



AGENDA
CHARLEVOIX DOWNTOWN DEVELOPMENT AUTHORITY AND MAIN STREET MEETING
Monday, June 25, 2018- 5:30 PM
Council Chambers - 210 State Street, Charlevoix, MI 49720

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 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. Minutes - Regular Meeting - May 29, 2019
 - B. Minutes - Special Meeting - June 21, 2018
 - C. Committee Minutes
- 6. Reports**
 - A. Director's Report
Lindsey Dotson, Executive Director
 - B. Charitable Gaming Qualification Requirements for DDAs
Lindsey Dotson, Executive Director
- 7. Old Business**
- 8. New Business**
 - A. Farmers Market Rules, Code of Conduct, and Grievance Policy
Lindsey Dotson, Executive Director
 - B. Farmers Market Advisory Committee
Lindsey Dotson, Executive Director
- 9. Public Comment**
- 10. Request for Future Agenda Items**

11. Board Comments

12. Adjourn

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

CHARLEVOIX MAIN STREET MISSION

The mission of the Charlevoix Main Street program is to strengthen the year-round economic vitality of our vibrant historic business district through community efforts, events, and public/private partnerships while fostering a sense of community pride and ownership.

DDA/Main Street Board
210 STATE STREET CHARLEVOIX , MICHIGAN 1 49720
Charlevoix Main Street DDA
(231) 547-3257 lindseyd@cityofcharlevoix.org

Consent Agenda

TITLE: Minutes - Regular Meeting - May 29, 2019

DATE: June 25, 2018

PRESENTED BY: Lindsey Dotson, Executive Director

ATTACHMENTS:

▣ Minutes

CITY OF CHARLEVOIX
DOWNTOWN DEVELOPMENT AUTHORITY / MAIN STREET MEETING
Tuesday, May 29, 2018 at 5:30 p.m.
210 State Street, Charlevoix, Michigan

1. Call to Order

2. Pledge of Allegiance

3. Roll Call

Vice Chair: Rick Wertz

Members Present: Richard Christner, Fred DiMartino, Luther Kurtz, Carissa Mullaney, Maureen Owens, Amanda Wilkin

Members Absent: Kirby Dipert, John Yaroch

City Staff: Lindsey Dotson, Executive Director

4. Inquiry into Potential Conflicts of Interest

Member Owens stated that she would abstain from voting on the Live from Charlevoix application for contribution.

5. Consent Agenda

A. DDA/Main Street Meeting Minutes – April 23, 2018

B. Committee Minutes

C. Monthly Report

Motion by Member Christner, second by Member Owens to approve the Consent Agenda as presented. Motion passed by unanimous voice vote.

At the Mayor's request the first item under New Business would be moved ahead on the agenda.

New Business

A. Non-Voting Members of the DDA Board

Mayor Kurtz stated that he discussed the idea of having a non-voting member from Junior Main Street on the DDA with City Council and there were no objections. He felt that the DDA could appoint non-voting members, rather than having it go through the City Council. Member Owens recommended that it be a two-year term.

Sean Bradley agreed with the idea of Mayor Kurtz choosing the student and with the two-year term.

Member Christner stated that in the future there may be a reason that they would be asking the Board to make the selection rather than the Mayor and he questioned if this would be a one-time decision that could be changed in the future. Vice Chair Wertz stated that a change could be made in the future as needed. The Board concurred to have the Charlevoix High School Advanced Placement Teacher recommend students for this position.

Motion by Member Owens, second by Member Wilkin to approve a non-voting advisory seat or two to the DDA Board to be fulfilled by a high school student(s) for a 2-year term. Motion passed by unanimous voice vote.

Mayor Kurtz stated that he would like to nominate Sean Bradley for one of the two non-voting advisory seats on the DDA Board. Motion by Member Owens, second by Member Wilkin to appoint Shawn Bradley as a non-voting member of the DDA Board for a two-year term. Motion passed by unanimous voice vote. The Board invited Mr. Bradley up to the dais as the newest member of the DDA Board.

Vice Chair Wertz stated that John Yaroch resigned from the DDA Board after ten years of service.

6. Reports

A. Director's Report

Member Owens questioned the level of invitation for the Communication Workshop and Director Dotson stated that it was a general invite for anyone involved with the organization.

Director Dotson introduced Andrew Reid who will be volunteering as a summer intern for Main Street.

Director Dotson stated that there was an update to Michigan Main Street Basics Training to be held in Charlevoix on June 21st. The State requested that the DDA provide a small panel of people involved with the Main Street Program to address the group as attendees ask about what it was like to start a Main Street Program. She invited the Boardmembers to attend the training as well. National Main Street will also be present that day for an accreditation visit instead of conducting that visit in the fall. They want to meet with the Board on the afternoon of June 21st and she questioned if there was a quorum of members available for that day. Four of the members agreed that they could attend the meeting with National Main Street on June 21st at 2:30 p.m.

7. Old Business

A. Charlevoix Main Street DDA Draft Policies & Procedures

Director Dotson stated that she made one change to No. 5 of the *Working with other Organizations & Sponsoring of Events* section and an additional change on page 22 of the document regarding licensing. She stated that she was working with the City Attorney relative to trademarking the brand. Member Wilkin stated that she would not be voting on this item because of work she had done.

Motion by Member Owens, second by Member Christner to approve the Charlevoix Main Street DDA Policies and Procedures document as written with corrections. Motion passed by unanimous voice vote except for Member Wilkin who abstained from the vote.

8. New Business

B. Sponsorship Requests

Motion by Member Wilkin, second by Vice Chair Wertz to approve sponsorship of Charlevoix Venetian Festival in the amount of \$1,000 to be a Captain Sponsor and Round Lake Music Festival in the amount of \$2,000 to be a Platinum Sponsor. Motion passed by unanimous voice vote except for Member Owens who abstained from the vote.

C. Downtown Plan Proposal

Director Dotson explained the details of the *Redevelopment Ready Communities Report of Findings* and the benefits of the proposed Downtown Plan and Parking Assessment. She responded to questions from the Board.

Motion by Member Owens, second by Vice Chair Wertz to approve the expenditure of \$4,890 for the Downtown Plan and Parking Assessment, which is one half of the match required from the MEDC. Motion passed by unanimous voice vote.

9. Public Comment

10. Request for Future Agenda Items

11. Board Comments

Director Dotson reported that the wayfinding sign in front of Paddleworks would be moved this week.

Mayor Kurtz welcomed Sean Bradley and Amanda Wilkin to the DDA Board.

12. Adjourn

Motion by Mayor Kurtz, seconded by Member Owens to adjourn the meeting. Motion passed by unanimous voice vote. Meeting adjourned at 6:07 p.m.

Joyce Golding/fgm

City Clerk

Rick Wertz

Vice Chair

DDA/Main Street Board
210 STATE STREET CHARLEVOIX , MICHIGAN 1 49720
Charlevoix Main Street DDA
(231) 547-3257 lindseyd@cityofcharlevoix.org

Consent Agenda

TITLE: Minutes - Special Meeting - June 21, 2018

DATE: June 25, 2018

PRESENTED BY: Lindsey Dotson, Executive Director

ATTACHMENTS:

- ▣ Special Meeting Minutes

Charlevoix Downtown Development Authority/Main Street

Special Meeting Minutes

Thursday, June 21, 2018 – 2:30 p.m.

210 State Street, Charlevoix City Hall, Charlevoix, MI

The meeting was called to order at 2:30 p.m. by Chair Kirby Dipert.

1. Roll call

Chair: Kirby Dipert
Members Present: Sean Bradley, Richard Christner, Fred DiMartino, Carissa Mullaney, Maureen Owens, Amanda Wilkin
Members Absent: Luther Kurtz, Rick Wertz
City Staff: Lindsey Dotson, Executive Director
Others Present: Janet Kalbfell, Laura Krizov, Norma Ramirez de Miess

2. 2018 PROGRESS VISIT PRESENTED BY: Norma Ramírez de Miess, Director of Leadership Development, National Main Street Center

Purpose: The Progress Visits scheduled throughout 2018 are offered as supporting services from National and Michigan Main Street to help Michigan Main Street communities:

1. Recognize the progress made in aligning their work with the Transformation Strategies selected as well as the goals and specific activities outlined throughout the Main Street “Refresh” process.
2. Identify needs for direction, adjustments, or technical assistance to continue to move the program’s efforts forward with strategic direction and strong organizational capacity.
3. Highlight the value and impact of the local revitalization efforts as well as of the partnership involved.

The Visit was conducted by Laura Krizov, Manager for the Michigan Main Street Center at MEDC and Norma Ramirez de Miess, Senior Program Officer and Director of Leadership Development for the National Main Street Center.

Discussion took place around the Transformation Strategies that Charlevoix selected during the Main Street Refresh process: Health & Wellness and Entrepreneurial Ecosystems and the overall progress of the Charlevoix Main Street program thus far.

3. Adjourn.

Meeting adjourned at 3:30 p.m.

Lindsey J. Dotson Executive Director

Kirby Dipert

Chair

DDA/Main Street Board
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Consent Agenda

TITLE: Committee Minutes

DATE: June 25, 2018

PRESENTED BY: Lindsey Dotson, Executive Director

ATTACHMENTS:

- ▣ Farmers Market Advisory Committee - May 23
- ▣ Design Committee - June 7
- ▣ Economic Vitality Committee - June 12
- ▣ Farmers Market Advisory Committee - June 21



Charlevoix Farmers Market Advisory Committee
Wednesday, May 23, 2018
4:00 PM – City Hall Lower Level Conference Room
Minutes

Attendees: L. Dotson, M. Washburn, C. Cupp, K. Ackerman, M. Jollette, R. Berg, E. Freund

Absent: A. Hagen

I. New Business

- a. L. Dotson discussed the need for revised Farmers Market rules for the 2019 season and also for a Code of Conduct & Grievance Policy that would go into effect immediately. Committee members agreed, M. Jollette was instructed to draft up a version of each for the committee to review.
- b. L. Dotson discussed need to formalize the committee by taking minutes at meetings. Committee will continue to meet on an “as needed” basis.
- c. Discussion around duplicate specialty items ensued, specific to two vendors: That French Place and Pea & Company. E. Freund was asked to leave the room for this portion of the discussion. It was decided that both vendors will be allowed to sell crepes since nothing in our written rules addresses the topic specifically.

II. Adjournment - the meeting was adjourned at 5:00 PM.

III. Next meeting: TBD

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Charlevoix Main Street Design Committee
Thursday, June 7, 2018
4:00 PM – City Hall Council Chambers
Minutes

Attendees: L. Dotson, D. Fate, M. Owens, L. Keinath, A. Reid (intern)

Absent: R. Bergmann, G. DeMeyere, H. Harrington, A. Munday, J. Duerr, D. Miles, E. Selph, P. Weston

- I. Approval of Minutes** - The Minutes from the May 3, 2018, meeting which were sent out in advance via email were approved as written.
- II. Outstanding Business**
 - a.** Committee governance: Dave Grossi has stepped down as co-chair. Paul Globhotzer is joining the committee and offered to be the recording secretary to take Minutes.
 - b.** Update on MS Design Service and Grant Application: Lindsey had 3 handouts with information on Michigan Main Street Design Assistance Program. She explained the changes to the design services. Only one design service will be funded now, but it will be more in-depth working with the business owner. A variety of consultation services will remain in place and are free of charge.
 - c.** Lindsey also submitted the application for the Main Street grant discussed at the May meeting. The full \$500,000 was requested based on potential projects.
 - d.** 2018 Work Plans:
 - i.** Façade Grant Program and Guidelines – No updates at the moment, Emily is taking care of the revised guidelines.
 - ii.** Main Street Design Guidelines and Design Services: Lindsey announced that the Michigan Main Street is going to assist us now that their staff has increased.
 - iii.** MSU SBEI: No updates
 - iv.** Street Tree Lights - August tree light inspection.
 - v.** Pole Banners - deferred.

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- vi. Historic Signage: Denise reported that the Work Plan has been started and that there is interest in the community for this based on recent comments received. The goal is to convene the project group in the next few months to continue work previously started.

III. New Business

a. Design Committee Meetings will be held every other month going forward. It was suggested to meet jointly with the Economic Vitality group to discuss an overlapping task to update and complete the inventory of Charlevoix DDA properties.

b. On August 1 at 8 am - 12 pm there will be a Communication meeting sponsored by Michigan Main Street and facilitated by Ben Muldrow. Committee members are encouraged to attend.

IV. Call for Future Agenda/Research Items - none

V. Volunteer Hours

VI. Adjournment - the meeting was adjourned at 4:30 PM.

VII. Next meeting: Thursday, August 2, 4:00 PM at City Hall

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Charlevoix Main Street
Economic Vitality Committee
Meeting Minutes
June 12, 8am

Present: Lindsey Dotson; Mark Heydlauff; Bob Klein; Maureen Owens; Rich Hodgson; John Haggard, Kirby Dipert, Dan Barron, Luther Kurtz, Amanda Wilkin, Alison Hubbard

Rich Hodgson called the meeting to order at 8am.

Mr. Heydlauff gave an update on progress being made with recruitment materials including a guidebook for businesses outlining business incentives and other pertinent information. A consultant has been hired to assist with this as part of the process the City is going through to become Redevelopment Ready Certified through the MEDC.

Ms. Wilkin gave an update about the two hospitality training seminars that were held at the Charlevoix Public Library in May and June. A total of about 60 people attended and we've gotten a lot of positive feedback from those who went.

Ms. Dotson passed out a letter prepared by Linda Adams, Director of Charlevoix Public Library about their desire to build some version of a co-working space in an underutilized part of their building. Discussion took place around possible partnership opportunities. An idea to start having monthly "remote workers" meeting in town was brought up. Ms. Dotson agreed to look into starting that.

Ms. Dotson also updated the committee on discussions that have been taking place between Michigan Main Street and the SBDC about doing a training series in the NW Michigan region Main Street Communities. A tentative schedule is set to have a training in Grayling in January, Boyne City in March, and Charlevoix in May. Topics could include transition/succession planning, how to maximize business sales during festivals, and online sales.

Ms. Dotson informed the committee that there will be a communications planning workshop on August 1st at City Hall that all Main Street volunteers are invited to participate in, regardless of committee.

Volunteer hours were reported: 41

Meeting adjourned at 9:00am.



Charlevoix Farmers Market Advisory Committee
Thursday, June 21, 2018
7:00 AM – East Park
Minutes

Attendees: L. Dotson, M. Washburn, C. Cupp, R. Berg, A. Hagen

Absent: E. Freund, M. Jollette, K. Ackerman

- I. New Business
 - a. Rules, Code of Conduct, & Grievance Policy
 - i. The committee reviewed draft copies of the new Farmers Market Rules, Code of Conduct, and Grievance Policy. They approved it unanimously pending changes suggested by City Attorney.
- II. Adjournment - the meeting was adjourned at 7:30 AM.
- III. Next meeting: TBD

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Reports

TITLE: Director's Report

DATE: June 25, 2018

PRESENTED BY: Lindsey Dotson, Executive Director

BACKGROUND:

Director Schedule

I have some upcoming planned absences:

August 13 - 17th - Vacation

October 8 & 9th - Directors Retreat with Michigan Main Street

Farmers MarketStaff Update

Melissa Jollette gave her two week notice with her last day of work being Thursday, June 28th. The position has not been posted at this time, as we are trying to figure out how to best fill the position. Currently Sam Gerber, who has been an assistance to the market manager in the past, is helping me with setting up the market, tending to customers, and tearing down the market. I am handling all of the associated market paperwork until further notice.

Committees Update

Since we've been given the flexibility to structure our organization the way that makes the most sense to our community our committees have been making adjustments accordingly. Some include:

- Design:
 - Chair: Denise Fate
 - Meets bi-monthly- 1st Thursday at 4pm
- Economic Vitality:
 - Co-Chairs: Rich Hodgson & Mark Heydlauff
 - Meets Quarterly on 2nd Tuesday of month at 8am (March, June, September, December)
- Organization & Promotions:
 - Co-Chairs: Dennis Kusina & Sarah Hagen
 - COMBINED - 3rd Thursday at 8am. Will not meet in July.
- Live on the Lake Concerts Committee:
 - Co-Chairs: Jean Muselik & Sarah Hagen
 - meets as needed
- Farmers Market Advisory Committee:
 - meets as needed.
- Junior Main Street Committee:
 - on hold until next school year

Main Street Monday

Planning is underway for Main Street Monday during Venetian Festival. Jean Muselik has agreed to emcee

and entertainment is being lined up. The elementary students voted for Peter Rabbit to be shown. Venetian is hiring Miriam Pico to perform live before the movie.

Maps & Kiosks

The downtown maps have been printed and delivered to downtown locations. We have already ordered two more boxes that will arrive soon. The new directory kiosk has been installed in Bridge Park. The maps inside the kiosks will be updated soon, they still have last years directory in them.

Communications Planning Service - August 1st

Michigan Main Street has awarded us with a communications planning service that will take place in the form of a 4 hour workshop with a professional consultant. The Organization Committee has been hard at work laying the groundwork for this service. The workshop will be very hands-on and interactive and result in a plan being formulated by the end of the day. **The workshop is scheduled to take place on Wednesday, August 1st starting from 8am-12pm here at City Hall.** Coffee and snacks will be provided.

Michigan Main Street Quarterly Training Recap

On June 4 & 5 I attended the Michigan Main Street Quarterly Training in Niles, MI along with Amanda Wilkin & Dennis Kusina. The main topics included changes to the Design Assistance service that Michigan provides Main Street communities. Instead of 3 per year they have reduced the number to 1 but with more customized assistance accompanying the Design Service. We still have an unlimited amount of Design Consultations available to property owners for smaller scale questions. The application to apply for Design Services is changing completely to an online one. The review process for the Design Committee will change completely too. Members from each committee are expected to be on the review team for applications. More to come on all of these changes once they begin to be implemented here in Charlevoix. Another topic was the Data Resource Collection guide discussing all of the metrics we are measuring on a monthly basis and how to improve our building and business inventories. Lastly, we were presented an Event Evaluation Self Assessment Toolkit that helps event planners assess the effectiveness of their event and evaluate if goals are being met. All of these items will be sent digitally soon and will play a large role in projects for 2019.

Charlevoix to Host Preservation Workshops

We have been selected to host three Historic Preservation Workshops aimed at historic home owners in and around Charlevoix. The topics include how to make your wood windows energy efficient, masonry repair, and an overall Proactive Preservation discussion. These workshops are being paid for by a grant and will be hosted by the Michigan Historic Preservation Network. Tentative dates are August 6, August 20, and September 5. Tentative location is the Train Depot. More info to come once details are confirmed.

Trademark Logo

I have a phone call scheduled with Enrico Schaefer, an attorney who specializes in licensing trademarks on July 2nd. I will have an update about what the process will look like at our next meeting. In the meantime, City Attorney Scott Howard did say that written permission can be given to entities wishing to use the logo for non-income producing uses by the DDA Board.

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Reports

TITLE: Charitable Gaming Qualification Requirements for DDAs

DATE: June 25, 2018

PRESENTED BY: Lindsey Dotson, Executive Director

BACKGROUND:

After attending a training in Gaylord presented by the Michigan Charitable Gaming Division and Liquor Control Commission it was brought to my attention that DDAs are now able to become qualified organizations to apply for raffle licenses. After hearing this I contacted Todd Gardner, Licensing & Gaming Director of the Charitable Gaming Division of the Michigan Bureau of State Lottery who sent the special qualification requirements for Downtown Development Authorities. I have prepared our application and submitted it directly to Mr. Gardner, per his direction. I've attached the requirements along with some supporting application materials for your information. I did not include our bank statements from the last 5 years or our bylaws for the sake of not having an extremely long attachment.

ATTACHMENTS:

- ▣ DDA Qualification Requirements & Application

Qualification Requirements Downtown Development Authorities

- Quick Guide -

Act 382 of 1972, as amended (commonly referred to as the Bingo Act) authorizes certain types of non-profit organizations to Qualify for a license to conduct charitable gaming (bingo, raffles, etc.), provided they meet the requirements established by the legislature in one of seven different categories.

Downtown Development Authorities (DDA's) fall within the Local Civic organization category as they are not a Religious, Educational, Fraternal, Senior Citizens, or Veterans organization, and are not a branch, lodge, or chapter of a state or national Service organization (e.g. Rotary, Kiwanis, Civitan, et. al.).

DDA's must meet the following six requirements, and provide the required documentation in order to become a Qualified Organization eligible for a charitable gaming license.

1. Proof the DDA has been in existence for 5 consecutive years.
 - One bank statement in the name of the DDA from each of the past 5 years.
 - In lieu of bank statements, the DDA may submit both of the following:
 - o One income statement from the City's DDA sub-account from each of the previous five years.
 - o A notarized statement from the City Clerk attesting to the fact that the DDA has been in existence for the previous 5 consecutive years.
2. Legal documentation identifying the DDA's officers, governing body, and membership.
 - Bylaws, articles of incorporation, constitution, or charter.
3. Local Governing Body Resolution.
 - Adopted by the DDA's city council (see attachment A).
4. Proof of the DDA's intent to remain a non-profit organization in perpetuity.
 - Bylaws, articles of incorporation, constitution, or charter.
5. Provision for the distribution of assets to the local government in the event of dissolution.
 - Downtown Development Authority authorizing statute Act 197 of 1975 provides for the required dissolution language. No documentation is needed.
6. Proof that the DDA is using all of its assets for charitable purposes.
 - Income statement for the past 12 months.

Qualification Requirements Downtown Development Authorities

- Requirements Explained -

QUALIFICATION REQUIREMENT - 1

Proof the DDA has been in existence for 5 consecutive years.

Why is this required?

Regardless of the category, the Bingo Act defines a Qualified Organization as...

"...organization that operates without profit to its members and that either has been in existence continuously as an organization for a period of 5 years or is exempt from taxation under 26 USC 501(c)."

What does this mean?

The Bingo Act makes no provision for organizations, such as DDA's, that are tax exempt under 170(c). Therefore, DDA's must prove they have been in existence for 5 consecutive years.

What documents are acceptable?

The Bureau requires one bank statement from each of the previous 5 years. All statements must be in the name of the DDA attempting to qualify in order to prove its existence as "an organization" for 5 continuous years. The Bureau requires bank statements as they are easily verifiable and more difficult to fabricate than other types of documents.

If the DDA's assets are held by the city in a DDA sub-account, the Bureau will accept sub-account statements and a notarized statement from the City Clerk as proof the 5 consecutive years requirement is met.

QUALIFICATION REQUIREMENT - 2

Written legal documentation identifying the DDA's officers, governing body, and membership (if any).

Why is this required?

The Bingo Act defines "Principal Officer" as...

"...the highest ranking officer of the qualified organization according to its written constitution, charter, articles of incorporation, or bylaws."

Additionally, the Bureau has promulgated certain rules which require oversight by the organization's principal officer, and oversight of its charitable gaming activities by the organization's members.

What does this mean?

The DDA must have adopted bylaws or a constitution that among other things, identifies the organization's officers, governing body, and membership (if any).

What documents are acceptable?

Bylaws or constitution that have been adopted by the DDA's governing body.

QUALIFICATION REQUIREMENT - 3

Submission of a resolution adopted by the local governing body of the city in which the DDA operates.

Why is this required?

The Bingo Act defines a Local Civic organization as one...

"...that is recognized by resolution adopted by the local governmental subdivision in which the organization conducts its principal activities;"

What does this mean?

A representative of the DDA must appear before its local city council and ask for consideration and adoption of a resolution in the form of the attached blank governing body resolution (attachment A).

What documents are acceptable?

An adopted resolution signed by the City Clerk that is in substantially the same format and contains all of the information as the attached blank governing body resolution (attachment A).

QUALIFICATION REQUIREMENT - 4

Proof of the DDA's intent to remain a non-profit organization in perpetuity.

Why is this required?

The Bingo Act defines a Local Civic organization as one...

"...whose constitution, charter, articles of incorporation, or bylaws contain a provision for the perpetuation of the organization as a nonprofit organization;"

What does this mean?

The DDA must submit written legal documentation proving its intention to remain a non-profit organization forever.

What documents are acceptable?

DDA bylaws or constitution containing a statement regarding its intention to remain non-profit forever, or, non-profit articles of incorporation which identify the DDA's existence as perpetual.

QUALIFICATION REQUIREMENT - 5

Proof that the DDA's assets will be distributed to the local government in the event of dissolution.

Why is this required?

The Bingo Act defines a Local Civic organization as one...

"...whose constitution, charter, articles of incorporation, or bylaws contain a provision that all assets, real property, and personal property shall revert to the benefit of the local governmental subdivision that granted the resolution upon dissolution of the organization."

What does this mean?

The DDA must provide for distribution of its assets to the local governing municipality in the event the DDA is dissolved.

What documents are acceptable?

Act 197 of 1975 which authorized the establishment of Downtown Development Authorities provides for the distribution of a DDA's assets to the local government upon dissolution. Therefore, no documentation is required.

QUALIFICATION REQUIREMENT - 6

Proof that all of the DDA's assets are used to serve charitable purposes that benefit the general public.

Why is this required?

The Bingo Act defines a Local Civic organization as one...

"...whose entire net assets are used for charitable purposes;"

What does this mean?

The DDA must submit financial records demonstrating that all assets of the organization are used for charitable purposes as defined by Charitable Gaming Rule 101(b), which states in part:

"(b) 'Charitable purpose' means 1 or more of the following causes, deeds, or activities that are beneficial to the general public:

(v) Advancement of civic, governmental, or municipal purposes."

What documents are acceptable?

An income statement for the previous 12-month period demonstrating that all expenditures were made for charitable purposes. Personal expenditures (Christmas parties, birthday celebrations, sports outings, etc.) are not considered charitable purposes and may result in the denial of the organization's request to become a Qualified Organization.

QUALIFICATION INFORMATION

Complete this form and submit with the required qualification documents listed on the attached Qualification Requirements sheet. A Bingo, Raffle, or Charity Game Ticket license application and fee may also be submitted with this information. See box #5 below for mailing instructions.

1. ORGANIZATION INFORMATION

Organization Name City of Charlevoix DDA			
Organization Physical Street Address 210 State Street			
City Charlevoix	State MI	Zip Code 49720	County Charlevoix
Organization Mailing Address 210 State Street			☒ Same as Physical Address
City	State	Zip Code	County
Organization Telephone Number 231-547-3257			

2. ORGANIZATION PURPOSE

Briefly describe the purpose of your organization. **The mission of Charlevoix Main Street DDA is to strengthen the year round economic vitality of our vibrant historic business district through community efforts, events, and public/private partnerships while fostering a sense of community pride and ownership.**

3. LICENSE APPLICATION

Enclosed is a completed application and fee for a ☐ Bingo ☒ Raffle ☐ Charity Game Ticket license
Make checks payable to STATE OF MICHIGAN.

4. AUTHORIZED CONTACT PERSON

First Name Lindsey		Last Name Dotson		Position/Role with Organization Director	
Mailing Address 210 State Street				City Charlevoix	
State MI	Zip Code 49720	Telephone Number (Day) (231) 547-3257		Telephone Number (Evening) (734) 558-5749	
By signing below, I hereby certify that the representations, information, and data presented are true, accurate, and complete to the best of my knowledge. I understand that failure to answer truthfully, completely, and accurately could preclude the organization from receiving an approval to obtain a gaming license.					
Authorized Contact Person Signature Lindsey Dotson					Date 6/22/18
Print Authorized Contact Name and Title Lindsey Dotson, Main Street DDA Director					

5. MAILING INSTRUCTIONS

Mail this completed Qualification Information form, the required qualification documentation listed on the Qualification Requirements sheet, and the completed license application and fee (if also applying for a gaming license) to Charitable Gaming Division, PO Box 30023, Lansing, MI 48909. If submitting by overnight carrier (FedEx, UPS, etc.), send to Charitable Gaming Division, 101 East Hillsdale, Lansing, MI 48933.





LOCAL CIVIC ORGANIZATION QUALIFICATION REQUIREMENTS

If the organization has never submitted qualifying information as a local civic organization, the following information shall be submitted in the name of the organization prior to being approved to conduct a bingo, millionaire party, raffle, or charity game. A previously qualified organization may be required to submit updated qualification information to assure its continued eligibility under the act.

1. A signed and dated copy of the organization's current bylaws or constitution, including membership criteria.
2. A complete copy of the organization's Articles of Incorporation that have been filed with the Corporations and Securities Bureau, if the organization is incorporated.
3. A copy of the letter from the IRS stating the organization is exempt from federal tax under IRS code 501(c)

OR

copies of one bank statement per year for the previous five years, excluding the current year.

4. A provision in the bylaws, constitution, or Articles of Incorporation that states should the organization dissolve, all assets, and real and personal property will revert:
 - A. If exempt under 501(c)3, to another 501(c)3 organization.
 - B. If not exempt under 501(c)3, to the local government.
5. A revenue and expense statement for the previous 12 month period to prove all assets are used for charitable purposes, i.e. 990's, treasurer's report, audit. Do not send check registers or cancelled checks. Explain the purpose of each expenditure made to an individual. Once the organization has conducted licensed gaming events, the Bureau may require the organization to provide additional proof that all assets are being used for charitable purposes.
6. A copy of a resolution passed by the local body of government stating the organization is a recognized nonprofit organization in the community (form attached).
7. A provision in the bylaws, constitution, or Articles of Incorporation indicating the organization will remain nonprofit forever.

Additional information may be requested after the initial documents submitted have been reviewed. If you have any questions or need further assistance, please call our office at (517) 335-5780.

Act 382 of the Public Acts of 1972, as amended, defines a local civic organization as an organization "that is organized not for pecuniary profit; that is not affiliated with a state or national organization; that is recognized by resolution adopted by the local governmental subdivision in which the organization conducts its principal activities; whose constitution, charter, articles of incorporation, or bylaws contain a provision for the perpetuation of the organization as a nonprofit organization; whose entire assets are used for charitable purposes; and whose constitution, charter, articles of incorporation, or bylaws contain a provision that all assets, real property, and personal property shall revert to the benefit of the local governmental subdivision that granted the resolution upon dissolution of the organization."



The Charlevoix City Council met on Monday, June 18, 2018 with Mayor Luther Kurtz presiding. All Council members were present. The following is an excerpt from the official records of said meeting:

Motion by Cole, second by Kalbfell, to adopt Resolution 2018-06-04 Resolution for Charitable Gaming License, as follows:

**CITY OF CHARLEVOIX
RESOLUTION NO. 2018-06-04
RESOLUTION FOR CHARITABLE GAMING LICENSE**

WHEREAS, at a Regular meeting of the City Council called to order by Mayor Kurtz on June 18, 2018 at 6:00 P.M.; and

WHEREAS, the request from the City of Charlevoix Downtown Development Authority of Charlevoix, county of Charlevoix, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses.

NOW THEREFORE BE IT RESOLVED, that City of Charlevoix Downtown Development Authority be considered for approval of obtaining a charitable gaming license to hold a raffle.

RESOLVED this 18th day of June, 2018 A.D.

Resolution was adopted by the following yeas and nays vote:

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

Nays: None

Absent: None

CERTIFICATION

I, the undersigned, the City Clerk of the City of Charlevoix, Charlevoix County, Michigan, do hereby certify that the foregoing is a true and complete copy of Resolution No. 2018-06-04 adopted by the City Council of the City of Charlevoix, County of Charlevoix, State of Michigan, at a regular meeting held on June 18, 2018, the original of which is on file in the Clerk's office and available to the public. Public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267 of the Michigan Public Acts of 1976.

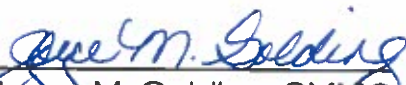
Dated: 06/19/2018


Joyce M. Golding, City Clerk



I, Joyce M. Golding, Charlevoix City Clerk, do hereby attest that the City of Charlevoix Downtown Development Authority has been in existence since 1982. Furthermore, I do hereby attest that the City of Charlevoix Downtown Development Authority has met regularly over the preceding five (5) year period.

Signed this 12th day of June, 2018, A.D.



Joyce M. Golding, CMMC
Charlevoix City Clerk

DDA/Main Street Board
210 STATE STREET CHARLEVOIX , MICHIGAN 1 49720
Charlevoix Main Street DDA
(231) 547-3257 lindseyd@cityofcharlevoix.org

New Business

TITLE: Farmers Market Rules, Code of Conduct, and Grievance Policy

DATE: June 25, 2018

PRESENTED BY: Lindsey Dotson, Executive Director

BACKGROUND:

In an effort to streamline the operation of the Charlevoix Farmers Market Melissa Jollette and I have been working on new rules and a code of conduct. The items that are attached are drafts that have been reviewed by members of the Farmers Market Advisory Committee. These documents have also been given to City Attorney Scott Howard to review. I have not yet received his counsel on these items. If he suggests any changes they would be incorporated immediately.

RECOMMENDATION:

Motion to approve the new Charlevoix Farmers Market Rules, Code of Conduct, and Grievance Policy to be in effect immediately, pending any changes suggested by the Charlevoix City Attorney.

ATTACHMENTS:

- ▣ Rules
- ▣ Code of Conduct
- ▣ Grievance Form



2018 Charlevoix Farmers Market Rules & Regulations

1. The Charlevoix Farmers Market vendor products must be grown or produced in Charlevoix, Antrim, Otsego, Cheboygan or Emmet counties. (Vineyards may also include Grand Traverse and Leelanau Counties.)
2. All vendors must complete a vendor application before attending the market. Copies of all appropriate licenses/permits must be attached to the application and be on file with the Market Manager. Comprehensive product list must be on file with the Market Manager.
3. No synergistic produce will be sold at the Charlevoix Farmers Market. The Market Manager will question any item not on the vendor's application. Removal of items not on the list and not grown by the vendor, in the five county area, will be required.
4. In order to ensure the integrity of the products sold, Farm visits MAY take place by the Market Manager on rotation. The visits will be arranged in advance, with the vendor, by the Manager.
5. Priority placement will be given to vendors who have consecutively attended on a yearly basis and have an 80% attendance record.
6. The market will be open from 8am to 1pm. You must stay until 1PM. If you need to leave before 1 PM you must get permission from the Market Manager. Leaving early without permission may result in forfeiture of position. Anyone not fulfilling their annual term will not be refunded.
7. All vendors must be on Bridge Street by 7:30am each Thursday and be ready to sell by 8:00am. Any 'No Show' must be called in by 7:00am. If you are not present, or have not called by 7:45am your space will be given to another vendor. The Market Manager will address anyone late more than three times.
8. Farmers shall sell only agricultural, horticultural, or food items they themselves have grown in our 5-county area. No re-selling of any fruits or vegetables will be tolerated.
9. Producers of food vendors shall sell only products they produce. Local ingredients should be utilized wherever possible.

Please list the products brought and cooked at the Market:



10. No handcraft items are allowed on Bridge Street, however, when we switch to Fall Market hours (3-6pm) and relocate to the Library, vendors may add handmade crafts to their table with no additional charge.
11. Vendors wishing to operate under the Cottage Food Industry Law must abide by all rules governing that law, as well as sign a document indicating they understand these rules. Goods must be properly packaged and labeled with all information specified by the Law (see link below) Their products will be inspected by the Market Manager, who has authority to ask a vendor to remove a product not in compliance, or visit a facility. Refer to: <http://www.Michigan.gov/cottagefood> website for all details.
12. To maintain a healthy Farmers Market, price-cutting of top quality products is discouraged. Poor quality or over ripe produce must be labeled as such and may be sold at a discounted price.
13. Vendors must remove ALL their own trash, tasting spoons, and dropped produce at completion of the market. The park is to be left as you found it, or cleaner.
14. There will be one mandatory meeting each spring at City Hall. You or a working representative must attend this meeting or call the Market Manager to make other arrangements to be eligible to participate in the Market.
15. You must participate in our Credit Card token system and it is strongly suggested any one eligible participate in Bridge Card tokens, Senior Project Fresh, Market Fresh, Double-Up Food Bucks and WIC. When doing so, all vendors must follow all rules governing these programs as explained at the mandatory meeting.
16. To maintain a healthy environment, NO SMOKING is allowed in the Market Area during open hours and no personally owned dogs will be in your booth space. Compliance is mandatory from all vendors and attendants.
17. Cars, trucks, vans, etc. must be moved immediately after unloading. Set-up of tables should be done after your vehicle is relocated. Vehicles must be moved to parking lots (not metered spaces on Bridge Street) by 8:00 am.
18. All vendors must sign the code of conduct. If a vendor refuses to sign the code of conduct their application will not be approved. For the 2018 season if a vendor chooses not to sign the code of conduct they will be asked to leave without a refund. They may file a grievance. The code of conduct and grievance procedure must be followed.
19. The policy as stated in the grievance procedure must be followed. If it is not followed a vendor will be asked to leave without a refund.
20. These rules apply to all vendors and all employees/representatives of the vendors. The Market Manager will oversee any violations and consequences to any market rules as supported by the Farmers Market Advisory Committee.



21. The City of Charlevoix Farmers Market Advisory Committee, at its discretion, reserves the right to refuse any vendor or product and to make all decisions regarding the implementation and management of the Charlevoix Farmers Market.

Please sign and return to Market Manager

I, _____ agree to the above rules of the Charlevoix Farmer's Market.

Date: _____

DRAFT



Code of Conduct

The Charlevoix Farmers Market Mission Statement:

Charlevoix Farmers Market exists to bring our whole community to the heart of the city to experience healthy living: including shopping for and eating the best local produce, meats and fine artisan baked goods while learning more about health as a family. The Market sponsors events to help educate the children and public while providing space for quality family time on a regular basis as well as supporting our local growers and helping incubate small business.

Charlevoix Farmer's Market Code of Conduct

The primary purpose of this Code of Conduct is to ensure the wellbeing of all participants. It is the market's intent to serve the public and create a friendly atmosphere that will benefit both the vendors and customers. Vendors are expected to behave courteously to customers, other vendors, and market staff.

As a Charlevoix Farmers' Market vendor and/or their representative, I will:

- Respect and adhere to all rules established by the Charlevoix Farmers' Market.
- Not willingly deceive or exploit customers, the Market Manager or Charlevoix Main Street DDA concerning Market business.
- Demonstrate the highest standards of personal behavior and integrity at all times.
- Vendors shall require compliance with the Code of Conduct by persons employed by them. It is the responsibility of the Vendors to educate and supervise employees such that they understand the importance of preserving the integrity of the Charlevoix Farmers' Market.
- Please be accountable to each other.
- Treat everyone with respect. Rude, violent, aggressive, uncooperative or belligerent behavior toward others will not be tolerated.
- Under no circumstance, attend or participate in the Charlevoix Farmers' Market while under the influence of alcohol and/or controlled substance.
- If an issue arises and it cannot be solved between two vendors the procedure is as follows: The vendor must go to the Market Manager. If the Market Manager cannot solve the issue with the help of the Farmers Market Advisory Committee the vendor must file a grievance. To preserve the integrity of the presented grievance no other outside parties

shall be notified unless questioned by the Market Manager or the Charlevoix Farmers Market Advisory Committee.

It is important that all Charlevoix Farmers Market vendors and/or their representatives comply with the Code of Conduct. Failure to comply with any component of the code or participation in other inappropriate conduct as determined by the Market Manager or market advisory committee may lead to dismissal as a vendor at the Charlevoix Farmers' Market with no refund.

I have read the Charlevoix Farmers' Market Vendor Code of Conduct above and agree to comply with it.

Name _____

Business Name _____

Address _____

City _____ State _____ Zip _____

Signature _____ Date _____

Vendor and/or their representative

(Without signed copy of Code of Conduct, vendor cannot participate in Charlevoix Farmers Market)

2018 WAIVER & RELEASE

_____, As indemnitor, I agree to indemnify, defend and hold harmless the Charlevoix Farmer's Market, Charlevoix Main Street DDA, City of Charlevoix, Farmer's Market Advisory Committee, and Market Manager from and against any and all claims, losses, liability, costs or expenses (including reasonable attorney fees) arising out of bodily injury of any person or persons, including death, or property damage, relating to the use of Charlevoix's property for the purpose of selling items at the Charlevoix Farmer's Market during its seasonal operational schedule.

Additionally, indemnitor, including indemnitor's agents or employees, admits receipt of a copy of the Charlevoix Farmer's Market Rules for the current year, and agrees to abide by the terms thereof. By signing this document thus binds the indemnitor to these Guidelines.

Signature _____ Date _____ Vendor/ Indemnitor

Signature _____ Date _____ Market Manager

Market Grievance Procedure and Inspection Policy

As members of the Charlevoix Farmers' Market, you have voluntarily joined together to create a market to sell local food and products and agreed to abide by certain rules. There may

be a time, however, when a vendor feels the rules are not being followed. For those situations, the Charlevoix Farmers Market Committee has created a grievance process.

If a vendor believes that the behavior of a fellow vendor is detrimental to the common goal of maintaining a vibrant, welcoming marketplace that is hospitable to both vendors and shoppers, he / she may present a grievance.

Grievance Procedure

- Approach and discuss your concerns with your fellow vendor, always maintaining a positive attitude.
- If you cannot approach and discuss your concerns with the vendor whose behavior you question, discuss your concerns with the Market Manager.
- If the Market Manager, you and the vendor whose behavior you question cannot work out a solution acceptable to all, the Market Manager can call for Mediation involving all parties. The mediation will be facilitated by a committee of three individuals appointed by the Farmers' Market Committee.
- Minor complaints concerning rule infringement (not usually requiring a Grievance Form such as space violations, time violations and uncovered foods) may be resolved on the spot by the Market Manager. Major complaints concerning rule infringement (involving out of season produce, out-of-area produce or wholesale produce) must be submitted on the Grievance Form (available from the Market Manager).
- Fill out the Complaint Form and return it to the Market Manager.
- Pay a \$25 deposit for the Market Manager and/or Committee Members to conduct a farm visit. If the challenge is unfounded, then the vendor who challenged will lose the \$25. If the challenge is found to be true, then the \$25 will be refunded and the vendor in violation will be fined \$50 and suspended from the market for two weeks for the first offense. If a vendor commits a second violation they will be permanently removed from the market.

Complainants will be identified to the vendor receiving the complaint, and complainants will accompany the Market Manager and committee members if a farm visit is deemed necessary.

The production site must be available for inspection within five days following the receipt of the complaint. If the farmers' market committee cannot be satisfied by vendor compliance, it may have the vendor removed permanently from the market.

A complaint may be filed with the City of Charlevoix to force the removal of any offending vendor by the police.



CHARLEVOIX FARMERS MARKET

Official Farmers Market Grievance Form

Person filing this complaint.

Name_____

Address_____

Phone Number_____

Complaint if filed against the vendor listed below.

Please fill out as much information as you can.

Name of Farm or Vendor (required) _____

Address if known_____

Phone Number if known_____

Complaint_____

Evidence supporting complaint

Signature of person filing complaint.

Signature_____Date_____

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(231) 547-3257 lindseyd@cityofcharlevoix.org

New Business

TITLE: Farmers Market Advisory Committee

DATE: June 25, 2018

PRESENTED BY: Lindsey Dotson, Executive Director

BACKGROUND:

The Farmers Market Advisory Committee currently consists of several members of the community with different perspectives to offer the market. Members include Emily Freund, Aaron Hagen, Kathy Ackerman, Rebecca Berg, Callie Cupp, and Mike Washburn. With changes that are taking place with the market I'd like to propose that a member of the DDA Board fill in on the committee so that there is more of a connection between the Board and the market. Despite the fact that it pays for itself, the market is a huge part of what we do. A lot of time and money is spent on it. Ideally someone on our board would be a part of helping to ensure its operating in the most efficient way possible. The committee only meets on an "as needed" basis - to review vendor applications in the beginning of the year to help determine the market lineup, and afterwards to help navigate any "grievance" that arises.

RECOMMENDATION:

Motion to appoint DDA Board Member _____ to the Farmers Market Advisory Committee.