



AGENDA
CITY OF CHARLEVOIX CITY COUNCIL REGULAR MEETING
Monday, March 21, 2022- 6:00 PM
Council Chambers, 210 State Street, Charlevoix, MI

- 1. Pledge of Allegiance**
- 2. Roll Call**
- 3. Presentations**
- 4. Inquiry Regarding Conflicts of Interest**
- 5. Consent Agenda**
 - A. City Council Meeting Minutes - March 7, 2022
 - B. Purchase of Toro Walkbehind Greensmaster
 - C. Accounts Payable and Payroll Check Registers
- 6. Public Hearings and Actions Requiring Public Hearings**
 - A. Ordinance to Amend Ward Boundaries
Sarah J. Dvoracek, City Clerk
- 7. All Other Actions and Requests**
 - A. Request for Gate Valve Easement from DTE Energy
Chris Hackbarth and Tim Proos, DTE Energy
 - B. Marina Commercial Dock RFP
Mark Heydlauff, City Manager
 - C. Little Traverse Charters, LLC Commercial Slip Lease
Scott Howard, City Attorney
 - D. Proposed Donation of Landscaping on the Pine River Channel
Scott Philp, Landscape Logic
 - E. Council Appointment
City Council
- 8. Reports and Communications**
 - A. Public Comment
 - B. City Manager's Comments

C. Mayor and Council Comments

9. Other Council Business

10. Adjourn

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

CHARLEVOIX CITY COUNCIL

Consent Agenda

TITLE: City Council Meeting Minutes - March 7, 2022

DATE: March 21, 2022

RECOMMENDATION:

Motion to approve the minutes.

ATTACHMENTS:

- ▣ Draft Council Minutes 03-07-2022

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, March 7, 2022 – 6:00 p.m.
210 State Street, Charlevoix, MI 49720

The meeting was called to order at 6:00 p.m. by Deputy Mayor Hagen.

1. Pledge of Allegiance

2. Roll Call

Deputy Mayor:	Aaron Hagen
Members Present:	Mark Knapp, Phil Parr, Janet Kalbfell, Richard Spring
Members Absent:	Mayor Luther Kurtz, Greg Bryan
City Manager:	Mark L. Heydlauff
City Clerk:	Sarah J. Dvoracek

3. Presentations

Mayor Proclamation

Deputy Mayor Hagen provided a proclamation in support of the people in Ukraine. Deputy Mayor Hagen called on all of Charlevoix to convey their thoughts of support and prayers to the people of Ukraine.

4. Inquiry Regarding Conflicts of Interest

5. Consent Agenda

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

- A. City Council Meeting Minutes – February 21, 2022
- B. Accounts Payable and Payroll Check Registers
 - a. Regular Accounts Payable Check Register – March 8, 2022 (\$197,381.05)
 - b. ACH Payments – February 17, 2022 to March 4, 2022 (\$366,413.00)
 - c. Payroll Check Register – March 4, 2022 (\$96,174.75)
 - d. Payroll Transmittal – March 4, 2022 (\$5,340.56)
 - e. Tax Disbursement – March 8, 2022 (\$457,794.46)
 - f. Special Accounts Payable - February 22, 2022 & February 28, 2022 (\$73,642.19)
- C. Recreational Authority Board Resignation - Rick Brandi
Deputy Mayor Hagen opened the item to public comment and none were heard.

Motion by Parr, second by Spring to approve the Consent Agenda.

Yeas: Knapp, Parr, Kalbfell, Hagen, Spring

Nays: None

Absent: Bryan

Motion Carried.

6. Public Hearings & Actions Requiring Public Hearings

A. Public Hearing: Ordinance to Amend Ward Boundaries

Deputy Mayor Hagen opened the public hearing at 6:03 p.m.

City Clerk Dvoracek explained that the Ordinance Amendment included the legal descriptions of each proposed ward which was provided by Ferguson & Chamberlain. The entire Council must be present to vote on ordinance amendment therefore no action was taken.

Deputy Mayor Hagen opened the item to public comment, and none were heard.

Deputy Mayor Hagen closed the public hearing at 6:04 p.m.

7. All Other Actions & Requests

A. Council Appointment: Recreational Authority Board

City Manager Heydlauff stated with the recent resignation of Rick Brandi there is a vacancy on the Recreational Authority Board. The City has received one application which was included in the Council's packet. The Recreational Authority Board is currently in active negotiations with Charlevoix Pool.

Deputy Mayor Hagen opened the item to public comment and none were heard.
Motion by Knapp, second by Kalbfell to appoint Shirley Gibson to the Recreational Authority Board, term expiring March 2024.
Yeas: Knapp, Parr, Kalbfell, Hagen, Spring
Nays: None
Absent: Bryan
Motion Carried.

B. Adoption of CivicClerk Agenda Management Platform

City Manager Heydlauff stated that staff evaluated our current agenda management program and recommends moving to the platform offered by our website provider. Both the agenda management program as well as the City's website will now be serviced by the same the company and will integrate effectively. CivicClerk's annual subscription will save the City over \$1,000 per year. CivicClerk will allow the City to use the agenda management software for all their boards and commissions. Staff is planning on having the new agenda management platform functional by May 2, 2022.

Deputy Mayor Hagen opened the item to public comment and none were heard.

Motion by Spring, second by Parr to approve the proposal from CivicPlus for agenda management for total not to exceed \$9,090.00 with an annual subscription.

Yeas: Knapp, Parr, Kalbfell, Hagen, Spring
Nays: None
Absent: Bryan
Motion Carried.

8. Reports & Communications

A. Public Comments

B. City Manager Comments

- City Manager Heydlauff wanted to thank the Public Works employees that helped one of our residents out of the ditch. The resident was very impressed with the customer service and modesty displayed by the City employees.

C. Mayor & Council Comments

- Deputy Mayor Hagen requested staff research different sign-up options for Camp McSaubia
- Councilmember Parr stated he appreciated the Michigan Main Street Impact Report
- Councilmember Spring stated he appreciated the Deputy Mayor's Proclamation for Ukraine
- Council collectively thanked the public for their attendance

9. Other Council Business

10. Adjourn

Deputy Mayor Hagen adjourned the meeting at 6:18 p.m.

Sarah J. Dvoracek	City Clerk	Aaron Hagen	Deputy Mayor
Special Accounts Payable – 02/22/2022 & 02/28/2022			
AT&T	1,534.52	STANDARD INSURANCE CO	2,448.62
AT&T MOBILITY	757.90	TRANSUNION RISK AND ALTERNATIVE	150.00
CHARLEVOIX STATE BANK	4,201.03	VSP INSURANCE CO. (CT)	548.43
CHARTER COMM. OPERATING LLC	924.02	WEX BANK	8,800.36
CITY OF CHARLEVOIX - MISC	807.37	CITY OF CHARLEVOIX - MISC	4,827.93
DELTA DENTAL	3,404.63		
EQUITABLE FINANCIAL LIFE INSURANCE	374.59	TOTAL	73,642.19
GREAT LAKES ENERGY	357.98		
PRIORITY HEALTH	44,504.81		
Regular Accounts Payable – 03/08/2022			
ABILITA	6,104.60	ANZELL, BETH A.	50.00
AIRGAS USA LLC	83.28	APPLIED HANDLING INC	567.10
AIS CONSTRUCTION EQUIPMENT	99.35	BAYTEES	160.00
ALL-PHASE ELECTRIC SUPPLY CO	458.02	BELL EQUIPMENT COMPANY	612.65
AMAZON CAPITAL SERVICES	545.26	BOSS, BEAU	225.00
AMERICAN TOTAL SECURITY INC	98.00	CHARLEVOIX TOWNSHIP TREASURER	33,099.25
ANDERSON, ELIZABETH A.	50.00	CONWAY PROFESSIONAL SERVICES	960.00

CUMMINS	1,545.04	MWEA	160.00
D&D ELECTRONICS	305.00	NEXVORTEX INC	96.38
DeROSIA, PATRICIA E.	50.00	NORTHWEST ELECTRONICS & REPAIR	119.97
DETROIT AIR COMPRESSOR	668.19	NORTHWEST FIRE	251.00
DETROIT SALT COMPANY	7,363.53	OHM ADVISORS	1,657.00
DIGITAL DOLPHIN	169.95	OLSON BZDOK & HOWARD	2,294.00
DOAN, GERARD P.	50.00	OSTLUND PEST CONTROL NORTH INC	165.00
DOTSON, LINDSEY J.	50.00	OTEC	225.00
DVORACEK, SARAH	50.00	PENCHURA LLC	3,926.00
ELEMENTS GALLERY	25.00	POWER LINE SUPPLY	2,726.47
ELLIOTT, PATRICK M.	86.00	PREIN & NEWHOF	959.80
ELLSWORTH FARMERS EXCHANGE	980.14	PRESTON FEATHER	472.24
ETNA SUPPLY	170.00	QUILL LLC	444.23
FASTENAL COMPANY	160.48	SCHOLEY, ROBERT W.	50.00
FREEDOM MAILING SERVICES INC	2,377.63	SCIENTIFIC BRAKE - GAYLORD	339.19
GALLS LLC	150.98	SPARTAN STORES LLC	53.06
GATEHOUSE MEDIA MI HOLDINGS	241.52	STATE OF MICHIGAN	440.00
GRAINGER	1,168.60	STATE OF MICHIGAN	135.00
GRANICUS	13,343.97	STATE OF MICHIGAN	680.84
GREAT LAKES PIPE & SUPPLY	454.78	STATE OF MICHIGAN	270.00
GRIFFITH, JOHN J	300.38	TERMINAL SUPPLY CO	979.42
HACH COMPANY	1,475.74	TRUCK & TRAILER SPECIALTIES	377.68
HEALTH DEPT OF NW MICHIGAN	970.00	U S BANK ST PAUL	90,000.00
HEYDLAUFF, MARK L.	50.00	UNIFIRST CORPORATION	633.70
HILLING, NICHOLAS A.	50.00	UP NORTH ASSESSING INC	5,200.00
HOTSY OF MID MICHIGAN INC	340.54	USABUEBOOK	3,741.38
IDEXX DISTRIBUTION INC	200.20	VILLAGE GRAPHICS INC	177.00
KAUFFMAN'S FURNITURE	1,627.00	VIRTUAL ACADEMY	315.00
KLOOSTER, ALIDA K.	50.00	WORK 'N PLAY SHOP	474.05
KNORR, KENT J.	50.00	WURST, RANDALL W.	50.00
KSS ENTERPRISES	225.46	WYMAN, MATTHEW A.	50.00
LITTLE TRAVERSE DISPOSAL LLC	1,805.00	YOUNG, KRISTEN L.	50.00
LIVINGSTON, BRIAN D.	50.00		
MCDERMOTT, DENNIS J.	50.00	TOTAL	197,381.05
MCGINN, KELLY A.	50.00		
MILLER, WILLIAM S.	50.00		

ACH Payments – 02/17/2022 to 03/04/2022

NEOFUNDS BY NEOPOST	2000.00	VANTAGEPOINT (401 ICMA PLAN)	957.68
ENTERPROSE FM TRUST (FLEET LEASE)	8,732.12	VANTAGEPOINT (457 ICMA PLAN)	19,460.10
MI PUBLIC POWER AGENCY	18,607.91	VANTAGEPOINT (ROTH IRA)	1,080.76
MI PUBLIC POWER AGENCY	253,559.77		
MI PUBLIC POWER AGENCY	21,314.45	TOTAL	366,413.00
IRS (PAYROLL TAX DEPOSIT)	35,165.77		
ALERUS FINANCIAL (HCSP)	350.00		
STATE OF MI (WITHHOLDING TAX)	5,184.44		

Payroll Net Pay – Check Date 03/04/2022

HEYDLAUFF, MARK L.	3,357.94	WILSON, TIMOTHY J.	3,227.68
DVORACEK, SARAH J.	2,244.03	LAVOIE, RICHARD L.	2,145.75
DEROSIA, PATRICIA E.	414.89	STEVENS, BRANDON C.	2,783.81
DOTSON, LINDSEY J.	1,386.42	DRAVES, MARTIN J.	2,306.61
KLOOSTER, ALIDA K.	2,198.52	ANDERSON, ELIZABETH A.	1,338.42
GOLOVICH, KAREN J.	259.23	KENWABIKISE, DAVID L.	1,250.29
BARNEVELD, RICHELLE L.	1,319.55	ELLIOTT, PATRICK M.	3,083.00
SCHULZ, GINNY L.	1,491.84	SCHWARTZFISHER, JOSEPH	1,375.67
MILLER, FAITH G.	43.27	BRADLEY, KELLY R.	1,537.38
MCGINN, KELLY A.	2,154.14	HART II, DELBERT W.	1,674.62
DOAN, GERARD P.	2,432.48	JONES, ROBERT F.	1,620.77
SCHOLEY, ROBERT W.	1,599.88	FARRELL, MITCHELL L.	1,400.64
UMULIS, MATTHEW T.	1,250.16	THORP JR, WILLIAM D.	1,648.34
ORBAN, BARBARA K.	1,123.48	LEITNER, RYAN S.	1,855.06
RILEY, DENISE M.	365.97	FERGUSON, ROYCE L.	1,858.97
MUNK, CHRISTOPHER J.	1,261.22	KNORR, KENT J.	2,026.00
SCHICK, TIELER R.	1,418.16	ANZELL, BETH A.	1,367.26
STEWART, MORGAN J.	1,390.68	BOSS, SHERRY M.	392.76
YOUNG, KRISTEN L.	1,867.26	MCDERMOTT, DENNIS J.	950.43
WURST, RANDALL W.	1,835.81	DOE-NIMPHE, SETH K.	301.12
HILLING, NICHOLAS A.	1,538.30	PORATH, JACOB P.	124.62
MEIER III, CHARLES A.	1,406.57	HAGEN, MADISON L.	413.43
ZACHARIAS, STEVEN B.	1,431.66	KUPPE II, KENNETH N.	243.58
NEWMAN, MARK J.	1,483.25	BERTINELLI, DAVID P.	283.06
LOUGHMILLER, JOHN A.	1,796.04	JOY, ANNE E.	666.42
GRIFFITH, JOHN J.	2,998.09	MATTACK, JEFFREY C.	645.98
EATON, BRAD A.	2,641.28	HILLIGAN, ABIGAIL B.	484.95

PEARSALL, KRISTA M.	93.60	PAALMAN, STEPHEN J.	169.16
WELLS, JANINNA J.	198.15	WHITLEY, ANDREW T.	2,445.55
BOSS, BEAU J.	1,537.64	MORRISON, KEVIN P.	1,853.00
BEMIS, GARRETTSON G.	490.97	BOSS JR, DALE E.	1,296.79
COFFEY, JASON J.	953.52	MATTER, DAWSON K.	90.59
WYMAN, MATTHEW A.	1,809.69	HOLM, ARTHUR R.	1,263.77
MILLER, WILLIAM S.	1,461.55	WILLSON, BRENDA R.	45.28
DOUGLAS, MARK	1,038.44		
MCCRANEY, RUSSELL R.	1,114.47	TOTAL	96,174.75
FRATRICK, JOSEPH W.	595.84		

Payroll Transmittal – 03/04/2022

4FRONT CREDIT UNION	885.00	MI STATE DISBURSEMENT UNIT	116.55
AMERICAN FAMILY LIFE	521.59	POLICE OFFICERS LABOR COUNCIL	251.25
CA. STATE DISBURSEMENT UNIT	92.19	PRIORITY HEALTH	1,505.35
CHARLEVOIX STATE BANK	890.00		
COMMUNICATION WORKERS OF AMER	692.41	TOTAL	5,340.56
EQUITABLE FINANCIAL LIFE INSURANCE	386.22		

Tax Disbursement – 03/08/2022

BELVEDERE CLUB	1,072.19	CHARLEVOIX-EMMET ISD	160,916.46
CHARLEVOIX COUNTY TREASURER	88,899.28	CITY OF CHARLEVOIX - TAXES DUE	53,221.11
CHARLEVOIX DISTRICT LIBRARY	67,779.45	LAKE CHARLEVOIX EMS AUTHORITY	59,734.59
CHARLEVOIX PUBLIC SCHOOLS	10,095.07	RECREATIONAL AUTHORITY	13,100.38
CHARLEVOIX PUBLIC SCHOOLS	867.53		
CHARLEVOIX PUBLIC SCHOOLS	1,519.75	TOTAL	457,794.46
CHARLEVOIX PUBLIC SCHOOLS	269.53		
CHARLEVOIX PUBLIC SCHOOLS	319.12		

CHARLEVOIX CITY COUNCIL

Consent Agenda

TITLE: Purchase of Toro Walkbehind Greensmaster

DATE: March 21, 2022

BACKGROUND:

The 2022 budget includes the purchase of a new Riding Greens Mower for the City Golf course. The Golf Course currently has two Greens Mowers.

Last year we replaced one of the Mowers, with a new Torro Riding Mower for \$29,154. We intended to purchase a similar mower this year to replace the 1995 riding mower that has over 6000 hours of use on the equipment. Using the United States Golf Association industry standards, this would convert to nearly 465,000 miles on a road vehicle. Unfortunately, this mower has exceeded its life expectancy and replacement parts are very difficult to find any longer. We are spending increased time and resources to keep this running. The longevity and continued use of this mower is a testament to the hard work of our golf course mechanic Dave Gill.

Golf Course greens mowers are a highly specialized piece of mowing equipment. MiDeals did not have a vendor selling greens mowers.

Rather than purchasing a "riding mower", our Golf Superintendent Brian Livingston is recommending the Greenmaster 1026 walk behind mower. He tested one of these last summer and was very please with both the cut and the efficiency that this mower provided. For our operations this was Brian's preferred piece of equipment to consider for purchase.

We are recommending the purchase of the Toro Greenmaster 1026 (#04840) at the purchase price of \$13,646.13. Purchase would be from Spartan Distributors from Sparta Michigan. It would be available for delivery this summer, but we will have access to a demo mower until that time. The Toro is the same manufacturer of our current riding mower. Competitor Jacobson is not offering a walk behind greens mower in 2022.

RECOMMENDATION:

Motion to approve the purchase of one 2022 Toro Greenmaster 10 for the amount of \$13,646.13.

ATTACHMENTS:

- ▣ Quote Spartan
- ▣ Mower Specifications
- ▣ Mower Specifications
- ▣ USGA hours to Miles form

February 22, 2022

487 W Division Street
PO Box 246
Sparta, MI 49345
616.887.7301
Fax: 616.887.6288

1050 Opdyke Road
Auburn Hills, MI 48326
248.373.8800
Fax: 248.373.8899

Charlevoix Municipal Golf Club
Attn: Brian Livingston
210 State Street
Charlevoix, MI 49720

Dear Brian,

We are pleased to provide a quote on the following equipment:

(1) Toro Greensmaster 1026 (#04840)

\$ 13,646.13

- 11 Blade DPA Cutting Units
- Back Lap Kit
- Toro Transpro 80 w/ Rail Ramp Kit



Pricing is firm for 30 days from date of quotation.

DELIVERY: As Arranged

TERMS: Net 30 Days

Thank you for your interest in our line of equipment. If you have any questions, please feel free to call me at 616-340-4143.

Sincerely,

Aj Rings

PURE  MICHIGAN®

TORO®

Greensmaster® 1018/1021/1026

WALK GREENSMOWERS

FEATURES

Greensmaster 1018/1021/1026

Common Features:

- Heavy-duty, 3.5 hp (2.6 kW) Honda® engine for optimal power
- Telescoping loop handle design with combined operational and safety bail
- Operational bail allows slowing down or a complete stop in tight turns without disengaging traction
- Rubber-mounted handle to reduce oscillation motion from walking for cutting consistency
- No greasing requirement and modular designs for labor saving maintenance
- Choice of cutting units (8, 11 and 14-blade) to accommodate different cutting heights
- Conversion capability from greens to tee mower in minutes
- Excellent balance for superior tracking and easy turn around
- Squeeze service / parking brake for enhanced control

Greensmaster 1018:

- 18-inch (45.7 cm) width of cut
- Narrow mowing swath for narrow striping and superior ground-following over undulations
- 14-blade reel provides a smooth, consistent cut resulting in superior ball roll

Greensmaster 1021:

- 21-inch (53.3 cm) width of cut
- Superior quality of cut and reliable performance
- Choose 8-blade, 11-blade or 14-blade reel for superior performance in any mowing condition

Greensmaster 1026:

- 26-inch (66 cm) width of cut
- Wider mowing swath for increased productivity
- Choose 8-blade or 11-blade reel for superior performance in any mowing condition

A new legend in greens mowing is born.

The new Toro® Greensmaster® Fixed-Head Series (1018/1021/1026) has a cutting width range of 18", 21" and 26", respectively. The new design synchronizes the operator and the machine, in an effort to eliminate operator error. All models in the line boast new innovative operator controls; its main feature is a telescoping loop handle that each operator can adjust in seconds to their personal size for comfort and reduce fatigue, which ensures a consistent, pristine cut. These units are designed for minimal maintenance and a long and productive life, to save labor and operation cost.



EdgeSeries™ Reels

Greensmaster® 1018 Specifications*

GREENSMaster 1018, MODEL 04820	
ENGINE	Honda GX120 - 3.5 hp (2.6 kW) @3600 rpm, gasoline with integral lighting coil.
FUEL CAPACITY	2.1 qts (2L)
FRAME	Fully modular design allows quick disassembly for service / maintenance of all major components.
TRACTION DRIVE	Full gear drive transmission with integral traction differential and traction drive disconnect to ease movement during service / maintenance operations. Interchangeable drum drive gear cases.
TRACTION DRUM	Dual position traction drum with positions for contour following or forward weight bias at higher heights of cut.
GROUND SPEED	Mowing Speed: 2.0 mph (3.2 km/h) to 3.5 mph (5.6 km/h) Transport Speed: 5.3 mph (8.5 km/h)
CLUTCH	Externally-mounted two sided dry disc clutch actuated by dual motion bail.
BRAKE	Service / parking – band type.
CUTTING UNIT DRIVE	Quick change dual speed gear drive.
CUTTING UNIT ATTACHMENT	Detachable cutting unit allows easy removal for service / maintenance or cutting unit exchange for different uses.
CUTTING UNIT	14-blade cutting unit
CONTROLS	Engine mounted: recoil starter, choke, fuel shutoff. Handle mounted: on/off switch, throttle lever, dual motion traction / safety bail, reel engage lever, service/park brake lever, hour meter, light switch (optional).
HANDLE	Loop handle with telescoping adjustment with 5" (12.7 cm) total travel, rubber isolated to minimize operator influence during mowing.
TRANSPORT TIRES / KICKSTAND	Optional – Two, quick-detachable pneumatic tires (3.00X3.25-6). Kickstand is standard.
WIDTH OF CUT	18" (45.7 cm)
HEIGHT OF CUT RANGE	For Greens: (Drum Position One) 0.062" to 0.312" (1.5 mm to 8 mm) For Tees: (Drum Position Two) 0.25" to 0.625" (6 mm to 16 mm) High Height of Cut Kit: (Drum Position Two) 1.18" (30 mm)
WEIGHT	217 lbs. (98 kg) with 14-blade cutting unit, aluminum Wiehle roller.
MAINTENANCE REQUIREMENTS	No daily greasing required.
CERTIFICATION	Designed in accordance to applicable ANSI and CE specifications.
WARRANTY	Two-year limited warranty. Refer to the Operator's Manual for further details.

GREENSMaster 1018 ACCESSORIES

CUTTING UNITS & REEL OPTIONS	
04824	14-Blade DPA EdgeSeries™ Cutting Unit

ROLLER OPTIONS	
04804	Interlaced Narrow Wiehle Roller
04814	Full Front Roller
04148	Extended Narrow Wiehle Roller
140-3362	Extended Narrow Wiehle Roller - Heavy
115-7361	Auxiliary Roller Extensions

GROOMER OPTIONS	
04707	Universal Groomer Drive
04268	Grooming Brush – Soft
04269	Grooming Brush – Stiff
04801	Twin Tip Groomer Blade Assembly

SCRAPER/BRUSH OPTIONS	
139-7411	Interlaced Roller Scraper Assembly
139-7412	Interlaced Roller Scraper Brush Assembly
120-9617	Full Roller Scraper Assembly
120-9673	Full Roller Scraper Brush Assembly

BEDKNIFE OPTIONS	
117-1530	EdgeMax™ Microcut (standard)
110-2300	Extended Microcut
110-2301	Lowcut
117-1532	EdgeMax™ Tournament
139-4318	EdgeMax™ Short Microcut
139-4319	EdgeMax™ Short Tournament
98-7260	Tournament
98-7261	Microcut

TRACTION UNIT ACCESSORIES	
04135	LED Light Kit
04138	Cutting Unit Light Kit Mount
04136	Push Broom Kit
139-4342	Backlap Access Kit
139-4368	Wireless Hour Meter Kit
99-4286	High Height of Cut Bracket
04123	Wheel Kit

TOOLS	
04399	Turf Evaluator
125-5610	Reel Paper – (10 Pack)
125-5611	Reel Shim
131-6828	Angle Indicator
131-6829	Angle Indicator Mount
94-9010	Height of Cut Bar

*Specifications and design subject to change without notice. Products depicted in this literature are for demonstration purposes only. Actual products offered for sale may vary in use, design, required attachments and safety features. Consult your local Toro Distributor.



GREENSMaster 1021, MODEL 04830	
ENGINE	Honda GX120 - 3.5 hp (2.6 kW) @3600 rpm, gasoline with integral lighting coil.
FUEL CAPACITY	2.1 qts (2L)
FRAME	Fully modular design allows quick disassembly for service / maintenance of all major components.
TRACTION DRIVE	Full gear drive transmission with integral traction differential and traction drive disconnect to ease movement during service / maintenance operations. Interchangeable drum drive gear cases.
TRACTION DRUM	Dual position traction drum with positions for contour following or forward weight bias at higher heights of cut.
GROUND SPEED	Mowing Speed: 2.0 mph (3.2 km/h) to 3.5 mph (5.6 km/h) Transport Speed: 5.3 mph (8.5 km/h)
CLUTCH	Externally-mounted two sided dry disc clutch actuated by dual motion bail.
BRAKE	Service / parking – band type.
CUTTING UNIT DRIVE	Quick change dual speed gear drive.
CUTTING UNIT ATTACHMENT	Detachable cutting unit allows easy removal for service / maintenance or cutting unit exchange for different uses.
CUTTING UNIT OPTIONS	8-blade cutting unit 11-blade cutting unit 14-blade cutting unit
CONTROLS	Engine mounted: recoil starter, choke, fuel shutoff. Handle mounted: on/off switch, throttle lever, dual motion traction / safety bail, reel engage lever, service/park brake lever, hour meter, light switch (optional).
HANDLE	Loop handle with telescoping adjustment with 5" (12.7 cm) total travel, rubber isolated to minimize operator influence during mowing.
TRANSPORT TIRES / KICKSTAND	Optional – Two, quick-detachable pneumatic tires (3.00X3.25-6). Kickstand is standard.
WIDTH OF CUT	21" (53.3 cm)
HEIGHT OF CUT RANGE	For Greens: (Drum Position One) 0.062" to 0.312" (1.5 mm to 8 mm) For Tees: (Drum Position Two) 0.25" to 0.625" (6 mm to 16 mm) High Height of Cut Kit: (Drum Position Two) 1.18" (30 mm)
WEIGHT	224 lbs (100 kg) with 11-blade cutting unit, aluminum Wiehle roller.
MAINTENANCE REQUIREMENTS	No daily greasing required. On board backlapping available with optional kit.
CERTIFICATION	Designed in accordance to applicable ANSI and CE specifications.
WARRANTY	Two-year limited warranty. Refer to the Operator's Manual for further details.

GREENSMaster 1021 ACCESSORIES

CUTTING UNITS & REEL OPTIONS	
04832	8-Blade DPA EdgeSeries™ Cutting Unit
04833	11-Blade DPA EdgeSeries™ Cutting Unit
04834	14-Blade DPA EdgeSeries™ Cutting Unit

GROOMER OPTIONS	
04707	Universal Groomer Drive
04270	Grooming Brush – Soft
04271	Grooming Brush – Stiff
04802	Twin Tip Groomer Blade Assembly

BEDKNIFE OPTIONS	
115-1880	EdgeMax™ Microcut (standard)
108-4303	Extended Microcut
108-4302	Extended Tournament
115-1881	EdgeMax™ Tournament
139-4320	EdgeMax™ Short Microcut
139-4321	EdgeMax™ Short Tournament
137-0879	EdgeMax™ Fairway Bedknife
63-8610	Fairway
93-4262	Microcut
93-4263	Tournament
93-4264	Low Cut
94-6392	High Cut

TRACTION UNIT ACCESSORIES	
04135	LED Light Kit
04138	Cutting Unit Light Kit Mount
04136	Push Broom Kit
139-4342	Backlap Access Kit
04800	Backlap Kit
139-4369	Wireless Hour Meter Kit
99-4286	High Height of Cut Bracket
04123	Wheel Kit

ROLLER OPTIONS	
04805	Interlaced Narrow Wiehle Roller
04815	Full Front Roller
04141	Extended Narrow Wiehle Roller
04267	Paspalum Wiehle Roller
04249	Split Front Roller – Full
04250	Split Narrow Wiehle Roller
04825	Wide Wiehle Roller
115-7361	Auxiliary Roller Extension Kit
140-3363	Interlaced Narrow Wiehle Roller – Heavy

SCRAPER/BRUSH OPTIONS	
139-4383	Interlaced Narrow Wiehle Roller Scraper/Brush
139-4385	Interlaced Narrow Wiehle Roller Scraper
115-7378	Wide Wiehle Roller Scraper/Brush
125-3504	Wide Wiehle Roller Scraper
115-7379	Full Roller Scraper/Brush
125-3505	Full Roller Scraper

TOOLS	
04399	Turf Evaluator
125-5610	Reel Paper – (10 Pack)
125-5611	Reel Shim
131-6828	Angle Indicator
131-6829	Angle Indicator Mount
94-9010	Height of Cut Bar

*Specifications and design subject to change without notice. Products depicted in this literature are for demonstration purposes only. Actual products offered for sale may vary in use, design, required attachments and safety features. Consult your local Toro Distributor.



GREENSMaster 1026, MODEL 04840	
ENGINE	Honda GX120 - 3.5 hp (2.6 kW) @3600 rpm, gasoline with integral lighting coil.
FUEL CAPACITY	2.1 qts (2L)
FRAME	Fully modular design allows quick disassembly for service / maintenance of all major components.
TRACTION DRIVE	Full gear drive transmission with integral traction differential and traction drive disconnect to ease movement during service / maintenance operations. Interchangeable drum drive gear cases.
TRACTION DRUM	Dual position traction drum with positions for contour following or forward weight bias at higher heights of cut.
GROUND SPEED	Mowing Speed: 2.0 mph (3.2 km/h) to 3.5 mph (5.6 km/h) Transport Speed: 5.3 mph (8.5 km/h)
CLUTCH	Externally-mounted two sided dry disc clutch actuated by dual motion bail.
BRAKE	Service / parking – band type.
CUTTING UNIT DRIVE	Quick change dual speed gear drive.
CUTTING UNIT ATTACHMENT	Detachable cutting unit allows easy removal for service / maintenance or cutting unit exchange for different uses.
CUTTING UNIT OPTIONS	8-blade cutting unit 11-blade cutting unit
CONTROLS	Engine mounted: recoil starter, choke, fuel shutoff. Handle mounted: on/off switch, throttle lever, dual motion traction / safety bail, reel engage lever, service/park brake lever, hour meter, light switch (optional).
HANDLE	Loop handle with telescoping adjustment with 5" (12.7 cm) total travel, rubber isolated to minimize operator influence during mowing.
TRANSPORT TIRES / KICKSTAND	Optional – Two, quick-detachable pneumatic tires (3.00X3.25-6). Kickstand is standard.
WIDTH OF CUT	26" (66 cm)
HEIGHT OF CUT RANGE	For Greens: (Drum Position One) 0.062" to 0.312" (1.5 mm to 8 mm) For Tees: (Drum Position Two) 0.25" to 0.625" (6 mm to 16 mm) High Height of Cut Kit: (Drum Position Two) 1.18" (30 mm)
WEIGHT	240 lbs (108.8 kg) with 11-blade cutting unit, aluminum Wiehle roller.
MAINTENANCE REQUIREMENTS	No daily greasing required. On board backlapping available with optional kit.
CERTIFICATION	Designed in accordance to applicable ANSI and CE specifications.
WARRANTY	Two-year limited warranty. Refer to the Operator's Manual for further details.

GREENSMaster 1026 ACCESSORIES

CUTTING UNITS & REEL OPTIONS	
04842	8-Blade DPA EdgeSeries™ Cutting Unit
04843	11-Blade DPA EdgeSeries™ Cutting Unit

ROLLER OPTIONS	
04806	Interlaced Narrow Wiehle Roller
04816	Full Front Roller
04146	Long Narrow Wiehle Roller
04826	Wide Wiehle Roller
04127	Split Full Roller
04137	Split Narrow Wiehle Roller
115-7361	Auxiliary Roller Extension Kit

GROOMER OPTIONS	
04707	Universal Groomer Drive
04276	Grooming Brush – Stiff
04803	Twin Tip Groomer Blade Assembly

SCRAPER/BRUSH OPTIONS	
139-5125	Interlaced Narrow Wiehle Roller Scraper/Brush
139-4394	Interlaced Narrow Wiehle Roller Scraper
139-7410	Wide Wiehle Roller Scraper/Brush
139-7406	Wide Wiehle Roller Scraper
139-5117	Full Roller Scraper/Brush
139-4398	Full Roller Scraper

BEDKNIFE OPTIONS	
117-1548	EdgeMax™ Tournament (standard)
139-4322	EdgeMax™ Short Microcut
139-4323	EdgeMax™ Short Tournament
139-4324	EdgeMax™ Microcut
107-8181	Fairway
112-9275	Microcut
94-5885	Tournament
93-9015	Low Cut
104-2646	High Cut

TRACTION UNIT ACCESSORIES	
04135	LED Light Kit
04138	Cutting Unit Light Kit Mount
04136	Push Broom Kit
139-4342	Backlap Access Kit
04800	Backlap Kit
139-4369	Wireless Hour Meter Kit
99-4286	High Height of Cut Bracket
04123	Wheel Kit

TOOLS	
04399	Turf Evaluator
125-5610	Reel Paper – (10 Pack)
140-5531	Reel Shim
131-6828	Angle Indicator
131-6829	Angle Indicator Mount
94-9010	Height of Cut Bar



TORO®

TransPro® 80/200

WALK GREENSMOWER TRAILERS

FEATURES

TransPro 200

- Safely transport 1 or 2 walk greens mowers
- Rail ramp module simplifies operation and reduces loading time by up to 50% – no need to mount mower transport wheels
- Adjustable roller pockets allow for configuration of fixed units, flex units, with or without groomers
- Combination of roller pocket, rubber mats and wheel/donut retainer securely retain mower(s) in place helping keep mower adjustments intact. Once the ramp or rails are raised – units are locked in place
- Open trailer design allows for easy washdown of the mower without unloading
- Single configuration for either 18" (45.7cm) or 21" (53.3cm) wide units
- Hitch pin release is incorporated into convenient lift handle for trailer hitch. 2.5" (6.35cm) adjustable hitch height for level trailering and loading

TransPro 80

- Safely transport 1 walk greens mower
- Rail ramp simplifies operation and reduces loading time by up to 50% – no need to mount mower transport wheels
- Large trailer tires to cushion ride and help protect mower during transport
- Rubber mat protects greens mower front rollers during transport, helping keep mower adjustments intact
- Open design allows servicing and washdown while mower is on the trailer
- Quick-lock device secures mower to the trailer for safe transport

Safely and easily transport one or two walk greensmowers.

Toro® TransPro® trailers safely and easily transport walk greens mowers to and from the mowing area. The unique design protects your mower investment and keeps adjustments intact. The TransPro 80 accommodates a single Greensmaster® with a Flat Ramp or Rail Ramp Kit. For additional time and productivity gains, transport two mowers (excluding the Greensmaster 1600 and 1026) with the TransPro 200.



TransPro 200

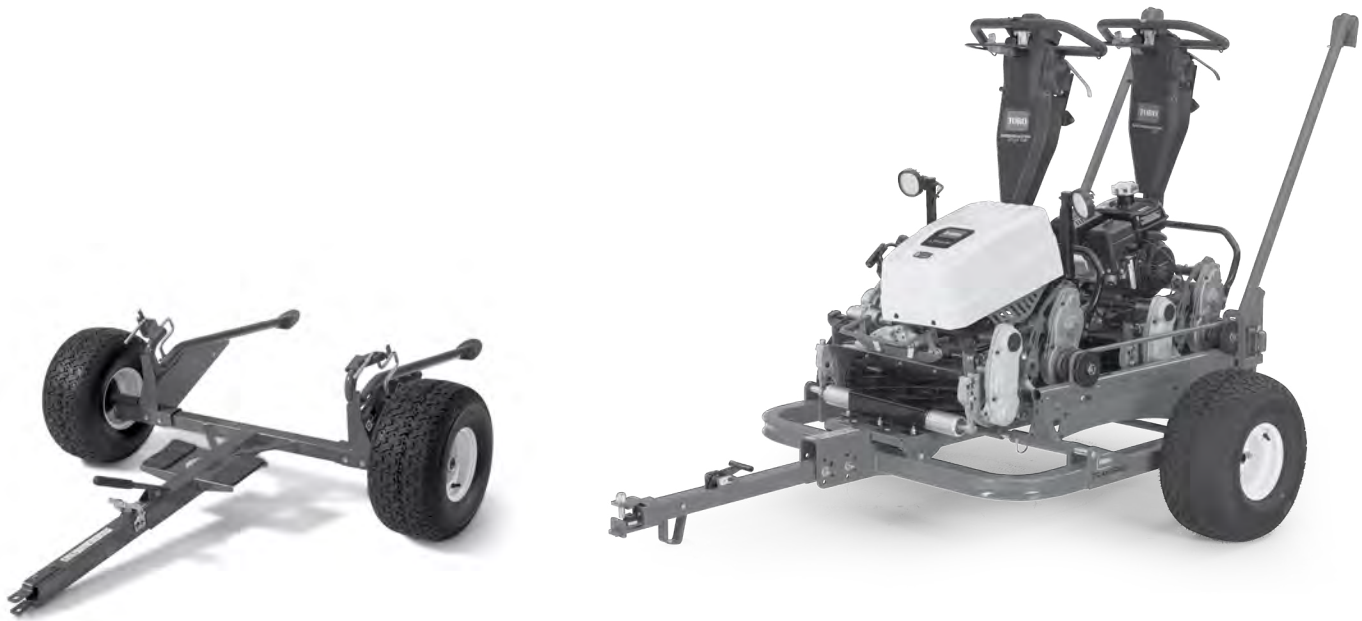


TransPro 80



TransPro® 80 / 200*

Safely and easily transports one or two walk greensmowers to and from the mowing area.



	TRANSPRO 80, MODEL 04238	TRANSPRO 200, MODEL 04239
LOAD CAPACITY	400 lbs. (181.6 kg) including weight of trailer	1,150 lbs. (522 kg) including weight of trailer
SUSPENSION	Large low pressure tires (20 x 10-8)	
TRANSPORT SPEED	Maximum of 15 mph (24 km/h)	
RAMP	Textured split ramp design with detented wheel retainers	Textured split ramp design with spring-loaded ramp retainers for storage during transport operation
RAIL	Textured loading rails for use in conjunction with smaller bogey (donut) wheels in place of transport tires.	
HITCH	Pin type hitch is standard; tongue is 2.5" (6.4 cm) wide and adjustable in length (will accept standard ball hitch)	2.5" (6.4 cm) Adjustable hitch height for level towing and loading. Pin release is incorporated into lift handle.
TOWING	Designed to tow behind a utility vehicle with tongue height 7"-13" (18-33 cm); maximum tongue load 55 lbs. (25 kg)	
RETENTION METHOD	Quick latch mower caddy, wheel/donut retainer, and retention straps to maintain upright mower orientation	Adjustable front roller pockets and wheel/donut retainer positively secure mower for transport
FINISH	Rust/corrosion-resistant paint	
AXLES	Heavy-duty stub. Greaseable	Heavy-duty stub. Maintenance-free sealed bearings.
DIMENSIONS	Height: 19" (48.3 cm) Width: 62" (157.5 cm) Length: 81" (205.7 cm)	Height: 61" (154.9 cm) Width: 68" (172.7 cm) Length: 108" (274 cm)
	Easily adjustable to fit all Toro walk greensmowers	Easily adjustable to fit all 18" and 21" Toro walk greensmowers. (not recommended for Greensmaster® 1600 or 1026)

TRANSPRO 80 ACCESSORIES	TRANSPRO 200 ACCESSORIES
04245 Flat Ramp Kit	04219 Wheel Loading Kit
04247 Rail Ramp Kit	04229 Rail Loading Kit
107-8188 Hitch Kit	144-5668 Axle kit - Greensmaster Flex18/21
136-7287 Extended Axle for Rail Ramp Using 04648 Groomer	144-5664 Axle kit - Greensmaster Flex 18XX/21XX
	144-5663 Axle kit - Greensmaster 800/1000 Series

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For the golf course to reach its potential, everyone knows that good agronomic and cultural practices must be employed. Although these practices vary from course to course and from one part of the country to another, there is one factor that remains constant. Turf quality is greatly enhanced through the use of modern equipment. The problem with modern equipment is that it is expensive to buy, expensive to repair, and it does not last as long as equipment used in the past.

In South Florida the useful life expectancy of frequently used turf equipment (mowers, sand trap rakes, utility and transportation vehicles) is 1,800 hours. Once one of these units gets above 1,800 hours, repairs and down time increase significantly. If a unit surpasses its useful life expectancy then employee productivity is reduced, therefor sensible money management is sacrificed.

So that you understand how hours compare to miles on an automobile, I have provided you with a chart created by the USGA.

Hours to Miles Cart Provided by USGA

Most turf equipment is used daily and operates at high Rpm's. Turf equipment operates in wet dusty conditions, and it is frequently exposed corrosive chemicals and fertilizers. In order to drive traction units and implements such as reels, blades and pumps, turf equipment uses hydraulics. In order for the hydraulics to function properly its engine must run at speeds that exceed 3,000 rpm's. Even the non implement units such as transportation and utility vehicles operate at high rpm's because they use two or four cycle single cylinder engines. The follow chart coverts hours into miles using the formula 1 hour = 77 miles. That figure is derived from the average automobile driven at 3,000 RPM will travel at speeds of 70 miles per hour. Add 10% for the harsh conditions turf equipment encounters.

500 Hours	=	38,500 Miles
1,000 Hours	=	77,000 Miles
1,500 Hours	=	115,500 Miles
2,000 Hours	=	154,000 Miles
3,000 Hours	=	231,000 Miles
4,000 Hours	=	308,000 Miles
5,000 Hours	=	385,000 Miles
6,000 Hours	=	462,000 Miles
7,000 Hours	=	539,000 Miles

So, the realization of purchasing new equipment is that it will not last forever. Turf equipment needs to be replaced and should be replaced on a regular basis. About 75% of our equipment is many years past its useful replacement time. The USGA agronomists have developed a rule of thumb for the replacement of equipment. Assuming the equipment inventory has been kept current (which ours has not), 15% of the total replacement value should be spent toward the purchase of new machinery each season. This replacement program needs to start one year after the initial purchase of equipment. The replacement value of our equipment at Foxfire is about 1.1 million dollars. Therefor \$165,000 per year worth of equipment should have been replaced each year in order for our fleet to have remained current and efficient.

CHARLEVOIX CITY COUNCIL

Consent Agenda

TITLE: Accounts Payable and Payroll Check Registers

DATE: March 21, 2022

ATTACHMENTS:

- ▣ Accounts Payable and Payroll Check Registers

Pay Period Date	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
03/12/2022	03/18/2022	135940	4FRONT CREDIT UNION	9024	HSA-EMPLOYEE CONTRIB-4FR	885.00
03/12/2022	03/18/2022	135941	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-POST T	86.90
03/12/2022	03/18/2022	135941	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-PRETA	434.69
03/12/2022	03/18/2022	135942	CALIFORNIA STATE DISB	9033	Remittance ID 200000001923773	92.19
03/12/2022	03/18/2022	135943	CHARLEVOIX STATE BAN	9017	HSA - EMPLOYEE CONTRIB - C	890.00
03/12/2022	03/18/2022	135944	COMMUNICATION WORK	9004	CWA UNION DUES Pay Period:	692.41
03/12/2022	03/18/2022	135945	EQUITABLE FINANCIAL LI	9010	LIFE - VOLUNTARY Pay Period:	277.90
03/12/2022	03/18/2022	135945	EQUITABLE FINANCIAL LI	9010	SPOUSE LIFE Pay Period: 3/12/	51.98
03/12/2022	03/18/2022	135945	EQUITABLE FINANCIAL LI	9010	CHILD LIFE Pay Period: 3/12/20	4.40
03/12/2022	03/18/2022	135945	EQUITABLE FINANCIAL LI	9010	AD&D - VOLUNTARY Pay Period	37.78
03/12/2022	03/18/2022	135945	EQUITABLE FINANCIAL LI	9010	SPOUSE AD&D Pay Period: 3/12	10.83
03/12/2022	03/18/2022	135945	EQUITABLE FINANCIAL LI	9010	CHILD AD&D Pay Period: 3/12/2	3.33
03/12/2022	03/18/2022	135946	MI STATE DISBURSEMEN	9012	FRIEND OF THE COURT Pay Pe	116.55
03/12/2022	03/18/2022	135947	PRIORITY HEALTH	392358	PRIORITY HEALTH Pay Period:	1,505.35
Grand Totals:						5,089.31

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

03/18/22 Payroll Transmittal Checks	\$ 5,089.31
03/18/22 Payroll (net pay)	\$ 93,471.30
03/22/22 Regular Accounts Payable	\$ 303,026.87
Checks Sub-Total:	\$ 401,587.48

HUNTINGTON NATIONAL BANK - ACH/WIRE PAYMENTS

03/03/22 AMG Payment Solutions	\$ 24.99
03/04/22 Payment Service Network Inc.	\$ 258.40
03/07/22 MI Public Power Agency	\$ 17,951.46
03/09/22 DTE Energy	\$ 10,161.18
03/09/22 State of MI (Sales Tax)	\$ 22,492.46
03/14/22 MI Public Power Agency	\$ 40,357.71
03/18/22 IRS (Payroll Tax Deposit)	\$ 33,971.12
03/18/22 Alerus Financial (HCSP)	\$ 350.00
03/18/22 State of MI (Withholding Tax)	\$ 5,024.15
03/18/22 Vantagepoint (401 Plan)	\$ 957.68
03/18/22 Vantagepoint (457 Plan)	\$ 19,327.31
03/18/22 Vantagepoint (Roth IRA)	\$ 1,080.76
03/18/22 MERS (Defined Benefit Plan)	\$ 49,598.89
ACH Sub-Total:	\$ 201,556.11

Huntington National Bank Total: \$ 603,143.59

CHARLEVOIX STATE BANK - CHECKS ISSUED (PROPERTY TAX DISBURSEMENT TO VARIOUS TAXING AUTHORITIES)

03/09/22 Tax Disbursement - Special A/P Run	\$ 58,965.04
Charlevoix State Bank Total:	\$ 58,965.04
Grand Total:	\$ 662,108.63

APPROVED:


CITY MANAGER


CITY TREASURER

CITY CLERK

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
03/12/2022	PC	03/18/2022	34916	HEYDLAUFF, MARK L.	102		3,069.50
03/12/2022	PC	03/18/2022	34917	DVORACEK, SARAH J.	105		2,244.03
03/12/2022	PC	03/18/2022	34918	DEROSIA, PATRICIA E.	107		921.43
03/12/2022	PC	03/18/2022	34919	DOTSON, LINDSEY J.	109		1,386.42
03/12/2022	PC	03/18/2022	34920	KLOOSTER, ALIDA K.	121		1,795.97
03/12/2022	PC	03/18/2022	34921	GOLOVICH, KAREN J.	122		259.23
03/12/2022	PC	03/18/2022	34922	BARNEVELD, RICHELLE	123		1,265.82
03/12/2022	PC	03/18/2022	34923	SCHULZ, GINNY L.	125		1,464.52
03/12/2022	PC	03/18/2022	34924	MCGINN, KELLY A.	146		1,690.69
03/12/2022	PC	03/18/2022	34925	DOAN, GERARD P.	201		2,432.49
03/12/2022	PC	03/18/2022	34926	SCHOLEY, ROBERT W.	204		1,599.88
03/12/2022	PC	03/18/2022	34927	UMULIS, MATTHEW T.	205		1,251.52
03/12/2022	PC	03/18/2022	34928	ORBAN, BARBARA K.	209		1,173.73
03/12/2022	PC	03/18/2022	34929	RILEY, DENISE M.	213		385.09
03/12/2022	PC	03/18/2022	34930	MUNK, CHRISTOPHER J.	215		1,311.47
03/12/2022	PC	03/18/2022	34931	SCHICK, TIELER R.	216		1,412.00
03/12/2022	PC	03/18/2022	34932	STEWART, MORGAN J.	217		1,424.83
03/12/2022	PC	03/18/2022	34933	YOUNG, KRISTEN L.	230		1,438.27
03/12/2022	PC	03/18/2022	34934	WURST, RANDALL W.	411		1,359.21
03/12/2022	PC	03/18/2022	34935	HILLING, NICHOLAS A.	413		1,938.06
03/12/2022	PC	03/18/2022	34936	MEIER III, CHARLES A.	421		1,755.00
03/12/2022	PC	03/18/2022	34937	ZACHARIAS, STEVEN B.	422		1,462.05
03/12/2022	PC	03/18/2022	34938	NEWMAN, MARK J.	424		1,348.58
03/12/2022	PC	03/18/2022	34939	LOUGHMILLER, JOHN A.	425		1,702.84
03/12/2022	PC	03/18/2022	34940	GRIFFITH, JOHN J.	500		2,998.09
03/12/2022	PC	03/18/2022	34941	EATON, BRAD A.	515		2,643.61
03/12/2022	PC	03/18/2022	34942	WILSON, TIMOTHY J.	516		2,756.01
03/12/2022	PC	03/18/2022	34943	LAVOIE, RICHARD L.	519		2,290.80
03/12/2022	PC	03/18/2022	34944	STEVENS, BRANDON C.	521		2,542.21
03/12/2022	PC	03/18/2022	34945	DRAVES, MARTIN J.	523		2,778.51
03/12/2022	PC	03/18/2022	34946	ANDERSON, ELIZABETH	526		1,338.42
03/12/2022	PC	03/18/2022	34947	KENWABIKISE, DAVID L.	528		1,184.64
03/12/2022	PC	03/18/2022	34948	ELLIOTT, PATRICK M.	600		3,083.00
03/12/2022	PC	03/18/2022	34949	SCHWARTZFISHER, JOS	603		1,453.64
03/12/2022	PC	03/18/2022	34950	BRADLEY, KELLY R.	614		1,367.56
03/12/2022	PC	03/18/2022	34951	HART II, DELBERT W.	616		1,837.02
03/12/2022	PC	03/18/2022	34952	JONES, ROBERT F.	618		1,563.02
03/12/2022	PC	03/18/2022	34953	FARRELL, MITCHELL L.	622		1,400.64
03/12/2022	PC	03/18/2022	34954	THORP JR, WILLIAM D.	623		1,454.83
03/12/2022	PC	03/18/2022	34955	LEITNER, RYAN S.	624		1,516.65
03/12/2022	PC	03/18/2022	34956	FERGUSON, ROYCE L.	625		1,441.49
03/12/2022	PC	03/18/2022	34957	KNORR, KENT J.	700		2,026.00
03/12/2022	PC	03/18/2022	34958	ANZELL, BETH A.	702		1,367.26
03/12/2022	PC	03/18/2022	34959	WASHBURNE, MICHAEL J	708		195.84
03/12/2022	PC	03/18/2022	34960	BOSS, SHERRY M.	730		118.69
03/12/2022	PC	03/18/2022	34961	MCDERMOTT, DENNIS J.	732		996.09
03/12/2022	PC	03/18/2022	34962	DOE-NIMPHIE, SETH K.	738		113.23
03/12/2022	PC	03/18/2022	34963	HAGEN, MADISON L.	752		65.28
03/12/2022	PC	03/18/2022	34964	KUPPE II, KENNETH N.	763		123.34
03/12/2022	PC	03/18/2022	34965	BERTINELLI, DAVID P.	764		141.53
03/12/2022	PC	03/18/2022	34966	JOY, ANNE E.	765		590.32
03/12/2022	PC	03/18/2022	34967	MATTACK, JEFFREY C.	767		595.79
03/12/2022	PC	03/18/2022	34968	HILLIGAN, ABIGAIL B.	769		437.27
03/12/2022	PC	03/18/2022	34969	MAY, MEREDITH A.	771		130.38
03/12/2022	PC	03/18/2022	34970	PEARSALL, KRISTA M.	784		44.04
03/12/2022	PC	03/18/2022	34971	WELLS, JANINNA J.	785		90.59
03/12/2022	PC	03/18/2022	34972	BOSS, BEAU J.	788		1,537.64

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
03/12/2022	PC	03/18/2022	34973	BEMIS, GARRETTSON G.	797		425.37
03/12/2022	PC	03/18/2022	34974	COFFEY, JASON J.	798		953.52
03/12/2022	PC	03/18/2022	34975	GILL, DAVID R.	856		450.26
03/12/2022	PC	03/18/2022	34976	LIVINGSTON, BRIAN D.	866		647.27
03/12/2022	PC	03/18/2022	34977	WYMAN, MATTHEW A.	927		1,809.69
03/12/2022	PC	03/18/2022	34978	MILLER, WILLIAM S.	933		1,000.98
03/12/2022	PC	03/18/2022	34979	DOUGLAS, MARK	935		1,018.31
03/12/2022	PC	03/18/2022	34980	MCCRANEY, RUSSELL R.	936		1,167.07
03/12/2022	PC	03/18/2022	34981	FRATRICK, JOSEPH W.	940		503.21
03/12/2022	PC	03/18/2022	34982	PAALMAN, STEPHEN J.	942		169.16
03/12/2022	PC	03/18/2022	135934	WHITLEY, ANDREW T.	522		2,904.81
03/12/2022	PC	03/18/2022	135935	MORRISON, KEVIN P.	601		1,250.66
03/12/2022	PC	03/18/2022	135936	BOSS JR, DALE E.	701		1,296.79
03/12/2022	PC	03/18/2022	135937	MATTER, DAWSON K.	786		249.09
03/12/2022	PC	03/18/2022	135938	HOLM, ARTHUR R.	791		1,263.77
03/12/2022	PC	03/18/2022	135939	WILLSON, BRENDA R.	799		45.28
Grand Totals:			73				93,471.30



Report Criteria:

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

Check Number	Payee	Amount
03/22/2022		
135948	ACE HARDWARE	2,215.04
135949	ACME SPORTS INC	1,021.95
135950	AMAZON CAPITAL SERVICES	591.91
135951	ASPEN WIRELESS TECHNOLOGIES IN	1,122.00
135952	AUTO-WARES GROUP	28.63
135953	AVFUEL CORPORATION	18,107.83
135954	BARNUM, JILL	29.10
135955	BELL EQUIPMENT COMPANY	1,040.08
135956	BRADFORD MASTER DRYCLEANERS	26.00
135957	CAREY, LEAH	145.50
135958	CARQUEST OF CHARLEVOIX	2,246.61
135959	CDW GOVERNMENT	793.13
135960	CENTRAL DRUG STORE	126.26
135961	CHARLEVOIX SEWER & DRAIN	275.00
135962	CHARLEVOIX TOWNSHIP TREASURE	86.88
135963	CINTAS CORPORATION	169.36
135964	CITY OF CHARLEVOIX - UTILITIES	48,439.81
135965	CLEAR WATER PLUMBING & HEATING	150.00
135966	COLE, SAMANTHA	75.00
135967	CONWAY PROFESSIONAL SERVICES	1,362.50
135968	DOTSON, LINDSEY J.	304.22
135969	EDGEWATER RESOURCES LLC	4,356.75
135970	ELMER'S CRANE & DOZER INC	1,893.75
135971	FAMILY FARM AND HOME	279.29
135972	FASTENAL COMPANY	182.80
135973	FERGUSON & CHAMBERLAIN	225.00
135974	FERGUSON'S	201.02
135975	GINOP SALES INC	1,742.41
135976	GRAINGER	2,144.78
135977	HACH COMPANY	174.91
135978	HUNTINGTON NATIONAL BANK	131,250.00
135979	HYDROCORP	562.50
135980	JOPPA HOUSE MINISTRIES PROGRA	21,500.00
135981	KILKENNY, PATRICK	429.71
135982	KSS ENTERPRISES	188.61
135983	LITTLE TRAVERSE DISPOSAL LLC	60.00
135984	MAKI, KARI	29.10
135985	MCCARDEL CULLIGAN-PETOSKEY	51.50
135986	MICHIGAN OFFICEWAYS INC	1,842.99
135987	MOSCA DESIGN	645.00
135988	NAVIA BENEFIT SOLUTIONS	50.00
135989	NCL OF WISCONSIN INC	820.19
135990	OLESON'S FOOD STORES	21.14
135991	OLSON BZDOK & HOWARD	961.00
135992	OMS COMPLIANCE SERVICES INC	60.00
135993	PENINSULA FIBER NETWORK LLC	470.00
135994	PERFORMANCE ENGINEERS INC	13,715.00
135995	PLUNKETT COONEY	200.00

M = Manual Check, V = Void Check

Check Number	Payee	Amount
135996	POWER LINE SUPPLY	907.00
135997	PREIN & NEWHOF	1,165.00
135998	SCIENTIFIC BRAKE - GAYLORD	325.03
135999	STRICKER'S OUTDOOR POWER EQUI	61.00
136000	SUPERIOR MECHANICAL OF CHARLE	216.11
136001	TELEDYNE INSTRUMENTS INC	1,365.43
136002	TEUSCHER, MATT	75.00
136003	TRANSUNION RISK AND ALTERNATIV	75.00
136004	UNIFIRST CORPORATION	666.17
136005	UNIVERSAL CREDIT SERVICES INC	10.00
136006	USABUEBOOK	1,707.61
136007	UTILITIES INSTRUMENTATION SERVI	2,256.85
136008	UTILITY FINANCIAL SOLUTIONS	21,436.25
136009	VERIBANC INC	500.00
136010	WEX BANK	8,737.66
136011	ZIXCORP	1,108.50
Total 03/22/2022:		303,026.87
Grand Totals:		303,026.87

Check Number	Payee	Amount
03/03/2022		
30322001	AMG PAYMENT SOLUTIONS	24.99
Total 03/03/2022:		24.99
Grand Totals:		24.99

Check Number	Payee	Amount
03/04/2022		
30422007	PAYMENT SERVICE NETWORK INC.	258.40
Total 03/04/2022:		258.40
Grand Totals:		258.40

Check Number	Payee	Amount
03/07/2022		
30722001	MICHIGAN PUBLIC POWER AGENCY	17,951.46
Total 03/07/2022:		17,951.46
Grand Totals:		17,951.46

Check Number	Payee	Amount
03/09/2022		
30922001	DTE ENERGY	10,161.18
30922002	STATE OF MICHIGAN	22,492.46
Total 03/09/2022:		32,653.64
Grand Totals:		32,653.64

Check Number	Payee	Amount
03/14/2022		
31422001	MICHIGAN PUBLIC POWER AGENCY	40,357.71
Total 03/14/2022:		40,357.71
Grand Totals:		40,357.71

Check Issue Date	Check Number	Payee	Amount
31822001			
03/18/2022	31822001	**EFTPS* Payroll Taxes	9,068.74
03/18/2022	31822001	**EFTPS* Payroll Taxes	9,068.74
03/18/2022	31822001	**EFTPS* Payroll Taxes	2,120.94
03/18/2022	31822001	**EFTPS* Payroll Taxes	2,120.94
03/18/2022	31822001	**EFTPS* Payroll Taxes	11,591.76
Total 31822001:			
	5		33,971.12
31822002			
03/18/2022	31822002	Alerus Financial	350.00
Total 31822002:			
	1		350.00
31822003			
03/18/2022	31822003	STATE OF MICHIGAN	5,024.15
Total 31822003:			
	1		5,024.15
31822004			
03/18/2022	31822004	Vantagepoint - 401 Plan 109153	957.68
Total 31822004:			
	1		957.68
31822005			
03/18/2022	31822005	Vantagepoint - 457 Plan 300959	5,183.00
03/18/2022	31822005	Vantagepoint - 457 Plan 300959	2,174.93
03/18/2022	31822005	Vantagepoint - 457 Plan 300959	4,096.26
03/18/2022	31822005	Vantagepoint - 457 Plan 300959	7,873.12
Total 31822005:			
	4		19,327.31
31822006			
03/18/2022	31822006	Vantagepoint - Roth IRA 706117	1,080.76
Total 31822006:			
	1		1,080.76
Grand Totals:			
	13		60,711.02

Check Number	Payee	Amount
03/18/2022		
31822007	MERS	49,598.89
Total 03/18/2022:		49,598.89
Grand Totals:		49,598.89

Check Number	Payee	Amount
03/09/2022		
3795	CHARLEVOIX COUNTY TREASURER	4,592.00
3796	CHARLEVOIX DISTRICT LIBRARY	3,851.53
3797	CHARLEVOIX PUBLIC SCHOOLS	34,264.06
3798	CHARLEVOIX-EMMET ISD	9,144.08
3799	CITY OF CHARLEVOIX - TAXES DUE	2,974.48
3800	LAKE CHARLEVOIX EMS AUTHORITY	3,394.49
3801	RECREATIONAL AUTHORITY	744.40
Total 03/09/2022:		58,965.04
Grand Totals:		58,965.04

CHECKS DRAWN ON CHARLEVOIX STATE BANK ACCOUNT

CHARLEVOIX CITY COUNCIL

Public Hearings and Actions Requiring Public Hearings

TITLE: Ordinance to Amend Ward Boundaries

DATE: March 21, 2022

PRESENTED BY: Sarah J. Dvoracek, City Clerk

BACKGROUND:

After every census the City must reevaluate its population size in each ward. Since 2010, the City's population has decreased by seven percent. There is not a state statute on how cities are supposed to balance to make each ward equal, only that they must balance. After reviewing the 2020 Census Data and the Qualified Voter File each ward's population is unequal.

Voters by Ward (2010 Boundaries)

Ward 1	829
Ward 2	674
Ward 3	787
Total	2291

Proposed Reapportioned Voters by Ward (2020 Census)

Mean	763
Ward 1	760
Ward 2	778
Ward 3	753
Total	2291

The 2020 Census Data states the City has a population of 2348. As of February 2022, we have 2291 Registered Voters. According to the 2020 Census Data, 87% of our City's population is 18 years and over compared to 82% in 2010 and 34% of our City's population is 60 years and over compared to 24% in 2010. The 2020 Census data shows the median age of our population is 47.5 compared to 44.5 in 2010.

I worked with Joe Lavender, our City Assessor to reapportion the wards with the use of GIS. Attached is the 2010 Ward Boundaries Map as well as the proposed new 2022 Ward Boundary Map marked with the affected areas. Our goal was to impact the least number of voters possible with the proposed changes.

On February 15, 2022, the Election Commission met to adopt a resolution to amend our ward boundaries which is required per statute. Now that the Election Commission has met, the City Council per the Charter is required to hold a public hearing to amend the ward boundaries by ordinance.

Ferguson & Chamberlain Associates, Inc., professional surveyors provided me the legal descriptions of each proposed ward for the ordinance amendment, also attached.

Precinct boundary changes must be approved no later than April 4, 2022 per MCL 168.661(3). Ward changes will not affect voters casting their ballot for the May election but will become effective for the August Primary Election and determine where candidates for City Council must reside for election in November of 2022.

Once Council approves the ward changes, I will submit the required documents to the Bureau of Elections for final approval and so they can update our Qualified Voter File.

The publication of this draft ordinance has occurred and the public hearing was held earlier this month. When all Council members attend a meeting, a vote on the ordinance can be held.

RECOMMENDATION:

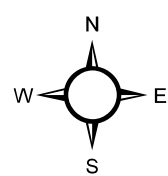
Motion to approve Ordinance No. 832 of 2022.

ATTACHMENTS:

- ▣ 2010 Ward Map
- ▣ Proposed Ward Map with affected boundaries marked
- ▣ Ordinance No. 832 of 2022

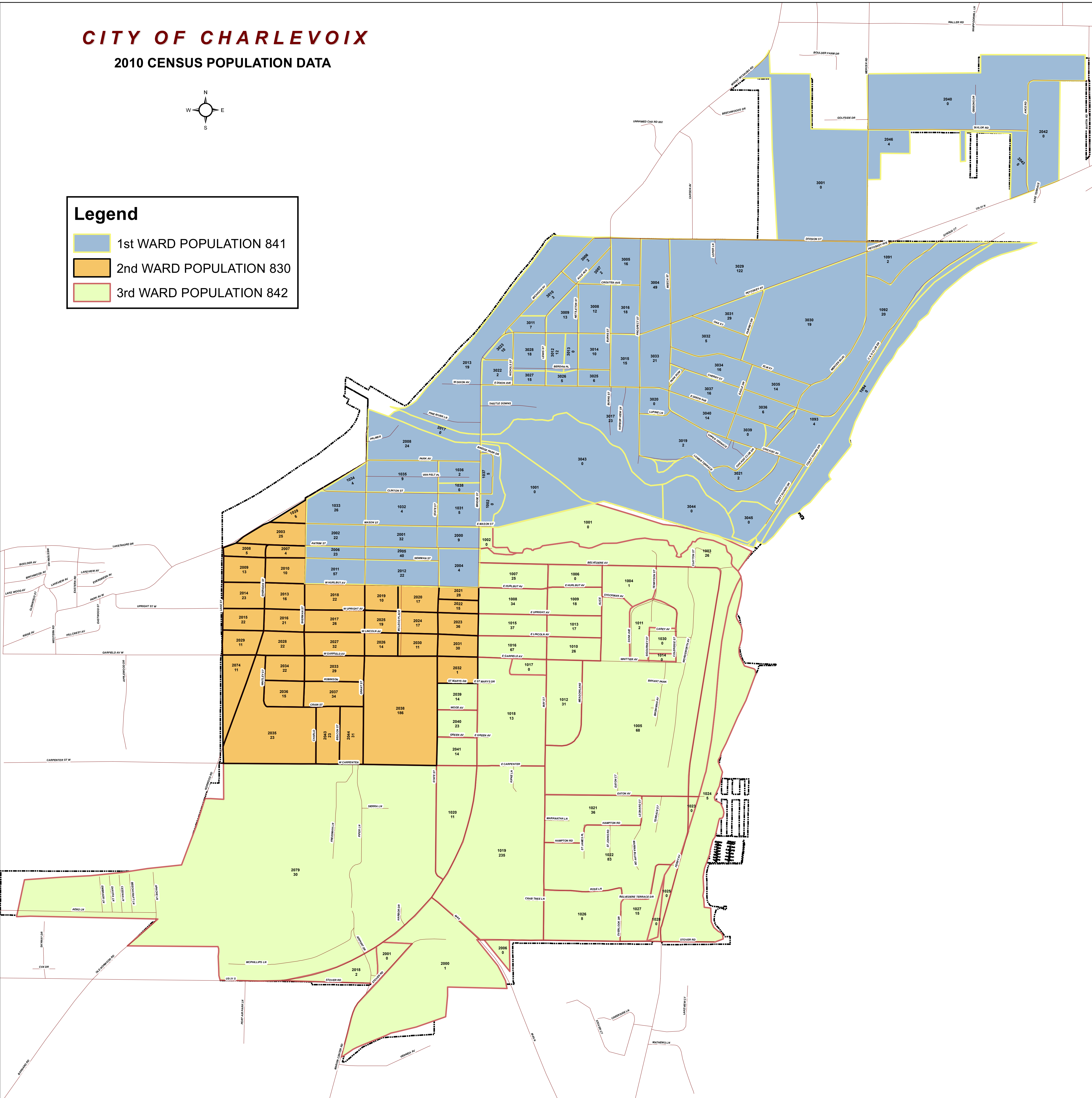
CITY OF CHARLEVOIX

2010 CENSUS POPULATION DATA

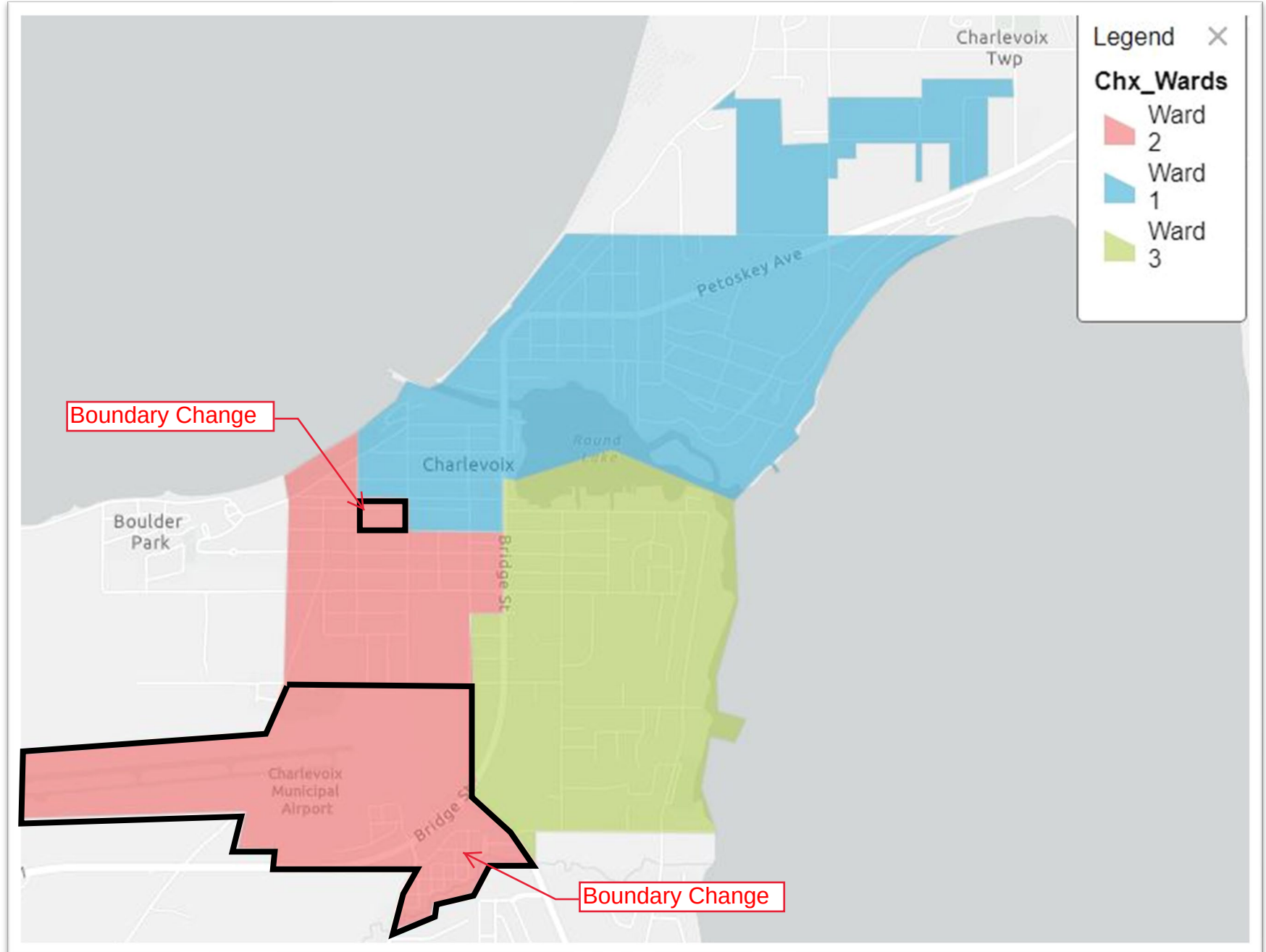


Legend

- 1st WARD POPULATION 841
- 2nd WARD POPULATION 830
- 3rd WARD POPULATION 842



City of Charlevoix
Ward Change Proposal



CITY OF CHARLEVOIX
ORDINANCE NO. 832 of 2022
AN ORDINANCE TO AMEND TITLE III, CHAPTER 30, SECTION 30.01 OF THE CHARLEVOIX CITY CODE

THE CITY OF CHARLEVOIX ORDAINS:

SECTION 1. Title III, Chapter 30, Section 30.01 is hereby repealed and replaced in its entirety as follows:

30.01 WARD BOUNDARIES.

The several boundaries of the three wards of the City shall be described as follows:

(A) REVISED FIRST WARD DESCRIPTION:

All that territory embraced within the corporate limits of the City of Charlevoix lying Northerly and Easterly of the following described line:

BEGINNING at the North extension of the centerline of Grant Street at the shore of Lake Michigan (on the North side of Pine River Channel); thence Southerly along the extended centerline of Grant Street to the centerline of Park Avenue; thence Southwesterly along the centerline of Park Avenue to the centerline of Sherman Street; thence South along the centerline of Sherman Street to the centerline of Antrim Street; thence East along the centerline of Antrim Street to the centerline of Grant Street; thence South along the centerline of Grant Street to the centerline of Hurlbut Avenue; thence East along the centerline of Hurlbut Avenue to the centerline of Bridge Street; thence North along the centerline of Bridge Street to the centerline of Mason Street; thence East along the Easterly extension of Mason Street to the shore of Round Lake; thence Northeasterly to a point in the middle of Round Lake at the intersection of the Southerly extension of Nettleton Street with the Easterly extension of Clinton Street; thence Southeasterly to the intersection of the centerline of the Upper Pine River Channel (Southerly of Park Island) with Round Lake; thence Southeasterly along said centerline of said Upper Channel to Lake Charlevoix being the Point of Ending.

(B) REVISED SECOND WARD DESCRIPTION:

All that territory embraced within the corporate limits of the City of Charlevoix lying Southerly and Westerly of the following described line:

Commencing at the North extension of the centerline of Grant Street at the shore of Lake Michigan (on the North side of Pine River Channel); thence Southerly along the extended centerline of Grant Street to the centerline of Park Avenue; thence Southwesterly along the centerline of Park Avenue to the centerline of Sherman Street, being the **POINT OF BEGINNING** of this description; thence South along the centerline of Sherman Street to the centerline of Antrim Street; thence East along the centerline of Antrim Street to the centerline of Grant Street; thence South along the centerline of Grant Street to the centerline of Hurlbut Avenue; thence East along the centerline of Hurlbut Avenue to the centerline of Bridge Street; thence South along the centerline of Bridge Street to the centerline of St. Mary's Drive; thence West along the centerline of St. Mary's Drive to the centerline of State Street; thence South along the centerline of State Street to the centerline of Bridge Street; thence Southwesterly along the centerline of Bridge Street to the centerline of Highway M-66; thence Southeasterly along the centerline of Highway M-66 to the corporate limits of the City of Charlevoix, being the Point of Ending.

(C) REVISED THIRD WARD DESCRIPTION:

All that territory embraced within the corporate limits of the City of Charlevoix lying Easterly and Southerly of the following described line:

BEGINNING at the centerline of Highway M-66 at the corporate limit of the City of Charlevoix; thence Northwesterly along the centerline of Highway M-66 to the centerline of Bridge Street; thence Northeasterly along the centerline of Bridge Street to the centerline of State Street; thence North along the centerline of State Street to the centerline of St. Mary's Drive; thence East along the centerline of St. Mary's Drive to the centerline of Bridge Street; thence North along the centerline of Bridge Street to the centerline of Mason Street; thence East along the Easterly extension of Mason Street to the shore of Round Lake; thence Northeasterly to a point in the middle of Round Lake at the intersection of the Southerly extension of Nettleton Street with the Easterly extension of Clinton Street; thence Southeasterly to the intersection of the centerline of the Upper Pine River Channel (Southerly of Park Island) with Round Lake; thence Southeasterly along said centerline of said Upper Channel to Lake Charlevoix being the Point of Ending.

SECTION 2. Severability.

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

SECTION 3. Effective Date.

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

Ordinance No. 832 was adopted on the 7th day of March, 2022 A.D., by the Charlevoix City Council as follows:

Motion by:

Seconded by:

Yeas:

Nays:

Absent:

State of Michigan }
City of Charlevoix } §

Sarah J. Dvoracek

City Clerk

Luther Kurtz

CHARLEVOIX CITY COUNCIL

All Other Actions and Requests

TITLE: Request for Gate Valve Easement from DTE Energy

DATE: March 21, 2022

PRESENTED BY: Chris Hackbarth and Tim Proos, DTE Energy

BACKGROUND:

DTE Energy is requesting to install a gate valve as part of a broader system upgrade and reliability improvement planned for the Charlevoix. Under this plan, they would abandon a structure currently placed in Hoffman Park and install a new gate valve structure at the end of the alley between Clinton and Mason Streets adjacent to the County's parking lot and the Marina Parking lot. They have agreed to build and maintain a screening around the structure in accord with the Zoning Ordinance and the determination of the Planning Commission. Once Council grants permission for the easement, the Planning Commission will consider the merits of the project from the site plan perspective.

The City Attorney has extensively reviewed the agreement and we are satisfied with the language. Our public works and utilities staff have also done a thorough review of the area to ensure it doesn't conflict with current or future planned utilities.

RECOMMENDATION:

Motion to authorize the City Manager to execute the Gate Valve Easement Agreement with DTE Energy as presented.

ATTACHMENTS:

- ▣ Draft Easement Agreement
- ▣ DTE Presentation

Gate Valve Easement

For and in consideration of a sum that is less than \$100.00 and therefore exempt under MCL 207.526(a) and MCL 207.505(a), receipt of which is hereby acknowledged,

City of Charlevoix
210 State Street
Charlevoix, MI 49720

(hereinafter called GRANTOR) hereby grants to DTE GAS COMPANY, a Michigan corporation, One Energy Plaza, Detroit, Michigan 48226 (hereinafter called GRANTEE) an easement with the right to install, operate, maintain, alter, replace, move and remove gate valves, main line valves, blow-offs, meters, pipeline fittings, regulators and appurtenances, with housing therefore, and conduct archeological and environmental testing and assessments, in connection with the construction, operation and maintenance of Grantee's pipeline or pipelines upon a parcel of land situated in the City of Charlevoix, Charlevoix County, Michigan, described as follows:

See Exhibit 'A' attached

Together with the right of ingress and egress at convenient points for such purposes.

Grantee shall have the right to erect, maintain and remove a fence in or around the portion of the parcel burdened by the easement.

To have and to hold said Gate Valve Easement unto said Grantee, its successors and assigns, until any of the facilities or appurtenances mentioned above be constructed upon the above-described parcel and so long thereafter as they, or any of them, remain thereon.

The rights may be assigned in whole or in part. All rights, privileges and obligations created by this instrument shall inure to the benefit of, and be binding upon, the successors and assigns of the parties hereto.

Grantee's nonuse or limited use of this easement shall not preclude Grantee's later use of this easement to its full extent.

Grantee shall indemnify, defend, and hold Grantor harmless from and against all claims and liabilities for injury to persons or property, including without limitation, reasonable attorney's fees expended in defending against any such claims, to the extent caused by Grantee's willful or negligent acts or omissions in exercising the rights granted in this Easement.

Grantee shall install and maintain screening by landscaping or by decorative walls in conformance with the City of Charlevoix's Zoning Ordinance.

This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same agreement.

It is understood that the person securing this permit is without authority to make any agreement in respect of the subject matter hereof not herein expressed.

Executed this _____ day of _____, 2022.

City of Charlevoix
By: Mark Heydlauff
Its: Manager

ACKNOWLEDGMENT

State of Michigan
County of

The foregoing instrument was acknowledged before me, a Notary Public, this _____ day of _____, 2022, by Mark Heydlauff, City Manager, for and on behalf of the City of Charlevoix, a municipal corporation.

Notary Public _____ County, MI.
Acting in _____ County, MI.
My Commission Expires: _____

Prepared by and return to: Nate Krommendyk
DTE Gas Company
PO Box 279
Kalkaska, MI 49646

Spicer Group, Inc.
230 S. Washington Avenue
Saginaw, MI 48607
TEL (989) 754-4717
FAX (989) 754-4440
w www.SpicerGroup.com



EXHIBIT A
NEW EASEMENT

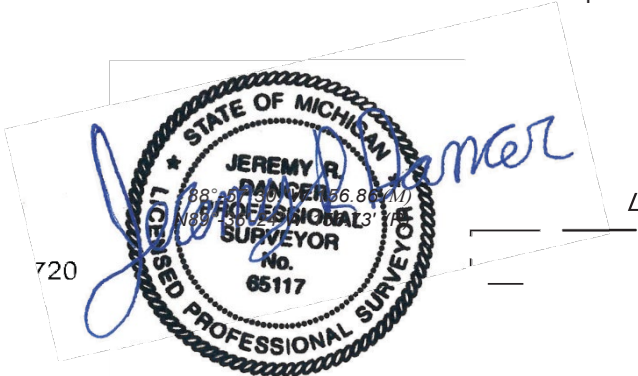
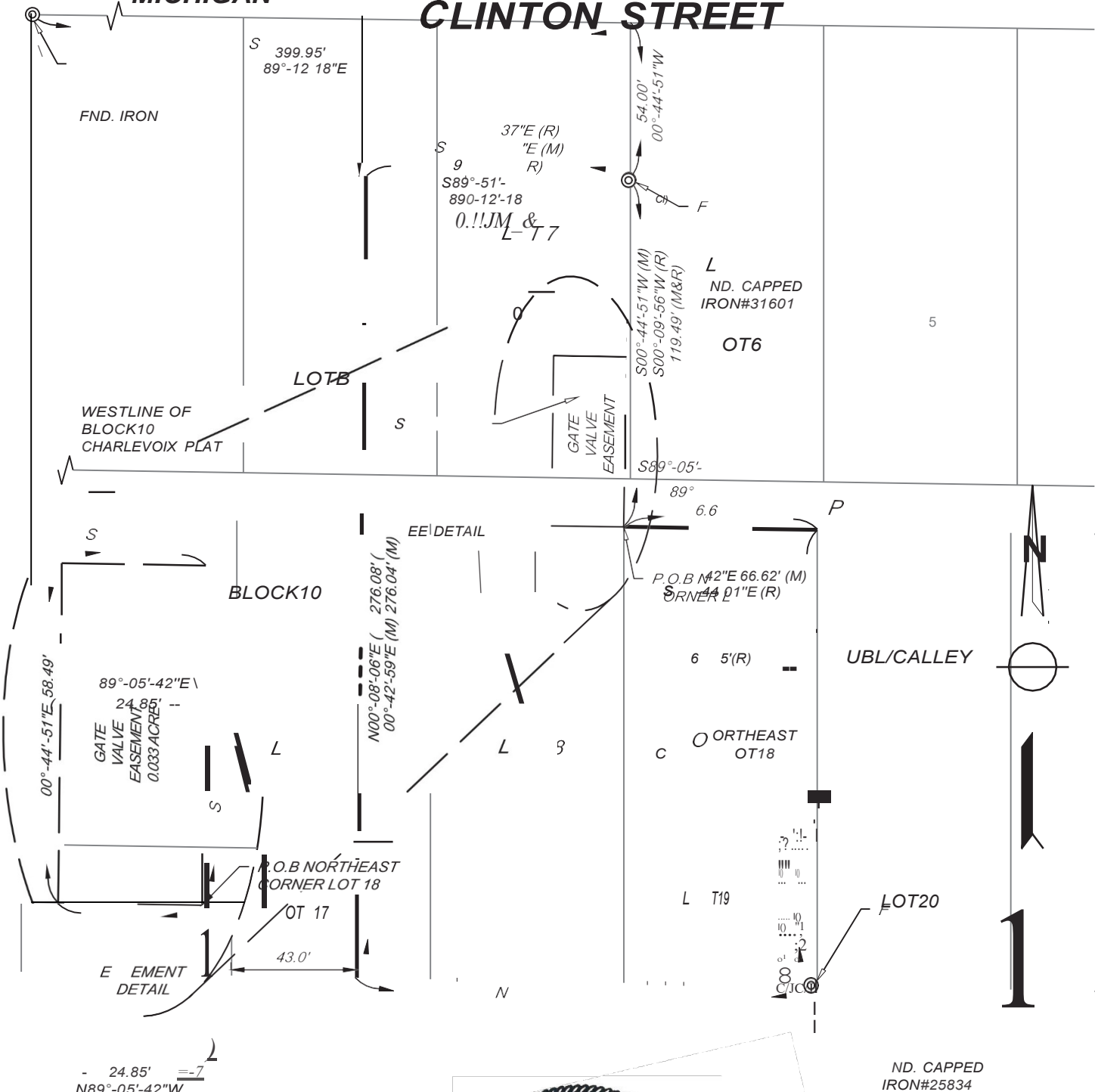
SCALE 1"=50'

DWG. NO.: A-28733-1

BLOCK10

**ORIGINAL PLAT OF VILLAGE
OF CHARLEVOIX
CHARLEVOIX COUNT
MICHIGAN**

CLINTON STREET



TAX ID: 052-250-018-10
OWNER NAME: City of Charlevoix
PROPERTY: 210 State Street
Charlevoix, Michigan 49720

EGEND
J NEW EASEMENT

DATE: 12/20/2021	DRAWN BY: DEH CHECKED BY: JRD	PLOT DATE: 2/20/2021 SHEET 1 OF 2	31523SG2021 A-28733-1
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1

JOB#: 1
DWG#:

Spicer Group, Inc.
230 S. Washington Avenue
Saginaw, MI 48607
TEL (989) 754-4717
FAX (989) 754-4440
www.SpicerGroup.com



TAX ID: 052-250-018-10
OWNER NAME: City of Charlevoix
PROPERTY: 210 State Street
Charlevoix, Michigan 49720

DWG. NO.: A-28733-2

DATE: 12/20/2021

PARENT PARCEL DESCRIPTION: Plat lots 7-8-17-18 and 19 of Block 10 of the Original Plat of the Village (Now City) of Charlevoix according to received plat being described as: Commencing at the Northwest Corner of said Block 10 thence S89°-12'-18"E, 399.95 feet along the north line of Block 10 in said plat; thence S00°-44'-51"W, along line between Lots 6 & 7 of said plat, 54.00 feet to the Point of Beginning; thence continuing S00°-44'-51"W on said line and its southerly extension 119.49 feet to the Northwest corner of Lot 19, Block 10 in said plat; thence S89°-05'-42"E on Northern line of said Lot 19, Block 10 and Southernly line of an alley 66.65 feet to the Northeast corner of Lot 19, Block 10; thence S00°-44'-51"W on line common to Lots 19 and 20, Block 10, 157.10 feet to Southeast corner of Lot 19, Block 10; thence N88°-57'-30"W, on south line of said Block 10 and north line of Mason Street; 156.86 feet to a point that is 43.00 feet easterly of Southwest corner, Lot 17, Block 10 in said plat; thence N00°-42'-59"E parallel with west line of Lot 17, Block 10, 276.04 feet to a point that is 54.00 feet southerly of south line of Clinton Street; thence S89°-12'-18"E parallel with the South line of Clinton Street 90.39 feet to the Point of Beginning, split on 12/03/2004 from 052-250-007-00.

GATE VALVE EASEMENT DESCRIPTION: An area located in Lot 7, Block 10 of the Original Plat of the Village (Now City) of Charlevoix being further described as follows: Beginning at the Northeast corner of Lot 18, Block 10 in said plat; thence N89°-05'-42"W, 24.85 feet; thence N00°-44'-51"E, 58.49 feet; thence S89°-05'-42"E, 24.85 feet; thence S00°-44'-51"W, 58.49 feet to the Point of Beginning containing 0.033 acre of land.

DRAWN BY: DEH
CHECKED BY: JRD

PLOT DATE: 12/20/2021
SHEET 2 OF 2

JOB#: 131523SG2021
DWG#: A-28733-2



Charlevoix Area Natural Gas System Enhancement Project Regulation Station Easement March 2022



- DTE Gas would like to acquire an easement to construct a new regulating station.
- The new regulating station is just one phase in a multi-phase system enhancement project for the Charlevoix Area.
 - In 2021, DTE completed enhancement work in north Charlevoix.
 - In late 2022 or early 2023, DTE will complete the final phase of the enhancement project in north and south Charlevoix to provide improved system reliability, safety and system redundancy.
- The new regulation station would:
 - Increase system reliability by installing a 100% redundant regulating station.
 - Allow for safer operation of our distribution system.
 - Allow easier maintenance and equipment upgrades at an existing station.

Gate Valve Easement Document



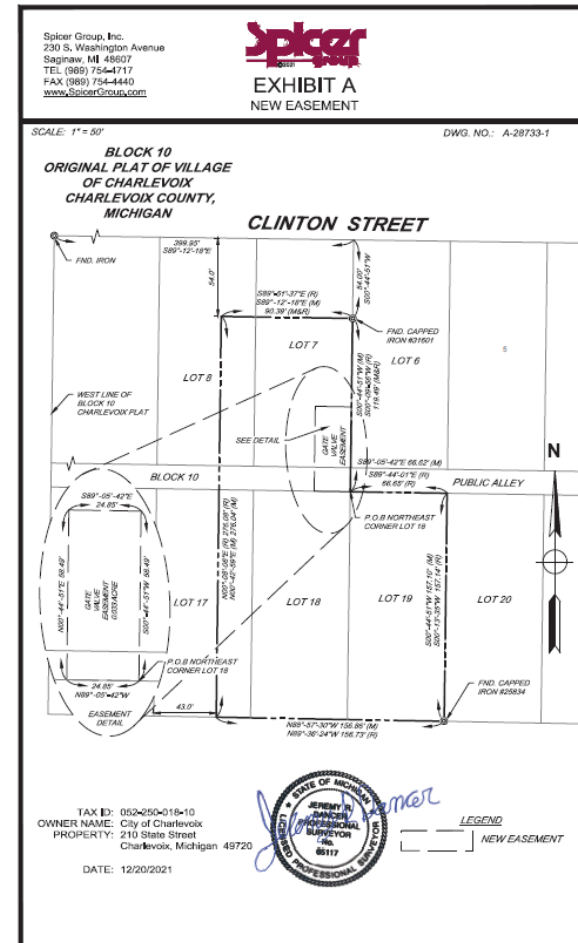
Gate Valve Easement

For and in consideration of the sum of actual consideration is less than \$100.00, exempt under MCL 207.526(a) and MCL 207.505(a) of which is hereby acknowledged,

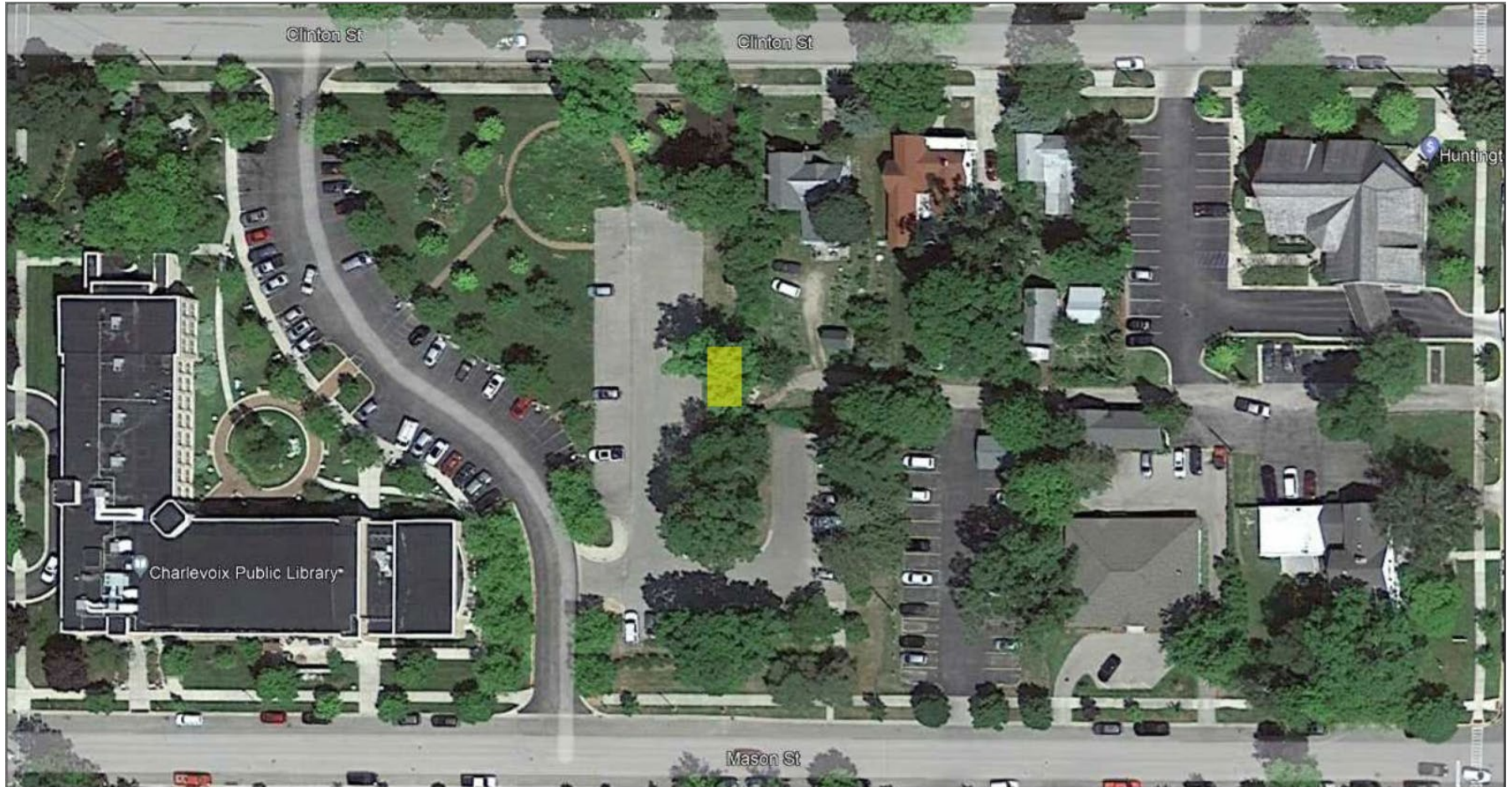
City of Charlevoix
210 State Street
Charlevoix, MI 49720

(hereinafter called GRANTOR) for themselves, their heirs, executors, administrators, successors, and assigns hereby grant to DTE GAS COMPANY, a Michigan corporation, One Energy Plaza, Detroit, Michigan 48226 (hereinafter called GRANTEE) an easement with the right to install, operate, maintain, alter, replace, move and remove gate valves, main line valves, blow-offs, meters, pipeline fittings, regulators and appurtenances, with housing therefore, conduct archeological and environmental testing and assessments, in connection with the construction, operation and maintenance of Grantee's pipeline or pipelines upon a parcel of land situated in City of Charlevoix, Charlevoix County, Michigan, described as follows:

See Exhibit 'A' attached



Gate Valve Easement Location



Gate Valve Enclosure Example #1



Gate Valve Enclosure Example #2



Gate Valve Enclosure Example #3



CHARLEVOIX CITY COUNCIL

All Other Actions and Requests

TITLE: Marina Commercial Dock RFP

DATE: March 21, 2022

PRESENTED BY: Mark Heydlauff, City Manager

BACKGROUND:

The City published a request for proposal for Commercial Dock at the Charlevoix City Marina that was due on March 15th and we received four timely responses and one late response.

Respondents include the current lease holder Sunshine Charters, as well as Whitecap Charters, Ward's NorthCoast Charters, and LyfMotiv Adventures.

The disqualified submission, due to late arrival, was from Sharky Boats.

Each of the four services reflect in their proposals a charter service that would cater to tourist as well as local patrons. Each offers a unique service for Council's consideration.

This is the space that has been held by Sunshine Charters since 1996; they have requested a renewal at the increased minimum rate we established in the RPP.

RECOMMENDATION:

Motion to award *Charter Name* the Commercial Dockage and authorize the City Manager to move forward with signing a Boat Docking agreement with the selected vendor.

ATTACHMENTS:

- ❑ Commercial Dock RFP
- ❑ Bid Sheet Overview
- ❑ Sunshine Charter Proposal
- ❑ Whitecap Charters Proposal
- ❑ Ward's NorthCoast Charters Proposal
- ❑ Lyftmotiv Adventures Proposal
- ❑ Sharky Boats Proposal (disqualified)



Request for Proposal Commercial Dock at the Charlevoix City Marina

The City of Charlevoix is excited to accepting sealed proposals to lease a commercial dock space in the Charlevoix City Marina for up to a five year period. There will be one commercial slip available. All proposals must be from a commercial charter service and are required to use the dock space for commercial purposes at least seventy-five (75) days per year. The City of Charlevoix is looking for creative charter services to attract and cater to City of Charlevoix residents as well as the tourist industry.

The City will receive sealed proposals in the office of the City Clerk, 210 State Street, Charlevoix, Michigan 49720. Proposals must be received by 12:00 pm on Tuesday March 15, 2022. All proposals shall be marked **“Charlevoix Commercial Boat Slip”** on the outside of the envelope. E-mailed or faxed proposals will not be accepted.

The complete RFP may be obtained Recreation Director or viewed on the City’s website at www.charlevoixmi.gov. Small businesses and minority-owned businesses are specifically invited to submit proposals.

The City of Charlevoix reserves the right to reject any and all proposals, to waive any informality in the RFP process, and to make the award to the supplier providing the proposal that, as determined by the City, best meets the City’s needs.

Kent Knorr, Recreation Director

Request for Proposal Commercial Dock

PURPOSE

The City of Charlevoix ("City") is accepting proposals for the use of a commercial dock space in the Charlevoix City Marina. Charlevoix has one (1) commercial slip available. The awarded lease will be for a period up to five (5) years. The lease period will begin May 1, 2022. Each proposal must clearly identify the intended use and the amount of space needed for operations. The proposal shall be for seasonal full-time service (i.e., May through September), for commercial tourism and charter operations to be based out of Charlevoix and available for daily cruises/charters out of Round Lake.

SUBMITAL DEADLINE

Deadline for submittal of proposals is 12:00 pm on March 15, 2022. Proposals should be submitted to the Charlevoix City Clerk, 210 State Street, Charlevoix, Michigan 49720. All proposals shall be marked "**Charlevoix Commercial Boat Slip**" on the outside of the envelope. E-mailed or faxed proposals will not be accepted.

RFP REQUIREMENTS

Proposals should be prepared simply and economically, providing a straightforward, concise description of provider capabilities to satisfy the requirements of the request. Emphasis should be on completeness and clarity of content. All proposals must include the following information:

- The applicant must provide information regarding vessel name, type of boat, and size.
- The applicant must provide references and additional materials required by the RFP instructions.
- If a second boat is docked at the slip, an additional fee will be charged.
- The commercial operation shall be open and dock space used at least seventy-five (75) days a year.
- The commercial operation shall not affect the boating public's use of the facility.

- The expansion of a viable commercial operation is important to the City of Charlevoix. The commercial operation will be responsible for tracking and reporting monthly attendance and usage numbers to the City. This simple report must include the number of excursions and the number of passengers/clients.
- If clarification is required, submit questions by e-mail to Kent Knorr, Recreation Director at Kentk@charlevoixmi.gov prior to the due date. Please allow two business days for responses. Questions submitted after the due date will not be answered.

SITE INFORMATION

Consistently recognized as one of the most popular and desirable marinas in the state of Michigan, The City of Charlevoix is excited to develop a business agreement with a charter boat service that intends to benefit and attract tourist to the City and the Marina. Pleasantly located on Round Lake, the Marina is situated strategically between Lake Michigan and Lake Charlevoix.

The dock is in the Charlevoix City Marina, 100 East Clinton Street. The dock location will be designated by the City.

Power and water are available.

All applicants are encouraged to visit the site prior to submitting a proposal.

A ticket kiosk may be leased for an additional fee

Commercial operations shall not affect the boating public's use of the facility.

One reserved parking space may be offered to the vendor for business use for an additional fee to be set by City Council.

REQUIREMENTS FROM LESSEE

If your proposal is accepted, the following will be due upon issuance of boat lease.

Insurance – Lessee shall maintain a public liability insurance which list the City of Charlevoix as an additional named insured. Lessee's policy of insurance must be for

one million dollars (\$1,000.000) for personal injury or death and one million dollars (\$1,000,000) for property damage. Successful lessee will be required to provide a Certificate of Insurance on or before execution of the lease.

Compliance with law/licenses - All activities authorized under this lease shall be conducted in compliance with all applicable federal, state and local laws, regulations, and orders of governmental authorities having jurisdiction of all applicable licenses and permits. A U. S. Coast Guard inspection certificate required.

The Lessee must comply with the State of Michigan requirements for charter boat operations.

All signage shall adhere to the City of Charlevoix's City Code and zoning regulations.

The lease does not convey any interest in the property. The lease authorizes the use of the property by the Lessee only for the authorized activities, dockage of a commercial vessel, and is subject to the conditions set forth by the City of Charlevoix. Commercial operations shall not affect the boating public's use of the facility.

The Lessee is responsible for properly securing their vessel.

The City of Charlevoix is not responsible for loss, damage, theft, or pilferage.

The Lessee shall be liable for damage to any City-owned property resulting from this commercial service. Damages resulting from the commercial service shall be repaired or replaced by the Lessee at his expense and to the satisfaction of the City of Charlevoix. The Lessee shall advise the City, in writing, of any additional repairs needed to the City Marina.

Lessee shall also be responsible for welding any necessary cleats and/or bollards on the docks, after obtaining prior written approval by the City, for the installation of these items.

Violation of lease conditions will result in lease cancellation and may disqualify the Lessee from receiving a permit or lease from the City of Charlevoix for five years. Should circumstances warrant, the lease may be modified or suspended in writing by the City of Charlevoix to protect resources, health safety and the environment, or if the City Manager determines it is in the best interest of the City to do so.

Lessee will be required to provide a monthly and annual record report of the number of passengers utilizing the charter services.

PROPOSAL EVALUATION

The City will review the proposals and the qualifications as submitted in the RFP process. The City will determine the qualified applicants, conduct interviews as necessary, and make a final presentation to the Charlevoix City Council regarding the award.

PROPOSALS

Proposals should be prepared providing straightforward, concise descriptions of the applicants' capabilities to satisfy the requirements of the request.

Applicants must designate and establish one vessel to moor at an agreed upon space at the Marina. The applicant will not moor another vessel in the same dock space designated for any amount of time unless that vessel is a for short term replacement being used to provide a commercial charter service in place of the designated vessel. Please provide the name of the vessel to be designated and the details of the boat (size, make of vessel, any historical significance, etc.).

Tenant improvement -- List all desired improvements in the RFP; include items such as storage lockers, seating, power, water, security, point of ticket sale, etc. It is to be understood that any modifications or improvements desired by the Lessee shall be installed at the sole expense of the Lessee and requires advance written approval from the City of Charlevoix. All improvements shall become the property of the City of Charlevoix upon completion of installation, provided that the Lessee shall be entitled to utilize the modifications and improvements in accordance with this Lease while this Lease is in effect. Any improvements that are deemed a liability for the City upon completion of a lease will be required to be removed at the term of the Lease.

The City will evaluate and consider all proposals submitted.

EVALUATION

The following criteria should be addressed in all proposals

Tourism: Charlevoix is a destination place for both locals and tourists to visit for a day, a week, or more. Please provide information regarding services you plan to offer and how your business will bring new visitors to Charlevoix.

Community: It is understood that any tour boat company operating out of the Marina is a for-profit business. But, like any business in Charlevoix, they are part of the

community. Please list all community contributions and/or partnerships that your company has been able to offer service groups, associations, agencies or likewise.

Accident and safety procedures. Given the situation and potential hazards on the water, it is highly possible that docking accidents may happen. Please provide your accident and safety procedures. In the event of an accident, please describe how damages caused by your vessel to the dock will be handled.

- The dock is a public dock; the City will be responsible for routine maintenance and repairs of the dock. The dock must always remain accessible to the public and other vessels that utilize the adjacent unassigned space.
- If the commercial operation is proposing to rent out a boat, customers are to be provided safety information and training on the operation of the boat.

Business experience: How long has this organization been in business; descriptions of businesses, numbers of employees. Please list at least three (3) references to support, document or verify your performance in providing vessel services and/or operating a business. Include name, business name, address, phone number, fax number and nature of your relationship.

- Client references. Provide information about similar clients for whom you currently provide commercial boat services.
- Business or financial references. Please provide three financial or business references. These could include financial institutions, suppliers, insurance companies, clients, etc. Please do not use the same references for both Client References and Business References.

Compensation: The City of Charlevoix views the commercial dock as a partnership; the compensation the City receives from the commercial boat company is important, but it is only a part of the whole package. Please detail the moorage fees to be paid to the City; this shall be a minimum of \$150.00 per foot of vessel for the season. Proposed compensation may include creative revenue shares with the City such as a per passenger payment to the City if desired.

Please present detailed information on the firm's proposed fee schedule for specifications proposed and any variation for non-routine services, inclusive of Michigan State sales tax and any other applicable governmental charges.

SELECTION

Charlevoix City Council will review all submitted proposals and upon completion of proposal reviews and any subsequent interviews, the successfully selected proposal will be required to sign contracts, submit business licenses and insurance requirements.

The successful proposal will be expected to abide by all City of Charlevoix Ordinances, Park rules, business license requirements, Public Health food service requirements and Michigan State Liquor Control Board requirements and US Coast Guard rules and regulations.

The successful Lessee understands and agrees that the City of Charlevoix will only grant space by the lease. A lease will not be a contract, it will only confer permission to occupy and use the premises for described purposes. A successful lease's expenditure of capital and/or labor during use and occupancy will not confer any interest or estate in the premises by virtue of said use, occupancy and/or expenditure of money thereon. The City will only grant successful lessees an individual, revocable, and non-transferable privilege to use the premises for the concession granted.

The City of Charlevoix reserves the right to accept or reject any or all proposals, to waive irregularities, and to accept the proposal deemed to be in the best interest of the City of Charlevoix.



Commercial Dock Proposal Form

Company Name	
--------------	--

Mailing Address City, State, Zip Code	
---	--

Contact Person	
Phone Number	
Email Address	

Name of Vessel	
Type of Boat	
Length of Boat	
Width of Boat	

Additional information to be included:

Overview

- Provide information on the proposed commercial services including type of vessel and specific opportunities offered to clients.
- Will your business be competing with any existing Charlevoix businesses? If so, please explain.

Tourism

- Provide information on what services you plan to offer and how your business aligns with promoting tourism
- Proposed operation dates and daily schedule
- Provide marketing and promotional materials.

Community

- List community contributions and/or partnerships that you will be offering.

Business Experience

- Submit materials on the company's business activities for the past three (3) years. (i.e., number of passengers, types of cruises, brochures, etc.)
- Outline of business experience and provide three (3) business references and client references

Accident and safety procedures

- Include examples of accident and safety procedures.
- Outline of staff training.
- Copy of US Coast Guard Inspection Certificate.
- Proof of Insurance or ability to obtain required insurance.

Proposed compensation to the City

- Detailed Information on proposed fee payment schedule.
- Provide a list of desired tenant improvements (i.e., storage lockers, seating, security, etc.). All improvements will need the prior written consent of the City of Charlevoix and will be completed at the expense of the lessee.

- Include additional information pertinent information about your business.



CITY OF CHARLEVOIX

Commercial Dock Space

Bid Opening at City Hall

March 15, 2022 – 12:00pm

Bidder Name	Total Cost
Whitecap Charters	\$150 per foot x 31'
Ward's Northcoast Charters	31' no amount specified
Sunshine Charters	\$6000 annual = \$150 per foot + \$1000 Kiosk annual x 40'
Lyfmotiv	< 250,000 = 3% Gross Receipts > 250,000 = 2% Gross Receipts Revenue Sharing
Sharky Boats LLC	Received 03/15/2022 2:13pm

Commercial Dock Proposal

Company Name: Sunshine Charters

Mailing Address: P.O. Box 97
Central Lake, MI 49622

Contact Person: Joshua Mack
231-357-0534 cell 231-547-0266 Sunshine Charters office
Capt.imack@yahoo.com personal info@sunshinecharters.com bus.

Name of Vessel: Sunshine II
Mike Bell Offshore 40 sailing catamaran
40ft long
25ft wide
6' draft

OVERVIEW:

- Sunshine Charters operates a Coast Guard Inspected sailing catamaran. Sunshine II is documented to carry up to 29 passengers. Charters allow customers to cruise Round Lake, Lake Charlevoix, and Lake Michigan on a public or private custom sailing excursion.
- Sunshine Charters does not directly compete with any other Charlevoix business or close neighboring communities. Nauti-Cat charters, in Traverse City is the next closest Coast Guard Inspected commercial vessel running daily charters.

TOURISM:

- Sunshine Charters provides sailing/cruising charters for up to 29 passengers aboard a Coast Guard inspected 40' long, 25' wide sailing catamaran. All of our charters are available as public or private charters. We provide free pop and water, our guests are welcome to bring anything else to eat or drink; including alcohol. Our services align with promoting tourism through allowing visitors to see the Charlevoix area affordably by water. Sunshine Charters allows individuals as well as large groups the ability to enjoy Charlevoix's waterfront, bodies of water and miles of shoreline; some of the areas greatest beauty. Typical customers include but not limited to couples, families, wedding groups (rehearsal dinner, bachelorette/bachelor, and weddings) corporate groups, travel groups, and summer/church camps.
- Sunshine Charters is generally open from June 1-Sept. 15 yearly, weather dependent; some years earlier, some later. We operate 7 days a week offering 3 charters daily;

11:30-1:30, 3:00-5:00 and 7:15-sunset (6:45 after Aug. 13). All of our charters are available as a public or private charter.

- Sunshine Charters markets and promotes itself and Charlevoix through many areas of marketing including but not limited to:
 - Distribution of 20,000 brochures throughout the state using the services of multiple brochure distribution companies.
 - 5,000 brochures distributed in all Michigan Welcome Centers and information distribution sites.
 - 5,000 brochures and roughly 100 posters distributed by myself and employees from Mackinaw City into Leelanau County.
 - Lease of the Kiosk along sidewalk promoting Sunshine Charters as well as making available brochures from other Charlevoix area businesses.
 - Online marketing
 - Professionally maintained website
 - Active presence on Facebook with paid advertising and other social media platforms.
 - Active and well ranked on Trip Advisor, Yelp, and Google.
 - Employed Social Media Expert
 - Membership in the Charlevoix Area Chamber of Commerce as well as ½ page annual advertisement in the Chamber/convention and visitor bureau's Charlevoix magazine.
 - Multiple national corporate sponsors and pro-programs providing national exposure; including but not limited to Costa, Yeti, Keen, and Engle.

COMMUNITY:

- Sunshine Charters contributes over 100 gift certificates yearly for free public and private charters; as well as always being available for special guests of Charlevoix or as a meeting/tour option. All activities and gift certificates serve as fundraising and community promotion for individuals, the City of Charlevoix and businesses alike.
- Sunshine Charters partners with multiple local restaurants and businesses to provide catering and employee appreciation opportunities. Sunshine charters has partnered with radio, television, and businesses for promotion. We are always looking for new opportunities both within and outside our community to find new ways to promote and grow the Charlevoix area.

BUSINESS EXPERIENCE:

- Sunshine Charters last 3 years operating
 - 2019: 207 total charters with 69 private groups (i.e. corporate charters, wedding groups, family groups, etc.) other charters consist of public daily sailing trips.
 - 2020: 203 total charters with 74 private charters.
 - 2021: 226 total charters with 91 private charters.

- Personal Qualifications and Experience
 - 100 ton Masters License United States Coast Guard
 - 100 ton Sailing Endorsement
 - 25 years in the marine industry
 - Captain Services
 - 25 years delivery captain
 - Racing sailboats for Banks Sails
 - Fishing charters / Tournaments
 - Corporate sponsors & pro programs with: Costa, Keen, Yetti, Rapala, Suffix, IMC, Simms, Engle, Yacht Stick
 - 10 years owning/operating Sunshine Charters
 - 2 years prior captain Sunshine Charters
- Sunshine Charters employs approx. 6 employees annually
- *References:*
 - Business:
 - Pat Klooster; Former Chx. Harbor Master, 231-547- 2602
 - Denny McDermitt; current Chx. Harbor Master, 989-370-4585
 - Chien Nowland; Nauti Cat Charters Owner, 231-499-3492
 - Client:
 - Kris Kiewit; many charters yearly, 231-620-2080
 - Allen Husted; yearly private charters, 616-295-0736
 - Brian O'Conner; yearly Corporate Charter, 231-525-8766

ACCIDENT & SAFETY PROCEDURES:

- Sunshine II inspected yearly by United States Coast Guard for safety, mechanicals, and safety drill procedures.
- Captains are all licensed and insured Master Captains with CPR and Lifesaving certifications up to date.
- Captains and crew members are members of Drug and Alcohol testing consortiums.
- Captains and crew review and practice M.O.B, fire drills, taking on water, captain incapacitated drills before each season and during the course of the season.
- Safety is addressed with guests before each cruise during introduction to our cruise.
- Any minor medical issues incurred on the boat will immediately be referred to medical professionals for consultation upon reaching shore. Serious medical situations require immediate calling of 911 for consultation and instruction.
- Any marine incidents will be reported immediately to the United States Coast Guard sector Sault Ste. Marie for consultation and instruction.

- Sunshine Charters leases a private parking space with guaranteed vehicle access in immediate proximity to the vessels mooring for the purpose of routine inspections and the transportation or assistance in a medical or mechanical situation where time is a necessity for safety.
- Sunshine Charters leases a kiosk on the sidewalk in front of the vessel which houses the 2nd log of souls on board per United States Coast Guard regulations for inspected vessels.

PROPOSED COMPENSATION:

- Sunshine Charters agrees to the payment of \$150 per ft. @ a cost of \$6000 for the commercial dock yearly lease.
- Sunshine Charters agrees to lease the kiosk for \$1000 for the season.
- Sunshine Charters agrees to lease the private parking space again. I would request a review of the price of the space in regards to the price Beaver Island Boat Company pays for their private parking spaces in the same parking lot for the same purpose; as well as what a typical space would go for in a similar situation in other marinas. However, due to the necessity of the space, I will continue to pay what the City of Charlevoix deems fair after the review.

ADDITIONAL INFORMATION:

- Sunshine Charters has been in operation downtown Charlevoix since 1996. We are going into our 26th season promoting Charlevoix with our unique charter capabilities. Tens of thousands of people over the years have enjoyed our services for corporate events, family cruises, wedding events, tours of Charlevoix, a simple date, or a few hours on the water. A majority of our customers are returning or referrals. I have owned and operated Sunshine Charters for the past 10 years with a commitment for Sunshine to continue sailing in Charlevoix for years to come. I am very proud of Sunshine Charters long standing commitment to Charlevoix and work hard to represent the community in the highest standard. Sunshine Charters is not a hobby or “extra” income for me, this is my career and the reason I have chosen to live in this area. I appreciate being able to share our waterways with guests every year; and look forward to sharing Charlevoix for many years to come.



United States of America
Department of Homeland Security
United States Coast Guard

Certification Date: 16 Aug 2021

Expiration Date: 01 Aug 2026

Certificate of Inspection

For ships on international voyages this certificate fulfills the requirements of SOLAS 74 as amended regulation V/14 for a SAFE MANNING DOCUMENT

Vessel Name	Official Number	IMO Number	Call Sign	Service
SUNSHINE II	942020		WDG4072	Passenger (Inspected)

Hailing Port	Hull Material	Horsepower	Propulsion
CHARLEVOIX, MI	FRP	30	Auxiliary Sail
UNITED STATES	(Fiberglass)		

Place Built	Delivery Date	Keel Laid Date	Gross Tons	Net Tons	DWT	Length
STUART, FL	15Oct1988	01Jan1988	R-11	R-11		R-35.4
UNITED STATES			I-	I-		I-0

Owner	Operator
SUNSHINE CHARTERS LLC 207 E DIXON AVE CHARLEVOIX, MI 49720 UNITED STATES	SUNSHINE CHARTERS LLC 207 E DIXON AVE CHARLEVOIX, MI 49720 UNITED STATES

This vessel must be manned with the following licensed and unlicensed Personnel. Included in which there must be 0 Certified Lifeboatmen, 0 Certified Tankermen, 0 HSC Type Rating, and 0 GMDSS Operators.

1 Masters	0 Licensed Mates	0 Chief Engineers	0 Oilers
0 Chief Mates	0 First Class Pilots	0 First Assistant Engineers	
0 Second Mates	0 Radio Officers	0 Second Assistant Engineers	
0 Third Mates	0 Able Seamen	0 Third Assistant Engineers	
0 Master First Class Pilot	0 Ordinary Seamen	0 Licensed Engineers	
0 Mate First Class Pilots	1 Deckhands	0 Qualified Member Engineer	

In addition, this vessel may carry 29 Passengers, 0 Other Persons in crew, 0 Persons in addition to crew, and no Others. Total Persons allowed: 31

Route Permitted And Conditions Of Operation:

---Lakes, Bays, and Sounds plus Limited Great Lakes---

LIMITED TO LAKE MICHIGAN FROM APRIL 16 THROUGH SEPTEMBER 30, IN THE VICINITY OF CHARLEVOIX, MI, BETWEEN NORTH POINT AND SOUTH POINT, WITHIN ONE (1) MILE OF LAND.

IF THE VESSEL IS AWAY FROM THE DOCK, OR PASSENGERS ARE ON BOARD OR HAVE ACCESS TO THE VESSEL, FOR A PERIOD EXCEEDING TWELVE (12) HOURS IN ANY TWENTY-FOUR (24) HOUR PERIOD, AN ALTERNATE CREW SHALL BE PROVIDED.

A CHILD SIZED LIFE JACKET SHALL BE PROVIDED FOR EACH PERSON BEING CARRIED THAT IS SMALLER THAN THE LOWEST SIZE LIMIT OF THE ADULT LIFE JACKETS PROVIDED.

SEE NEXT PAGE FOR ADDITIONAL CERTIFICATE INFORMATION

With this Inspection for Certification having been completed at Charlevoix, MI, UNITED STATES, the Officer in Charge, Marine Inspection, Sector Sault Ste Marie, certified the vessel, in all respects, is in conformity with the applicable vessel inspection laws and the rules and regulations prescribed thereunder.

Annual/Periodic/Re-Inspection				This certificate issued by: A. R. JONES CAPT, USCG
Date	Zone	A/P/R	Signature	
				Officer in Charge, Marine Inspection
				Sector Sault Ste Marie
				Inspection Zone



United States of America
Department of Homeland Security
United States Coast Guard

Certification Date: 16 Aug 2021
Expiration Date: 01 Aug 2026

Certificate of Inspection

Vessel Name: SUNSHINE II

A MAXIMUM OF SIX (6) PERSONS ARE ALLOWED ON THE TRAMPOLINE.

THIS CERTIFICATE IS VALID ONLY SO LONG AS THE OPERATING RESTRICTIONS IN THE VESSEL'S STABILITY LETTER ISSUED BY THE SAFETY OFFICE CHARLESTON DATED MARCH 27, 1996 AND ANY FURTHER RESTRICTIONS INDICATED IN THE ADDENDUM DATED MAY 11, 2012 ARE OBSERVED.

COMPLETED MAST AND RIGGING INSPECTION WITH THE MAST UNSTEPPED MAY 2017. THIS INSPECTION WAS CONDUCTED IN ACCORDANCE WITH NVIC 02-16: INSPECTION GUIDANCE FOR SAIL RIGGING AND MASTS ON INSPECTED SAILING VESSELS. NEXT UNSTEPPED INSPECTION SCHEDULED FOR NO LATER THAN MAY 2023.

---Hull Exams---

Exam Type	Next Exam	Last Exam	Prior Exam
DryDock	31May2022	23May2017	30Apr2012

---Stability---

Type	Issued Date	Office
Letter	27Mar1996	MSO Charleston

---Lifesaving Equipment---

Total Equipment for 31 Persons

Primary Lifesaving Equipment	Quantity	Capacity		Required
Lifeboats (Total)	0	0	Life Preservers (Adult)	31
Lifeboats (Port)	0	0	Life Preservers (Child)	4
Lifeboats (Starboard)	0	0	Ring Buoys (Total)	1
Motor Lifeboats	0	0	With Lights	1
Lifeboats With Radio	0	0	With Line Attached	1
Rescue Boats/Platforms	0	0	Other	0
Inflatable Rafts	0	0	Immersion Suits	0
Life Floats/Buoyant App	0	0	Portable Lifeboat Radios	0
Inflatable Buoyant Apparatus (IBA)	0	0	Equipped With EPIRB?	NO

--- Fire Fighting Equipment ---

Fire Extinguishers - Hand portable and semi-portable

Quantity	Class Type
1	10-B:C
2	2-A

END

Insurance Company: **Great American Insurance Group**
Administered by: Gallagher Charter Lakes

Policy Number: **GIV0000318**

This policy will take effect on: 5/14/2021 and will end on: 5/14/2022
beginning and ending at 12:01 am EST.



COMMERCIAL MARINE INSURANCE – Policy Declarations Page

Renewal:

Named Insured Under This Policy:

Agency Name & Address:

Captain Services LLC
Josh Mack
7510 Pike Ln
Central Lake, MI 49622

GALLAGHER CHARTER LAKES
3940 Peninsular Drive SE, Ste 100
Grand Rapids, MI 49546-6107

Insured Property:

Name	Year	Length	Make	Model	Hull ID #
Sunshine II	1988	39	Mike Bell Composites	Offshore 40 Catamaran	OFZ40002G888

Insured Dinghy(s):

Year	Length	Make	Serial #

Insured Trailer(s):

Year	Make	Serial #

This declarations page and any endorsements are to be inserted in and form part of your policy. If a change effective date appears at the top of the declarations, then this declarations page replaces any previous declarations on that date. This policy provides only the insurance for which a specific premium charge is indicated below, or which is indicated as included without specific charge either below, in your policy, or as indicated by endorsement.

Parts	Coverages	Amount of Insurance	Elected Deductible	Premium	Endorsements
A	Physical Damage-Agreed Value	130,000	2,600	\$1,812.00	Additional Insured Captain and Crew Limitation (1) Disappearing Deductible Financed Premium
B	Liability Coverage	1,000,000	1,000	\$1,129.00	
C	Medical Payments	25,000	0	Included	
B	Pollution Liability	1,000,000	1,000	Included	
F	Personal Property	5,000	250	Included	
D	Uninsured Boater	1,000,000	0	Included	PART A: Disappearing Deductible Amt: \$0.00
A	Towing	2,500	0	Included	
	Endorsements/Charges	0	0	\$350.00	
Unit Premium:				\$3,291.00	

Loss Payee: We will make payment for part A physical damage to the Insured and:

Sunshine Charters LLC, PO Box 774, Charlevoix, MI, 49720
FIF-First Insurance Funding Corp (Total Loss Only), 450 Skokie Blvd, Suite 1000, Northbrook, IL, 60062

Navigation Limits:

Navigation and Passenger Capacity to be determined by the vessel's Coast Guard Certificate of Inspection

Layup Warranty: It is warranted that the insured vessel(s) be laid-up from: 11/1 to 4/1 Ashore at Marina, 108 Bridge St, Charlevoix, MI, 49720

The insured vessel will be principally moored or berthed at:

Marina, 108 Bridge St, Charlevoix, MI, 49720

Countersigned 4/22/2021, at Grand Rapids, MI by:

, Agent.

Whitecap Charters
Michael "Kent" Seymour, Owner & Captain
P.O. Box 778
Charlevoix, MI 49720
231-675-1127
whitecapcharters@gmail.com

ATTN: City of Charlevoix Recreation Department

Please accept this as my Request for Proposal for the use of a commercial dock space in the Charlevoix City Marina. Following you will find information that supports the requirements of the Proposal and ask for the opportunity to provide Charter Services for the City of Charlevoix Tourists and Residents.

Whitecap Charters has always helped and will continue to help tourism as we bring in people from all over the State of Michigan, Country and World. The visitors love the pristine waters and outstanding fish that Northern Michigan offers. With the lake tour side of Whitecap Charters it allows us to target the non-fishing and non-boat owning customers that love to be on the water and enjoy the scenery and beautiful lake shores. We have had several repeat customers that have always just come in to Charlevoix to take our charters and then leave but if we are able to be at a dock in the downtown marina these customers may stay in the downtown area to visit local restaurants and shops which would be an asset to Charlevoix.

Whitecap Charters has had the great honor of working with the Charlevoix Elks Club and the Freedom's Finest Outdoors for the last several years in which we take Veterans for a free day of fishing. We also work with the Charlevoix Trout Tournament donating charters to raise money for the Tournament and have volunteered time to the Charlevoix Rod & Gun Club for the Kids Fishing and Shooting Day. Whitecap Charters has donated several four to six person fishing trips to the Charlevoix Hospital Holly-Daze fundraiser, Charlevoix Pool Auction and Eastport Baptist Church Sportsman's Banquet as well as several other local organizations.

Accident prevention and Safety is Whitecap Charters number one priority. If an accident occurs that involves the Marina dock system or a vessel in the Marina the US Coast Guard as well as the City of Charlevoix Harbormaster will be informed immediately.

Whitecap Charters is fully insured for both property damage and personal injury. If there is any damage to the dock that is minimal we will cover the cost for repairs by approved personnel designated by the Harbormaster and/or City. In Whitecap Charters' years of service there has never been an accident or incident that has jeopardized our safety record. Insurance information is included with this proposal packet.

All Whitecap Charter Captains are licensed by the US Coast Guard and hold current American Heart Association CPR certificates. Copy of US Coast Guard Inspection Certificates are available and will be submitted upon acceptance. Copies are on the boats which are still in storage at this time.

Whitecap Charters has been in operation since 2007. We are a fully licensed and insured Charter business for both fishing and site seeing charters. Whitecap Charters owns and operates three vessels which includes the newly purchased Double Trouble a 31' Sea Ray Amberjack for which the proposal is for, original boat Whitecap II a 26' American International which is trailer able and Traveler a 21' Startcraft which is also trailer able. Michael "Kent" Seymour Jr. is the owner and licensed Captain of all three boats and will be the main Captain for Double Trouble. Whitecap Charters also employs three other Captains that are USCG licensed and insured under their policies. There are half day and full day fishing and site seeing charters available from May-October.

Client References and letters are included with this proposal. Client references include: Brian Wilmot of Charlevoix & Boyne City, 231-675-5975. Erik Frazier of Leesburg, Florida, 352-603-1466. Daniel Ibele of Petoskey, Michigan, 419-350-8868. The prior mentioned have been return clients of Whitecap Charters for several years. Several other references can be provided if deemed necessary.

Business/Financial References are as follows:

Frankenmuth Insurance Company, Frankenmuth, Michigan is the Commercial Insurance carrier for Double Trouble and is carried through the Charlevoix Agency, Inc., 112 Clinton St., Charlevoix, Michigan. They can be contacted at 231-547-4441.

Charlevoix State Bank, 111 State St, Charlevoix, Michigan handles the business account for Whitecap Charters. They can be contacted at 231-547-4411. Luann Keinath is the contact for the proposed.

ClearH2O Tackle, Edwardsburg, MI. ClearH2O is one of Whitecap Charter's suppliers of fishing equipment and tackle. They can be contacted at 269-470-1677. Owner Darrin Schaap is the contact for the proposal. ClearH2O has also sponsored Whitecap Charters for several different fishing tournaments over the past few years.

Compensation to the City of Charlevoix will be made by Whitecap Charters on an annual basis. The cost of \$150.00 per foot for its designated vessel, 31' Double Trouble, can be invoiced to Whitecap Charters at P.O. Box 778, Charlevoix, MI 49720 or will be paid upon receipt of this proposal acceptance, whichever is preferred by the City.

Whitecap Charters does not require any special services from the City of Charlevoix pertaining to tenant improvements at this time. If such needs are required a written request will be presented to the City Manager's office and/or the City Recreation Department.

I, Kent Seymour, Owner, and Captain of Whitecap Charters, would like to thank the City of Charlevoix Recreation Department, City of Charlevoix City Manager's Office and the City Harbormaster for reviewing this proposal and considering us for the Commercial Boat Slip. I would be happy to answer any further questions that may arise and provide more information if required.

I would like to close by saying that I was born and raised in Charlevoix and have always worked locally other than the six years I served our Country in the US Army from 1989-1995. Charlevoix is my home and I want nothing more than to support the community that I live in and love.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Kent Seymour, Jr.", with a stylized flourish at the end.

Michael "Kent" Seymour, Jr.
Owner & Captain
Whitecap Charters
Charlevoix, Michigan

1 MUTUAL AVENUE
FRANKENMUTH, MI
48787-0001



Frankenmuth
INSURANCE

DECLARATION PAGE

RENEWAL CERTIFICATE * * * * EFFECTIVE 09/26/2021

ATTACH THIS CERTIFICATE TO YOUR POLICY

POLICY NUMBER	FROM	POLICY TERM TO	AGENT NAME	AGENT NO.	P
YAC 509698522	09/26/2021	09/26/2022	CHARLEVOIX AGENCY, INC. 231 547 4441	05 021088300	
NAMED INSURED AND ADDRESS			D/B		
SEYMOUR, MICHAEL K JR			SEYMOUR, MICHAEL K JR		
PO BOX 778 CHARLEVOIX, MI 49720			PO BOX 778 CHARLEVOIX, MI 49720		

THIS POLICY IS EFFECTIVE AT 12:01 A.M. STANDARD TIME AT YOUR ADDRESS.

RATED "A" (EXCELLENT) BY A.M. BEST

YACHT WILL BE MOORED/BERTHED AT: RESIDENCE, CHARLEVOIX, MI 49720
HULL ID: SERP1782C292 YEAR: 1992 LENGTH: 31FT TOTAL HP: 760HP
MANUFACTURER: SEA RAY AMBERJACK TYPE: CRUISER
LAY UP: THE YACHT WILL BE LAID UP ASHORE FROM 11/01 TO 04/01.

COVERAGE	LIMIT OF INSURANCE* (IF APPLICABLE)	DEDUCTIBLE (IF APPLICABLE)	PREMIUM
HULL AND EQUIPMENT	\$ 49,000	3%	\$ 377
TENDER/MOTOR (DESC ON PAGE 2)			
TRAILER (DESC ON PAGE 2)	8,600	500	151
PERSONAL PROPERTY	20,000	250	375
RENTAL REIMBURSEMENT	1,000		INCLUDED
EMERGENCY TOWING & ASSISTANCE			
OCCURRENCE/AGGREGATE	2,500/2,500		INCLUDED
PROTECTION & INDEMNITY	1,000,000		170
LONGSHORE AND HARBOR			
WORKERS' COMPENSATION	INCLUDED		INCLUDED
MEDICAL PAYMENTS	25,000		INCLUDED
UNINSURED/UNDERINSURED BOATER	500,000		INCLUDED
POLLUTION LIABILITY	STATUTORY		INCLUDED
OPTIONAL ENDORSEMENTS (DESC ON PAGE 2)			211

TOTAL PREMIUM: \$ 1,284

*THE POLICY EXPLAINS HOW THE LIMITS OF INSURANCE APPLY.

14075 (04-14)

ACCOUNT YAC6985000 001 00001

CB-Q1 DIRECT BILL
4 INSTALLMENTS 25%-25%-25%-25%

THIS IS NOT A BILL

THANK YOU FOR LETTING US SERVE YOU



CHARLEVOIX

Commercial Dock Proposal Form

Company Name	Whitecap Charters
--------------	-------------------

Mailing Address	P.O. Box 778
City, State, Zip	Charlevoix, MI 49720
Code	

Contact Person	Kent Seymour
Phone Number	231-675-1127
Email Address	whitecapcharters@gmail.com

Name of Vessel	Doube Trouble
Type of Boat	31' Sea Ray Amberjack
Length of Boat	12'
Width of Boat	3'

Draft of Boat	3'
---------------	----

Additional information to be included:

Overview

- Provide information on the proposed commercial services including type of vessel and specific opportunities offered to clients.
- Will your business be competing with any existing Charlevoix businesses? If so, please explain.

Tourism

- Provide information on what services you plan to offer and how your business aligns with promoting tourism
- Proposed operation dates and daily schedule
- Provide marketing and promotional materials.

Community

- List community contributions and/or partnerships that you will be offering.

Business Experience

- Submit materials on the company's business activities for the past three (3) years. (i.e., number of passengers, types of cruises, brochures, etc.)
- Outline of business experience and provide three (3) business references and client references

Accident and safety procedures

- Include examples of accident and safety procedures.
- Outline of staff training.
- Copy of US Coast Guard Inspection Certificate.
- Proof of Insurance or ability to obtain required insurance.

Proposed compensation to the City

- Detailed Information on proposed fee payment schedule.
- Provide a list of desired tenant improvements (i.e., storage lockers, seating, security, etc.). All improvements will need the prior written consent of the City of Charlevoix and will be completed at the expense of the lessee.

UNITED STATES OF AMERICA
MERCHANT MARINER CREDENTIAL

Reference Number
2658460

CHARLEVOIX, MI 49720

Expiration Date
28-DEC-2022

City Council Regular Meeting - March 21, 2022 - Page 76 of 165

The lawful holder of this credential,
MICHAEL KENT SEYMOUR JR

as endorsed below, is entitled under Title 46 (Shipping) U.S. Code
to serve in the capacity or capacities specified (National Only),
subject to any limitations indicated.

CAPACITY

Master

Assistance Towing

Ordinary Seaman

Wiper

Steward's Department (F.H.)

LIMITATIONS APPLYING (IF ANY)

Of Self-Propelled Vessels Not Including Auxiliary Sail
Of Less Than 100 Gross Register Tons (GRT) Upon
Great Lakes and Inland Waters.

Ref Num 2658480

Serial Num 000447784

K. R. Martin

KIRSTEN R. MARTIN, CAPT, USCG

Will be completed when out of Storage



STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



January 28, 2022

According to our records, you own a vessel that requires an inspection this year.

Double Trouble **MC 8852 PK**
Vessel name State Registration/Documentation Number

We show the inspection(s) indicated below are due on the above vessel.

Dryhull

Dockside

Please complete the enclosed Application for Inspection and mail with the appropriate payment to the DNR District 3 office indicated on the back of the Application for Inspection form, before March 31, 2022. It is imperative you return the application form and payment as soon as possible to be scheduled for your dryhull inspection. All dryhull inspections will be conducted by licensed marine surveyors, contracted by the Department, who will contact you directly to schedule this inspection.

A conservation officer will be assigned to your vessel for the dockside inspection once the application and payment is received and will contact you to schedule a time for inspection.

Also, enclosed are the Application for Miscellaneous Licenses and Permits and the Monthly Charter Fishing Catch Report letter. The Application for Miscellaneous Licenses and Permits is for the Sport Trolling License. The application and the appropriate payment need to be submitted to the Cashier's Office. The address is located at the bottom of the application.

If you have decided not to continue chartering your above vessel or have sold the above vessel, please contact myself at the phone number listed below.

If you have any questions, please contact me at the Gaylord Customer Service Center, 1732 West M-32, Gaylord, MI 49735. Thank you for your time and cooperation.

Sincerely,

Amanda Wise, Secretary
Law Enforcement Division
989-732-3541 Ext. 5910

Enclosure

Commercial Dock Proposal

My name is Russell Ward. I am currently in the process of starting my own charter fishing business, Ward's NorthCoast Charters.

My new business venture will provide both half and full day private fishing charters and tours. I will specialize in fishing charters for trout and salmon, and eventually expand into walleye, perch, and bass fishing. My services will be 5-7 days per week. To promote my business, I will use various social media platforms, the Michigan Charter Boat Association, and plan to work in conjunction with local hotels, bed & breakfasts, and downtown restaurants. Ward's NorthCoast Charters will be competing with three other charters companies, which I know personally and have a good working relationship with.

I grew up working at my family's company, Ward Brothers Boats. I can proudly say I am a 4th generation Ward, that was born and raised in Charlevoix. I started working the docks there when I was a kid, and eventually learned from my grandfather how to run my own boat as captain. I have operated a charter fishing vessel for 21 years there. I also acted as General Manager from 2019 through 2020. During my two seasons as acting GM, I expanded the company with online booking capabilities, took care of the day-to-day operations, and also did the accounting, payroll, and taxes.

First and foremost safety is my #1 concern. My vessel will be inspected, certified, and insured by all state and local requirements. Safety procedures will be posted on board the vessel at all times. All employees/captains will be trained in all of the following areas:

Safety procedures

- Life jackets will be recommended and provided
- Make sure all clients get on and off the vessel safely
- Basic boater safety
- Knots
- Life jacket operation

- Basic first aid
- Fire safety (use of fire extinguishers and flares)

Emergency drills

- Man overboard
- Fire drills
- Radio training
- Boat operation

I will be working with Charlevoix Insurance Agency to insure the vessel and property. Lease terms will be paid in full to the City of Charlevoix upon approval of the commercial dock space.

Chartering is what I love to do. I have a passion for fishing and love meeting new people. My goal is to provide a fun and unique Charlevoix experience. I have a lot of pride to say I am from Charlevoix and will always promote my home town.

Thank you

Capt. Russell Ward

Ward's NorthCoast Charters

(231) 497-4780

Russward75@hotmail.com

References

**Mike Greyerbiehl/Manager/Ace Hardware
06675 m-66 N.
Charleviox MI,49720
(231) 547-6232
had a business account for Ward Brothers for 20+ years**

**Dan Drost/Owner/Affordble Flooring and More
6907 Marion Center Rd
Charlevoix MI,49720
(231) 437-3001
Friend/Business partner**

**John Kantola/Owner/ Kantola Marine Services
13695 Clark Rd.
Charlevoix MI,49720
(231) 675-1986
Friend/Business Associate**

**Shay Arnold/ Owner/ BoatWorks of Charlevoix
5815 Loeb Rd.
Charlevoix MI,49720
(231) 547-2287
Fax# (231) 547-3553
Friend/Business Associate**

**Scott Boss/ Owner/ DryHarbor Marine
6357 U.S. 31 S.
Charlevoix MI 49720-8915
Business Associate**

**Caytee Scott-Vondra/ Manager /Holiday Gas Station
1408 Bridge Street South
Charlevoix MI,49720
(231) 547-2821**

Friend/School mate

**Rebekah Moser/GM/ Castle Farms
5052 M-66
Charlevoix MI, 49720
(231) 237-0884 ext# 222
Current employer**

**Mike Vellano
2740 Werlein Ave.
Houston TX, 77005
(281) 727-8734
10+ year client**

**Eric Ragsdale
1912 Fordice St.
Lebanon, IN 46052
(765) 894-5262
15+ year client**

**John Norman
6285 Maplegrove Rd.
Charlevoix MI, 49720
(231) 409-4943
friend/ 5 year client**

**Liam Racine
10495 5th street
Charlevoix MI, 49720
(231) 675-3767
friend/1 year client**



CHARLEVOIX

Commercial Dock Proposal Form

Company Name	ward's northcoast charters llc
--------------	--------------------------------

Mailing Address	5155 m-66
City, State, Zip	charlevoix MI, 49720
Code	

Contact Person	Russell ward
Phone Number	231-497-4780
Email Address	russward75@hotmail.com

Name of Vessel	Russell Lynn
Type of Boat	Bertram
Length of Boat	31'
Width of Boat	11'6"

Draft

3.5'

**DRYDOCK INSPECTION WORKSHEET**

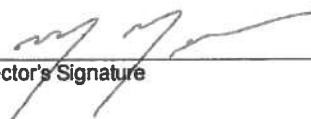
This inspection is required under the authority of Part 445, 1994 PA 451,
and Administrative Rule R281.3101, through R281.3506, Charter and Livery Boat Safety.

VESSEL OWNER INFORMATION				VESSEL INFORMATION			
Name of Owner Ward Bros Charter Boats, Inc.				Name of Vessel Russell Lynn		Registration or Documentation Number 521588	
Street Address 106 East Antrim St.				Log # ---	Home Port of Vessel Charlevoix, MI	Location of Vessel Charlevoix	Slip # ---
City Charlevoix	State MI	ZIP 49720		Route (Body Of Water) Great Lakes - Navigable		Last Drydock Inspection Date 2012	
Home Telephone ()		Business Telephone (231) 547-2371		Year Built 1966	Length 30' 7"	Beam 10' 7"	Class ☒ A ☐ B ☐ C ☐ D
Hull Manufacturer Bertram Yachts				Hull Material FRP (fiberglass)		Hull Identification Number (HIN) 316-524	
No. of Engines 2	Total H.P. 640	Type of Engines Inboard-gas	Engine Manufacturer Marine Power	Engine Serial Numbers P NA S NA			

VESSEL INSPECTION									
INSPECTION CHECK LIST			S = Satisfactory U = Unsatisfactory NA = Not Applicable						
Item NO.	DESCRIPTION	S	U	N/A	Item NO.	DESCRIPTION	S	U	N/A
1.	Hull Above Water Line	☒	☐	☐	11.	Propellers	☒	☐	☐
2.	Hull Below Water Line	☒	☐	☐	12.	Propeller Shaft	☒	☐	☐
3.	Decking	☒	☐	☐	13.	Outdrive – Hoses, Boots, Etc.	☐	☐	☒
4.	Internal Structure (Stringers, Bulkheads, Etc.)	☒	☐	☐	14.	Electrical / Wiring	☒	☐	☐
5.	Inner Hull	☒	☐	☐	15.	Marine Sanitation Device/Plumbing	☒	☐	☐
6.	Fastenings, Screws, Bolts, Hoses, Etc.	☒	☐	☐	16.	Fuel System	☒	☐	☐
7.	Windows and Frames	☒	☐	☐	17.	Fire/Ventilation	☒	☐	☐
8.	Sea Valves	☒	☐	☐	18.	Bilge Pumps	☒	☐	☐
9.	Through Hull Fittings	☒	☐	☐	19.	Anchor & Line	☒	☐	☐
10.	Rudders	☒	☐	☐	20.	Other:	☐	☐	☒

Marc Nugent - Manitou Boatworks & Engineering

Inspector's Name (Please Print)


Inspector's Signature

19 April 2018

Date

District: 3

DISTRIBUTION

White - Lansing Files Canary - District Office Pink - Inspecting Officer Goldenrod - Vessel Owner

PR9302 (Rev. 08/07/2012)

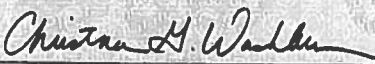


UNITED STATES OF AMERICA

DEPARTMENT OF HOMELAND SECURITY
UNITED STATES COAST GUARD

NATIONAL VESSEL DOCUMENTATION CENTER

CERTIFICATE OF DOCUMENTATION

VESSEL NAME RUSSELL LYNN		OFFICIAL NUMBER 521588	IMO OR OTHER NUMBER 316-524	YEAR COMPLETED 1966	
HAILING PORT CHARLEVOIX MI		HULL MATERIAL FRP (FIBERGLASS)		MECHANICAL PROPULSION YES	
GROSS TONNAGE 10 GRT	NET TONNAGE 8 NRT	LENGTH 30.8	BREADTH 10.7	DEPTH 4.5	
PLACE BUILT MIAMI FL					
OWNERS WARD BROTHERS CHARTER BOATS, INC.		OPERATIONAL ENDORSEMENTS REGISTRY COASTWISE			
MANAGING OWNER WARD BROTHER'S CHARTER BOATS, INC. 106 E. ANTRIM ST. CHARLEVOIX MI 49720					
RESTRICTIONS NONE					
ENTITLEMENTS NONE					
REMARKS NONE					
ISSUE DATE MARCH 24, 2021		 DIRECTOR, NATIONAL VESSEL DOCUMENTATION CENTER			
THIS CERTIFICATE EXPIRES MARCH 31, 2022					



This certificate is not valid for operation of the vessel until the vessel is marked with the name, official number, and hailing port as shown on the certificate. The original certificate must be kept aboard the vessel at all times when in operation and must be presented upon the demand of federal, state or local officials for law enforcement purposes. Vessels with only a recreational endorsement may not engage in commercial trade.

Documented vessels may be registered by states for tax and other purposes and may be required to display a state decal. This certificate is valid for one year. Renewal is the responsibility of the owner. This certificate must be surrendered to the National Vessel Documentation Center (NVDC), 792 T J Jackson Drive, Falling Waters, West Virginia 25419, upon a change in ownership, change in state of incorporation, or a change in any other element shown on the certificate other than change of address. This certificate is invalid for any vessel other than one documented solely for recreation when the vessel is placed under the command of a person who is not a citizen of the U.S. The vessel and its equipment are liable to seizure and forfeiture to the U.S. government and the owner is liable for a civil penalty of not more than \$10,000.00 per violation. Each day of a continuing violation is a separate violation.

Any change in address of the managing owner must be reported promptly to the NVDC. You may contact us at (304) 271-2400.

Note: The certificate on the face of this document is not conclusive evidence of title in any proceeding where ownership is in issue. Complete records are on file at the NVDC. The sale or transfer section below is provided for convenience only.

SALE OR TRANSFER OF VESSEL

100% OF THE VESSEL IDENTIFIED HEREIN IS SOLD (TRANSFERRED) BY THE OWNER(S) NAMED ON THE FACE OF THIS CERTIFICATE TO THE FOLLOWING PERSON(S). ADDRESS MUST BE INCLUDED.

IF SOLD (TRANSFERRED) TO MORE THAN ONE PERSON, THE PURCHASER(S)/TRANSFeree(S) ARE TENANTS IN COMMON, EACH OWNING AN EQUAL UNDIVIDED INTEREST, UNLESS OTHERWISE INDICATED HEREIN: CHECK ONLY ONE OF THE FOLLOWING BLOCKS TO SHOW ANOTHER FORM OF OWNERSHIP.

- ☐ JOINT TENANCY WITH RIGHT OF SURVIVORSHIP ☐ TENANCY BY THE ENTIRETIES ☐ COMMUNITY PROPERTY
☐ OTHER

SIGNATURE OF SELLER(S)/TRANSFEROR(S) OR PERSONS SIGNING ON BEHALF OF SELLER(S)/TRANSFEROR(S):

DATE SIGNED:

NAME(S) OF PERSON(S) SIGNING ABOVE, AND LEGAL CAPACITY IN WHICH SIGNED (E.G. OWNER, AGENT, TRUSTEE, EXECUTOR)

ACKNOWLEDGMENT (TO BE COMPLETED BY NOTARY PUBLIC OR OTHER OFFICIAL AUTHORIZED BY A LAW OR A STATE OR THE UNITED STATES TO TAKE OATHS.)

ON _____ THE PERSON(S) NAMED
(DATE)

STATE:

COUNTY:

ABOVE ACKNOWLEDGED EXECUTION OF THE FOREGOING INSTRUMENT
IN THEIR STATED CAPACITY(IES) FOR THE PURPOSES THEREIN CONTAINED.

NOTARY PUBLIC
MY COMMISSION EXPIRES:

PRIVACY ACT STATEMENT

IN ACCORDANCE WITH 5 USC 552(A). THE FOLLOWING INFORMATION IS PROVIDED TO YOU WHEN SUPPLYING PERSONAL INFORMATION TO THE U.S. COAST GUARD:

1. AUTHORITY SOLICITATION OF THIS INFORMATION IS AUTHORIZED BY 46 USC CHAPTER 313 AND 46 CFR, PART 67.
2. THE PRINCIPAL PURPOSES FOR WHICH THIS INSTRUMENT IS TO BE USED ARE:
 - (A) TO PROVIDE A RECORD, AVAILABLE FOR PUBLIC INSPECTION AND COPYING, OF THE SALE OR OTHER CHANGE IN OWNERSHIP OF A VESSEL WHICH IS DOCUMENTED, WILL BE DOCUMENTED, OR HAS BEEN DOCUMENTED PURSUANT TO 46 USC, CHAPTER 121.
 - (B) RETENTION FOR EXAMINATION BY GOVERNMENTAL AUTHORITIES AND MEMBERS OF THE GENERAL PUBLIC.
3. THE ROUTINE USE WHICH MAY BE MADE OF THIS INFORMATION INCLUDES DEVELOPMENT OF STATISTICAL DATA CONCERNING DOCUMENTED VESSELS.
4. DISCLOSURE OF THE INFORMATION REQUESTED ON THIS FORM IS VOLUNTARY. HOWEVER, FAILURE TO PROVIDE THE INFORMATION COULD PRECLUDE FILING OF A BILL OF SALE AND DOCUMENTATION OF THE VESSEL NAMED HEREIN PURSUANT TO 46 USC CHAPTER 121. MOREOVER, BILLS OF SALE WHICH ARE NOT FILED ARE NOT DEEMED TO BE VALID AGAINST ANY PERSON HAVING ACTUAL KNOWLEDGE OF THE SALE. (46 USC 31321 (A)).

AN AGENCY MAY NOT CONDUCT OR SPONSOR, AND A PERSON IS NOT REQUIRED TO RESPOND TO A COLLECTION OF INFORMATION UNLESS IT DISPLAYS A VALID OMB CONTROL NUMBER.

THE COAST GUARD ESTIMATES THAT THE AVERAGE BURDEN FOR THIS FORM IS 20 MINUTES FOR COMPLETING AND 5 MINUTES FOR FILING. YOU MAY SUBMIT ANY COMMENTS CONCERNING THE ACCURACY OF THIS BURDEN ESTIMATE OR ANY SUGGESTIONS FOR REDUCING THE BURDEN TO: U.S. COAST GUARD, NATIONAL VESSEL DOCUMENTATION CENTER, 792 T J JACKSON DRIVE, FALLING WATERS, WEST VIRGINIA 25419 OR OFFICE OF MANAGEMENT AND BUDGET, PAPERWORK REDUCTION PROJECT (1625-0027), WASHINGTON, DC 20503.

AT 608274822419



9083 Hewitt St
Cedar, Mi 49621
(231) 645-2299
eric@lyfmotiv.com

Dear Mr. Knorr, Ms. Drost, et al.,

Lyfmotiv is interested in leasing commercial dock spaces to offer exciting new tourism opportunities in the Charlevoix area in what we see as an undeveloped market. Charlevoix, being one of the most vaunted marina locations in the state and the gateway to both Lake Michigan and the beautiful Lake Charlevoix.

Our organization specializes in a number of unique recreation opportunities combining the beautiful waterfronts with rolling vineyards, memorable dining, and exciting outdoor experiences that make a lasting impression on our clients.

We see the Charlevoix area as an exciting position to move into from our Traverse City area tours with close access to Beaver Island, Lake Charlevoix, and Lake Michigan. Furthermore we believe with our unique offerings combining both adventurous excitement and refined relaxation would fill a market and bring more visitors to the area.

Thank you kindly for your time and attention.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Clone", is written over a light blue horizontal line.

Eric Clone



Company Overview

LyfMotiv (Life-Motive) Adventures, LLC was formed to provide both low (soft) and high (hard) adventure travel tours. Packages will convey the regional love for the good things in life (local farm to table fare, artisan beers, wines and ciders, outdoor recreation, fresh air, beaches, clear waters, fun and good health). Tours focus on a “core four” methods of recreation, sailing, biking, hiking and paddling. Within these general groups, tours will take many forms as single sport activities and blended multi-sport. In addition, tours offered are for inbound travelers to the “Fresh Coast” region of Michigan as well as outbound travel to destinations beyond our region. While still maintaining a focus on the “core four” recreational elements.

The founder of LyfMotiv is Eric Clone, EMT-b, WFR, 50 ton US Sailing Captain, has spent 30+ years of his life accumulating experiences and qualifications to solidify his ambitions into the company. As a firefighter, Colorado Mountain Rescue volunteer, Desert wilderness backcountry guide and world traveler, he has found that introducing people to challenging and unique experiences in the outdoors gives participants a level of enjoyment and openness to insights rarely experienced in today's sheltered day to day life.

This company has an undercurrent of intention which is to educate, enrich, embody the regional culture and allow the guest to feel as if they are true locals. Through our adventures, authentic emotions of excitement, fascination and curiosity will be nurtured. Guests will depart after their tour with us feeling more intimately knowledgeable in the place they are visiting.

Tourism

Business Opportunity in Charlevoix

LyfMotiv is interested in expanding to the Charlevoix area to enhance its offerings by raising awareness and bringing more people to experience our outdoor beauty, provide education and promote preservation. All this while serving local residents with the ability to experience their city and waterways in a unique perspective and manner. The boat slip is a springboard to allow us to operate out of one of the most beautiful harbor towns in the United States. If provided this springboard for business we will offer exciting tours of Lake Charlevoix, specifically the south arm and deeper areas along the northern shoreline of Lake Charlevoix. Ultimately bringing the vision of the remaining three “core four” to Charlevoix. There is a strong need and desire for this business model in our region for these reasons:

1. Since the pandemic, we have proven that we can live differently because we had to. We have found that desire to live differently. And, finally, we have become more aware of how we want to spend our time and what we value.
2. Locals and visitors alike have been coming to Northern Michigan and “playing” outside for generations, yet, few formal package tours, nor authentic guiding/ instruction services have been offered in adventure tourism, eco tourism, cultural/history tourism nor lifestyle tourism.
3. Our customers have conveyed a continuous message to our guides and captains while on our tours. That message is summarized as wine tours, festivals, themed events have begun to grow old after repeated visits. Beaches are growing more crowded, pollution in our natural spaces is increasing and general congestion is hampering the enjoyment factor of guests to our locale. We provide new opportunities, interactive, and informational experiences.

Moving into the Charlevoix area affords us the opportunity to provide a new and untapped variety of experiences for our clients. We will operate from May thru October with up to four tours per day plus a sunset tour. We expect to offer a variety of options and packages to our clients. This in turn would allow us to bring our clients to the Charlevoix area. Thereby, enhancing the already robust tourism offerings and introducing new people to the area as well as reintroducing local residents to a new perspective of their home town and waters.

Providing full day and multi day adventure experiences, guests feel taken care of. Instructional technique and safety courses in each of the “core four” disciplines is provided by the company. Their time is spent in planned activities allowing many teachable moments with lower, personal participant numbers. This will translate to guest seeing value in protecting the local environment, insights into why this area has remained so pristine and how our diverse blend of emigrant and indigenous cultures have made this place what this area is. The secret in the sauce to accomplish all this during our short time with guests. is by having everyone, sailing and paddling together. Good food, good wine and good company make it come together.

Proposed Operations, schedule and dates

In the first season of operations out of Charlevoix, LyfMotiv is proposing to mirror our current trips schedule in Traverse City. We will be open seven days a week and provide day sailing options that will last for 2+ hours each. Beginning at 10:00 in the morning, tours will depart at and return before 1:00, again at 1:30 to before 4:30, then 5:00 to before 8:00. In our experience we have found to allow for flexible return times and an established departure time. This allows the captain to make fair and safe decisions while underway and not feel pressure from paying customers. Everyone's safety is first and the captain's judgment is the final word. Three trips per day will be offered from June 1 to mid-August. Daylight begins to shorten and the evening tour will drop off the schedule at that time. Throughout the full summer months of June to September we will provide sunset sails and the start times will adjust accordingly to the length of remaining daylight. Just as in Traverse City customers are invited to bring a single

bottle of wine per couple or beverages of their choice. Complimentary charcuterie of seasonal fruits, cheeses, meats and breads are included.

The locations we travel will primarily be dictated by the weather and wind directions and intensity. Having the sheltered waters of Lake Charlevoix compliment the tours flexibility and the likelihood of cancellations due to inclement weather is lessened. The proposed season for LyfMotiv Adventures is May 1 to Oct 31 which is dependent upon seasonal conditions.

Through the first season of charters out of Charlevoix we will be actively making affiliations with like minded complimentary businesses with the intent to develop and grow a diverse menu of new blended tours. It is our mission to acquaint the guest to all there is to see in our beautiful region. While we have the eyes and ears of our customers we provide a wealth of local information, recommendations and must see places.

LyfMotiv will book and offer these experiences from an online footprint utilizing a variety of social media advertising and interactions to find new customers. In person and same day booking can occur on a first come first served basis to allow us to serve the greatest number of patrons possible. Partnership with local businesses to offer packages, will also be a focus to foster a synergy between LyfMotiv and well established Charlevoix area businesses. LyfMotiv will also be seeking grants from the state to provide educational programs for young people in the area pertaining to maritime adventures initially and future plans for hiking, biking & kayaking guides.

The company's target demographic is focused on all individuals who love the great outdoors regardless of age. People who want to not only "see" a place but to "experience" the area they are visiting. With "soft" adventures such as Mushroom house tours, visiting Castle Farms or taking a trip to Lavender Farms, this water experience adds a perspective only Lake Charlevoix's pristine waters can provide.

Marketing and Promotional Materials

LyfMotiv has found from past experience to put our marketing money in the environment of online and to invest only a small portion into printed materials such as rack cards and posters. The ROI on printed marketing materials has been shown to be less effective than social media and web based marketing. 98% of LyfMotiv's marketing has been done with Google ads, Facebook ads, Instagram, Pay per Clicks, Network affiliations with OTAs (online travel agencies), Pure Michigan and SEO optimization for our website.

Currently we are listed with Tripadvisor, Google travel, Airbnb experiences, SPUR, Find My Guide and fourteen more lesser known OTAs. This list is growing as we add from a list of 98 OTAs we have compiled.

This season we will be adding local marketing through our memberships with Traverse City Tourism, and West Michigan Travel Association. Printed materials are placed in handpicked locations that cater to similar demographics. Some examples of locations we like to choose are Wineries, Breweries, and locally owned farm to table restaurants.

Data of the company's monthly and yearly attendance and usage are tracked through our online booking system and reports are easily accessible. Our information can be shared with the city at will upon request.

(examples of print marketing enclosed)

Community

Partnerships and Local Contributions

From the inception of the company, LyfMotiv has followed a collaborative business model. Evidence of this can be witnessed by the fact that we have references that are also our affiliates. Gaining affiliations with complimentary businesses allows our customers to have a more fulfilling experience and allows for tourism dollars to disperse through the local economy. A core piece of the company's business model has been to contribute 2% of net booking sales toward non-profit organizations that directly relate to the nature of each tour type.

Organizations currently affiliated

Sleeping Bear Dunes National Lakeshore
Two Brothers Sailing Adventures
Wind Sailing
Fuel Your Tomorrow (boxed organic lunches)
Grand Traverse Maritime Heritage Alliance
Tom's grocery stores
Shady Lane Winery
Suttons Bay Ciders
Mawby Vineyard
Fresh Coast Market and Deli
Nature, A Michigan Retreat

Anticipated Partnership Opportunities

By gaining a location in Charlevoix it would be a top priority to establish connections to businesses similar to the ones listed above. Below are a few that come to mind and we are open to suggestions and future partnerships.

Horton Bay General Store

Castle Farms

Lavender Farms

Mushroom Tours

Mount McSaba

Business Experience

Operations Past and Future

LyfMotiv Adventures has been in business in its current form since 2021. It is the result of many years of guiding outdoor adventures throughout the Western United states and spun out of 4 years of business as a paddling tour company in Traverse City.

Operations of the company last year employed three part-time licensed captains, one first mate and one bike guide. For the future, working out of the docks in Charlevoix, new employees will be hired as captains, mates and eventual guides for land based tours.

A second vessel is being acquired by LyfMotiv to expand our offerings and, if we are selected for this opportunity, will primarily serve the Charlevoix area. This vessel is a 55' steel schooner but we would like the option to dock both boats if necessary

LyfMotiv has served hundreds of customers guiding folks of all walks of life from regular everyday people to television celebrities and professional athletes. In the past year as we began ramping up sailing operations in a COVID-19 world

Customers

Advanced Last Year 01/01/2021 - 12/31/2021 Report on: Availability date

Customer type	Customers					Bookings		
	# of Pax	Subtotal	Total Tax	Total	Total Paid	# of Bookings	# of Pax	Total
Additional People	5	\$250.00	\$0.00	\$250.00	\$250.00	3	8	\$1,147.00
Combo Bike and Sail Package	14	\$2,730.00	\$0.00	\$2,730.00	\$2,730.00	7	14	\$2,500.00
Person	27	\$2,390.00	\$0.00	\$2,390.00	\$2,390.00	11	27	\$2,390.00
Private charter	9	\$3,642.00	\$0.00	\$3,642.00	\$3,368.00	8	9	\$2,793.50
Semi-Private Charter	8	\$2,392.00	\$0.00	\$2,392.00	\$2,442.00	7	13	\$2,644.00
5 customer types	63	\$11,404.00	\$0.00	\$11,404.00	\$11,180.00			

Bookings by User

Bookings Booking summary grouped by most recent booking user, then by item

Report accurate as of a few seconds ago

Generate

Advanced Last Year 01/01/2021 - 12/31/2021 Report on: Availability date

Last booked by	Item	Bookings									
		# of Bookings	# of Pax	Subtotal	Total Tax	Total	Total Paid	Processing Fees	Total Paid after Processing Fees	Payable to Affiliate	Receivable from Affiliate
Online	2 Hr. Sunset Sailing Cruise	6	7	\$2,245.00	\$0.00	\$2,245.00	\$2,021.00	\$39.97	\$1,981.03	\$0.00	\$0.00
	Traverse City - Leelanau Bike and Sail Tour	7	14	\$2,500.00	\$0.00	\$2,500.00	\$2,500.00	\$49.50	\$2,450.50	\$0.00	\$0.00
	Traverse City-Leelanau Electric Bike & Vines Tour	7	13	\$1,040.00	\$0.00	\$1,040.00	\$1,040.00	\$21.86	\$1,018.14	\$0.00	\$0.00
	3 Items	20	34	\$5,785.00	\$0.00	\$5,785.00	\$5,561.00	\$111.33	\$5,449.67	\$0.00	\$0.00
Eric Clone	2 Hr. Sunset Sailing Cruise	9	15	\$3,192.50	\$0.00	\$3,192.50	\$3,192.50	\$63.20	\$3,129.30	\$0.00	\$0.00
	Traverse City - Leelanau Bike and Sail Tour	1	2	\$390.00	\$0.00	\$390.00	\$390.00	\$7.71	\$382.29	\$0.00	\$0.00
	Traverse City-Leelanau Electric Bike & Vines Tour	3	12	\$960.00	\$0.00	\$960.00	\$960.00	\$19.44	\$940.56	\$0.00	\$0.00
	3 Items	13	29	\$4,542.50	\$0.00	\$4,542.50	\$4,542.50	\$90.35	\$4,452.15	\$0.00	\$0.00
1 last booked by	3 Items	33	63	\$10,327.50	\$0.00	\$10,327.50	\$10,103.50	\$201.68	\$9,901.82	\$0.00	\$0.00

References

Professional

Shaunie and Rick Prince

Phone: 231-642-1098

Sailtraversecity@gmail.com

www.twobrotherssailing.com

Business owners: Two Brothers Sailing Adventures

Business affiliates and mentors to LyfMotiv Adventures

Captain Matt Perry, US licensed 100 ton Master Captain

Phone: 513-235-0904

mhperry815@gmail.com

Part-time captain for LyfMotiv Adventures 2021

Kyle Gorski, TBA Credit Union Loan Officer

Phone: 231-932-5049

Kyleg@tbacu.com

Personal

Tim Evans, USCG Petty Officer, 1st Class (PO1)

Phone: 678-897-1596

t.evans@juno.com

1501 Greate Rd. Gloucester Point, VA 23062

Tawny Hammond, US 25 Ton Master Captain

Phone: 703- 597-9870

thammond23@yahoo.com

www.therivertc.com

www.winddancertc.com

Business Owner: Winddancer sailing charters, The River kayak and bike rentals

Curt MacArthur, (friend), Sales for Anderson Windows

Phone: 231-499-3606

cmacarthur05@gmail.com

Penny VanDam

Phone: 231-838-5069

pennyvandam@gmail.com

Noteable reviews from past customers: Taken from Tripadvisor:



Shirley M wrote a review Jul 2021

1 contribution



"Can't wait to go again!"

This was the best way to experience Northern Michigan I have ever had. What an amazing adventure....water, wind, sand, biking through some of the most beautiful trails in the US! The captain, Eric is amazing. He has a wealth of knowledge and we certainly felt the experience...

[Read more](#) ▼

Date of experience: July 2021



Helpful



Share



Response from MelissaLyfMotiv, Public Relations Manager at Lyfmotiv Adventures



Responded 1 Jul 2021

Yay! We are glad you had an amazing time in Traverse City with our Bike and Sail Trip! Eric is a great guide and we are lucky to have him. Thanks for the review. Enjoy TC and we hope to see you again next year!



Jenn W wrote a review Sept 2021

Clinton Township, Michigan • 2 contributions



100% win!

We chose the ebike-sunset sail and to say we had a blast is an understatement! Eric is a fantastic host! We highly recommend booking - you won't regret it!

[Read more](#) ▼

Date of experience: September 2021



Z W wrote a review Jul 2021

1 contribution



Just book the trip. You don't need to read this review.

The five star rating says it all. It was a great trip! Lyfmotiv did an excellent job of communicating with us leading up to our day on the trail and water. We met our guide Eric and were immediately put at ease (first time on e-bikes). Eric did a great job explaining our bike...

[Read more](#) ▼

Date of experience: July 2021

Helpful **Share**



Response from MelissaLyfMotiv, Public Relations Manager at Lyfmotiv Adventures

Responded 12 Jul 2021



Thanks for the awesome review, Zeb! We are so glad you loved the Bike & Sail Tour. Thanks for joining us and thanks for helping spread the word about our tours. Until next time!



Emily W wrote a review Jul 2021

1 contribution



Fun adventure in TC!

I absolutely loved riding along the tart trail on the e-bike. I enjoyed taking in the sights and riding to the lovely winery at Shady Lanes.

[Read more](#) ▼

Date of experience: July 2021

1 Helpful vote



Helpful



Share

Accident and Safety Procedures

Procedures

The credentials and training of every employee will include medical training, and education in how to initiate emergency services. The boat is captained by licensed and experienced sailboat captains. Regular maintenance and improvement are completed on Allegro on a daily, weekly and seasonal basis. Inventory and visual inspections are conducted each day before tours. As per US Coast Guard regulations PFDs, Emergency Flares, onboard signage and printed emergency protocols are all present and inspected. The start of every boat tour consists of a safety briefing and description of where items are located. Our operations will always adhere to all state and federal regulations for safety.

Compensation to the City:

Revenue sharing to the city is open to discussions. In accordance with our core ethic of contributing 2% to related non-profits. It is fair and equitable to offer the same contribution we are providing to the federal National Park Service for operations on their lands. That contribution is as follows:

<\$250,000 = 3% Gross receipts from operations.

>\$250,000 = 2% Gross receipts from operations.

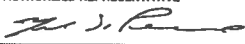
LyfMotiv envisions a similar structure with the City of Charlevoix

Share Percentages will be paid at the end of each month of operation beginning at the end of May and continuing until the end of October.

If 2% of gross receipts do not reach the total moorage fees divided by 6 (for 6 months of operation) on any given month LyfMotiv will pay the remainder at the end of the month.

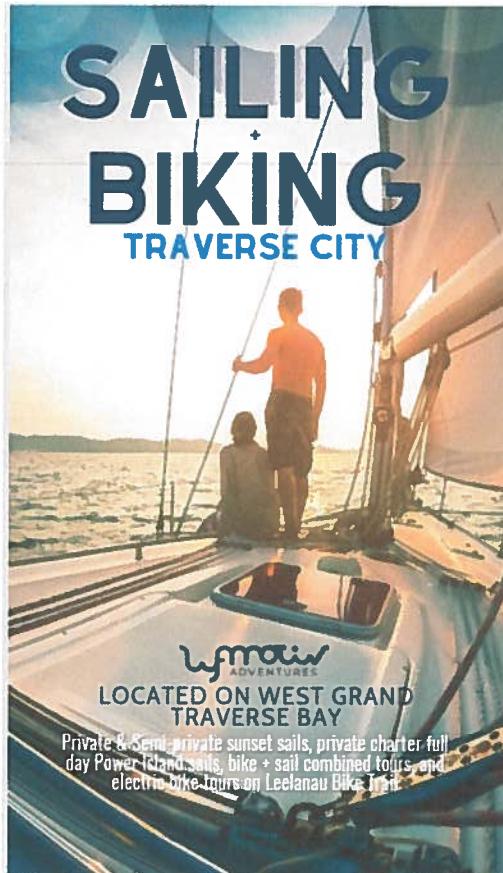
If gross receipts exceed the minimum moorage fees LyfMotiv will pay these fees out to the city as a revenue share in partnership with the city.

Proof of Liability Insurance:

ACORD		CERTIFICATE OF LIABILITY INSURANCE		DATE (MM/DD/YYYY) 08/04/2021			
THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER. IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).							
PRODUCER NFP Property & Casualty Services Inc. 1371 Hecla Drive, Ste E, Louisville, CO, 80027			CONTACT NAME: PHONE (A/C No. Ext.): 3039515050 FAX (A/C No.): 3039515060 E-MAIL: michelle.jaramillo@nfp.com PRODUCER ADDRESS: CUSTOMER ID:				
INSURED SSEI Program Management Inc. Lyl Motiv LLC PO Box 55 Cedar, MI, 49621			INSURER(S) AFFORDING COVERAGE INSURER A: HDI Global Specialty SE NAIC # AA1340041 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:		NAIC #		
COVERAGES CERTIFICATE NUMBER: A-SP-SU-21-07-26-236568 REVISION NUMBER:							
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.							
INSR	TYPE OF INSURANCE	ADDL	SUBR	POLICY NUMBER	POLICY EFF	POLICY EXP	LIMITS
A	GENERAL LIABILITY ☒ COMMERCIAL GENERAL LIABILITY ☒ CLAIMS-MADE ☒ OCCUR ☒ INCLUDES ATHLETIC PARTICIPANTS GENERAL AGGREGATE LIMIT APPLIES PER	N	N	HDGL19000413	08/04/2021	08/04/2022	EACH OCCURRENCE \$ 1,000,000.00 DAMAGE TO PREMISES RENTED (Any one premises) \$ 300,000.00 MED EXP (any one person) \$ 5,000.00 PERSONAL & ADV INJURY \$ 1,000,000.00 GENERAL AGGREGATE \$ 3,000,000.00 PRODUCTS - COMP/OP AGG \$ 2,000,000.00
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ HIRED AUTOS ☐ ALL OWNED AUTOS ☐ NON-OWNED AUTO ☐ SCHEDULED AUTOS	N					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB ☐ OCCUR EXCESS LIAB ☐ CLAIMS-MADE DEDUCTIBLE RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
	WORKERS COMPENSATION AND EMPLOYERS LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☐ Y/N If yes, describe under SPECIAL PROVISIONS below	N/A					WC STATUS: ☐ OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	OTHER Abuse/Molestation	N		HDGL19000413	08/04/2021	08/04/2022	Each Occurrence: \$ 25,000.00 Aggregate: \$ 50,000.00
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required) Liability Policy Deductible: \$ 0.00 per each bodily injury or property damage claim. ISO Occurrence form CG 00 01 04 13 and company's specific forms. Coverage for Participant Legal Liability requires that every participant signs a waiver/release. RE: Registered Cycling - Electric, Assisted or EBike participants: 08/04/2021 - 08/04/2022;							
CERTIFICATE HOLDER Lyl Motiv LLC PO Box 55 Cedar, MI, 49621				CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE  Mark Di Perno			

Conclusion:

LyfMotiv Adventures wishes to bring a taste for adventure, a sense of outdoor experience, and love for watersports tourism to both visitors and locals in the Charlevoix area. Obtaining a commercial boat slip would allow us to serve the already vibrant tourism industry and further augment the offerings in the area. Positioning our operations in one of the best rated Natural Harbors in the United States would be a privilege and partnering with local businesses, the city, and people of Charlevoix to offer a truly unique Northern Michigan experience are keys to the mission of our business.



Private & Semi-Private Charters Available.
Perfect for Families & Couples

TRAVERSE CITY, MI | LEELANAU COUNTY

www.lyfmotiv.com
231-645-3399



GUIDED TOURS + CHARTERS



Located on West Grand Traverse Bay in Traverse City, MI, join us on Allegro, our 30' sailboat for a private or semi-private charter for up to 6 people.

Offering full day, private charters to Power Island, bike + sail combo tours on the Leelanau Trail, 2 hr. sunset sails and 3 hr. e-bike tours ft. Shady Lane Cellars.

FOR MORE TOUR DETAILS
AND BOOKING, VISIT
LYFMOTIV.COM

For inquiries, contact us
at (231) 645-3399



Located on West Grand Traverse Bay in Traverse City, MI, join us on Allegro, our 30' sailboat for a private or semi-private charter for up to 6 people.



Offering full day private charters to Power Island, sunset sails, day sails and full day e-bike + sail combo tours on the Leelanau Trail



Contact us for private bookings, groups and more!

THE AVERSE CITY SAILING + E-BIKING TOURS



BOOK ONLINE OR CALL TODAY
www.lyfmotiv.com 231-645-3399





Michigan Department of Natural Resources – Law Enforcement Division

APPLICATION FOR PILOT'S LICENSE FOR VESSELS TO CARRY PASSENGERS FOR HIRE

Required under authority of Part 445 of Act 451, P.A. of 1994, as amended. Any person violating the provisions of this Act is guilty of a misdemeanor and may be subject to a fine and/or imprisonment.

DNR Cashier's Use Only

☒ A New License

Applicants must contact their local DNR District Office to schedule written examination (see page 2).

The applicant must notify the DNR District Office of cancellation at least 24 hours prior to the scheduled examination appointment. Failure to do so shall result in application fee forfeiture. Upon forfeiture of an application fee, applicant must submit a new application and the required fee before the department conducts an examination for the Inland Pilot's license.

☐ A License Renewal

Expiration Date of Current License _____

If an applicant's license has expired, they must apply for a new license, as well as contact their local DNR District Office to schedule a written examination.

Mail application and fee to appropriate DNR District Office (see page 2).

Remit \$30.00 fee with application. Make check or money order payable to STATE OF MICHIGAN.

Applicant's Name (Last, First Middle)

Clone, Eric Karl

Date of Birth

01/20/1969

Address

9083 Hewitt St. PO Box 55

Telephone

231-645-5068

City, State, ZIP

Cedar, MI 49621

Email

eric@lyfmotiv.com

Number of Years You Have Operated a Boat

0

Vessel length, range and type

30' cruiser sailboat, 0 day 302

☒ No

☐ Yes

Have you ever carried passengers? If yes, number of years: _____

☒ No

☐ Yes

Have you ever been awarded a Coast Guard Operator's Permit? If yes, provide copy and list expiration date: _____

☒ No

☐ Yes

Have you ever been convicted of a serious violation of the marine laws of the United States or the State of Michigan within the last 3 years?

☒ No

☐ Yes

Have you ever been convicted by a court of record for a felony violation of the laws of the United States or the State of Michigan within the last 5 years?

☒ No

☐ Yes

Do you have more than 90 days experience, within the preceding 24 months, operating a noncommercial vessel of a type similar to the vessel for which the pilot's license is being sought?

☒ No

☐ Yes

Do you have 90 days' experience, within the preceding 24 months, as a full-time crew member on a commercial vessel of a type similar to the vessel for which the pilot's license is sought and shall have received instruction from a licensed pilot in the operation of the vessel.

☒ No

☐ Yes

Do you have a Boating Safety Certificate? (Those born on or after July 1, 1996, may operate a motorboat legally only if they have been issued a boating safety certificate and have it on board the boat. Those born before July 1, 1996 may operate a motorboat legally without a Boating Safety Certificate.) If yes, please provide a copy.

I hereby certify that I am an able-bodied individual and that I possess the requisite ability, knowledge, and experience to operate a vessel carrying passengers-for-hire. I further certify that all the statements set forth in this application are true to the best of my knowledge.

Applicant's Signature

[Signature]

Date

04/20/21

PHYSICIAN'S STATEMENT OF APPLICANT'S GENERAL PHYSICAL CONDITION

No

Yes

Acute General Disease

No

Yes

Neurosyphilis

Vision

☐

☐

Badly Impaired Hearing

☐

☐

Senility

Left Eye

Right Eye

☐

☐

Epilepsy

☐

☐

Other Defect

Corrected

Uncorrected

☐

☐

Insanity

☐

☐

Color Blindness

I have examined and find the named applicant competent to perform ordinary duties of a licensed operator.

Physician's Name

Physician's Signature

Date

Name of Vessel

Allegro

Vessel Registration Number

WS 1249WY

Vessel Owner's Name (if different than applicant)

Area(s) of Operation

Lake Michigan, Great Lakes

I certify that I am the owner of the above-named vessel for which the above-named person has made application to operate as a vessel carrying passengers-for-hire on the waters of the State of Michigan. I further certify that the answers given by the above applicant are true to the best of my knowledge. I further state that, in my opinion, this applicant is fully capable of operating this vessel carrying passengers-for-hire; I entrust the operation of my boat to this person without hesitation; and I recommend a pilot's license be issued to the applicant.

Vessel Owner's Signature

[Signature]

Date

04/20/21

**CHARTER BOAT DOCKSIDE INSPECTION WORKSHEET**

This Inspection is required under the authority of Part 445, 1994 PA 451,
and Administrative Rule R281.3101 through R281.3506, Charter and Livery Boat Safety.

VESSEL OWNER INFORMATION				VESSEL INFORMATION			
Owner's Name Eric Clone				Name of Vessel Allegro		Registration or Documentation Number WS 1249 WY	
Home Street Address 9083 S. Hewitt St.				Log Number 21-93		Vessel Location Harbor West	
City Cedar				Home Port of Vessel Harbor West		Slip Number 110	
State ZIP MI 49621				Route (Body of Water) ☐ Inland ☒ Navigable		Last Dry Dock Inspection Date 6/20/21	
Owner's Home Phone Number (231) 645-5068		Owner's Business Phone Number ()		Limit of Persons Allowed Crew 2 Passengers 6 Total 8		Number of PFD'S on Board Adult 8 Child 2	
Year Built 1989		Length Beam 30' 10'11"		Class Type ☐ A ☐ B ☐ C ☒ D		Hull Manufacturer O'Day	
Number of Engines 1		Type of Engines DIESEL		Total Horsepower 20HP		Engine Manufacturer YANMAR	
Primary Pilot Name THOMAS GORSLINE		Primary Pilot Restriction LESS THAN 25 GROSS TONS		Engine Serial Number 1 UNREADABLE		Engine Serial Number 2	
Insurance Company GREAT AMERICAN INSURANCE		Policy Number GCBO003714		Pilot License Number USA000535341		Hours of Operation 24 HRS	
Amount 500,000		Expiration Date 4/15/22					

INSPECTION CHECK LIST:					No = Quantity S = SATISFACTORY U = UNSATISFACTORY NA = NOT APPLICABLE						
ITEM No.	DESCRIPTION	No.	S	U	NA	ITEM No.	DESCRIPTION	No.	S	U	NA
1.	Daily Catch Report				☒	19.	Audible Signal		☒		
2.	Sport Trolling License				☒	20.	Manual Bailing Device		☒		
3.	Retail Minnow License				☒	21.	Ventilation - Operational		☒		
4.	Emergency Checklist				☒	22.	Bilge Pump - Operational		☒		
5.	Personal Flotation Devices				☒	23.	Batteries & Compartment		☒		
6.	Type IV Personal Flotation Device				☒	24.	Backfire Flame Arrester		☒		
7.	First Aid Kit				☒	25.	Deficiency Notice Issued ☐ Yes ☒ No				
8.	Hand Held Light				☒	26.	Other Information				
9.	Visual Distress Signals				☒	27.					
10.	Sea Anchor & Line				☒	28.					
11.	Portable Fire Extinguisher(S)	3			☒	29.					
12.	Fire Pump & Hose				☒	30.					
13.	Equipment Storage & Markings				☒	31.					
14.	Navigational Lights				☒	32.					
15.	Compass				☒	33.					
16.	Marine Radio				☒	34.					
17.	Water Light				☒	35.					
18.	Portable Fuel System				☒	36.					

Inspecting Officer's Name (Please Print)

Inspecting Officer's Signature

Date

I, (Owner / Pilot) understand and agree to conduct, or have conducted, a regular inspection of this vessel and equipment to ensure all items are in a safe and serviceable condition at all times. I also agree to repair or replace any item which becomes unserviceable or unsafe to acceptable marine standards. In addition, I agree to hold harmless from liability the Michigan Department of Natural Resources and Environment, its agents, and officers from changes due to neglect or modification of this vessel and equipment during the duration of this licensing period.

Vessel Owner / Pilot Name (Please Print)

Vessel Owner / Pilot Signature

Date

DISTRIBUTION

White / Lansing

Canary / District Office

Pink / Inspecting Officer

Goldenrod / Vessel Owner

PR9301 (Rev. 03/20/2013)

CERTIFICATE OF INSURANCE



Great American Insurance Group

Administered by: Gallagher Charter Lakes
 3940 Peninsular Drive SE, Ste 100, Grand Rapids, MI 49546-6107
 Phone: (800) 879-2248 Fax (616) 975-0670
 www.charterlakes.com

Policy Holder: Eric Clone
 Policy#: GCB0003714
 Policy Term: 4/15/2021 to 4/15/2022
 Liability Limit: 500,000

****In the event of a loss, please contact 800-879-2248**
 Emergency Claims Service call: 616-890-0457**

Vessels:

1989 30' Oday XDYF0129E889 Allegra

CERTIFICATE OF INSURANCE



Great American Insurance Group

Administered by: Gallagher Charter Lakes
 3940 Peninsular Drive SE, Ste 100, Grand Rapids, MI 49546-6107
 Phone: (800) 879-2248 Fax (616) 975-0670
 www.charterlakes.com

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****In the event of a loss, please contact 800-879-2248**
 Emergency Claims Service call: 616-890-0457**

Vessels:

1989 30' Oday XDYF0129E889 Allegra

What to do in case of an accident:

Boat damage:

- Contact 911 or the local Coast Guard for assistance when necessary.
- Secure the vessel from further loss.
- Take damage photos
- If possible, bring the vessel to a repair facility to obtain a repair estimate.
- Contact Charter Lakes to report the claim.

Bodily Injury:

- Contact 911 and seek immediate medical attention.
- Obtain injured parties name and contact information.
- Contact Charter Lakes to report the claim.



Commercial Dock Proposal Form

Company Name	LyfMotiv Adventures, LLC
--------------	--------------------------

Mailing Address	9083 Hewitt Steet Cedar, MI 49621
City, State, Zip	
Code	

Contact Person	Eric Clone
Phone Number	231-645-3399
Email Address	eric@lyfmotiv.com

Name of Vessel	Allegro
Type of Boat	O'Day 302
Length of Boat	30'
Width of Boat	9'

Draft of Boat	4'
---------------	----



Commercial Dock Proposal Form

Company Name	LyfMotiv Adventures, LLC
--------------	--------------------------

Mailing Address	9083 Hewitt Steet Cedar, MI 49621
City, State, Zip	
Code	

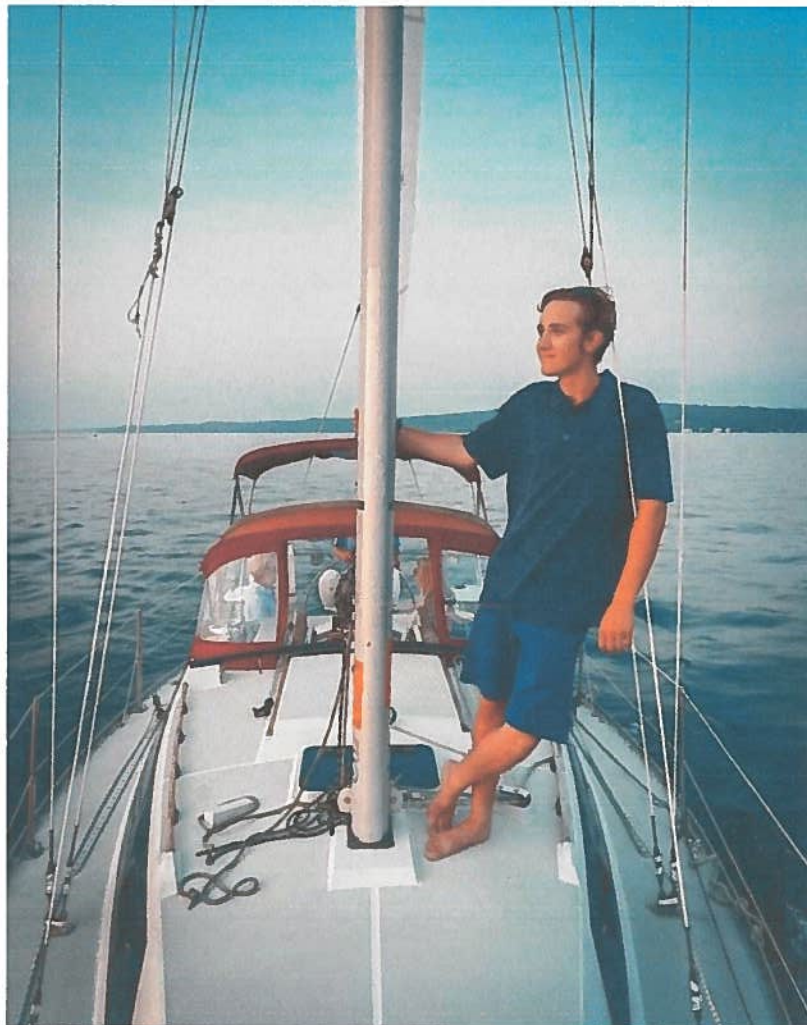
Contact Person	Eric Clone
Phone Number	231-645-3399
Email Address	eric@lyfmotiv.com

Name of Vessel	Jade Lady
Type of Boat	55' Sutton /steel schooner
Length of Boat	55'
Width of Boat	14'

Draft of Boat	7'
---------------	----

Allegro

30' Vessel





Jade Lady

55' Vessel





Emily W wrote a review Jul 2021

1 contribution



Fun adventure in TC!

I absolutely loved riding along the tart trail on the e-bike. I enjoyed taking in the sights and riding to the lovely winery at Shady Lanes.

[Read more](#) ▼

Date of experience: July 2021

1 Helpful vote



Helpful



Share

Attn: Charlevoix Commercial Boat Slip



Commercial Dock Proposal Form

Company Name	SHARKY BOATS, LLC
--------------	-------------------

Mailing Address	5855 WOOD VALLEY DR.
City, State, Zip	HASLETT, MI 48840
Code	ID #80255529

Contact Person	Timothy Sharky
Phone Number	248-330-7740
Email Address	tim.p.sharky@gmail.com

Name of Vessel	SHARKY
Type of Boat	2621 Regal Cabin Cruiser Grande Coupe
Length of Boat	37 ft
Width of Boat	11.6 ft

Additional information to be included:*Overview*

- Provide information on the proposed commercial services including type of vessel and specific opportunities offered to clients.
- Will your business be competing with any existing Charlevoix businesses? If so, please explain.

Tourism

- Provide information on what services you plan to offer and how your business aligns with promoting tourism
- Proposed operation dates and daily schedule
- Provide marketing and promotional materials.

Community

- List community contributions and/or partnerships that you will be offering.

Business Experience

- Submit materials on the company's business activities for the past three (3) years. (i.e., number of passengers, types of cruises, brochures, etc.)
- Outline of business experience and provide three (3) business references and client references

Accident and safety procedures

- Include examples of accident and safety procedures.
- Outline of staff training.
- Copy of US Coast Guard Inspection Certificate.
- Proof of Insurance or ability to obtain required insurance.

Proposed compensation to the City

- Detailed Information on proposed fee payment schedule.
- Provide a list of desired tenant improvements (i.e., storage lockers, seating, security, etc.). All improvements will need the prior written consent of the City of Charlevoix and will be completed at the expense of the lessee.

- Include additional information pertinent information about your business.

OVERVIEW

- 1). Provide tours and sunset cruises of Round Lake, Lake Charlevoix and Lake Michigan. Boat is a 2021 Regal Grand Coupe 36 (37 feet 3 inches LOA).

TOURISM

- 1). operation DATES: Memorial Day - Labor Day and select weekends in October. Hours 12n-9:30pm.

Proposed Compensation

- 1). \$5,550 paid in full by MAY 15 each year.

CHARLEVOIX CITY COUNCIL

All Other Actions and Requests

TITLE: Little Traverse Charters, LLC Commercial Slip Lease

DATE: March 21, 2022

PRESENTED BY: Scott Howard, City Attorney

BACKGROUND:

Earlier this year, an affidavit of probable cause from the Charlevoix County Prosecuting Attorney indicated actions by Little Traverse Charters, LLC violated terms of their lease with the City of Charlevoix for a commercial slip in the marina. The City Attorney has reviewed this matter and brings a report.

RECOMMENDATION:

Motion that the Charlevoix City Council finds Little Traverse Charters in incurable breach of the 2021 Boat Dockage Lease and terminate the lease with immediate effect.

ATTACHMENTS:

- ▣ City Attorney Memo RE: Little Traverse Charters LLC
- ▣ Little Traverse Charters 2021 Lease Agreement
- ▣ Little Traverse Charters Proposal (2020)



To: Charlevoix City Council
From: Scott Howard and Holly Hillyer
Date: March 17, 2022
Re: Little Traverse Charters Boat Dockage Lease

The City Manager has requested our opinion and recommendation regarding the Boat Dockage Lease between the City of Charlevoix and Little Traverse Charters. In preparing this memorandum, we reviewed the following documents:

- 2021 Boat Dockage Lease
- 2020 Boat Dockage Lease
- 2017 Boat Dockage Lease
- Affidavit of Probable Cause re: John Kalbfell
- Letter from the Charlevoix County Prosecuting Attorney's office regarding *The People of the State of Michigan v. John Joseph Kalbfell*, dated January 17, 2022
- Documents Little Traverse Charters provided the City in support of its bids for the commercial dock space

We also spoke with representatives of the United States Coast Guard (USCG) from Sault Ste. Marie, Michigan, regarding the current documentation for Dr. Kalbfell's vessel.

For the reasons provided below, we recommend the City declare that Little Traverse Charters has committed an incurable breach of the 2021 Boat Dockage Lease and immediately terminate the Lease.

I. Boat Dockage Lease

The current Boat Dockage Lease term runs from May 1, 2021, through October 16, 2023. The provisions of the 2017 and 2020 leases are essentially identical to the 2021 lease.¹

The Lease states that “the dockage shall be used for a commercial charter/cruise ship only” and that “[a]ny other use is prohibited.” The Lease contains a Termination clause that emphasizes the City’s “interest in promoting public safety” and requires the Lessee to “obtain all applicable state and federal licenses and continually comply with all local and state marine regulations which relate to Lessee’s charter services.” The Termination clause allows the City to declare that Lessee has committed an incurable breach and immediately terminate the Lease if the Lessee “fails to maintain all required licenses and/or certificates” or “violates any applicable marine regulation” during the Lease term. Paragraph 7 of the lease reads as follows:

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

The Lease also contains a Default clause that allows the City to terminate the Lease upon 30 days’ notice of and an opportunity to cure other defaults in the Lessee’s performance under the Lease.

¹ The 2020 and 2021 leases include an annual reporting requirement that was not part of the 2017 lease.

II. Incurable Breach of the Lease

Throughout the full terms of the 2017 and 2020 Leases, as well as throughout at least the first five months of the 2021 Lease, Little Traverse Charters operated commercial charters in violation of its USCG operating endorsement. In support of the bid that resulted in the City awarding it the 2021 Lease, Little Traverse Charters submitted a Commercial Dock Proposal Form identifying the name of the vessel as “Open Wide” and a Certificate of Documentation for a vessel named the “Wide Open II.” The Certificate of Documentation, issued September 18, 2020, for a period expiring October 31, 2021, contained an operational endorsement of “Recreation.” Previous Certificates of Documentation for the “Wide Open II” submitted in support of bids for the 2017 and 2020 leases also contained a “Recreation” operational endorsement.

“A recreational endorsement entitles a vessel to pleasure use only.” 46 CFR 67.23. It is unlawful to use a vessel with only a recreational endorsement for commercial purposes. By using its vessel for commercial purposes, Little Traverse Charters has violated the marine regulation at 46 CFR 67.23 and failed to obtain the certificate that would have been required for commercial operation.

While it appears that Little Traverse Charters has since obtained the required “Coastwise” operating endorsement for the “Wide Open II,” the Lease specifically states that failure to hold proper licensing “during the term of the lease,” it is a violation that is an “incurable breach” subject to immediate termination of the lease. This is in contrast to other violations, which are subject to a 30-day cure period. In addition, Little Traverse Charters remains in violation of other marine regulations that require the vessel name on the Certificate of Documentation to match the name displayed on the vessel itself. The regulation at 46 CFR 67.120 states that “No Certificate of Documentation issued under this part will be deemed valid for operation of the vessel until the vessel is marked in accordance with this subpart.” The applicable subparts require marking the

name of the vessel on a clearly visible exterior part of the hull. 46 CFR 67.123(a) and (c). While Little Traverse Charters' vessel displays the name "Open Wide," this is not the name on the Certificate of Documentation. Because the vessel is not marked with "Wide Open II," its Certificate of Documentation is not valid under 46 CFR 67.120.

Little Traverse Charters has also submitted Certificates of Inspection from the Michigan Department of Natural Resources (DNR) with inconsistent name and class information. In support of its bid resulting in the 2017 Lease, it submitted a Certificate of Inspection for a Class A vessel named "Open Wide II."² In support of its bid resulting in the 2020 and 2021 Leases, it submitted a Certificate of Inspection for a Class D vessel³ named "Open Wide." At no point have the vessel names on the state Certificates of Inspection matched the name on the federal Certificate of Documentation.

III. Conclusion and Recommendation

Because Little Traverse Charters has "fail[ed] to maintain all required licenses and/or certificates," including a Certificate of Documentation with the correct operating endorsement and vessel name, and because Little Traverse Charters has violated the applicable marine regulation at 46 CFR 67.23, we recommend that the City declare that it has committed an incurable breach of the Lease and terminate the Lease immediately.

²² A Class A Vessel is defined as "a vessel, except a sailboat, that carries for hire on navigable waters not more than 6 passengers." MCL 324.44501(d).

³ A Class D Vessel is defined as "a vessel that is propelled primarily by a sail or sails and carries for hire on navigable waters not more than 6 passengers or carries passengers for hire on inland waters." MCL 324.44501(g).

Category = Mar Doc Fee

BOAT DOCKAGE LEASE

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

1. DESCRIPTION OF PREMISES - The dock site shall be designated by the CITY. The location shall be determined by the Harbormaster.
2. TERM - This Lease shall be deemed to have commenced on May 1, 2021 and shall terminate on October 16, 2023.
3. RENT - The annual rent for the dock for the 2021, 2022 and 2023 season, shall be \$150 per foot of commercial vessel. Currently, based on vessel length of 41 feet, Six Thousand one hundred, and fifty & no/100's (\$6,150.00) Dollars (equaling \$150 per vessel foot) unless specified differently within the terms of this lease. There shall be two annual payments of \$3,075 for dockage rent. The first dockage rent installment of \$3075 shall be made by July 15 with the second annual payment of \$3,075 due by August 15 of year each year.
4. USAGE - The dockage shall be for a commercial charter/cruise ship only. Any other use is prohibited. The dock space shall be used at least seventy-five (75) days a year. If a second boat is docked at the slip, it must be approved by the City prior to mooring. In the event that a second boat is allowed to moor at the dock, the rent shall be an additional fee based on the rate of \$150 per vessel foot. This is effective upon the date which the second boat is approved and is in effect for the entire season. There shall be no refunds for partial use.
5. REPORTING - Lessee will provide the City an annual report that states the total number of excursions and the total number of passengers that have used the Charter Services due by October 20th of each year.
6. SERVICES PROVIDED BY LESSEE - With prior approval of the CITY, the vessel at the dock may be serviced by electricity and water and such approval shall not be unreasonably withheld. However, Lessee shall be responsible for relocating all electrical and water plumbing and for all associated costs.
7. TERMINATION - Lessee acknowledges that the CITY has an interest in promoting public safety for those persons who will use Lessee's services since CITY docks are being used in connection with Lessee's business. Accordingly, the Lessee shall obtain all applicable state and federal licenses and continually comply with all local and state marine regulations which relate to Lessee's charter services. The vessel shall have a U.S. Coast Guard inspection certificate and/or comparable Michigan DNR certificate, if required. During the term of this lease, if Lessee fails to maintain all required licenses and/or certificates or if Lessee violates any applicable marine regulation, then the CITY may declare that the Lessee has committed an incurable breach of this lease and may immediately terminate this lease. There shall be no refund of rent and rent shall continue until the effective date of lease termination.
8. UTILITIES - Lessee shall not be responsible to pay any utility charges for preexisting utilities that are provided by Lessor. This exemption from utility charges does not apply to additional utilities that may be installed by Lessee pursuant to paragraph 5 above.
9. ALTERATION OF PREMISES - Lessee shall also be responsible for welding any necessary cleats and/or bollards on the dock after obtaining prior approval of the CITY for

installation of these items. Lessee may not make any alteration to the dock, including making improvements to the dock, without the prior written permission of the CITY.

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

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

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

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

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

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

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

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

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

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

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

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

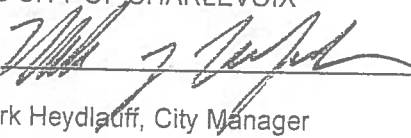
21. RESTRICTION ON ALCOHOLIC BEVERAGES - The Lessee will not allow the use, possession, sale or consumption of any alcoholic beverages on the leased premises.

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

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

The parties have executed this document as set forth below.

The CITY OF CHARLEVOIX

By: 

Mark Heydlauff, City Manager

LITTLE TRAVERSE CHARTERS, LLC

By: 

John Kalbfell



CITY OF CHARLEVOIX

COMMERCIAL DOCK

Bid Opening at City Hall
December 14, 2020 – 12:00pm

Bidder Name	Total Cost
Little Traverse Charters Charlevoix	\$150/foot \$6,150 total



Commercial Dock Proposal Form

Company Name	Little Traverse Charters, LLC
--------------	-------------------------------

Mailing Address	133 C&O Club Drive
City, State, Zip	Charlevoix, MI 49720
Code	

Contact Person	CAPTAIN JOHN KALBFELL
Phone Number	231-487-2650
Email Address	littletraversecharters@gmail.com

Name of Vessel	Open Wide
Type of Boat	Sea Ray 410 Sundancer
Length of Boat	41'
Width of Boat	13'8"
Draft of Boat	4'

Additional information to be included:

Bid for Commercial Boat Slip Charlevoix City Marina

Applicant: Captain John Kalbfell
Owner and Operator of Little Traverse Charters, LLC

Please find enclosed documentation for the proposal and bid for the commercial dock for the three year period outlined in the RFP from Little Traverse Charters, LLC

Proposed Commercial Service:

Little Traverse Charters, LLC (LTC) is private charter boat (see Certification of Documentation and registration for name and description of charter vessel) available for private charters from mid May to early October making it available for charter over 120 days. Charters are typically booked by parties from out of the area and from different states. They include full day, half day, sunset and dinner cruises and extended pleasure cruises to many of the ports of Northern Michigan. This service fills the gap between the larger charter boats, sailing charters and the numerous fishing charters.

Insurance:

A copy of the current marine insurance policy effective from 12/11/~~2019~~²⁰²⁰ to 12/11/~~2020~~²⁰²¹ is included for review. In addition to the required personal injury and property damage of \$1,000,000 the City of Charlevoix is listed as an "additional insured" for the same coverage. Additional riders include Captain's Liability Coverage, Daily Charter Coverage and Coverage for Hired Crew

Compliance Laws/Licenses:

Included in the application are the following:

Certificate of Inspection from the Michigan Department of Natural Resources Law Enforcement Division that the charter vessel "Open Wide" has been inspected and approved for use as a vessel to carry passengers for hire on the waters of the State of Michigan. This certificate expires 05/23/2021

Certificate of Documentation from the USCG stating the name of the vessel, description of said vessel, and ownership. This certificate is renewed yearly and is current through 10/31/~~2020~~²⁰²¹

Copy of the Captain's and Master's license for John Kalbfell issued by the USCG National Maritime Center valid through 04/16/2023

Tourism:

As previously stated, the majority of charter passengers in the last three years of operation have been from out of the area or out of state. LTC offers a unique way for visitors to see and explore the beauty of the City of Charlevoix and surrounding waters. LTC currently has a web site promoting it's services and attractions of the local area. Social media such as Instagram are used to post pictures and comments from clients that have chartered with LTC. A Google voice system allows prospective clients to contact LTC and make reservations for charters. Rack cards are distributed to most of the local businesses and marinas not only in Charlevoix but to Boyne City, Bay Harbor, Petoskey, Harbor Springs, Elk Rapids and Traverse City. Posters advertising LTC are available to businesses that will accept them. Surprisingly, one of the more productive source of advertising for charters is the simple hand painted sandwich board at the head of the dock which directs interested parties to the dock and slip where Open Wide is located. Numerous charters were booked by people strolling the parks and docks of the marina.

Community:

We, the owners of LTC, have been property owners in the City of Charlevoix for over 28 years. Although initially it was a seasonal home, we became active in the community. We donated to the Charlevoix Area Hospital as Bridge Builders. Volunteered yearly planting petunias in the spring and both of our children were regular campers at Mount McSaubia. Both of us are Venetian Festival volunteers and have raised tens of thousands of dollars for the Venetian Festival through our contacts with boaters in the harbor. We have partnered with both the Venetian Festival and Boyne Thunder as a committee boat to raise money for Camp Quality. We are members of the local Elks Club, Charlevoix Chamber of Commerce, serve as a Charlevoix Hospital Foundation Board Member and I have submitted an application with the city to be a ZBA alternative member.

Accident/Safety

Safety is the number one priority in boating whether it be recreational or commercial boating. The following list of safety procedures are included in this application.

- 1) Emergency Procedure List
- 2) Vessel Safety Checklist
- 3) USCG Report of Marine Casualty

These are in addition to fire suppression systems, MOB drills and equipment, first aid kits, CPR, location of life vests, and First Aid certificates as required for certification and licensing by both the USCG and DNR.

A detailed description of all safety procedures would be too lengthy for this application, but all required USCG procedures will be adhered to by both the charter Captain and crew. If an medical emergency should arise, both 911 (via cell phone) and the local sector Coast Guard (via VHF radio) will be immediately contacted. Description of the injury or illness will be relayed to both parties. Location of the charter vessel will described and in coordination with both EMS and the Coast Guard the charter vessel will port at the nearest access point

for EMS care. Also, if necessary the Charlevoix bridge operator would be contacted via VHF radio for an unscheduled or emergency bridge opening which is accorded to all vessels of commercial classification.

If for some reason damage to the city docks should occur by the subject charter vessel the Captain will immediately notify the Charlevoix Harbor Master, Charlevoix City Manager's office and the indemnifying insurance company. Photos of the damage and an accident report will be filed with both the insurance company and the Charlevoix City Police/Manager's office. Repairs, depending on the nature of damage may require an estimate by a marine contractor and any deductibles will be paid by the charter company. If damages to either the dock or the charter vessel exceed \$75,000 the USCG sector Commander will be notified and a USCG Report of Marine Casualty filed with the sector.

Business Experience:

Successfully owned and operated a large dental practice for over 39 years. Started and continue to operate a private charter company for the past four years that has grown each year in popularity and profitability. Most small businesses face start up challenges but past experience helped in navigating the myriad of regulatory agencies such as Homeland Security, CoastGuard, Michigan DNR, and local government to obtain licenses and inspections necessary to begin operation.

Little Traverse Charters business model provides exclusive boat charters that are booked directly by clients through the website, phone contact or referral. Currently, LTC operates a single 41 ft. power boat and has two part time employees. Numerous local businesses are used in support of LTC including boat maintenance and repair, cleaning, fueling, and referral to area restaurants depending on client preference.

Business References:

Shay Arnold, Boat Works of Charlevoix 05815 Loeb Rd. Char, MI 49720 Ph: 231.547.2287
Email: boatworkschx@gmail.com

Harry Golski, PLC 203 Mason St Charlevoix, MI 49720 Ph: 231.547.0099 Email:
hgolski@cvxlaw.com

Global Marine Insurance Agency, 12935 S. West Bay Shore Dr. Suite 205 Traverse City, MI 49684 Ph: 800.748.0224 Email: sales@globalmarineinsurance.com

Client References:

Dan Barron, Attorney and President of Charlevoix Venetian Festival. 309 Petoskey Ave. Charlevoix, MI 49720 Ph: 231.547.9950 Email: info@venetianfestival.com

Hal Evans, Retired Harbor Master City of Charlevoix Marina. 13125 Campbell CT.
Charlevoix, MI 49720 Ph: 231.330.7745

Gary Deters, North Harbor Real Estate 416 Mitchell St. Suite 1 Petoskey, MI 49770 Ph:
321.675.3265 Email: gary@garydeters.com Reference on behalf of Boyne
Thunder and Camp Quality clients.

David Buday, Repeat client. Ph: 269.501.8102 Email: budayd@millerjohnson.com

Steve Andreae, Pat O'Brien Associates 701 Bridge St. Charlevoix, MI 49720 Ph: 231.
547.7701 Email: steve@upnorthrealtor.com.

Misc.

All passengers are required to enter their personal information in the ship's log prior to departure.
Monthly and annual record of the number passengers utilizing LTC charter services will be provided to
the city on request.

Note: No modification of city property or slips are required for operation of LTC charters.

Compensation:

A bid of \$150.00 per vessel foot is submitted with a gross revenue of \$6,150.00 to the City of
Charlevoix reflecting the length (41 ft) of the current charter vessel.

Listed below are the various local business and vendors that are utilized during the charter season. Although not required in the RFP the council should be aware of the contribution LTC makes to the local economy.

Boat Works

Ward Bros

Screen Masters

Ace Hardware

Al's Custom Canvas

Northwest Canvas

West Marine

Brady's Carpets

Graze

Local Restaurants (Clients are referred to local restaurants for carry out and catering)

CarQuest Auto Parts

Oleson's Grocery Store

Village Graphics

Underwritten by:
GEICO Marine Insurance Company



GLOBAL
MARINE
INSURANCE
AGENCY

DECLARATIONS PAGE

Issued Through:
Global Marine Insurance Agency
12935 S. West Bay Shore Dr.
Suite 205
Traverse City, MI 49684
(800)748-0224

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

Policy No. [REDACTED]

Policy Period: From 12/11/2020 to 12/11/2021 beginning and ending at 12:01 A.M. at the address on this page for the **Named Insured**.

Company: GEICO MARINE INSURANCE COMPANY

Insured Boat 2000 SEA RAY 41 Cruiser SERF7908A000
YEAR MANUFACTURER LENGTH TYPE IDENTIFICATION NUMBER

COVERAGE IS PROVIDED ONLY WHERE AN AMOUNT OF INSURANCE IS SHOWN			
COVERAGES	AMOUNT OF INSURANCE		
Hull and Equipment	Agreed Value	\$120,000	Incl
Towing and Assistance	Each Incident	\$5,000	Incl
Boat Trailer	Agreed Value	\$0	Incl
Personal Effects	Replacement Cost	\$5,000	Incl
Boating Liability (Protection and Indemnity)	Limit Each Occurrence , Bodily Injury and Property Damage	\$1,000,000	Incl
Medical Payments	Limit Per Person Each Occurrence	\$25,000	Incl
Fuel and Other Spill Liability	Limit Each Occurrence	\$997,100	Incl
Uninsured Boater	Limit Each Occurrence	\$1,000,000	Incl

FORMS AND ENDORSEMENTS made a part of this Policy at time of issue:
NOTICEGM2019 MI001 GM016 GM021 GM025
GM026 GM028 GM032 GM045 GM050
GM055

Total Premium	\$1,397.00
State Taxes/Fees	\$0.00
Net Annual Premium	\$1,397.00

DEDUCTIBLES:

Hull and Equipment: \$0

Named Storm: Refer to your Marine Insurance Policy

Theft of Insured Boat: Refer to your Marine Insurance Policy

Personal Effects: \$250

Other Deductibles may apply. Please refer to your Marine Insurance Policy and any applicable Endorsements.

CRUISING LIMITS: While afloat the **insured boat** must be confined to the area indicated below:

Coastal and Inland waters of the U.S. and Canada

LOSS PAYEE:

SUNTRUST BANK
PO BOX 792270
SAN ANTONIO TX 78279

Print Date: 11/3/20

GMDEC001 07 19

INSURED COPY

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

PLATINUM PLUS

SCHEDULE

COVERAGES		LIMITS OF INSURANCE	
Medical Payments		Limit Per Person Each Occurrence	\$25,000
Personal Effects		Insured Value, Not to Exceed	\$5,000
Additional Marine Environmental Damage		Each Occurrence	\$10,000
DEDUCTIBLES			
Dinghy Deductible	\$100		
Electronics Deductible	\$250		
Information required to complete this Schedule, if not shown above, will be shown on the Declarations Page.			

SECTION IV - HULL AND EQUIPMENT, F. Hurricane Preparation is removed in its entirety and replaced with the following:

F. Hurricane Preparation

If a Tropical Storm or Hurricane Watch or Warning is issued for the location of an **insured boat** by the National Oceanic & Atmospheric Administration (NOAA), **we** will pay 50% of the cost up to a maximum of \$1,000.00 per **occurrence** and up to \$3,000.00 in total in any one policy period for having the **insured boat** moved by a professional, or for a professional haul out or for the professional execution of a hurricane plan. In addition to professional moving or a professional haul out, covered expenses include, but are not limited to, haul out, blocking, lashing to in ground anchors, power washing and relaunch. This amount is in addition to the **insured value**.

Under **SECTION IV - COVERAGES, HULL AND EQUIPMENT, D. Limit of Insurance, 4. Deductible**, the following is added:

c. Dinghy Deductible

In the event of a loss or damage to a **dinghy**, the payment on a covered loss will be reduced by an amount equal to the **Dinghy Deductible** shown in the Schedule of this Endorsement.

d. Electronics Deductible

In the event of a loss or damage solely to an **insured boat's** navigational electronics, the payment on a covered loss will be reduced by an amount equal to the Electronics Deductible shown in the Schedule of this Endorsement.

SECTION IV - COVERAGES, HULL AND EQUIPMENT, D. Limit of Insurance 4. Deductible, b. Theft Deductible, is removed in its entirety and replaced with the following:

1. Theft Deductible

If an **insured boat** has three or more main engines and is a partial or total loss due to theft of an **insured boat** and/or its engine(s), payment on a covered loss will be reduced by 10% of the **insured value** if the **insured boat** is located in Broward, Dade or Monroe counties in Florida.

If an **insured boat** has three or more main engines and is a partial or total loss due to theft of an **insured boat** and/or its engine(s), payment on a covered loss will be reduced by 5% of the **insured value** if the **insured boat** is located outside of Broward, Dade or Monroe counties in Florida.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

DAILY CHARTER COVERAGE

The **Named Insured** can use an **insured boat** for charter, or the carrying of passengers for hire, subject to the following conditions:

1. The **Named Insured**, or a licensed captain employed by the **Named Insured**, must be in charge of an **insured boat** at all times while it is being chartered. Bareboat charters, defined as a legal bareboat charter by the United States Coast Guard in the Code of Federal Regulations and any applicable amendment to these regulations, are prohibited.
2. The **Named Insured** and, if applicable, the licensed captain employed by the **Named Insured**, must be in compliance with all Federal, State, City or other regulations that apply to the carrying of passengers for hire. Any violation of these regulations shall render the policy null and void during the term of such violations.
3. The **insured boat** is used only for the private pleasure of the charterer or passengers so carried.
4. The charterer is not allowed to sub-charter.
5. The **insured boat** must not carry more than 6 passengers in addition to the crew.
6. The **insured boat** must not be engaged in charter for more than 15 days throughout the policy term without the Company's advance approval and payment of an additional premium.
7. The additional premium charged for this charter privilege is fully earned (non-refundable).



All other terms, conditions and agreements of the Marine Insurance Policy remain unchanged.



CERTIFICATE OF INSPECTION

This is to certify that the vessel identified herein has been inspected and approved for use as a vessel carrying passengers for hire on the waters of the State of Michigan pursuant to the provisions of Part 445 of Act 451, P.A. 1994, as amended.

VESSEL DATA

OWNER JOHN KALBFELL		VESSEL OPEN WIDE	
REGISTRATION AND/OR DOCUMENTATION NO. MC XXXX RW		HOME PORT CHARLEVOIX	
LENGTH (FEET) 41'	HORSEPOWER 700	PROPULSION GAS	CLASS D
NUMBER OF CREW ALLOWED 2	MAXIMUM PASSENGERS ALLOWED 6	LIMIT OF TOTAL PERSONS ALLOWED 8	
☒ NAVIGABLE WATERS ☐ INLAND WATERS ☒ MAY OPERATE DURING DAYTIME AND NIGHTTIME HOURS ☐ RESTRICTED HOURS			

REQUIREMENT: As required by law, this Certificate of Inspection shall be framed under transparent material and posted in a conspicuous place on the vessel. Where posting is impractical, the certificate shall be kept on board to be shown on demand.

[Signature]
Chief, DNR, Law Enforcement

PR8901-1 (Rev. 08/28/2011)



MICHIGAN WATERCRAFT REGISTRATION

JOCELYN BENSON
Secretary of State

Expires on: 03/31/2022

MC: ~~XXXX~~ RW

RENEWAL

2000 SEARAY

40 Ft 7 In

Hull ID: SERF7908A000

County:

MIDLAND

Hull Material: FBGLASS Type: CABIN

Power: INBRD

Use: OTHER-COMM

Fuel: DIESEL

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

Fee: 244.00

03142019 440 7005436 244.00



MICHIGAN WATERCRAFT REGISTRATION

JOCELYN BENSON
Secretary of State

Expires on: 03/31/2022

MC: ~~XXXX~~ RW

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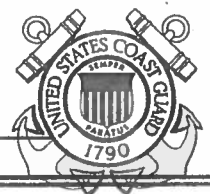
UNITED STATES OF AMERICA

DEPARTMENT OF HOMELAND SECURITY
UNITED STATES COAST GUARD

NATIONAL VESSEL DOCUMENTATION CENTER

CERTIFICATE OF DOCUMENTATION

VESSEL NAME WIDE OPEN II		OFFICIAL NUMBER [REDACTED]	IMO OR OTHER NUMBER SERF7908A000	YEAR COMPLETED 2000	
HAILING PORT CHARLEVOIX MI		HULL MATERIAL FRP (FIBERGLASS)		MECHANICAL PROPULSION YES	
GROSS TONNAGE 25 GRT	NET TONNAGE 20 NRT	LENGTH 40.7	BREADTH 13.7	DEPTH 6.8	
PLACE BUILT MERRITT ISLAND FL					
OWNERS JOHN J KALBFELL JANET P KALBFELL			OPERATIONAL ENDORSEMENTS RECREATION		
MANAGING OWNER JOHN J KALBFELL 133 C AND O CLUB DRIVE CHARLEVOIX MI 49720					
RESTRICTIONS NONE					
ENTITLEMENTS NONE					
REMARKS None					
ISSUE DATE SEPTEMBER 18, 2020		 DIRECTOR, NATIONAL VESSEL DOCUMENTATION CENTER			
THIS CERTIFICATE EXPIRES					
OCTOBER 31, 2021					



Date of this notice: 04-04-2017

Employer Identification Number:
82-1053684

Form: SS-4

Number of this notice: CP 575 B

For assistance you may call us at:
1-800-829-4933

LITTLE TRAVERSE CHARTERS LLC
JOHN J KALBFELL SR MBR
133 C AND O CLUB DR
CHARLEVOIX, MI 49720

IF YOU WRITE, ATTACH THE
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 82-1053684. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

Based on the information received from you or your representative, you must file the following form(s) by the date(s) shown.

Form 1065

04/04/2017

After our review of your information, we have determined that you have not filed tax returns for the above-mentioned tax period(s) dating as far back as 2005. Please file your return(s) by 04/19/2017. If there is a balance due on the return(s), penalties and interest will continue to accumulate from the due date of the return(s) until it is filed and paid. If you were not in business or did not hire any employees for the tax period(s) in question, please file the return(s) showing you have no liabilities.

If you have questions about the form(s) or the due date(s) shown, you can call us at the phone number or write to us at the address shown at the top of this notice. If you need help in determining your annual accounting period (tax year), see Publication 538, *Accounting Periods and Methods*.

We assigned you a tax classification based on information obtained from you or your representative. It is not a legal determination of your tax classification, and is not binding on the IRS. If you want a legal determination of your tax classification, you may request a private letter ruling from the IRS under the guidelines in Revenue Procedure 2004-1, 2004-1 I.R.B. 1 (or superseding Revenue Procedure for the year at issue). Note: Certain tax classification elections can be requested by filing Form 8832, *Entity Classification Election*. See Form 8832 and its instructions for additional information.

A limited liability company (LLC) may file Form 8832, *Entity Classification Election*, and elect to be classified as an association taxable as a corporation. If the LLC is eligible to be treated as a corporation that meets certain tests and it will be electing S corporation status, it must timely file Form 2553, *Election by a Small Business Corporation*. The LLC will be treated as a corporation as of the effective date of the S corporation election and does not need to file Form 8832.

MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
FILING ENDORSEMENT

This is to Certify that the 2020 ANNUAL STATEMENT

for

LITTLE TRAVERSE CHARTERS, LLC

ID Number: 80119[REDACTED]

received by electronic transmission on January 14, 2020 ***, is hereby endorsed.***

Filed on January 14, 2020 ***, by the Administrator.***

The document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.



In testimony whereof, I have hereunto set my hand and affixed the Seal of the Department, in the City of Lansing, this 14th day of January, 2020.

Linda Clegg

**Linda Clegg, Interim Director
Corporations, Securities & Commercial Licensing Bureau**



ANNUAL STATEMENT

Form Revision Date 07/20

(Required by Section 207, Act 23, Public Act of 1993)

Identification Number:

80119

Annual Statement Filing Year: 2020

Limited Liability Company Name:

LITTLE TRAVERSE CHARTERS, LLC

The street address of the limited liability company's registered office and name of the resident agent at that office:

Resident Agent Name: JOHN & JANET P. KALBFELL

Street Address: 133 C AND O CLUB DR

Apt/Suite/Other:

City: CHARLEVOIX

State: MI

Zip Code: 48864

Mailing address of the registered office:

P.O. Box or Street Address: 133 C AND O CLUB DR

Apt/Suite/Other:

City: CHARLEVOIX

State: MI

Zip Code: 49720

This annual statement must be signed by a member, manager, or an authorized agent.

Signed this 14th Day of January, 2020 by:

Signature	Title	Title if "Other" was selected
John Kalbfell	Member	

By selecting ACCEPT, I hereby acknowledge that this electronic document is being signed in accordance with the Act. I further certify that to the best of my knowledge the information provided is true, accurate, and in compliance with the Act.

☐ Decline ☐ Accept

Emergency Procedures List



NOTE: NEVER JUMP IN WATER UNLESS INSTRUCTED BY CAPTAIN

Emergency Radio Operation

1. Switch to Channel 16 – Coast Guard.
2. Take microphone, depress black button to talk, release to listen
3. Say the following:
 - a. Mayday, Mayday, Mayday.
 - b. This is the _____ I am a _____ ft. _____
 - c. Documentation, Registration No. is _____
 - d. My position is: _____
 - e. My emergency is: _____

Man Overboard

1. Post lookout. Lookout to point at man overboard.
2. Throw white life ring.
3. Use anything that floats as additional markers.
4. Signal for help by any means available.

Explosion

1. Be ready to go overboard with life jackets.
2. When clear of danger, account for all passengers and assist.
3. Stay together.

Fires

1. If possible use fire extinguisher.
2. If practical, throw burning material overboard.
3. Smother fire if possible.
4. Put on life jackets.
5. Signal for help by any means available.

Leaks or Damage Control

1. Put on life jackets.
2. If you can see the hole, stuff anything in it to plug it.
3. Signal for help by any means available.

Rough Water

1. Put on life jackets.
2. Tie down loose equipment.
3. Close any door or cover.
4. Wait for further instructions from Captain.

VESSEL SAFETY CHECKLIST

Vessel Name: Open Wide

Vessel Number: Doc 1100808

Operator or Captain: John Kalbfell

Date: 05/23/2019

Equipment Checklist- Required

- ☒ Float plan submitted
- ☐ Boater education card
- ☒ Boat registration
- ☒ Compass and GPS
- ☒ Up to date charts of area
- ☒ PFD's- life jacket suitable for each person on board, readily accessible, in good condition and Coast Guard approved
- ☒ Throwable floatation aid immediately available
- ☒ Fire extinguisher properly mounted, fully charged, and in good condition
- ☒ Visual distress signals- current dates on flares, proper amount required
- ☒ Working horn or whistle
- ☒ First aid kit, Dan oxygen kit (required when diving)
- ☒ Anchors and line- adequate anchor for bottom and water depth
- ☒ Dewatering device- bilge pump operational, alternative bailing device available
- ☒ Alternate propulsion – paddles or oars
- ☒ Mooring lines and fenders in good condition
- ☒ VHF radio and cell phone
- ☒ Depth sounder, lead line, or sounding pole

The following items are recommended

- ☒ Tool kit and spare parts
- ☒ Flashlight
- ☒ Personal items- drinking water, sunscreen, prescription drugs, etc.
- ☒ Boarding ladder (or other means of boarding)

Vessel System Checklist

- ☒ Drain plug installed
- ☒ Fuel tank full
- ☒ Bilge free of water
- ☒ Engine oil level correct (4 stroke engine), oil tank full (2 stroke engine)
- ☒ Turn on battery switch if one is installed
- ☒ Battery fully charged
- ☒ Navigational gear operational
- ☒ Navigation lights working
- ☒ Steering and shift mechanisms in good condition
- ☒ Gauges- functional and reading properly
- ☒ Ventilation- power ventilation operable (blower) and natural ventilation cowls open and clear
- ☒ Bilge pump switch on auto
- ☒ VHF radio and antenna is operational (put radio on channel 16 and call for a radio check)

**DEPARTMENT OF HOMELAND SECURITY
U.S. Coast Guard
REPORT OF MARINE CASUALTY**

OMB No. 1625-0001
Expires 01/31/2016

SECTION I. GENERAL INFORMATION

1. Name of Vessel or Facility Open Wide		2. Official No. 1100808		3. Nationality US		4. Call Sign Open Wide		5. USCG Certificate of Inspection issued at:	
6. Type (Towing, Freight, Fish, Drill, etc.)		7. Length 41 ft		8. Gross Tons 18		9. Year Built 2000		10. Propulsion (Steam, diesel, gas, turbine...) Diesel	
11. Hull Material (Steel, Wood...) Fiberglass		12. Draft (Ft. - in.) FWD 3 ft AFT. 3ft6in		13. If Vessel Classed, By Whom: (ABS, LLOYDS, DNV, BV, etc.)		14. Date (of occurrence)		15. TIME (Local)	
16. Location (See Instruction No. 10A)						17. Estimated Loss of Damage TO:			
18. Name, Address & Telephone No. of Operating Co. Little Traverse Charters, LLC 133 C and O Club Dr Charlevoix, MI 49720 231.487.2650						VESSEL _____ CARGO _____ OTHER _____			
19. Name of Master or Person in Charge Captain & Master John Kalbfell		USCG License ☒ YES ☐ NO		20. Name of Pilot		USCG License ☐ YES ☐ NO		State License ☐ YES ☐ NO	
19a. Home or Work Street Address (City, State, Zip Code)		19b. Home or Work Telephone No.		20a. Home or Work Street Address (City, State, Zip Code)		20b. Home or Work Telephone No.			

21. Casualty Elements (Check as many as needed and explain in Block 44.)

☐ NO. OF PERSONS ON BOARD _____ ☐ DEATH - HOW MANY? _____ ☐ MISSING - HOW MANY? _____ ☐ INJURED - HOW MANY? _____ ☐ HAZARDOUS MATERIAL RELEASED OR INVOLVED _____ <i>(Identify Substance and amount in Block 44.)</i> ☐ OIL SPILL - ESTIMATE AMOUNT: _____ ☐ CARGO CONTAINER LOST/DAMAGED _____ ☐ COLLISION _____ <i>(Identify other vessel or object in Block 44.)</i> ☐ GROUNDING ☐ WAKE DAMAGE	☐ FLOODING; SWAMPING WITHOUT SINKING ☐ CAPSIZING (with or without sinking) ☐ FOUNDERING OR SINKING ☐ HEAVY WEATHER DAMAGE ☐ FIRE ☐ EXPLOSION ☐ COMMERCIAL DIVING CASUALTY ☐ ICE DAMAGE ☐ DAMAGE TO AIDS TO NAVIGATION ☐ STEERING FAILURE ☐ MACHINERY OR EQUIPMENT FAILURE ☐ ELECTRICAL FAILURE ☐ STRUCTURAL FAILURE	☐ FIREFIGHTING OR EMERGENCY EQUIPMENT FAILED OR INADEQUATE <i>(Describe in Block 44.)</i> ☐ LIFESAVING EQUIPMENT FAILED OR INADEQUATE <i>(Describe in Block 44.)</i> ☐ BLOW OUT (Petroleum exprolation/production) ☐ ALCOHOL INVOLVEMENT <i>(Describe in Block 44.)</i> ☐ DRUG INVOLVEMENT (Describe in Block 44.) ☐ OTHER (Specify) _____
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22. Conditions

A. Sea or River Conditions <i>(wave height, river stage, etc.)</i> ☐ CLEAR ☐ RAIN ☐ SNOW ☐ FOG ☐ OTHER (Specify) _____	B. WEATHER ☐ CLEAR ☐ RAIN ☐ SNOW ☐ FOG ☐ OTHER (Specify) _____	C. TIME ☐ DAYLIGHT ☐ TWILIGHT ☐ NIGHT	D. VISIBILITY ☐ GOOD ☐ FAIR ☐ POOR	E. DISTANCE (miles of visibility) _____ F. AIR TEMPERATURE (F) _____ G. WIND SPEED & DIRECTION _____ H. CURRENT SPEED & DIRECTION _____
--	---	--	---	--

23. Navigation Information

☐ MOORED, DOCKED OR FIXED ☐ ANCHORED ☐ UNDERWAY OR DRIFTING	SPEED AND COURSE _____	24. Last Port Where Bound _____	24a. Time and Date of Departure _____
---	-------------------------------	--	--

25. FOR TOWING ONLY	25a. NUMBER OF VESSELS TOWED			25b. TOTAL H.P. OF TOWING UNITS	25c. MAXIMUM SIZE OF TOW WITH TOW-BOAT(S)	Length	Width	25d. (Describe in Block 44) ☐ PUSHING AHEAD ☐ TOWING ASTERN ☐ TOWING ALONGSIDE ☐ MORE THAN ONE TOW-BOAT ON TOW
	Empty	Loaded	Total					

SECTION II. BARGE INFORMATION

26. Name		26a. Official Number		26b. Type	26c. Length	26d. Gross Tons	26e. USCG Certificate of Inspection issued at:
26f. Year Built	26g. ☐ SINGLE SKIN ☐ DOUBLE	26h. Draft FWD AFT	26i. Operating Company				
26j. Damage Amount BARGE _____ CARGO _____ OTHER _____			26k. Describe Damage to Barge				

SECTION III. PERSONNEL ACCIDENT INFORMATION

27. Person Involved ☐ MALE or ☐ FEMALE ☐ DEAD ☐ INJURED ☐ MISSING		27a Name (Last, First, Middle Name) 27b Address (City, State, Zip Code)		27c. Status ☐ Crew ☐ Passenger ☐ Other	
28. Birth Date		29. Telephone No		30. Job Position	
32. Employer - (If different from Block 18, fill in Name, Address, Telephone No.)					
33. Person's Time A. IN THIS INDUSTRY - B. WITH THIS COMPANY - C. IN PRESENT JOB OR POSITION - D. ON PRESENT VESSEL/FACILITY - E. HOURS ON DUTY WHEN ACCIDENT OCCURRED -				34. Industry of Employer (Towing, Fishing, Shipping, Crew Supply, Drilling, etc.) 35. Was the Injured Person Incapacitated 72 Hours or More? 36. Date of Death	
37. Activity of Person at Time of Accident					
38. Specific Location of Accident on Vessel/Facility					
39. Type of Accident (Fall, Caught between, etc.)				40. Resulting Injury (Cut, Bruise, Fracture, Burn, etc.)	
41. Part of Body Injured				42. Equipment Involved in Accident	
43. Specific Object, Part of the Equipment in block 42., or Substance (Chemical, Solvent, etc.) that directly produced the Injury.					

SECTION IV. DESCRIPTION OF CASUALTY

44. Describe how accident occurred, damage, information on alcohol/drug involvement and recommendations for corrective safety measures. (See instructions and attach additional sheets if necessary).

45. Witness to Casualty (Name, Address, Telephone No.)

46. Witness to Casualty (Name, Address, Telephone No.)

SECTION V. PERSON MAKING THIS REPORT

47. Name (PRINT) (Last, First, Middle)		47b. Address (City, State, Zip Code)		47c. Title	
47a. Signature				47d. Telephone No.	
				47e. Date	

FOR COAST GUARD USE ONLY

REPORTING OFFICE:

MISLE Incident Investigation Activity Data Entry:

MISLE Incident Investigation Activity Number (if applicable)

☐ NONE
 ☐ PRELIMINARY
 ☐ DATA COLLECTION
 ☐ INFORMAL
 ☐ FORMAL

Serious Marine Incident ☐ Yes ☐ No

Major Marine Casualty ☐ Yes ☐ No

INVESTIGATOR (Name)

DATE

APPROVED BY (Name)

DATE

INSTRUCTIONS

FOR COMPLETION OF FORM CG-2692

REPORT OF MARINE CASUALTY

AND FORM CG-2692A, BARGE ADDENDUM

WHEN TO USE THIS FORM

1. This form satisfies the requirements for written reports of accidents found in the Code of Federal Regulations for vessels, Outer Continental Shelf (OCS) facilities, mobile offshore drilling units (MODUs), and diving. The kinds of accidents that must be reported are described in the following instructions.

VESSELS

2. A vessel accident must be reported if it occurs upon the navigable waters of the U.S., its territories or possessions; or whenever an accident involves a U.S. vessel; wherever the accident may occur. (Public vessels and recreational vessels are excepted from these reporting requirements.) The accident must also involve one of the following (ref. 46 CFR 4.05-1):

A. All accidental groundings and any intentional grounding which also meets any of the other reporting criteria or creates a hazard to navigation, the environment, or the safety of the vessel;

B. Loss of main propulsion or primary steering, or an associated component or control system, the loss of which causes a reduction of the maneuvering capabilities of the vessel. Loss means that systems, component parts, subsystems, or control systems do not perform the specified or required function;

C. An occurrence materially and adversely affecting the vessel's seaworthiness or fitness for service or route including but not limited to fire, flooding, failure or damage to fixed fire extinguishing systems, lifesaving equipment or bilge pumping systems;

D. Loss of life;

E. An injury that requires professional medical treatment (beyond first aid) and, if a crewmember on a commercial vessel, that renders the individual unfit to perform routine duties;

F. An occurrence not meeting any of the above criteria but resulting in damage to property in excess of \$25,000. Damage cost includes the cost of labor and material to restore the property to the condition which existed prior to the casualty, but it does not include the cost of salvage, cleaning, gas freeing, drydocking or demurrage.

MOBILE OFFSHORE DRILLING UNITS

3. MODUs are vessels and are required to report an accident that results in any of the events listed by Instruction 2-A through 2-F for vessels. (Ref. 46 CFR 4.05-1, 46 CFR 109.411)

OCS FACILITIES

4. All OCS facilities (except mobile offshore drilling units) engaged in mineral exploration, development or production activities on the Outer Continental Shelf of the U.S. are required by 33 CFR 146.30 to report accidents resulting in:

A. Death;

B. Injury to 5 or more persons in a single incident;

C. Injury causing any person to be incapacitated for more than 72 hours;

D. Damage affecting the usefulness of primary lifesaving or firefighting equipment;

E. Damage to the facility in excess of \$25,000 resulting from a collision by a vessel;

F. Damage to a floating OCS facility in excess of \$25,000.

5. Foreign vessels engaged in mineral exploration, development or production on the U. S. Outer Continental Shelf, other than vessels already required to report by Instructions 2 and 3 above, are required by 33 CFR 146.303 to report casualties that result in any of the following:

A. Death;

B. Injury to 5 or more persons in a single incident;

C. Injury causing any person to be incapacitated for more than 72 hours.

DIVING

6. Diving casualties include injury or death that occurs while using underwater breathing apparatus while diving from a vessel or OCS facility.

A. **COMMERCIAL DIVING.** A dive is considered commercial if it is for commercial purposes from a vessel required to have a Coast Guard certificate of inspection, from an OCS facility or in its related safety zone or in a related activity, at a deepwater port or in its safety zone. Casualties that occur during commercial dives are covered by 46 CFR 197.486 if they result in:

1. Loss of life;

2. Injury causing incapacitation over 72 hours;

3. Injury requiring hospitalization over 24 hours.

In addition to the information requested on this form, also provide the name of the diving supervisor and, if applicable, a detailed report on gas embolism or decompression sickness as required by 46 CFR 197.410(a)(9).

Exempt from the commercial category are dives for:

1. Marine science research by educational institutions;
2. Research in diving equipment and technology;
3. Search and Rescue controlled by a government agency.

B. ALL OTHER DIVING. Diving accidents not covered by Instruction (6-A) but involving vessels subject to Instruction (2), VESSELS, must be reported if they result in death or injury causing incapacitation over 72 hours. (Ref. 46 CFR 4.03-1(c)).

HAZARDOUS MATERIALS

7. When an accident involves hazardous materials, public and environmental health and safety require immediate action. As soon as any person in charge of a vessel or facility has knowledge of a release or discharge of oil or a hazardous substance, that person is required to immediately notify the U.S. Department of Homeland Security's National Response Center (telephone toll-free 800-424-8802 - in the Washington, D.C. area call 202-426-2675). Anyone else knowing of a pollution incident is encouraged to use the toll-free telephone number to report it. If etiologic (disease causing) agents are involved, call the U.S. Public Health Service's Center for Disease Control in Atlanta, GA. (telephone 404-633-5313). (Ref. 42 USC 9603; 33 CFR 153; 49 CFR 171.15)

COMPLETION OF THIS FORM

8. In accordance with 46 CFR 4.05-1, the vessel owner, agent, master, operator, or person in charge shall complete this form. This form should be filled out as completely and accurately as possible. Please type or print clearly. Fill in all blanks that apply to the kind of accident that has occurred. If a question is not applicable, the abbreviation "NA" should be entered in that space. If an answer is unknown and cannot be obtained, the abbreviation "UNK" should be entered in that space. If "NONE" is the correct response, then enter it in that space.

9. Once completed, deliver, e-mail or fax this form within five days of the casualty to the Coast Guard Sector, Marine Safety Unit, or Activity nearest the location of the casualty or, if at sea, nearest the arrival port.

10. When a casualty meets the requirements of a serious marine incident as defined in 46 CFR 4.03, the owner, agent, master, operator, or person in charge, is required to submit a CG-2692B in accordance with 46 CFR 4.06-60.

NOTICE: The information collected on this form is routinely available for public inspection. It is needed by the Coast Guard to carry out its responsibility to investigate marine casualties, to identify hazardous conditions or situations and to conduct statistical analysis. The information is used to determine whether new or revised safety initiatives are necessary for the protection of life or property in the marine environment.

Reportable marine casualty information is needed for Coast Guard investigations of vessel casualties involving death, vessel damage, property loss and data, as mandated by Congress (see 46 USC 6301).

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number.

The Coast Guard estimates that the average burden for this report is 1 hour. You may submit any comments concerning the accuracy of this burden estimate or any suggestions for reducing the burden to: Commandant (G-MOA), U.S. Coast Guard, Washington, DC 20593-0001 or Office of Management and Budget, Paperwork Reduction Project (1625-0001), Washington, DC 20503.

11. Amplifying information for completing the form:

A. Block 16 - "LOCATION" - Latitude and longitude to the nearest tenth of a minute should always be entered except in those rivers and waterways where a mile marker system is commonly used. In these cases, the mile number to the nearest tenth of a mile should be entered. If the latitude and longitude, or mile number, are unknown, reference to a known landmark or object (buoy, light, etc.) with distance and bearing to the object is permissible. Always identify the body of water or waterway referred to.

B. Tug or towboat with tow - Tugs or towboats with tows under their control should complete all applicable portions of the CG-2692. SECTION II should be completed if a barge causes or sustains damage or meets any other reporting criteria. If additional barges require reporting, the "Barge Addendum," CG-2692A, may be used to provide the information for the additional barges.

C. Moored/Anchored Barge - If a barge suffers a casualty while moored or anchored, or breaks away from its moorage, and causes or sustains reportable damages or meets any other reporting criteria, enter the location of its moorage in Block (1) of the CG-2692 and complete the form except for Blocks (2) through (13). The details will be entered in SECTION II for one barge and on the "Barge Addendum," CG-2692A, for additional barges.

D. SECTION III - Personnel Accident Information - SECTION III must be completed for a death or injury. In addition, applicable portions of SECTIONS I, II and IV must be completed. If more than one death or injury occurs in a single incident, complete one CG-2692 for one of the persons injured or killed, and attach additional CG-2692's, filling out Blocks (1) and (2) and SECTION III for each additional person.

E. BLOCK 44 - Describe the sequence of events which led up to this casualty. Include your opinion of the primary cause and any contributing causes of the casualty. Briefly describe damage to your vessel, its cargo, and other vessels/property. Include any recommendations you may have for preventing similar casualties. ALCOHOL AND DRUG INFORMATION. Provide the following information with regard to each person determined to be directly involved in the casualty: name, position aboard the vessel, whether or not the person was under the influence of alcohol or drugs at the time of the casualty, and the method used to make this determination. If toxicological testing is conducted the results should be included; if results are not available in a timely manner, provide the results of the toxicological test as soon as practical and indicate that this is the case in Block 44 of the casualty form.

CHARLEVOIX CITY COUNCIL

All Other Actions and Requests

TITLE: Proposed Donation of Landscaping on the Pine River Channel

DATE: March 21, 2022

PRESENTED BY: Scott Philp, Landscape Logic

BACKGROUND:

As you know, Silver Linings Charlevoix has proposed a donation of extensive landscaping along the Pine River Channel. The last time they brought the proposal to Council, you had several concerns about the plan and asked the Planning Commission review it again. On Monday, March 14, the Planning Commission was presented a revised proposal (which is found in the attachments).

The Commission had concerns about the project but offered the following conditions:

- Using best practices for planting (with minimal damage and destruction of the existing vegetation on site)
- Using the utmost control methods for soil erosion
- The project takes place provided all of the funding is raised to complete the project in full
- The timing of planting, site excavation, and any improvements occurs outside of the tourist and vacation season

Additionally, if the project is approved, standards contained within the Storm Water Control Ordinance might also be applied or should be consulted to address the design of the project. The risk of erosion and the management of storm water on the slope should be mitigated; if approved, Council should consider requiring a performance bond and the inclusion of standards from the storm water ordinance.

I also received public comment from Shirley Gibson on this matter; her letter is included in the attachments.

RECOMMENDATION:

Council discussion and direction.

ATTACHMENTS:

- ❑ Proposed Channel Rendering (2/7/22)
- ❑ Proposed Plant and Material List
- ❑ Donation Acceptance Policy
- ❑ Letter from Shirley Gibson RE: Channel plan

REVISIONS	BY
9.21.21	2
11.07.21	2
2.07.22	2

CHARLEVOIX NORTH CHANNEL

NORTH CHANNEL

ELISEL TRUST
LOTS 20, 21, 22
129 & 127
PINE RIVER LAKE

LOT 20

GRANITE BOULDERS
(60) NEW JERSEY TEA

22
ER-4
125
PINE RIVER LAKE

24
CHARLEVOIX PAINTED CONDOMINIUM
PINE RIVER LAKE

25
WEATHER VANE
PINE RIVER LAKE

QUARTER RAMP WITH CONTRASTING RAIL
BOULDERS

SAND DUNES
WITH DRIFTWOOD
AND STONE BEACHES
WITH BOULDERS.

PINE

RIVER
(1) EXISTING CRIMSON KIDNEY MAPLE
(175) SWITCH GRASS

RECOMMEND KEY

- WLD PENULIN
- MILKWEED
- QUEEN OF THE PRINCE
- JOE PINE WOOD, SPOTTED
- COLUMBINE
- CHLORIS, GLAUCOUS TURTLEHEAD
- HELIOPSIS
- CONEFLOWER, PALE PURPLE
- MONARDRA, FISTULOSA
- BLACK EYED SUSAN
- SEWEE, GREEN PENNSYLVANIA
- LIATRIS, ASPERA
- LIATRIS, NICOTACHYA
- GERANIUM, MACRANTHUM
- LOBELIA, SIPHILITICA
- BUTTERFLY WIFE

* PARKING LOT ALONG PINE RIVER LAKE
TO HAVE A 'WIP UP CURB' INSTALLED FALL OF 2021
TO PREVENT ASPHALT RUNOFF FROM ENTERING
THE SLOPED (PLANTED) EMBANKMENT.
ALL PARKING LOT WATER TO DRAIN TO
EXISTING CONCRETE SALLYWAY UNDER
EXISTING WOODEN STAIRCASE.

* DRAFT

PINE RIVER CHANNEL

- * ELEVATED PLATFORMS WILL REQUIRE RAILINGS.
- * SEATING & VIEWING PLATFORMS ARE
SHOULD AS EXPOSED AGGREGATE CONCRETE
- * (8) ADDITIONAL CANOPY TREES ARE PROPOSED IN PLANT
- * EXISTING TREES & SHRUBS WILL BE
PROTECTED IF HEALTHY AT TIME OF PLANTING.
A 'SELECTIVE' CUT & TRIM WILL OCCUR TO
OTHER UNDESIRABLE OR UNHEALTHY VARIETIES.

0 20 40
1" = 20'

LANDSCAPE LOGIC
CHARLEVOIX, MICHIGAN

Date 8.25.21
Scale 1" = 20'
Drawn JL
Job
Sheet
Of 1 Sheets

City of Charlevoix

North Channel Project

Material and Native Plant Selections

Exposed Aggregate



*Hand rails for viewing platforms may be required depending on the elevation of patios



Maple, 'Red'



Queen of the Prairie

CREATING OUTDOOR *Lifestyles . . .*
WWW.LANDSCAPE-LOGIC.COM

6247 U.S. 31 S., P.O. Box 72, CHARLEVOIX, MI 49720 • PH: (231) 547-3472 • FAX: (231) 547-3492



Birch, 'White Paperbark'



Switch Grass, *Panicum Virgatum*



Black-Eyed Susan



Big Bluestem



Butterfly Weed

CREATING OUTDOOR *Lifestyles . . .*
WWW.LANDSCAPE-LOGIC.COM

6247 U.S. 31 S., P.O. Box 72, CHARLEVOIX, MI 49720 • PH: (231) 547-3472 • FAX: (231) 547-3492



Milkweed, *Asclepias incarnata*



Wild Petunia



Joe Pye Weed, 'Spotted'



Columbine canadensis

CREATING OUTDOOR *Lifestyles . . .*
WWW.LANDSCAPE-LOGIC.COM

6247 U.S. 31 S., P.O. Box 72, CHARLEVOIX, MI 49720 • PH: (231) 547-3472 • FAX: (231) 547-3492



Chelone glabra



Heliopsis autumnale'



Monarda fistulosa



Coneflower, 'Pale Purple'



Carex pensylvania, Sedge



Prairie Blazing Star
Liatris pycnostachya



Rough Blazing Star
Liatris aspera



Geranium maculatum



New Jersey Tea Shrub

Secondary Native Options:

These options are possible alternate plant substitutions if necessary due to availability.

Phlox, Woodland



Virginia Bluebells



Common Mountain Mint



Carex, muskingumensis

City of Charlevoix

Donation Acceptance Policy

I. Introduction/Purpose

The City truly appreciates the generosity of donors who wish to make Charlevoix a finer community for all. The residents of the City of Charlevoix have a proven track record in not only volunteering for many community initiatives and serving on various boards but also making generous donations. These efforts further enhance our quality of life and contribute to making “Charlevoix the Beautiful” a truly unique and special community. These invaluable efforts often make the difference between a good community and a great community. Examples of past donations include art work, vehicles, benches, trees and other items. The current list of donated amenities that have been partially or fully funded by the generosity of an individual, organization, or foundation is a long one. Charlevoix and its residents are very fortunate. With the increased presence of the Charlevoix County Community Foundation, future success may be promoted through collaboration with that organization, and City officials are therefore encouraged to maintain appropriate liaisons for such reasons.

The purpose of this policy is to establish guidelines, standards and procedures for the acceptance of gifts to the City, including the installation, long-term maintenance and operation of donated elements to the City which will enhance the quality of life. The City of Charlevoix (hereinafter the "City") desires to encourage donations while at the same time considering aesthetic impacts and on-going maintenance and operational costs.

Acceptance Guidelines and Standards established by this policy will apply to all donations made after the effective date of this policy.

II. Guidelines

A. Gifts intended to either become incorporated into City parks as well as gifts of equipment, vehicles, boats or facilities intended to supplement those of the City often involve considerations of aesthetics, costs, and compatibility whose features shall be evaluated using the following criteria:

1. Aesthetics- The City and Community have an interest in ensuring the best appearance and aesthetic quality of public lands and facilities. Donations and their recognition shall reflect the character and be consistent with the intended surroundings.
2. Requirement of Maintenance/Repair- Since donated elements and their associated recognition become City property, the Community has an interest in ensuring that all elements remain in good repair. In addition, the Community has an interest in ensuring that the short and long-term repair costs are reasonable and that repair parts and materials be readily

available. So too, elements must be of a quality to insure a long life, be resistant to weather, wear and tear, and acts of vandalism.

3. Requirement of Consistency with Current and Future Use- i.e. does the proposed donation substantially interfere with the intended current or future use of the land or facility where it is being proposed to be located?
4. Uniqueness of the Proposed Gift and Its Ability to Attract Visitors to the Community
5. Whether the Proposed Gift Requires Relocation, Removal or Installation of Other Equipment or Infrastructure to Accommodate the Donation
6. Absence of Substantial Impact on Public Health and Safety and/or Welfare
7. Costs Associated with the Proposed Gift- The City also has an interest in knowing in advance the full cost which may be associated with a gift, namely those which may relate to purchase, installation, maintenance and operation during the gift's expected life cycle. In the ordinary course the amount of the gift should be sufficient to cover all such expenses.
 - a. Neither purchase nor installation shall commence until the donor's gift has been completed and funds have been received by the City for such purposes.
 - b. As to gifts requiring on-going operation and maintenance, amounts which are estimated to exceed \$5,000 on an annual basis, the gift shall include an endowment sufficient to defray them, i.e. 20x the estimated amounts.
 - c. In rare and unusual circumstances where the City has determined that the value of the gift substantially exceeds the cost associated therewith, these requirements may be waived, but only after appropriate notice and public hearing.
8. Requirements for Memorial Plaques- To ensure uniformity of appearance and good taste, the language of such plaques shall also be approved by the City.

Donation acknowledgments and memorial plaques shall be made of bronze and be of the highest quality, life and durability. In cases where bronze plaques are not feasible, other alternative types may be considered.
9. Special Provisions Relating to City Parks- In cases of donations to City parks which may reasonably affect the park or its immediate surroundings,

the City Council shall hold a Public Hearing for such purpose to invite comment from the community with respect to impact on viewsheds, safety concerns, potential for noise generation, and compatibility with the aesthetic features of the park.

- B. Gifts made for programs, sponsorships, renovations, and projects of like nature may also benefit the City either directly or indirectly. However, in addition to considerations of timeliness, cost and suitability, there may also involve concerns related to the method of conveyance and adequacy of funding. The criteria outlined above (A. 1-9) shall then be applicable where appropriate. In general, categories of acceptable gifts are:

- ❖ Cash (and cash equivalents-checks, CDs, savings accounts)
- ❖ Marketable securities (publicly traded stocks, bonds, U.S. government securities)
- ❖ Tangible personal property
- ❖ Life insurance
- ❖ Real estate
- ❖ IRA rollovers
- ❖ Charitable Gift Annuities
- ❖ Charitable Remainder Trusts
- ❖ Charitable Annuity Trusts
- ❖ Charitable Lead Trusts
- ❖ Bequests

Council shall exercise caution as to gifts including conditions and carrying costs, and at all times shall ensure itself that the funds provided are sufficient to carry out the intention of the gift and that its purpose is a salutary one.

- C. These guidelines shall not be applicable to programs sponsored or approved by the City existing as of the date of this policy.

III. Installation

If the gift, including donor acknowledgements/memorial plaques, requires any type of installation, the installation shall take place through a contract between the City and a licensed contractor. The contract shall be drafted by the City and the terms and conditions of the contract shall be approved by municipal legal counsel. In certain instances, a performance bond may be required, costs of which shall be borne by the donor and considered as an additional expense under II A. 7. The installation shall be completed by a licensed contractor. The licensed contractor will assume all responsibility for construction or placement of the gift and shall hold the City harmless for any damages to City property or buildings resulting from the construction or placement of the gift to the extent authorized by law (note: MCL 691.991 may be applicable). If installation involves City Staff, the City may require reimbursement for personnel and equipment costs associated with installation. The installation will be scheduled at a time and date as determined by City Staff so as not to unnecessarily interfere with routine maintenance

Page 3 of 4

activities and in a manner that minimizes impacts to the Community. City Staff shall oversee the installation process to ensure compliance with the proposal.

IV. Removal and/or Relocation

The City reserves the right to restore, relocate, remove or relinquish donations. This decision shall be made based upon the best interests of the City. This section applies to both existing and new donations.

V. Procedures for Making and Accepting Gifts

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

If a gift appears to be in accordance with this policy, the donor or donor's representative will then submit a written proposal and meet with City Staff members to determine the specific nature of the donation, proposed location, and yearly maintenance and operational costs for review and processing. The written proposal, including a Staff report, will be sent to City Council for its decision.

Because promptness is likely to be important to both the prospective donor and the City, each party shall be considerate in this regard at each stage of its dealings with one another.

March 17, 2022

Channel Park

Dear Mayor and Council Members:

My observations for agenda item "Channel Park":

1. The City Master Plan Chapter 2: Community Profile, Page 11 addresses the issues of "Soils and Shorelines" in part, as follows:

"Generally, area soils are sandy loam and present slight limitations to development. However, development, redevelopment and the disturbance of steep slopes, especially on Lake Michigan and Round Lake, must be carefully considered. The potential instability of disturbed slopes reinforces the importance of employing soil erosion and slope stabilization techniques.....the trend of beach grooming has also played a part in altering native wildlife habitats and planting exotic vegetation has helped spread invasive species.....Seemingly inconsequential individual acts, when combined, can have cumulative and long term impact on Charlevoix's community character and it's quality."

The Master Plan goes on to address Sand Dunes, which in my humble opinion, this "Channel Park" area is a dune and according to the "Land Use Map" it is also designated senic reserve.

2. In reading the City Charter 2.16(f) – "the Council shall not have the power to sell, divide, leaseor dispose of any City Park... unless specifically approved by a majority of the electors....."

I understand the Charter does not address the notion of plantings in a park, so my question to council is this: Is this a park and who decided to call it a park??? Only the city council by official action can designate a property a "city park" and has to be approved by a majority of the electors.

3. This agenda item is also referred to as a "donation", we have a donation policy. The council does not have to accept donations as lovely as some of them may be.

Shirley Gibson

Concerned Citizen

CHARLEVOIX CITY COUNCIL

All Other Actions and Requests

TITLE: Council Appointment

DATE: March 21, 2022

PRESENTED BY: City Council

BACKGROUND:

There are several vacancies on various boards and commissions. Council Member Kalbfell requested consideration of Dan Reed for appointment as an alternate to the Zoning Board of Appeals.

RECOMMENDATION:

Motion to appoint _____ to the [board/committee] for a term to expire on _____.

ATTACHMENTS:

- ▣ Application from Dan Reed



CITY OF CHARLEVOIX
VOLUNTEER BOARDS AND COMMITTEES APPLICATION

RECEIVED
JAN 24 2022

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

☐ BOARD OF REVIEW	☐ HOUSING COMMISSION	☒ ZONING BOARD OF APPEALS
☐ COMPENSATION COMMISSION	☐ PLANNING COMMISSION	☐ OTHER _____
☐ DDA/MAIN STREET BOARD	☐ RECREATION ADVISORY COMMITTEE	☐ NO PREFERENCE
☐ HISTORIC DISTRICT COMMISSION	☐ SHADE TREE & PARK COMMISSION	

PLEASE PRINT

NAME: ROBERT DANIEL REED
ADDRESS: 402 SHERMAN STREET, CHARLEVOIX MI 49720
HOME PHONE: _____ CELL PHONE: 586 854 8235
EMAIL: r.daniel.reed@sbcglobal.net
ARE YOU A REGISTERED VOTER IN THE CITY? YES HOW LONG HAVE YOU LIVED IN THE CITY? 5 1/2 yrs.

EDUCATIONAL BACKGROUND: BS MECHANICAL ENGINEERING, BA MUSIC PERFORMANCE
UNIVERSITY OF NEW HAMPSHIRE 1996, MBA GRAND VALLEY STATE 2011

PROFESSIONAL QUALIFICATIONS AND/OR WORK EXPERIENCE: 24 years as an engineer in design
and manufacturing environments, with expertise in technical writing
and interpretation of technical drawings and/or documentation

COMMUNITY ACTIVITIES AND/OR OTHER EXPERIENCE: Charlevoix Youth Soccer Association, Coach
and board member.

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

NO

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

NO

REASON(S) YOU WISH TO SERVE: To leverage my skills in supporting the needs
of my community.

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

SIGNATURE: R D R R

DATE: 1.7.2022

RETURN APPLICATION TO THE CITY CLERK'S OFFICE: 210 STATE STREET CHARLEVOIX, MI 49720 – EMAIL clerk@charlevoixmi.gov

CHARLEVOIX CITY COUNCIL

Reports and Communications

TITLE: City Manager's Comments

DATE: March 21, 2022

PRESENTED BY: Mark L. Heydlauff, City Manager

BACKGROUND:

A. Sarah Lucas named Deputy Director for Rural Development

Many of you will recall our former Planner, Sarah Lucas. This week, she was named to the new post of Deputy Director of the Michigan Department of Agriculture and Rural Development. In this role, she'll be the state's primary contact for community leaders on rural issues like housing, tax policy, and other issues we've identified as important here in Charlevoix. I look forward to talking with Sarah further in her new role.

B. NLEA Symposium and Showcase

On May 13, the Northern Lakes Economic Alliance will be hosting a new version of their annual event at Boyne Mountain. The focus of the event will be a more broad look at the economy in northern Michigan and the trends we are seeing. It will include both general sessions and breakout sessions on more specific topics. The focus is on the bluewater economy which is particularly relevant for our community. If you would like to attend, please let me know.

ATTACHMENTS:

- ▢ Shade Tree & Parks Commission Minutes 01/13/2022

Charlevoix Shade Tree and Parks Commission
Meeting Minutes
January 13, 2022, 10am
Charlevoix City Hall, Second Floor Conference Room

Members present: Bertinelli; Levy; Muladore; Hodgson

Members absent: none

Also present: Mark Heydlauff, City Manager

Chair Hodgson called the meeting to order at 10am.

She welcomed David Bertinelli to the board and he introduced himself including his background as an arborist and in landscaping. He currently works for Charlevoix County overseeing park and trail maintenance.

Motion by Levy, second by Muladore to approve the minutes of the December 9, 2021 with one correction.

Motion carried.

Chair Hodgson indicated she and Mr. Elliott still need to meet to review view corridors at Lake Michigan Beach Park.

Chair Hodgson asked Ms. Muladore to discuss questions from the Planning Commission regarding the role of the Commission and whether there are other tasks to connect their work with the mission relative to shade trees and parks. The Commission discussed the concept and what it might entail. Mr. Heydlauff advised getting too deeply involved in this because the Shade Tree Ordinance does not necessarily permit it and because it could change the character of the purpose of the Commission.

Chair Hodgson opened the floor for public comment. None were heard.

Mr. Levy discussed his concern to balance views and health of trees together. The commission discussed this and asked Mr. Heydlauff to discuss this with the contractor and advise the commission.

Mr. Heydlauff advised the Commission that trimming work would occur along power lines at the golf course shortly.

Chair Hodgson adjourned the meeting at 10:39am

Meeting adjourned.