



Agenda
City of Charlevoix City Council Regular Meeting
Monday, January 16, 2023 - 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 - January 2, 2023
 - B. Accounts Payable and Payroll Check Registers
 - C. 2023 Poverty Exemption Policy and Guidelines
 - D. Charlevoix Groundhog Shadow Fest
 - E. Planning Commission Resignation-Annemarie Conway
 - F. Airport Rescue Grant Agreement American Rescue Plan Act of 2021
- 6. Public Hearings and Actions Requiring Public Hearings**
- 7. All Other Actions and Requests**
 - A. Certified Local Government Grant Application Resolution and MOU
Lindsey Dotson, DDA Director
 - B. Charlevoix County Recreation Millage Grant
Kent Knorr, Recreation Director
 - C. Mayoral Appointment
Lyle Gennett-Mayor
- 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 - January 2, 2023

Date: January 16, 2023

Presented By:

Background:

Recommendation:

Motion to approve the minutes as presented.

Attachments:

1. City Council Draft Meeting Minutes 01/02/2023
2. City Council Work Session Meeting Minutes 01/02/2023

City of Charlevoix
City Council Regular Meeting minutes
Monday, January 2, 2023 - 6:00 PM
Council Chambers, 210 State Street, Charlevoix, MI

1. Pledge of Allegiance

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

2. Roll Call

Mayor: Lyle Gennett

Members Present: Shane Cole, Aaron Hagen, Janet Kalbfell, Mark Knapp, Phil Parr, Richard Spring

Members Absent: None

City Manager: Mark L. Heydlauff

City Clerk: Sarah J. Dvoracek

3. Presentations

4. Inquiry Regarding Conflicts of Interest

5. Consent Agenda

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

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

Yeas: Parr, Spring, Knapp, Cole, Kalbfell, Hagen

Nays: None

Motion carried.

A. City Council Meeting Minutes - December 19, 2022

Motion to approve the minutes as presented.

B. Accounts Payable and Payroll Check Registers

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

Dates	Description	Amount
12/20/2022	Special Accounts Payable Run	\$66,943.33
12/22/2022	Payroll (net pay)	\$90,020.22
12/22/2022	Payroll Transmittal Checks	\$5,487.12
01/03/2023	Regular Accounts Payable	\$182,521.85
12/19/2022-12/26/2022	ACH/WIRE Payments	\$444,751.94
12/14/2022	Special A/P Tax Disbursement	\$357,783.95
Grand Total		\$1,147,508.41

To view the entire accounts payable and payroll check registers, [please Click here.](#)

C. 50 kVA Transformer Purchase: \$17,013.84

Motion to approve the purchase of three (3) 50 kVA pole mounted transformers from Power Line Supply, Reed City, Michigan in the amount of \$17,013.84 as presented.

6. Public Hearings and Actions Requiring Public Hearings

A. Public Hearing: Signs in Bridge Park (Ordinance 834)

Mark Heydlauff, City Manager

City Manager Heydlauff stated Council held the required public hearing on November 21, 2022. The Planning Commission and City Attorney have both approved and reviewed the language.

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

Motion by Spring, seconded by Kalbfell to adopt Ordinance 834 of 2023.

***CITY OF CHARLEVOIX
Ordinance No. 834 of 2023***

AN ORDINANCE TO AMEND TITLE XV, LAND USAGE, SECTIONS 153.215 AND 153.219 OF THE CHARLEVOIX CITY CODE

THE CITY OF CHARLEVOIX ORDAINS:

SECTION 1. Title XV, Chapter 153, Section 153.215 CBD Zoning District of the City of Charlevoix Code is hereby amended by adding a section, to be numbered (C), which the section shall read as follows:

152.215 CBD ZONING DISTRICT.

(C) Commercial properties on Bridge Park Dr. that are located beneath Bridge Park are allowed to attach a sign less than or equal to two square feet in sign face area on the Bridge Park railing above the location of their business. A sign permit must be obtained, which must also be approved by the City Manager. The method of sign attachment must be included in the sign permit application. A sign permit approved under § 153.215(C) is valid only for the permit applicant and cannot be transferred to another entity.

SECTION 2. Title XV, Chapter 153, Section Table 153.219 Schedule of Regulations, CBD, Zoning District of the City of Charlevoix Code is hereby repealed and replaced, and shall read as follows:

Table 153.219: Schedule of Regulations by Zoning District					
Zoning District	Maximum Sign Face Area	Maximum Height	Maximum Number	Location	Permit Required?
Sign Type					
CBD ¹					
Temporary	Max 36 sf	Max 8 ft	1/public frontage	Min. setback 4 ft from ROW	No – if sign face area less than/equal to 16 sf
Wall	Max 30 sf	Max 8 ft	1/parcel	First floor of building	Yes
Portable	Max 6 sf	Max 4 ft	1/business		No
External Neon	Max 2 sf	Max 8 ft	1/business	n/a	No
Commercial flag	Max 15 sf	n/a	1/business	Shall not interfere with pedestrians	No
Awning, canopy, marquee	Max 16 sf	Max 8 ft	1/awning, canopy, marquee	Shall not be located in ROW	Yes
Ground	Max 16 sf	Max 16 ft	1/public frontage	Min. setback 4 ft from ROW	Yes
Projecting	Max 16 sf	Min 8 ft Max 12 ft	1/parcel	Shall not be located in ROW	Yes

¹ See § 153.215 (C) regarding commercial properties on Bridge Park Dr. located beneath Bridge Park.

SECTION 3. Title XV, Chapter 153, Section Table 153.219 Schedule of Regulations, Zoning District of the City of Charlevoix Code is hereby amended by adding a section labeled Industrial within the table and shall read as follows:

Table 153.219: Schedule of Regulations by Zoning District					
Zoning District	Maximum Sign Face Area	Maximum Height	Maximum Number	Location	Permit Required?
Sign Type					
(I) Industrial					
Temporary	Max 36 sf	Max 8 ft	1/public frontage	Min. setback 4 ft from ROW	No – if sign face area less than/equal to 16 sf
Temporary Banner	Max. 30 sf	Max 16 ft	n/a	Adjacent to City Golf Course. Shall not be located in ROW	Yes
Wall	Max 30 sf	Max 8 ft	1/parcel	First floor of building	Yes
Awning, canopy, marquee	Max 16 sf	Max 8 ft	1/awning, canopy, marquee	Shall not be located in ROW	Yes
Ground	Max 16 sf	Max 16 ft	1/public frontage	Min. setback 4 ft from ROW	Yes
Projecting	Max 16 sf	Min 8 ft Max 12 ft	1/parcel	Shall not be located in ROW	Yes

SECTION 4. 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 5. Effective Date.

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

Ordinance No. 834 was adopted on the 2nd day of January 2023 A.D., by the Charlevoix City Council as follows:

Yeas: Parr, Spring, Knapp, Cole, Kalbfell, Hagen

Nays: None

Motion carried.

B. Public Hearing: Building Type Combined Changes (Ordinance 835)

Mark Heydlauff, City Manager

City Manager Heydlauff stated Council conducted the required public hearing on November 21, 2022. The Planning Commission and City Attorney have both approved and reviewed the language.

Council discussed the proposed ordinance amendment which included detailed conversations regarding short term rentals, long term rentals, principal resident exemptions and accessory dwelling units.

Mayor Gennett opened the item for public comment. Two were heard and opposed.

Motion by Kalbfell, seconded by Parr (to amend proposed Ordinance 835) by striking the last sentence in Section 153.117 (D) (3) and inserting (the following language) short-term rentals of ADUs shall be prohibited.

Section 153.117 (D) (3.)

At least one of the units on the parcel shall be occupied by a long-term renter or an owner with at least 50% interest in the subject property. The owner or renter shall occupy either the principal dwelling unit or the ADU as their permanent residence. An ADU shall not be sold independently of the primary dwelling on the parcel. Short-term rentals of ADUs shall ~~only be allowed in compliance with the standards and requirements of this Zoning Ordinance and the City of Charlevoix Code of Ordinances~~ shall be prohibited.

Yeas: Parr, Spring, Knapp, Cole, Kalbfell, Hagen

Nays: None

Motion carried.

Mayor Gennett opened the item for public comment. Two were heard.

Motion by Cole, seconded by Spring to adopt Ordinance 835 of 2023 as amended.

CITY OF CHARLEVOIX
ORDINANCE NO. 835 of 2022

AN ORDINANCE TO AMEND TITLE XV, LAND USAGE, CHAPTER 153, PLANNING AND ZONING SECTIONS 153.005, 153.072, 153.087, 153.116, 153.117, 153.146, AND 153.152 OF THE CHARLEVOIX CITY CODE

THE CITY OF CHARLEVOIX ORDAINS:

SECTION 1. Title XV, Chapter 153, Section 153.005 (B) Definitions of the City of Charlevoix Code is hereby amended by adding a section, which shall be placed in alphabetical order under (B) Definitions in which the section shall read as follows:

Accessory dwelling unit (ADU). See Dwelling Unit: Dwelling, Accessory (ADU).

Structure, Accessory. An attached or detached structure on the same lot and of a customarily incidental nature that is subordinate to the principal use or building /structure. (See § 153.116 of this chapter).

SECTION 2. Title XV, Chapter 153, Section 153.005 (B) Definitions of the City of Charlevoix Code is hereby repealed and replaced as follows:

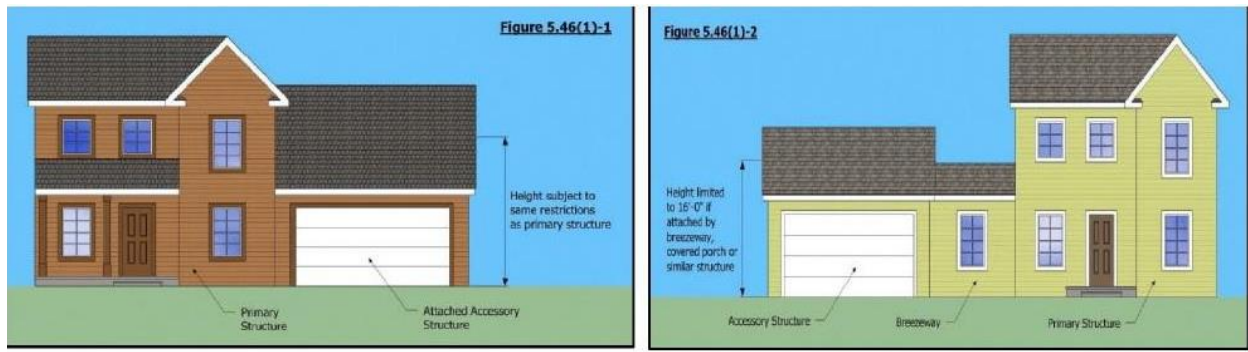
Accessory Structure. See Structure, Accessory.

(d) Dwelling, Accessory (ADU). An accessory building that incorporates one dwelling unit.



Structure. Anything constructed or erected requiring a permanent location in or on the ground, or that must be attached to something having such a permanent location. Structures include, but are not limited to, houses, buildings, accessory structures or buildings, fences, signs, decks, retaining walls, parking lots, access drives and swimming pools.

SECTION 3. Title XV, Chapter 153, Section 153.005 (B) Definitions, Dwelling Unit of the City of Charlevoix Code is hereby amended by adding a section, which shall include Figures 5.46 (1)-1 and 5.46(1)-2 and shall be placed under the dwelling unit definition as follows:



SECTION 4. Title XV, Chapter 153, Table Section 153.072(b), Dimensional Requirements in Single-Family, Two-Family, and Private Club Residential shall be repealed and replaced as follows:

Table 153.072(b): Dimensional Requirements in Single-Family, Two-Family, Private Club Residential

Zoning District	Max. Building Height (ft.) ⁷	Minimum Yard Setbacks (ft.)				Maximum Lot Coverage (%)	Min. Gross Floor Area (sq. ft.)		Principal Structure Minimum Width (ft.)
		Front ³	Side		Rear		1 story	2 stories	
			Interior	Street Side					
R1	26	15 ₄	10	15	25	40 ⁵	800	1,200	20
R2	26	15	8	15	25	40 ⁶	800	1,200	20
R2A	26	15	10	20	30	40	400	800	20
PC	26	0	0	0	0	NA	0	0	20

NOTES TO TABLES 153.072(a) and 153.072(b)

1 This minimum square footage applies to 2-family dwellings; for a single-family dwelling, the minimum allowable area of the R2 Zone, 7,000 square feet, shall apply.

2 No minimum lot size or width is required; provided, the land is in common ownership. If the land is subdivided, the requirements of the R1 District shall apply.

3 The Zoning Administrator may determine that front yards may be the opposite of the yard fronting a public street or right-of-way on lots with sloping topography or facing water bodies.

4 Setbacks within the C&O Club Development shall be 35 feet for front yard, 15 for side yard and 25 for

rear yard.

5 Maximum lot coverage shall be 50% for lots less than 7,000 square feet.

6 Maximum lot coverage shall be 50% for lots less than 6,000 square feet.

7 See § 153.005 DEFINITIONS for the definition of building height.

SECTION 5. Title XV, Chapter 153, Table Section 153.072(c), Dimensional Requirement: Square footage for Accessory Dwelling Units and Home Conversion Units shall be repealed and replaced as follows:

Table Section 153.072(c), Dimensional Requirement: Square footage for Accessory Dwelling Units and Home Conversion Units		
Zoning District	Minimum	Maximum
<i>R1 and R2</i>	300	900

SECTION 6. Title XV, Chapter 153, Table Section 153.072(d), Dimensional Requirements in Multiple-family Dwellings in the R4 Zone shall be repealed and replaced as follows:

Table 153.072(d): Dimensional Requirements in Multiple-family Dwellings in the R4 Zone									
Max. Building Height (ft.)²	Minimum Yard Setbacks (ft.)				Lot Coverage (%)	Min. Floor Area (sq. ft.), based on number of bedrooms¹			Distance Between Buildings
	Yard Adjacent to:	Front	Side	Rear		1 bedroom/efficiency	2 bedrooms	3 bedrooms	
35	All districts	15	20	35	50	660	780	900	30
NOTES TO TABLE:									
¹ For 1- and 2-family units, the floor area requirements of the R2A District shall apply.									
² See § 153.005 DEFINITIONS for the definition of building height									

SECTION 7. Title XV, Chapter 153, Table Section 153.072(f), Dimensional Requirements: Single-Family Attached, Single-Family Detached and Two-Family Dwellings in an R4 Zone Clustered Housing Development Zone shall be repealed and replaced as follows:

Table 153.072(f) Dimensional Requirements: Single-Family Attached, Single-Family Detached and Two-Family Dwellings in an R4 Zone Clustered Housing Development								
Max. Building Height (ft.)²	Minimum Yard Setbacks (ft.)				Lot Coverage (%)	Min. Floor Area (sq. ft.)		Distance Between Buildings
	Yard Adjacent to:	Front	Side	Rear		1 story	2 stories	
30	All districts	25	10	25	NA ¹	800	1100	10

NOTES TO TABLE:

¹ Applicants are required to submit a grading and drainage plan, in accordance with the requirements of §153.230 through 153.243 of this chapter, demonstrating storm water can be contained and managed on the subject property if no municipal storm water system exists. If a municipal storm water system exists, the Director of Public Works, or consulting engineer representing the city, shall review the grading and drainage plan to determine if the existing infrastructure can adequately handle the storm water runoff. Applicants may be required to install storm water management features to mitigate impacts to the municipal storm water system.

² See § 153.005 DEFINITIONS for the definition of building height.

SECTION 8. Title XV, Chapter 153, Table Section 153.087, Dimensional Requirements, Non-Residential and Mixed-Use Districts, table header labeled Max. Building Height (ft.) shall be repealed and replaced as follows:

Table 153.087: Dimensional Requirements, Non-Residential and Mixed-Use Districts	
Zoning District	Max. Building Height (ft.)⁷
PO	26
GC	26
CBD	40

CH	30
MC	35 ⁴
SR	§ 153.088 (A)
I	30
P	35
CM	35

NOTES TO TABLE:

1 The minimum rear yard in the CBD District when adjacent to the Pine River Channel or Round Lake shall be 50 feet.

2 In the CH District, the minimum side or rear yard adjacent to any residential district shall be 50 feet.

3 In the CH District, lot coverage of buildings shall not exceed 50%; lot coverage of all impervious surfaces shall not exceed 80%.

4 Maximum height in the MC District for residential structures shall be 26 feet.

5 The minimum side yard shall be 20 feet and the total of both side yards shall be at least 50 feet.

6 The minimum side and rear yards in the I District when adjacent to property in a residential district shall be 40 feet.

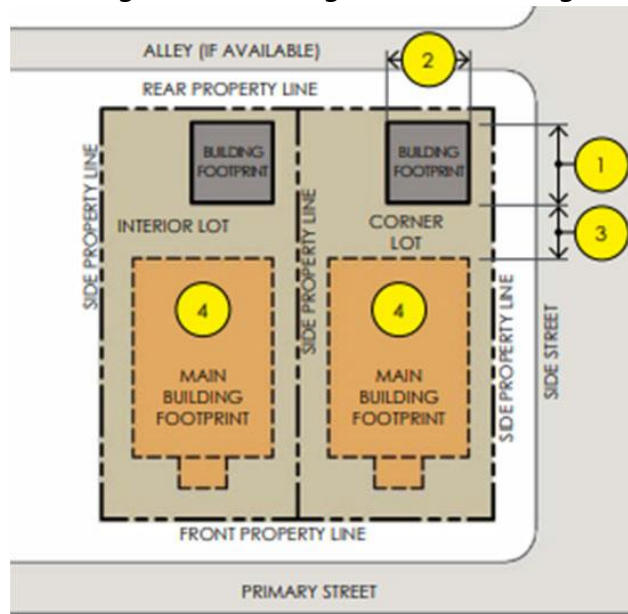
7 See § 153.005 DEFINITIONS for the definition of building height.

SECTION 9. Title XV, Chapter 153, Section 153.116 Accessory Buildings and Uses (A) Accessory buildings and structures. (5)-(9) of the City of Charlevoix Code shall be repealed and replaced as follows:

(5) Building Size and Massing. Accessory buildings and structures shall meet the following requirements and Diagram A

- (a) No accessory building shall have a building footprint (length x width) (Diagram A: 1,2) greater than 900 square feet with no side to exceed 30 feet. An accessory building shall not be larger than the main structure (Diagram: A:4).*
- (b) The minimum distance between a principal building and detached accessory buildings shall be ten feet (Diagram A:3), and a minimum of ten feet shall be provided between the sides of adjacent single-family buildings and and/or accessory structures.*

Diagram A: Building Size and Massing



(6) Detached accessory buildings and structures shall meet the following minimum setbacks.

(a) Rear yard: six feet from a rear lot line. Detached accessory structures that store vehicles adjacent to alleys or sidewalks shall not be closer than 15 feet from the edge of the alley or sidewalk surface.

(b) Side yards: an accessory building shall conform to the side yard setback requirements of the principal building, unless it is located in a street side yard, the minimum setback shall be 15 feet from the street side lot line.

(c) Front yard: an accessory structure shall not be located within any front yard.

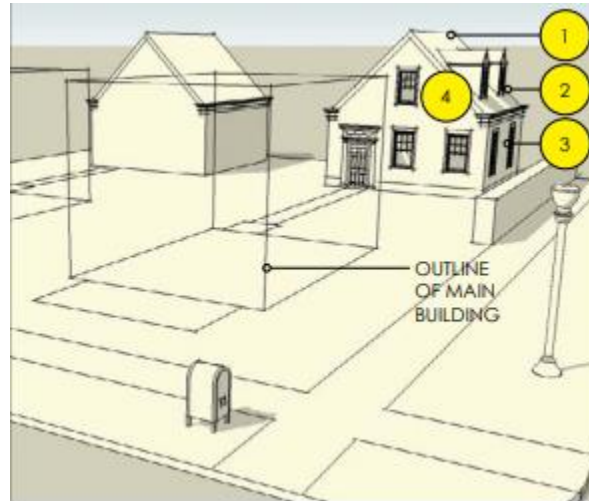
(7) Design Standards. The following standards shall apply to buildings larger than 200 square feet:

(a) Detached garages on corner lots shall face side streets. Detached garages on the corner side with driveways extending from the front street are prohibited. When an alley is available, access will come from the alley.

(b) The structure shall be designed so that the appearance maintains that of a single-family dwelling. In determining whether a structure is so designed, the structure shall meet the following requirements and Diagram C:

- i. Building with a flat roof, shall have a cornice expression line. A pitched (sloped) roof shall be compatible with the architecture of the main building (1).
- ii. Transparency Upper Floor: Building facades facing streets shall have minimum 10% of the façade be glass between the finish floor line of the second story and bottom of the cornice expression line or bottom eave (2).
- iii. Transparency Ground Floor: Building facades facing streets shall have minimum 10% of the façade be glass between the adjacent grade and the finish floor line of the second story (3).
- iv. Window color and finish should complement the color and architectural style of the principal building (4)
- v. Exterior finish should be constructed of similar materials as the principal building or traditional materials such as wood, wood lookalike, brick, or stone.

DIAGRAM C Façade Composition Requirements



(c) Driveways see Section 153.189

(d) Design Standards do not apply to residences that may be built in the General Commercial (GC), Professional Office (PO) and Commercial Mixed Use (CM) Districts on lots fronting U.S. 31 (Bridge Street and Michigan Avenue) and M-66. (See Section 153.170 Building Appearance).

(8) Detached accessory structures shall not exceed 16 feet in height. See Section 153.005 DEFINITIONS for the definition of building height.

(9) Prohibited uses within detached accessory structures or accessory structures connected by a breezeway or similar structure in all districts except the R1 and R2 Zone:

- (a) May not contain features that form a habitable dwelling unit or create a second dwelling unit;*
- (b) These structures may contain utility sinks, one bathroom, and refrigeration units. Full kitchen facilities that include a range or stove are prohibited; and*
- (c) Rooms within accessory structures may be used for additional sleeping quarters for the owner, or resident, and their immediate family provided that these rooms may not be rented out as short- or long-term rentals for any length of time.*

SECTION 10. Title XV, Chapter 153, Section 153.116 Accessory Buildings and Uses of City of Charlevoix Code is hereby amended by adding a section, which shall be titled Accessory Dwelling Units (ADUs) and placed after 153.116 (A) (11) which the section shall read as follows:

(B) Accessory Dwelling Units (ADUs)

- (1) All of the requirements of Section 153.116(A) apply in addition to the ADU-specific requirements of this section.*
- (2) ADUs shall be permitted as a single use or combined with another accessory use.*
- (3) ADUs shall be permitted as a second-story use above a first-floor accessory use.*
- (4) Examples of ADUs. The following images are intended as examples only and should be used for*

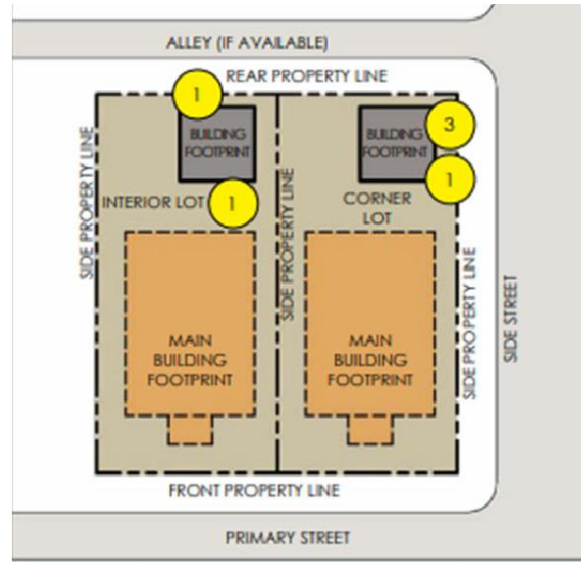
inspiration in the creation of ADU projects.



(5) Ground floor pedestrian access and activation. Accessory dwelling unit building type ground floor entrances shall meet the following requirement of Diagram B

- (a) Entrance for upper unit is required to be accessed from the alley, side street, or internal to the lot.
- (b) Entrance for upper unit shall not be through a garage.
- (c) Parking may be accessed from the alley, side street, or primary street per the requirements for off-street parking access in the zoning district.
- (d) Parking may be accessed from the front street only when there is no adjacent alley or side street.

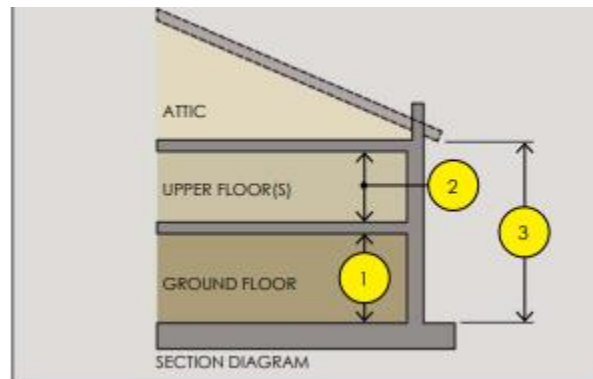
Diagram B Ground Floor Access



(6) Building Type Floor Height Requirements. Building Type floor heights shall meet the following requirements and Diagram D.

1. Ground floor: Floor to ceiling height shall be 8 feet minimum.
2. Upper floors: floor to ceiling height shall be required by Building Code.
3. Overall height of Building Type is regulated by Zoning District, refer to Section 153.072

Diagram D Building Height Story Height



Current Sections labeled (B) Additional requirements for swimming pools and hot tubs through (J) Wind energy conversion systems, single accessory shall be relabeled accordingly.

SECTION 11. Title XV, Chapter 153, Section 153.117 Residential Uses. (A) Dwellings, single-family attached or detached (outside manufactured home communities) (2-9) of the City of Charlevoix Code shall be repealed and replaced as follows:

(2.) The minimum width of a single-family dwelling unit shall be 20 feet.

(3.) All dwelling units shall comply with the state's Construction Code as promulgated by the state's Construction Code Commission under provisions of Public Act 30 of 1972, as amended, being M.C.L.A. §§ 125.1501 et seq. or the Mobile Home Construction and Safety Standards", as promulgated by the United States Department of Housing and Urban Development, being 24 C.F.R. part 3280, and as from time to time such standards may be amended.

(4.) A dwelling unit shall be attached to a permanent foundation constructed in accordance with the State Construction Code and shall have the same perimeter dimensions as the dwelling. In the case of a manufactured home, it shall be installed per the manufacturer's set-up instructions and shall be secured to a foundation by an anchoring system or device complying with the rules and regulations of the state's Manufactured Housing Commission or the state's Construction Code, whichever is stricter.

(5.) If provided, the wheels of a manufactured home shall be removed and the towing mechanism, undercarriage and chassis shall not be exposed.

(6.) All dwellings shall be connected to city sanitary sewer and water utilities.

(7.) Any addition to a dwelling shall meet all the requirements of this chapter.

(8.) A dwelling may have either a roof overhang of not less than six inches on all sides or, alternatively, a roof drainage system that concentrates water at collection points and discharges it away from the dwelling.

SECTION 12. Title XV, Chapter 153, Section 153.117 Residential Uses. (D) Accessory dwelling unit (ADU) (3-9) of the City of Charlevoix Code shall be repealed and replaced as follows:

(3.) At least one of the units on the parcel shall be occupied by a long-term renter or an owner with at least 50% interest in the subject property. The owner or renter shall occupy either the principal dwelling

unit or the ADU as their permanent residence. An ADU shall not be sold independently of the primary dwelling on the parcel. Short-term rentals of ADUs shall ~~only be allowed in compliance with the standards and requirements of this Zoning Ordinance and the City of Charlevoix Code of Ordinances be prohibited.~~

(4.) A permanent foundation is required.

(5.) The maximum lot coverage for parcels with an ADU may be increased to a maximum of 50% when stormwater runoff equivalent to 20% of the lot coverage area is collected in rain barrels, rain gardens, or is mitigated via porous concrete or other materials on the parcel. See Section 153.152

(6.) Any exterior staircases that provide access to a second floor ADU shall not be on the front of either the principal dwelling or the ADU.

(7.) Dimensional requirement modifications. Under some circumstances certain dimensional requirements modifications may be granted by a Special Land Use Permit after a site plan review by the Planning Commission. Application for modifications may be applied for new construction or pre-existing structures built prior to 2019 that are located within the required setbacks of the district. In order to grant a Special Land Use permit for any modifications all of the following must be met:

(a) That any walls within the setback areas comply with applicable building and fire codes.

(b) That a setback requirement of a minimum of 5 feet from the side and rear property lines shall be required.

(c) The location and design of the ADU maintains a compatible relationship to adjacent properties and does not significantly impact the privacy, light, air, or parking of adjacent properties.

(d) Windows on the ADU that impact the privacy of the neighboring side or rear yards have been minimized or screened.

SECTION 13. Title XV, Chapter 153, Section 153.117 Residential Uses. (G) Single-family attached and single multiple-family buildings (8-9) of the City of Charlevoix Code shall be repealed and replaced as follows:

(8) Porches and stoops may project into the yards in accordance with Section 153.149.

(9) Façade elements above the ground floor may project into the yards in accordance with Section 153.149.

SECTION 14. Title XV, Chapter 153, Section 153.146 Structure Height Calculations and Heights Limits. (E) Height limits specified elsewhere in this chapter shall not apply to: (2) of the City of Charlevoix Code shall be repealed and replaced as follows:

(2.) Unoccupied barns, silos, or other buildings or structures on farms; church spires, belfries, cupolas and domes; monuments; windmills. These unoccupied structures shall be limited to 100 feet in height in any case, unless otherwise permitted in this chapter.

SECTION 15. Title XV, Chapter 153, Section 153.152 Lot Coverage Requirements of the City of Charlevoix Code shall be is hereby amended by adding a section C., which section C. shall read as follows:

(C.) Accessory buildings and structures refer to Section 153.117 D.

SECTION 16. 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 17. Effective Date.

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

Ordinance No. 835 was adopted on the 2nd day of January 2022 A.D., by the Charlevoix City Council as follows:

Yeas: Parr, Spring, Knapp, Cole, Kalbfell, Hagen

Nays: None

Motion carried.

C. Public Hearing: Ordinance Amendment: Section 31.02- Designate City Manager as Purchasing Agent (Ordinance 836)

Mark Heydlauff, City Manager

City Manager Heydlauff stated that he tasked Clerk Dvoracek with revising the purchasing policy. However, the purchasing thresholds are governed by the City's Ordinance which has not been updated since 1994, hence the amendment. Historically, the City Manager has always been the purchasing agent, but the way the Ordinance is currently written, it states that two different people could be the agent. The proposed ordinance provides clearer, more concise language based on best and current practices. The Charter states that Council shall approve monetary thresholds by resolution and the proposed language allows Council to review and change threshold amounts from time to time.

Mayor Gennett opened the public hearing, none were heard, the public hearing was closed. Motion by Spring, seconded by Cole to approve Ordinance Amendment 836 amending Section 31.02 City Manager and Section 31.06 Purchasing Agent.

CITY OF CHARLEVOIX

Ordinance No. 836 of 2023

AN ORDINANCE TO AMEND TITLE III, CHAPTER 31, SECTIONS 31.02 AND 31.06 OF THE CHARLEVOIX CITY CODE

THE CITY OF CHARLEVOIX ORDAINS:

SECTION 1. Title III, Chapter 31, Section 31.02 City Manager of the City of Charlevoix Code is hereby amended by adding a section, to be numbered (C), which the section shall read as follows:

CITY MANAGER.

(C) The City Manager, or one or more subordinate employees he or she may designate, shall be charged with the efficient purchase of all items and services for the City. She or he shall also be charged with the disposal of surplus items. From time to time, the City Manager shall recommend policies, procedures, and monetary thresholds for purchases; Council will set these policies by resolution.

SECTION 2. Title III, Chapter 32, Section 31.06 Purchasing Agent is hereby repealed in its entirety as follows:

~~31.06 PURCHASING AGENT.~~

~~*(A) He or she shall be charged with the efficient purchase of all items for the city. He or she may name a subordinate to work under his or her supervision in carrying out the duties entailed.*~~

~~*(B) Competitive bids or quotations shall be obtained in purchases of goods over \$1,500 when deemed practical and contracts awarded to the lowest responsible bidder. Bids will be required of all purchases of goods over \$3,000, excepting in cases where the City Manager determines it is clearly to the city's advantage to waive this provision. All purchases of goods or services in excess of \$10,000 must be awarded by action of the City Council.*~~

~~*(C) There shall be sealed competitive bids for all contracts of \$20,000 or more. Competitive*~~

~~bidding at the discretion of the City Council may take place but is not required for contracts of \$20,000 or more for professional services, emergency repairs or emergency services. Competitive bidding is not required for contracts between governmental units.~~

SECTION 3. 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 4. Effective Date.

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

Ordinance No. 836 was adopted on the 2nd day of January 2023 A.D., by the Charlevoix City Council as follows:

Yeas: Parr, Spring, Knapp, Cole, Kalbfell, Hagen

Nays: None

Motion carried.

Clerk Dvoracek explained that the proposed purchasing policy presented was created by following guidance from the Michigan Department of Treasury. Several other communities' purchasing policies were also reviewed for consideration. The policy streamlines the purchasing process for City Staff.

City Manager Heydlauff also stated the revised policy also eliminated the cumbersome process of the local bidder preference, which will allow the Council to consider each bid and decide accordingly.

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

Motion by Parr, seconded by Hagen to approve Resolution 2023-01-01 adopting the Purchasing Policy as presented.

CITY OF CHARLEVOIX

RESOLUTION NO. 2023-01-01

RESOLUTION ADOPTING PURCHASE POLICY AND PROCEDURES

WHEREAS, per Section 7.17 of the City Charter, the Council shall prescribe by resolution a general framework of necessary procedures governing financial and contractual dealings with the City; and

WHEREAS, in 1994 the Charlevoix City Council amended the City Ordinance (Ord. 611) regarding the purchase of goods and services for the City including setting dollar amount thresholds; and

WHEREAS, specific changes to purchasing policy and procedures have been recommended to reflect increases in dollar values as a result of inflation, and other changing circumstances; and

WHEREAS, these recommended changes will facilitate the operation of the City's Treasury Department by streamlining various approval processes; and

WHEREAS, these recommended charges are consistent with the purchasing policies and procedures of other city governmental organizations within the State of Michigan and adhere to the best practices as prescribed by the Michigan Department of Treasury; and

NOW THEREFORE BE IT RESOLVED that the City of Charlevoix City Council hereby approves the Purchasing Policy as presented.

RESOLVED this 2nd day of January 2023 A.D.

Resolution was adopted by the following yeas and nays vote:

Yeas: Parr, Spring, Knapp, Cole, Kalbfell, Hagen

Nays: None

Motion carried.

7. All Other Actions and Requests

8. Reports and Communications

A. Public Comment

Shirley Gibson stated she wanted to publicly thank Officer Matt Umulis for his efforts in enforcing our outdoor storage ordinance, he did a great job!

B. City Manager's Comments

- Thanked City Staff for their hard work handling the Christmas blizzard and working the holidays
- DPW staff had to assist the Airport staff and plow out the Airport's snow removal equipment

C. Mayor and Council Comments

- Council collectively thanked the City workers for managing the blizzard

9. Other Council Business

10. Adjourn

Mayor Gennett adjourned the meeting at 7:07 p.m.

Sarah J. Dvoracek

City Clerk

Lyle Gennett

Mayor

City of Charlevoix
City Council Work Session minutes
Monday, January 2, 2023 - 4:00 PM
Council Chambers, 210 State Street, Charlevoix, MI

1. Roll Call

The work session was called to order at 4:00 p.m. by Mayor Gennett.

Mayor: Lyle Gennett

Members Present: Shane Cole, Aaron Hagen, Janet Kalbfell, Mark Knapp, Phil Parr, Richard Spring

Members Absent: None

City Manager: Mark L. Heydlauff

City Clerk: Sarah J. Dvoracek

2. Discussion Items

A. Special Event Policy

City Manager Heydlauff explained the Council's Calendar which involves annually reviewing the Special Events Policy as well as the fiscal budget. Discussion was held regarding special events and the costs involved to have events in the City. Council Members asked questions regarding the 2022 Festival/Special Event Cost Summary that was provided in the packet. Council concurred that City Manager Heydlauff communicate with the Superintendent of Charlevoix Public Schools that homecoming should not be scheduled the same weekend as the Apple Festival. Council discussed the vendors' paid column on the summary sheet in great detail. Discussion followed by staffing the events and how to find a reasonable balance. City Manager Heydlauff explained the fridge benefits and equipment rental calculations.

Mayor Gennett opened the item for public comment, two were heard.

B. Fiscal Year 2024 General Fund Budget Discussion

City Manager Heydlauff stated many costs exceeded our expectations and then provided realistic options to help ensure a balanced budget and future financial sustainability. Mr. Heydlauff answered questions from Council Members.

Discussion highlights included:

- Charlevoix Township Fire Contract/Ladder truck
- Election expenses
- Full-time Zoning Administrator
- American Rescue and Recovery Act Funds
- Operating millage
- Fee schedule
- Increased labor costs for seasonal employees

Mr. Heydlauff stated he will provide Council with a more precise budget as staff continues to fine tune the numbers. Council concurred that they will have another work session on January 16, 2023 at 4 pm to discuss the Fiscal Year 2024 Budget.

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

3. Public Comment

4. Adjourn

Mayor Gennett adjourned the work session at 5:49 pm.

Sarah J. Dvoracek

City Clerk

Charlevoix City Council

Consent Agenda

Title: Accounts Payable and Payroll Check Registers

Date: January 16, 2023

Presented By:

Background:

Recommendation:

Motion to approve the Accounts Payable and Payroll Check Registers as presented.

Attachments:

1. Check Registers 01-16-23 Agenda

Check Number	Payee	Amount
12/29/2022		
138570	RACKA, ANTHONY P & MICHELE L	834.48
Total 12/29/2022:		834.48
Grand Totals:		834.48

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

12/29/22	Special Accounts Payable Run	\$ 834.48
01/04/23	Special Accounts Payable Run	\$ 2,548.54
01/06/23	Payroll (net pay)	\$ 109,554.31
01/06/23	Payroll Transmittal Checks	\$ 5,784.63
01/17/23	Regular Accounts Payable	\$ 112,198.80
Checks Sub-Total:		\$ 230,920.76

HUNTINGTON NATIONAL BANK - ACH/WIRE PAYMENTS

01/03/23	MI Public Power Agency	\$ 15,706.01
01/03/23	AMG Payment Solutions	\$ 24.99
01/04/23	Payment Service Network Inc	\$ 257.05
01/06/23	IRS (Payroll Tax Deposit)	\$ 40,613.26
01/06/23	Alerus Financial (HCSP)	\$ 250.00
01/06/23	Vantagepoint (401 Plan)	\$ 1,062.00
01/06/23	Vantagepoint (457 Plan)	\$ 19,906.62
01/06/23	Vantagepoint (Roth IRA)	\$ 1,130.76
01/06/23	State of MI (Withholding Tax)	\$ 5,885.64
01/09/23	MI Public Power Agency	\$ 19,043.87
01/09/23	State of MI (Withholding Tax)	\$ 22,781.38
01/10/23	DTE Energy	\$ 8,888.74

ACH Sub-Total: \$ 135,550.32

Huntington National Bank Total: \$ 366,471.08

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

12/29/22	Special A/P Tax Disbursement	\$ 789,277.60
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Charlevoix State Bank Total: \$ 789,277.60

Grand Total: \$ 1,155,748.68

APPROVED:


CITY MANAGER


CITY TREASURER


CITY CLERK

Check Number	Payee	Amount
01/04/2023		
138583	HARTFORD, THE	2,548.54
Total 01/04/2023:		2,548.54
Grand Totals:		2,548.54

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
12/31/2022	PC	01/06/2023	36636	GENNETT, LYLE E.	49		380.02
12/31/2022	PC	01/06/2023	36637	COLE, SHANE D.	50		407.65
12/31/2022	PC	01/06/2023	36638	HAGEN, AARON W.	56		697.24
12/31/2022	PC	01/06/2023	36639	KALBFELL, JANET P.	58		708.78
12/31/2022	PC	01/06/2023	36640	PARR, PHILIP M.	61		499.96
12/31/2022	PC	01/06/2023	36641	KNAPP, MARK D.	62		499.96
12/31/2022	PC	01/06/2023	36642	SPRING, RICHARD C.	63		466.92
12/31/2022	PC	01/06/2023	36643	HEYDLAUFF, MARK L.	102		3,686.68
12/31/2022	PC	01/06/2023	36644	DVORACEK, SARAH J.	105		2,250.50
12/31/2022	PC	01/06/2023	36645	DEROSIA, PATRICIA E.	107		954.68
12/31/2022	PC	01/06/2023	36646	DOTSON, LINDSEY J.	109		1,402.27
12/31/2022	PC	01/06/2023	36647	KLOOSTER, ALIDA K.	121		2,278.17
12/31/2022	PC	01/06/2023	36648	BARNEVELD, RICHELLE	123		1,270.32
12/31/2022	PC	01/06/2023	36649	SCHULZ, GINNY L.	125		1,477.04
12/31/2022	PC	01/06/2023	36650	BRADLEY, KATHLEEN R.	126		1,252.53
12/31/2022	PC	01/06/2023	36651	MILLER, FAITH G.	142		25.66
12/31/2022	PC	01/06/2023	36652	MCGINN, KELLY A.	146		2,754.70
12/31/2022	PC	01/06/2023	36653	SCHOLEY, ROBERT W.	204		1,933.13
12/31/2022	PC	01/06/2023	36654	UMULIS, MATTHEW T.	205		1,659.62
12/31/2022	PC	01/06/2023	36655	ORBAN, BARBARA K.	209		2,015.33
12/31/2022	PC	01/06/2023	36656	RILEY, DENISE M.	213		560.54
12/31/2022	PC	01/06/2023	36657	MUNK, CHRISTOPHER J.	215		2,023.49
12/31/2022	PC	01/06/2023	36658	SCHICK, TIELER R.	216		2,262.73
12/31/2022	PC	01/06/2023	36659	STEWART, MORGAN J.	217		1,907.96
12/31/2022	PC	01/06/2023	36660	YOUNG, KRISTEN L.	230		1,828.82
12/31/2022	PC	01/06/2023	36661	WURST, RANDALL W.	411		1,682.45
12/31/2022	PC	01/06/2023	36662	HILLING, NICHOLAS A.	413		1,880.48
12/31/2022	PC	01/06/2023	36663	MEIER III, CHARLES A.	421		2,185.01
12/31/2022	PC	01/06/2023	36664	ZACHARIAS, STEVEN B.	422		1,518.34
12/31/2022	PC	01/06/2023	36665	NEWMAN, MARK J.	424		1,742.58
12/31/2022	PC	01/06/2023	36666	LOUGHMILLER, JOHN A.	425		2,200.40
12/31/2022	PC	01/06/2023	36667	GRIFFITH, JOHN J.	500		2,824.91
12/31/2022	PC	01/06/2023	36668	EATON, BRAD A.	515		2,957.64
12/31/2022	PC	01/06/2023	36669	WILSON, TIMOTHY J.	516		3,315.50
12/31/2022	PC	01/06/2023	36670	LAVOIE, RICHARD L.	519		2,486.13
12/31/2022	PC	01/06/2023	36671	STEVENS, BRANDON C.	521		2,511.48
12/31/2022	PC	01/06/2023	36672	WHITLEY, ANDREW T.	522		2,497.47
12/31/2022	PC	01/06/2023	36673	DRAVES, MARTIN J.	523		2,798.66
12/31/2022	PC	01/06/2023	36674	FARRELL, MITCHELL L.	524		1,818.84
12/31/2022	PC	01/06/2023	36675	ANDERSON, ELIZABETH	526		1,401.92
12/31/2022	PC	01/06/2023	36676	KENWABIKISE, DAVID L.	528		1,239.32
12/31/2022	PC	01/06/2023	36677	ELLIOTT, PATRICK M.	600		3,081.94
12/31/2022	PC	01/06/2023	36678	SCHWARTZFISHER, JOS	603		2,148.38
12/31/2022	PC	01/06/2023	36679	BRADLEY, KELLY R.	614		1,439.02
12/31/2022	PC	01/06/2023	36680	HART II, DELBERT W.	616		1,801.98
12/31/2022	PC	01/06/2023	36681	JONES, ROBERT F.	618		2,543.23
12/31/2022	PC	01/06/2023	36682	THORP JR, WILLIAM D.	623		2,029.03
12/31/2022	PC	01/06/2023	36683	LEITNER, RYAN S.	624		2,161.61
12/31/2022	PC	01/06/2023	36684	FERGUSON, ROYCE L.	625		341.50
12/31/2022	PC	01/06/2023	36685	REID, ROB A.	632		1,552.35
12/31/2022	PC	01/06/2023	36686	KNORR, KENT J.	700		2,158.28
12/31/2022	PC	01/06/2023	36687	ANZELL, BETH A.	702		1,496.20
12/31/2022	PC	01/06/2023	36688	BOSS, SHERRY M.	730		875.17
12/31/2022	PC	01/06/2023	36689	DVORACEK, HAYDEN R.	762		1,185.04
12/31/2022	PC	01/06/2023	36690	CULBERTSON, CRISTIN	764		422.01
12/31/2022	PC	01/06/2023	36691	JOHNSTONE, HUNTER S.	765		449.30
12/31/2022	PC	01/06/2023	36692	MATTACK, JEFFREY C.	767		1,100.81

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
12/31/2022	PC	01/06/2023	36693	ELGART, SARAH N.	769		300.88
12/31/2022	PC	01/06/2023	36694	PEARSALL, KRISTA M.	784		114.52
12/31/2022	PC	01/06/2023	36695	WELLS, JANINNA J.	785		58.88
12/31/2022	PC	01/06/2023	36696	BOSS, BEAU J.	788		1,610.45
12/31/2022	PC	01/06/2023	36697	BEMIS, GARRETTSON G.	797		756.20
12/31/2022	PC	01/06/2023	36698	DIETRICH, ARLENE M.	871		381.04
12/31/2022	PC	01/06/2023	36699	MILLER, WILLIAM S.	933		2,454.23
12/31/2022	PC	01/06/2023	36700	DOUGLAS, MARK	935		1,501.45
12/31/2022	PC	01/06/2023	36701	MCCRANEY, RUSSELL R.	936		1,752.08
12/31/2022	PC	01/06/2023	36702	FRATRICK, JOSEPH W.	940		286.75
12/31/2022	PC	01/06/2023	36703	PAALMAN, STEPHEN J.	942		830.34
12/31/2022	PC	01/06/2023	36704	DVORACEK, BRIAN N.	952		857.90
12/31/2022	PC	01/06/2023	138571	MORRISON, KEVIN P.	601		2,066.70
12/31/2022	PC	01/06/2023	138572	BOSS JR, DALE E.	701		1,354.58
12/31/2022	PC	01/06/2023	138573	MATTER, DAWSON K.	786		58.88
12/31/2022	PC	01/06/2023	138574	WILLSON, BRENDA R.	799		117.75
Grand Totals:			73				109,554.31



Report Criteria:

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

Pay Period Date	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
12/31/2022	01/06/2023	138575	4FRONT CREDIT UNION	9024	HSA-EMPLOYEE CONTRIB-4FR	1,091.73
12/31/2022	01/06/2023	138576	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-POST T	86.90
12/31/2022	01/06/2023	138576	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-PRETA	390.05
12/31/2022	01/06/2023	138577	CHARLEVOIX STATE BAN	9017	HSA - EMPLOYEE CONTRIB - C	1,220.00
12/31/2022	01/06/2023	138578	COMMUNICATION WORK	9004	CWA UNION DUES Pay Period:	730.53
12/31/2022	01/06/2023	138579	MI STATE DISBURSEMEN	9012	FRIEND OF THE COURT Pay Pe	116.55
12/31/2022	01/06/2023	138580	POLICE OFFICERS LABO	9003	POL UNION DUES Pay Period: 1	251.25
12/31/2022	01/06/2023	138581	PRIORITY HEALTH	392358	PRIORITY HEALTH Pay Period:	1,465.11
12/31/2022	01/06/2023	138582	THE HARTFORD	9035	LIFE - VOLUNTARY Pay Period:	316.40
12/31/2022	01/06/2023	138582	THE HARTFORD	9035	SPOUSE LIFE Pay Period: 12/31	71.56
12/31/2022	01/06/2023	138582	THE HARTFORD	9035	CHILD LIFE Pay Period: 12/31/2	8.87
12/31/2022	01/06/2023	138582	THE HARTFORD	9035	AD&D - VOLUNTARY Pay Period	26.17
12/31/2022	01/06/2023	138582	THE HARTFORD	9035	SPOUSE AD&D Pay Period: 12/3	5.76
12/31/2022	01/06/2023	138582	THE HARTFORD	9035	CHILD AD&D Pay Period: 12/31/	3.75
Grand Totals:		14				5,784.63



Check Number	Payee	Amount
01/17/2023		
138584	ACE HARDWARE	1,514.79
138585	AMAZON CAPITAL SERVICES	147.09
138586	AMERICAN LEGAL PUBLISHING CORP	1,000.00
138587	AMERICAN WATER WORKS ASSN	400.00
138588	APX INC	31.80
138589	ASPLUNDH TREE EXPERT LLC	15,272.20
138590	AUTO-WARES GROUP	156.77
138591	BEEBE, ALEXIS	34.14
138592	BELL EQUIPMENT COMPANY	1,149.45
138593	BIOLOGICAL RESEARCH SOLUTIONS	325.00
138594	BRADFORD MASTER DRYCLEANERS	19.50
138595	CARQUEST OF CHARLEVOIX	282.29
138596	CCP INDUSTRIES INC	282.81
138597	CHARLEVOIX TOWNSHIP TREASURE	68.46
138598	CHARTER COMMUNICATIONS OPERA	149.98
138599	CINTAS	49.24
138600	CITY OF CHARLEVOIX - UTILITIES	35,738.66
138601	CIVIC SYSTEMS LLC	9,451.00
138602	CONWAY PROFESSIONAL SERVICES	990.00
138603	EATON, BRAD A.	65.00
138604	EDGEWATER RESOURCES LLC	5,525.00
138605	ELECTIONSOURCE	1,365.00
138606	ELLSWORTH FARMERS EXCHANGE	1,958.92
138607	ETNA SUPPLY	1,120.00
138608	FAMILY FARM & HOME - CVX	7,308.09
138609	FAMILY FARM AND HOME	168.73
138610	GATEHOUSE MEDIA MICHIGAN HOLDI	163.10
138611	GFL ENVIRONMENTAL	150.80
138612	GORDON FOOD SERVICE	91.99
138613	GRAND TRAVERSE GARAGE DOOR C	303.05
138614	GRP ENGINEERING INC	415.00
138615	HYDROCORP	2,077.00
138616	INTEGRITY BUSINESS SOLUTIONS	103.31
138617	LASER PRINTER TECHNOLOGIES	500.00
138618	MCCARDEL CULLIGAN-PETOSKEY	54.50
138619	MURRAY'S CREATIONS	150.00
138620	NAVIA BENEFIT SOLUTIONS	50.00
138621	NORTHERN VIEW HOMES	33.36
138622	OLESON'S FOOD STORES	31.97
138623	O'REILLY AUTOMOTIVE INC	293.08
138624	PENINSULA FIBER NETWORK LLC	470.00
138625	PINE COVE APARTMENTS	16.80
138626	PLUNKETT COONEY	460.00
138627	POWER LINE SUPPLY	11,111.12
138628	POWER SYSTEM ENGINEERING INC	1,750.00
138629	QUILL LLC	620.90
138630	RESOLUTION G2 LLC	4,584.00
138631	RILEY, JACOB	100.00

Check Number	Payee	Amount
138632	RUDOLPH JR, WM H	297.82
138633	SCIENTIFIC BRAKE - GAYLORD	562.26
138634	TELNET WORLDWIDE	187.45
138635	TERMINAL SUPPLY CO	58.17
138636	TESSMER, AUDREY	72.75
138637	TRANSUNION RISK AND ALTERNATIV	75.00
138638	UNIFIRST CORPORATION	486.69
138639	WILBERT BURIAL VAULT CO	1,182.72
138640	ZAREMBA EQUIPMENT INC	1,172.04
Total 01/17/2023:		112,198.80
Grand Totals:		112,198.80

Check Number	Payee	Amount
01/03/2023		
10323001	MICHIGAN PUBLIC POWER AGENCY	15,706.01
10323002	AMG PAYMENT SOLUTIONS	24.99
Total 01/03/2023:		15,731.00
Grand Totals:		15,731.00

Check Number	Payee	Amount
01/04/2023		
10423001	PAYMENT SERVICE NETWORK INC.	257.05
Total 01/04/2023:		257.05
Grand Totals:		257.05

Check Issue Date	Check Number	Payee	Amount
10623001			
01/06/2023	10623001	**EFTPS* Payroll Taxes	10,515.08
01/06/2023	10623001	**EFTPS* Payroll Taxes	10,515.08
01/06/2023	10623001	**EFTPS* Payroll Taxes	2,459.19
01/06/2023	10623001	**EFTPS* Payroll Taxes	2,459.19
01/06/2023	10623001	**EFTPS* Payroll Taxes	14,664.72
Total 10623001:			
	5		40,613.26
10623002			
01/06/2023	10623002	Alerus Financial	250.00
Total 10623002:			
	1		250.00
10623003			
01/06/2023	10623003	MissionSquare - 401 Plan 109153	1,062.00
Total 10623003:			
	1		1,062.00
10623004			
01/06/2023	10623004	MissionSquare - 457 Plan 300959	4,475.00
01/06/2023	10623004	MissionSquare - 457 Plan 300959	2,460.90
01/06/2023	10623004	MissionSquare - 457 Plan 300959	4,029.22
01/06/2023	10623004	MissionSquare - 457 Plan 300959	8,941.50
Total 10623004:			
	4		19,906.62
10623005			
01/06/2023	10623005	MissionSquare - Roth IRA 706117	1,130.76
Total 10623005:			
	1		1,130.76
10623006			
01/06/2023	10623006	STATE OF MICHIGAN	5,885.64
Total 10623006:			
	1		5,885.64
Grand Totals:			
	13		68,848.28



Check Number	Payee	Amount
01/09/2023		
10923001	MICHIGAN PUBLIC POWER AGENCY	19,043.87
10923002	STATE OF MICHIGAN	22,781.38
Total 01/09/2023:		41,825.25
Grand Totals:		41,825.25

Check Number	Payee	Amount
01/10/2023		
11023001	DTE ENERGY	8,888.74
Total 01/10/2023:		8,888.74
Grand Totals:		8,888.74

Check Number	Payee	Amount
12/29/2022		
3941	CALDWELL, MELINDA A	1,173.65
3942	CHARLEVOIX COUNTY TREASURER	614.09
3943	CHARLEVOIX COUNTY TREASURER	147,172.47
3944	CHARLEVOIX COUNTY TREASURER	8.17
3945	CHARLEVOIX DISTRICT LIBRARY	117,435.30
3946	CHARLEVOIX PUBLIC SCHOOLS	28.38
3947	CHARLEVOIX PUBLIC SCHOOLS	161.18
3948	CHARLEVOIX PUBLIC SCHOOLS	189.75
3949	CHARLEVOIX PUBLIC SCHOOLS	44.33
3950	CHARLEVOIX PUBLIC SCHOOLS	80.47
3951	CHARLEVOIX-EMMET ISD	308,537.22
3952	CITY OF CHARLEVOIX - TAXES DUE	80,184.82
3953	CORELOGIC CENTRALIZED REFUND	1,128.93
3954	HOGAN, SANDRA	1,622.05
3955	LAKE CHARLEVOIX EMS AUTHORITY	106,446.77
3956	PARASCHOS, WM & VALERIE	1,095.98
3957	RECREATIONAL AUTHORITY	23,354.04
Total 12/29/2022:		789,277.60
Grand Totals:		789,277.60

CHECKS DRAWN ON CHARLEVOIX STATE BANK ACCOUNT

Charlevoix City Council

Consent Agenda

Title: 2023 Poverty Exemption Policy and Guidelines

Date: January 16, 2023

Presented By:

Background:

The General Property Tax Act states that the governing body of the local assessing unit shall determine and make available to the public a policy and guidelines used for the granting of exemptions under this section. The Board of Review is required to follow the policy and guidelines adopted by the City Council in granting and denying a poverty exemption. The Board of Review is not permitted to deviate from the adopted policy and guidelines.

Recommendation:

Motion to approve the 2023 Poverty Exemption Policy and Guidelines as presented.

Attachments:

1. 2023 Poverty Exemption Policy and Guidelines-City

2023 POVERTY EXEMPTION POLICY & GUIDELINES

The following ***policy and guidelines***, adopted by the City Council, shall be followed by the City Board of Review when considering ***poverty exemptions*** according to section 211.7u of the Michigan Compiled Laws (MCL).

Application Guidelines: To be eligible for a Poverty Exemption; The applicant must:

1. File Form 5737 Application for MCL 211.7u Poverty Exemption
2. File Form 5739 Affirmation of Ownership and Occupancy to Remain Exempt by Reason of Poverty
3. Own and occupy the property as a principal residence. Provide federal and state income tax returns for the current or immediately preceding year, including any property tax credits, for all persons residing in the principal residence. (Disclosure of the income of an owner who is not residing in the principal residence is not required.) Federal and state income tax returns are not required for a person residing in the principal residence if that person was not required to file a federal or state income tax return. Instead, Form 4988, *Poverty Exemption Affidavit* may be filed for all persons residing in the residence who were not required to file federal or state income tax returns in the current or immediately preceding year
4. Produce a valid driver's license or other form of identification, if requested
5. Produce a deed, land contract or other evidence of ownership of the property, if requested.
6. Meet the income guidelines of this policy
7. Meet the asset level test of this policy

Income Test

- Total Annual Household Income shall not exceed the following amount applicable to the number of persons living in the household:

Number of Persons	Federal Poverty Income Level for 2023	City/Township Income Level for 2023 (+20%)
1	\$13,590	\$16,308
2	\$18,310	\$21,972
3	\$23,030	\$27,636
4	\$27,750	\$33,300
5	\$32,470	\$38,964
6	\$37,190	\$44,628
7	\$41,910	\$50,292
8	\$46,630	\$55,956
For each additional person	\$4,720	\$5,664

- Total Annual Household Income shall be based on Federal Poverty Income Guidelines and will be adjusted annually to agree to the federally established amount.

Potential income and asset sources are (non-inclusive):

Income from all sources	Interest and dividends
Salaries & wages before deductions	Pensions
Net receipts from self-employment	Supplemental Security Income
Veteran payments	Net rental income
Royalties	Scholarships & grants
Unemployment compensation	Insurance
Workers' compensation	Retirement accounts
Alimony	Child support
General assistance	IRA/Keogh annuities
Social Security	New or reverse mortgages
Cash	Stocks & bonds
Checking & savings accounts	Investments
Money market accounts	Gifts
Assets in trust accounts	Deferred compensation

Asset Test

1. Things of value that a person can own and are exempt from consideration in determining eligibility for a poverty exemption.
 - a. Applicant's principal residence
 - b. One motor vehicle per working adult
 - c. Essential household goods
 - d. Personal assets of any nature with a total value up to \$15,000.
2. Things of value that the Board of Review can consider in determining what percent exemption to grant:
 - a. Real estate other than the principal residence
 - b. Personal property
 - c. Motor vehicles in excess of one per working adult
 - d. Recreational vehicles and equipment
 - e. Certificate of deposits, savings accounts, checking accounts, stocks, bonds, life insurance, and retirement funds, etc.
3. The Board of Review shall consider the value of the assets, or indebtedness otherwise owned by the applicant. Assets (except those exempt from consideration as listed above), shall not exceed \$15,000.

Evaluation Procedures

1. The Board of Review shall follow the above policy and guidelines when making poverty exemption decisions.
2. The applicant should be prepared to answer questions regarding their financial affairs, health, status of people living in the household, and any other question relevant to the exemption request.
3. All information is subject to verification.

Granting full or partial poverty exemptions. MCL 211.7u(5) states that if a person claiming poverty exemption meets all eligibility requirements, the Board of Review shall grant the poverty exemption in whole or in part as follows:

- a) A full exemption equal to a 100% reduction in taxable value for the year in which the exemption is granted: or
- b) A partial exemption equal to a 50% reduction in taxable value for the year in which the exemption is granted: or
- c) A partial exemption equal to a 25% reduction in taxable value for the year in which the exemption is granted.

No other method of calculating taxable value may be utilized, except for those percentage reductions specifically authorized by statute

Charlevoix City Council

Consent Agenda

Title: Charlevoix Groundhog Shadow Fest

Date: January 16, 2023

Presented By:

Background:

The Groundhog Shadow Fest Committee would like to host the festival again this year in the parking lot off of Mason Street. This year's events are very similar to years past. The Committee is planning a soup contest, trivia and a band. They would like to serve alcohol inside the tent, and they will ensure it is secured per Interim Chief of Police Scholey's recommendation. Council approval is required for a special liquor license on City property.

Recommendation:

Motion to authorize the City Manager to approve the use of City property for the Shadow Fest beverage tent.

Attachments:

None

Charlevoix City Council

Consent Agenda

Title: Planning Commission Resignation-Annemarie Conway

Date: January 16, 2023

Presented By:

Background:

Annemarie Conway submitted her letter of resignation from the Planning Commission. Her term expires April 2023.

Recommendation:

Motion to accept Annemarie Conway's resignation from the Planning Commission.

Attachments:

1. Annemarie Conway Resignation Letter 01/11/2023

From: [Conway, Annemarie](#)
To: [Sarah Dvoracek](#)
Subject: Re: Planning Commission
Date: Wednesday, January 11, 2023 12:04:42 PM

Dear Sarah,

I am writing to inform you that I am resigning from the City Planning Commission. Although I have truly enjoyed my time on the commission, I'm afraid that the Charlevoix Township Board meets the same evening and it is now my responsibility to attend those meetings. The effective date is January 12, 2023.

Thank you for your understanding.

Sincerely,

Annemarie Conway

Charlevoix City Council

Consent Agenda

Title: Airport Rescue Grant Agreement American Rescue Plan Act of 2021

Date: January 16, 2023

Presented By:

Background:

The Airport is a recipient of the Airport Rescue State Block Grant which covers costs related to preventing, preparing, and responding to the coronavirus pandemic. The amount awarded to the Airport is \$32,000 with no matching local funds required. The agreement requires Council approval by resolution. The agreement and resolution are both included for your review.

Recommendation:

Motion to approve Resolution 2023-01-03 Execution of Airport Rescue Grant Agreement American Rescue Plan Act with the State of Michigan Department of Transportation and authorize the City Manager to sign all required documents.

Attachments:

1. Resolution 2023-01-03 MDOT Aero APRA Agreement Charlevoix
2. Airport Rescue Grant Agreement FAA ARPA Grant

CITY OF CHARLEVOIX
RESOLUTION NO. 2023-01-03
EXECUTION OF AIRPORT RESCUE GRANT AGREEMENT AMERICAN RESCUE PLAN ACT WITH THE STATE OF
MICHIGAN DEPARTMENT OF TRANSPORTATION
(FAA ARPA Grant number 3-26-SBG-132-2022)

- WHEREAS,** the City is entering into an agreement with the State of Michigan Department of Transportation, acting as a Federal Aviation Administration (FAA) Block Grant Program Participant and;
- WHEREAS,** the Airport Rescue Grant agreement will be in the amount of thirty two thousand dollars (\$32,000) with the contract agreement funding breakdown of 100% Federal, 0% State (MDOT) and 0% Local match and;
- WHEREAS,** the City will use the funds to prevent, prepare for, and respond to the coronavirus disease 2019 (COVID-19) pandemic and;
- WHEREAS,** the City agrees to follow the FAA's Policy and Procedures Concerning the Use of Airport Revenues ("Revenue Use Policy"), 64 Federal Register 7696 (64 FR 7696), as amended by 78 Federal Register 55330 (78 FR 55330) and;
- WHEREAS,** the City agrees the funds received under 3-26-SBG-132-2022 or any associated subgrants may not be used for any purpose not related to the airport.

NOW THEREFORE BE IT RESOLVED, that the City of Charlevoix City Council hereby authorizes the City Manager to execute Airport Rescue Grant Agreement American Rescue Plan Act (ARPA) of 2021 and sign all required documents.

RESOLVED this 16th Day of January A.D.

Resolution was adopted by the following yeas and nays vote:

Yeas:
Nays:
Absent:

Airport Rescue Grant Agreement

American Rescue Plan Act (ARPA) of 2021

Subgrant # CVX-13222

The Michigan Department of Transportation, acting as a Federal Aviation Administration (FAA) Block Grant Program Participant, has executed FAA ARPA Grant number 3-26-SBGP-132-2022. This Block Grant outlines specific requirements, terms, conditions, and assurances required of the Michigan Department of Transportation and any subordinate grant recipients.

This ARPA Agreement shall convey the specific requirements, terms, conditions, and assurances contained in FAA ARPA Grant number 3-26-SBGP-132-2022 to

Charlevoix, Charlevoix Municipal Airport

hereafter referred to as "the SPONSOR" as a subgrant recipient of funds. FAA ARPA Grant number 3-26-SBGP-132-2022 is attached to this ARPA Agreement.

The maximum obligation payable to the SPONSOR is \$ 32,000. The SPONSOR may use these funds to prevent, prepare for, and respond to the coronavirus disease 2019 (COVID-19) pandemic. ARPA Grant subgrant recipients shall follow the FAA's Policy and Procedures Concerning the Use of Airport Revenues ("Revenue Use Policy"), 64 Federal Register 7696 (64 FR 7696), as amended by 78 Federal Register 55330 (78 FR 55330). The Revenue Use Policy defines permitted uses of airport revenue. In addition to the detailed guidance in the Revenue Use Policy, the funds received under 3-26-SBGP-132-2022 or any associated subgrants may not be used for any purpose not related to the airport.

The SPONSOR shall upload each payment request to MDOT's ProjectWise software. Each request shall include the following information:

- a) 2023 ARPA Operational Funding Reimbursement Request Form
- b) Summary Sheet (if multiple items are included)

Once completed payment requests are received, MDOT will review, process, and submit the request to FAA via the Delphi Invoicing System.

In addition to all specific requirements, terms, conditions, and assurances contained in FAA ARPA Grant Number 3-26-SBGP-132-2022, the Sponsor shall ensure strict adherence to the following audit requirements:

1. The SPONSOR will establish and maintain accurate records, in accordance with generally accepted accounting principles, of all expenses incurred for which payment is sought or made

under this Agreement (RECORDS). Separate accounts will be established and maintained for all costs incurred under this Agreement.

2. The SPONSOR will maintain the RECORDS for at least six (6) years from the date of final payment made by MDOT under this Agreement. In the event of a dispute with regard to allowable expenses or any other issue under this Agreement, the SPONSOR will thereafter continue to maintain the RECORDS at least until that dispute has been finally decided and the time for all available challenges or appeals of that decision has expired.

3. MDOT or its representative may inspect, copy, scan, or audit the RECORDS at any reasonable time after giving reasonable notice.

4. If any part of the work is subcontracted, the SPONSOR will assure compliance with sections (1), (2), and (3) above for all subcontracted work.

5. The SPONSOR agrees that the costs reported to MDOT for this Agreement will represent only those items that are properly chargeable in accordance with this Agreement which includes the FAA ARPA Grant number 3-26-SBGP-132-2022 attached to this ARPA Agreement. The SPONSOR also certifies that it has read the Agreement terms and has made itself aware of the applicable laws, regulations, and terms of this Agreement that apply to the reporting of costs incurred under the terms of this Agreement.

6. In the event that an audit performed by or on behalf of MDOT indicates an adjustment to the costs reported under this Agreement or questions the allowability of an item of expense, MDOT will promptly submit to the SPONSOR a Notice of Audit Results and a copy of the audit report, which may supplement or modify any tentative findings verbally communicated to the SPONSOR at the completion of an audit.

Within sixty (60) days after the date of the Notice of Audit Results, the SPONSOR will (a) respond in writing to the responsible Bureau of MDOT indicating whether or not it concurs with the audit report, (b) clearly explain the nature and basis for any disagreement as to a disallowed item of expense, and (c) submit to MDOT a written explanation as to any questioned or no opinion expressed item of expense (RESPONSE). The RESPONSE will be clearly stated and will provide any supporting documentation necessary to resolve any disagreement or questioned or no opinion expressed item of expense. Where the documentation is voluminous, the SPONSOR may supply appropriate excerpts and make alternate arrangements to make that documentation available for review by MDOT in a convenient and reasonable way. The RESPONSE will refer to and apply the language of the Agreement. The SPONSOR agrees that failure to submit a RESPONSE within the sixty (60) day period constitutes agreement with any disallowance of an item of expense and authorizes MDOT to finally disallow any items of questioned or no opinion expressed cost.

MDOT will make its decision with regard to any Notice of Audit Results and RESPONSE within one hundred twenty (120) days after the date of the Notice of Audit Results. If MDOT

determines that an overpayment has been made to the SPONSOR, the SPONSOR will repay that amount to MDOT or reach agreement with MDOT on a repayment schedule within thirty (30) days after the date of an invoice from MDOT. If the SPONSOR fails to repay the overpayment or reach agreement with MDOT on a repayment schedule within the thirty (30) day period, the SPONSOR agrees that MDOT will deduct all or a portion of the overpayment from any funds then or thereafter payable by MDOT to the SPONSOR under this Agreement or any other agreement or payable to the SPONSOR under the terms of 1951 PA 51, as applicable. Interest will be assessed on any partial payments or repayment schedules based on the unpaid balance at the end of each month until the balance is paid in full. The assessment of interest will begin thirty (30) days from the date of the invoice. The rate of interest will be based on the Michigan Department of Treasury common cash funds interest earnings. The rate of interest will be reviewed annually by MDOT and adjusted as necessary based on the Michigan Department of Treasury common cash funds interest earnings. The SPONSOR expressly consents to this withholding or offsetting of funds under those circumstances, reserving the right to file a lawsuit in the Court of Claims to contest MDOT's decision only as to any item of expense the disallowance of which was disputed by the SPONSOR in a timely filed RESPONSE.

The Sponsor agrees to comply with all portions of this grant Agreement.

Sponsor: City of Charlevoix

Authorized Sponsor Signatory: _____

Authorized Sponsor Signatory (Printed): _____

Date: _____

MDOT Signatory: _____

MDOT Signatory Printed: _____

Date: _____



U.S. Department
of Transportation
Federal Aviation
Administration

AIRPORT RESCUE GRANT STATE BLOCK GRANT AGREEMENT

Part I - Offer

Federal Award Offer Date February 4, 2022

Airport Rescue State
Block Grant No. 3-26-SBGP-132-2022

Unique Entity Identifier 805340361

TO: State of Michigan
(herein called the "State")

FROM: The United States of America (acting through the Federal Aviation Administration, herein called the "FAA")

WHEREAS, the FAA has entered into a State Block Grant Program (SBGP) Memorandum of Agreement (MOA) with the State for the administration of Airport Improvement Program (AIP) Grant funds for airport planning, development, and noise program implementation projects conforming to 49 U.S.C Chapters 471 and 475, as permitted under 49 U.S.C. § 47128 at non-primary airports in the State (covered airports);

WHEREAS, the State, as an approved SBGP participant, has the administrative responsibility to administer AIP Grant funds for Sponsors of covered airports;

WHEREAS, the State has submitted to the FAA an Airport Rescue State Block Grant Application dated November 8, 2021, for a grant of Federal funds at or associated with the State of Michigan, which is included as part of this Airport Rescue State Block Grant Agreement;

WHEREAS, the FAA has made an Airport Rescue State Block Grant Offer and the State has accepted the terms of FAA's Airport Rescue State Block Grant Offer;

WHEREAS, in consideration of the promises, representations and assurances provided by the State, the FAA has approved the Airport Rescue State Block Grant Application to provide Airport Rescue State Block Grant funds (herein called the "State Block Grant" or "Airport Rescue State Block Grant") to the State for the covered airports identified herein;

WHEREAS, this Airport Rescue State Block Grant is provided in accordance with the American Rescue Plan Act (“ARP Act”, or “the Act”), Public Law 117-2, as described below, to provide eligible covered airports in Michigan participating in the SBGP described above, with funding for costs related to operations, personnel, cleaning, sanitization, janitorial services, combating the spread of pathogens at the airport, and debt service payments;

WHEREAS, this Airport Rescue State Block Grant allocates specific amounts to covered airports, which are named herein and derived by legislative formula (See Section 7102 of the Act); and

WHEREAS, the purpose of this Airport Rescue State Block Grant is to prevent, prepare for, and respond to the coronavirus pandemic. Funds provided under this Airport Rescue State Block Grant Agreement must be used only for purposes directly related to the covered airports and shall be provided to such covered airports using subgrants, which include the terms, conditions, and assurances attached hereto. Such purposes can include the reimbursement of an airport’s operational expenses or debt service payments in accordance with the limitations prescribed in the Act. Airport Rescue State Block Grant funds may be used to reimburse airport operational expenses directly related to covered airports in Michigan incurred no earlier than January 20, 2020.

Airport Rescue State Block Grant funds also may be used to reimburse a Sponsor’s payment of debt service where such payments occur on or after March 11, 2021. Funds provided under this Airport Rescue State Block Grant Agreement will be governed by the same principles that govern “airport revenue.” New airport development projects not directly related to combating the spread of pathogens may not be funded with this Grant. Funding under this Grant for airport development projects to combat the spread of pathogens will be reallocated using an addendum to this Agreement for identified and approved projects.

NOW THEREFORE, in accordance with the applicable provisions of the ARP Act, Public Law 117-2, the representations contained in the Grant Application, and in consideration of (a) the State’s acceptance of this Offer; and, (b) the benefits to accrue to the United States and the public from the accomplishment of the Grant and in compliance with the conditions as herein provided,

THE FEDERAL AVIATION ADMINISTRATION, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay 100% percent of the allowable costs incurred as a result of and in accordance with this Airport Rescue State Block Grant Agreement.

Assistance Listings Number (Formerly CFDA Number): 20.106

This Offer is made on and **SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:**

CONDITIONS

1. **Maximum Obligation.** The maximum obligation of the United States payable under this Offer is \$2,767,000.

The following amounts represent the calculations of the maximum total obligations per covered airport available under the provisions of the American Relief Plan Act, Section 7102, and the FAA State Block Grant Program:

\$2,767,000	Non-Primary	KW2022
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LOCID	Airport Name	City	Service Level	Role	Non-Primary Allocation
ADG	Lenawee County	Adrian	GA	Local	\$32,000
35D	Padgham Field	Allegan	GA	Local	\$32,000
AMN	Gratiot Community	Alma	GA	Local	\$32,000
ARB	Ann Arbor Municipal	Ann Arbor	GA	Regional	\$59,000
Y93	Atlanta Municipal	Atlanta	GA	Basic	\$22,000
BAX	Huron County Memorial	Bad Axe	GA	Local	\$32,000
BTL	W K Kellogg	Battle Creek	GA	Regional	\$59,000
3CM	James Clements Municipal	Bay City	GA	Local	\$32,000
SJX	Beaver Island	Beaver Island	GA	Basic	\$22,000
ACB	Antrim County	Bellaire	GA	Local	\$32,000
BEH	Southwest Michigan Regional	Benton Harbor	GA	Regional	\$59,000
RQB	Roben-Hood	Big Rapids	GA	Local	\$32,000
6Y1	Bois Blanc Island	Bois Blanc Island	GA	Basic	\$22,000
CAD	Wexford County	Cadillac	GA	Local	\$32,000
CFS	Tuscola Area	Caro	GA	Local	\$32,000
CVX	Charlevoix Municipal	Charlevoix	GA	Local	\$32,000
FPK	Fitch H Beach	Charlotte	GA	Local	\$32,000
SLH	Cheboygan County	Cheboygan	GA	Local	\$32,000
48D	Clare Municipal	Clare	GA	Local	\$32,000
OEB	Branch County Memorial	Coldwater	GA	Local	\$32,000
DET	Coleman A Young Municipal	Detroit	GA	Regional	\$59,000
ONZ	Grosse Ile Municipal	Detroit/Grosse Ile	R	Local	\$32,000
C91	Dowagiac Municipal	Dowagiac	GA	Local	\$32,000
DRM	Drummond Island	Drummond Island	GA	Basic	\$22,000
FKS	Frankfort Dow Memorial Field	Frankfort	GA	Local	\$32,000
FFX	Fremont Municipal	Fremont	GA	Local	\$32,000
GLR	Gaylord Regional	Gaylord	GA	Local	\$32,000
GDW	Gladwin Zettel Memorial	Gladwin	GA	Local	\$32,000
3GM	Grand Haven Memorial Airpark	Grand Haven	GA	Local	\$32,000
4D0	Abrams Municipal	Grand Ledge	GA	Local	\$32,000
GOV	Grayling AAF	Grayling	GA	Basic	\$22,000
6D6	Greenville Municipal	Greenville	GA	Local	\$32,000
C04	Oceana County	Hart/Shelby	GA	Local	\$32,000
9D9	Hastings	Hastings	GA	Local	\$32,000
JYM	Hillsdale Municipal	Hillsdale	GA	Basic	\$22,000
BIV	West Michigan Regional	Holland	GA	National	\$148,000
HTL	Roscommon County - Blodgett Memorial	Houghton Lake	GA	Local	\$32,000
OZW	Livingston County Spencer J Hardy	Howell	R	Regional	\$59,000

Y70	Ionia County	Ionia	GA	Local	\$32,000
IWD	Gogebic-Iron County	Ironwood	CS	Local	\$32,000
JXN	Jackson County-Reynolds Field	Jackson	GA	Regional	\$59,000
13C	Lakeview-Griffith Field	Lakeview	GA	Local	\$32,000
D95	Dupont-Lapeer	Lapeer	GA	Local	\$32,000
LDM	Mason County	Ludington	GA	Local	\$32,000
MCD	Mackinac Island	Mackinac Island	GA	Basic	\$22,000
MBL	Manistee Co-Blacker	Manistee	GA	Local	\$32,000
ISQ	Schoolcraft County	Manistique	GA	Basic	\$22,000
77G	Marlette Township	Marlette	GA	Local	\$32,000
RMV	Brooks Field	Marshall	GA	Local	\$32,000
TEW	Mason Jewett Field	Mason	GA	Local	\$32,000
MNM	Menominee Regional	Menominee	GA	Local	\$32,000
IKW	Jack Barstow	Midland	GA	Local	\$32,000
51M	Oscoda County Dennis Kauffman Memorial	Mio	GA	Basic	\$22,000
TTF	Custer	Monroe	GA	Local	\$32,000
MOP	Mount Pleasant Municipal	Mount Pleasant	GA	Local	\$32,000
Y47	Oakland Southwest	New Hudson	R	Local	\$32,000
ERY	Luce County	Newberry	GA	Basic	\$22,000
3TR	Jerry Tyler Memorial	Niles	GA	Local	\$32,000
OGM	Ontonagon County - Schuster Field	Ontonagon	GA	Basic	\$22,000
OSC	Oscoda-Wurtsmith	Oscoda	GA	Local	\$32,000
RNP	Owosso Community	Owosso	GA	Local	\$32,000
1D2	Canton-Plymouth-Mettetal	Plymouth	R	Local	\$32,000
PTK	Oakland County International	Pontiac	R	National	\$148,000
PHN	St Clair County International	Port Huron	R	Regional	\$59,000
PZQ	Presque Isle County	Rogers City	GA	Basic	\$22,000
D98	Romeo State	Romeo	R	Local	\$32,000
HYX	Saginaw County H W Browne	Saginaw	GA	Local	\$32,000
Y83	Sandusky City	Sandusky	GA	Local	\$32,000
LWA	South Haven Area Regional	South Haven	GA	Local	\$32,000
8D4	Paul C Miller-Sparta	Sparta	GA	Regional	\$59,000
83D	Mackinac County	St. Ignace	GA	Basic	\$22,000
IRS	Kirsch Municipal	Sturgis	GA	Local	\$32,000
HAI	Three Rivers Municipal Dr Haines	Three Rivers	GA	Local	\$32,000
VLL	Oakland/Troy	Troy	R	Regional	\$59,000
Y31	West Branch Community	West Branch	GA	Local	\$32,000
42C	White Cloud	White Cloud	GA	Basic	\$22,000
					\$2,767,000

2. **Grant Performance.** This Airport Rescue State Block Grant Agreement is subject to the following Federal award requirements:
 - a. The Period of Performance:
 1. Shall start on the date the State formally accepts this Grant Agreement, and is the date signed by the last State signatory to the Agreement. The end date of the Period of Performance is 4 years (1,460 calendar days) from the date of acceptance. The Period of Performance end date shall not affect, relieve, or reduce State obligations and assurances that extend beyond the closeout of this Grant Agreement.
 2. Means the total estimated time interval between the start of an initial Federal award and the planned end date, which may include one or more funded portions, or budget periods. (2 Code of Federal Regulations (CFR) § 200.1)
 - b. The Budget Period:
 1. For this Airport Rescue State Block Grant is 4 years (1,460 calendar days) and follows the same start and end date as the Period of Performance provided in Paragraph a.1. Pursuant to 2 CFR § 200.403(h), a State or covered airport Sponsor may charge to the Grant only allowable costs incurred during the budget period.
 2. Means the time interval from the start date of a funded portion of an award to the end date of that funded portion during which the State or covered airport Sponsor is authorized to expend the funds awarded, including any funds carried forward or other revisions pursuant to § 200.308.
 3. All subawards issued by the State to covered airport Sponsors under this Airport Rescue State Block Grant Agreement shall be subject to the Budget Period defined in this Agreement.
 - c. Close out and Termination.
 1. Unless the FAA authorizes a written extension, the State must submit all Grant closeout documentation and liquidate (pay-off) all obligations incurred under this award no later than 120 calendar days after the end date of the Period of Performance. If the Sponsor does not submit all required closeout documentation within this time period, the FAA will proceed to close out the Grant within one year of the Period of Performance end date with the information available at the end of 120 days. (2 CFR § 200.344)
 2. The FAA may terminate this Airport Rescue State Block Grant, in whole or in part, in accordance with the conditions set forth in 2 CFR § 200.340, or other Federal regulatory or statutory authorities as applicable.
3. **Requirements for Subgrants.** The State must include the following in all subgrants issued to Sponsors under this Airport Rescue State Block Grant and require compliance by the Sponsors of the covered airports included in this Airport Rescue State Block Grant Agreement:
 - a. The terms and conditions attached to this Airport Rescue State Block Grant Agreement;
 - b. The Airport Rescue State Block Grant Assurances and Sponsor Assurances attached to this Airport Rescue State Block Grant Agreement; and

- c. All information required by 2 CFR § 200.332.
4. **Unallowable Costs.** The State and covered airport Sponsors shall not seek reimbursement for any costs that the FAA has determined to be unallowable under the ARP Act.
 5. **Indirect Costs - State and Sponsor.** The Sponsor may charge indirect costs under this award by applying the indirect cost rate identified in the Airport Rescue State Block Grant Application or subgrant issued to a Sponsor by the State under this Grant Agreement, as accepted by the FAA, to allowable costs for State and Sponsor direct salaries and wages only.
 6. **Final Federal Share of Costs.** The United States' share of allowable Airport Rescue State Block Grant costs is 100% as allocated herein to covered airports.
 7. **Completing the Grant without Delay and in Conformance with Requirements.** The State must carry out and complete the Airport Rescue State Block Grant without undue delays and in accordance with this Airport Rescue State Block Grant Agreement, the ARP Act, and the regulations, policies, standards, and procedures of the Secretary of Transportation ("Secretary"). The State must require the same of Sponsors in all subgrants issued under this Airport Rescue State Block Grant Agreement. Pursuant to 2 CFR § 200.308, the State agrees, and will require Sponsors agree, to report to the FAA any disengagement from funding eligible expenses under the Airport Rescue State Block Grant that exceeds three months or a 25 percent reduction in time devoted to the Grant, and request prior approval from FAA. The report must include a reason for the stoppage. The State agrees and will require Sponsors agree to comply with the attached assurances, which are part of this Agreement and any addendum that may be attached hereto at a later date by mutual consent. These assurances, conditions, and any addendums apply to subgrants issued under this Airport Rescue State Block Grant as provided for in Condition 3
 8. **Amendments or Withdrawals before Grant Acceptance.** The FAA reserves the right to amend or withdraw this offer at any time prior to its acceptance by the State.
 9. **Offer Expiration Date.** This offer will expire and the United States will not be obligated to pay any part of the costs unless this offer has been accepted by the State on or before February 15, 2022, or such subsequent date as may be prescribed in writing by the FAA.
 10. **Improper Use of Federal Funds.** The State and Sponsor must take all steps, including litigation if necessary, to recover Federal funds spent fraudulently, wastefully, or in violation of Federal antitrust statutes, or misused in any other manner, including uses that violate this Airport Rescue State Block Grant Agreement, the ARP Act, or other provision of applicable law. For the purposes of this Airport Rescue State Block Grant Agreement, the term "Federal funds" means funds however used or dispersed by the State or Sponsor that were originally paid pursuant to this or any other Federal grant agreement(s). The State and Sponsor must return the recovered Federal share, including funds recovered by settlement, order, or judgment, to the Secretary. The State and Sponsor must furnish to the Secretary, upon request, all documents and records pertaining to the determination of the amount of the Federal share or to any settlement, litigation, negotiation, or other efforts taken to recover such funds. All settlements or other final positions of the State or Sponsor, in court or otherwise, involving the recovery of such Federal share require advance approval by the Secretary.
 11. **United States Not Liable for Damage or Injury.** The United States is not responsible or liable for damage to property or injury to persons which may arise from, or relate to this Airport Rescue State Block Grant Agreement and subgrants issued under this Agreement, including but not limited to,

any action taken by the State or a Sponsor related to or arising from, directly or indirectly, this Airport Rescue State Block Grant Agreement.

12. System for Award Management (SAM) Registration and Unique Entity Identifier (UEI).

- a. Requirement for System for Award Management (SAM): Unless the State or Sponsor is exempted from this requirement under 2 CFR 25.110, the State and Sponsor must maintain the currency of its information in SAM until the State and Sponsor submit the final financial report required under this Airport Rescue State Block Grant, or receive the final payment, whichever is later. This requires that the State and Sponsor review and update the information at least annually after the initial registration and more frequently if required by changes in information or another award term. Additional information about registration procedures may be found at the SAM website (currently at <http://www.sam.gov>).
- b. Unique entity identifier (UEI) means a 12-character alpha-numeric value used to identify a specific commercial, nonprofit, or governmental entity. A UEI may be obtained from SAM.gov at <https://sam.gov/SAM/pages/public/index.jsf>.

13. Electronic Grant Payment(s). Unless otherwise directed by the FAA, the State and Sponsor must make each payment request under this agreement electronically via the Delphi eInvoicing System for Department of Transportation (DOT) Financial Assistance Awardees.

14. Air and Water Quality. The State and Sponsor are required to comply with all applicable air and water quality standards for all projects in this grant. If the State and Sponsor fail to comply with this requirement, the FAA may suspend, cancel, or terminate this Agreement and any subgrants issued under this Airport Rescue State Block Grant Agreement.

15. Financial Reporting and Payment Requirements. The State and Sponsor will comply with all Federal financial reporting requirements and payment requirements, including submittal of timely and accurate reports.

16. Buy American. Unless otherwise approved in advance by the FAA, in accordance with 49 United States Code (U.S.C.) § 50101, the State and Sponsor will not acquire or permit any contractor or subcontractor to acquire any steel or manufactured goods produced outside the United States to be used for any project for which funds are provided under this grant. The State and Sponsor will include a provision implementing Buy American in every contract and subcontract issued under this Airport Rescue State Block Grant.

17. Audits for Sponsors. (State will select appropriate option for Sponsor in subgrant)

PRIVATE SPONSORS. When the period of performance has ended, the State must require private Sponsors provide a copy of an audit of any subgrants issued under this Airport Rescue State Block Grant, prepared in accordance with accepted standard audit practices, to the applicable Airports District Office or Regional Office.

PUBLIC SPONSORS. The State must require Sponsors provide for a Single Audit or program-specific audit in accordance with 2 CFR Part 200. The State or Sponsor must submit the audit reporting package to the Federal Audit Clearinghouse on the Federal Audit Clearinghouse's Internet Data Entry System at <http://harvester.census.gov/facweb/>. Upon request of the FAA, the State and Sponsors shall provide one copy of the completed audit to the FAA.

18. Suspension or Debarment. The State must:

- a. Immediately disclose to the FAA whenever the State:

1. Learns a Sponsor has entered into a covered transaction with an ineligible entity; or
 2. Suspends or debars a contractor, person, or entity.
- b. Include a provision in all subgrants issued under this Airport Rescue State Block Grant Agreement that requires Sponsors entering into a “covered transaction” as defined by 2 CFR § 180.200, to:
1. Verify the non-Federal entity is eligible to participate in this Federal program by:
 - A. Checking the excluded parties list system (EPLS) as maintained within the System for Award Management (SAM) to determine if the non-Federal entity is excluded or disqualified; or
 - B. Collecting a certification statement from the non-Federal entity attesting the entity is not excluded or disqualified from participating; or
 - C. Adding a clause or condition to covered transactions attesting the individual or firm is not excluded or disqualified from participating; and
 2. Require prime contractors to comply with 2 CFR § 180.330 when entering into lower-tier transactions (e.g., subgrants and subcontracts).
- c. Insert this clause on suspension or debarment in all subgrants, contracts, and subcontracts that result from this Airport Rescue State Block Grant and require compliance by all Sponsors receiving funds under this Agreement.

19. Ban on Texting While Driving.

- a. In accordance with Executive Order 13513, Federal Leadership on Reducing Text Messaging While Driving, October 1, 2009, and DOT Order 3902.10, Text Messaging While Driving, December 30, 2009, the State and Sponsors receiving subgrants under this Grant are encouraged to:
 1. Adopt and enforce workplace safety policies to decrease crashes caused by distracted drivers, including policies to ban text messaging while driving when performing any work for, or on behalf of, the Federal government, including work relating to this Airport Rescue State Block Grant or subgrant funded by this Grant.
 2. Conduct workplace safety initiatives in a manner commensurate with the size of the business, such as:
 - A. Establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving; and
 - B. Education, awareness, and other outreach to employees about the safety risks associated with texting while driving.
- b. The State must insert the substance of this clause on banning texting while driving in all subgrants, contracts, and subcontracts funded by this Airport Rescue State Block Grant.

20. Trafficking in Persons.

- a. The State, as the recipient, the State’s employees, and Sponsors using funds provided under this Airport Rescue State Block Grant, including Sponsors, Sponsors’ employee, and subgrant recipients’ employees may not –

1. Engage in severe forms of trafficking in persons during the period of time that this Airport Rescue State Block Grant Agreement and subgrant agreements are in effect;
 2. Procure a commercial sex act during the period of time that this Airport Rescue State Block Grant Agreement and subgrant agreements are in effect; or
 3. Use forced labor in the performance of this Airport Rescue State Block Grant Agreement and subgrant agreements.
- b. The FAA, as the Federal awarding agency, may unilaterally terminate this Airport Rescue State Block Grant Agreement, without penalty, if the State or a Sponsor that is a private entity –
1. Is determined to have violated a prohibition in paragraph a. of this Airport Rescue State Block Grant Agreement term; or
 2. Has an employee who is determined by the agency official authorized to terminate the Airport Rescue State Block Grant Agreement to have violated a prohibition in paragraph a. of this Airport Rescue State Block Grant term through conduct that is either –
 - A. Associated with performance under this Airport Rescue State Block Grant; or
 - B. Imputed to any and all Sponsor as subrecipients of funds under this Airport Rescue State Block Grant using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR Part 180, “OMB Guidelines to Agencies on Government-wide Debarment and Suspension (Nonprocurement),” as implemented by the FAA at 2 CFR Part 1200.
- c. The State and Sponsors must inform the FAA immediately of any information you receive from any source alleging a violation of a prohibition in paragraph a. of this Grant condition during this Airport Rescue State Block Grant Agreement.
- d. The FAA's right to terminate unilaterally that is described in paragraph a. of this Grant condition:
1. Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. § 7104(g)), and
 2. Is in addition to all other remedies for noncompliance that are available to the FAA under this Airport Rescue State Block Grant.

21. Employee Protection from Reprisal.

- a. Prohibition of Reprisals —
1. In accordance with 41 U.S.C. § 4712, an employee of the State, Sponsor, or other subgrantee may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing to a person or body described in sub-paragraph (a)(2) of this Grant condition, information that the employee reasonably believes is evidence of:
 - i. Gross mismanagement of a Federal grant;
 - ii. Gross waste of Federal funds;
 - iii. An abuse of authority relating to implementation or use of Federal funds;
 - iv. A substantial and specific danger to public health or safety; or
 - v. A violation of law, rule, or regulation related to a Federal grant.
 2. Persons and bodies covered: The persons and bodies to which a disclosure by an employee is covered are as follows:

- i. A member of Congress or a representative of a committee of Congress;
 - ii. An Inspector General;
 - iii. The Government Accountability Office;
 - iv. A Federal employee responsible for oversight or management of a grant program at the relevant agency;
 - v. A court or grand jury;
 - vi. A management official or other employee of the Sponsor, contractor, or subcontractor who has the responsibility to investigate, discover, or address misconduct; or
 - vii. An authorized official of the Department of Justice or other law enforcement agency.
3. **Submission of Complaint** — A person who believes that they have been subjected to a reprisal prohibited by paragraph a. of this Airport Rescue State Block Grant Agreement may submit a complaint regarding the reprisal to the Office of Inspector General (OIG) for the U.S. Department of Transportation.
 4. **Time Limitation for Submittal of a Complaint** — A complaint may not be brought under this subsection more than three years after the date on which the alleged reprisal took place.
 5. **Required Actions of the Inspector General** — Actions, limitations, and exceptions of the Inspector General's office are established under 41 U.S.C. § 4712(b).
 6. **Assumption of Rights to Civil Remedy** — Upon receipt of an explanation of a decision not to conduct or continue an investigation by the Office of Inspector General, the person submitting a complaint assumes the right to a civil remedy under 41 U.S.C. § 4712(c).
22. **Limitations.** Nothing provided herein shall be construed to limit, cancel, annul, or modify the terms of any Federal grant agreement(s), including all terms and assurances related thereto, that have been entered into by the State and the FAA and the State and Sponsor prior to the date of this Airport Rescue State Block Grant Agreement.
 23. **Face Coverings Policy.** The State and Sponsor agree to implement a face-covering (mask) policy to combat the spread of pathogens. This policy must include a requirement that all persons wear a mask, in accordance with Centers for Disease Control (CDC) and Transportation Security Administration (TSA) requirements, as applicable, at all times while in all public areas of the airport property, except to the extent exempted under those requirements. This special condition requires the State and Airport Sponsor continue to require masks until Executive Order 13998, Promoting COVID-19 Safety in Domestic and International Travel, is no longer effective.

SPECIAL CONDITIONS FOR USE OF AIRPORT RESCUE STATE BLOCK GRANT FUNDS

CONDITIONS FOR EQUIPMENT -

1. **Equipment or Vehicle Replacement.** The State agrees and will require Sponsors agree that when using funds provided by this Grant to replace equipment, the proceeds from the trade-in or sale of such replaced equipment shall be classified and used as airport revenue.
2. **Equipment Acquisition.** The State agrees and will require Sponsors agree that for any equipment acquired with funds provided by this Grant, such equipment shall be used solely for purposes directly related to combating the spread of pathogens at the airport.

3. **Low Emission Systems.** The State agrees and will require Sponsors agree that vehicles and equipment acquired with funds provided in this Grant:
 - a. Will be maintained and used at the airport for which they were purchased; and
 - b. Will not be transferred, relocated, or used at another airport without the advance consent of the FAA.

The State agrees and will require Sponsors further agree to that it will maintain annual records on individual vehicles and equipment, project expenditures, cost effectiveness, and emission reductions.

CONDITIONS FOR UTILITIES AND LAND -

4. **Utilities Proration.** For purposes of computing the United States' share of the allowable airport operations and maintenance costs, the allowable cost of utilities incurred by the State or Sponsor, as applicable, to operate and maintain airport(s) included in this Airport Rescue State Block Grant must not exceed the percent attributable to the capital or operating costs of the airport.
5. **Utility Relocation in Grant.** The State understands and agrees, and will require Sponsors understand and agree that:
 - a. The United States will not participate in the cost of any utility relocation unless and until the State or Sponsor, as applicable, has submitted evidence satisfactory to the FAA that the State or Sponsor is legally responsible for payment of such costs;
 - b. FAA participation is limited to those utilities located on-airport or off-airport only where the State or Sponsor, as applicable, has an easement for the utility; and
 - c. The utilities must serve a purpose directly related to the Airport for which the subgrant is made under this Airport Rescue State Block Grant.

The State's acceptance of this Offer and ratification and adoption of the Airport Rescue State Block Grant Application incorporated herein shall be evidenced by execution of this instrument by the State. The Offer and Acceptance shall comprise an Airport Rescue State Block Grant Agreement, as provided by the ARP Act, constituting the contractual obligations and rights of the United States and the State with respect to this Grant and all subgrants. The effective date of this Airport Rescue State Block Grant Agreement is the date the last signatory of the State signs the acceptance of this Offer.

Please read the following information: By signing this document, you are agreeing that you have reviewed the following consumer disclosure information and consent to transact business using electronic communications, to receive notices and disclosures electronically, and to utilize electronic signatures in lieu of using paper documents. You are not required to receive notices and disclosures or sign documents electronically. If you prefer not to do so, you may request to receive paper copies and withdraw your consent at any time.

Dated February 4, 2022

**UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION**

Stephanie R. Swann

Stephanie R. Swann (Feb 4, 2022 13:22 EST)

(Signature)

Stephanie R. Swann

(Typed Name)

Deputy Manager, Detroit ADO

(Title of FAA Official)

AIRPORT RESCUE GRANT ASSURANCES

AIRPORT SPONSORS

A. General.

1. These Airport State Block Grant Assurances are required to be submitted as part of the application by Sponsors receiving funds under the provisions of the American Rescue Plan Act of 2021 ("ARP Act," or "the Act"), Public Law 117-2. As used herein, the term "public agency Sponsor" means a public agency with control of a public-use airport; the term "private Sponsor" means a private owner of a public-use airport; and the term "Sponsor" includes both public agency Sponsors and private sponsors.
2. Upon Sponsor's acceptance of a subgrant offer under an Airport Rescue State Block Grant offer by the State, these assurances are incorporated into and become part of any subgrant issued under an Airport Rescue State Block Grant Agreement.

B. Sponsor Certification.

The Sponsor hereby assures and certifies, with respect to this subgrant awarded under an Airport Rescue State Block Grant that:

It will comply with all applicable Federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the application, acceptance, and use of Federal funds for this subgrant issued under an Airport Rescue State Block Grant including but not limited to the following:

FEDERAL LEGISLATION

- a. 49 U.S.C. Chapter 471, as applicable.
- b. Davis-Bacon Act — 40 U.S.C. 276(a), et. seq.
- c. Federal Fair Labor Standards Act — 29 U.S.C. 201, et. seq.
- d. Hatch Act — 5 U.S.C. 1501, et. seq.²
- e. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 Title 42 U.S.C. 4601, et. seq.
- f. National Historic Preservation Act of 1966 — Section 106 — 16 U.S.C. 470(f).
- g. Archeological and Historic Preservation Act of 1974 — 16 U.S.C. 469 through 469c.
- h. Native Americans Grave Repatriation Act — 25 U.S.C. Section 3001, et. seq.
- i. Clean Air Act, P.L. 90-148, as amended.
- j. Coastal Zone Management Act, P.L. 93-205, as amended.
- k. Flood Disaster Protection Act of 1973 — Section 102(a) — 42 U.S.C. 4012a.
- l. Title 49, U.S.C., Section 303, (formerly known as Section 4(f)).
- m. Rehabilitation Act of 1973 — 29 U.S.C. 794.
- n. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252) (prohibits discrimination on the basis of race, color, national origin).

- o. Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 et seq.), prohibits discrimination on the basis of disability).
- p. Age Discrimination Act of 1975 — 42 U.S.C. 6101, et. seq.
- q. American Indian Religious Freedom Act, P.L. 95-341, as amended.
- r. Architectural Barriers Act of 1968 — 42 U.S.C. 4151, et. seq.
- s. Power plant and Industrial Fuel Use Act of 1978 — Section 403- 2 U.S.C. 8373.
- t. Contract Work Hours and Safety Standards Act — 40 U.S.C. 327, et. seq.
- u. Copeland Anti-kickback Act — 18 U.S.C. 874.1.
- v. National Environmental Policy Act of 1969 — 42 U.S.C. 4321, et. seq.
- w. Wild and Scenic Rivers Act, P.L. 90-542, as amended.
- x. Single Audit Act of 1984 — 31 U.S.C. 7501, et. seq.²
- y. Drug-Free Workplace Act of 1988 — 41 U.S.C. 702 through 706.
- z. The Federal Funding Accountability and Transparency Act of 2006, as amended (Pub. L. 109-282, as amended by section 6202 of Pub. L. 110-252).

EXECUTIVE ORDERS

- a. Executive Order 11246 – Equal Employment Opportunity.
- b. Executive Order 11990 – Protection of Wetlands.
- c. Executive Order 11998 – Flood Plain Management.
- d. Executive Order 12372 – Intergovernmental Review of Federal Programs.
- e. Executive Order 12699 – Seismic Safety of Federal and Federally Assisted New Building Construction.
- f. Executive Order 12898 – Environmental Justice.
- g. Executive Order 14005 – Ensuring the Future Is Made in All of America by All of America's Workers.

FEDERAL REGULATIONS

- a. 2 CFR Part 180 – OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement).
- b. 2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.^{3,4}
- c. 2 CFR Part 1200 – Nonprocurement Suspension and Debarment.
- d. 28 CFR Part 35 – Discrimination on the Basis of Disability in State and Local Government Services.
- e. 28 CFR § 50.3 – U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964.
- f. 29 CFR Part 1 – Procedures for predetermination of wage rates.¹

- g. 29 CFR Part 3 – Contractors and subcontractors on public building or public work financed in whole or part by loans or grants from the United States.¹
- h. 29 CFR Part 5 – Labor standards provisions applicable to contracts covering Federally financed and assisted construction (also labor standards provisions applicable to non-construction contracts subject to the Contract Work Hours and Safety Standards Act).¹
- i. 41 CFR Part 60 – Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor (Federal and Federally assisted contracting requirements).¹
- j. 49 CFR Part 20 – New restrictions on lobbying.
- k. 49 CFR Part 21 – Nondiscrimination in Federally-assisted programs of the Department of Transportation - effectuation of Title VI of the Civil Rights Act of 1964.
- l. 49 CFR Part 23 – Participation by Disadvantage Business Enterprise in Airport Concessions.
- m. 49 CFR Part 26 – Participation by Disadvantaged Business Enterprises in Department of Transportation Program.
- n. 49 CFR Part 27 – Nondiscrimination on the Basis of Disability in Programs and Activities Receiving or Benefiting from Federal Financial Assistance.¹
- o. 49 CFR Part 28 – Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities conducted by the Department of Transportation.
- p. 49 CFR Part 30 – Denial of public works contracts to suppliers of goods and services of countries that deny procurement market access to U.S. contractors.
- q. 49 CFR Part 32 – Government-wide Requirements for Drug-Free Workplace (Financial Assistance).
- r. 49 CFR Part 37 – Transportation Services for Individuals with Disabilities (ADA).
- s. 49 CFR Part 41 – Seismic safety.

FOOTNOTES TO AIRPORT RESCUE GRANT SPONSOR ASSURANCE B

- ¹ These laws do not apply to airport planning Sponsors.
- ² These laws do not apply to private Sponsors.
- ³ Cost principles established in 2 CFR Part 200 subpart E must be used as guidelines for determining the eligibility of specific types of expenses.
- ⁴ Audit requirements established in 2 CFR Part 200 subpart F are the guidelines for audits.

SPECIFIC ASSURANCES

Specific assurances required to be included in grant and subgrant agreements by any of the above laws, regulations, or circulars are incorporated by reference in this Grant Agreement.

1. Purpose Directly Related to the Airport.

It certifies that the reimbursement sought is for a purpose directly related to the airport.

2. Responsibility and Authority of the Sponsor.

- a. Public Agency Sponsor:

It has legal authority to apply for this Grant, and to finance and carry out the proposed grant; that an official decision has been made by the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

b. Private Sponsor:

It has legal authority to apply for this Grant and to finance and carry out the proposed Grant and comply with all terms, conditions, and assurances of this Grant Agreement. It shall designate an official representative and shall in writing direct and authorize that person to file this application, including all understandings and assurances contained therein; to act in connection with this application; and to provide such additional information as may be required.

3. Good Title.

It, a public agency or the Federal government, holds good title, satisfactory to the Secretary, to the landing area of the airport or site thereof, or will give assurance satisfactory to the Secretary that good title will be acquired.

4. Preserving Rights and Powers.

- a. It will not take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions, and assurances in this Grant Agreement without the written approval of the Secretary, and will act promptly to acquire, extinguish, or modify any outstanding rights or claims of right of others which would interfere with such performance by the Sponsor. This shall be done in a manner acceptable to the Secretary.
- b. If the Sponsor is a private Sponsor, it will take steps satisfactory to the Secretary to ensure that the airport will continue to function as a public-use airport in accordance with this Grant Agreement.
- c. If an arrangement is made for management and operation of the airport by any agency or person other than the Sponsor or an employee of the Sponsor, the Sponsor will reserve sufficient rights and authority to insure that the airport will be operated and maintained in accordance Title 49, United States Code, the regulations, and the terms and conditions of this Grant Agreement.

5. Consistency with Local Plans.

Any project undertaken by this Grant Agreement is reasonably consistent with plans (existing at the time of submission of the Airport Rescue State Block Grant application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport.

6. Consideration of Local Interest.

It has given fair consideration to the interest of communities in or near where any project undertaken by this Grant Agreement may be located.

7. Consultation with Users.

In making a decision to undertake any airport development project undertaken by this Grant Agreement, it has undertaken reasonable consultations with affected parties using the airport at which project is proposed.

8. Pavement Preventative Maintenance.

With respect to a project undertaken by this Grant Agreement for the replacement or reconstruction of pavement at the airport, it assures or certifies that it has implemented an effective airport pavement maintenance-management program and it assures that it will use such program for the useful life of any pavement constructed, reconstructed, or repaired with Federal financial assistance at the airport, including Airport Rescue State Block Grant funds provided under this Grant Agreement. It will provide such reports on pavement condition and pavement management programs as the Secretary determines may be useful.

9. Accounting System, Audit, and Record Keeping Requirements.

- a. It shall keep all Grant accounts and records which fully disclose the amount and disposition by the recipient of the proceeds of this Grant, the total cost of the Grant in connection with which this Grant is given or used, and the amount or nature of that portion of the cost of the Grant supplied by other sources, and such other financial records pertinent to the Grant. The accounts and records shall be kept in accordance with an accounting system that will facilitate an effective audit in accordance with the Single Audit Act of 1984.
- b. It shall make available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for the purpose of audit and examination, any books, documents, papers, and records of the recipient that are pertinent to this Grant. The Secretary may require that an appropriate audit be conducted by a recipient. In any case in which an independent audit is made of the accounts of a Sponsor relating to the disposition of the proceeds of a Grant or relating to the Grant in connection with which this Grant was given or used, it shall file a certified copy of such audit with the Comptroller General of the United States not later than six (6) months following the close of the fiscal year for which the audit was made.

10. Minimum Wage Rates.

It shall include in all contracts in excess of \$2,000 for work on the airport funded under this Grant Agreement which involve labor, provisions establishing minimum rates of wages, to be predetermined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5), which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work.

11. Veteran's Preference.

It shall include in all contracts for work on any airport development project funded under this Grant Agreement which involve labor, such provisions as are necessary to insure that, in the employment of labor (except in executive, administrative, and supervisory positions), preference shall be given to Vietnam-era veterans, Persian Gulf veterans, Afghanistan-Iraq war veterans, disabled veterans, and small business concerns owned and controlled by disabled veterans as defined in Section 47112 of Title 49, United States Code. However, this preference shall apply only where the individuals are available and qualified to perform the work to which the employment relates.

12. Operation and Maintenance.

- a. The airport and all facilities which are necessary to serve the aeronautical users of the Airport, other than facilities owned or controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be required or prescribed by applicable Federal, State, and local agencies for maintenance and operation. It will not cause or permit any activity or action thereon which would interfere with its use for airport purposes.

It will suitably operate and maintain the airport and all facilities thereon or connected therewith, with due regard to climatic and flood conditions. Any proposal to temporarily close the airport for non-aeronautical purposes must first be approved by the Secretary. In furtherance of this assurance, the Sponsor will have in effect arrangements for:

1. Operating the airport's aeronautical facilities whenever required;
 2. Promptly marking and lighting hazards resulting from airport conditions, including temporary conditions; and
 3. Promptly notifying airmen of any condition affecting aeronautical use of the airport. Nothing contained herein shall be construed to require that the airport be operated for aeronautical use during temporary periods when snow, flood, or other climatic conditions interfere with such operation and maintenance. Further, nothing herein shall be construed as requiring the maintenance, repair, restoration, or replacement of any structure or facility which is substantially damaged or destroyed due to an act of God or other condition or circumstance beyond the control of the Sponsor.
- b. It will suitably operate and maintain noise compatibility program items that it owns or controls upon which Federal funds have been expended.

13. Hazard Removal and Mitigation.

It will take appropriate action to assure that such terminal airspace as is required to protect instrument and visual operations to the airport (including established minimum flight altitudes) will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.

14. Compatible Land Use.

It will take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft.

15. Exclusive Rights.

The Sponsor shall not grant an exclusive right to use an air navigation facility on which this Grant has been expended. However, providing services at an airport by only one fixed-based operator is not an exclusive right if—

1. it is unreasonably costly, burdensome, or impractical for more than one fixed-based operator to provide the services; and
2. allowing more than one fixed-based operator to provide the services requires a reduction in space leased under an agreement existing on September 3, 1982, between the operator and the airport.

16. Airport Revenues.

- a. This Grant shall be available for any purpose for which airport revenues may lawfully be used to prevent, prepare for, and respond to coronavirus. Funds provided under this Airport Rescue State Block Grant Agreement will only be expended for the capital or operating costs of the airport; the local airport system; or other local facilities which are owned or operated by the owner or operator of the airport(s) subject to this agreement and all applicable addendums for costs related to operations, personnel, cleaning, sanitization, janitorial services, combating the spread of pathogens at the airport, and debt service payments as prescribed in the Act.

- b. For airport development, 49 U.S.C. § 47133 applies.

17. Reports and Inspections.

It will:

- a. Submit to the Secretary such annual or special financial and operations reports as the Secretary may reasonably request and make such reports available to the public; make available to the public at reasonable times and places a report of the airport budget in a format prescribed by the Secretary;
- b. In a format and time prescribed by the Secretary, provide to the Secretary and make available to the public following each of its fiscal years, an annual report listing in detail:
 - 1. all amounts paid by the airport to any other unit of government and the purposes for which each such payment was made; and
 - 2. all services and property provided by the airport to other units of government and the amount of compensation received for provision of each such service and property.

18. Land for Federal Facilities.

It will furnish without cost to the Federal Government for use in connection with any air traffic control or air navigation activities, or weather-reporting and communication activities related to air traffic control, any areas of land or water, or estate therein, or rights in buildings of the Sponsor as the Secretary considers necessary or desirable for construction, operation, and maintenance at Federal expense of space or facilities for such purposes. Such areas or any portion thereof will be made available as provided herein within four months after receipt of a written request from the Secretary.

19. Airport Layout Plan.

- a. Subject to the FAA Reauthorization Act of 2018, Public Law 115-254, Section 163, it will keep up to date at all times an airport layout plan of the airport showing:
 - 1. boundaries of the airport and all proposed additions thereto, together with the boundaries of all offsite areas owned or controlled by the Sponsor for airport purposes and proposed additions thereto;
 - 2. the location and nature of all existing and proposed airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars and roads), including all proposed extensions and reductions of existing airport facilities;
 - 3. the location of all existing and proposed non-aviation areas and of all existing improvements thereon; and
 - 4. all proposed and existing access points used to taxi aircraft across the airport's property boundary. Such airport layout plans and each amendment, revision, or modification thereof, shall be subject to the approval of the Secretary which approval shall be evidenced by the signature of a duly authorized representative of the Secretary on the face of the airport layout plan. The Sponsor will not make or permit any changes or alterations in the airport or any of its facilities which are not in conformity with the airport layout plan as approved by the Secretary and which might, in the opinion of the Secretary, adversely affect the safety, utility or efficiency of the airport.
- b. Subject to the FAA Reauthorization Act of 2018, Public Law 115-254, Section 163, if a change or alteration in the airport or the facilities is made which the Secretary determines adversely affects the safety, utility, or efficiency of any federally owned, leased, or funded property on or off the airport

and which is not in conformity with the airport layout plan as approved by the Secretary, the owner or operator will, if requested, by the Secretary (1) eliminate such adverse effect in a manner approved by the Secretary; or (2) bear all costs of relocating such property (or replacement thereof) to a site acceptable to the Secretary and all costs of restoring such property (or replacement thereof) to the level of safety, utility, efficiency, and cost of operation existing before the unapproved change in the airport or its facilities except in the case of a relocation or replacement of an existing airport facility due to a change in the Secretary's design standards beyond the control of the airport Sponsor.

20. Civil Rights.

It will promptly take any measures necessary to ensure that no person in the United States shall, on the grounds of race, creed, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any activity conducted with, or benefiting from, funds received from this Grant.

- a. Using the definitions of activity, facility, and program as found and defined in §§ 21.23 (b) and 21.23 (e) of 49 CFR Part 21, the Sponsor will facilitate all programs, operate all facilities, or conduct all programs in compliance with all non-discrimination requirements imposed by or pursuant to these assurances.
- b. Applicability
 1. Programs and Activities. If the Sponsor has received a grant (or other Federal assistance) for any of the Sponsor's program or activities, these requirements extend to all of the Sponsor's programs and activities.
 2. Facilities. Where it receives a grant or other Federal financial assistance to construct, expand, renovate, remodel, alter, or acquire a facility, or part of a facility, the assurance extends to the entire facility and facilities operated in connection therewith.
 3. Real Property. Where the Sponsor receives a grant or other Federal financial assistance in the form of, or for the acquisition of, real property or an interest in real property, the assurance will extend to rights to space on, over, or under such property.

- c. Duration

The Sponsor agrees that it is obligated to this assurance for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the assurance obligates the Sponsor, or any transferee for the longer of the following periods:

1. So long as the airport is used as an airport, or for another purpose involving the provision of similar services or benefits; or
2. So long as the Sponsor retains ownership or possession of the property.

- d. Required Solicitation Language

It will include the following notification in all solicitations for bids, Requests for Proposals for work, or material under this Grant and in all proposals for agreements, including airport concessions, regardless of funding source:

"The [State to Insert Name of Sponsor], in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that for any contract entered into pursuant to this

advertisement, disadvantaged business enterprises and airport concession disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.”

e. Required Contract Provisions.

1. It will insert the non-discrimination contract clauses requiring compliance with the acts and regulations relative to non-discrimination in Federally-assisted programs of the DOT, and incorporating the acts and regulations into the contracts by reference in every contract or agreement subject to the non-discrimination in Federally-assisted programs of the DOT Acts and regulations.
2. It will include a list of the pertinent non-discrimination authorities in every contract that is subject to the non-discrimination acts and regulations.
3. It will insert non-discrimination contract clauses as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Sponsor.
4. It will insert non-discrimination contract clauses prohibiting discrimination on the basis of race, color, national origin, creed, sex, age, or handicap as a covenant running with the land, in any future deeds, leases, license, permits, or similar instruments entered into by the Sponsor with other parties:
 - i. For the subsequent transfer of real property acquired or improved under the applicable activity, grant, or program; and
 - ii. For the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, grant, or program.
 - iii. It will provide for such methods of administration for the program as are found by the Secretary to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the acts, the regulations, and this assurance.
 - iv. It agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the acts, the regulations, and this assurance.

21. Foreign Market Restrictions.

It will not allow funds provided under this Grant to be used to fund any activity that uses any product or service of a foreign country during the period in which such foreign country is listed by the United States Trade Representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.

22. Policies, Standards and Specifications.

It will carry out any project funded under an Airport Rescue State Block Grant in accordance with policies, standards, and specifications approved by the Secretary including, but not limited to, current FAA Advisory Circulars for AIP projects, as of November 8, 2021.

23. Access By Intercity Buses.

The airport owner or operator will permit, to the maximum extent practicable, intercity buses or other modes of transportation to have access to the airport; however, it has no obligation to fund special facilities for intercity buses or for other modes of transportation.

24. Disadvantaged Business Enterprises.

The Sponsor shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any DOT-assisted contract covered by 49 CFR Part 26, or in the award and performance of any concession activity contract covered by 49 CFR Part 23. In addition, the Sponsor shall not discriminate on the basis of race, color, national origin or sex in the administration of its Disadvantaged Business Enterprise (DBE) and Airport Concessions Disadvantaged Business Enterprise (ACDBE) programs or the requirements of 49 CFR Parts 23 and 26. The Sponsor shall take all necessary and reasonable steps under 49 CFR Parts 23 and 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts, and/or concession contracts. The Sponsor's DBE and ACDBE programs, as required by 49 CFR Parts 26 and 23, and as approved by DOT, are incorporated by reference in this agreement.

Implementation of these programs is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the Sponsor of its failure to carry out its approved program, the Department may impose sanctions as provided for under Parts 26 and 23 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1936 (31 U.S.C. 3801).

25. Acquisition Thresholds.

The FAA deems equipment to mean tangible personal property having a useful life greater than one year and a per-unit acquisition cost equal to or greater than \$5,000. Procurements by micro-purchase means the acquisition of goods or services for which the aggregate dollar amount does not exceed \$10,000, unless authorized in accordance with 2 CFR § 200.320. Procurement by small purchase procedures means those relatively simple and informal procurement methods for securing goods or services that do not exceed the \$250,000 threshold for simplified acquisitions.

View the most current Series 150 Advisory Circulars (ACs) for Airport Projects at http://www.faa.gov/airports/resources/advisory_circulars and http://www.faa.gov/regulations_policies/advisory_circulars

Charlevoix City Council

All Other Actions and Requests

Title: Certified Local Government Grant Application Resolution and MOU

Date: January 16, 2023

Presented By: Lindsey Dotson, DDA Director

Background:

As a [Certified Local Government](#), each year we can apply for grant funding to support historic preservation-related activities, whether it is planning or a brick-and-mortar project. The Charlevoix Historic District Commission looks at its overarching goals and works to find a project that could benefit from this unique funding opportunity. This year, the Commission voted to partner with the Charlevoix Historical Society to support a much-needed roof replacement and chimney restoration project at the historic train depot.

Since the City is the certified entity, we must partner with the eligible non-profit (Charlevoix Historical Society) and apply on their behalf. We also must act as the fiduciary, since it is a reimbursement grant program. The application will be requesting a \$48,000 grant to fund part of a \$110,000 project. Other sources of income include another grant and fundraising the Historical Society has done.

The roof work at the depot has been put off for a few years as the society has had to prioritize other work at the Harsha House to increase and improve artifact storage and workspaces. The roof held up relatively well until recent days when visible pieces of the roof started to blow in the wind. This timely occurrence demonstrates the need, and with such an intricate roofline and the recent spike in construction costs, the project will not be cheap. An additional component of the project is the restoration of one chimney so that it matches the original design that still exists on the other. This requires hiring a masonry restoration expert since the design was so intricate originally.

The maintenance of this Charlevoix icon that serves as a backdrop for so many special memories made here falls within the goal and objective outlined in Chapter 6 of the new Master Plan:

GOAL 1: Protect and enhance Charlevoix's small-town character, unique downtown, cultural and historic resources, and scenic beauty.

1. PRESERVE AND ENHANCE CHARLEVOIX'S UNIQUE SMALL-TOWN CHARACTER
2. ENHANCE SCENIC BEAUTY
3. PRESERVE AND ENHANCE THE DOWNTOWN
4. PROTECT HISTORIC AND CULTURAL RESOURCES

The attached Resolution and Memorandum of Understanding are two documents that are required as part of the grant application submission. They demonstrate that both parties are committed to working together and detail the division of obligations if the grant gets awarded. The Charlevoix Historical Society Board met on January 10th and approved both documents on their end.

Note that the funds would pass through the DDA budget. This would be handled as it has in the past with other grants we have applied for and received on behalf of businesses, like the Match on Main

grant and the Resilient Lakeshore Heritage Grant.

Enhance and showcase the outstanding quality of life in Charlevoix

Recommendation:

Motion to approve the Certified Local Government Grant Memorandum of Understanding and Resolution 2023-01-02 to apply for \$48,000 of funding through the Certified Local Government Grant program to support the Charlevoix Historical Society's project on the Historic Train Depot.

Attachments:

1. Resolution
2. Memorandum of Understanding

Resolution to Authorize the City of Charlevoix to apply for a CLG Grant with SHPO for the Depot Roof Replacement and Chimney Restoration

I, Sarah Dvoracek, the duly qualified and acting Clerk of the City of Charlevoix, do hereby certify that the following resolution was adopted at a meeting of the Charlevoix City Council held on January 16, 2023 is on file; has not been amended, altered or revoked; and is in full force and effect.

RESOLVED:

Whereas, the City of Charlevoix has entered into an agreement with the Charlevoix Historical Society to complete the preservation and rehabilitation work for the Charlevoix Depot located at 305 Chicago Ave, Charlevoix, MI, and;

Whereas, the City of Charlevoix will file an application to the Michigan State Historic Preservation Office (SHPO) for the Certified Local Government Grant program in the amount of Forty-eight Thousand (\$48,000.00) Dollars for the Roof Replacement and Chimney Restoration for the Charlevoix Train Depot located at 305 Chicago Ave, Charlevoix, MI 305 Chicago Ave, Charlevoix, MI and;

Whereas, the City of Charlevoix and the Charlevoix Historical Society, owner of the Charlevoix Depot, located at 305 Chicago Ave, Charlevoix, MI, have entered into an agreement delineating the parties responsible for grant administration and related activities necessary for the successful completion of the project, and;

Whereas, the City of Charlevoix has appointed Lindsey Dotson, Charlevoix DDA Executive Director, as the Grant Project Manager;

Whereas, the City of Charlevoix acknowledges that the Certified Local Government Grant Program is an expense reimbursement program. The City of Charlevoix authorizes expenditures in the amount of One hundred ten thousand (\$110,000) for the total project cost, with DDA Funds (Forty-eight thousand \$48,000) and Sixty-Two thousand \$62,000 in funds from the Charlevoix Historical Society (including other State or Federal grants), and;

Whereas, the City of Charlevoix acknowledges that reimbursements will be made upon completion of final project work, SHPO acceptance of the final completion report, SHPO audit and acceptance of financial documentation for eligible costs and SHPO acceptance of a historic preservation easement recorded at the Register of Deeds, and;

Whereas, upon approval of the application by the SHPO, Lindsey Dotson, Charlevoix DDA Executive Director, shall be authorized to sign the grant agreement, any necessary grant agreement amendments, and other agreement-related documents, and;

Whereas, upon completion of the project, the Charlevoix Historical Society shall be required to execute the required historic preservation easement and record it at the County Register of Deeds before the grant reimbursement will be processed by the SHPO;

RESOLVED, that Charlevoix Historical Society directs the City of Charlevoix to file an application for a grant from the SHPO Certified Local Government Grant Program for Forty-eight Thousand (\$48,000) Dollars;

and

RESOLVED, that Lindsey Dotson, Charlevoix DDA Executive Director, be and hereby is authorized and directed to sign the grant application and any additional grant documentation, and to take any additional administrative actions necessary to implement this resolution.

SEAL

Memorandum of Understanding
Certified Local Government (CLG) Application

Approval: Charlevoix Historical Society Date: January 10, 2023

Approval: _____(City of Charlevoix)_____ Date: _____

Agreement Scope

The Charlevoix Historical Society and the City of Charlevoix voluntarily agree to enter into a cooperative arrangement as described in the balance of this Memorandum of Understanding (MOU) with regard to the 2023 Certified Local Government (CLG) grant program for the rehabilitation of Charlevoix Train Depot Roof and Chimney Project. This MOU is intended by the parties to assist them in the coordination of mutually beneficial activities and to serve as a written record of the intentions and responsibilities of each party at the time of signing the MOU, stated in good faith and with as much accuracy as possible. It is not intended that this document should confer contractual rights on any party or serve as the basis for any legal claim.

The Charlevoix Historical Society will designate the City of Charlevoix as the administrative agent to act as fiduciary for the Grant. As the administrator, City of Charlevoix will be authorized and directed to file an application with Charlevoix Historical Society for the Grant, with additional responsibilities assumed by each of the parties, including Charlevoix Historical Society which owns Charlevoix Train Depot, 307 Chicago Ave. Charlevoix, MI 49720, noted in this MOU.

The Michigan State Historic Preservation Office (SHPO) will provide a 2023 CLG Grant award for the Charlevoix Train Depot Roof and Chimney Project of forty-eight thousand dollars (\$48,000). The TOTAL PROJECT COST from the grant award totals one hundred and ten thousand dollars (\$110,000).

All grant administration requirements as outlined in the grant manual must be followed by the designated parties.

Agreement Period

This MOU is effective January 23, 2023, until September 30, 2025, by and between Charlevoix Historical Society, having its principal place of business at 103 State Street, Charlevoix, MI 49720, and the City of Charlevoix having its principal place of business at 210 State Street, Charlevoix, MI 49720.

This MOU may be modified or amended in writing upon the agreement of both parties to this MOU.

Agreement Components As a partner of Charlevoix Train Depot Roof and Chimney Project City of Charlevoix will:

- Consult with Charlevoix Historical Society on an ongoing basis to facilitate the administration of the grant agreement.
- Participate in an initial site visit with SHPO staff and Charlevoix Historical Society.
- Prepare and submit quarterly progress reports to SHPO describing the project work completed and accounting for any deviation from the approved performance schedule and budget.
- Execute the bidding process including, but not limited to: writing RFPs, organizing public bid openings, and creating a selection committee comprised of representatives from Charlevoix Historical Society to evaluate bids and select a consultant.
- Submit documentation of the bidding process and consultant contracts and recommend consultant selection to SHPO.
- Execute a contract agreement between the City of Charlevoix and the selected consultant for the performance of work necessary to complete the Grant Project. Submit a copy of the consultant contract to SHPO.
- Set up regular meetings to ensure that the work is proceeding according to the project scope and timetable.
- Provide approval of pay requests.
- Pay all invoices and project expenses and submit copies to the Charlevoix Historical Society for their records.
- Keep Charlevoix Historical Society informed of the progress of the Grant Project.
- Notify or seek approval from SHPO of any proposed changes in the scope of work or budget prior to implementing the change.
- Prepare and submit the final reimbursement request to SHPO.
- Prepare and submit the final completion report to SHPO.

Indemnification of the Charlevoix Historical Society by requiring all selected consultants to indemnify Charlevoix Historical Society as well as list Charlevoix Historical Society as additional insured.

Charlevoix Historical Society will:

- File a joint grant application with the City of Charlevoix and submit it to SHPO for the Grant Project.
- Supply ownership documentation to the City of Charlevoix as outlined in the CLG grant manual.
- Provide contact person(s) for the Grant Project who will attend regularly scheduled meetings and provide site observation.
- Provide access, as required to complete the Grant Project, to the buildings and surrounding grounds.
- Aid with issuing of RFPs, advertising for bids, and participating in a selection committee to evaluate bids and select a contractor.
- Indemnification of the City of Charlevoix by requiring all selected consultants to indemnify the City of Charlevoix as well as list the City of Charlevoix as additional insured.

Charlevoix City Council

All Other Actions and Requests

Title: Charlevoix County Recreation Millage Grant

Date: January 16, 2023

Presented By: Kent Knorr, Recreation Director

Background:

The Charlevoix County Parks and Recreation Millage was started in 2015 and is designed to ensure funding throughout the county. Submitted applications are intended for the funding of appropriate parks/recreation development projects that demonstrate a direct recreational benefit.

The Recreation Department would like to submit an application for funding to assist with the funding of the previously approved Michigan Beach Upland Renovation and Development. Here's a link to the Michigan Beach Master Plan, [please Click here.](#)

One feature of this project is the creation of new historical and landscape signage relevant to the land being utilized for this trail development. The signs will feature local history, information about the environment, local paths and points of interest. In our current plan, we are prepared to create 4 signs at the cost of \$8,500.

Including the Charlevoix County Parks and Recreation Millage as a funding source for this portion of the project may reduce the financial responsibility of the City.

Recommendation:

Motion to approve Resolution 2023-01-04 in support of application for the 2023 Charlevoix County Parks Millage Grant.

Attachments:

1. Resolution 2023-01-04 Recreation Millage

**CITY OF CHARLEVOIX
RESOLUTION NO. 2023-01-04**

**APPLICATION TO CHARLEVOIX COUNTY PARKS MILLAGE FUNDING FOR PARKS AND RECREATION SIGNAGE FOR
THE MICHIGAN BEACH UPLAND RENOVATION AND DEVELOPMENT**

- WHEREAS,** the City of Charlevoix wishes to increase access and visibility of parks and recreation assets in the City of Charlevoix; and
- WHEREAS,** the City of Charlevoix is requesting a \$8,500 appropriation from the County Board of Commissioners; and
- WHEREAS,** the City of Charlevoix will upon appropriation of the County Board of Commissioners County Parks Millage Funding, commit \$40,000 towards this project; and
- WHEREAS,** the City of Charlevoix desires to construct historical and informational signage to meet the needs of recreation users in Charlevoix County.

NOW THEREFORE BE IT RESOLVED, by the City of Charlevoix that pursuant and subject to all of the terms and provisions of the Charlevoix County Parks millage, application be made to the Charlevoix County Board of Commissioners for funding; and

BE IT FURTHER RESOLVED, that the City Manager of the City of Charlevoix is hereby authorized and directed to cause the necessary data to be prepared and the application to be signed and filed with the County of Charlevoix.

RESOLVED this 16th day of January, 2023 A.D.

Resolution was adopted by the following yeas and nays vote:

Yeas:

Nays:

Absent:

Charlevoix City Council

All Other Actions and Requests

Title: Mayoral Appointment

Date: January 16, 2023

Presented By: Lyle Gennett-Mayor

Background:

Mayor Gennett advised he plans to make the following appointment:

David Levy to the Shade Tree and Park Commission for a term to expire December 31, 2025.

Recommendation:

Motion to confirm the Mayor's appointment of XXX to the Shade Tree & Park Commission for a term to expire on December 31, 2025.

Attachments:

1. David Levy Application

Sarah Dvoracek

From: noreply@civicplus.com
Sent: Thursday, January 12, 2023 1:25 PM
To: Sarah Dvoracek
Subject: Online Form Submittal: Volunteer Boards and Committees Application

Follow Up Flag: Follow up
Flag Status: Flagged

Volunteer Boards and Committees Application

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

Committees and Boards to Apply For	Shade Tree & Park Commission
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Name	David
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Email Address	davidlevychx@gmail.com
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Address	107A Bridge St, Charlevoix
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Home Phone	231-675-5555
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Cell Phone	231-675-5555
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Are you a registered voter in the City?	Yes
---	-----

How long have you lived in the City?	5
--------------------------------------	---

Educational Background	<i>Field not completed.</i>
------------------------	-----------------------------

Professional Qualifications and / or Work Experience	<i>Field not completed.</i>
--	-----------------------------

Community Activities and / or Other Experience	<i>Field not completed.</i>
--	-----------------------------

Have you served on a board / committee or held a civic position in the past?	Yes
--	-----

If yes, please explain.	<i>Field not completed.</i>
Do you foresee any potential conflicts of interest while executing the duties of this position?	No
Reason(s) You Wish to Serve	<i>Field not completed.</i>
Have you reviewed the current meeting schedule of the board / committee and can commit to regular meeting attendance?	Yes
Electronic Signature Agreement	I agree.
Electronic Signature	David Levy
Date	1/12/2023

Email not displaying correctly? [View it in your browser.](#)

Links contained in this email have been replaced. If you click on a link in the email above, the link will be analyzed for known threats. If a known threat is found, you will not be able to proceed to the destination. If suspicious content is detected, you will see a warning.

Charlevoix City Council

Reports and Communications

Title: City Manager's Comments

Date: January 16, 2023

Presented By: Mark Heydlauff, City Manager

Background:

A. Day Camp Registration Process

Last year, there were concerns about the process for registering children for McSaubia Day Camp and the prioritization of camper spots for City and Charlevoix Township residents. The Recreation Department has been working on improvements to this system including new processes by our registration software vendor. Among the improvements are the ability for parents to pre-populate information for their children before the registration day and the ability to restrict registration for a time to residents of the City and Charlevoix Township. Now, it should be clear that even with these improvements, we still expect more demand for spots than our ability to provide them. The number of campers is regulated by our license from the state and the primary limitation is tied to the space where we house the camp and the number of staff on hand. Given that we are not able to increase the size of the building, hiring additional staff is not an option yielding benefit. The demand for day camp speaks to the larger problem of the shortage of day care options for parents in our community. Next month, Recreation Director Knorr will be present to review changes with Council and gain further input before we open the 2023 registration process.

B. Zoning Administrator/Code Enforcement Officer

As discussed at the City Council Work Session on January 2, I am finalizing a job description for this proposed full-time position. Janet Koch will be leaving us next week. I very much appreciate her service and the work she did to maintain our zoning standards over the past year. With her feedback and the guidance of others in this field, I plan to post this as a full-time position in the next week or so. We'll work with Networks Northwest on a temporary solution for zoning approval until we find someone new. I wish Janet well in her new position with Antrim County!

C. Current and Future Requests for Proposals

We have had renewed interest from a couple of different folks who are interested in doing kayak and paddle board rentals at Ferry and Depot Beaches. We have opened a Request for Proposals for this offering on our website. The potential also exists for someone to offer concession options at Ferry Beach. We are also developing an RFP for the removal of the huts at the golf course. As I understand, they were once located in East Park. They are unused at the Golf Course and only lead to additional maintenance costs.

D. Coast Guard Recognition

DDA Director Lindsey Dotson met with a member of our community who is retired from the United States Coast Guard. Their discussion led them to the Coast Guard City designation offered by the USCG. I've attached the background on this program. Currently, I do not believe we have the level of connection with our station that would make an application worthwhile, but it brings to mind the greater connection we might want to establish to support the personnel who protect our community

and waterways from Coast Guard Station Charlevoix.

Recommendation:

Attachments:

1. Housing Commission Regular Meeting Minutes 11/15/2022
2. Planning Commission Regular Meeting Minutes 12/12/2022
3. Coast Guard City Application

CHARLEVOIX HOUSING COMMISSION

210 WEST GARFIELD ST.
CHARLEVOIX, MICHIGAN 49720
(231) 547-5451



PROJECT
PINE RIVER PLACE

REGULAR MEETING

CHARLEVOIX HOUSING COMMISSION

Tuesday, November 15, 2022

2:00 p.m.

PINE RIVER PLACE COMMUNITY ROOM

Commissioners Present: Mitts Lee, Laurene Crandall, R.J. Waddell, Joan Buday
Commissioners Absent: None

Others Present: Dan Murray CHC-Maintenance Supervisor, Annessa Haist-Director MPH/CHC, Cindy Morris CHC-Occupancy Specialist and Residents of Pine River Place.

Commissioner Mitts Lee called the Meeting to Order at 2:06 p.m.

ADDITIONS TO THE AGENDA: Code of Ethics – Commissioner Waddell spoke briefly on informing all Commissioners to refer the City of Charlevoix.

Approval of the October 18, 2020 Meeting Minutes and Payables with Financials.

Motion by Commissioner Waddell, seconded by Commissioner Crandall to approve and accept the regular meeting minutes and payables with financials as presented for October 18, 2022.

Ayes: Lee, Crandall, Waddell, Buday

Nays: None

Absent: None

OLD BUSINESS: Bruce Johnston, Owner of Revitalize LLC (via Conference call) introduced himself and gave an extensive review of his contract to the Commissioners. Conversation was had with all questions answered pertaining to the contract review.

Motion by Commissioner Waddell to authorize the Executive Director/MPHC-CHC Annessa Haist to sign the contract with Revitalize LLC for the purposes of RAD. Seconded by Commissioner Buday.

Ayes: Lee, Crandall, Waddell, Buday

Nays: None

Absent: None

NEW BUSINESS:

Resolution VIII-2022 Bullying Policy

Resolution XIV-2022 Air Conditioner Policy

Discussion was had with all Commissioners answering all questions that arouse. Director stated both Policies will be given to all Residents of Pine River Place. Upon receiving their signature a copy of each will be given to them. Commissioner Waddell pointed out the Policies were well written.

Motion made by Commissioner Buday seconded by Commissioner Crandall to move forward with both Resolution VIII-2022 - Bullying Policy and Resolution XIV-2022 - Air Conditioner Policy.

Ayes: Lee, Crandall, Waddell, Buday

Nays: None

Absent: None

Executive Director's Report: Annessa Haist/Director MPHC/CHC gave a brief outline on where we are at with the Section 18 Disposal Process.

December Meetings scheduled were discussed letting all Commissioner's be aware along with the General Public.

Public Comment on subjects unrelated to Agenda Items: None

Adjournment: Meeting was adjourned by Commissioner Lee.

Respectfully submitted and approved by:



Executive Director, Annessa Haist – CHC/MPHC

The next Board Meeting is December 20, 2022 at 2:00 p.m. at the Pine River Place Community Room at 210 W. Garfield St., Charlevoix, MI. 49720

City of Charlevoix
Planning Commission Regular Meeting minutes
Monday, December 12, 2022 - 6:00 PM
Council Chambers, 210 State Street, Charlevoix, MI

A. Call to Order/Pledge of Allegiance

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

B. Roll Call

Chair: RJ Waddell

Members Scott Beatty, Sherm Chamberlain, Annemarie Conway, Toni Felter, John Kurtz, Mary

Present: Millington, Jennifer Muladore, Maureen Radke

Members

Absent:

Staff Jennifer Neal, Community Planner; Janet Koch, Zoning Administrator;

Present:

C. Inquiry into Potential Conflicts of Interest

Chair Waddell stated he had a conflict of interest in the Lucido/Makowski property (411 Bridge Street).

D. Approval of Agenda

Motion by Member Felter, seconded by Member Millington to approve the agenda as presented.

Motion carried by unanimous voice vote.

E. Approval of the Minutes

1. Draft Minutes of November 14, 2022

Motion by Member Chamberlain, seconded by Member Conway to approve the minutes of November 14, 2022 as presented.

Motion carried by unanimous voice vote.

F. Call for Public Comment Not Related to Agenda Items

G. New Business

1. Review of Special Land Use Application - 411 Bridge Street Proposed Apothecary and Relocation of Lakeview Dentistry of Charlevoix

Chair Waddell excused himself from the meeting. Vice Chair Muladore introduced the item and Zoning Administrator Koch reviewed the application and staff report. Mrs. Koch stated the application is very similar to the 2016 Special Land Use that was approved by the Planning Commission unanimously for a health care/wellness center with the biggest difference being that there is dedicated retail space upfront which is closer to meeting the definition of what is allowed in the Central Business District (CBD) Overlay.

Dr. Melissa Makowski and Michael Lucido introduced themselves as the applicants (Lakeview

Dentistry) for this proposal. Dr. Makowski stated their proposal was a little unorthodox but they were trying to find a way to ensure continuity of care for her dental patients. The property where her current practice is located is undergoing changes and their offer to purchase the property was out bid. Dr. Makowski stated that the retail apothecary store would occupy approx. 500 sq. ft. of the 1,500 sq. ft. property. Mr. Lucido further explained the retail aspect, store hours, and products they will offer year-round.

Member Beatty stated he should also abstain from voting on this matter and left the dais. The applicants responded to questions from the Board members. Member Chamberlain listed past and present professional office uses in the downtown area.

Vice Chair Muladore reported that the Commission members had received letters from Kirby and Jack Dipert representing their individual businesses. The public hearing was opened.

Terry Left, Villager Pub owner, referenced the "marine store" which had been planned for retail, but no retail products were sold at that location. He experienced concern about setting a precedent that would allow other professional offices to be located in the downtown corridor.

Shirley Gibson questioned the definition of a specialty shop contained in the overlay district zoning ordinance.

The public hearing was closed.

Member Radke questioned what would happen to the special use permit if approved and then the retail shop failed. Zoning Administrator Koch stated that the Commission could approve the special use permit conditioned upon the existence of the retail shop.

Lindsey Dotson, Executive Director of the Downtown Development Authority stated the Planning Commission's role was to consider the use of space and didn't think it was appropriate the Commission was discussing performas and financial plans.

Discussion followed regarding the retail aspect, the challenges of retail in the winter, and the potential for success of this particular business. Zoning Administrator Koch reviewed the potential conditions of approval. Vice Chair Muladore reviewed all of the review standards that were met with the exception of 153.253 (A). She proceeded to review in detail the staff submitted findings of fact and after discussion the consensus for each finding of fact was agreed to as follows:

- (A) The Planning Commission finds that the proposed special use of a retail front is a permitted use in the overlay district and it will be harmonious with the intended character of the general vicinity.
- (B) The Planning Commission finds that the proposal meets this standard.
- (C) The Planning Commission finds that the proposed special use will not be hazardous or disturbing to existing or future nearby uses.
- (D) The Planning Commission finds that, as the property is already developed, this section is not applicable.
- (E) The Planning Commission finds that the proposal meets this standard.

- (F) The Planning Commission finds that the proposal meets this standard.

Vice Chair Muladore read the conditions of approval identified in the staff report, she stated that she would like to see a more detailed plan from the architects, and the special use should be conditional on the owners and conditional on at least 500 sq. ft. of dedicated retail space in the front.

Michael Lucido questioned if the retail space could be a range between 450-500 square feet.

Motion by Member Chamberlain, seconded by Member Felter to approve the project based on specific findings of fact that the application does meet the review criteria in Chapter 153.253 with the condition that the front 450 square feet be retail space at a minimum.

Yeas: Chamberlain, Conway, Felter, Kurtz, Millington, Muladore, Radke

Nays: None

Absent: None

Abstained: Waldell, Beatty

Motion carried.

Chair Waddell and Member Beatty returned to the meeting.

2. 2023 Schedule of Meetings

There were no conflicts with the 2023 scheduled meeting dates.

3. Review of Planning and Zoning Fee Schedule

Zoning Administrator Koch reviewed the proposed changes to the Planning and Zoning Fee Schedule.

Motion by Member Chamberlain, seconded by Member Conway to recommend that the City Council approve, starting in fiscal year 2023-2024, increasing the cost of a zoning permit to \$50, and increasing the cost of a sign permit to \$50 accompanied by an elimination of the cost per sign requirement.

Motion carried by unanimous voice vote.

4. Activities Matrix Discussion

Member Waddell reviewed the 2023 Proposed Tasks. The following tasks were identified on the matrix as follows:

1. Review opportunities to expand Missing Middle Housing building options - **High Impact/High Effort**
2. Review Outdoor/RV Storage Ordinance language - **High/Low Impact/High Effort**
3. Review Downtown Building Height Ordinance language - **High Impact/Low Effort**
4. Review Outdoor Lighting Ordinance language - **High Impact/Low Effort**
5. Review Sign Lighting Ordinance language - **Low Impact/Low Effort**
6. Review requirements to install utilities underground - **High Impact/Low Effort**
7. Create Charlevoix Corridor zoning district - **High Impact/High Effort**
8. Consider expanding residential uses in industrial zoning districts - **High Impact/Low Effort**
9. Review regulations and requirements for long-term residential uses on watercraft - **not selected as a proposed task**

10. Hold joint meeting with surrounding jurisdictions - **High Impact/Low Effort**

H. Old Business

1. Bed and Breakfast Parking Standards
Item tabled to the January 2023 meeting.
2. Expanding Housing Types Discussion
Item tabled to the January 2023 meeting.

I. Staff Updates

1. Zoning Administrator's Report
Zoning Administrator Koch stated that in January the Commission would see a Level B Site Plan review for the expansion of the rooftop deck at the Hotel Earl.
2. Seasonal Population Study for Northwest Lower Michigan Presentation
Item tabled to the January 2023 meeting.

J. Requests For Next Months Agenda or Research Items

Chair Waddell stated next month they would have election of officers, the three items tabled from this meeting, and the possible site plan review for the Hotel Earl.

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

The meeting adjourned at 7:59 p.m.

Sarah J. Dvoracek/fgm City Clerk

RJ Waddell

Chair



Coast Guard City Program

Application and Recertification Guidance

Background

The Coast Guard City program recognizes communities that support local Coast Guard members. A city, municipality, or county (hereafter referred to only as “city”) earns the designation “Coast Guard City” or “Coast Guard Community” by making special efforts to acknowledge the professional work of the Coast Guard men and women assigned to their area. Coast Guard Cities regularly reach out to Coast Guard personnel and their families and make them feel at home in their “home away from home.” The city’s efforts illustrate a longstanding and enduring relationship with an emphasis on considerations the community has made for the members of the Coast Guard family.

Application Process

- The Standing Board for the Coast Guard City program will convene twice a year to consider new and recertification applications, July and December.
- All applications received from January through June will be considered during the July board meeting.
- All applications received from July through November will be considered during the December board meeting.

Application Packages

Application packages must include the following:

- A letter from the mayor, city manager, or county executive describing community-wide outreach and support of the local Coast Guard unit(s).
- Letters of support from unit and district Coast Guard offices.
- A separate 2-page minimum bulleted document listing specific examples of actions the community has taken and events it has sponsored to reach out to Coast Guard personnel welcoming them into the community and embracing them in a full community partnership.
- Letters of support from local, city, and state government offices.
- Unique examples of the city’s efforts of outreach and support.
- 5-10 photographs from community events and ceremonies.

Additionally, successful applications often include letters of support from other organizations that take part in the community’s efforts to welcome the Coast Guard. Examples include:

Chambers of Commerce; non-government organizations (e.g., Navy League); civic organizations (e.g., Lions, Kiwanis); corporate entities; police, sheriff, fire, and EMS departments; educational organizations; and prominent individuals. The applying city should collect these letters and include them in the final application package. The Coast Guard City program office will not read unsolicited letters of support.

Taken as a whole, a city's application should demonstrate a broad range of activities, programs, and actions that demonstrate an unusual and sustained level of support for local Coast Guard members and their families. Although specific examples will be unique to local needs and resources, several common examples are given below. The request should specify which groups or organizations within the community are responsible for, or participate in, the initiatives.

Strong applications include tangible examples of the city's participation in or support for many of the following:

- Support for Morale, Well-Being, and Recreation (MWR) events.
- Support for education/scholarship programs.
- Availability of community support services to Coast Guard members and their families.
- Sponsorship of Sailor of the Quarter, Sailor of the Year, Recruiter of the Year, or other similar types of awards.
- Demonstrations of sensitivity to life-altering events within the Coast Guard community including expressions of congratulations for weddings and newborns or expressions of sympathy for deaths and other family tragedies.
- Sponsorship of community patriotic events that specifically include members of the Coast Guard family. These events could include, but are not limited to, Memorial Day picnics, 4th of July picnics, Armed Forces Day events, Veterans Day observances, Coast Guard Birthday events, etc.
- Offer military or Coast Guard "days" within the business community, at local sporting events, and other entertainment events.
- City-Coast Guard partnerships in community-based projects including law enforcement, fire, and EMS projects; civic organizational projects; food drives; home building projects; educational projects; etc.
- Establishing monuments, memorials, commemorations, or other tangible forms of public recognition.

Beginning January 2019, the Coast Guard City program will no longer accept hard copy submissions. All submissions should be electronic. They should be submitted via email to Gwenda.E.Bradford@uscg.mil.

Review Process

A standing board comprised of representatives from the offices of the Commandant of the Coast Guard, Governmental and Public Affairs, Judge Advocate General and Chief Counsel, and Human Resources review all applications and make recommendations to the Commandant. The Commandant makes the final determination.

Upon the Commandant's approval, the Coast Guard will notify the appropriate congressional committees of the new designation. This step initiates a required 30-day waiting period. With no dissent from the committees, the designation "Coast Guard City" or "Coast Guard Community" becomes official. The Coast Guard will then send a signed proclamation to the local command for presentation to the city, and cities are encouraged to organize ceremonies or celebrations where official announcements may be made.

Notification Letters

After the Board submits its recommendations, and the Commandant approves, the Coast Guard City program office will prepare letters announcing the Coast Guard's intent to approve the designation "Coast Guard City" to the city's mayor; the U.S. House of Representatives Committee on Transportation and Infrastructure; and the U.S. Senate Committee on Commerce, Science, and Transportation. These letters will be distributed no later than 10 days after the Commandant's approval.

Acceptance Packages

The Coast Guard City program office will develop the acceptance package, which will be sent to the District POC within 15 days of the 30-day waiting period expiring with no dissent from the committees. Original hard copies will be mailed, and a PDF of the package will be emailed to the District POC.

The acceptance package will consist of the following items:

- Proclamation
 - Drafted by Coast Guard City program office and signed by Commandant
- Personal letter of congratulations to city from Commandant
 - Drafted by Coast Guard City program office and signed by Commandant
- Digest (*for USCG use only, **not to be forwarded to the city***)
 - Drafted by Coast Guard City program office and contains:
 - Contact name, mailing address, email, and phone number for the new Coast Guard City's point of contact
 - 1–3 bullets on new Coast Guard City's application package
 - 1–3 bullets about the Coast Guard City program

Once the District POC receives the acceptance package, he or she will add to the package the following:

- Personal letter of congratulations to city from District Commander
 - Drafted by District and signed by District Commander

Via phone call, the District will notify the new Coast Guard City of its acceptance into the program within five days of receiving the acceptance package and will identify a mutually-acceptable date for a formal, public announcement/event where the District/local unit will present the proclamation and letters in person.

The Coast Guard City program office will send the Digest to USCG Congressional Affairs, which will draft letters of notification to be sent to local, state, and federal legislative delegations within 15 days of the 30-day waiting period expiring.

Recertification Procedures

The “Coast Guard City” designation remains effective for five years. After that time, the city must provide an updated package for recertification. The recertification process helps ensure the designation remains accurate and meaningful.

The Coast Guard will notify cities approximately 12 months before the expiration of their five-year term. To recertify, **a city must provide a recertification package on or before the first week of June of the concluding year** describing its on-going relationship with the Coast Guard with examples of recent programs and projects. The Coast Guard City board will convene and review the recertification package. If approved, the city’s status as a “Coast Guard City” will be renewed for another five-year term.

The recertification application should demonstrate a vibrant and ongoing commitment to the Coast Guard personnel in the community. The city must provide a copy of its recertification package to the local Coast Guard unit(s), which will review the request and forward it to the Coast Guard City program office with an endorsement.

A recertification application package must include the following:

- All of the same requirements for a first-time application.
- Material stating how the city intends to continue the relationship.
- Materials demonstrating how the “Coast Guard City” moniker is used to help promote the Coast Guard (as opposed to promoting the city).

If a city’s recertification package is determined not to meet the high standard set for Coast Guard Cities, a provisional denial letter will be sent to the city and the local Coast Guard unit(s). The city will have 45 days to resubmit its recertification package. If the Coast Guard does not receive an updated application after 45 days, the city will lose its designation as a “Coast Guard City.”

If the city chooses not to recertify, the designation of “Coast Guard City” will be withdrawn with 60-days’ notification to the city. Within that time the city must remove the designation from any signs, letterheads, websites, etc.

FAQs

Can more than one local jurisdiction share a “Coast Guard City” designation?

In areas with more than one local jurisdiction (such as a city, county, and township), one municipality must be selected to receive the Coast Guard City designation.

Can a Coast Guard unit nominate its host community as a Coast Guard City?

No. The application must come from the city itself. Local units may educate the host community about the program and help local leaders obtain more information on how to apply. Ultimately, the community, independent of the local command, should undertake the initiative. As part of the internal review process, the Coast Guard City board will ask local commands for their input.

My city was recently named a “Coast Guard City/Community,” and I would like to incorporate the Coast Guard emblem into signs, flags, displays, etc. Does the “Coast Guard City/Community” designation allow me full use of the logo?

No. Any use of protected Coast Guard logos, emblems, or words must be approved by Coast Guard Trademark Office. For more information, please contact the Coast Guard’s Office of Community Relations at 202-372-4640 or Trademark@uscg.mil.

For more information

If you have additional questions, please contact the Coast Guard’s Office of Community Relations at 202-372-4625.