
04/30/2016	05/06/2016	116622	CHARLEVOIX STATE BA	9017	HSA - EMPLOYEE CONTRIB - C	1,286.16
04/30/2016	05/06/2016	116623	CHEMICAL BANK	9018	HSA - EMPLOYEE CONTRIB - C	150.00
04/30/2016	05/06/2016	116624	COMMUNICATION WORK	9004	CWA UNION DUES Pay Period:	489.93
04/30/2016	05/06/2016	116625	MI STATE DISBURSEME	9012	FRIEND OF THE COURT Pay P	705.51
04/30/2016	05/06/2016	116626	POLICE OFFICERS LABO	9003	POL UNION DUES Pay Period: 4	201.00
04/30/2016	05/06/2016	116627	PRIORITY HEALTH	392358	PRIORITY HEALTH Pay Period:	1,825.52
Grand Totals:		10				5,509.06

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Check Number	Payee	Amount
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116628	ABRAMOWSKI, DWAIN M.	25.00
116629	ACE HARDWARE	2,398.27
116630	ALL-PHASE ELECTRIC SUPPLY CO.	43.89
116631	ARBOR DAY FOUNDATION	10.00
116632	ARCADIA BENEFITS GROUP INC	25.00
116633	AT&T	1,223.56
116634	AT&T MOBILITY	72.95
116635	AUTO VALUE	129.79
116636	BEIJO DE CHOCOLAT LLC	21.00
116637	BELL EQUIPMENT COMPANY	129.18
116638	BREATHING AIR SYSTEMS	15.00
116639	BS& A SOFTWARE	1,662.00
116640	CARQUEST OF CHARLEVOIX	72.05
116641	CHARLEVOIX CITY BAND	3,000.00
116642	CHARLEVOIX COUNTY EQUALIZATIO	926.35
116643	CHARTER COMMUNICATIONS	1,135.46
116644	CHEMSEARCH	348.56
116645	COOK FAMILY FARMS	21.00
116646	DITCH WITCH SALES OF MICHIGAN	1,064.32
116647	DOMAIN LISTINGS	105.00
116648	ETNA SUPPLY	3,690.80
116649	FAMILY FARM & HOME	457.69
116650	FASTENAL COMPANY	55.55
116651	FIRE SUPPRESSION PRODUCTS	260.00
116652	FOX CHARLEVOIX FORD	108.90
116653	FREEDOM MAILING SERVICES INC.	2,159.19
116654	FREIGHTLINER OF GRAND RAPIDS	370.30
116655	GINOP SALES INC	83.92
116656	GOLDING, JOYCE	78.37
116657	GRAINGER	3,366.00
116658	HACH COMPANY	809.00
116659	HEYDLAUFF, MARK L	370.70
116660	HINTON, DEBRA	50.41
116661	HYDE SERVICES LLC	101.95
116662	HYDRO CORP	515.00
116663	JACK DOHENY SUPPLIES INC	241.95
116664	KEVIN'S METER TESTING	1,260.40
116665	KSS ENTERPRISES	1,846.65
116666	LAKESHORE TIRE & AUTO SERVICE	12.50
116667	LOTTIE'S BAGELS	19.00
116668	MACDONALD GARBER	306.00
116669	MANAGEMENT AND BEHAVIOR	1,775.00
116670	MAYER, SHELLEY L.	47.52
116671	MCCARDEL CULLIGAN-PETOSKEY	50.00
116672	McGINN, KELLY	39.70
116673	MDC CONTRACTING LLC	2,569.00
116674	MICHIGAN ASSN OF MUNICIPAL CLE	401.00
116675	MICHIGAN MUNICIPAL LEAGUE	18,813.00

Check Number	Payee	Amount
116676	MICHIGAN OFFICEWAYS INC	1,830.26
116677	MICHIGAN WATER ENV ASSOC	130.00
116678	MMS CO LLC	557.65
116679	MUNICIPAL UNDERWRITERS OF MIC	50.00
116680	MYER, ELIZABETH A.	51.87
116681	NATIONAL HOSE TESTING SPECIALTI	963.50
116682	NETSOURCE ONE INC.	3,046.00
116683	NORTHERN BROADCAST INC.	252.00
116684	NORTHERN MICHIGAN HARDWOODS	2,520.00
116685	NORTHERN MICHIGAN REVIEW INC.	1,675.16
116686	NORTHWEST HYDRAULICS & ENGRG	263.75
116687	PARKER, KAREN	70.00
116688	PERFORMANCE ENGINEERS INC	24,933.74
116689	POWER LINE SUPPLY	6,114.05
116690	PREIN & NEWHOF	23,261.75
116691	PRO WEB MARKETING LLC	20.00
116692	RANGE TELECOMMUNICATIONS	114.00
116693	REHMANN-ROBSON & CO	10,000.00
116694	RIETH-RILEY CONST CO INC	1,091.70
116695	RILEY, JEFF	126.00
116696	ROTARY CLUB OF CHARLEVOIX	37.50
116697	RUSTIC BAKER	26.00
116698	SEARS COMMERCIAL ONE	506.52
116699	SECURITY SANITATION INC.	152.06
116700	SOUTH ARM CONSTRUCTION LLC	12,848.24
116701	STATE OF MICHIGAN	200.00
116702	TERMINAL SUPPLY CO	266.11
116703	TRAEGER, JASON	94.17
116704	TRUCK & TRAILER SPECIALTIES	773.41
116705	U S BANK	161.63
116706	UP NORTH PROPERTY SERVICES LL	741.00
116707	UPPER CASE PRINTING INK.	1,094.24
116708	USA BLUE BOOK	483.83
116709	VAN'S BUSINESS MACHINES	95.00
116710	VILLAGE GRAPHICS INC.	352.53
116711	WATERWORKS SYSTEMS & EQUIP IN	1,152.42
116712	WILBERT BURIAL VAULT CO	532.96
116713	WORK & PLAY SHOP	14.85
Total 05/17/2016:		148,891.78
Grand Totals:		148,891.78

Check Number	Payee	Amount
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50216001	MICHIGAN PUBLIC POWER AGENCY	29,632.77
Total 05/02/2016:		29,632.77
Grand Totals:		29,632.77

Check Number	Payee	Amount
05/04/2016		
50416001	PAYMENT SERVICE NETWORK INC.	232.10
Total 05/04/2016:		232.10
Grand Totals:		232.10

Check Issue Date	Check Number	Payee	Amount
50616001			
05/06/2016	50616001	**EFTPS* Payroll Taxes	7,145.03
05/06/2016	50616001	**EFTPS* Payroll Taxes	7,145.03
05/06/2016	50616001	**EFTPS* Payroll Taxes	1,671.03
05/06/2016	50616001	**EFTPS* Payroll Taxes	1,671.03
05/06/2016	50616001	**EFTPS* Payroll Taxes	10,409.97
Total 50616001:			
	5		28,042.09
50616002			
05/06/2016	50616002	Alerus Financial	420.00
Total 50616002:			
	1		420.00
50616003			
05/06/2016	50616003	STATE OF MICHIGAN	4,060.08
Total 50616003:			
	1		4,060.08
50616004			
05/06/2016	50616004	Vantagepoint - 401 Plan 109153	699.94
Total 50616004:			
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50616005			
05/06/2016	50616005	Vantagepoint - 457 Plan 300959	4,760.03
05/06/2016	50616005	Vantagepoint - 457 Plan 300959	558.38
05/06/2016	50616005	Vantagepoint - 457 Plan 300959	1,714.92
05/06/2016	50616005	Vantagepoint - 457 Plan 300959	4,984.19
Total 50616005:			
	4		12,017.52
50616006			
05/06/2016	50616006	Vantagepoint - Roth IRA 706117	696.53
Total 50616006:			
	1		696.53
Grand Totals:			
	13		45,936.16

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Check Number	Payee	Amount
05/09/2016		
50916001	MICHIGAN PUBLIC POWER AGENCY	13,579.11
Total 05/09/2016:		13,579.11
Grand Totals:		13,579.11

Check Number	Payee	Amount
05/11/2016		
51116001	DTE ENERGY	1,836.60
51116002	STATE OF MICHIGAN	20,302.04
Total 05/11/2016:		22,138.64
Grand Totals:		22,138.64

CHARLEVOIX CITY COUNCIL

AGENDA ITEM

AGENDA ITEM TITLE: Bridge Street Commons Site Plan Review: (Project #2016-03 SP)

MEETING DATE: May 16, 2016

PRESENTED BY: Zach Panoff, Interim City Planner

ATTACHMENTS: Planning Commission Report/Recommendation with associated documentation and attachments.

BACKGROUND INFORMATION:

Pursuant to the City Code, certain site plans require City Council approval after being reviewed by the Planning Commission. On May 9, the Planning Commission held a public hearing and reviewed a site plan for 1418 Bridge Street for applicant Doug Labelle. Mr. LaBelle is proposing a two phase project known as Bridge Street Commons that would consist of a 5,600 square foot building containing drive-through restaurant and retail space near the front of the lot now, and a 6,000 square foot building containing retail and/or office space to the rear of the property in the future. The property is currently occupied by the vacant Juilleret's restaurant building and has shared parking lot access with the Maple Leaf Motel to the north. The proposal will keep this shared access, as well as the existing access to the south, and include an island to separate the parking areas and create a safer traffic flow. This also maintains the neighbor's access to parking, which in some cases is on the applicant's property. This lot is zoned GC (General Commercial) and is located in a highway commercial area. The property abuts other General Commercial zoned property to its south, west and north, and a vacant parcel zoned R4 Planned High Density Residential to its east. Parking is to be located to the sides and rear of the 70' X 80' central building and will not require screening based on the zoning of the adjacent properties. The Planning Commission has unanimously recommended approval with conditions regarding requirements from the DPW Superintendent, signage, lighting and the review of the second phase of the proposal. There are no public safety concerns over the proposal.

The proposed development meets all of the requirements of the zoning ordinance for site plan review and the Planning Commission believes this development will be an asset to the City. Plans for the development have been included on 11X17 paper. If you would like to see more detailed plans, I can provide a larger size for you upon request.

RECOMMENDATION:

Motion to approve Project 2016-08 SP for 1418 Bridge Street with conditions as recommended by the Planning Commission.



CITY OF CHARLEVOIX
210 STATE ST. CHARLEVOIX, MICH. 49720

PLANNING COMMISSION (PC) REPORT / RECOMMENDATION

AGENDA TITLE: **Project 2016-03 SP: Bridge Street Commons -
Restaurant/Retail/Office Space**
Site Plan Review

PUBLIC MEETING DATES: **May 9, 2016 at 7:00PM – PC , May 16, 2016 – City Council**

EXHIBITS:

- 1. Site Plan Review application.**
- 2. Site Plan and Landscaping Plan provided by applicant.**
- 3. Elevations and renderings provided by applicant.**
- 4. Public Comments received as of May 6, 2016**
- 5. City of Charlevoix Zoning Ordinance.**

I. GENERAL INFORMATION:

Applicant/Developer: Doug Labelle
405 S. Mission
Mt. Pleasant, MI 48858

Owner: Doug Labelle

Requested Action: Construct a building containing drive-through restaurant and retail space, as well as a potential second phase building containing retail/office space.

Zoning: GC – General Commercial

Project Location: 1418 Bridge Street

Project Site Size: 1.295 Acres – 56,409 Square Feet

Existing Land Use: Vacant building, formerly Juilleret's restaurant, resting on pavement. Storage building in the rear area of the lot.

Adjacent Land Uses:

N	Maple Leaf Motel
E	Vacant
S	Rick's Chiropractic Clinic
W	Villa Moderne Motel, Chemical Bank

Adjacent Zoning:

N	GC – General Commercial
E	R4 – Residential Planned High Density
S	GC – General Commercial
W	GC – General Commercial

PROJECT DESCRIPTION/LOCATION:

The applicant is requesting site plan approval for a development consisting of a drive-through restaurant and retail building on the site, located at 1418 Bridge Street. They are also requesting approval of a related office/retail space to be located in the rear of the lot at a future point in time.

Air Photo from 2010 (Property lines are approximate.)



MASTER PLAN CONSIDERATIONS: *Please note that Site Plan Review is not based on consistency with the Land Use Master Plan, this section is included only for general reference.

The 2011 Land Use Master Plan shows that a commercial use for the subject property would be appropriate based on the future land use map (pg. 37).

PROPERTY ZONING HISTORY:

The Zoning Ordinance adopted in 1941 included a C-2 Commercial designation for this parcel. Under the 1978 Zoning Ordinance the subject parcel was maintained as a C-1 Community Service Commercial zoning designation. When the new Zoning Ordinance was adopted on August 5th, 2013 the parcel was zoned with a GC General Commercial zoning designation based on the past zoning designations and the characteristics of the area.

II. SITE PLAN REVIEW:

The following section is taken directly from the Section 5.120 (pg. 130) of the Zoning Ordinance. The PC must make findings of fact to determine if the proposal meets each of the following standards. The PC must find that this proposal meets all of the following standards based on findings of fact before considering a motion to approve or deny. Staff has written the following recommended findings of fact as a starting point. The PC may add, modify, or delete any of the following draft findings at the meeting. The draft findings are all bulleted and in *italics*.

5.120. Standards for Site Plan Approval: A site plan shall be approved only upon a finding of compliance with the following standards:

- (1) The site plan must comply with all standards of this Article and all applicable requirements of this ordinance, as well as with all other applicable city, county, state and federal laws and regulations.
 - *The PC finds that the site plan proposal complies with Section 5.30 (pg. 29) of the Zoning Ordinance, which states that GC General Commercial districts allow for large scale retail and service establishments along major corridors leading in and out of the City on larger lots.*
 - *The PC finds that the site plan proposal complies with Section 5.31 (pg. 30) of the Zoning Ordinance, which states that restaurants with drive-throughs, all types of retail (except for building material storage yards) and professional/medical offices are uses by right in the GC district.*
 - *The PC finds that the site plan proposal complies with Section 5.32 (pg. 34) of the Zoning Ordinance which requires that the minimum lot width and area for a parcel in the GC zoning district must be 100 feet and 20,000 square feet, respectively. The measurements of the lot are 194 feet wide and approximately 56,409 square feet.*
 - *The PC finds that the site plan proposal complies with Section 5.32 (pg. 34) of the Zoning Ordinance which establishes the required building setbacks (15 feet in the front, 25 feet in the rear, 10 feet on sides) and maximum building height (26 feet) for buildings in a GC zoning district.*
 - *The PC finds that the water supply and sewage disposal facilities requirements of Section 5.77 (pg. 86) can be met as proposed. A grease trap would be required by the DPW superintendent for the restaurant portion of the building. See Conditions of Approval.*
 - *The PC finds that the building complies with Section 5.80 Building Appearance for acceptable building materials, roof pitch, and other applicable standards.*
 - *The PC finds that the proposal meets the requirements of Section 5.48(2) (pg. 61) of the Zoning Ordinance. More than the required 7 stacking spaces are supplied for the drive-through restaurant, and more than the 2 required spaces are located near the drive through to allow for customer waiting. The access to the site is more than 100 feet from any intersection and maneuvering areas are, and will be, screened from adjacent residential district by existing features or proposed buildings. The volume of sounds leaving the site is not expected to exceed the 55 decibel limit toward any adjacent residential use and space for menu boards has been supplied behind the front building line.*

- *The PC finds that the proposal meets Section 5.61(5) (pg. 79) of the Zoning Ordinance in that the proposed variety of uses are compatible and meet the 4 criteria outlined in said section. The building proposed in Phase 2 will be reviewed by the Zoning Administrator for compliance with these findings and the requirements of the Zoning Ordinance. See Conditions of Approval.*
 - *The PC finds that no landscape buffered areas are required, stated in Section 5.81(3) (pg. 90) of the Zoning Ordinance, as no adjacent uses establish the need for buffering.*
 - *The PC finds that the proposal meets Section 5.81(6) (pg. 92) of the Zoning Ordinance, which requires 3 canopy trees and 1 evergreen or 2 ornamental trees shall be provided for every 100 feet of ROW lot frontage. There is 190 feet of frontage and the landscaping plan supplies a total of 6 canopy trees and 4 ornamental trees in the front yards when existing trees in the ROW are considered.*
 - *The PC finds that no screening for the parking lot is required along any property lines as stated in Section 5.81(8)(a) (pg. 93). The parking areas located directly along the property line setbacks are not immediately adjacent to residential uses.*
 - *The PC finds that the proposal meets the requirements of Section 5.81(8)(b) (pg. 93) by providing 3 additional canopy trees (1 for every 12 parking spaces required, 32 parking spaces proposed) on the island in the middle of the parking lot and the peninsula along the north property line. Islands and peninsulas are at least 9 feet wide in vegetated areas, except where thinner to accommodate an encroaching parking area with the Maple Leaf Motel to the north.*
 - *The PC finds that the proposal meets Section 5.81(9) (pg. 94) of the Zoning Ordinance and will have appropriate screening around the dumpster that meets code requirements.*
 - *The PC finds that the proposal meets the requirements of Section 5.92 (pg. 101) by providing 32 (2 barrier free) parking spaces. The minimum required amount is calculated to be 28 spaces, with the 4 extra being allowed in order to accommodate the potential for different uses in the retail/office spaces on site.*
 - *The PC finds that the proposal meets Section 5.94 (pg. 107) of the Zoning Ordinance. Side and rear setbacks are met and no parking or loading spaces are provided in the front setback. The current curb cut from US-31 will be maintained and an island between the proposed lot and Maple Leaf Motel will be provided to provide safer ingress and egress for both sites. The parking lot will be completely paved and surrounded by a 6 inch curb as required. Parking space dimensions meet the requirements of Table 5.94(6) and adequate stacking spaces are provided for the drive-through restaurant, as is an escape lane to accommodate those not using the drive-through.*
 - *The PC finds that the proposal meets Section 5.95 (pg. 109) of the Zoning Ordinance by supplying 1 loading space that is not located in the front setback.*
- (2) The site must be designed in a manner that is harmonious, to the greatest extent possible, with the character of the surrounding area.
- *The PC finds that the proposed development is harmonious with the character of the surrounding area and landscaping and paving features will be implemented to minimize impact to adjacent land uses. The development is located in an area that is already largely occupied by businesses on large lots, so the design is generally harmonious and not out of place.*

- (3) The site must be designed to minimize hazards to adjacent property and to reduce the negative effects of traffic, noise, smoke, fumes and glare to the greatest extent possible.
- *The PC finds adequate measures have been taken to limit hazards to adjacent properties.*
- (4) Unless a more specific design standard is required by the city through a different ordinance or regulation, all uses and structures subject to site plan review shall comply with the following design standards:
- (a) TRAFFIC CIRCULATION.
- The number, location and size of access and entry points, and internal vehicular and pedestrian circulation routes shall be designed to promote safe and efficient access to and from the site, as well as circulation within the site. In reviewing traffic features, the number, spacing and alignment of existing and proposed access points shall be considered relative to their impact on movement on abutting streets and adjacent properties.
- *The PC finds there would be sufficient vehicular access from Bridge Street. The access points already exist and will not affect automobile or pedestrian traffic in the area in a negative way. Internal circulation is designed to accommodate on-site traffic for the proposed uses.*
- (b) STORM WATER.
- Storm water retention and drainage systems shall be designed so the removal of surface water will not adversely affect neighboring properties or public storm water drainage systems. Unless impractical, storm water shall be removed from all roofs, canopies and paved areas by an underground surface drainage system. Low impact design solutions such as rain gardens and green roofs are encouraged.
- *The PC finds that Performance Engineers has completed the grading and drainage plan and recommended adequate features to keep runoff on the site by storing it beneath the parking lot in the rear of the site, based on review by the DPW Superintendent.*
- (c) LANDSCAPING.
- The landscape shall be preserved in its natural state, insofar as practical, by minimizing unnecessary tree and soil removal. Any grade changes shall be in keeping with the general appearance of neighboring developed areas. Provision or preservation of landscaping, buffers or greenbelts may be required to ensure the proposed uses will be adequately buffered from one another and from surrounding property.
- *The PC finds that the development will meet this requirement based on the findings in Section 5.120(1) above.*
- (d) SCREENING.
- Where non-residential uses abut residential uses, appropriate screening shall be provided in accordance with Section 5.81(9) (pg. 94) to shield residential properties from noise, headlights and glare.
- *The PC finds that screening requirements are met by the proposed development based on the findings in Section 5.120(1) above.*

(e) LIGHTING.

Lighting shall be designed to minimize glare on adjacent properties and public streets. As a condition of site plan approval, reduction of lighting during non-business hours may be required.

- *The PC finds that the applicant has stated in the application that parking lot and building lighting will meet the requirements of the Ordinance. The Planning Commission finds that any lighting proposed in the future on the building or parking lot shall utilize down lighting techniques and motion sensing lights are encouraged. See Conditions of Approval.*

(f) UTILITY SERVICE.

All utility service shall be underground, unless impractical due to engineering difficulties.

- *The PC finds that the proposed building will utilize city utilities (water, sewer and electric), and that any new utilities required for this development shall be underground. The DPW Superintendent has reviewed the proposal and, based on the restaurant use, would require a grease trap to be installed at that location. See Conditions of Approval.*

(g) EXTERIOR USES.

Exposed storage areas, machinery, heating and cooling units, service areas, loading areas, utility buildings and structures, and similar accessory areas shall be located to have a minimum negative effect on adjacent properties and shall be screened, if reasonably necessary, to ensure compatibility with surrounding properties.

- *The PC finds that the proposed site plan meets will minimize impacts from service areas, loading areas and utility structures by providing necessary setbacks and screening from adjacent properties.*

(h) EMERGENCY ACCESS.

All building and structures shall be readily accessible to emergency vehicles.

- *The PC finds that the site plan has been reviewed and preliminarily approved by the Fire and Police Chief. He feels the structure has adequate access provided any recommendations or conditions are met by the applicant.*

(i) WATER AND SEWER.

Water and sewer installation shall comply with all city specifications and requirements.

- *The PC finds that if the applicant follows all recommendations and conditions outlined by the Public Works Superintendent or other City Staff or authorized agent, then this standard is met.*

(j) SIGNS.

Permitted signs shall be located to avoid creating distractions, visual clutter and obstructions for traffic entering or exiting a site.

- *The PC finds that the applicant has stated in the application that any proposed signage will meet the requirements of the Ordinance. See Conditions of Approval.*

III. CONDITIONS OF APPROVAL:

The following section is taken directly from the Section 5.121 (pg. 131) of the Zoning Ordinance. The PC may impose conditions of approval on the site plan based on the following criteria.

5.121. Conditions of Site Plan Approval.

Conditions which are designed to ensure compliance with the intent of this ordinance and other regulations of the City of Charlevoix may be imposed on site plan approval.

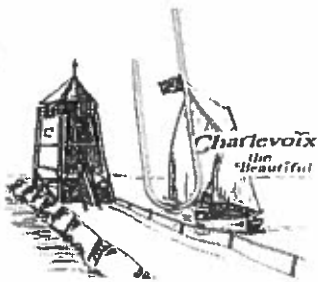
Conditions imposed shall be based on the following criteria:

- (1) Ensure that public services and facilities affected by the proposed land use and site plan will not be adversely affected.
Condition 1: The applicant shall install a grease trap before connecting to City utilities.
- (2) Ensure that the Use is compatible with adjacent land uses and activities.
- (3) Protect natural resources, the health, safety, welfare and social and economic well-being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
- (4) Ensure compatibility between the proposed use or activity and the rights of the city to perform its governmental functions.
- (5) Meet the intent and purpose of the zoning ordinance, be related to the regulations and standards established in the ordinance for the land use or activity under consideration and be necessary to ensure compliance with those standards.
Condition 2: The work proposed in Phase 2, when the applicant is ready to move forward, will be reviewed by the Zoning Administrator under Level "A" Site Plan Review to ensure its consistency with the findings in 2016-03 SP and the requirements of the Zoning Ordinance at the time of approval. If upon review the Zoning Administrator determines substantial changes have been made to 2016-03 SP, they shall have the right to notify neighbors of those changes and/or bring the project to the Planning Commission for Level "B" Site Plan Review.
Condition 3: Any future parking lot or exterior building lights shall be down lit and meet the requirements of the ordinance and subject to review by the Zoning Administrator.
Condition 4: Any proposed signage will meet the requirements of the Zoning Ordinance and be subject to review by the Zoning Administrator.
- (6) Ensure compliance with the intent of other city ordinances that are applicable to the site plan.
- (7) Ensure compatibility with other uses of land in the vicinity.

IV. PC RECOMMENDATION TO CITY COUNCIL:

Motion to approve Project 2016-03 SP with conditions, based on specific findings of fact contained herein.

Motion passed 7-0.



CITY OF CHARLEVOIX
210 STATE ST. CHARLEVOIX, MICH. 49720

LEVEL B SITE PLAN APPLICATION

Doug Labelle
Applicant

1418 BRIDGE STREET
Address of subject property

405 S. Mission, Mt. Pleasant, MI 48858
Address (City/State/Zip)

Property Owner Name (If different than applicant)

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

Property Owner Phone
(231) 330-9017

Email
doug@thelabelles.us

Agent Phone
() - - - - -

Email

Zoning of subject property: GC

Tax ID: 15-052-335-019-00

Current use of property: GC

Proposed use: Restaurant/OFFICE/RETAIL

Dimensions of parcel: 378' x 170' ±

Parcel size: 56,409 (Square feet)

Please describe the type of construction proposed:

SEE PROPOSED DRAWINGS

Dimensions of proposed construction excluding eaves: 70' x 80' & 50' x 120'

Total square footage of proposed construction: 11,600

Height of proposed construction to the top of the roof: ~~15'-0"~~ 20'-0"

Height of proposed construction to the midpoint of the roof for gabled roof: 20'-0"

Roof Type: Gable, Hip, Gambrel, Mansard, Flat. Other: GABLE

AFFIDAVIT

I the undersigned, do hereby make application to the City of Charlevoix for approval of the attached Site Plan which has been drawn in accordance with the City of Charlevoix Zoning Ordinance. I certify that the property owner has authorized the proposed work, and that I have been empowered by the owner to make this application as his/her selected agent. I agree the statements made in the above application and associated documents are true, and if found not to be true, the approval of the site plan may be void. I also agree to comply with the conditions and regulations required by the approved development plan. Further, I agree that if the site plan is approved, it is approved with the understanding that the individual(s) or organization(s) applying for that site plan (or those individual(s) or organization(s) represented by the applicant) will comply with all applicable sections of the City of Charlevoix Zoning Ordinance. For purposes of site inspection, I also agree to notify the City of Charlevoix Zoning Administrator when locations of lot lines and proposed structures are located and staked on the ground. I also agree to give permission for officials of the City of Charlevoix, the County, and the State of Michigan to enter the property subject to this permit application for purposes of inspection. I understand that the City may impose conditions of approval and that the conditions must be met by the specific times as defined in the Decision and Order. Finally, I understand that this is a site plan application, and if approved, cannot be implemented until applicant has applied for and the City has issued a zoning permit.

Property Owner Signature or Agent: _____

Date: 4-26-16

THIS SECTION FOR OFFICE USE ONLY

Zoning District: GC

Project #: 2016 - 03 SP

Receipt Number: 1512522

Approved: ☐

Denied: ☐

Lot Coverage Calculations: Existing: _____

Proposed: _____

Total: _____

Lot Size: _____

Percentage: _____

Staff findings or notes: _____

Zoning Administrator Signature: _____ Date: _____

Dear Board Members;

I have purchased the former Juilleret's Restaurant property and would like to construct a new 5600 square foot multi-purpose building on the front of the property; with construction of a separate, multi-purpose building to the rear of the property in the future (a few years).

I currently have a restaurant tenant for the 'Drive-thru' side of the front building, leaving the other side 'available' to rent (thus taking a slight risk). It will be a wonderful "new" commercial addition to Bridge Street as visitors enter the beautiful City of Charlevoix from the south.

The building in the back is currently being planned as an office/retail. I feel that this type of use will meld well with the restaurant/retail in front of the property. Having a restaurant on site will be a great amenity to the office and retail uses.

In addition to increasing the taxable value of the property, I believe I have met all the requirements for a commercial building. I would like to highly encourage you to approve this project.

Thank you.

Sincerely,
Doug LaBelle
Charlevoix County resident for 15 years

[illegible]

VICINITY MAP



PROPERTY DESCRIPTION

[illegible]

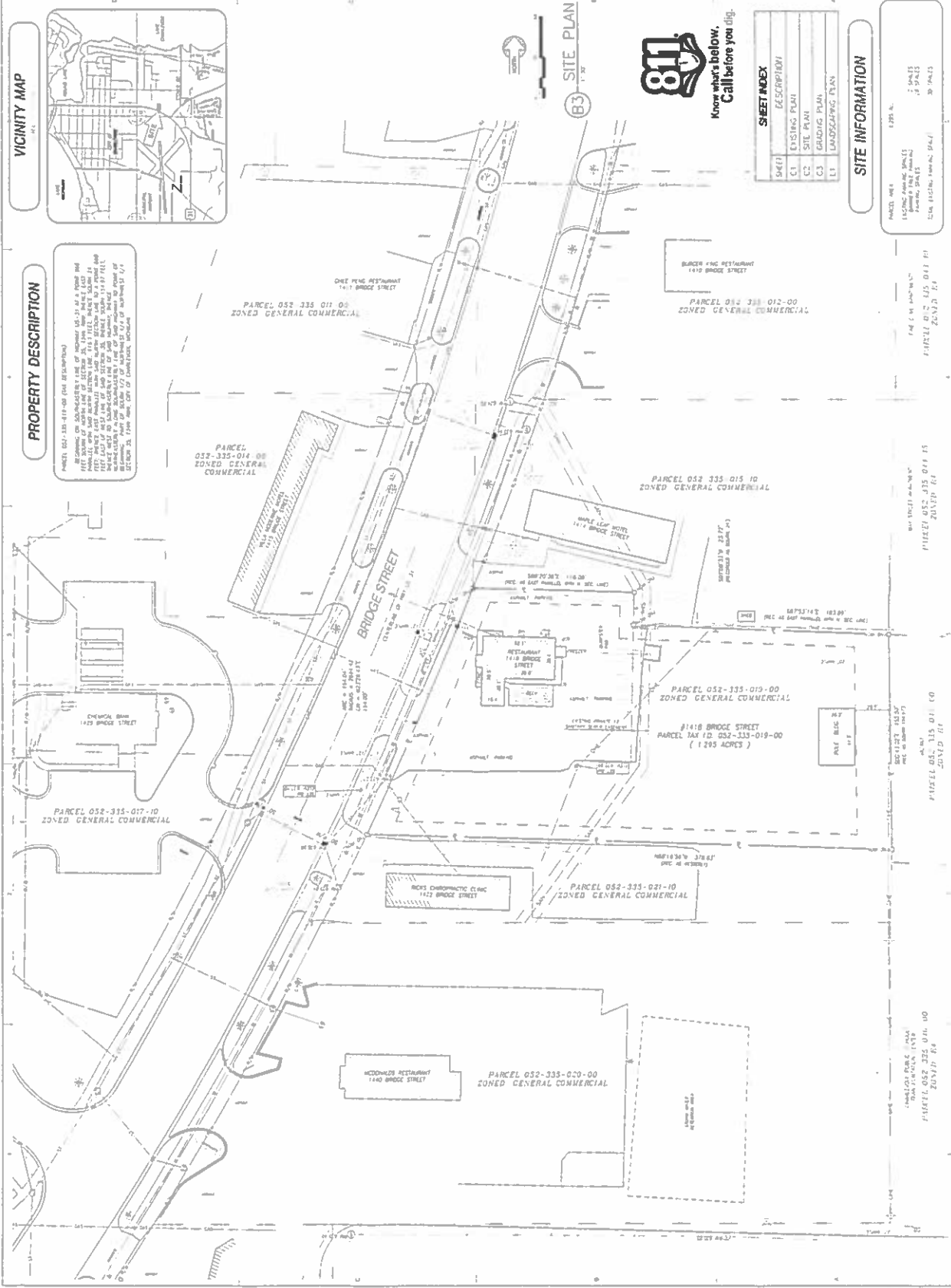
B3 SITE PLAN
1"=30'



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SHEET INDEX	
SHEET	DESCRIPTION
C1	EXISTING PLAN
C2	SITE PLAN
C3	GRADING PLAN
L1	LANDSCAPING PLAN

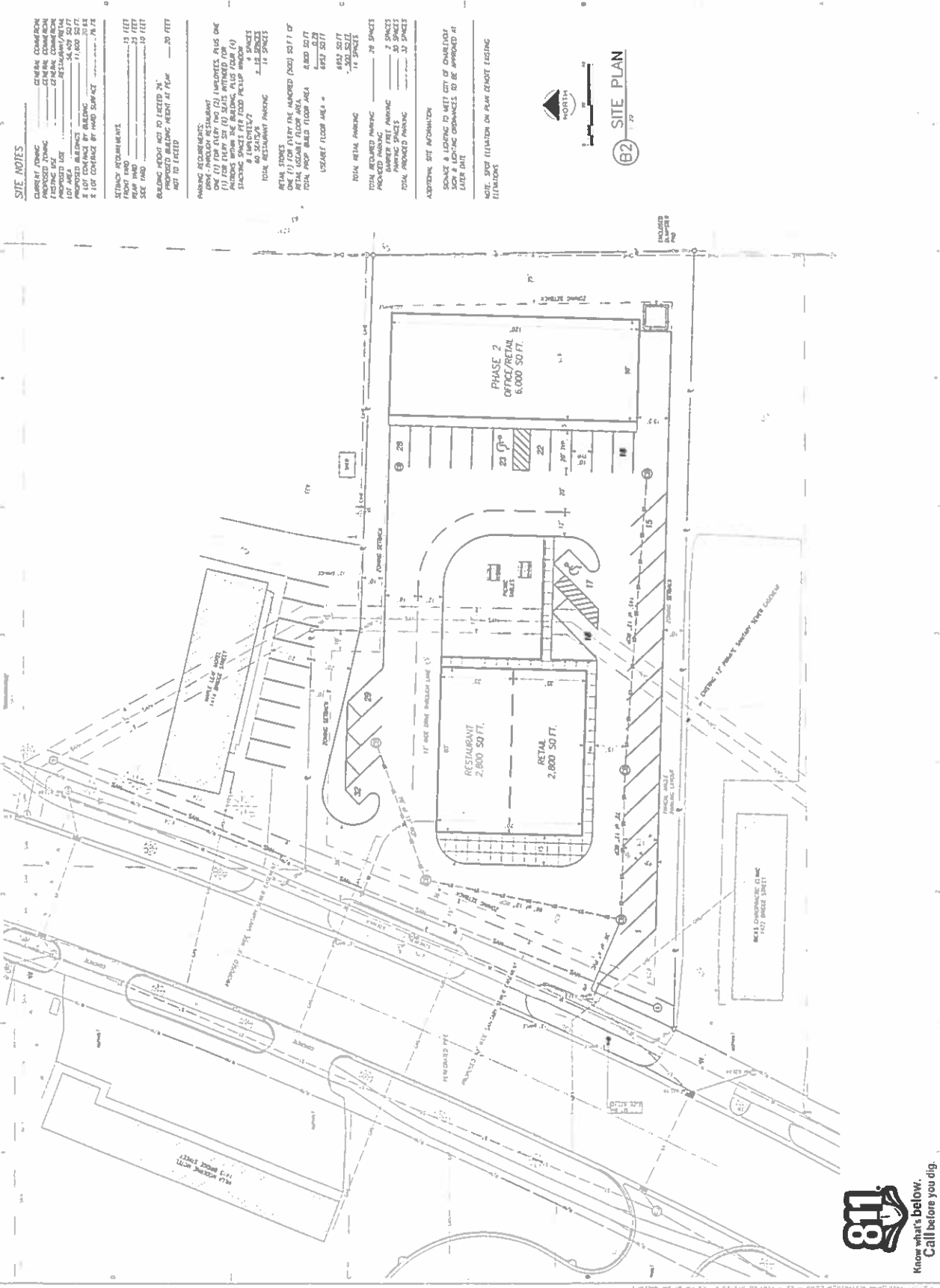
SITE INFORMATION

[illegible]

Performance Engineers, Inc.
Civil / Structural Engineering
1000 Highway 48/20
Farmington, Michigan 48334
Phone (248) 841-1717
Fax (248) 841-0044
www.performance-engineers.com

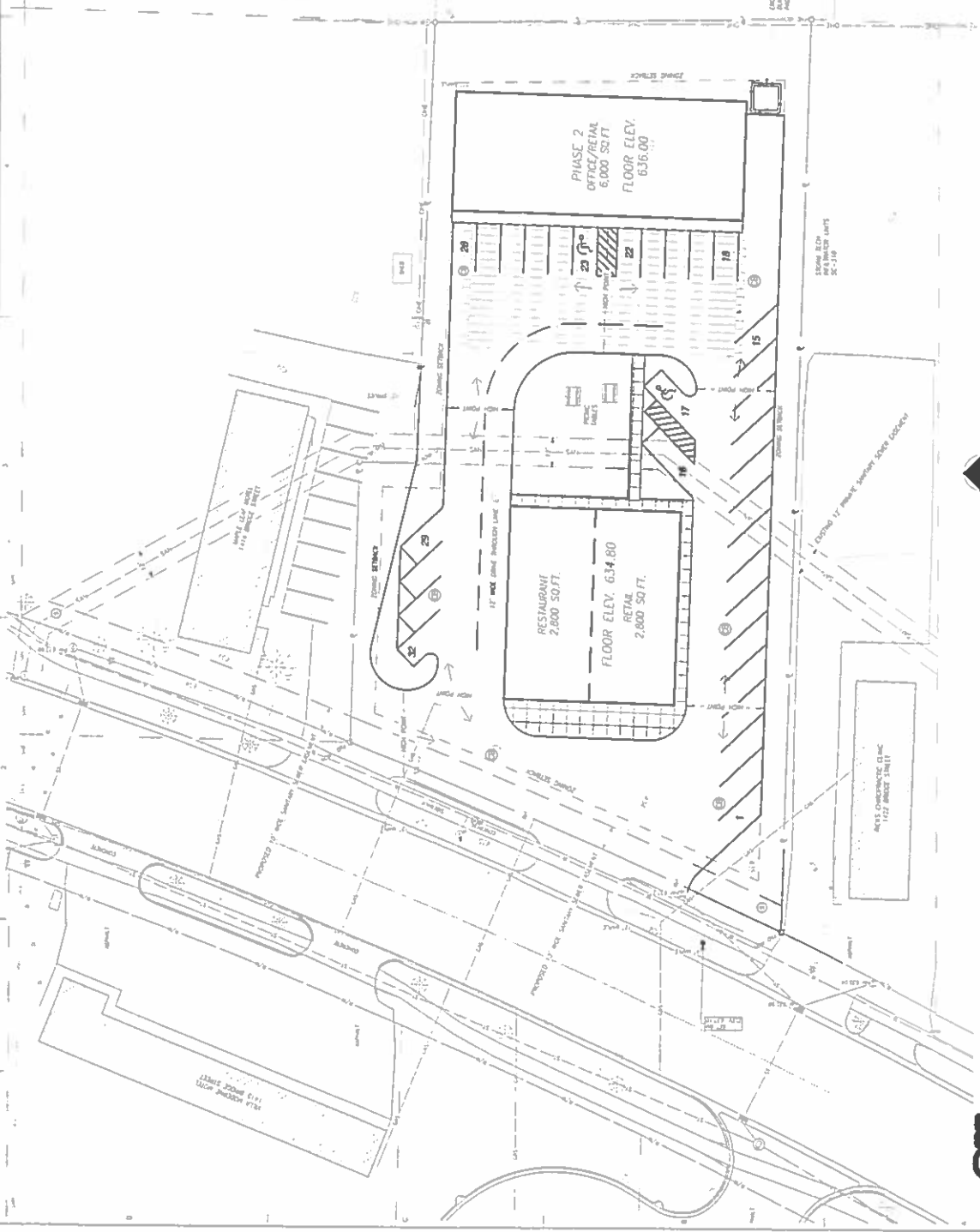
Ferguson & Chamberlain Associates, Inc.
Professional Surveyors
11111 E. 14th Avenue
Farmington, Michigan 48334
Phone (248) 841-0044
Fax (248) 841-1717

PROPOSED RESTAURANT AND RETAIL DEVELOPMENT
1418 BRIDGE STREET
CHARLEVOIX, MICHIGAN
SHEET NO. 1
DATE DESIGNED: 8/25/14
DESIGNED BY: J. WILSON
CHECKED BY: J. WILSON
SCALE: 1" = 40' (PLAN)
PROJECT NO.: 14-003
JOB NO.: 1418 BRIDGE STREET
SUBMITTED BY: J. WILSON
SUBMITTED DATE: 8/25/14



DRAINAGE CALCULATION

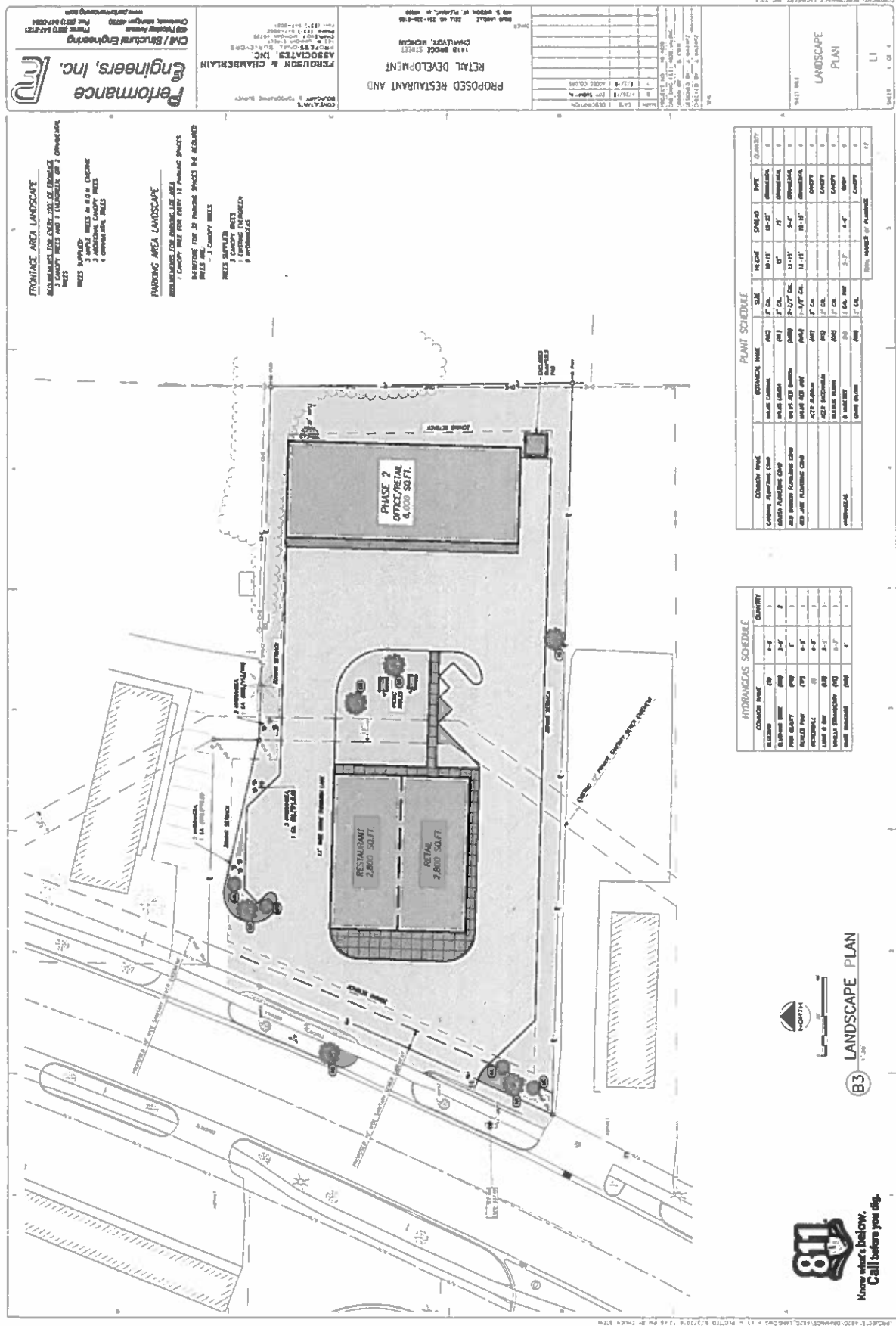
PROPOSED HARD SURFACE 41,314 SQ. FT.
 EXISTING HARD SURFACE 22,915 SQ. FT.
 ADDITIONAL HARD SURFACE 18,399 SQ. FT.
 TOTAL HARD SURFACE 82,612 SQ. FT.
 AT 2.5" PER 100' SURFACE
 REQUIRED DRAINAGE CAPACITY 4,774 CU. FT.
 RETENTION BASIN CAPACITY 4,875 CU. FT.



811
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B3 GRADING PLAN

Performance Engineers, Inc. Civil / Structural Engineering 400 Parkway Avenue Farmington, Michigan 48330 Phone: (248) 441-2151 Fax: (248) 441-0244 www.performanceinc.com	FERGUSON & CHAMBERLAIN ASSOCIATES, INC. CONSULTANTS & TOPOGRAPHIC SURVEY 1100 S. W. 11th St. Suite 100 Fort Lauderdale, FL 33315 Phone: (754) 581-8888 Fax: (754) 581-8889	PROPOSED RESTAURANT AND RETAIL DEVELOPMENT 1418 BRUCE STREET CHARLEVOIX, MICHIGAN 49826 400 S. WISCONSIN ST. PLANNING, INC. 49826	SHEET NO. 10-000 PROJECT NO. 10-000 DRAWN BY: J. MURPHY CHECKED BY: J. MURPHY DESIGNED BY: J. MURPHY DATE: 1/25/18 CDD: 10-000	SHEET NO. 10-000 PROJECT NO. 10-000 DRAWN BY: J. MURPHY CHECKED BY: J. MURPHY DESIGNED BY: J. MURPHY DATE: 1/25/18 CDD: 10-000	SHEET NO. 10-000 PROJECT NO. 10-000 DRAWN BY: J. MURPHY CHECKED BY: J. MURPHY DESIGNED BY: J. MURPHY DATE: 1/25/18 CDD: 10-000
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HYDRANGEAS SCHEDULE			
COMMON NAME	SIZE	QUANTITY	
STARLINE	1/2"	1	
DELICATE PEAR	3/4"	2	
PEAR GLORY	1"	1	
DELICATE PEAR	1 1/2"	1	
DELICATE	1 1/2"	1	
LEAF & BUD	2"	1	
PEAR GLORY	2 1/2"	1	
DELICATE	3"	1	

PLANT SCHEDULE						
COMMON NAME	SIZE	QTY	PRICE	DATE	TYPE	REMARKS
BRAND ORANGE	12" GAL	1	10.00	10-10	BRAND	1
BRAND ORANGE	12" GAL	1	10.00	10-10	BRAND	1
BRAND ORANGE	12" GAL	1	10.00	10-10	BRAND	1
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BRAND ORANGE						

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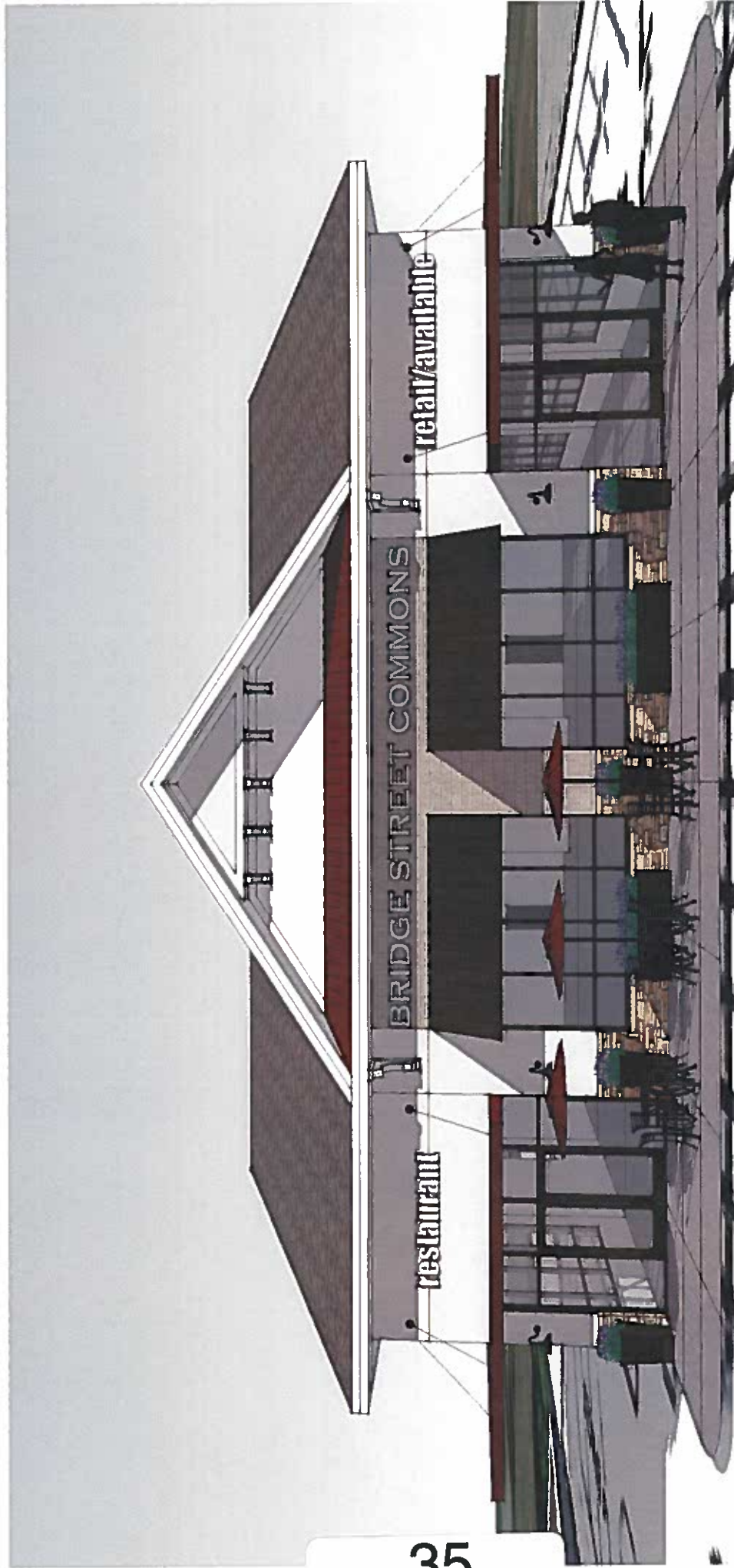
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B3
1/8\"/>

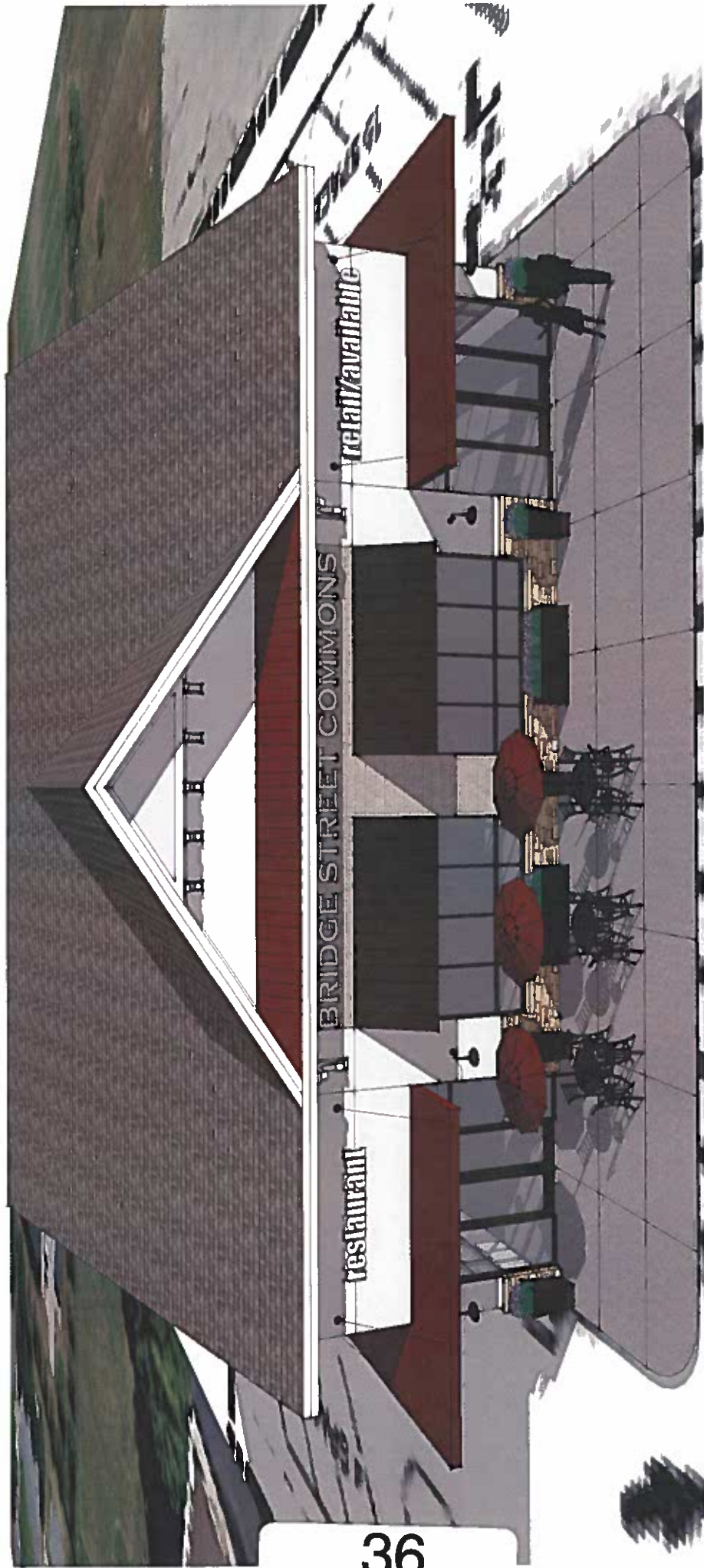
PROPOSED RESTAURANT AND RETAIL DEVELOPMENT
1418 BRICK STREET
CHAMBERS, MISSISSIPPI

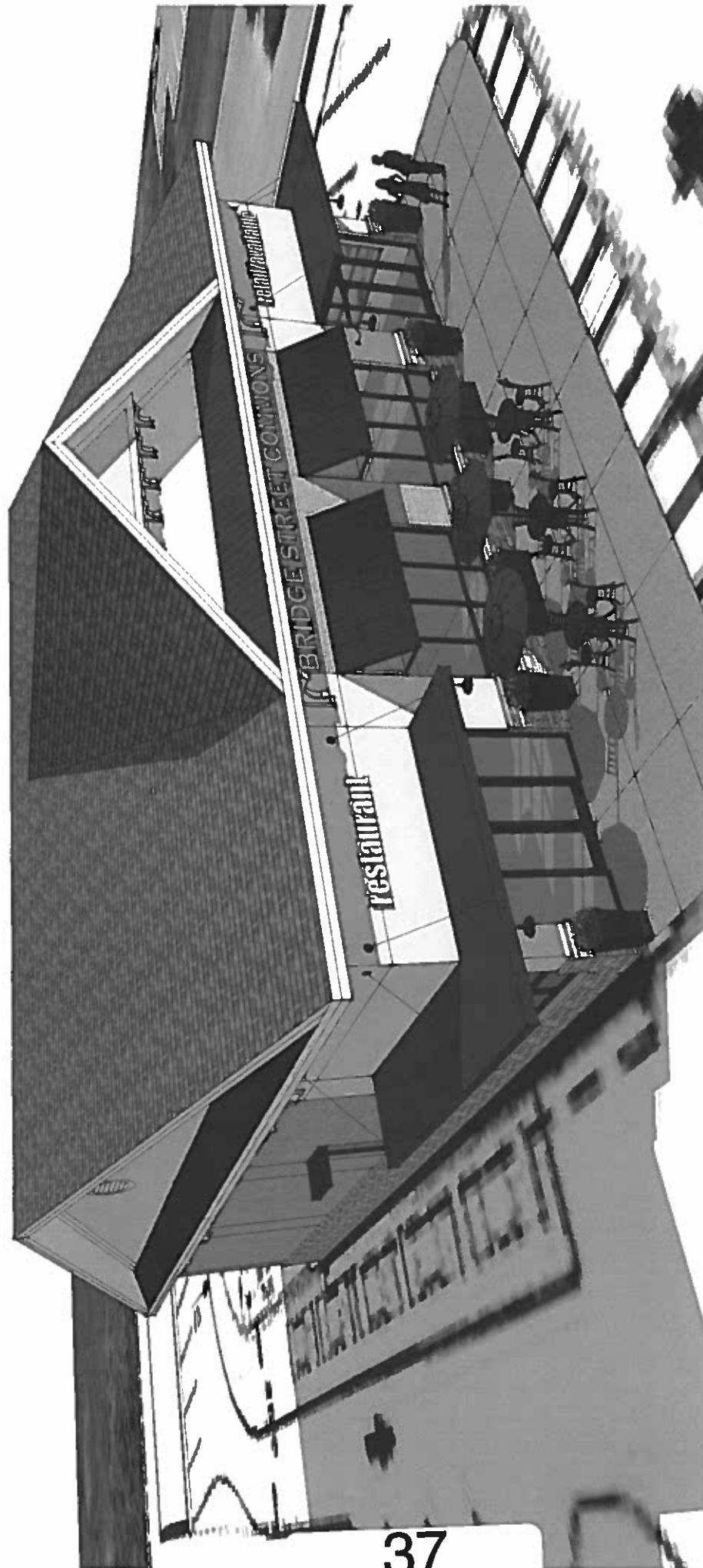
PERKINS & CHAMBERLAIN ASSOCIATES, INC.
1418 BRICK STREET
CHAMBERS, MISSISSIPPI

CHAMBERS ENGINEERS, INC.
1418 BRICK STREET
CHAMBERS, MISSISSIPPI

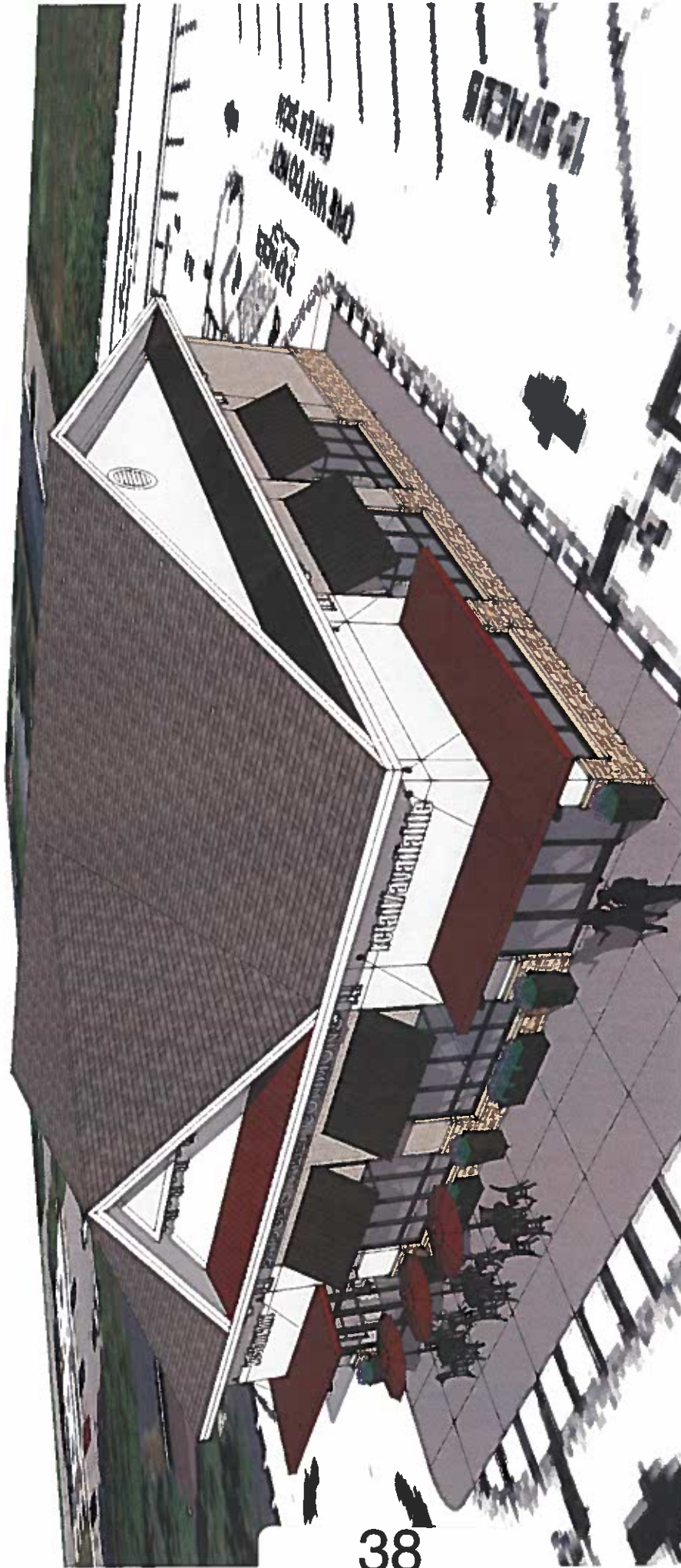
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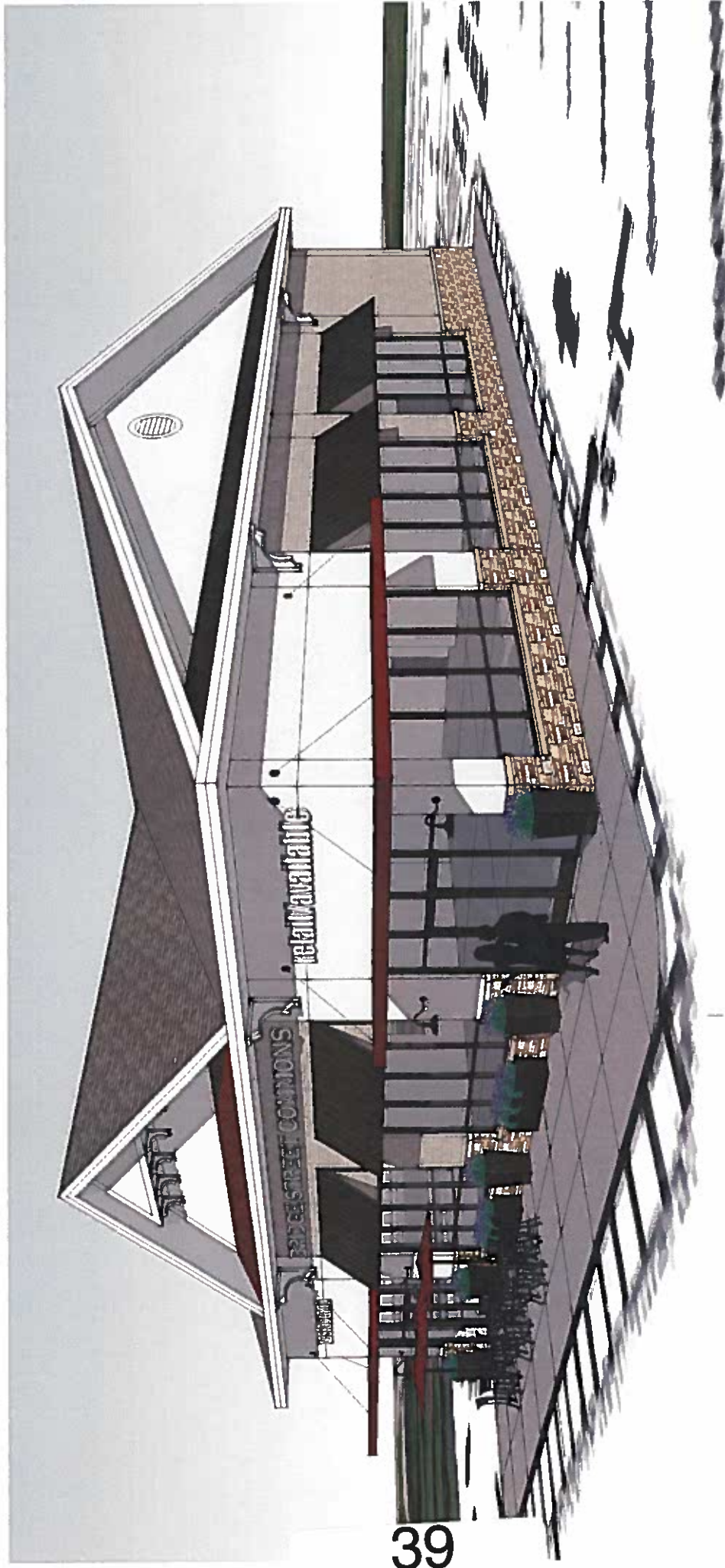


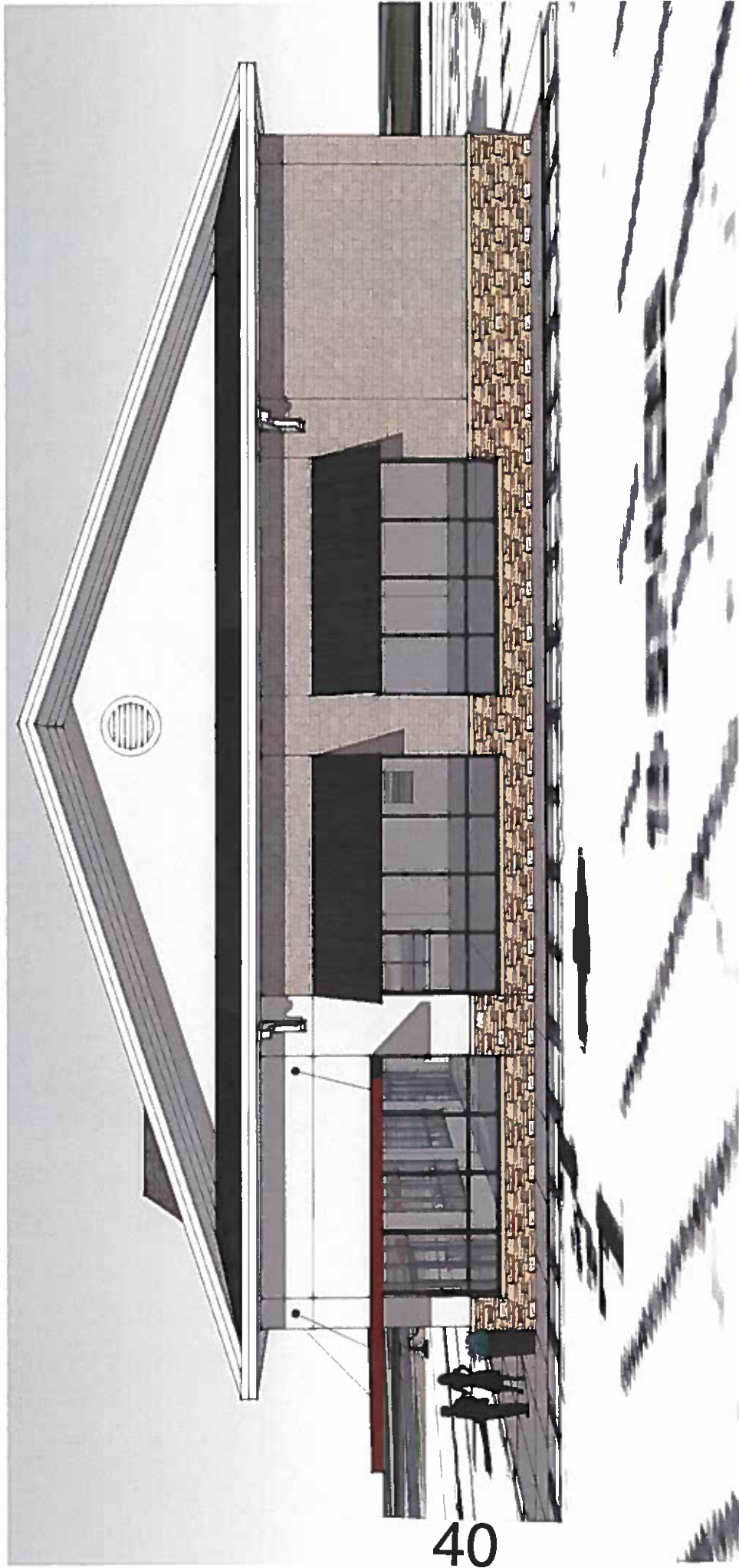


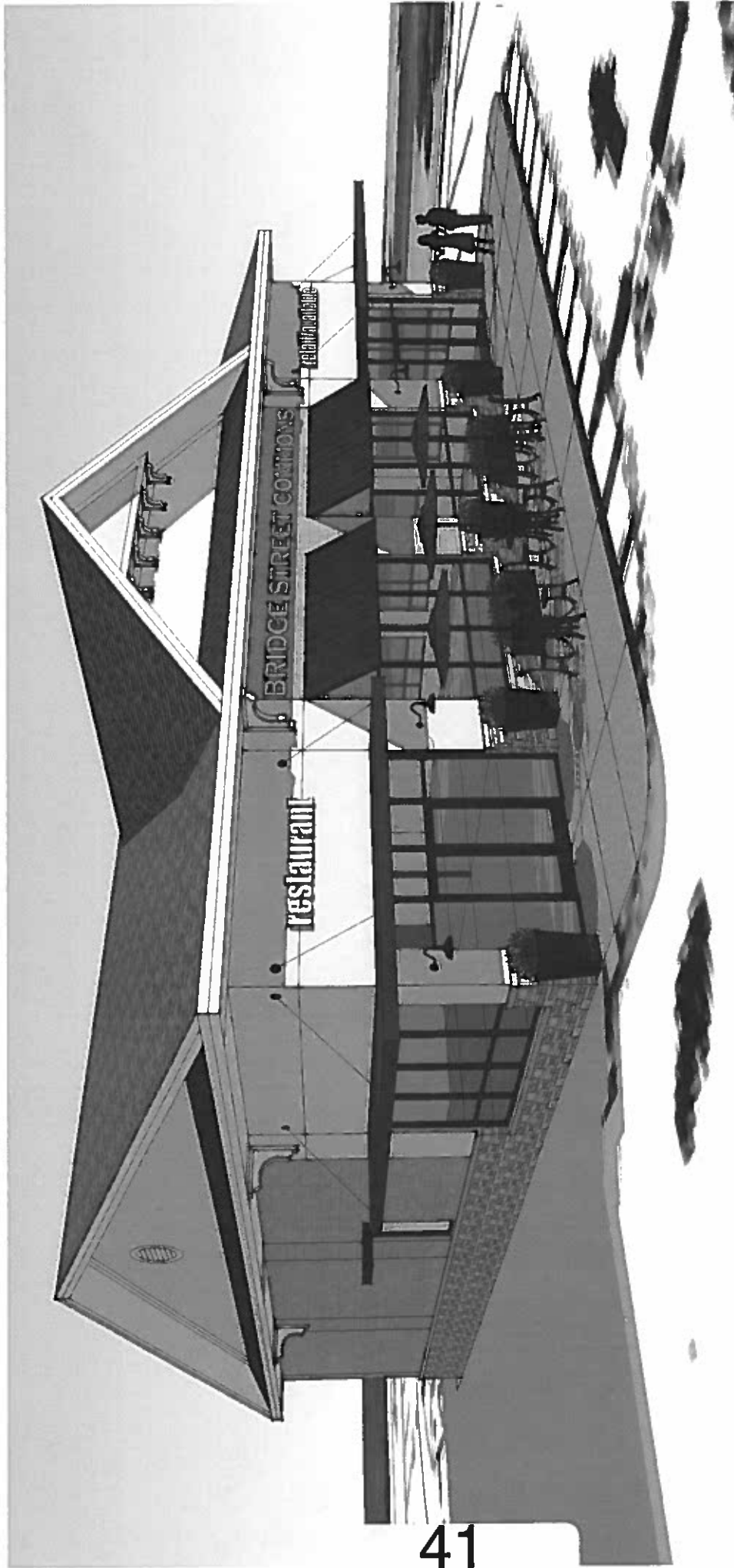


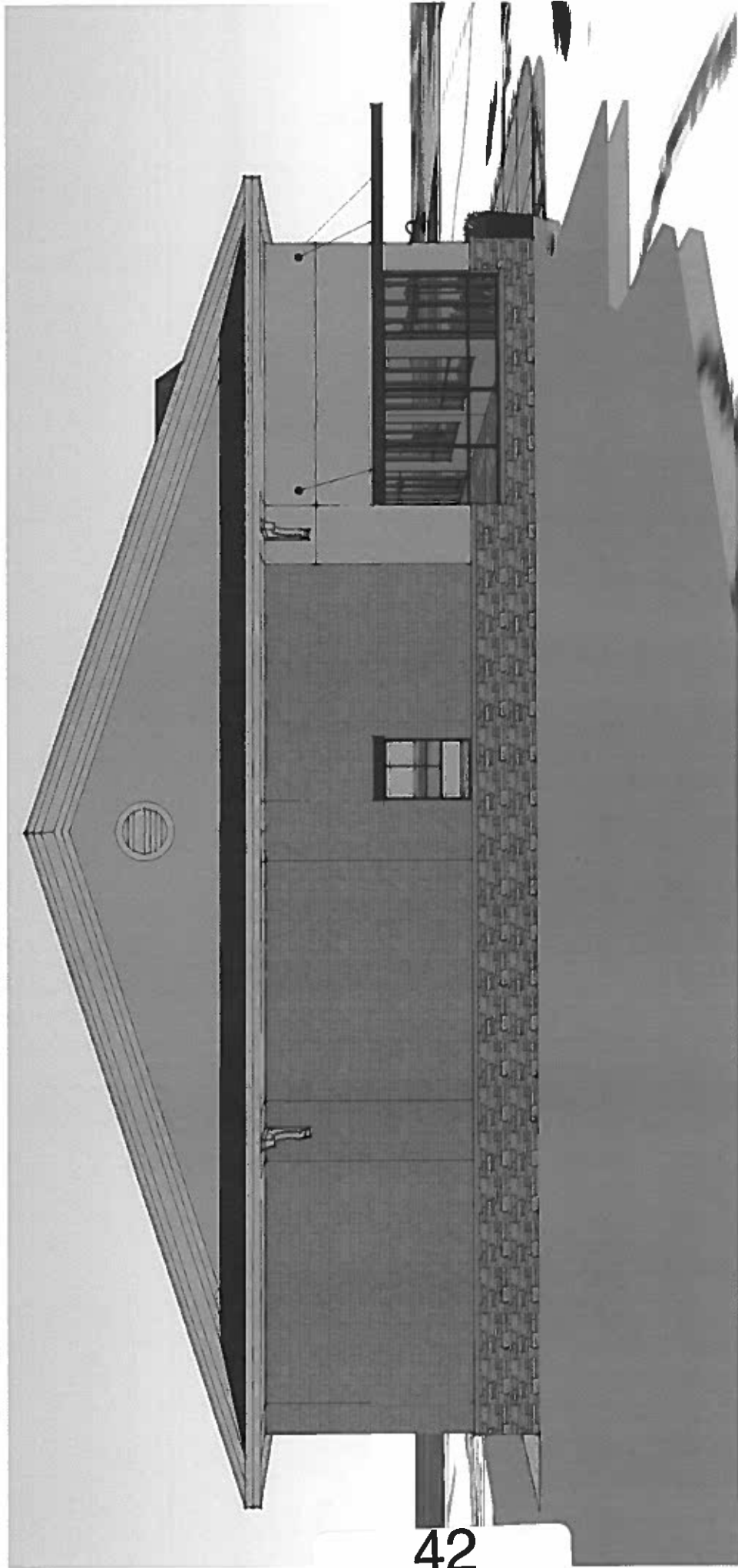
EDGEWATER
DESIGN GROUP
ARCHITECTURE • ENGINEERING



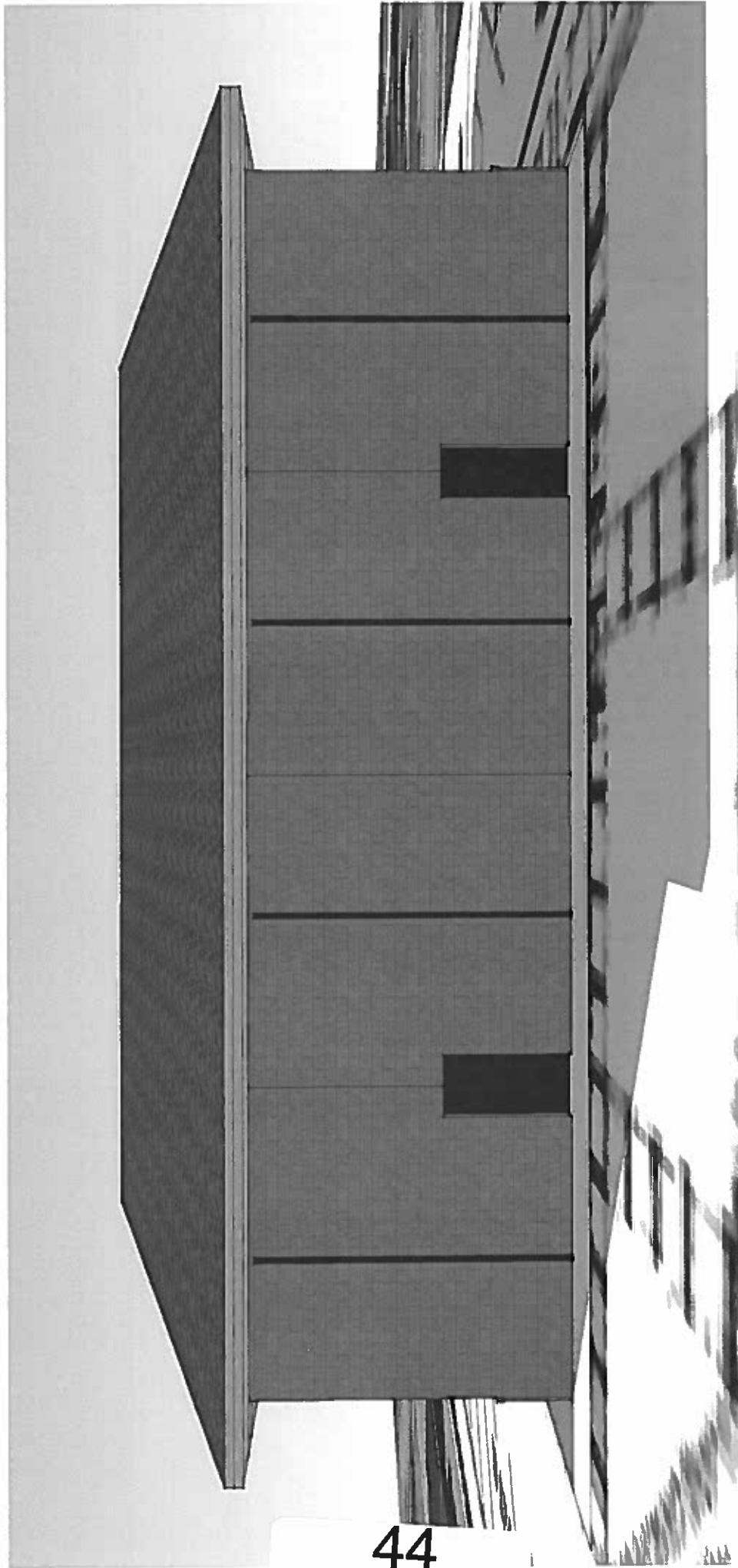














City of Charlevoix,

Both Cindy and I have reviewed and agreed at this time, on the site plans for the development purposed by Mr. Doug Labelle, for the utilization of the North end driveway.

Brian Farrell

Brian Farrell Date: 5-2-16

Cynthia Farrell

Cynthia Farrell Date: 5-2-16

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Liquor License Application
LC Brewers, LLC

DATE: May 16, 2016

PRESENTED BY: Evan Keller, LC Brewers Director of Operations

ATTACHMENTS: 1. Resolution 2015-02-xx Local Government Approval of Liquor License
2. Manufacturer & Wholesaler License & Permit Application: LC Brewers, LLC

BACKGROUND INFORMATION:

LC Brewers, LLC is seeking support from City Council to obtain a new Micro Brewer and a Small Wine Maker license to be located at 109 Bridge Park Drive. Pursuant to Michigan Liquor Control Commission regulations, Micro Brewer and Small Wine Maker licenses require approval from the City of Charlevoix. At the January 25, 2016 meeting the DDA Board unanimously supported a new lease for LC Brewers, LLC in the Bridge Park building for the space adjacent to Lake Charlevoix Brewing Company.

In 2000, the Charlevoix City Council adopted Chapter 77, Liquor Licenses outlining the application process for a new license, or for the transfer of an existing license. A copy of LC Brewers, LLC application is attached.

Council's evaluation of the liquor license should consider the following factors:

1. Whether the applicant, or if a partnership or corporation any member of the partnership or corporation, has been denied a license in the past seven (7) years and the reasons for the denial.
2. Whether the application is complete and contains all of the information required by this ordinance.
3. Whether the application shows compliance with applicable city ordinances regarding off-street parking, lighting, refuse disposal facilities and landscaping/screening and, additionally, noise control.
4. The impact of the proposed license and associated business on the occupants and owners of adjoining properties.
5. Whether the proposed license and associated business will adversely affect traffic safety.
6. Accessibility to the sight from abutting roads.
7. The distance from public or private schools for minors.
8. Whether the business will cause noise which would so that public or private land will be adversely affected.

Requirements for license – new and/or transfer. Regardless of the City Council's evaluation of the above factors, no license shall be issued under the following conditions:

1. A person whose license, under this Ordinance, has been revoked for cause. **Not applicable.**
2. A person who, at the time of the application or renewal of any license issued hereunder would not be eligible for such license upon a first application. **Not applicable.**

3. A person who does not own the premises for which a license is sought or does not have a lease therefor for the full period for which the license is issued, or to a person, corporation or co-partnership that does not have sufficient financial assets to carry on or maintain the business. **Not applicable.**
4. A person on whose premises there exists a violation of the applicable building, electrical, mechanical, plumbing or fire codes, applicable zoning regulations, applicable public health regulations, or any other applicable city ordinance. **No known violations. The building is owned by the Charlevoix Downtown Development Authority.**
5. A person whose application proposes a use which would be in violation of any city zoning or police power ordinance, or state or federal law. **The use of the proposed area is unchanged.**
6. A person in situations where there are delinquent unpaid real estate taxes and/or personal property taxes relating to the real estate or business which has been used, is used or will be used in conjunction with the license. **City owned property exempt from taxes.**
7. A person where it is determined by a majority of the city council that the premises for which the license has been requested do not or will not within six (6) months after commencement of operations, have adequate off-street parking, lighting, refuse disposal facilities, screening, noise, or nuisance control or where a nuisance does or will exist. **Premises are remaining fundamentally unchanged and the ownership of the brewing equipment is the only modification under consideration for this license.**
8. A person whose licensing activity will expand or intensify a non-conforming use under the city zoning ordinance. **Zoning is unaffected and the brewing operation is not a non-conforming use.**

RECOMMENDATION:

Council must choose whether or not to hold a public hearing. There are two possible motions:

Motion to set a public hearing for Monday, June 6, 2016 at 7:00 p.m. for the purpose of considering a resolution to approve or disapprove a resolution for local government approval of a liquor license.

OR

Motion to approve (or disapprove) Resolution 2016-05-xx, Michigan Liquor Control Commission Local Government Liquor License Approval for LC Brewers, LLC.

Resolution No. 2016-05-xx
MICHIGAN LIQUOR CONTROL COMMISSION
LOCAL GOVERNMENT LIQUOR LICENSE APPROVAL
(Authorized by MCL 436.1501)

At a REGULAR meeting of the City of Charlevoix City Council called to order by Mayor Gabe Campbell, on May 16, 2016 at 7:00 p.m., the following resolution was offered:

Moved by Councilmember xxx and supported by Councilmember xxx that the application from LC Brewers, LLC for the following license(s): Micro Brewer and Small Wine Maker, to be located at 109 Bridge Park Drive, Charlevoix, MI 49720

be considered for approval by the Michigan Liquor Control Commission.

RESOLVED this 16th day May, A.D. 2016.

Yeas:

Nays:

Absent:

CITY OF CHARLEVOIX

Liquor License Application

You **MUST** answer all questions and include all attachments or this application will be returned to you. Bring or mail this application to the City Clerk, City of Charlevoix, 210 State Street, Charlevoix, Michigan 49720.

This form is designed to conform to the Michigan Liquor Control Code of 1998 being Public Act 1998 No. 58 (MCL 436.1101, et seq), and the City of Charlevoix Liquor License Ordinance.

Approval of a new liquor license or the transfer of an existing license is not a determination that the applicant has complied with other ordinances or regulations.

I. APPLICANT INFORMATION (if more than one applicant, please attach separate sheet):

Name of individual or business entity: LC BREWERS LLC

- A. If the business entity is a partnership or a limited liability company provide the name of person or persons entitled to share in the profits of the partnership or limited liability company (attach separate sheets if needed):

NANCY D. BERGMANN EVAN KELLER

- B. If the business entity is a corporation, provide the names and addresses of the officers and directors of the corporation (attach separate sheets if needed):

If a majority interest in the stock of such corporation is held by one person or one person's nominee, please provide the name and address of such person:

NANCY BERGMANN - 90%

EVAN KELLER - 10%

II. CITIZENSHIP

Provide proof of the citizenship of the applicant and all persons listed in Paragraph I, above. Attach copy of current passport OR attach copies of two forms of identification, such as Driver's License, State ID, or Social Security card.

If the applicant or any of the parties listed in Paragraph I above is/are a naturalized citizen of the United States, please provide the date(s) and place(s) of where citizenship was received.

III. ATTACHMENTS

All of the following attachments **MUST** be included. Label each attachment as shown.

- A. Character of the proposed business including a description of services to be provided to patrons and the manner in which intoxicating liquor will be sold.
- B. The length of time the applicant has been in the business of selling intoxicating liquor, either in a retail business or in a tavern or restaurant establishment.
- C. A statement including a map showing a location of the premises or place of business which is to be operated under the liquor license, including:
 - (i) Street address and, if applicable, post office box number;
 - (ii) A legal description of the premises or place of business including the applicant's ownership interest in the premises and business, and the zoning district in which the premises or place of business is located;
 - (iii) A statement as to whether the applicant will offer entertainment at the licensed premise or place of business, and a description of the kind(s) of entertainment to be offered. This statement must address whether any entertainment will include public nudity. If the applicant is a corporation, attach the corporation's Articles of Incorporation, state in which incorporated, and proof of the date such a corporation was approved by the incorporating state.
- D. A copy of the building and site plan showing the entire structure and premises, specifically the areas within the building or structure where the license is to be utilized. Such site plan should demonstrate adequate off-street parking, lighting, refuse disposal facilities and plans, if any, for screening and noise control. A copy of a development plan which has previously been approved by the City is acceptable.
- E. All copies of financial information and documents provided to the Michigan Liquor Control Commission regarding financial responsibility.
- F. Please state whether the applicant has made an application for a similar liquor license on any premises other than the one described in this application and the disposition of that application.

IV. CONVICTION AND DISQUALIFICATION

Applicant certifies that the applicant or the individuals named in Paragraph I of this application with applicant being a duly authorized disclosed agent of any corporation or partnership listed in this application certifies applicant and all listed individuals listed on this application have never been convicted of a felony and that applicant and other individuals listed in this application are not disqualified and have never been disqualified to receive a license by reason of any matter or thing contained in this ordinance or in the laws of the State of Michigan.

V. STATEMENT OF GOOD FAITH

Applicant certifies that applicant or the individuals named in Paragraph I of this application with applicant being a duly authorized disclosed agent of the corporation and/or partnership listed in this application states that applicant and all named individuals listed in Paragraph I will not violate any of the laws of the State of Michigan or the United States or any ordinances of the City of Charlevoix in the conduct of the business.

VI. AFFIDAVIT AND PERMISSION FOR CITY, COUNTY AND STATE OFFICIALS TO ENTER THE PROPERTY FOR INSPECTIONS:

I agree the statements made above are true, and if found not to be true, this application and any approval will be void. Further, I agree to comply with the conditions and regulations in the Michigan Liquor Control Code of 1998 and the Charlevoix City Code. Further, I agree to give permission for officials of the City of Charlevoix, Charlevoix County, and the State of Michigan to enter the property and any structures thereon where the licensed premises is located for purposes of inspection during normal business hours. Further, I understand that this is only a liquor license application and that such license conveys certain rights under the Charlevoix City Code and the Michigan Liquor Control Code, being Public Act 1998 No. 58, MCL 436.1101 et seq, and does not include any representation or conveyance of rights in any other statute, zoning under the City of Charlevoix's Code, or other property rights.

Finally, even if this liquor license is approved, I understand the City of Charlevoix Code and state statutes change from time to time. Therefore, I hereby acknowledge that any approval of this liquor license is subject to any change in the Charlevoix City Code or state statute as authorized by law.

Applicant's Signature: Alamy D. Bergman Date: 5/10/16

For office use only

Reviewer's action Total fee \$ 100.00 Check # _____ Date received: _____

This matter was: Approved / Denied by action of the City Council on _____

Signature: _____

Title: _____



Proposed Operating & Layout Design Plan for

LC Brewers LLC

109 Bridge Park Dr.

Charlevoix, MI

Attachment – Questions Responses

A: Charter:

- **A Craft Beer Brewery Operation** – That will become the **Production Brewery** for the Lake Charlevoix Brewing Co. Brands & Potential Contract Brewing for other Hospitality Operations. This will become a separate company – spun off from the Round Lake Group LLC.

54

B: Length of Time Applicants have been the business of selling Liquor.

- **Evan Keller** has been a member of the Round Lake Group LLC since 2014, and the Brewer of the Lake Charlevoix Brewing Co & Brewpub since 2015. He has 3 years of experience in the Winery Industry, and Northern Naturals Cideries Tasting Room
- **Nancy Delosky Bergmann** – A Hospitality Graduate from University of Georgia – she worked at the Athens, GA – Holiday Inn in the Restaurant, Bar Operations and Catering – Sales.

Attachment – CVX Application Question Response

- C. – Map of 109 Bridge Park Dr. – Space Attached. 1
- C-(i) – 109 Bridge Park Dr. Charlevoix, MI 49720
- C-(ii) – 109 Bridge Park Dr. is in the SW Corner of the Bridge Park Building – Operated by the Charlevoix DDA & Owned by the City of Charlevoix.
- C-(iii) – There will be NO Entertainment offered at this business operation. This is a production brewery and it will host tours of the brewing operation.
- D. Building Site Plan Attached. – 1.

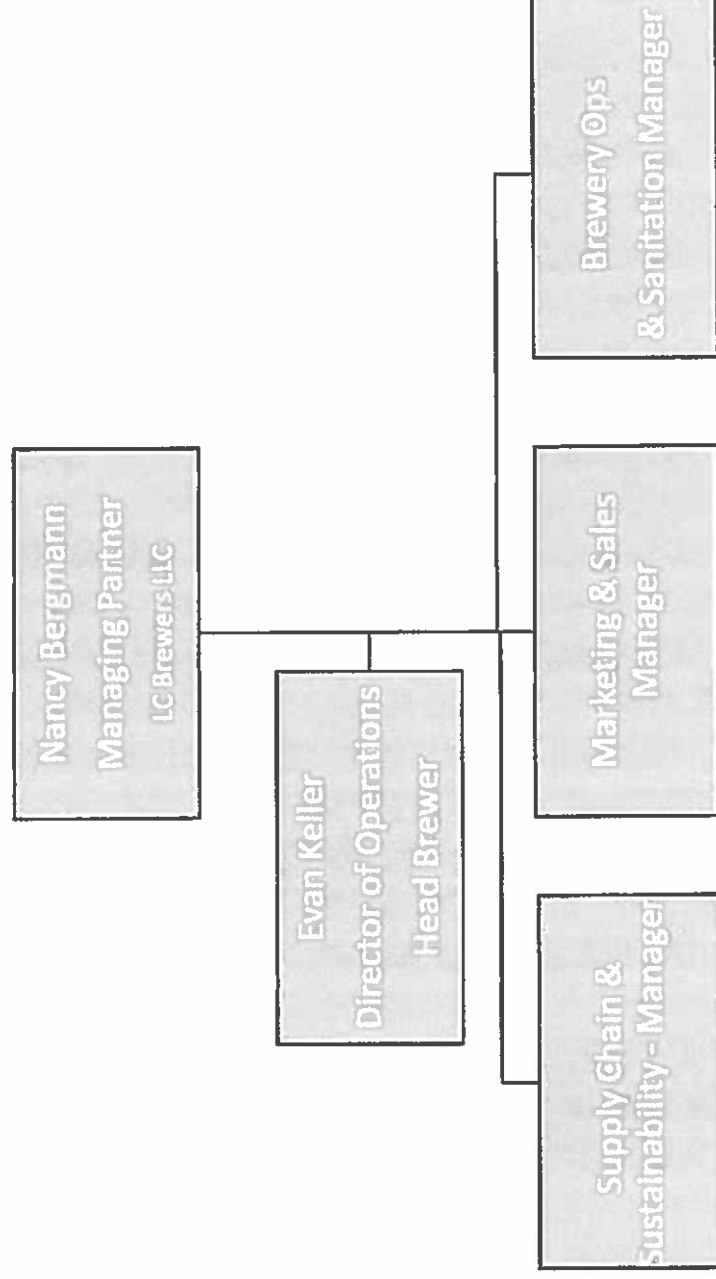
Attachment – CVX Application Question Response

- E. – Copies of Financial Information / Attached
- F. - These Applicants have NOT made an application for a similar liquor license on any premises – other than the one described in this application.

LC Brewers LLC – Location / Production Space

- The LC Brewers proposed Production Brewery will be located at 109 Bridge Park Dr.
- This is a new address that house the production equipment & operations for LC Brewers LLC.
- This is a new address that the City of Charlevoix – DDA has leased to LC Brewers LLC.

LC Brewers LLC – Organization Structure



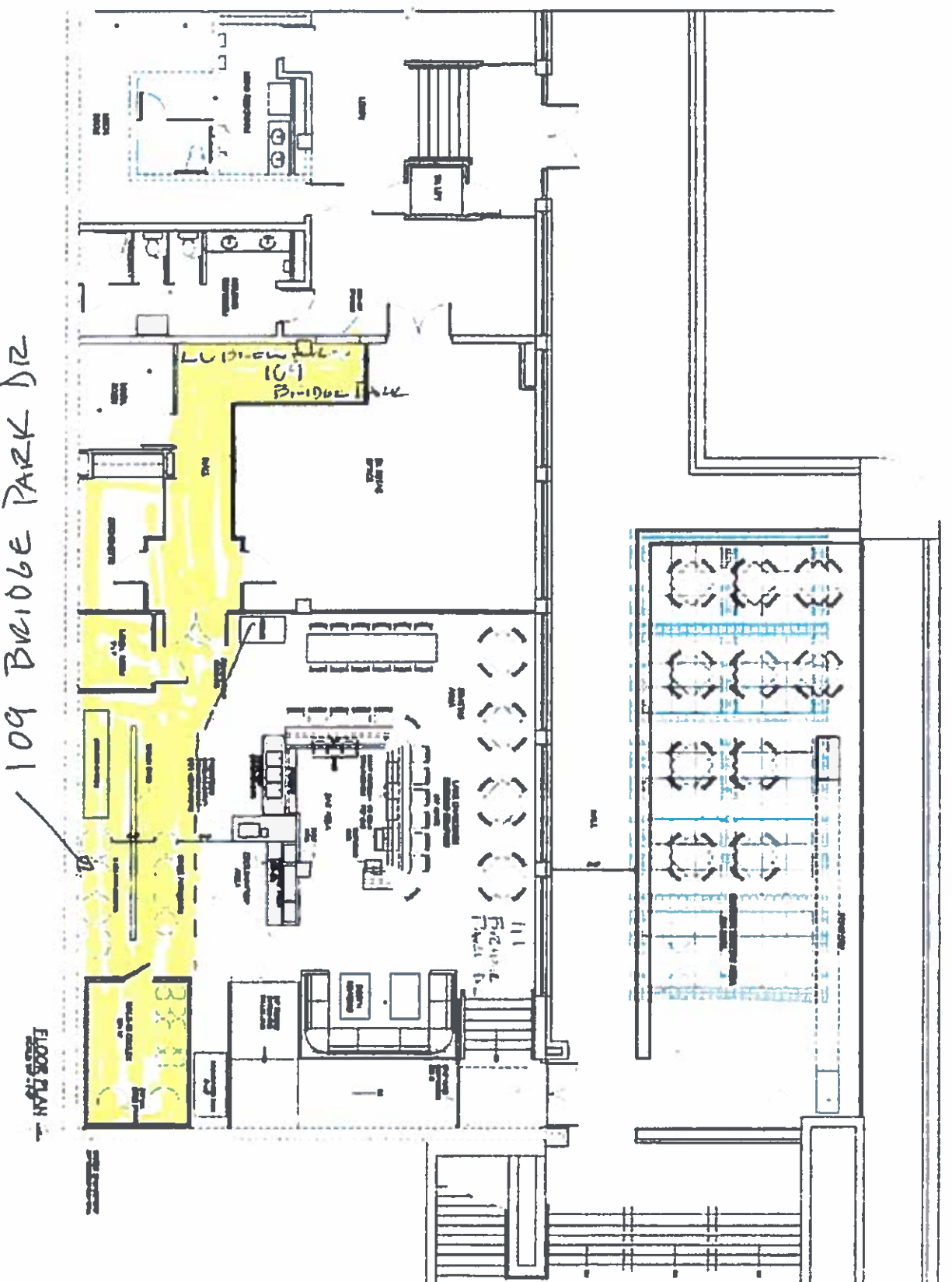
Other Michigan Brew Pub / Brewery License Spin Offs Examples:

- Arbor Brewing: Ann Arbor, MI - & - Ypsilanti, MI
 - Matt Greff – Owner - Arbor Brewing Tap Room – Ann Arbor
 - Renee Greff – Owner – Arbor Brewing – Production Brewery
- Rochester Mills Brewing Tap Room Rochester, MI - & - Auburn Hills, MI
 - Marcy Plesz - Owner – Rochester Mills Brewing Brew Pub Tap Room
 - Mike Plesz - Owner - Rochester Mills Production Brewery

Glass Panel Wall – is LC Brewers planned path for separation “de-fusion wall” that creates a Code compliant separation / of existing operations



LC BREWERS SPACE
109 BRIDGE PARK DR



DATE: 12/21	DESIGN BY: MKS	PROJECT NAME: BREWERS SPACE	LOCATION: 109 BRIDGE PARK DR	DATE: 12/21	PROJECT: BREWERS SPACE
	REV. BY: MKS	PROJECT: BREWERS SPACE	LOCATION: 109 BRIDGE PARK DR		
	DATE: 12-21-2014	PROJECT: BREWERS SPACE	LOCATION: 109 BRIDGE PARK DR		
	PROJECT: BREWERS SPACE	PROJECT: BREWERS SPACE	LOCATION: 109 BRIDGE PARK DR		
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		PROJECT: BREWERS SPACE	LOCATION: 109 BRIDGE PARK DR		
		PROJECT: BREWERS SPACE	LOCATION: 109 BRIDGE PARK DR		
		PROJECT: BREWERS SPACE	LOCATION: 109 BRIDGE PARK DR		



Manufacturer & Wholesaler License & Permit Application

(For MLCC Use Only)

For information on manufacturer and wholesaler licenses and permits, including a checklist of required documents for a completed application, please visit the Liquor Control Commission's frequently asked questions website [by clicking this link](#).

Part 1 - Applicant Information

Individuals, please state your legal name. Corporations or Limited Liability Companies, please state your name as it is filed with the State of Michigan Corporation Division.

Applicant name(s): LC Brewers, LLC

Address to be licensed: 109 Bridge Park Drive

City: Charlevoix

Zip Code: 49720

City/township/village where license will be issued: City of Charlevoix

County: Charlevoix

Federal Employer Identification Number (FEIN):

Leave Blank MLCC Use Only

1. Are you requesting a new license? ☒ Yes ☐ No
2. Are you applying ONLY for a new permit or permission? ☐ Yes ☒ No
3. Are you buying an existing license? ☐ Yes ☒ No
4. Are you adding space to or dropping space from the licensed premises? ☐ Yes ☒ No
5. Are you transferring the location of an existing license? ☐ Yes ☒ No
6. Is this license being transferred as the result of a default or court action? ☐ Yes ☒ No
7. Do you intend to use this license actively? ☒ Yes ☐ No

Part 2 - License Transfer Information (If Applicable)

If transferring ownership of a license ONLY and not transferring the location of a license, fill out only the name of the current licensee(s).

Current licensee(s):

Current licensed address:

City:

Zip Code:

City/township/village where license is issued:

County:

Part 3 - Licenses, Permits, and Permissions

Applicants for Manufacturer & Wholesaler licenses, permits, and permissions must complete the attached Schedule A and return it with this application. Transfer the fee calculations from the Schedule A to Part 4 below.

Part 4 - Inspection, License, and Permit Fees - Make checks payable to State of Michigan

Inspection Fees - Pursuant to MCL 436.1529(4) a nonrefundable inspection fee of \$70.00 shall be paid to the Commission by an applicant or licensee at the time of filing of a request for a new license or permit, a request to transfer ownership or location of a license, or a request to increase or decrease the size of the licensed premises. Requests for a new permit in conjunction with a request for a new license or transfer of an existing license do not require an additional inspection fee.

License and Permit Fees - Pursuant to MCL 436.1525(1), license and permit fees shall be paid to the Commission for a request for a new license or permit or to transfer ownership or location of an existing license.

Inspection Fees:	\$140.00	License & Permit Fees: ⁸⁷ 157.00	TOTAL FEES: ^{215.00} \$140.00
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Schedule A - Licenses, Permits, & Permissions

Licenses, permits, and permissions selected on this form will be investigated as part of your request. Please verify your information prior to submitting your application, as some licenses, permits, or permissions cannot be added to your request once the application has been sent out for investigation by the Enforcement Division.

License Type:	Base Fee:	Fee Code (ALCC Use Only)
☐ Brewer	\$50.00	
☒ Micro Brewer (Under 60,000 barrels annually)	\$50.00	4038
☐ Wine Maker	\$100.00	
☒ Small Wine Maker (Under 50,000 gallons annually)	\$25.00	4038
☐ Winery Tasting Room	\$100.00	
☐ Spirit Tasting Room	\$100.00	
☐ Brandy Tasting Room	\$100.00	
☐ Manufacturer of Brandy	\$100.00	
☐ Manufacturer of Mixed Spirit Drink	\$100.00	
☐ Manufacturer of Spirits	\$1,000.00	
☐ Small Distiller (Under 60,000 gallons annually)	\$100.00	
☐ Outstate Seller of Beer	\$1,000.00	
☐ Outstate Seller of Wine	\$300.00	
☐ Outstate Seller of Mixed Spirit Drink	\$300.00	
☐ Wholesaler	\$300.00	
For delivery vehicle decal fees please use <u>Report of Delivery Vehicles form (ALCC-351)</u>		
☐ Warehouser	\$50.00	
☐ Industrial Manufacturer	\$10.00	
☐ Seller of Alcohol	\$10.00	
☐ Limited Alcohol Buyer	\$10.00	
☐ Consumer Sampling Event License	\$70.00	

*Sunday Sales Permit (AM) allows the sale of liquor, beer, and wine on Sunday mornings between 7:00am and 12:00 noon, if allowed by the local unit of government.

**Sunday Sales Permit (PM) allows the sale of liquor on Sunday afternoons and evenings between 12:00 noon and 7:00am (Monday morning) if allowed by the local unit of government. No Sunday Sales Permit (PM) is required for the sale of beer and wine on Sunday after 12:00 noon. The Sunday Sales Permit (PM) fee is 15% of the fee for the license that allows the sale of liquor. Add tinnal bar fees and B-Hotel room fees are also calculated as part of the permit fee.

Licenses, permits, and permissions selected on this form will be investigated as part of your request. Please verify your information prior to submitting your application, as some licenses, permits, or permissions cannot be added to your request once the application has been sent out for investigation by the Enforcement Division.

Permits:	Base Fee:	Fee Code (ALCC Use Only)
☐ Sunday Sales Permit (AM)	\$160.00	
☐ Sunday Sales Permit (PM)	15%**	
☐ Catering Permit	\$100.00	
☐ Beer and Wine Tasting Permit	No Charge	
☐ Outdoor Service	No Charge	
☐ Entertainment Permit	No Charge	
☐ Dance Permit	No Charge	
☐ Topless Activity Permit	No Charge	
☐ Living Quarters	No Charge	
☐ Specific Purpose Permit (list activity below):		
Days/Hours requested: _____		
☐ Extended Hours Permit (check type below):	No Charge	
☐ Dance ☐ Entertainment		
Days/Hours requested: _____		
☐ Off-premise Storage	No charge	
☐ Direct Connection(s)	No charge	

Inspection, License, Permit, & Permission Fee Calculation

Number of Licenses: 2 x \$70.00 Inspection Fee

Total Inspection Fee(s): \$140.00

Total License Fee(s): \$75.00

Total Permit Fee(s): _____

TOTAL FEES DUE: \$215.00

Make checks payable to State of Michigan

Part 4a - Name and Address of stockholder/member/limited partner

Each individual stockholder/member/partner must complete Parts 4a and 4b of the application. For companies with multiple stockholders/members/partners, please make copies of this section for each person/entity to complete.

Corporate/LLC Members Complete 4a only, sign at the bottom of the page and provide filed articles and a completed form LLC 3010

Administrative rule R 436.1115 provides that an applicant for a license shall submit fingerprints and undergo investigation by the Commission. Fingerprints are not required for an applicant previously fingerprinted for a license with the Commission.

Follow instructions for completing and submitting fingerprint information for Michigan and out of state applicants. These instructions can be found at www.michigan.gov/lcc. You must provide a copy of the attached "Livscan Fingerprint Background Request" with your application.

This section is not required if you are only requesting to add new permits or permission to your license.

Name: Evan Keller
Home address: 8384 Pinckney Rd, Charlotte, MI 48120
Business Phone: _____ Cell Phone: [REDACTED] E mail address: evanwilliamkeller@gmail.com

As a proposed stockholder/member/partner, are you currently licensed by the Commission or do you hold an interest in any other licenses issued by the Michigan Liquor Control Commission?

☐ Yes ☒ No

If you checked 'yes' List the business ID numbers you are affiliated with below. If you hold interest at two or more locations under the same name, please write "chain" below.

Part 4b - Personal Information (Individuals)

Date of Birth 01/29/1985 Social Security Number [REDACTED] Drivers License Number [REDACTED]

Are you a citizen of the United States of America? ☒ Yes ☐ No

Have you ever legally changed your name? ☐ Yes ☒ No List maiden names, or name changes due to naturalization or court order

If you answered yes, please state your prior name(s) (including maiden)

If you are currently married, what is your spouse's full name?

Spouse's date of birth: _____ (first, middle, last)

Is your spouse a citizen of the United States of America? ☐ Yes ☐ No

If you answered 'no', you will be asked to provide documentation to verify your spouse's legal status.

Do you or your spouse hold any position, either by appointment or election, which involves the duty to enforce any penal law of the United States of America, or the penal laws of the State of Michigan, or any penal ordinance or resolution of any municipal subdivisions of the State of Michigan (civil defense volunteer policeman, mayors, village presidents, and members of city councils are not considered to be law enforcement officers)?

☐ Yes ☒ No

Do you or your spouse hold a retail license in Michigan?

☐ Yes ☒ No

Arrest Segment R 436.1105 (2)(g) provides that the Commission shall consider any past convictions of the applicant.

Do you have any past or current convictions? ☐ Yes ☒ No

Does your spouse have any past or current convictions? ☐ Yes ☒ No

If yes for either question, please obtain and provide a copy of your Secretary of State record along with an ICHAT history and submit both with this application. An ICHAT history can be obtained at <https://apps.michigan.gov/ICHA>

I certify that the information contained in this form is true and accurate to the best of my knowledge and belief. I agree to comply with all requirements of the Michigan Liquor Control Code and Administrative Rules. I also understand that providing false or fraudulent information is a violation of the Liquor Control Code pursuant to MCL 436.2003. (This form must be signed by the person whose information it contains)

Date 3/15/16 Individual, print name and title Evan Keller Individual signature [Signature]

Part 5a - Information on Individual Applicant, Stockholder, Member, or Limited Partner

Each individual, stockholder, member, or partner must complete Part 5a, 5b, and 5c. If a stockholder or member of an applicant company is a corporation or limited liability company, complete Part 5a and 5c and submit a completed [Form LCC 301].

For applications with multiple individuals, stockholders, members, or partners each person or entity must complete a separate copy of this page.

Name: <u>Nancy Bergmann</u>			
Home address: <u>3243 Harbor View Drive</u>			
City: <u>San Diego</u>		State: <u>CA</u>	Zip Code: <u>92106</u>
Business Phone: <u>6195208173</u>	Cell Phone: <u>[REDACTED]</u>	Email: <u>nbergmann@ymail.com</u>	

Have you ever been licensed by the Michigan Liquor Control Commission (MLCC) or do you currently hold an interest in any other licenses issued by the MLCC? If yes, please list business ID numbers below. If you hold interest in 2 or more locations under the same name, please also write chain "below": ☐ Yes ☒ No

Do you hold more than 10% interest in the applicant entity? ☒ Yes ☐ No

If you answered "no" to the first question and "yes" to the second question, pursuant to administrative rule R 436.1115 you must submit fingerprints and undergo investigation by the MLCC. An applicant that has been fingerprinted previously for a license issued by the MLCC does not need to submit a new set of fingerprints. Please see the attached instructions for submitting fingerprints to the MLCC. You must submit a copy of the completed and endorsed "Fingerprint Card" with your application.

Part 5b - Personal Information (Individuals)

Date of Birth: <u>8/12/1968</u>	Social Security Number: <u>[REDACTED]</u>	Driver's License Number: <u>[REDACTED]</u>
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Are you a citizen of the United States of America? ☒ Yes ☐ No

Have you ever legally changed your name? ☒ Yes ☐ No

If you answered "yes", please list your prior name(s) (including maiden): Nancy Delosky

Spouse's full name (if currently married): Richard F Bergmann

Spouse's date of birth: <u>5/7/1956</u>	Is your spouse a citizen of the United States of America? ☒ Yes ☐ No
---	---

Do you or your spouse hold any position, either by appointment or election, which involves the duty to enforce any penal law of the United States of America, or the penal laws of the State of Michigan, or any penal ordinance or resolution of any municipal subdivisions of the State of Michigan? ☐ Yes ☒ No

Does your spouse hold a retail, manufacturer, or wholesaler license issued by the MLCC? ☐ Yes ☒ No

Have you ever been found guilty, pled guilty, or pled no contest to a criminal charge or any local ordinance violations? If Yes, list below (attach additional pages if necessary): ☐ Yes ☒ No

Date	City/State	Charge	Disposition
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Has your spouse ever been found guilty, pled guilty, or pled no contest to a criminal charge or any local ordinance violations? If Yes, list below (attach additional pages if necessary): ☐ Yes ☒ No

Date	City/State	Charge	Disposition
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Part 5c - Signature

I certify that the information contained in this form is true and accurate to the best of my knowledge and belief. I agree to comply with all requirements of the Michigan Liquor Control Code and Administrative Rules. I also understand that providing false or fraudulent information is a violation of the Liquor Control Code pursuant to MCL 436.2003. (This form must be signed by the person whose information it contains).

Nancy Bergmann
Print Name

Nancy Bergmann
Signature

9/1/16
Date

Part 6 - Contact Information

Provide information on the contact person for this application. Please note that corporations and limited liability companies must provide documentation (e.g. meeting minutes, corporate resolution) authorizing anyone other than the applicant or an attorney of record to be the contact person. If an authorization is not provided, your contact person will not be acknowledged if they are anyone other than the applicant or attorney.

What is your preferred method of contact?			☐ Phone	☐ Mail	☒ Email	☐ Fax
What is your preferred method for receiving a Commission Order?			☐ Mail	☒ Email	☐ Fax	
Contact name: Rick Perkins			Relationship: Licensing Consultant			
Mailing address: 6017 W. St. Joe Highway, Suite 202, Lansing, MI 48917						
Phone: 517-321-4623		Fax number: 517-321-4642		Email: rperkins@cebhlaw.com		

Part 7 - Attorney Information (If You Have An Attorney Representing You For This Application)

Attorney name: Michael J. Brown		Member Number: P-43015
Attorney address: 6017 W. St. Joe Highway, Suite 202, Lansing, MI 48917		
Phone: 517-321-4616	Fax number: 517-321-4642	Email: mbrown@cebhlaw.com
Would you prefer that we contact your attorney for all licensing matters related to this application?		☒ Yes ☐ No
Would you prefer any notices or closing packages be sent directly to your attorney?		☒ Yes ☐ No

Part 8 - Signature of Applicant

Be advised that the information contained in this application will only be used for this request. This section will need to be completed for each subsequent request you make with this office.

Notice: When purchasing a license, a buyer can be held liable for tax debts incurred by the previous owner. Prior to committing to the purchase of any license or establishment, the buyer should request a tax clearance certificate from the seller that indicates that all taxes have been paid up to the date of issuance. Obtaining sound professional assistance from an attorney or accountant can be helpful to identify and avoid any pitfalls and hidden liabilities when buying even a portion of a business. Sellers can make a request for the tax clearance certificate through the Michigan Department of Treasury.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. Approval of this application by the Michigan Liquor Control Commission does not waive any of these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals for this business before using this license for the sale of alcoholic liquor on the licensed premises.

I certify that the information contained in this form is true and accurate to the best of my knowledge and belief. I agree to comply with all requirements of the Michigan Liquor Control Code and Administrative Rules. I also understand that providing false or fraudulent information is a violation of the Liquor Control Code pursuant to MCL 436.2003.

The person signing this form has demonstrated that they have authorization to do so and have attached appropriate documentation as proof.

<u>Nancy Bergmann</u>	<u>Nancy Bergmann</u>	<u>4-1-16</u>
Print Name of Applicant & Title	Signature of Applicant	Date

Please return this completed form along with corresponding documents and fees to:
Michigan Liquor Control Commission
Mailing address: P.O. Box 30005, Lansing, MI 48909
Hand deliveries or overnight packages: Constitution Hall 525 W. Allegan, Lansing, MI 48933
Fax to: 517-373-4202



Michigan Department of Licensing and Regulatory Affairs
Liquor Control Commission (MLCC)
Toll-Free: 866-813-0011 - www.michigan.gov/lcc

Business ID: _____
Request ID: _____

Report of Stockholders, Members, or Partners
(Authorized by MCL 436.1529(1), R 436.1051, and R 436.1110)

(For MLCC Use Only)

Part 1 - Licensee Information

Please state your name as it is filed with the State of Michigan Corporation Division

Licensee name(s): LC Brewers, LLC

Address: 109 Bridge Park Drive

City: Charlevoix, MI

Zip Code: 49720

Part 2a - Corporations - Please complete this section and attach more copies of this page if more room is needed.

Name and address of all stockholders:

No. of Shares Issued: Date Issued/Acquired

Not Applicable

Name and address of Corporate Officers and Directors, pursuant to administrative rule R 436.1109:

Not Applicable

Part 2b - Limited Liability Companies - Please complete this section and attach more copies of this page if more room is needed.

Name and address of all members:

Percent % Issued: Date Issued/Acquired

Nancy D. Bergmann, 3243 Harbor View Drive, San Diego, CA 92106

90

Evan Keller, 8384 Pincherry Road, Charlevoix, MI 49720

10

Name and address of Managers and Assignees, pursuant to administrative rule R 436.1110:

None



Michigan Department of Licensing and Regulatory Affairs
Liquor Control Commission (MLCC)
Toll Free: 866-813-0011 - www.michigan.gov/lcc

Business ID: _____
Request ID: _____

Report of Stockholders, Members, or Partners

(For MLCC Use Only)

(Authorized by MCL 436.1529(1), R 436.1051, and R 436.1110)

Part 2c - Limited Partnerships - Please complete this section and attach more copies of this page if more room is needed.

Name and address of all partners: _____ Percent % Issued: _____ Date Issued/Acquired: _____

Not Applicable

Name and address of Managers, pursuant to administrative rule R 436.1111:

Not Applicable

Part 3 - Authorized Signers (Authorized in compliance with R 436.1109(1)(c) for a corporation or R 436.1110(1)(g) for a limited liability company)

Name & Title: All named members of LC Brewers, LLC

Name & Title: Michael J. Brown, Rick Perkins - Carlin Edwards Brown PLLC, 6017 W. St. Joe Hwy., Suite 202, Lansing, MI 48817

Name & Title: _____

Name & Title: _____

Name & Title: _____

Part 4 - Signature of Applicant or Licensee

I certify that the authorized signers under Part 3 of this form have been authorized in compliance with R 436.1109(1)(c) for a corporation or R 436.1110(1)(g) for a limited liability company.

I certify that the information contained in this form is true and accurate to the best of my knowledge and belief. I agree to comply with all requirements of the Michigan Liquor Control Code and Administrative Rules. I also understand that providing false or fraudulent information is a violation of the Liquor Control Code pursuant to MCL 436.2003.

The person signing this form has demonstrated that they have authorization to do so and have attached appropriate documentation as proof.

Nancy Bergmann

Print Name of Applicant or Licensee & Title

Nancy Bergmann

Signature of Applicant or Licensee

4-1-16

Date

Please return this completed form to:
Michigan Liquor Control Commission
Mailing address: P.O. Box 30005, Lansing, MI 48909

Hand deliveries or overnight packages: Constitution Hall - 525 W. Allegan, Lansing, MI 48933
Fax to: 517-763-0059

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Pavement marking proposal

DATE: May 16, 2016

PRESENTED BY: Patrick Elliott, DPW Superintendent

ATTACHMENTS: Bid Tabulation

BACKGROUND INFORMATION: Each year, the City advertises for the service of pavement marking. This year we advertised and opened two sealed bids (see attachment). This service is for the entire pavement marking throughout the City, this includes center lines, parking stalls, right/left arrows, etc.

The two bids that were received are from the two companies that the City has used in the past and has had good luck working with them. The low bidder, PK Contracting, is the company that completed the work last year. This work is funded with the Major Street fund and this bid amount is within budget.

RECOMMENDATION: Motion to approve bid for pavement marking as presented by PK Contracting for a cost not to exceed \$12,826.25.

CITY OF CHARLEVOIX
Pavement Marking Services
Bid Opening
City Hall, Second Floor Conference Room
April 25, 2016 – 11:00 a.m.

Bidder Name & Contact Info	Total Cost
PK CONTRACTING LAKE CITY, MI	\$12,826.25
M&M PAVEMENT MARKING GRAND BLANC, MI	\$16,425.34

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Fire Hydrant Painting

DATE: May 16, 2016

PRESENTED BY: Patrick Elliott, DPW Superintendent

ATTACHMENTS: None

BACKGROUND INFORMATION: In March of this year we advertised for the painting of approximately 140 hydrants throughout town. Unfortunately we did not receive any sealed bids.

About 3 years ago we bid out this same service and received a few bids from different companies including one from Giant Maintenance and Restoration. Giant was much lower than the other two bidders at a per hydrant cost of \$105.00. At that time they came to town and painted approximately 140 hydrants or about half of the entire City's hydrants. Their workmanship was excellent and the paint products that they used have held up extremely well.

We have budgeted for the completion of the hydrant painting every year since then, but have had to eliminate it from the budget due to the extra money that we had to spend in the water fund due to the extremely cold winters of 2014 and 2015.

When we did not receive any bids for this service in March, I contacted Giant and inquired as to why they did not submit a bid and for a number of reasons, it just did not work for them at that point. Since then, I have been working with Giant to clarify some questions they had regarding the bid specifications and they have proposed to hold the per hydrant price that they competitively bid back in 2013. The per hydrant price of \$105.00 includes sandblasting to bare metal, one primer coat of paint and one finish coat of paint. The paint that they will be using is the same as what was used in 2013. Additionally, we reached out to Charlevoix Township who also plans to retain Giant for the painting of their hydrants as well.

RECOMMENDATION: Motion to approve contract with Giant Maintenance and Restoration for the painting of fire hydrants for a cost not to exceed \$14,700.

CHARLEVOIX CITY COUNCIL

AGENDA ITEM

AGENDA ITEM TITLE: Ball Field Sale/Purchase Agreement
DATE: May 16, 2016
PRESENTED BY: Liz Myer, Airport Manager
ATTACHMENTS: Ball Field Purchase Agreement, Land Survey, Ballfield Appraisal and Financial Document

BACKGROUND INFORMATION: The property currently being utilized by the ball field complex north of the Airport is part of the Airport's overall property description and is considered by the FAA as a non-conforming Airport use. The property release is being pushed by the FAA because of the grant assurances that are agreed upon when an airport receives an FAA grant. One of these assurances requires that the airport property be only used for aeronautical purposes or can be quickly and easily converted to an aeronautical use. The ball fields, according to the FAA, do not comply with the grant assurance guidelines.

The FAA requires the property either be leased or purchased with evidence of an agreement to be submitted to the FAA. The amount of \$10,700 was reflected as a transfer as a lease payment for fiscal year ending March 31, 2015 but there was no agreement drafted to submit to the FAA for grant assurance compliance. The attached purchase agreement will resolve the FAA grant assurance requirements in the future and eliminate the need for reflecting lease transfer payments.

The FAA required a survey and appraisal of the ball field property with the purchase price being the appraised value. The ball field property was appraised by Jeff Kirby from Michigan Appraisal Company and the value was determined to be \$150,500.00.

The dollar amount of \$139,951.00 is reflected as earnest money with \$10,549.00 as the balance due by September 1, 2017. The earnest dollar amount of \$139,951.00 detail is reflected on the attached financial document provided by the City Treasurer and is comprised of matching funds for grants transferred to the airport from other City funds.

The City Attorney drafted and completed the attached agreement.

RECOMMENDATION: Motion to approve the Ball Field Purchase Agreement as presented and authorize the City Manager and City Clerk to sign all necessary documents.

PURCHASE AGREEMENT

This Purchase Agreement ("Agreement") is on the 16th day of May, 2016, by and between the Charlevoix Municipal Airport, 111 Airport Drive, Charlevoix, MI 49720 ("Seller") and the City of Charlevoix, 210 State Street, Charlevoix, MI 49720 ("Buyer"). In consideration of an earnest money deposit described below, the receipt and adequacy of which made is hereby acknowledged, the Seller agrees to sell to the Buyer land in the City of Charlevoix, Charlevoix County, Michigan described below and referred to hereafter as "Property":

See Property Description and Survey in Exhibit A to this Agreement.

TERMS AND CONDITIONS:

1. **PURCHASE PRICE.** The total purchase price for the Property shall be One Hundred Fifty Thousand Five Hundred Dollars (\$150,500.00). Earnest money of One Hundred Thirty Nine Thousand Nine Hundred Fifty One Dollars (\$139,951.00) shall be paid by Buyer to Seller upon execution of this Agreement. The balance of the purchase price shall be payable in full at closing.
4. **CLOSING DATE.** Closing shall be on or before September 1, 2017. Closing shall be held at held in escrow as provided herein.
5. **DOCUMENTS FOR CLOSING.** At closing, the Seller shall deliver an executed Warranty Deed. The Warranty Deed shall convey good, insurable and marketable title to the Property, free and clear of all liens, and subject to any easements, restrictions and other exceptions of record. The Warranty Deed and other documents to be prepared by the Seller for closing must be submitted to the Buyer at least fifteen (15) days before closing.
6. **CLOSING EXPENSES.** The Buyer shall pay the cost of any documentary revenue stamps, transfer tax, preparation of closing documents, recording fees, and any escrow or closing fees.
7. **TAX PRORATION.** To the extent that there are any property taxes due, they shall be prorated on a calendar year basis as if paid in arrears, so that Seller will be charged with the portion from January 1st to the date of closing and the Buyer with the balance of the year.
9. **USE OF PROPERTY.** The purpose of the purchase of the property by the Buyer is to continue the use of the Property for recreational activities. The Seller agrees that the Property herein described shall remain as it now is until closing and that the Seller will prevent and refrain from any use of the Property for any purpose or in any manner which would adversely affect the Buyer's intended use of the Property. Buyer agrees that, upon purchase, it shall continue to use the Property for recreational purposes as long as Buyer deems appropriate.
10. **RISK OF LOSS.** All risk of loss or damage to the Property will pass from the Seller to the Buyer at closing. In the event of substantial loss or damage prior to closing, the Buyer shall have the option to accept the conveyance of title to the property or the Buyer may, without liability, refuse to accept the conveyance of title and all earnest money paid shall be returned to the Buyer.
11. **ASSESSMENTS AND ENCUMBRANCES.** All assessments and encumbrances which are a lien against the land at the time of conveyance to the Buyer will be satisfied of record by the Seller at or before the transfer of title.
12. **BINDING EFFECT.** The terms and conditions of this Purchase Agreement shall apply to and bind the heirs, executors, administrators, successors, and assigns of the Seller and the Buyer.
13. **DELIVERY.** The Seller shall deliver possession of the Property to Buyer at closing.
16. **ENTIRE AGREEMENT.** This Agreement sets forth the entire Agreement of the parties. It is intended to supersede all prior discussions or understandings.

SELLER:
Charlevoix Airport

By:
Its:

STATE OF MICHIGAN)
)ss
COUNTY OF _____)

Acknowledged before me on this _____ day of May, 2016, by _____, known to me to be _____ of the Charlevoix Airport.

Notary Public,
_____ County,

Acting in _____ County

My commission expires: _____.

BUYER
City of Charlevoix

By:
Its:

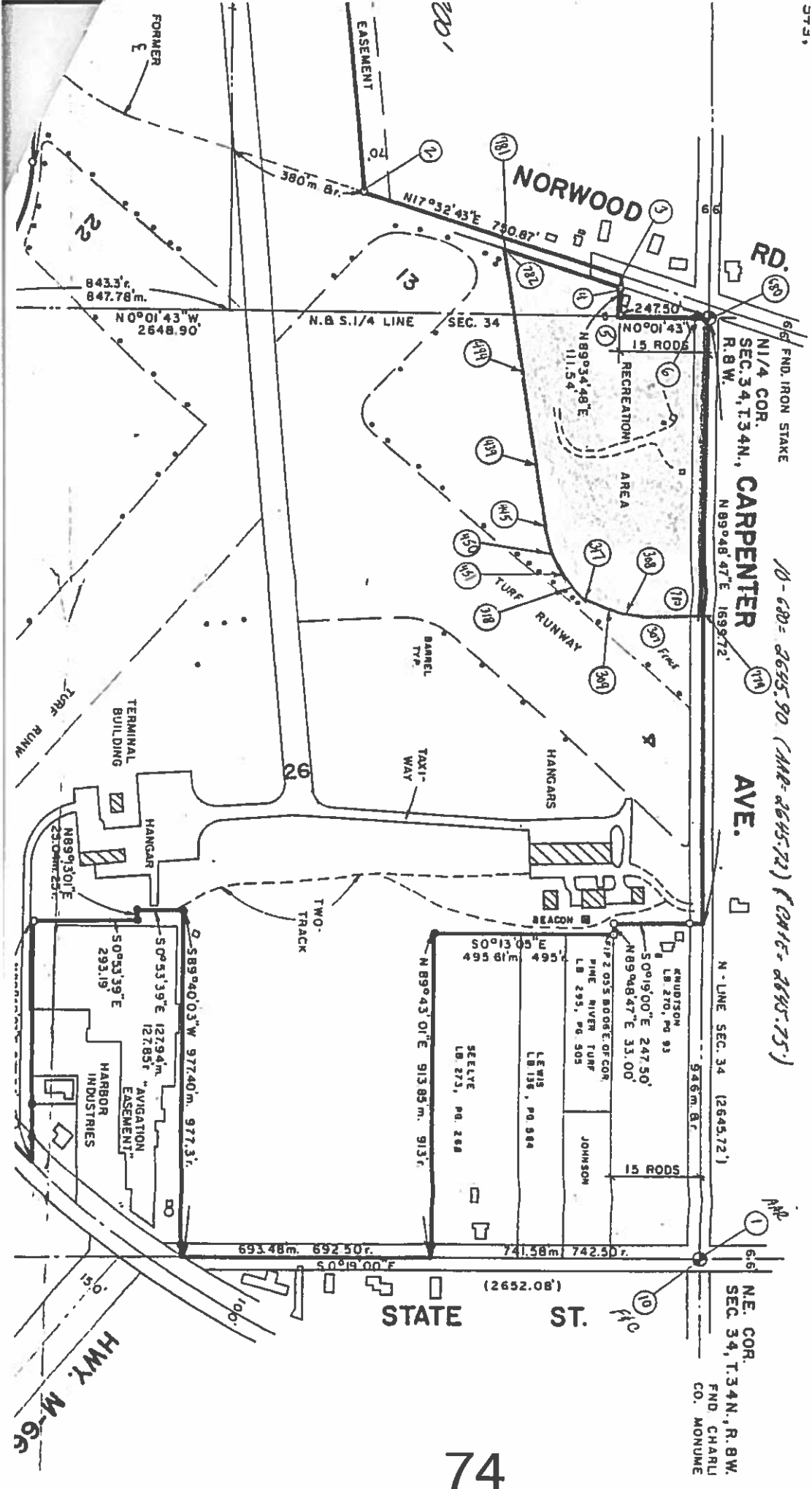
STATE OF MICHIGAN)
)ss
COUNTY OF Grand Traverse)

Acknowledged before me on this _____ day of May, 2016, by _____, known to me to be _____ of the City of Charlevoix.

Notary Public,
_____ County,

Acting in _____ County

My commission expires: _____.



3731

10-680 = 2645.90 (ME-2645.72) (CAIE-2645.75)

RD.

SEC. 34 COR.
N. 1/4 COR.
SEC. 34, T. 34N., R. 8W.
N 89° 48' 47" E 1699.72'

AVE.

N. LINE SEC. 34 12645.72'

SEC. 34 COR.
N. 1/4 COR.
SEC. 34, T. 34N., R. 8W.
FND. CHARL CO. MONUMENT

DESCRIPTION OF THE RECREATION AREA ON THE CHARLEVOIX MUNICIPAL AIRPORT PROPERTY

In the City of Charlevoix, Charlevoix County, Michigan,
BEGINNING at an iron stake at the North quarter corner of Section 34, Township 34 North, Range 8 West; thence along the North line of said section, North 89°48'47" East 828.20 feet; thence South 03°02'08" East 33.04 feet to the South line of Carpenter Avenue; thence continuing South 03°02'08" East 122.97 feet; thence South 12°57'13" West 59.53 feet; thence South 26°04'46" West 38.52 feet; thence South 41°11'38" West 78.30 feet; thence South 49°43'08" West 56.47 feet; thence South 54°48'40" West 39.37 feet; thence South 60°33'49" West 59.55 feet; thence South 70°31'18" West 79.14 feet; thence South 77°21'20" West 166.96 feet; thence South 77°26'25" West 249.26 feet; South 77°20'38" West 337.91 feet to the Easterly line of Norwood Road (F/K/A Grand Traverse & Emmet State Road); thence along said Easterly line, North 17°32'43" East 352.59 feet to the South line of the North 15 rods of the Northeast quarter of the Northwest quarter of said section; thence along the aforementioned line, North 89°34'48" East 76.85 feet to the North and South quarter line of said section; thence along said quarter line, North 00°01'43" West 214.50 feet to the South line of said Carpenter Avenue; thence continuing along said quarter line, North 00°01'43" West 33.00 feet to the point of beginning, being a part of the Northwest quarter of the Northeast quarter and part of the Northeast quarter of the Northwest quarter, all in Section 34, Township 34 North, Range 8 West and containing 9.233 acres. Subject to the rights of the public and of any governmental unit in any part thereof taken, used or deeded for street, road or highway purposes.

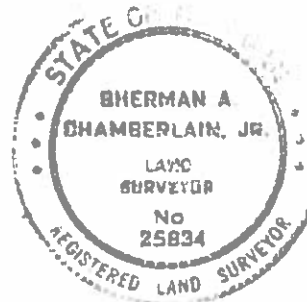
Prepared by:

FERGUSON & CHAMBERLAIN ASSOCIATES, INC.
103 West Upright Street
Charlevoix, MI 49720


Sherman A. Chamberlain, Jr.
Professional Surveyor No. 25834

December 18, 2015

For: The City of Charlevoix
Job Number: SB-11084c-95





Jeffrey L Kirby, SRA
Certified General Appraiser
License #1201000516

Michigan Appraisal Company, Inc.

REAL ESTATE APPRAISERS & CONSULTANTS

1201 Bridge Street

Charlevoix, Michigan 49720

Phone: (231) 547-2238 Fax: (231) 547-4645

Web: michiganappr.com E-mail: mac@michiganappr.com

June 3, 2015

Liz Myer, Airport Manager
c/o City of Charlevoix
111 Airport Dr
Charlevoix, MI 49720

RE: An appraisal of property that is referred to as: Charlevoix Softball Complex

Dear Ms. Myer:

In accordance with your request, I have examined, physically inspected, and appraised the property captioned above and arrived at an opinion of the market value and market rent. In this instance, an appraisal of the fee simple estate is made *subject to* underlying conditions and assumptions to be identified in the scope of this assignment.

The attached report is a qualified appraisal and is prepared in accordance with the *Uniform Standards of Professional Appraisal Practice* (USPAP) of the *Appraisal Foundation*. The appraisal also adheres to the *Professional Standards and Ethics* of the *Appraisal Institute*.

I have no past, present or contemplated interest in the subject property. Neither my employment nor my fee is contingent upon the value concluded in the appraisal of the subject property. This letter of transmittal precedes and is hereby made a part of a appraisal report that follows, setting forth the most pertinent data and reasoning used to reach final reconciliation of value. The appraisal is subject to the *Statement of Limiting Conditions* and *Critical Assumptions*, which are considered usual for this type of assignment. Additionally, it is necessary to invoke certain *Hypothetical Conditions* and *Extraordinary Assumptions* for the purpose of reasonable analysis.

I have carefully considered relevant data as it applies to the subject property with respect to physical characteristics and market conditions. In conclusion, it is my opinion that the market value as of May 24, 2015 is as follows:

**One Hundred Fifty Thousand Five Hundred Dollars
(\$150,500)**

I hereby submit my attached appraisal report containing the results of my investigation and opinion of market value. It has been my pleasure to serve you in this matter.

Respectfully Submitted,

A handwritten signature in black ink that reads "Jeffrey L Kirby".

Jeffrey L Kirby, SRA
Certified General Appraiser #1201000516

Report Criteria:

Actual Amounts

All Accounts

Summarize Payroll Detail

Print Grand Totals

Include Vendor Number, Invoice Number, Description, Invoice Date, and Purchase Order Number Comments

Page and Total by FUND

All Segments Tested for Total Breaks

Account Account Number = "581000699000"

Date	Journal	Reference Number	Payee or Description	Account Number	Debit Amount	Credit Amount	Balance
CONTRIBUTIONS FROM OTHER FUNDS 03/31/2015 (03/15) Balance							
03/31/2015	JE	135	To record ball field rent located on airport premises	581-000-699.000		10,700.00-	.00
03/31/2015	JE	140	Record budgeted transfer from PI6: Airport Apron Local Match			32,000.00-	
03/31/2015	JE	153	To eliminate negative cash balance in airport & water funds			251.00-	
03/31/2016	JE	73	To record Gen'l fund contrib to airport: ball field rent			10,700.00-	
03/31/2016	JE	74	Record budgeted contrib from PI6: Airport Apron Local Match			86,300.00-	

YTD Encumbrance .00 YTD Actual -97,000.00 Total -97,000.00 YTD Budget -87,300.00 Unearned (9,700.00)

Number of Transactions: 5 Number of Accounts: 1

Total AIRPORT FUND:

Number of Transactions: 5 Number of Accounts: 1

Grand Totals:

Debit	Credit	Proof
.00	139,951.00-	139,951.00-
Debit	Credit	Proof
.00	139,951.00-	139,951.00-

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Disc Golf Discussion

DATE: May 16, 2016

PRESENTED BY: Mayor Gabe Campbell

ATTACHMENTS: none

BACKGROUND INFORMATION:

Several years ago, City Council gave approval to a group of volunteers to construct a disc golf course throughout the Mt. McSaubia Area. In recent months there has been discussion about the disc golf course, the effects it may have for erosion and how it fits within the context of Mt. McSaubia. Disc golf is a good way for our residents and visitors to enjoy the McSaubia natural area but it is also important to manage it so that all users and uses of the area can coexist. The volunteer group who constructed the course is very engaged in improving it and it might be good to make sure their goals for the future align with broader uses for the area.

RECOMMENDATION:

Council discussion and direction to staff.

**CITY OF CHARLEVOIX
RESOLUTION NO. 2016-05-03
AMENDMENT TO THE RULES OF PROCEDURE FOR CITY COUNCIL**

- WHEREAS,** the Charlevoix City Council adopted "Rules of Procedure for City Council" on November 4, 1996; and
- WHEREAS,** pursuant to Rule 20 of the Rules, they may be amended by resolution voted upon at any meeting but shall be tabled until the next regular meeting thereof or at such other time as the Council shall determine; and
- WHEREAS,** on April 18, 2016 City Council directed the City Manager to draft an amending resolution and the Council first introduced this resolution on May 2, 2016.

NOW THEREFORE BE IT RESOLVED, the Rules of Procedure for City Council shall be amended as follows:

Rule 1 (b) shall be amended as follows:

Strike language referring to the election of the City Clerk so that Rule 1(b) should read:

The Mayor shall be elected at the annual General Election in even numbered years, for a two (2) year term, by the balloting of the electors of the City at large. The Mayor shall take office at the first regular City Council meeting after the Mayor's election. The names of the nominees shall appear on the ballots and election materials of the Primary and General Election without reference to ward residence.

Rule 1 (c) shall be amended as follows:

Strike language referring to the first meeting of the calendar year beginning at 8:00pm so that Rule 1(c) should read:

The Council shall meet on the first and third Mondays in the City Council Room. When such Monday is a holiday effective upon City Staff, the Council shall meet on the Tuesday next following. The City Clerk shall cause a public notice to appear in a newspaper of general circulation within the City notifying the public of the time and place of such Tuesday meeting of the Council, not less than three (3) days prior to such meeting. All *regular* meetings of the Council shall convene at 7:00pm local time.

Rule 4(a) shall be amended as follows:

Modify the order of actions, remove certain categories, add other categories, and add explanatory information so that Rule 4(a) should read:

- a. The Order of Business at any regular meeting of the Council shall be as follows:
1. Invocation or Pledge of Allegiance
 2. Roll Call
 3. Presentations
(This section shall be used for presentations for which Council action is not required or anticipated. This section shall include, but not be limited to, reports of community groups, recognition of significant achievements, proclamations, or other items determined by the City Manager as appropriate presentations for this section.)
 4. Inquiry regarding conflicts of interest
 5. Consent Agenda
(This section is to receive and list any item which is deemed by the City Manager to be of a routine nature. All items, including, but not limited to, reading of the minutes of the previous Meeting(s), the most recent Accounts Payable Check Register, the scheduling of Public Hearings, shall be listed and may be acted upon in one motion. All items to be received and acted upon under the Consent Agenda must be included in the packet for that meeting. Any

Council member may request that any item(s) be taken from the consent agenda for discussion and possible action by Council.)

6. Actions Laid Upon the Table
(This section shall be omitted except when there are actions tabled at the previous regular or special Council meeting.)
7. Public Hearings and Actions Requiring Public Hearings
8. All Other Actions & Requests
9. Reports & Communications
 - a. Public Comments
(Public Comments shall be governed by Robert's Rules of Order and the rules found in Exhibit A of the Rules of Procedure for City Council.)
 - b. City Manager Comments
 - c. Mayor and Council Comments
10. Other Council Business
(This section shall be used for procedural motions which are in order under State statute, the City Charter, and the Rules of Procedure for City Council including, but not limited to, motion to reconsider, motion to add future agenda items, and motion to enter Closed Session. If the City Manager requests a Closed Session for any legally permitted reason, it shall be listed on the agenda for this section.)
11. Adjourn

Rule 9(a) shall be amended as follows:

Strike the requirement that motions and resolutions be read and permit the City Manager the right to speak on such actions so that Rule 9(a) should read:

- a. Motions and Resolutions presented to the Council by the City Manager shall be provided to the Council in writing together with the City Manager's recommendations or reports thereon. Upon the mayor opening such agenda item, it shall be in order for any member of the Council to move adoption, and if seconded, the question shall be on the adoption of the motion or resolution as the case may be. In all actions of the Council, the City Manager shall have the right to speak.

RESOLVED this 16th day of May, 2016 A.D.

Resolution was adopted by the following yea and nay vote:

Yeas:

Nays:

Absent: