



Agenda
City of Charlevoix City Council Regular Meeting
Monday, October 7, 2024 - 6:00 PM
Council Chambers, 210 State Street, Charlevoix, MI

- 1. Pledge of Allegiance**
- 2. Roll Call**
- 3. Presentations**
 - A. Domestic Abuse Awareness Month
Mayor Lyle Gennett
- 4. Inquiry Regarding Conflicts of Interest**
- 5. Consent Agenda**
 - A. City Council Meeting Minutes - September 16, 2024
 - B. Accounts Payable and Payroll Check Registers
 - C. MPPA Power Purchase Commitment Authorization
 - D. Lease of Police Patrol Vehicle 2025
 - E. 2024 ROW Tree Planting Bid
 - F. AI Policy
 - G. Institute for Responsive Government Grant
- 6. Public Hearings and Actions Requiring Public Hearings**
 - A. Conditional Rezone of a portion of 743 Petoskey Avenue
Jonathan Scheel, Zoning Administrator
- 7. All Other Actions and Requests**
 - A. Deer Cull
Jill McDonnell, Chief of Police
 - B. 109 Mason Street Redevelopment Ready Proposal
Mark Heydlauff, City Manager
 - C. Revised LCEMSA Articles of Incorporation
Mark Heydlauff, City Manager
Mark Knapp
- 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

Presentations

Title: Domestic Abuse Awareness Month

Date: October 7, 2024

Presented By: Mayor Lyle Gennett

Background:

Recommendation:

Attachments:

1. October 2024 as Domestic Abuse Awareness Month



MAYORAL PROCLAMATION FOR DOMESTIC ABUSE AWARENESS MONTH OCTOBER 2024

- WHEREAS,** domestic abuse perpetrators intentionally use of pattern of physical, emotional, sexual, psychological, and/or economic coercion and abuse to control their intimate partners, violating their dignity, security, and both psychological and physical well-being; and
- WHEREAS,** domestic abuse perpetrators cause significant and long-lasting trauma to countless individuals and families; and
- WHEREAS,** when children are involved, domestic abuse perpetrators' choices to be violent and abusive are parenting choices that often have devastating and far-reaching adverse impacts on the safety and well-being of children and their non-offending parents; and
- WHEREAS,** the 2022 Michigan State Police's Incident Crime Report indicated there were 69,765 domestic violence offenses reported to Michigan law enforcement during the year; and
- WHEREAS,** survivors of domestic abuse are present in every Michigan community, regardless of sexual orientation, race, religion, ability, age and gender identity; and
- WHEREAS,** domestic abuse can be prevented through the collective voice and power of individuals, families, institutions, and systems working together toward this common goal; and
- WHEREAS,** Domestic Abuse Awareness Month provides an opportunity for community members to learn more about preventing domestic abuse and to show support for the organizations and individuals who provide critical advocacy, services, and assistance to victims.

NOW, THEREFORE BE IT RESOLVED, that I, Lyle Gennett, Mayor of the City of Charlevoix, on behalf of all residents, do hereby proclaim October 2024 as Domestic Abuse Awareness Month.

Given under my hand this 7th day of October 2024.

Lyle Gennett
Mayor

Charlevoix City Council

Consent Agenda

Title: City Council Meeting Minutes - September 16, 2024

Date: October 7, 2024

Presented By:

Background:

Recommendation:

Motion to approve the minutes as presented.

Attachments:

1. City Council Draft Meeting Minutes 09/16/2024

City of Charlevoix
City Council Regular Meeting Minutes
Monday, September 16, 2024 - 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

Council Member Knapp recused himself from 6. A. Set Public Hearing: Conditional Rezone, 743 Petoskey Avenue.

5. Consent Agenda

City Manager Heylauff answered questions from Council Members.

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

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

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

Nays: None

Absent: None

Motion carried.

A. City Council Meeting Minutes - September 3, 2024

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
09/05/2024	Special Accounts Payable Run	\$26,353.10
09/13/2024	Payroll (net pay)	\$136,745.88
09/13/2024	Payroll Transmittal Checks	\$6,102.18
09/17/2024	Regular Accounts Payable	\$760,562.71
09/03/2024-09/17/2024	ACH/WIRE Payments	\$241,634.29

09/10/2024	Special A/P Tax Disbursement	\$5,351,529.70
Grand Total		\$6,522,927.86
The entire accounts payable and payroll check registers can be viewed here.		

C. Belle River Power Plant Contract Amendments

Motion to authorize the City Manager to sign the Amended Belle River Power Sales Contract and Amended Belle River Project Support Contract as presented.

Motion to adopt the Participant Resolution Approving Belle River Power Sales Contract and Project Support Contract, as amended and restated.

D. Wastewater Treatment Plant-Human Machine Interface

Motion to approve the proposal as presented by Smith & Loveless Inc for the amount of \$18,730.

E. Water Tower Maintenance: \$41,000

Motion to approve the contract with LC United in the amount of \$41,000 and have the City Manager sign all required documents.

6. Public Hearings and Actions Requiring Public Hearings

A. Set Public Hearing: Conditional Rezone, 743 Petoskey Ave.

Jonathan Scheel, Zoning Administrator

Council Member Knapp stepped down from the dais (6:03 p.m.)

City Manager Heydlauff presented information on the conditional rezone for 743 Petoskey Avenue. Council requested more information about a barrier between the general commercial zoning district and the residential zoning district.

Mayor Gennett opened the item for public comment, one was heard.

Motion by Hagen, seconded by Cole to set a public hearing for Monday, October 7, 2024, at 6pm in the Council Chamber of City Hall, 210 State Street, Charlevoix, MI for the proposed conditional rezone ordinance amendment.

Yeas: Cole, Spring, Hagen, Parr, Kalbfell

Nays: None

Absent: None

Abstain: Knapp

Motion carried.

Council Member Knapp returned to the dais (6:06 p.m.)

7. All Other Actions and Requests

A. 2025 Deer Cull

Jill McDonnell, Chief of Police

Chief McDonnell presented information on the 2025 Deer Cull request. Chief McDonnell answered questions from Council Members.

Mayor Gennett opened the item for public comment; six were heard.

Council requested more information and that the item be on the next agenda. No action was taken.

8. Reports and Communications

A. Public Comment

- Annemarie Conway shared updates from the Charlevoix Animal Humane Society as well as updates from the County Commission
- Shelley Boehmer extended an invite to all for the upcoming Community Thanksgiving Dinner and provided details, she also stated the City Crews are doing a great job at keeping the City beautiful
- Perry Irish Hodgson stated the deer cull should be considered an annual maintenance expenditure

B. City Manager's Comments

C. Mayor and Council Comments

- Mayor Gennett stated (Giant Restoration) the company painting the hydrants is doing a great job

9. Other Council Business

10. Adjourn

Mayor Gennett adjourned the meeting at 6:54 p.m.

Sarah J. Dvoracek

City Clerk

Lyle Gennett

Mayor

Charlevoix City Council

Consent Agenda

Title: Accounts Payable and Payroll Check Registers

Date: October 7, 2024

Presented By:

Background:

Recommendation:

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

Attachments:

1. Check Registers10-07-24 Agenda

CHECK REGISTER FOR CITY OF CHARLEVOIX

CHECK DATE 09/20/2024 - 09/20/2024

BANK CODE: 1 - GENERAL CASH - HUNTINGTON BANK - CHECK TYPE: PAPER CHECK - CHECK SOURCE: COMPUTER GENERATED CHECKS

Check Date	Check	Vendor Name	Amount
Bank 1 GENERAL CASH - HUNTINGTON BANK			
09/20/2024	143438	AT&T	1,595.60
09/20/2024	143439	AT&T MOBILITY	839.36
09/20/2024	143440	CHARLEVOIX STATE BANK	6,990.77
09/20/2024	143441	CHARLEVOIX TOWNSHIP TREASURER	85.67
09/20/2024	143442	CHARTER COMMUNICATIONS	863.91
09/20/2024	143443	DELTA DENTAL	3,366.69
09/20/2024	143444	GFL ENVIRONMENTAL	1,685.66
09/20/2024	143445	GREAT LAKES ENERGY	202.99
09/20/2024	143446	PRIORITY HEALTH	41,783.00
09/20/2024	143447	RANGE TELECOMMUNICATIONS	214.00
09/20/2024	143448	VSP INSURANCE CO. (CT)	534.00
09/20/2024	143449	WEX BANK	7,748.31
1 TOTALS:			
Total of 12 Checks:			65,909.96
Less 0 void checks:			0.00
Total of 12 Disbursements:			65,909.96

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

09/20/24	Special Accounts Payable Run	\$	65,909.96
09/27/24	Payroll (net pay)	\$	128,822.57
09/27/24	Payroll Transmittal Checks	\$	5,405.19
09/27/24	Special Accounts Payable Run	\$	50.00
10/01/24	Payroll Transmittal Checks	\$	112,291.00
10/08/24	Regular Accounts Payable	\$	464,372.41
Checks Sub-Total:			\$ 776,851.13

HUNTINGTON NATIONAL BANK - ACH/WIRE PAYMENTS

09/16/24	MI Public Power Agency	\$	53,559.84
09/20/24	Enterprise FM Trust (fleet lease)	\$	4,361.36
09/23/24	MI Public Power Agency	\$	11,898.22
09/25/24	MI Public Power Agency	\$	211,598.04
09/27/24	IRS (Payroll Tax Deposit)	\$	46,428.04
09/27/24	Alerus Financial (HCSP)	\$	558.00
09/27/24	Vantagepoint (401 Plan)	\$	1,204.14
09/27/24	Vantagepoint (457 Plan)	\$	22,371.96
09/27/24	Vantagepoint (Roth IRA)	\$	1,165.00
09/27/24	State of MI (Withholding Tax)	\$	6,807.58
09/27/24	MERS (Defined Benefit Plan)	\$	67,728.06
09/30/24	MI Public Power Agency	\$	19,003.83
ACH Sub-Total:			\$ 446,684.07

Huntington National Bank Total: \$ 1,223,535.20

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

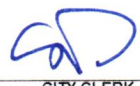
09/27/24	Special A/P Tax Disbursement	\$	241,541.53
Charlevoix State Bank Total:			\$ 241,541.53

Grand Total: \$ 1,465,076.73

APPROVED:


CITY MANAGER


CITY TREASURER


CITY CLERK

CHECK TEMPLATE REPORT FOR CITY OF CHARLEVOIX

For Payroll: 0000000002 Check Date: 09/27/2024 Pay Period End Date: 09/21/2024

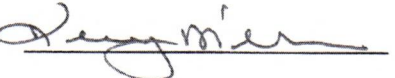
Check Number	Name	Check Date	Pay Period End Date	Gross	Net
143450	COX, RONALD L.	09/27/2024	09/21/2024	368.00	274.20
DD27430	MCCRANEY, RUSSELL R.	09/27/2024	09/21/2024	2,163.20	1,712.91
DD27431	POSTMUS, ANTHONY H.	09/27/2024	09/21/2024	2,122.24	1,557.26
DD27432	REECE, DANIEL A.	09/27/2024	09/21/2024	415.04	310.69
DD27433	SCHOLEY, ROBERT W.	09/27/2024	09/21/2024	3,022.21	2,041.61
DD27434	TRAVERS, MANUEL J.	09/27/2024	09/21/2024	2,372.24	1,950.50
DD27435	RILEY, DENISE M.	09/27/2024	09/21/2024	721.59	585.69
DD27436	KALLMAN, ARIN J.	09/27/2024	09/21/2024	676.50	596.01
DD27437	MACGILLIVRAY, ROGER	09/27/2024	09/21/2024	922.25	767.45
DD27438	DVORACEK, SARAH J.	09/27/2024	09/21/2024	3,157.15	2,498.78
DD27439	HEYDLAUFF, MARK L.	09/27/2024	09/21/2024	5,669.23	3,834.17
DD27440	MILLER, FAITH G.	09/27/2024	09/21/2024	657.64	421.96
DD27441	WALKER, MEREDITH A.	09/27/2024	09/21/2024	36.39	32.08
DD27442	ANDERSON, ELIZABETH A.	09/27/2024	09/21/2024	2,080.00	1,460.28
DD27443	DVORACEK, BRIAN N.	09/27/2024	09/21/2024	1,600.00	1,357.91
DD27444	EATON, BRAD A.	09/27/2024	09/21/2024	4,246.89	2,646.06
DD27445	FARRELL, MITCHELL L.	09/27/2024	09/21/2024	3,112.81	2,016.71
DD27446	GRIFFITH, JOHN J.	09/27/2024	09/21/2024	4,914.91	2,669.96
DD27447	KENWABIKISE, DAVID L.	09/27/2024	09/21/2024	1,895.20	1,310.60
DD27448	LAVOIE, RICHARD L.	09/27/2024	09/21/2024	2,854.32	1,722.62
DD27449	STERRETT, PHILLIP R.	09/27/2024	09/21/2024	3,851.12	2,607.17
DD27450	STEVENS, BRANDON C.	09/27/2024	09/21/2024	4,712.42	2,834.19
DD27451	WHITLEY, ANDREW T.	09/27/2024	09/21/2024	5,059.62	2,996.64
DD27452	WILSON, TIMOTHY J.	09/27/2024	09/21/2024	4,649.04	3,364.91
DD27453	BARNEVELD, RICHELLE L.	09/27/2024	09/21/2024	2,294.97	1,606.84
DD27454	JENKINS, JESSICA-RAE A.	09/27/2024	09/21/2024	1,930.74	1,498.64
DD27455	KLOOSTER, ALIDA K.	09/27/2024	09/21/2024	2,900.00	2,068.50
DD27456	MCGINN, KELLY A.	09/27/2024	09/21/2024	3,541.84	2,382.17
DD27457	SCHULZ, GINNY L.	09/27/2024	09/21/2024	2,404.81	1,796.81
DD27458	DRENTH, DOUGLAS A.	09/27/2024	09/21/2024	804.00	634.09
DD27459	ELGART, SARAH N.	09/27/2024	09/21/2024	212.50	196.23
DD27460	FRESA, EDWARD K.	09/27/2024	09/21/2024	367.50	339.40
DD27461	GILL, DAVID R.	09/27/2024	09/21/2024	1,586.25	1,300.22
DD27462	KLOOSTER, PATRICK H.	09/27/2024	09/21/2024	648.00	462.23
DD27463	LABLANCE, MAUREEN J.	09/27/2024	09/21/2024	422.38	378.66
DD27464	LIVINGSTON, BRIAN D.	09/27/2024	09/21/2024	2,988.00	2,298.11
DD27465	NISWANDER, WILLIAM M.	09/27/2024	09/21/2024	726.75	632.90
DD27466	PARKER, SCOTT W.	09/27/2024	09/21/2024	155.00	143.15
DD27467	PETROSKY, TIMOTHY D.	09/27/2024	09/21/2024	151.13	133.15
DD27468	WAY, KRISTINA M.	09/27/2024	09/21/2024	158.88	146.74
DD27469	DEROSIA, PATRICIA E.	09/27/2024	09/21/2024	1,253.24	780.02
DD27470	CUNNINGHAM, ABIGAIL A.	09/27/2024	09/21/2024	432.00	371.93
DD27471	LAVOIE, AUBREY J.	09/27/2024	09/21/2024	360.00	309.42
DD27472	MCDERMOTT, DENNIS J.	09/27/2024	09/21/2024	2,856.38	2,201.95
DD27473	PHILP, DAVAYAH A.	09/27/2024	09/21/2024	480.50	424.75
DD27474	WHITE, MARCUS W.	09/27/2024	09/21/2024	1,278.00	993.64
DD27475	CONWAY, PATRICK G.	09/27/2024	09/21/2024	355.50	249.84
DD27476	DOTSON, WILLIAM R.	09/27/2024	09/21/2024	980.00	821.54
DD27477	SCHEEL, JONATHAN D.	09/27/2024	09/21/2024	3,060.00	2,202.82
DD27478	CHRISTIANSEN, BRIAN D.	09/27/2024	09/21/2024	2,461.02	1,738.35
DD27479	MARTIN, DONALD L.	09/27/2024	09/21/2024	2,353.55	1,495.77
DD27480	MCDONNELL, JILL L.	09/27/2024	09/21/2024	3,568.36	2,211.20
DD27481	MUNK, CHRISTOPHER J.	09/27/2024	09/21/2024	2,559.63	1,577.49
DD27482	ORBAN, BARBARA K.	09/27/2024	09/21/2024	2,961.34	1,699.24
DD27483	RAMIREZ, CHARLES V.	09/27/2024	09/21/2024	2,232.36	1,590.76
DD27484	UMULIS, MATTHEW T.	09/27/2024	09/21/2024	2,584.30	1,526.71
DD27485	YOUNG, KRISTEN L.	09/27/2024	09/21/2024	2,079.99	1,547.99
DD27486	BORTHS, MICHAEL J.	09/27/2024	09/21/2024	1,130.25	936.45
DD27487	BRADLEY, KELLY R.	09/27/2024	09/21/2024	2,951.53	1,711.39
DD27488	CRANDELL, ZACKARY R.	09/27/2024	09/21/2024	1,232.50	1,003.57
DD27489	DORAN, JUSTIN J.	09/27/2024	09/21/2024	3,314.54	2,506.54
DD27490	ELLIOTT, PATRICK M.	09/27/2024	09/21/2024	4,911.27	3,385.25
DD27491	FURGESON, JUSTIN L.	09/27/2024	09/21/2024	2,673.20	2,018.35
DD27492	HART II, DELBERT W.	09/27/2024	09/21/2024	2,808.86	1,822.33
DD27493	HIGGINS, THERESE M.	09/27/2024	09/21/2024	328.13	289.08
DD27494	JOHNSON, RANDY J.	09/27/2024	09/21/2024	1,440.00	1,236.91
DD27495	JONES, ROBERT F.	09/27/2024	09/21/2024	2,458.63	1,611.48
DD27496	LEITNER, RYAN S.	09/27/2024	09/21/2024	2,568.48	1,772.32
DD27497	MORRISON, KEVIN P.	09/27/2024	09/21/2024	2,685.19	1,584.69
DD27498	NEDWICK, DAVID J.	09/27/2024	09/21/2024	1,019.38	870.38
DD27499	NOWKA, STEPHEN P.	09/27/2024	09/21/2024	2,182.53	1,573.40
DD27500	PARRISH, JASON P.	09/27/2024	09/21/2024	960.00	845.77

09/27/2024 03:10 PM

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CHECK TEMPLATE REPORT FOR CITY OF CHARLEVOIX
 For Payroll: 0000000002 Check Date: 09/27/2024 Pay Period End Date: 09/21/2024

Check Number	Name	Check Date	Pay Period End Date	Gross	Net
DD27501	POIROT, KENNETH R.	09/27/2024	09/21/2024	1,152.00	962.12
DD27502	RABIDEAU, JACOB L.	09/27/2024	09/21/2024	1,360.00	1,111.29
DD27503	REID, ROB A.	09/27/2024	09/21/2024	2,213.60	1,530.45
DD27504	RILEY, DANIEL A.	09/27/2024	09/21/2024	2,286.04	1,673.77
DD27505	SPEER, LIAM M.	09/27/2024	09/21/2024	956.25	803.01
DD27506	THORP, WILLIAM D.	09/27/2024	09/21/2024	2,422.50	1,530.67
DD27507	VENTZKE, COLE C.	09/27/2024	09/21/2024	953.75	801.04
DD27508	WILSON, SAMUEL J.	09/27/2024	09/21/2024	1,287.75	1,065.47
DD27509	WOOD, DIANA G.	09/27/2024	09/21/2024	952.00	799.67
DD27510	ANZELL, BETH A.	09/27/2024	09/21/2024	2,243.48	1,668.98
DD27511	KNORR, KENT J.	09/27/2024	09/21/2024	3,254.55	2,394.33
DD27512	STEBE, LAURA A.	09/27/2024	09/21/2024	15.50	14.31
DD27513	STEWART, SPENCER P.	09/27/2024	09/21/2024	314.50	277.11
DD27514	HILLING, NICHOLAS A.	09/27/2024	09/21/2024	4,732.42	2,946.95
DD27515	LOUGHMILLER, JOHN A.	09/27/2024	09/21/2024	2,410.17	1,743.10
DD27516	MEIER III, CHARLES A.	09/27/2024	09/21/2024	2,915.79	1,832.92
DD27517	NEWMAN, MARK J.	09/27/2024	09/21/2024	2,676.48	1,766.87
DD27518	ZACHARIAS, STEVEN B.	09/27/2024	09/21/2024	2,773.00	1,697.53
DD27519	WURST, RANDALL W.	09/27/2024	09/21/2024	3,269.93	1,703.45
Total Checks: 91				185,283.13	128,822.57

Authorization: 

CHECK REGISTER FOR CITY OF CHARLEVOIX

CHECK NUMBER 143451 - 143457

BANK CODE: 1 - GENERAL CASH - HUNTINGTON BANK - CHECK TYPE: PAPER CHECK - CHECK SOURCE: COMPUTER GENERATED CHECKS

Check Date	Check	Vendor Name	Amount
Bank 1 GENERAL CASH - HUNTINGTON BANK			
09/27/2024	143451	4FRONT CREDIT UNION	1,195.58
09/27/2024	143452	AMERICAN FAMILY LIFE	535.80
09/27/2024	143453	CHARLEVOIX STATE BANK	1,135.00
09/27/2024	143454	COMMUNICATION WORKERS OF AMER	647.95
09/27/2024	143455	MI STATE DISBURSEMENT UNIT	116.55
09/27/2024	143456	PRIORITY HEALTH	1,408.25
09/27/2024	143457	THE HARTFORD	366.06
1 TOTALS:			
Total of 7 Checks:			5,405.19
Less 0 Void Checks:			0.00
Total of 7 Disbursements:			5,405.19

CHECK REGISTER FOR CITY OF CHARLEVOIX

CHECK NUMBER 143462 - 143462

BANK CODE: 1 - GENERAL CASH - HUNTINGTON BANK - CHECK TYPE: PAPER CHECK - CHECK SOURCE: COMPUTER GENERATED CHECKS

Check Date	Check	Vendor Name	Amount
Bank 1 GENERAL CASH - HUNTINGTON BANK			
09/27/2024	143462	STATE OF MICHIGAN	50.00
1 TOTALS:			
Total of 1 Checks:			50.00
Less 0 Void Checks:			0.00
Total of 1 Disbursements:			50.00

CHECK REGISTER FOR CITY OF CHARLEVOIX
CHECK NUMBER 143460 - 143461

BANK CODE: 1 - GENERAL CASH - HUNTINGTON BANK - CHECK TYPE: PAPER CHECK - CHECK SOURCE: COMPUTER GENERATED CHECKS

Check Date	Check	Vendor Name	Amount
Bank 1 GENERAL CASH - HUNTINGTON BANK			
10/01/2024	143460	4FRONT CREDIT UNION	57,750.00
10/01/2024	143461	CHARLEVOIX STATE BANK	54,541.00
1 TOTALS:			
Total of 2 Checks:			112,291.00
Less 0 Void Checks:			0.00
Total of 2 Disbursements:			112,291.00

CHECK REGISTER FOR CITY OF CHARLEVOIX

CHECK DATE 10/08/2024 - 10/08/2024

BANK CODE: 1 - GENERAL CASH - HUNTINGTON BANK - CHECK SOURCE: COMPUTER GENERATED CHECKS

Check Date	Check	Vendor Name	Amount
Bank 1 GENERAL CASH - HUNTINGTON BANK			
10/08/2024	143463	ABILITA	2,250.00
10/08/2024	143464	Airport Lighting Company	698.13
10/08/2024	143465	AMAZON CAPITAL SERVICES	4,089.28
10/08/2024	143466	AMERICAN WATER WORKS ASSN	263.00
10/08/2024	143467	ANDERSON, ELIZABETH A.	69.36
10/08/2024	143468	ANTHONY, RECORD	45.00
10/08/2024	143469	ANZELL, BETH A.	50.00
10/08/2024	143470	APPRIVER LLC	2,489.53
10/08/2024	143471	ASPLUNDH TREE EXPERT LLC	18,290.75
10/08/2024	143472	AT YOUR SERVICE PLUS INC	560.00
10/08/2024	143473	AVFUEL CORPORATION	119,342.96
10/08/2024	143474	BARTLETT'S HOME INTERIORS INC	6,387.03
10/08/2024	143475	BS& A SOFTWARE	63,840.00
10/08/2024	143476	CDW GOVERNMENT	754.79
10/08/2024	143477	CHARLEVOIX CHEESE COMPANY	107.00
10/08/2024	143478	CHARLEVOIX SCREEN MASTERS INC	1,532.00
10/08/2024	143479	CHARLEVOIX TOWNSHIP TREASURER	74,950.00
10/08/2024	143480	CHARTER COMMUNICATIONS OPERAT	94.98
10/08/2024	143481	CHEMICAL SYSTEMS INC.	5,160.00
10/08/2024	143482	CINTAS CORPORATION	31.75
10/08/2024	143483	CONWAY PROFESSIONAL SERVICES	15,998.00
10/08/2024	143484	COOPER, MELANIE S	80.00
10/08/2024	143485	DeROSIA, PATRICIA E.	50.00
10/08/2024	143486	DHASELEER EVENTS BARN	241.00
10/08/2024	143487	DITCH WITCH SALES OF MICHIGAN	856.82
10/08/2024	143488	DORAN, JUSTIN J.	50.00
10/08/2024	143489	DRENTH, DOUGLAS A	50.00
10/08/2024	143490	DROST LANDSCAPE	305.57
10/08/2024	143491	DVORACEK, SARAH	50.00
10/08/2024	143492	ECONO SIGNS LLC	2,634.19
10/08/2024	143493	ELHORN ENGINEERING COMPANY	1,425.00
10/08/2024	143494	ELLIOTT, PATRICK M.	50.00
10/08/2024	143495	ELLSWORTH FARMERS EXCHANGE	1,215.73
10/08/2024	143496	ETNA SUPPLY	1,060.80
10/08/2024	143497	FARMER WHITE'S	265.00
10/08/2024	143498	FISHER SCIENTIFIC	1,288.80
10/08/2024	143499	GENNETT, LYLE E.	233.02
10/08/2024	143500	GERBER'S HOMEMADE SWEETS	80.00
10/08/2024	143501	GFL ENVIRONMENTAL	23,298.08
10/08/2024	143502	GILBERT NETWORK SOLUTIONS INC	1,710.00
10/08/2024	143503	GINOP SALES INC	90.25
10/08/2024	143504	GORDON FOOD SERVICE	352.88
10/08/2024	143505	GRAINGER	539.70
10/08/2024	143506	GRAND TRAVERSE GARAGE DOOR CO	2,738.29
10/08/2024	143507	GREAT LAKES ASPHALT SERVICES	2,500.00
10/08/2024	143508	GRIFFITH, JOHN J	338.10
10/08/2024	143509	GRP ENGINEERING INC	701.25
10/08/2024	143510	GUNTZVILLERS FARM LLC	442.00
10/08/2024	143511	HACH COMPANY	1,207.32
10/08/2024	143512	HARDY DIAGNOSTICS	77.97
10/08/2024	143513	HEYDLAUFF, MARK L.	606.34
10/08/2024	143514	HILLING, NICHOLAS A.	50.00
10/08/2024	143515	HUGHES, LAURIE	304.00
10/08/2024	143516	HUTSON INC	14.38
10/08/2024	143517	HYDROCORP	2,077.00
10/08/2024	143518	IDEXX DISTRIBUTION INC	1,484.69
10/08/2024	143519	IDI	76.00
10/08/2024	143520	INTEGRITY BUSINESS SOLUTIONS	227.24
10/08/2024	143521	IPS GROUP INC	1,993.56
10/08/2024	143522	JANSON EQUIPMENT COMPANY	262.14
10/08/2024	143523	KALAMAZOO SANITARY SUPPLY LLC	1,522.87
10/08/2024	143524	KIRTLAND COMMUNITY COLLEGE	150.00
10/08/2024	143525	KLOOSTER, ALIDA K.	50.00
10/08/2024	143526	KNORR, KENT J.	50.00
10/08/2024	143527	KRAFT BUSINESS SYSTEMS	36.83
10/08/2024	143528	KRAZY KAKE A HOLICS	37.00
10/08/2024	143529	LIVINGSTON, BRIAN D.	50.00
10/08/2024	143530	MACQUEEN EQUIPMENT LLC	3,776.00
10/08/2024	143531	MCCRANEY, RUSSELL R	50.00
10/08/2024	143532	MCDERMOTT, DENNIS J.	50.00

CHECK REGISTER FOR CITY OF CHARLEVOIX

CHECK DATE 10/08/2024 - 10/08/2024

BANK CODE: 1 - GENERAL CASH - HUNTINGTON BANK - CHECK SOURCE: COMPUTER GENERATED CHECKS

Check Date	Check	Vendor Name	Amount
Bank 1 GENERAL CASH - HUNTINGTON BANK			
10/08/2024	143533	MCDONNELL, JILL L	50.00
10/08/2024	143534	MCGINN, KELLY A.	50.00
10/08/2024	143535	MICHIGAN PIPE AND VALVE	1,938.00
10/08/2024	143536	MIKE'S MUSTARD	39.00
10/08/2024	143537	MORRISON INDUSTRIAL	983.52
10/08/2024	143538	MUNCHERS ON HOOVES LLC	1,700.00
10/08/2024	143539	MUNK, CHRISTOPHER J.	20.00
10/08/2024	143540	MURRAY'S CREATIONS CUSTOM CAN	50.00
10/08/2024	143541	NORTHERN LAKES ECONOMIC ALLIA	3,500.00
10/08/2024	143542	NORTHWEST FIRE	156.00
10/08/2024	143543	NUCO2 LLC	652.50
10/08/2024	143544	OHM ADVISORS	336.00
10/08/2024	143545	OLESON'S FOOD STORES	348.11
10/08/2024	143546	ORBAN, BARBARA K.	20.00
10/08/2024	143547	PARR, PHILIP	183.02
10/08/2024	143548	PENINSULA FIBER NETWORK LLC	360.00
10/08/2024	143549	PERFORMANCE ENGINEERS INC	3,700.00
10/08/2024	143550	PLUNKETT COONEY	660.00
10/08/2024	143551	POWER LINE SUPPLY	11,737.44
10/08/2024	143552	POWER SYSTEM ENGINEERING INC	7,996.25
10/08/2024	143553	PRESTON FEATHER	949.74
10/08/2024	143554	PROVIDENCE ORGANIC FARM	305.00
10/08/2024	143555	QT PETROLEUM ON DEMAND	1,675.00
10/08/2024	143556	QUILL LLC	399.90
10/08/2024	143557	RESCO	35,245.00
10/08/2024	143558	RESOLUTION G2 LLC	3,450.00
10/08/2024	143559	SCHEEL, JONATHAN D	50.00
10/08/2024	143560	SCHOLEY, ROBERT W.	50.00
10/08/2024	143561	SCIENTIFIC BRAKE - GAYLORD	274.90
10/08/2024	143562	SPARTAN DISTRIBUTORS INC	48.96
10/08/2024	143563	SPARTAN STORES LLC	315.13
10/08/2024	143564	SWANSON K & D INC	750.00
10/08/2024	143565	SWEET MARIA'S LLC	385.00
10/08/2024	143566	THRU GLASS CLEANING CO	981.70
10/08/2024	143567	TILLIE'S TAFEL	48.00
10/08/2024	143568	TRACE ANALYTICAL LABORATORIES	687.50
10/08/2024	143569	TRI TURF SOILS INC	1,196.15
10/08/2024	143570	TRUCK & TRAILER SPECIALTIES	882.04
10/08/2024	143571	UNIFIRST CORPORATION	431.08
10/08/2024	143572	UP NORTH ASSESSING INC	5,500.00
10/08/2024	143573	USABLUBOOK	776.75
10/08/2024	143574	VILLAGE GRAPHICS INC	94.44
10/08/2024	143575	WHITLEY, ANDREW T.	120.80
10/08/2024	143576	WINDEMULLER ELECTRIC INC.	1,114.10
10/08/2024	143577	WITT FAMILY FARM	258.00
10/08/2024	143578	WURST, RANDALL W.	50.00
10/08/2024	143579	YOUNG, KRISTEN L.	50.00
1 TOTALS:			
Total of 117 Checks:			464,372.41
Less 0 Void Checks:			0.00
Total of 117 Disbursements:			464,372.41

CHECK REGISTER FOR CITY OF CHARLEVOIX

CHECK DATE 09/16/2024 - 09/16/2024

- CHECK SOURCE: COMPUTER GENERATED CHECKS

Check Date	Check	Vendor Name	Amount
Bank 1 GENERAL CASH - HUNTINGTON BANK			
09/16/2024	1(E)	MICHIGAN PUBLIC POWER AGENCY	53,559.84
1 TOTALS:			
Total of 1 Checks:			53,559.84
Less 0 Void Checks:			0.00
Total of 1 Disbursements:			53,559.84

CHECK REGISTER FOR CITY OF CHARLEVOIX

CHECK DATE 09/20/2024 - 09/20/2024

BANK CODE: 1 - GENERAL CASH - HUNTINGTON BANK - CHECK TYPE: EFT - CHECK SOURCE: COMPUTER GENERATED CHECKS

Check Date	Check	Vendor Name	Amount
Bank 1 GENERAL CASH - HUNTINGTON BANK			
09/20/2024	2(E)	ENTERPRISE FM TRUST	4,361.36
1 TOTALS:			
Total of 1 Checks:			4,361.36
Less 0 Void Checks:			0.00
Total of 1 Disbursements:			4,361.36

CHECK REGISTER FOR CITY OF CHARLEVOIX

CHECK DATE 09/23/2024 - 09/23/2024

BANK CODE: 1 - GENERAL CASH - HUNTINGTON BANK - CHECK SOURCE: COMPUTER GENERATED CHECKS

Check Date	Check	Vendor Name	Amount
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Bank 1 GENERAL CASH - HUNTINGTON BANK

09/23/2024	3(E)	MICHIGAN PUBLIC POWER AGENCY	11,898.22
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1 TOTALS:

Total of 1 Checks:	11,898.22
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Less 0 Void checks:	0.00
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Total of 1 Disbursements:	11,898.22
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CHECK REGISTER FOR CITY OF CHARLEVOIX

CHECK DATE 09/25/2024 - 09/25/2024

BANK CODE: 1 - GENERAL CASH - HUNTINGTON BANK - CHECK SOURCE: COMPUTER GENERATED CHECKS

Check Date	Check	Vendor Name	Amount
Bank 1 GENERAL CASH - HUNTINGTON BANK			
09/25/2024	4(E)	MICHIGAN PUBLIC POWER AGENCY	211,598.04
1 TOTALS:			
Total of 1 Checks:			211,598.04
Less 0 Void Checks:			0.00
Total of 1 Disbursements:			211,598.04

CHECK REGISTER FOR CITY OF CHARLEVOIX

CHECK DATE 09/27/2024 - 09/27/2024

BANK CODE: 1 - GENERAL CASH - HUNTINGTON BANK - CHECK TYPE: EFT - CHECK SOURCE: COMPUTER GENERATED CHECKS

Check Date	Check	Vendor Name	Amount
Bank 1 GENERAL CASH - HUNTINGTON BANK			
09/27/2024	5(E)	**EFTPS* Payroll Taxes	46,428.04
09/27/2024	6(E)	Alerus Financial	558.00
09/27/2024	7(E)	MissionSquare - 401 Plan 1091	1,204.14
09/27/2024	8(E)	MissionSquare - 457 Plan 3009	22,371.96
09/27/2024	9(E)	MissionSquare - Roth IRA 7061	1,165.00
09/27/2024	10(E)	STATE OF MICHIGAN	6,807.58
09/27/2024	11(E)	MERS	67,728.06
1 TOTALS:			
Total of 7 Checks:			146,262.78
Less 0 Void Checks:			0.00
Total of 7 Disbursements:			146,262.78

CHECK REGISTER FOR CITY OF CHARLEVOIX

CHECK DATE 09/30/2024 - 09/30/2024

BANK CODE: 1 - GENERAL CASH - HUNTINGTON BANK - CHECK TYPE: EFT - CHECK SOURCE: COMPUTER GENERATED CHECKS

Check Date	Check	Vendor Name	Amount
Bank 1 GENERAL CASH - HUNTINGTON BANK			
09/30/2024	12(E)	MICHIGAN PUBLIC POWER AGENCY	19,003.83
1 TOTALS:			
Total of 1 Checks:			19,003.83
Less 0 Void Checks:			0.00
Total of 1 Disbursements:			19,003.83

CHECK REGISTER FOR CITY OF CHARLEVOIX

CHECK DATE 09/27/2024 - 09/27/2024

BANK CODE: 2 - TAX CASH - CSB - CHECK TYPE: PAPER CHECK - CHECK SOURCE: COMPUTER GENERATED CHECKS

Check Date	Check	Vendor Name	Amount
Bank 2 TAX CASH - CSB			
09/27/2024	4164	CHARLEVOIX COUNTY TREASURER	64,019.16
09/27/2024	4165	CHARLEVOIX PUBLIC SCHOOLS	106,029.31
09/27/2024	4166	CITY OF CHARLEVOIX - TAXES DU	71,493.06
2 TOTALS:			
Total of 3 Checks:			241,541.53
Less 0 Void Checks:			0.00
Total of 3 Disbursements:			241,541.53

Charlevoix City Council

Consent Agenda

Title: MPPA Power Purchase Commitment Authorization

Date: October 7, 2024

Presented By:

Background:

MPPA executed a 10-year, 25 MW Capacity Purchase and Sale Agreement (“CPA”) with a Battery Energy Storage System (“BESS”) developer in January 2023. The BESS was to be constructed on or before June 1, 2026. The CPA was executed to obtain capacity for MPPA Member participants to meet the resource adequacy requirements under Michigan law. On February 6, 2023, the Charlevoix City Council approved MPPA’s Power Purchase Commitment Authorization for a 0.4 MW share project.

The ability of the BESS to provide the needed capacity was dependent on the successful project development and operating performance by the contracted Commercial Operation Date. The capacity delivered would also be subject to the accreditation rules of the Midcontinent Independent System Operator (MISO).

The developer notified MPPA of potential development delays driven by two primary challenges. First, negotiating with third parties for the purchase of the other power products supplied by the BESS (e.g. energy). Second, conforming with wholesale market rules when two or more buyers represent the same resource (BESS) in wholesale power markets.

To ensure that these challenges did not cause delays and/or potential disputes under the CPA, MPPA and the developer agreed to terminate the CPA and replace it with a financially firm capacity transaction known as a Zonal Resource Credit (“ZRC”) Transaction Confirmation (“Replacement ZRC Confirmation”). The capacity in the Replacement ZRC Confirmation has the same price, term, quantity, and start date as in the CPA. The Replacement ZRC Confirmation contains a higher performance security than the CPA. In addition, the Replacement ZRC Confirmation eliminates development and operating performance risk and comes with greater financial support.

Recommendation:

Motion to approve the amended and restated PPC that terminates the provisions of the previous PPC tied to the Capacity Purchase and Sale Agreement and replaces it with the provisions contained in the Replacement Zonal Resource Confirmation as presented.

Attachments:

1. MPPA CPA Termination and Replacement ZRC Confirmation PPC Authorization - Charlevoix
2. MPPA BESS Capacity PPC Authorization Executed 02.06.2023



ENERGY SERVICES PROJECT (“ESP”) Amended and Restated Power Purchase Commitment Authorization

This Amended and Restated Power Purchase Commitment Authorization (“Amended and Restated PPC”) is made and entered into as of _____, 2024, by and between Michigan Public Power Agency (“MPPA”), a joint agency of the State of Michigan created pursuant to 1976 PA 448, and the City of Charlevoix (the “Participant”).

WHEREAS, MPPA and White Ox, LLC (“White Ox”) entered into a Capacity Purchase and Sale Agreement (“CPA”) whereby White Ox agreed to sell to MPPA (on behalf of its participating members) a certain amount of Midcontinent Independent System Operator (“MISO”) Local Resource Zone 7 (“LRZ 7”) Zonal Resource Credits (“ZRCs”) generated from a Battery Energy Storage System (“BESS”) to be constructed by White Ox in Michigan;

WHEREAS, MPPA and Participant previously executed a power purchase commitment that entitled Participant to receive and pay for a percentage share of MISO LRZ 7 ZRCs produced from the BESS pursuant to the CPA executed between MPPA and White Ox;

WHEREAS, White Ox has identified and communicated challenges to MPPA in contracting the other power products from the BESS as well as concerns with conforming to wholesale market rules when two or more market participants are representing the resource in wholesale power markets;

WHEREAS, to avoid potential delays in reaching the contracted commercial operation date under the CPA and/or disputes associated with the development challenges, MPPA and White Ox negotiated a Mutual Termination of the CPA (“CPA Termination”) and an EEI Agreement Long Form MISO ZRC Confirmation (“Replacement ZRC Confirmation”) to replace the ZRCs in the CPA;

WHEREAS, the ZRCs in the Replacement ZRC Confirmation have the same price, quantity, start date, and term length as in the CPA but provides the participants with added financial security and lower financial risk;

WHEREAS, MPPA staff reviewed the terms and conditions of the CPA Termination and Replacement ZRC Confirmation at an ESP Committee Meeting on August 29, 2024;

WHEREAS, the ESP Committee, at their August 29, 2024, meeting, voted to recommend that the BOC approve MPPA executing the CPA Termination and Replacement ZRC Confirmation;

WHEREAS, the BOC, at a regularly scheduled meeting on September 11, 2024, passed a resolution approving the CPA Termination and Replacement ZRC Confirmation;

WHEREAS, the CPA Termination and Replacement ZRC Confirmation have an effectiveness clause that conditions the effectiveness of these two agreements on MPPA obtaining executed power purchase commitments from each of the fifteen (15) participants to the CPA Termination and Replacement ZRC Confirmation; and

WHEREAS, this authorization is being executed by the Participant as an Amended and Restated PPC between the Participant and MPPA to acknowledge their responsibility to pay for and receive the benefits of Participant's percentage share of ZRCs provided from the Replacement ZRC Confirmation between MPPA and White Ox.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, it is hereby agreed by and between the MPPA and the Participant as follows:

Section 1. Terminated CPA and Replacement ZRC Confirmation

The CPA Termination and Replacement ZRC Confirmation are the agreements between MPPA and White Ox.

Section 2. Delivery Location

MISO LRZ 7, as is presently defined in the MISO Tariff.

Section 3. Product

ZRCs delivered from within LRZ 7. One ZRC represents one (1) MW of unforced capacity as defined in the MISO Tariff.

The ZRCs being procured from the Replacement ZRC Confirmation are part of a portfolio of ZRCs used to meet Participant's capacity demonstration requirements under Michigan Public Act 341 and resource adequacy requirements of the MISO.

Section 4. Term

The term of the Amended and Restated PPC is ten (10) years and will begin on June 1, 2026.

Section 5. Quantity

The Participant is allocated the following percentage share of ZRCs provided to MPPA under the Replacement ZRC Confirmation:

MPPA CPA ZRCs	Participant's Allocation %: Years 1-10	Participant's ZRC Quantity Per Year: Years 1-10
25 MW	1.60%	.4 MW

Section 6. Payment

The Participant will pay MPPA the contract rate in the Replacement ZRC Confirmation for the Participant's ZRC Quantity. Over the term of the Amended and Restated PPC, the financial commitment is \$223,171.

Section 7. Energy Services Agreement

This Amended and Restated PPC is subject to the terms and provisions of the Energy Services Agreement ("ESA") between MPPA and the Participant. In the event the terms of this Amended and Restated PPC conflict with the ESA, the ESA shall control.

Section 8. Evidence

Authority of the Participant's Member Authorized Representative ("MAR") to execute this Amended and Restated PPC is evidenced through a Participant resolution passed appropriately by the Participant's governing body or through the meeting minutes of the Participant's governing body where approval was granted to the MAR to execute this Amended and Restated PPC.

Section 9. Effectiveness

This Amended and Restated PPC is not effective until MPPA has received executed power purchase commitment authorizations from all other Members of MPPA who have their own respective power purchase commitment with MPPA for their quantity under the Replacement ZRC Confirmation.

Section 10. Effect of this Amended and Restated PPC

Except for the ESA, this Amended and Restated PPC supersedes any and all other power purchase commitments, either oral or written, between MPPA and Participant with respect to the original CPA with White Ox.

Member Authorized Representative

Its: _____

By: _____

Dated: _____



ENERGY SERVICES PROJECT POWER PURCHASE COMMITMENT AUTHORIZATION

This Power Purchase Commitment Authorization ("Authorization") is made and entered into as of FEBRUARY 6, 2023, by and between Michigan Public Power Agency ("MPPA"), a public body corporate and politic of the State of Michigan, created pursuant to 1976 Public Act 448 and City of Charlevoix (the "Participant").

WHEREAS, MPPA is a municipal power joint action agency established in 1978 organized to provide a means for Michigan municipal electric utilities to achieve the benefits of economies of scale and diversification in securing power supply and related services for their present and future needs; and

WHEREAS, during an open meeting on March 11, 2009, the MPPA Board of Commissioners created the Energy Services Project ("ESP") for the purpose of providing a means for full members of MPPA to obtain contracted power supply and market operation services; and

WHEREAS, to join the ESP, the Participant was required to approve and execute an Energy Service Agreement ("ESA") that describes the terms and conditions of power supply transactions, known as Power Purchase Commitments ("PPC"), between the Participant and MPPA; and

WHEREAS, this Authorization is a PPC between the Participant and MPPA; and

WHEREAS, by executing this Authorization, the Member Authorized Representative ("MAR") of the Participant is representing that the Participant has received all required approvals from its governing body to enter into this PPC with MPPA.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements herein contained, it is agreed by and between MPPA and the Participant hereto as follows:

Section 1. Power Purchase Commitment

Participant is committing to receive and pay for the Participant's ZRC Quantity as defined within this Authorization, from **is** pro-rata share of MPPA's Battery Energy Storage Systems ("BESS") Capacity Purchase and Sale Agreement ("CPA") with White Ox LLC ("White Ox"), whose BESS project ("Project") is located in Washtenaw County, MI.

The ZRCs being procured from the CPA with this Authorization are part of a portfolio of ZRCs used to meet Participant's capacity demonstration requirements under Michigan Public Act 341 and resource adequacy requirements of the Midcontinent Independent System Operator ("MISO").

The CPA was approved by Resolution by MPPA's Board of Commissioners in an open meeting on January 11, 2023.

Section 2. Delivery Location

MISO Local Resource Zone 7 ("LRZ 7") as is presently defined in the MISO Tariff.

Section 3. Product

Zonal Resource Credit ("ZRC") delivered from within LRZ 7. One ZRC represents one MW of unforced capacity as defined in the MISO Tariff.

Section 4. Term

The term of the PPC is 10 years and will begin upon the start date of the CPA (*i.e.*, the first calendar day of the next MISO Season (within a MISO Planning Year) that starts after the Commercial Operation Date ("COD")), currently expected to take place between June 1, 2025 and September 1, 2026. COD is achieved when not less than 90% of the ZRCs provided to MPPA under the CPA **has** been constructed, **is** fully interconnected with Network Resource Interconnection Service, and fully integrated and synchronized with the transmission system.

Section 5. Quantity

The Participant is allocated the following percentage share of ZRCs provided to MPPA under the CPA:

MPPA CPA ZRCs	Participant's Allocation %: Years 1-10	Participant's ZRC Quantity Per Year: Years 1-10
25 MW	1.60%	.4 MW

MPPA's CPA ZRCs shall mean 25 MW, which may be reduced if Commercial Operation is declared with less than 25 MW of ZRCs (but for avoidance of doubt, no less than 22.5 MW).

If MPPA's CPA ZRCs are reduced, Participant's ZRC Quantity will be reduced by the same percentage as MPPA's percent reduction.

Section 6. Payment

The Participant will pay MPPA the contract rate in the CPA for the Participant's ZRC Quantity. Over the term of the PPC, the forecasted financial commitment is \$223,171. The actual financial commitment will not be based on a forecast but will be calculated utilizing the actual quantity of ZRCs delivered to the Participant.

Section 7. Energy Services Agreement

This Authorization is subject to the terms and provisions of the Participant's ESA, including its exhibits and appendices. In the event the terms of this Authorization conflict with the ESA, the provisions of the ESA shall prevail.

Section 8. Evidence

Authority of the Participant's MAR to execute this Authorization is evidenced through the Participant resolution passed appropriately by the Participant's governing body or through the meeting minutes of the Participant's governing body where approval was granted to the MAR to execute this Authorization.

Section 9. Effectiveness

This Authorization is not effective until MPPA has received executed power purchase commitment authorization forms from all the ESP participants who committed to take a pro rata portion of the Contract Capacity provide to MPPA under the CPA between MPPA and White Ox that acknowledges responsibility to pay, in the aggregate, no less than 100% of the costs and expenses to be paid by MPPA under the CPA.

Member Authorized Representative:

John J. Griffith
Signature

JOHN J. GRIFFITH
Printed

FEBRUARY 6, 2023
Dated

Charlevoix City Council

Consent Agenda

Title: Lease of Police Patrol Vehicle 2025

Date: October 7, 2024

Presented By:

Background:

The police department seeks the approval to order a 2025 Tahoe through Enterprise Fleet Management. Due to supply chain issues and delivery times, we need to order a vehicle now to ensure the vehicle will arrive in the next budget year. The new vehicle will replace the 2018 Chevy Tahoe, which has a good resale value. Enterprise Fleet Leasing will sell the Chevy Tahoe on behalf of the City and apply proceeds from the sale to the lease of the new vehicle. The new vehicle will be a fully marked patrol unit. Please see the attachments from Enterprise Fleet management for the lease agreement and terms.

Recommendation:

Motion to authorize the Chief of Police to order a 2025 Tahoe through Enterprise Fleet Management and the City Manager to sign the agreements as presented by Enterprise Fleet Management.

Attachments:

1. 2025 Police Tahoe - City of Charlevoix

Prepared For: City of Charlevoix Elliott, Pat				Date 09/10/2024 AE/AM AB3/rbr	
Unit #					
Year		2025		Make Chevrolet Model Tahoe	
Series		Police Vehicle 4dr 4x4			
Vehicle Order Type	In-Stock	Term	24	State	MI Customer# 607192
\$ 57,156.80		Capitalized Price of Vehicle ¹			
\$ 0.00		Sales Tax <u>0.0000%</u> State <u>MI</u>			
\$ 103.00		Initial License Fee			
\$ 0.00		Registration Fee			
\$ 300.00		Other: (See Page 2)			
\$ 0.00		Capitalized Price Reduction			
\$ 0.00		Tax on Capitalized Price Reduction			
\$ 0.00		Gain Applied From Prior Unit			
\$ 0.00 *		Tax on Gain On Prior			
\$ 0.00 *		Security Deposit			
\$ 0.00 *		Tax on Incentive (Taxable Incentive Total : \$0.00)			
\$ 57,559.80		Total Capitalized Amount (Delivered Price)			
\$ 777.06		Depreciation Reserve @ <u>1.3500%</u>			
\$ 412.12		Monthly Lease Charge (Based on Interest Rate - Subject to a Floor) ²			
\$ 1,189.18		Total Monthly Rental Excluding Additional Services			
Additional Fleet Management					
Master Policy Enrollment Fees					
\$ 0.00		Commercial Automobile Liability Enrollment			
Liability Limit <u>\$0.00</u>					
\$ 0.00		Physical Damage Management		Comp/Coll Deductible	<u>0 / 0</u>
\$ 0.00		Full Maintenance Program ³ Contract Miles <u>0</u>		OverMileage Charge	<u>\$ 0.00</u> Per Mile
Incl: # Brake Sets (1 set = 1 Axle) <u>0</u>				# Tires <u>0</u>	Loaner Vehicle Not Included
\$ 0.00		Additional Services SubTotal			
\$ 0.00		Sales Tax <u>6.0000%</u>		State <u>MI</u>	
\$ 1,189.18		Total Monthly Rental Including Additional Services			
\$ 38,910.36		Reduced Book Value at <u>24</u> Months			
\$ 475.00		Service Charge Due at Lease Termination			

All language and acknowledgments contained in the signed quote apply to all vehicles that are ordered under this signed quote.

Order Information

Driver Name

Exterior Color (0 P) Black

Interior Color (0 I) Jet Black w/Cloth Seat Trim

Lic. Plate Type Title Only

GVWR 0

All language and acknowledgments contained in the signed quote apply to all vehicles that are ordered under this signed quote.

Order Information

Driver Name

Exterior Color (0 P) Black

Interior Color (0 I) Jet Black w/Cloth Seat Trim

Lic. Plate Type Title Only

GVWR 0

Quote based on estimated annual mileage of 9,100
 (Current market and vehicle conditions may also affect value of vehicle)
 (Quote is Subject to Customer's Credit Approval)
 Notes

Enterprise FM Trust will be the owner of the vehicle covered by this Quote. Enterprise FM Trust (not Enterprise Fleet Management) will be the Lessor of such vehicle under the Master Open - End (Equity) Lease Agreement and shall have all rights and obligations of the Lessor under the Master Open - End (Equity) Lease Agreement with respect to such vehicle. Lessee must maintain insurance coverage on the vehicle as set forth in Section 11 of the Master Open-End (Equity) Lease Agreement until the vehicle is sold.

ALL TAX AND LICENSE FEES TO BE BILLED TO LESSEE AS THEY OCCUR.
 Lessee hereby authorizes this vehicle order, and agrees to lease the vehicle on the terms set forth herein and in the Master Equity Lease Agreement. In the event Lessee fails or refuses to accept delivery of the ordered vehicle, Lessee agrees that Lessor shall have the right to collect damages, including, but not limited to, a \$500 disposal fee, interest incurred, and loss of value.

LESSEE City of Charlevoix

BY

TITLE

DATE

* INDICATES ITEMS TO BE BILLED ON DELIVERY.

¹ Capitalized price of vehicle may be adjusted to reflect final manufacturer's invoice, plus a pre delivery interest charge. Lessee hereby assigns to Lessor any manufacturer rebates and/or manufacturer incentives intended for the Lessee, which rebates and/or incentives have been used by Lessor to reduce the capitalized price of the vehicle.

² Monthly lease charge will be adjusted to reflect the interest rate on the delivery date (subject to a floor).

³ The inclusion herein of references to maintenance fees/services are solely for the administrative convenience of Lessee. Notwithstanding the inclusion of such references in this [Invoice/Schedule/Quote], all such maintenance services are to be performed by Enterprise Fleet Management, Inc., and all such maintenance fees are payable by Lessee solely for the account of Enterprise Fleet Management, Inc., pursuant to that certain separate [Maintenance Agreement] entered into by and between Lessee and Enterprise Fleet Management, Inc.; provided that such maintenance fees are being billed by Enterprise FM Trust, and are payable at the direction of Enterprise FM Trust, solely as an authorized agent for collection on behalf of Enterprise Fleet Management, Inc.

Other Totals

Description	(B)illed or (C)apped	Price
Initial Administration Fee	C	\$ 300.00
Courtesy Delivery Fee	B	\$ 0.00
Total Other Charges Billed		\$ 0.00
Total Other Charges Capitalized		\$ 300.00
Other Charges Total		\$ 300.00

VEHICLE INFORMATION:

2025 Chevrolet Tahoe Police Vehicle 4dr 4x4 - US

Series ID: CK10706

Pricing Summary:

	INVOICE	MSRP
Base Vehicle	\$52,503	\$55,500.00
Total Options	\$460.46	\$506.00
Destination Charge	\$1,995.00	\$1,995.00
Total Price	\$54,958.46	\$58,001.00

SELECTED COLOR:

Exterior:	GBA-(0 P) Black
Interior:	H1T-(0 I) Jet Black w/Cloth Seat Trim

SELECTED OPTIONS:

CODE	DESCRIPTION	INVOICE	MSRP
1FL	Preferred Equipment Group 1FL	NC	NC
5J3	Surveillance Mode Calibration Interior Lighting	Included	Included
6C7	SEO: Red & White Front Auxiliary Dome Lighting	\$154.70	\$170.00
6E2	SEO: Fleet Calibration (6E2)	\$22.75	\$25.00
6J3	SEO: Grille Lamps & Siren Speakers Wiring	\$83.72	\$92.00
6N5	SEO: Inoperative Rear Window Switches	\$51.87	\$57.00
6N6	SEO: Inoperative Inside Rear Door Locks & Handles	\$56.42	\$62.00
9C1	Identifier for Police Package Vehicle	NC	NC
9G8	SEO: Daytime Running Lamps Delete	\$45.50	\$50.00
A2X	8-Way Power Driver Seat Adjuster	Included	Included
A7J	6-Way Power Front Passenger Seat Adjuster	Included	Included
AL9	2-Way Power Driver Lumbar Seat Adjuster	Included	Included
AT9	2-Way Power Front Passenger Lumbar Seat Adjuster	Included	Included
ATD	3rd Row Passenger Seat Delete	Included	Included
AU7	Fleet Common Key	Included	Included
AZ3	Front 40/20/40 Split-Bench Seat	STD	STD
C6G	GVWR: 7,600 lbs (3,447 kgs)	STD	STD
GBA_01	(0 P) Black	NC	NC
GU5	3.23 Rear Axle Ratio	STD	STD
H1T_02	(0 I) Jet Black w/Cloth Seat Trim	NC	NC
K47	Heavy-Duty Air Filter	Included	Included
K6K	760 Cold-Cranking Amps Auxiliary Battery	Included	Included
KX4	250 Amps Alternator	Included	Included
L84	Engine: 5.3L EcoTec3 V8	STD	STD
MHU	Transmission: Electronic 10-Speed Automatic w/OD	STD	STD
NP0	Single-Speed Elec Autotrac Active Transfer Case	Included	Included
PNTTBL01	Paint Table : Solid Paint	\$0.00	\$0.00
PXT	Wheels: 20" x 9" Steel	Included	Included
R6J	Ship-Thru Verification Code	NC	NC
RAV	Spare P275/55R20 AS BW Tire	Included	Included
RC1	Front Skid Plate	Included	Included
STDTM	Cloth Seat Trim	STD	STD
UQF	6-Speaker Audio System Feature	Included	Included

CODE	DESCRIPTION	INVOICE	MSRP
URW	Radio: 17.7" Diagonal Advanced Color LCD Display	STD	STD
UTQ	SEO: Content Theft-Deterrent Disable System	\$45.50	\$50.00
V53	Luggage Rack Side Rails Delete	Included	Included
VPV	Ship-Thru: Kerr Industries	Included	Included
XCS	Tires: 275/55R20SL AS BW	Included	Included
Z56	Heavy-Duty Police-Rated Suspension Package	Included	Included
ZY1	Solid Paint	STD	STD

CONFIGURED FEATURES:

Body Exterior Features:

Number Of Doors: 4
Rear Cargo Door Type: liftgate
Driver And Passenger Mirror: power remote heated manual folding side-view door mirrors
Spoiler: rear lip spoiler
Skid Plates: skid plates
Side Steps: yes
Door Handles: body-coloured
Front And Rear Bumpers: body-coloured front and rear bumpers
Rear Step Bumper: rear step bumper
Body Material: galvanized steel/aluminum body material
: class IV trailering with harness, hitch
Body Side Cladding: black bodyside cladding
Grille: grille with chrome bar

Convenience Features:

Air Conditioning: automatic dual-zone front air conditioning
Air Filter: air filter
Rear Air Conditioning: rear air conditioning with separate controls
Cruise Control: cruise control with steering wheel controls, Adaptive Cruise Control adaptive
Power Windows: power windows with front and rear 1-touch down
1/4 Vent Rear Windows: power rearmost windows
Remote Keyless Entry: keyfob (all doors) remote keyless entry
Illuminated Entry: illuminated entry
Integrated Key Remote: integrated key/remote
Auto Locking: auto-locking doors
Passive Entry: Keyless Open and Start proximity key
Interior Lock Disable: interior lock disable
Trunk FOB Controls: keyfob trunk/hatch/door release
Remote Engine Start: remote start - keyfob and smart device (subscription required)
Steering Wheel: steering wheel with manual tilting, manual telescoping
Day-Night Rearview Mirror: day-night rearview mirror
Driver and Passenger Vanity Mirror: illuminated auxiliary driver and passenger-side visor mirrors
Emergency SOS: OnStar and Chevrolet connected services capable emergency communication system
Navigation System: Google built-in compatibility (select service plan required, terms and limitations apply) navigation system with voice activation
Front Cupholder: front and rear cupholders
Overhead Console: mini overhead console with storage
Glove Box: locking glove box
Driver Door Bin: driver and passenger door bins
Rear Door Bins: rear door bins
Seatback Storage Pockets: 2 seatback storage pockets
Driver Footrest: driver's footrest
Retained Accessory Power: retained accessory power
AC Power Outlet: 2 120V AC power outlet

Entertainment Features:

radio: AM/FM stereo with seek-scan
Radio Data System: radio data system
Voice Activated Radio: voice activated radio
Speed Sensitive Volume: speed-sensitive volume
Steering Wheel Radio Controls: steering-wheel mounted audio controls
Speakers: 6 speakers
Internet Access: 5G Wi-Fi Hotspot capable internet access
TV Tuner: OnStar Turn-by-Turn Navigation turn-by-turn navigation directions
1st Row LCD: 2 1st row LCD monitor
Wireless Connectivity: wireless phone connectivity
Antenna: window grid antenna

Lighting, Visibility and Instrumentation Features:

Headlamp Type: projector beam LED low/high beam headlamps
 Front Wipers: variable intermittent Rainsense rain detecting wipers wipers
 Rear Window wiper: fixed interval rear window wiper
 Rear Window Defroster: rear window defroster
 Tinted Windows: deep-tinted windows
 Front Reading Lights: front and rear reading lights
 Ignition Switch: ignition switch light
 Variable IP Lighting: variable instrument panel lighting
 Display Type: digital/analog appearance
 Tachometer: tachometer
 Voltmeter: voltmeter
 Low Tire Pressure Warning: tire specific low-tire-pressure warning
 Trip Computer: trip computer
 Trip Odometer: trip odometer
 Following Distance Indicator: following distance alert
 Oil Pressure Gauge: oil pressure gauge
 Water Temp Gauge: water temp. gauge
 Engine Hour Meter: engine hour meter
 Clock: in-radio display clock
 Systems Monitor: driver information centre
 Check Control: redundant digital speedometer
 Rear Vision Camera: rear vision camera
 Oil Pressure Warning: oil-pressure warning
 Water Temp Warning: water-temp. warning
 Battery Warning: battery warning
 Low Oil Level Warning: low-oil-level warning
 Low Coolant Warning: low-coolant warning
 Lights On Warning: lights-on warning
 Key in Ignition Warning: key-in-ignition warning
 Low Fuel Warning: low-fuel warning
 Low Washer Fluid Warning: low-washer-fluid warning
 Door Ajar Warning: door-ajar warning
 Trunk Ajar Warning: trunk-ajar warning
 Brake Fluid Warning: brake-fluid warning
 Turn Signal On Warning: turn-signal-on warning
 Transmission Fluid Temperature Warning: transmission-fluid-temperature warning

Safety And Security:

ABS: four-wheel ABS brakes
 Number of ABS Channels: 4 ABS channels
 Brake Assistance: brake assist
 Brake Type: four-wheel disc brakes
 Vented Disc Brakes: front and rear ventilated disc brakes
 Spare Tire Type: full-size spare tire
 Spare Tire Mount: underbody mounted spare tire w/crankdown
 Driver Front Impact Airbag: driver and passenger front-impact airbags
 Driver Side Airbag: seat-mounted driver and passenger side-impact airbags
 Overhead Airbag: curtain 1st, 2nd and 3rd row overhead airbag
 Occupancy Sensor: front passenger airbag occupancy sensor
 Height Adjustable Seatbelts: height adjustable front seatbelts
 Seatbelt Pretensioners: front seatbelt pre-tensioners
 3Point Rear Centre Seatbelt: 3 point rear centre seatbelt
 Side Impact Bars: side-impact bars
 Perimeter Under Vehicle Lights: remote activated perimeter/approach lights
 Tailgate/Rear Door Lock Type: tailgate/rear door lock included with power door locks
 Rear Child Safety Locks: rear child safety locks
 Ignition Disable: immobilizer
 Panic Alarm: panic alarm
 Tracker System: tracker system
 Electronic Stability: StabiliTrak electronic stability stability control with anti-rollover

Traction Control: ABS and driveline traction control
Front and Rear Headrests: manual adjustable front head restraints
Rear Headrest Control: 2 rear head restraints
Break Resistant Glass: break resistant glass

Seats And Trim:

Seating Capacity max. seating capacity of 6
Front Bucket Seats: front split-bench 40-20-40 seats
Number of Driver Seat Adjustments: 8-way driver and passenger seat adjustments
Reclining Driver Seat: power reclining driver and passenger seats
Driver Lumbar: power 2-way driver and passenger lumbar support
Driver Height Adjustment: power height-adjustable driver and passenger seats
Driver Fore/Aft: power driver and passenger fore/aft adjustment
Driver Cushion Tilt: power driver and passenger cushion tilt
Front Centre Armrest Storage: front centre armrest
Rear Seat Type: rear manual reclining 60-40 split-bench seat
Rear Seat Fore/Aft: manual rear seat fore/aft adjustment
Rear Folding Position: rear seat tumble forward
Rear Seat Armrest: rear seat centre armrest
Leather Upholstery: cloth front and rear seat upholstery
Headliner Material: full cloth headliner
Floor Covering: full vinyl/rubber floor covering
Interior Accents: chrome/metal-look interior accents
Cargo Space Trim: vinyl/rubber cargo space
Trunk Lid: plastic trunk lid/rear cargo door
Cargo Light: cargo light
Concealed Cargo Storage: concealed cargo storage

Standard Engine:

Engine 355-hp, 5.3-liter V-8 (regular gas)

Standard Transmission:

Transmission 10-speed automatic w/ OD and auto-manual

Charlevoix City Council

Consent Agenda

Title: 2024 ROW Tree Planting Bid

Date: October 7, 2024

Presented By:

Background:

In the approved 2024/25 budget, the City allocated money within the Major and Local Streets funds to plant trees within the ROW. In early September, we advertised for this project and on September 19 we opened one bid, see attachment. We have never worked with the sole bidder, Shades of Green Landscaping, but I have checked out their references and everything seems to be fine with them. This year's planting includes a variety of trees and a total of 26 trees.

Recommendation:

Motion accept the bid from Shades of Green Landscaping in the amount of \$16,987.50 and authorize the City Manager to sign any required documents.

Attachments:

1. Tree Planting 2024



CITY OF CHARLEVOIX

Tree Planting
Bid Opening at City Hall
September 19, 2024
11 am

Bidder Name	Comments
Shades of Green Ewart MI 49631	\$16,987.50

Shades of Green Landscaping
PO Box 1184
Ewart, MI 49631
2312504176



Estimate

ADDRESS

City of Charlevoix
210 State Street
Charlevoix, MI 49720

SHIP TO

City of Charlevoix
210 State Street
Charlevoix, MI 49720

ESTIMATE # 484777
DATE 09/10/2024

DATE	ACTIVITY	QTY	RATE	AMOUNT
	Landscaping:Tree Planting Japanese Tree Lilac	3	800.00	2,400.00
	Landscaping:Tree Planting Horse Chestnut	1	875.00	875.00
	Landscaping:Tree Planting Kousa Dogwood (Single Stem)	4	487.50	1,950.00
	Landscaping:Tree Planting Red Maple	8	600.00	4,800.00
	Landscaping:Tree Planting Crimson Maple	2	662.50	1,325.00
	Landscaping:Tree Planting Sugar Maple	1	712.50	712.50
	Landscaping:Tree Planting Little Leaf Linden	2	737.50	1,475.00
	Landscaping:Tree Planting Red Oak	1	662.50	662.50
	Landscaping:Tree Planting Sycamore	3	637.50	1,912.50
	Landscaping:Tree Planting Kentucky Coffee Tree "espresso"	1	875.00	875.00

Price includes the purchase of the tree (2.5"-3" diameter) , ground preparation, plant installation as described in bid advertisement, soil, fertilization, mulching, staking and 1 year warranty.

SUBTOTAL	16,987.50
TAX	0.00
TOTAL	\$16,987.50

Accepted By

Accepted Date

Charlevoix City Council

Consent Agenda

Title: AI Policy

Date: October 7, 2024

Presented By:

Background:

One of the takeaways from recent conference conversations (both the Michigan Municipal League Conference and my ICMA Convention) was the need for an AI policy as we begin to look at these emerging technologies. This is a simple policy, generated with Microsoft Copilot, based on the principles of the GovAI Coalition. As things change going forward, I am sure we will continue to revisit and modify but this is an initial offering. We have been looking at how to use AI to create reports. For example, we recently filed an annual financial report for the DDA. We are testing whether a tool can be used to load in our financial reports and use AI to generate the state report in the format required. This could create a time savings by eliminating keyed data and also eliminate human error from inadvertent fat fingering. Obviously, a human review of a report like this is still necessary but the opportunities seem very useful and actionable.

Recommendation:

Motion to approve the City of Charlevoix AI Policy as presented.

Attachments:

1. AI policy



City of Charlevoix AI Policy

1. Purpose

The purpose of this policy is to establish guidelines for the ethical and responsible use of artificial intelligence (AI) technologies within the City of Charlevoix. This policy aims to ensure that AI is used to enhance public services, improve efficiency, and promote social good while safeguarding privacy, security, and fairness.

2. Scope

This policy applies to all departments and agencies within the City of Charlevoix that use or plan to use AI technologies in their operations.

3. Principles

The City of Charlevoix is committed to the following principles in the use of AI:

- **Transparency:** AI systems and their decision-making processes should be transparent and understandable to the public.
- **Accountability:** There should be clear accountability for AI systems and their outcomes.
- **Fairness:** AI systems should be designed and implemented to avoid bias and ensure fairness.
- **Privacy:** AI systems must respect and protect individual privacy.
- **Security:** AI systems should be secure and resilient against malicious attacks.
- **Inclusivity:** AI should be accessible and beneficial to all members of the community.

5. Implementation

Departments planning to use AI technologies must:

- Ensure that AI systems are accurate, fair, and reliable.
- If unique AI systems and processes are used, maintain documentation of AI systems, including their design, development, and deployment processes.

6. Vendor Management

When procuring AI technologies from external vendors, the City will:

- Require vendors to comply with the City's AI policy and ethical standards.
- Include clauses in contracts to ensure transparency, accountability, and security of AI systems.
- Conduct regular audits of vendor-provided AI systems to ensure compliance.

7. Incident Response

In the event of an AI-related incident, the City will:

- Promptly investigate and address the issue.
- Notify affected individuals and stakeholders.
- Implement corrective measures to prevent future incidents.

8. Review and Update

This policy will be reviewed and updated annually to reflect advancements in AI technology and changes in legal and ethical standards.

Charlevoix City Council

Consent Agenda

Title: Institute for Responsive Government Grant

Date: October 7, 2024

Presented By:

Background:

In July, the City had a Security Assessment at First Entry (SAFE) which audited the City's election procedures and processes. The audit was conducted by the Cybersecurity & Infrastructure Security Agency, which is a component of Homeland Security. The audit report showed several vulnerabilities the City needed to invest in. In September, I applied for a grant through the Institute for Responsive Government. The City was notified that it received the grant for \$6,000, no matching funds required. The funds would allow the City to invest in a camera system for election equipment as well as a better entry control system. The grant requested local body approval.

Recommendation:

Motion to accept the Institute for Responsive Government Grant in the amount of \$6,000 and authorize the City Manager to sign all required documents.

Attachments:

1. Grant Agreement and Application

IRG1-24034
Thursday, September 19, 2024
Charlevoix City, Michigan

Dear City Clerk/Assistant to the City Manager Sarah Dvoracek,

I'm pleased to inform you that the Institute for Responsive Government ("Responsive Gov"), a nonpartisan, nonprofit organization tax-exempt under Internal Revenue Code ("IRC") section 501(c)(3), has decided to award the **Charlevoix City Clerk's Office** ("Grantee") a grant to support its nonpartisan work planning and operationalizing secure, efficient, and accessible election administration. We based this decision on the information and materials provided in the **Charlevoix City Clerk's Office** Grant Application ("Application"), which is incorporated into this Grant Agreement as an Appendix. A copy of the Application has been provided simultaneously with this Grant Agreement for your records.

The following is a description of the grant:

- **Amount of Grant:** \$6,000
- **Public Purpose:** The grant funds must be used exclusively for the nonpartisan public purpose of planning and operationalizing secure, efficient, and accessible election administration in **Charlevoix City, Michigan**. Examples of uses that fall within this public purpose include expenditures for the key human, physical, and technological assets that the U.S. Department of Homeland Security has identified as necessary to conduct elections.*

Before Responsive Gov transmits these grant funds, an authorized representative of the **Charlevoix City Clerk's Office** must sign this agreement ("Grant Agreement"). By signing the Grant Agreement, the **Charlevoix City Clerk's Office** agrees to comply with all **United States, Michigan, and Charlevoix City** laws and regulations, including but not limited to those relating to taxes, gifts, and private funding of elections ("Applicable Laws"), when accepting and using the grant funds. Grantee also agrees to accept and use the funds subject to the terms and conditions below.

By signing this Grant Agreement, you agree and certify the following:

1. The **Charlevoix City Clerk's Office** is a U.S., state, or local government unit or political subdivision within the meaning of IRC section 170(c)(1). This grant shall be used only for the Public Purpose described above and for no other purposes.
2. The **Charlevoix City Clerk's Office** is authorized to receive this grant from Responsive Gov, receipt of the grant does not violate any Applicable Laws, and Grantee represents that it has taken all steps, including necessary approvals, required to apply for, accept, and utilize the grant for the Public Purpose set forth above and in the Proposal.
3. Grantee has submitted an Application, which (among other things) sets forth the intended use of grant funds. That Application is incorporated into this Grant Agreement as an Appendix. Grantee shall commence expending this grant for the purposes identified in its Application upon receipt and may use the grant funds for such purposes until May 31, 2025. If Grantee needs to reallocate grant funds between the purposes identified in the Application, Grantee is permitted to do so without any notice to Responsive Gov so long as those purposes are consistent with the Public Purpose described above.
4. If Grantee uses any part of this grant to fund another organization, it will take reasonable steps to

ensure that any grant funds are used consistently with the Public Purpose of this grant and all of the terms and conditions of this Grant Agreement. Grantee further agrees that the grant funds may not be used: (1) to participate in, intervene in, or carry on, directly or indirectly (including the publishing or distribution of statements), any political campaign on behalf of (or in opposition to) any candidate for public office or public referendum; (2) to engage in any effort to induce or encourage violations of law or public policy; (3) to cause any private inurement or improper private benefit to occur; or (4) for any purpose inconsistent with IRC Section 170(c)(2)(B), which relates to charitable, educational, scientific, religious, or literary purposes.

5. The **Charlevoix City Clerk's Office** shall not share with Responsive Gov—and Responsive Gov will never ask for—non-public or confidential information about your jurisdiction's voters or voting systems.

6. Grantee shall produce a report documenting how this grant has been expended to support its public purpose described above. This report shall be provided to Responsive Gov by June 30, 2025.

7. The purpose of the grant is to supplement the funds available to the **Charlevoix City Clerk's Office** and not to substitute for previously budgeted funds that would otherwise be provided to Grantee by **Charlevoix City, Michigan** but for the grant. You represent and warrant to the best of your knowledge that **Charlevoix City, Michigan** does not intend to reduce the **Charlevoix City Clerk's** budget or fail to appropriate or provide previously budgeted funds to the **Charlevoix City Clerk's Office** because it has received this grant.

8. Responsive Gov may discontinue, modify, withhold part of, or ask for the return of all or part of the grant funds if it determines, in its sole judgment, that (a) any of the above conditions have not been met, (b) any of the representations or certifications by Grantee are inaccurate, or (c) Responsive Gov must do so to comply with Applicable Laws.

9. The grant term shall be June 1, 2024, through May 31, 2025, and is the period during which covered costs may be applied to this Grant. To request an extension of the grant term, Grantee must provide a written request, including a new requested end date, to Responsive Gov before the end date of the grant term. Grantee must receive an amendment to the Grant Agreement to expend funds beyond the grant term.

10. Beyond the rights and obligations specifically set forth in the Grant Application and this Grant Agreement, Responsive Gov claims no legal right to control or otherwise influence the Grantee's use of any funds provided pursuant to this Grant Agreement. Responsive Gov has no role or involvement in the operation or administration of elections conducted by **Charlevoix City Clerk** as a result of this Grant Agreement, independent of the provision of the grant itself. Furthermore, it is expressly understood that by making this grant, Responsive Gov neither has or incurs any obligation to provide additional funding to the Grantee.

Please indicate that you accept and agree to these terms and conditions by having an authorized representative of your election jurisdiction sign and certify below. Please return a scanned copy of the signed letter via the link in your email at your earliest convenience. If needed, you may also return it via email at grants@responsivegov.org.

Sincerely,

Samuel Olier-Friedland

Sam Olier-Friedland
Executive Director
Institute for Responsive Government

By signing this Grant Agreement, I certify that I am authorized to bind the Charlevoix City Clerk's Office to the terms and conditions of the Grant Agreement and that the Charlevoix City Clerk's shall fully comply with the Grant Agreement including all restrictions on the use of funds.

Accepted on behalf of Charlevoix City Clerk

By: _____

Title: _____

Date: _____

APPENDIX: Charlevoix City, Michigan *A More Responsive Government 2024 Grant Program* Grant
Application Submitted to the Institute for Responsive Government

* See U.S. Department of Homeland Security, Cybersecurity and Infrastructure Security Agency, 2020
Election Infrastructure Subsector-Specific Plan, at 3-4 (2020), *available at*
https://www.cisa.gov/sites/default/files/publications/election_infrastructure_subsector_specific_plan.pdf
.

Application Summary

Please review the application summary below. To make a change, use the "Back" button at the bottom of this page.

Office Information

Office: Charlevoix City Clerk, Charlevoix County

State: MI

Jurisdiction: Charlevoix city, MI

Office Website: <https://charlevoixmi.gov>

Physical Address: 210 State St. , Charlevoix, MI 49720

Mailing Address: The office mailing address is the same as the physical address above

How many active registered voters does your jurisdiction have as of June 2024?: 2231

Approximately how many full time staff (or equivalent) do you have on your election team?: 1

Jurisdiction's total one-year budget allocated to elections for the fiscal year that includes June 2024?: 57900

Please upload a copy of your elections budget for the fiscal year that includes June 2024. [Election Budget 2024 2025.pdf](#)

Applicant Information

Applicant Name: Sarah Dvoracek

Applicant Job Title: City Clerk/Assistant to the City Manager

Applicant Email: clerk@charlevoixmi.gov

Share a link to an official government page that contains your bio or lists you in a staff directory:

<https://www.charlevoixmi.gov/152/Clerk>

Phone Number - Desk: 2315473250 270

Phone Number - Work Mobile: 2315806516

Grant Information

Amount Requested: \$6,000.00

Human Expenses:

Physical Expenses: Voting Locations

Technological Expenses:

Other Expenses: Security measures for safer elections

Briefly describe how you anticipate using the grant funds: The City recently had a Security Assessment First Entry (SAFE) audit of the City's polling location and clerk's office. The report has several recommendations that need funds expended. The City would like to invest in a partition wall for security purposes and an entry control system for elections.

Title of Individual Signatory Authorized to Sign a Grant Agreement: City Clerk/Assistant to the City Manager

Name of Individual Signatory (if applicable): Sarah Dvoracek

Optional Questions

Why are you seeking this additional source of funding? We need to purchase a big-ticket item.

In the context of your annual elections budget, what impact will this funding have on your election operations? A massive impact

Charlevoix City Council

Public Hearings and Actions Requiring Public Hearings

Title: Conditional Rezone of a portion of 743 Petoskey Avenue

Date: October 7, 2024

Presented By: Jonathan Scheel, Zoning Administrator

Background:

This is a request for the conditional rezone of the front portion of the parcel at 743 Petoskey Avenue. The entire parcel is 1.401 acres. The rezone request is from Multi-Family R-4 to General Commercial (GC). There is an existing building (former gas station) on the parcel. The proposed rezoned area fronts Petoskey Ave. (US 31) and accounts for approximately 1/3 of the entire parcel (20,000 sq ft). The remainder of the parcel would remain R-4 and has access/frontage to Division Street. Over the last 50 +- years, this and neighboring properties were zoned General Commercial (GC). This property specifically was a gas station but was abandoned approximately 30 years ago. In the last 30 years there has been no commercial development in this area. There have been on-again-off-again actions to rid this specific lot of ongoing blight. In the last few years, the lot has been cleaned up, and the building has been refurbished to meet all ordinance standards and overall be a positive sight for the neighborhood. Because of the lack of commercial activity and the need for housing, the city recently rezoned the area, including this lot, to R-4 Multi-Family Housing. Multifamily housing is a use allowed in General Commercial, but the Planning Commission was concerned that high intensity uses allowed in General Commercial was hindering developers from committing to housing if a high intensity commercial use was allowed by right and could be built next door with a simple site plan approval.

The City's Master Plan does consider this area as a place for small walkable low impact businesses. A conditional rezone works very well in this situation. A small appropriate business would be allowed with no concerns of a higher intensity business replacing it if the business moves, fails or otherwise is no longer there. A conditional rezone agreement, (which is part of this agenda item) states what is allowed and anything else simply wouldn't be allowed. The parcel would revert to its original zoning if this or other approved business were to stop its use.

During the Council discussion, there was a question about screening this use from adjacent properties. While not part of the conditions for the rezone, it was included in the site plan. The Planning Commission conditionally approved a site plan for the new proposed business at it's September meeting. Besides meeting all the Site Plan requirements of 153.230 of the current City of Charlevoix Zoning Ordinance, the Planning Commission required additional vegetative screening between the commercial property and the residential property to the east. The Planning Commission then made the approved site plan a part of the Conditional Rezone Agreement.

Master Plan page 88, Community Goals and Objectives. GOAL 2: Maintain a diverse, regional economy that supports sustainable year-round housing and business development.

Recommendation:

Motion to approve Conditional Rezone Agreement and Ordinance 852 of 2024.

Attachments:

1. Survey.Legal Description.8.14.24 (2) (1)-1
2. C100 Stiggs ReZoning Siteplan 9-9-24-1

3. Council Rezone report 743 Petoskey Ave(1)
4. Description of Conditional Rezone.CityCouncil.9.10.24 (1)-1
5. 852 of 2024 rezone 743 Petoskey(1)
6. 2024-09-12 Conditional Rezone Agreement Stiggs(2)

SHEET 1 OF 2

PART OF GOVERNMENT LOT 4 &

PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4

SECTION 23, TOWN 34 NORTH, RANGE 8 WEST

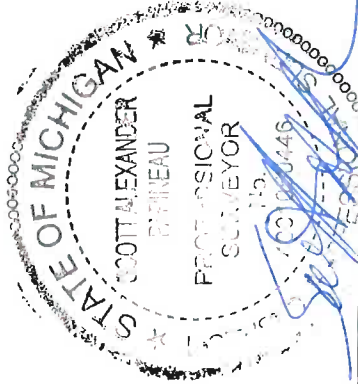
CITY OF CHARLEVOIX, CHARLEVOIX COUNTY, MICHIGAN



SCALE: 1"=60'

1. DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
2. BEARINGS ARE BASED ON SURVEYS OF RECORD.
3. "●" INDICATES FOUND SURVEY IRON/ROD IN PLACE.
4. 1/2" x 24" STEEL RODS WITH I.D. CAPS HAVE BEEN SET AT ALL POINTS MARKED WITH "○".
5. "◎" INDICATES CONCRETE MONUMENT FOUND IN PLACE FROM PRIOR SURVEY.
6. "◻" INDICATES A SET STAKE.

LEGEND & NOTES:



SCOTT A. PAPINEAU P.S. NO. 4001050446

I HEREBY CERTIFY that I have surveyed and mapped the parcels herein described and that the relative positional precision of each corner is within the limits accepted by the practice of professional surveying and that all the requirements of P.A. 132 of 1970, as amended, have been complied with.

This survey plat was prepared for the exclusive use of the person, persons, or entity named in the certification hereon. Said certificate does not extend to any unnamed third person without an express recertification by the surveyor naming said third person.

FERGUSON & CHAMBERLAIN ASSOCIATES, INC.
PROFESSIONAL SURVEYORS

103 W. UPRIGHT STREET, CHARLEVOIX, MICHIGAN 49720
(231)547-6882 - FAX (231) 547-0021

FIELD:	STAKED:	DRAWN: CWB
JOB: SB-29899C-24		DATE: 08/07/2024

August 7, 2024

Job No. SB-29899C-24
Legal Description for: LSB Ventures LLC

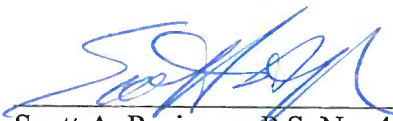
Parcel Zoned Commercial

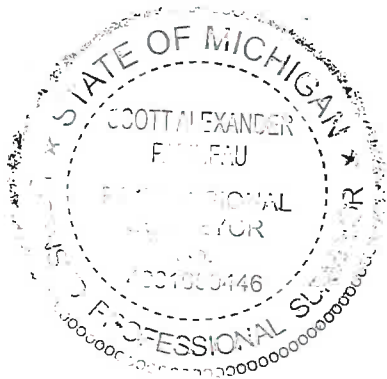
In the City of Charlevoix, Charlevoix County, Michigan, Commencing at the East one-quarter corner of Section 23, Township 34 North, Range 8 West; thence along the East and West one-quarter line as established by E.K. Robinson (County Surveyor), North 89°55'52" West 842.82 feet (recorded as West 840.4 feet & measured 840.60 feet from D.C. Nettleton's East one-quarter corner); thence South 0°05'02" West (recorded as South) 31.90 feet to a ¾" iron pipe; thence continuing South 0°05'02" West (recorded as South) 1.10 feet to a ½" iron rod on the South line of Division Street; thence continuing South 0°05'02" West 237.73 feet to a ½" iron rod, being the POINT OF BEGINNING; thence continuing South 0°05'02" West (recorded as South) 144.93 feet to a PK Nail on the North line of Petoskey Avenue (AKA Highway US-31); thence along said North road line South 69°01'16" West 147.88 feet to a ½" iron rod; thence North 0°05'01" East (recorded as North) 144.93 feet to a ½" iron rod; thence parallel to the said North road line, North 69°01'16" East 147.88 feet to the Point of Beginning, being a part of Government Lot 4, Section 23, Township 34 North, Range 8 West and containing 20,000 square feet (0.459 acres). Subject to the rights of the public and of any governmental unit in any part thereof taken, used or deeded for street, road, or highway purposes.

Parcel Zoned R-4

In the City of Charlevoix, Charlevoix County, Michigan, Commencing at the East one-quarter corner of Section 23, Township 34 North, Range 8 West; thence along the East and West one-quarter line as established by E.K. Robinson (County Surveyor), North 89°55'52" West 842.82 feet (recorded as West 840.4 feet & measured 840.60 feet from D.C. Nettleton's East one-quarter corner) to the POINT OF BEGINNING; thence South 0°05'02" West (recorded as South) 31.90 feet to a ¾" iron pipe; thence continuing South 0°05'02" West (recorded as South) 1.10 feet to a ½" iron rod on the South line of Division Street; thence continuing South 0°05'02" West 237.73 feet to a ½" iron rod; thence parallel to the North line of Petoskey Avenue (AKA Highway US-31), South 69°01'16" West 147.88 feet to a ½" iron rod; thence North 0°05'01" East (recorded as North) 290.84 feet to the said South line of Division Street; thence continuing North 0°05'01" East (recorded as North) 33.00 feet to the said established one-quarter line; thence along said established one-quarter line, South 89°55'52" East 138.00 feet to the Point of Beginning, being a part of Government Lot 4, Section 23, Township 34 North, Range 8 West and containing 0.942 acres. Subject to the rights of the public and of any governmental unit in any part thereof taken, used or deeded for street, road, or highway purposes.

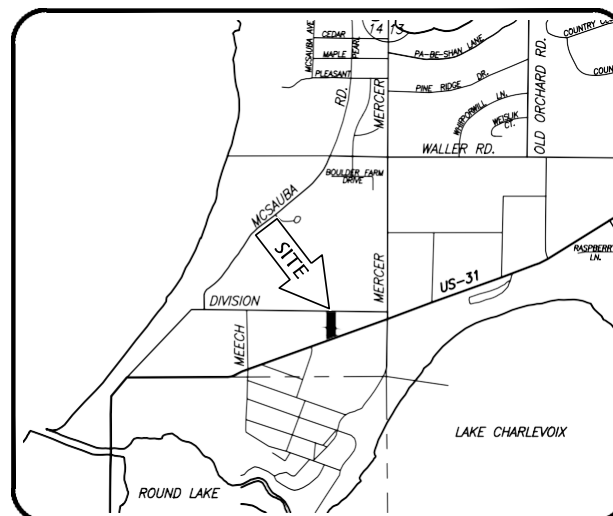
Prepared by:
Ferguson & Chamberlain Associates, Inc.
103 West Upright Street
Charlevoix, Michigan 49720


Scott A. Papineau, P.S. No. 4001050446



VICINITY MAP

SCALE: 1"=2000'



ZONING INFORMATION

PROJECT DESCRIPTION: RE-ZONING FROM R4 TO GC.

PROPERTY IS ZONED R4

CURRENT USE:	FORMER COMMERCIAL
PROPOSED USE:	COMMERCIAL

MAXIMUM STRUCTURE HEIGHT:	R4 = 35 FEET / GC = 26 FEET
MINIMUM FRONT YARD:	R4 = 15 FEET / GC = 15 FEET
MINIMUM INTERIOR SIDE YARD:	R4 = 15 FEET / GC = 10 FEET
MINIMUM STREET SIDE YARD:	R4 = 15 FEET / GC = 15 FEET
MINIMUM REAR YARD:	R4 = 25 FEET / GC = 25 FEET

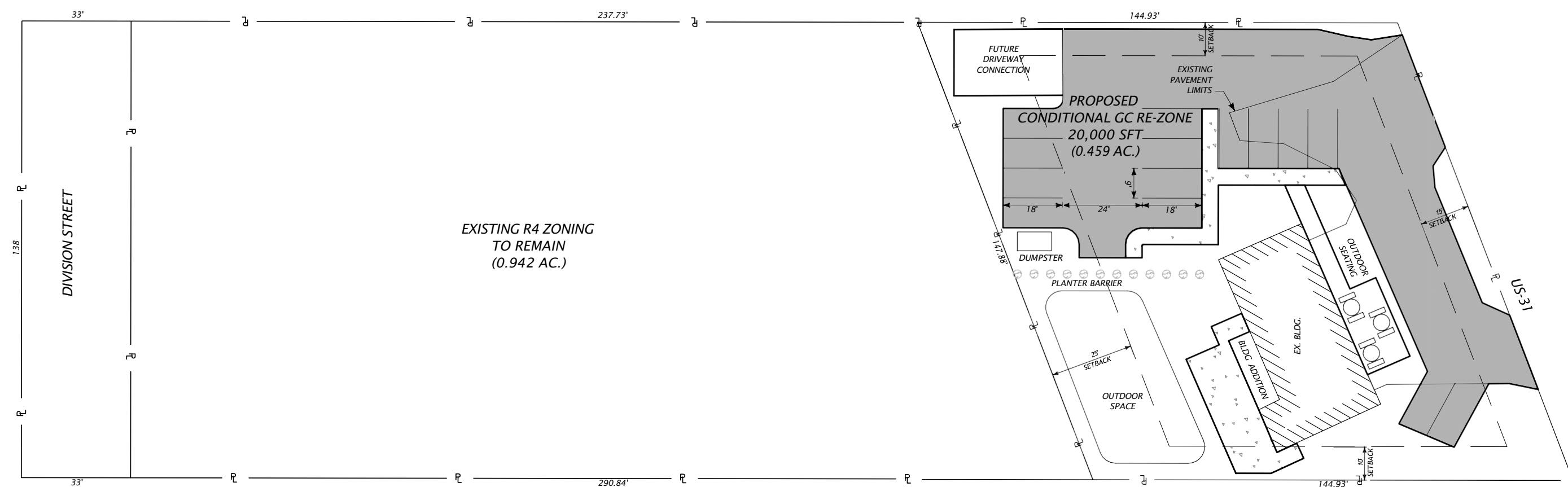
PARKING REQUIREMENTS: 1 per employee on the largest shift, plus 1 per 300 sq. ft. of UFA per Table 153.187

PARKING PROVIDED: THE COMMERCIAL USE WOULD REQUIRE 12 PARKING SPACES FOR BOTH EMPLOYEE AND PATRONS. ZONING REQUIREMENT IS 1 PER EMPLOYEE (ASSUMED 6), PLUS 1 PER 300 SF (6 REQUIRED). A TOTAL OF 14 SPACES ARE PROVIDED.

NOTES

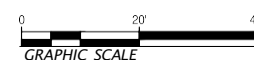
NOTES:

1. THE PROPERTY IS ZONED R4, BUT HAS AN HISTORIC COMMERCIAL USE ON THE US-31 FRONTAGE. THIS HISTORIC USE INCLUDED A GAS STATION THAT IS THE SOURCE OF ENVIRONMENTAL CONTAMINATION THAT MAKES THE REDEVELOPMENT OF THIS AREA INCOMPATIBLE WITH AN R4 USE WITHOUT SUBSTANTIAL MITIGATION THEREFORE, THE US-31 FRONTAGE IS PROPOSED TO BE RE-ZONED BACK TO A COMMERCIAL USE THAT REQUIRES LESS MITIGATION OF THE CONTAMINATION IN ORDER FOR IT TO BE PUT BACK INTO A BENEFICIAL USE.
2. THE PROPOSED PROPERTY RE-ZONING BOUNDARY LEGAL DESCRIPTION HAS BEEN PROVIDED SEPARATELY BY FERGUSON & CHAMBERLAIN ASSOC.
3. THE SETBACKS DEPICTED HERE ASSUME A RE-ZONING OF THE SOUTHERLY AREA OF THE PROPERTY TO GENERAL COMMERCIAL (GC) AND THE NORTHERLY PROPERTY TO REMAIN R4.
4. THE LAYOUT CONCEPT PROPOSED INCLUDES A SOUTHERLY COMMERCIAL USE IN THE EXISTING BUILDING WITH AN OUTDOOR PATIO SPACE FOR BREWERY AND RESTAURANT SERVICE.
5. THE ASSUMED PARKING DENSITY AND CONFIGURATIONS PROPOSED HERE ARE CONCEPTUAL AND NEED TO BE VERIFIED BY THE CITY. PATIO SPACES AND OTHER FOOD SERVICE REQUIREMENTS COULD IMPACT THE NEEDED PARKING COUNT.
6. THIS CONCEPTUAL SITE PLAN DOES NOT INCLUDE LANDSCAPING, UTILITIES, AND OTHER POTENTIAL ZONING REQUIREMENTS, ASSUMING THAT THESE CONCERNS WILL BE ADDRESSED WITHIN A SITE PLAN REVIEW IF THE RE-ZONING REQUEST IS APPROVED.
7. THE MATERIAL USED FOR GRADING AND PARKING ARE UNSPECIFIED AND WILL BE DETERMINED SUBJECT TO THE SCHEDULED ENVIRONMENTAL ASSESSMENT, CITY OF CHATTELAUVRE RECOMMENDATIONS, OVERALL DESIGN ELEMENTS AND BUDGET OF PROJECT.



SITE PLAN

1":20



STIGGS BREWING COMPANY
PROPERTY RE-ZONING
PRELIMINARY SITE PLAN

STIGGS BREWING CO.
BOYNE CITY, MICHIGAN

[illegible]

PROJECT NO:	
CAD DWG FILE:	6529SITE.DWG
DRAWN BY:	WES
DESIGNED BY:	WES
CHECKED BY:	AEN

CONCEPTUAL SITE PLAN

C100

SHEET 1 OF 1



CITY COUNCIL AGENDA ITEM

AGENDA TITLE: Rezone Application. Project CRZ 2024-03 743 Petoskey Ave

HEARING DATE: Monday, September 16, 2024, 6:00 PM

PRESENTED BY: Jonathan Scheel Director Planning and Zoning

ATTACHMENTS:

1. Application from the applicant
2. Project file CRZ 2024-03
3. Master Plan pages 93, 104, 107
4. Draft Conditional Rezone Agreement

I: GENERAL INFORMATION:

Applicant: Stiggs Brewing Company
112 S. Park Street
Boyne City, MI 49720

Property Owner: JJ's Library LLC
2726 Bissonnet Ste. 240 PMB 12
Houston, TX 77005

Requested Action: Conditional Rezone from Multi-family (R4) to General Commercial (GC)

Current Zoning: Muti-family (R4)

Project Location: 743 Petoskey Ave.

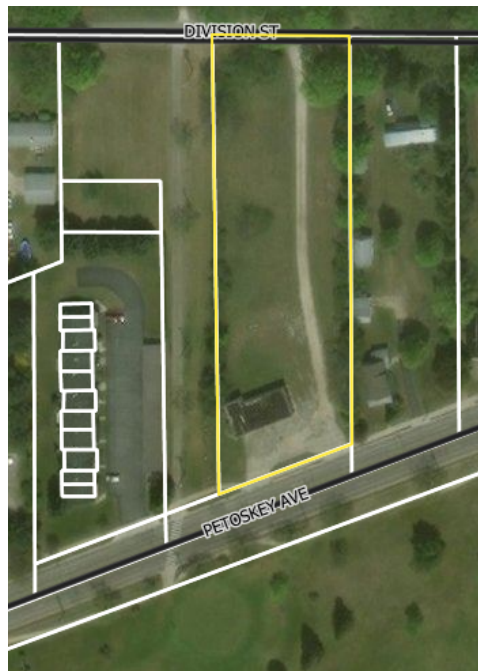
Legal Description: In the City of Charlevoix, Michigan Commencing at the East one-quarter corner of Section 23, Township 34 North, Range 8 West; thence along the East and West one-quarter line as established by E.K. Robinson (County Surveyor), North 89° 55' 52" West 842.82 feet (recorded as West 840.4 feet and measured 840.60 feet from D.C. Nettleton's East one-quarter corner); thence South 0°05'02" West (recorded as South) 31.90 feet to a ¾" iron pipe; thence continuing South 0°05'02" West (recorded as South) 1.10 feet to a ½" iron rod on the South line of Division Street; thence continuing South 0°05'02" West 237.73 feet to a ½" iron rod, being the POINT OF BEGINNING; thence continuing South 0°05'02" West (recorded as South) 144.93 feet to a PK Nail on the North line of Petoskey Avenue (AKA Highway US-31); thence along said North road line South 69°01' 16" West 147.88 feet to a ½" iron rod; thence North 0°05'01" East (recorded as North) 144.93 feet to

a½" iron rod; thence parallel to the said North road line, North 69°01'16" East 147.88 feet to the Point of Beginning, being a part of Government Lot 4, Section 23, Township 34 North, Range 8 West and containing 20,000 square feet (0.459 acres). Subject to the rights of the public and of any governmental unit in any part thereof taken, used or deeded for street, road, or highway purposes.

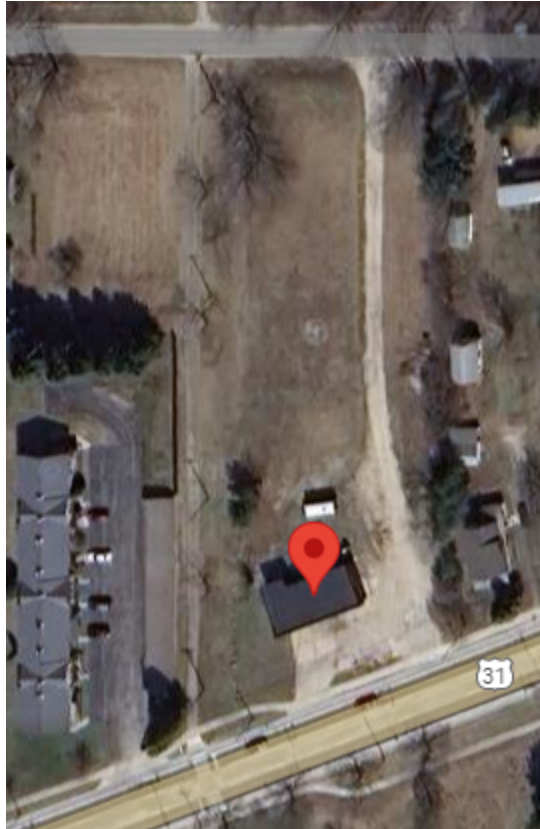
Project Site Size:	21,432 + - Square feet
Existing Land Use:	Undeveloped with the exception of an existing small commercial building
Adjacent Land Uses:	Multi Family to west. Public golf course to the south Single family to the east and undeveloped to the north.
Adjacent Zoning:	Multi family to the west, north and east. Public to the south.

II. PROJECT DESCRIPTION/LOCATION:

This is a request for the conditional rezone of the front portion of the parcel at 743 Petoskey Ave. The rezone request is from Multi-Family R-4 to General Commercial (GC). The entire parcel is 1.401 acres. There is an existing building (former gas station) on the parcel. The proposed rezoned area fronts Petoskey Ave. (US 31) and accounts for approximately 1/3 of the entire parcel. The remainder of the parcel would remain R-4 and has access/frontage on Division Street. The city golf course walkway is directly adjacent on the east and a single family home is on the west side adjacent parcel. This parcel and multiple parcels to the east had recently been rezoned by the Planning Commission from GC to R-4.



Charlevoix County Advanced Tax Parcel Map 2016.



Google Maps.



Google Maps.

The purpose of this Staff Report is to evaluate this proposal against the procedures and criteria outlined in Section 153.007 of the City of Charlevoix Zoning Ordinance.

III. TIMING AND AUTHORITY:

The Rezone application was submitted on August 6, 2024. The notice for the Planning Commission public hearing was advertised in the Charlevoix Courier on August 23, 2024. Notice of the hearing was sent to adjoining landowners and tenants within 300 feet of the property on August 20, 2024.

The public was given an opportunity to speak at the Planning Commission Public Hearing on September 9, 2024. After the public hearing, the **Planning Commission voted to recommend approval to the City Council with a unanimous vote based on their Findings of Fact.**

IV. ZONING ORDINANCE

§ 153.007 CONDITIONAL ZONING.

(A) An applicant requesting a rezoning may voluntarily offer a conditional zoning agreement along with an application for rezoning before, or following, the public hearing for a proposed rezoning. A decision to submit a conditional zoning agreement shall be pursuant to the Zoning Act and this chapter.

(B) The conditional zoning agreement shall be in writing, executed by the applicant and the city and recorded with the county's Register of Deeds.

(C) The conditional zoning agreement may include limitations on the uses permitted on the property in question, specification of lower density or less intensity of development and use; may impose greater restrictions on the location, size, height or other measure for buildings, structures, improvements, setbacks, landscaping, buffers, design, architecture and other features; or may provide for financing and installation of public works necessary to serve the proposed project.

(D)(1) The conditional zoning agreement shall not authorize uses or developments of greater intensity or density, or uses and developments that are not permitted in the proposed zoning district.

(2) The conditional zoning agreement may not permit variations from height, area, setback or similar dimensional requirements that are less restrictive than the proposed zoning district; however, any variance approved by the Zoning Board of Appeals in accordance with §§ [153.035](#) through [153.042](#) of this chapter may be allowed as part of a conditional rezoning agreement.

(3) If a special land use or site plan review is required by this chapter for the use proposed or subject to conditions within the rezoning agreement, the use(s) shall comply with the review and approval requirements as applicable prior to establishing or commencing the use(s).

(E) The conditional zoning agreement shall include conditions that bear a reasonable and rational relationship and/or benefit to the property in question. The conditional zoning agreement may include conditions related to the use and development of the property that are necessary to:

(1) Serve the property with improvements including, but not limited to, the extension, widening or realignment of streets; construction or extension of utilities and other infrastructure improvements serving the site; or the construction of recreational facilities serving the site or uses thereon;

(2) Minimize the impact of the development on surrounding properties and the city overall; or

(3) Preserve natural features and open space beyond what is normally required.

(F) In addition to any limitations on use or development of the site, preservation of site features or improvements described above, the conditional zoning agreement shall also include the following:

(1) An acknowledgment that the conditional zoning agreement was proposed voluntarily by the applicant;

(2) A statement that the property shall not be developed or used in any manner that is not consistent with the conditional zoning agreement;

(3) A statement that the approval of the rezoning and the conditional zoning agreement shall be binding upon and inure to the benefit of the property owner and the city, and also their respective heirs, successors, assigns, receivers or transferees. Where the applicant for rezoning is acting on behalf of the landowner through some form of purchase agreement or other mechanism, then the landowner must also consent and sign the agreement;

(4) A statement that, if a rezoning with a conditional zoning agreement becomes void in accordance with this section, that no further development shall take place and no permits shall be issued unless and until a new zoning district classification for the property has been established;

- (5) A statement that no part of the conditional zoning agreement shall permit any activity, use or condition that would otherwise violate any requirement or standard that is otherwise applicable in the new zoning district;
- (6) A legal description of the land to which the agreement pertains; and
- (7) Any other provisions as are agreed upon by the parties.

(G) The conditional zoning agreement shall be reviewed concurrently with the petition for rezoning following the process in § [153.006](#)(C) above and the following.

(1) The conditional zoning agreement may be submitted prior to or following the Planning Commission public hearing. If the agreement is provided following the public hearing it must be reviewed by the Planning Commission prior to the Planning Commission making its recommendation on the rezoning to the City Council. The conditional zoning agreement shall be reviewed by the City Attorney to determine that the conditional zoning agreement conforms to the requirements of this section and the Zoning Act and shall confirm that the conditional zoning agreement is in a form acceptable for recording with the county's Register of Deeds.

(2) Following the public hearing for a proposed zoning amendment, the Planning Commission shall make a recommendation to the City Council based upon the criteria listed in division (D)(1) above. In addition, the Planning Commission shall consider whether the proposed conditional zoning agreement:

- (a) Is consistent with the intent of this section;
- (b) Bears a reasonable and rational connection or benefit to the property being proposed for rezoning;
- (c) Is necessary to ensure that the property develops in such a way that protects the surrounding neighborhood and minimizes any potential impacts to adjacent properties;
- (d) Is necessary to allow the rezoning to be approved, in that the property could not or would not be rezoned without the proposed conditional zoning agreement;
- (e) Leads to a development that is more compatible with abutting or surrounding uses than would have been likely if the property had been rezoned without a conditional zoning agreement or if the property were left to develop under the existing zoning classification; and
- (f) Is clearly in the public interest and not inconsistent with the recommendations of the city's Master Plan.

(3) If a conditional zoning agreement has been offered by the applicant and recommended for approval by the Planning Commission, the City Council may approve the conditional zoning agreement as a condition to the rezoning if it meets all requirements of division (G)(2) above. The conditional zoning agreement shall be incorporated by attachment or otherwise as an inseparable part of the ordinance adopted by the City Council to accomplish the requested rezoning.

(4) If the rezoning and conditional zoning agreements are approved, the zoning classification of the rezoned property shall consist of the district to which the property has been rezoned and a reference to the conditional zoning agreement. The Official Zoning Map shall specify the new district, plus a parenthetical "CZ" to indicate that the property is subject to a conditional zoning agreement (i.e., "R1 (CZ)"). The City Clerk shall maintain a listing of all properties subject to conditional zoning agreements and shall provide copies of the agreements upon request.

(5) The approved conditional zoning agreement shall be recorded with the county's Register of Deeds.

(6) Any uses proposed as part of a conditional zoning agreement that would otherwise require approval of a special land use or site plan approval shall be subject to the applicable review and approval requirements of §§ [153.230](#) through [153.239](#) and [153.243](#) through [153.257](#) of this chapter.

(H) (1) The rezoning and conditional zoning agreement shall expire one year after adoption of the rezoning and conditional zoning agreement, unless substantial construction on the approved development of the property pursuant to building and other required permits issued by the city commences within the one-year period and proceeds diligently to completion, unless extended by the City Council for good cause.

(2) In the event that substantial construction on the approved development has not commenced within one year, the conditional zoning agreement shall be void.

(3) Should the conditional zoning agreement become void, all development on the subject property shall cease and no further development shall be permitted. Until action satisfactory to the city is taken to bring the property into compliance with the conditional zoning agreement, the city may withhold or, following notice to the applicant and being given an opportunity to be heard, revoke permits and certificates, in addition to, or in lieu of, any other lawful action to achieve compliance.

(4) Notwithstanding the above, if the property owner applies in writing for an extension of the conditional zoning agreement at least 30 days prior to the expiration date, the City Council may grant an extension of up to one year. Further extensions may be granted by the City Council, although the number of previous extensions granted to a particular conditional zoning agreement shall be considered in relation to the diligent effort of the land owner to satisfy the conditions of the agreement.

(I) If the rezoning and conditional zoning agreement becomes void as previously outlined, then the land shall revert back to its prior zoning classification as set forth in the Zoning Act. The Zoning Administrator or designee shall initiate the rezoning to the prior zoning classification and notify the land owner and/or developer of the reversion of zoning by registered letter.

(J) Provided that, all development and/or use of the property in question is in compliance with the conditional zoning agreement, an authorized use or development may continue indefinitely; provided that, all terms of the conditional zoning agreement continue to be met.

(K) The conditional zoning agreement may be amended by the city with the landowner's consent in the same manner as was prescribed for the original rezoning and conditional rezoning agreement.

(L) Nothing in the conditional zoning agreement, nor any statement or other provision shall prohibit the city from later rezoning all or any portion of the property that is the subject of the conditional zoning agreement to another zoning classification. Any rezoning shall be conducted in compliance with this chapter and the Zoning Act.

(M) The city shall not require an owner to offer conditions as a requirement for rezoning. The lack of an offer of conditions shall not affect the owner's rights under this chapter.

(N) The city is not required or obligated to accept any or all conditions offered by a developer on a rezoning application. In no way is an offer of a conditional zoning agreement the basis for requiring the city to approve a rezoning application.

V. FINDINGS OF FACT

- (1) In considering a rezoning application, the Planning Commission considered and adopted the following criteria in making their findings, recommendations and decisions:

The City Council will review Zoning Ordinance Section 153.007 and make their findings, recommendations and decisions along with the recommendation of the Planning Commission

(a) Consistency with the goals, policies and future land use map of the Charlevoix Master Plan, including all applicable subarea and corridor studies. If conditions have changed since the Master Plan was adopted, then consistency with recent development trends in the area shall be evaluated;

*Page 93 of the Master Plan and page 104, the Future Land Use Map shows this area as the start of the Charlevoix Corridor. **Key Characteristics:** "While these areas will still be predominantly residential, the district will allow for limited commercial that will provide services for surrounding residences within walking distance. The combination of home occupations, commercial, and residential spaces generates a high- to medium-level of intensity. Activity in this area will be less than the downtown core, but more than the surrounding residential neighborhood. Like the downtown core, this mix of uses encourages community connection and a variety of complimentary uses." **Appropriate Land Uses:** "The Charlevoix Corridor is a transitional zone that permits a mix of commercial, professional and medical offices, residential, and civic, and transitional or temporary spaces that can be used as business incubators." **Building and Site Design:** "Reuse and re-occupancy of existing buildings is preferred whenever possible." Page 107 describes General Commercial as a compatible Zoning District to the Charlevoix Corridor.*

(b) Whether development under current zoning is impractical or less reasonable than the requested or desired zoning district given factors such as development trends;

As described above, the requested rezone has uses promoted by the Master Plan. The city goals are to have a "mix" of pedestrian friendly businesses mixed in with housing to promote a vibrant lively neighborhood.

(c) Capability of the site's physical, geological, hydrological and other environmental features to accommodate the potential uses allowed in the proposed zoning district;

The existing developed site works very well for the reuse proposed.

(d) Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, noise, density, nature of use, traffic impacts, aesthetics, infrastructure, impact on the ability to develop adjacent properties under existing zoning and potential influence on property values;

The proposed use will have no negative impact to the golf course to the south, little to no impact to the west which is the golf course crossing and a multi-family garage/carport separation from a condominium complex. The north is undeveloped, and the east has one single family home that is separated by the parking lot and driveway.

(e) Capacity of city infrastructure and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety and welfare of the city;

This parcel has all city infrastructure and facilities available onsite. The Public Works and Electrical Department Heads have given their approval

(f) The apparent need for the types of uses permitted in the requested zoning district in the city in relation to the amount of land in the city currently zoned to accommodate that need;

This area north of the bridge is the last area that has development potential. The other adjacent lots would all have the same conditions as this lot. The need for additional retail, entertainment, multifamily housing and parking is here with little land availability to develop those uses.

(g) Other factors as determined by the Planning Commission and the City Council.

(2) Where a rezoning is reasonable given the above criteria, a determination shall be made that the requested zoning district is more appropriate than another or by amending the list of permitted or special land uses within a district.

Because of the past use as a gas station, the State of Michigan Department of EGLE has determined that a commercial use is more appropriate than a residential use.

VI. CITY COUNCIL OPTIONS:

The City of Charlevoix Planning Commission has the following options for Rezone CRZ 2024-03

1. Approve Rezone 2024-03 CRZ based on specific findings of fact that the application does meet the review criteria in Section 153.007
2. Deny Rezone 2024-03 CRZ based on specific findings of fact that the application does not meet the review criteria in Section 153.007
3. Table Rezone 2024-03 based on the need for additional information.



Brewing Company

Description for Conditional Rezoning

Company Expansion

Stiggs Brewing Company is setting its sights on the overall brand expansion from the current brewpub model, into a microbrewery with increased production capabilities, wholesale distribution and additional revenue streams.

Since the inception of Stiggs Brewery & Kitchen in Boyne City in 2017, the primary goal was to make high quality craft beer for the local & regional market.

While the primary vision was well intended, the original concept of Stiggs Brewing Company was sidelined by operational direction, the Covid-19 Pandemic closures & overall limitations of the current physical space.

The property at 743 Petoskey Ave. (US Hwy 31) on the North end of Charlevoix Township, is nestled next to Charlevoix Municipal Golf Course, meets the demands for Stiggs expansion while providing additional opportunities for mixed development & diverse revenue sources.

Project Overview

Stiggs Brewing Company has located a prime mixed-use property for our microbrewery expansion in Charlevoix, MI. With its near turnkey structure, the proposed location fits the overall site demands for Stiggs 2.0 and is ideal for increased brand visibility on one of the most active commuter roads in all of Northern Michigan. Building on the original bones of the Old '76 Garage, this 1.4-acre property provides all amenities identified for the production brewery expansion while creating a family friendly atmosphere for locals & tourists to share alike. A second phase of the project allows for the development of a multi-family residence on the back portion of the property by the property owner.

The expansion project will finance a small 10 BBL production brewery providing Stiggs access to the wholesale market while also offering a secondary taproom with a 750 sq ft 3-season exterior patio. This no-frills facility supplies a 1,767 sq ft footprint for brewery operations, housed with 4 roll top doors for ease of workflow & flexibility of programming. This site **WILL NOT** operate as a food establishment. Food services, catering & events will be operated by Stiggs Catering Department & other 3rd party vendors while the exterior green space will support interactive activities, family friendly green space in summer, live music & community events.

Description of Conditional Zoning

Stiggs Brewing Company in partnership with LSB Ventures llc, seeks Conditional Zoning approval of the City of Charlevoix for the property located on 743 Petoskey Ave. The property is currently zoned R-4 for the total 1.401-acre parcel (61027.56 sq ft) but has an existing commercial use on the US-31 frontage. Our proposal is to amend the current zoning to allow for the mixed use depicted in the provided site plan.

- The front 20,000 sq ft of the property with road frontage on Petoskey Ave to be amended from R-4 to General Commercial for like businesses compatible for the residential adjacent property. Our intended mixed-use occupancy of F-2 Alcohol Manufacturing (under 16% alcohol) and 'B' Occupancy.
- The back 41,027 sq ft parcel with frontage on Division St will remain zoned R-4 for future, Phase II multi-family housing for future development.

The commercial use would require 12 parking spaces for both employees and patrons. Zoning requirement is 1 per employee (assumed 3), plus 1 per 300 sq ft (6 required). The current site plan shows 14 total parking spaces.

Proposed Improvements

- Proposed improvements to the Commercial portion of the parcel; once amended rezone is approved, will commence by updating use, submitting building permits and remodeling the existing 1,767 commercial space into a small 10 BBL production brewery & taproom under the Michigan Rehab Code, Level 3 Alterations. In addition to non-structural, interior modifications, the overall scope of the project will finalize existing & outstanding permits for recent exterior upgrades, improve the exterior space with landscape elements, pedestrian pathways, construct a 750 sq ft patio adjacent to the south wall, and pour a concrete pad adjacent to the north wall of the building.

Property Legal Description

Please see supplemental document "Site Plan.Legal Descrption.8.14.24" for the revised associated with the conditional rezone to create 2 separate parcels.

AN ORDINANCE TO AMEND TITLE XV, CHAPTER 153, SECTIONS 153.055, OF THE CHARLEVOIX CITY CODE

SECTION 1. Title XV, Chapter 153, Section 153.055 (B) of the City of Charlevoix Code is hereby amended to include a Conditional General Commercial Rezone as a District in the Zoning Use District Map as follows:

Conditional General Commercial Rezone District (front portion of parcel)

Parcel Zoned R-4 (description of the parcel that is remaining R-4)

SECTION 3. Severability

SECTION 4. Effective Date

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

Ordinance No. 852 was adopted on the 7th day of October 2024 A.D., by the Charlevoix City Council as follows:

Motion by:

Seconded by:

Years:

Nays:

Absent:

State of Michigan } §
City of Charlevoix }

Sarah J. Dvoracek

Clerk

Lyle Gennett

Mayor

CERTIFICATION

I, the undersigned, the City Clerk of the City of Charlevoix, Charlevoix County, Michigan, do hereby certify that the foregoing is a true and complete copy of Ordinance No. 852 adopted by the City Council of the City of Charlevoix, County of Charlevoix, State of Michigan, at a regular meeting held on October 7, 2024 the original of which is on file in the Clerk's office and available to the public. Public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267 of the Michigan Public Acts of 1976.

Dated: 10/08/2024

Sarah J. Dvoracek, City Clerk

Conditional Rezone Agreement

This Conditional Rezoning Agreement (the "Agreement") is made this 7th day of October 2024, (the "Agreement") by and between the CITY OF CHARLEVOIX, a Michigan municipal corporation, with its offices at City Hall, 210 State Street Charlevoix, Michigan 49720 (the "City"), and JJ's Library LLC., (the "Owner") with offices at 2726 Bissonnet Ste. 240 PMB 12, Houston, TX 77005

THE PARTIES RECITE THAT:

WHEREAS, the City is a municipal corporation organized and existing under and pursuant to the Michigan Home Rules Cities Act, 1909 PA 279, as amended (codified at MCL 117.1 et seq.), and exercising all of the powers provided for therein and pursuant to Charlevoix City Charter, adopted, and as subsequently amended; and

WHEREAS, the Owner controls certain parcels of real property located within the City of Charlevoix at 743 Petoskey Avenue which is currently zoned R-4: Multi family Residential District (as specifically listed and legally described in this agreement) (the "Property"), and desires to proceed with a development on the Property; and

WHEREAS, under and pursuant to Section 405 of the Michigan Zoning Enabling Act, 2008 PA 110, as amended (codified at MCL 125.3405 et seq.), certain conditions voluntarily offered by the owner of land, including an agreement between the City and the Owner, may become a condition of rezoning of the Property; and

WHEREAS, on August 21, 2024, the Owner and the developer of the Property submitted a Conditional Rezoning Application for the Property with a conceptual site plan (attached as EXHIBIT A), voluntarily offering, in writing, certain conditions to rezone the Property from "R-4" Multi Family Residential District to "GC" General Commercial District with conditions as set forth in this Agreement; and

WHEREAS, the City Planning Commission on September 9, 2024, held a Public Hearing on the Amended Conditional Rezoning Application; and

WHEREAS, the City Planning Commission on September 9, 2024, voted to recommend approval of the amended request for Conditional Rezoning based upon this Agreement with the attached exhibits; and

WHEREAS, the City Council on October 7, 2024, voted to approve the request for Conditional Rezoning and adopted Ordinance No. _____ based upon the conditions set forth in this Agreement and the attached exhibits;

NOW, THEREFORE, in consideration of the foregoing and the mutual promises hereinafter set forth, the City and the Owner agree as follows:

1) THE DEVELOPMENT PROJECT

a) Project Definition. The Owner agrees to construct a 10 BBL brewery and tap room in the existing building (the "Project") on the Property substantially conforming to the approved site plan attached as Exhibit A. Other permitted uses are requested which align with like businesses compatible for the residential adjacent property stated in Section 153.086 to include Brewpub/Microbrewery, Wine/Beer Tasting Room, Retail Sales of durable and dry goods, Outdoor seating area, Outdoor display & sales, bakery and baked goods. Applicants agree to NO use associated with high impact commercial or industrial usage.

b) Zoning Use District Regulations. Except as modified herein, the zoning use district regulations for the Property shall be the "GC General Commercial District regulations of Chapter 153 Section 153.071, of the City Code and the Property shall remain subject to all other district use and development standards, and all other regulations of

the City Zoning Ordinance, Chapter 153 of the Code of the City of Charlevoix, and shall remain subject to all other state and local requirements for land development.

c) Additional Conditions: The Planning Commission approved Site Plan of 9/9/2024 will be followed.

d) Compliance with Conditions. Upon the Owner establishing a development or commencing a use upon the property subject to this Agreement, Owner and its successors or assigns shall continuously operate and maintain the development or use in compliance with all of the conditions set forth in this Agreement. Any failure to comply with a condition contained herein shall constitute a violation of the Charlevoix zoning ordinance and be punishable accordingly against the owner of the property. Additionally, any such violation shall be deemed a nuisance per se and subject to judicial abatement as provided by law.

e) If this conditional rezoning agreement becomes void in accordance with the City's ordinance, no further development shall take place, and no permits shall be issued unless and until a new zoning district classification for the property has been established.

2) TIMING. The City and the Owner agree that the following approvals and activities are conditions to this Agreement and if not completed in the following time limits the Property will revert back to the "R-4", Multi Family Residential District: 5

a) The Owner obtains all of the necessary site plan and special use permit approvals; and building permits from the City and County for the Project within twelve (12) months of approval of this Agreement by the City.

b) The Owner commences construction of the Project within six months of issuance of building permit.

c) The Owner receives certificate of occupancy for the Project within eighteen (18) months of commencement of construction.

3) CITY RIGHT TO REZONE. Nothing in this Agreement shall be deemed to prohibit the City from rezoning all or any portion of the Property which is subject to this Agreement to another zoning classification. Any rezoning shall be conducted in compliance with the City's zoning ordinance – Chapter 153 – of the Charlevoix City Code and the Michigan Zoning Enabling Act, MCL 125.3405, et seq.; provided, however, that the City shall not rezone the property with a different zoning classification during the time period for commencement of the approved use as specified in Paragraph 2 above.

4) ENTIRE AGREEMENT. This Agreement, the exhibit attached hereto, and the instruments which are to be executed in accordance with the requirements hereof set forth all of the covenants, agreements, stipulations, promises, conditions and understandings between the City, and the Owner concerning the Project as of the date hereof, and there are no covenants, agreements, stipulations, promises, conditions or understandings, either oral or written, between them other than as set forth herein.

5) RELATIONSHIP OF THE PARTIES. The relationship of the City, and the Owner shall be defined solely by the expressed terms of this Agreement, including the implementing documents described or contemplated herein, and neither the cooperation of the parties hereunder nor anything expressly or implicitly contained herein shall be deemed or construed to create a partnership, limited or general, or joint venture between the City and the Owner, nor shall any party or their agent be deemed to be the agent or employee of any other party to this Agreement.

6) MODIFICATION. This Agreement can be modified or amended only by a written instrument expressly referring hereto and executed by the City and the Owner.

7) MICHIGAN LAW TO CONTROL. This Agreement and the rights and obligations of the parties hereunder shall be construed in accordance with Michigan law.

8) DUE AUTHORIZATION. The City and the Owner each warrant and represent to the other that this Agreement and the terms and condition thereof have been duly authorized and approved by, in the case of the City, its City Council and all other governmental agencies whose approval may be required as a precondition to the effectiveness hereof, in the case of the Authority by its members and all other applicable governmental agencies, and as to the Owner, by

the members thereof, and that the persons who have executed this Agreement below have been duly authorized to do so. The parties hereto agree to provide such opinions of counsel as to the due authorization and binding effect of this Agreement and the collateral documents contemplated hereby as the other party shall reasonably request.

9) ASSIGNMENT. It is understood and agreed that the Owner may assign all or a portion of its rights and duties hereunder to one or more entities.

10) NO PERSONAL LIABILITY. The obligations hereunder of the City and the Owner shall constitute solely the obligations of the respective entities to be satisfied solely from their respective assets, and no officer, agent, employee or partner of any of said entities shall have any personal obligation responsibility or liability for the performance of the terms of this Agreement.

11) RECORDING. The approved conditions of rezoning set forth in this ordinance, or an affidavit or memorandum giving notice thereof, shall be filed by the City Zoning Administrator with the Charlevoix County Register of Deeds.

Commented [AH1]: The ordinance requires that the zoning agreement needs to be in writing, signed by the applicant and recorded.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date first set forth above.

By By WITNESS: [Owner, Property Owner]:

By By WITNESSES: CITY OF CHARLEVOIX:

By By , Mayor

By By , City Clerk.

Charlevoix City Council

All Other Actions and Requests

Title: Deer Cull

Date: October 7, 2024

Presented By: Jill McDonnell, Chief of Police

Background:

At your last meeting, Council discussed the prospect of another deer cull and had additional questions on how it has unfolded in other communities. Here is information we obtained from other communities in response to this question.

Big Rapids: Over the past five years, Big Rapids has removed around 25 deer annually, but they saw minimal impact on deer-related conflicts. Last year, they removed nearly 70 deer, and it was the first time a noticeable difference was seen. They are contracted with the USDA Wildlife Services for a three-year period, aiming to cull around 75 deer per year. The city covers 4.45 square miles, and citizens consistently push for the annual cull due to the high deer population. Despite the expense, the USDA is considered ethical, professional, and worth the investment according to their City Manager. Big Rapids is monitoring whether they can scale back the cull in future years.

Meridian Township: For several years, Meridian Township utilized bow hunters for deer management, but this approach had little impact. About four years ago, they added utilizing sharpshooters from the police department. The police department leads the effort, with a combination of archery season and direct police involvement to reach their DNR-permitted quota. They primarily conduct culls in cemeteries and parks, but the police are transitioning to extend efforts into neighborhoods. Civilian archers must attend training, be qualified, and receive permits before being assigned areas where they must report the number of deer taken. Over the last three years, the deer population has vacated previously culled areas, forcing the township to adjust hunting zones. They focus on high deer-vehicle crash areas and have seen a decrease in crashes. It took two years of the police department culling the maximum number of deer to observe a significant reduction. Meridian Township covers 36 square miles and typically culls 300–330 deer annually.

Ludington: Ludington's experience with a deer cull was short-lived due to interference. The USDA culled 32 deer in a single hour but refused to return after encountering disruptions. The permitted number was 40, but the single cull wasn't enough to make an impact. Ludington has decided not to pursue further deer management efforts currently.

City of Charlevoix Crash Data: Below is the Deer Crash data for the last 10 years. So far in 2024, we have recorded 17 deer-related crashes. As we approach the high-risk season, it's important to note that 55-60% of crashes involving deer typically occur between September and December.

The majority of these incidents happen on the north side of the bridge near the golf course and south side near the cemeteries along M-66 and US-31, which are known hotspots for deer activity.

Crash Date (Year)	Crash Level	
2024	17	5.65%
2023	38	12.62%
2022	34	11.30%
2021	31	10.30%
2020	26	8.64%
2019	30	9.97%
2018	34	11.30%
2017	22	7.31%
2016	19	6.31%
2015	25	8.31%
2014	25	8.31%

2024 Culling: This year, our cull was conducted on the north side of the city, focusing on areas that were conducive to baiting and provided safe conditions for the cull. These locations were carefully chosen to maximize safety while ensuring effective results.

In reviewing, the educational sessions conducted by the DNR representative, it was emphasized that the impact of deer culling would not be seen for 3–5 years, which has been consistent with the experience of other municipalities.

Recommendation:

Discussion and direction.

Attachments:

None

Charlevoix City Council

All Other Actions and Requests

Title: 109 Mason Street Redevelopment Ready Proposal

Date: October 7, 2024

Presented By: Mark Heydlauff, City Manager

Background:

As a Redevelopment Ready Community, we are entitled to certain services from the Michigan Economic Development Corporation. 109 Mason Street has been owned by the City for several decades and currently houses the Chamber of Commerce and Visit Charlevoix. As we have looked for opportunities to create new spaces for housing, this space seems underutilized, it is a one story building in the dense, downtown core of our community. Working with MEDC and Smith Group, we have developed a draft Request for Proposals which would be released by MEDC to developers who could reimagine this space with upper floor housing options based on market demand a developer might find. You'll see an edited final draft we propose to use for the project included. We are seeking Council approval to release this RFP and see what responses we get early next year. The RFP does not assume any local public assistance for the project and terms are wide open for the developer to propose. It is likely this property could move from a tax-exempt, government-owned parcel to privately owned and taxable.

Smith Group is a well-respected architecture and design firm based in Ann Arbor who was contracted, at MEDC's expense, to develop a market study and RFP. I'm grateful for the assistance and feedback from Sarah Van Horn, Amanda Wilkin, and Jonathan Scheel who worked through this process from a variety of viewpoints. Once the final draft of the document is ready, MEDC will release this, and we'll seek responses in January with the prospect of bringing options back to you in February or March for further consideration.

Recommendation:

Motion to approve the draft RFP for the Redevelopment of 109 Mason Street as presented.

Attachments:

1. DRAFT Charlevoix RFQ Local Team version

REDEVELOPMENT READY SITE

109 MASON CHARLEVOIX, MICHIGAN

PREDEVELOPMENT SERVICES





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109 MASON CHARLEVOIX, MICHIGAN

The City of Charlevoix seeks a development partner for the construction of 109 Mason located in the heart of Charlevoix. The City is eager to work with qualified respondents in negotiating a mutually beneficial arrangement for this one-of-a kind opportunity.



MICHIGAN ECONOMIC
DEVELOPMENT CORPORATION



michigan
municipal
league

Prepared by
Amanda Wilkin
2024-10-03 15:06:04
City of Charlevoix logo

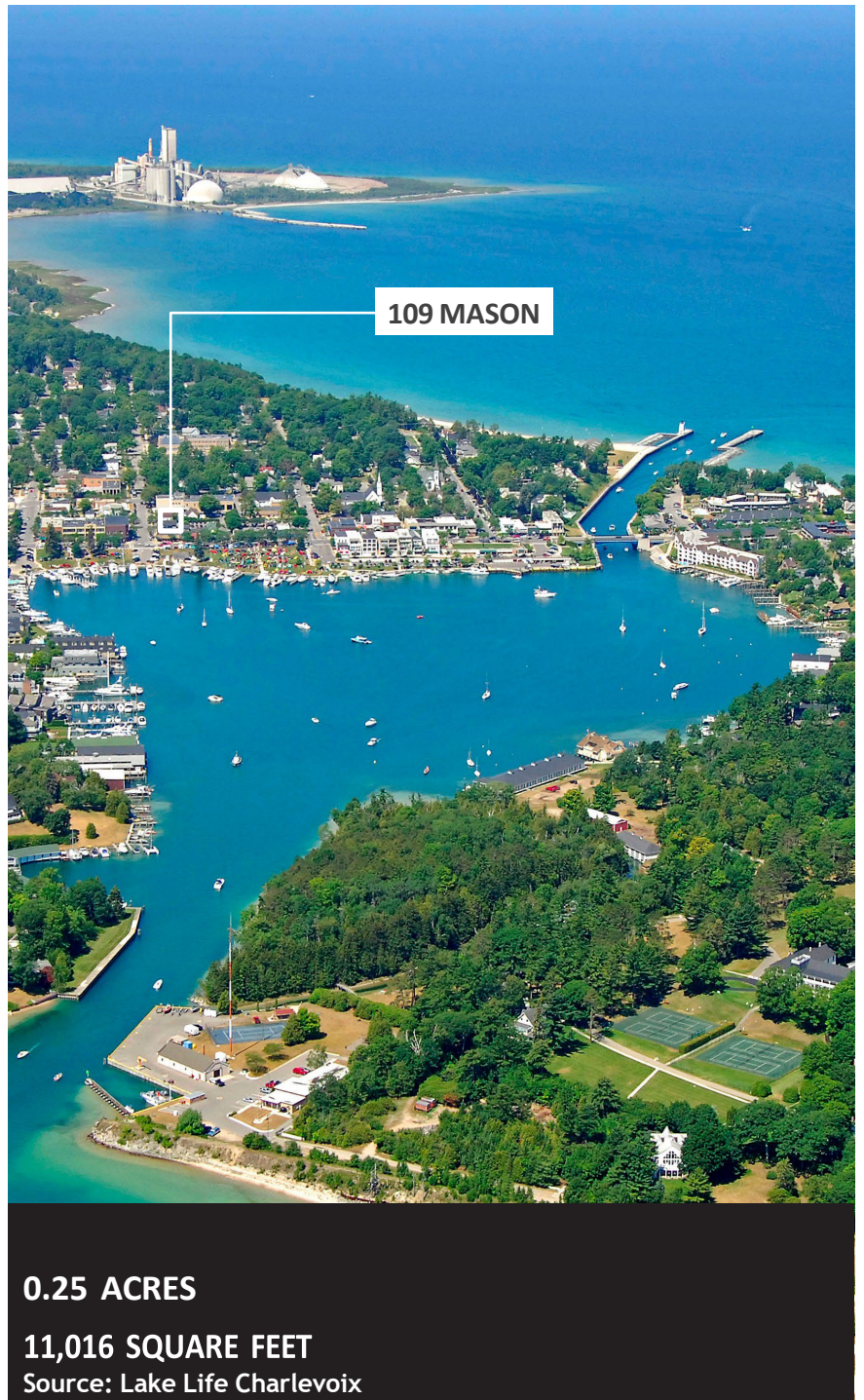
DEVELOPMENT OPPORTUNITY

CHARLEVOIX IS A DESTINATION WATERFRONT COMMUNITY, WITH A HOMETOWN FEEL. 109 MASON IS A MIXED-USE OPPORTUNITY TO SUPPORT YEAR ROUND RESIDENTS WITH HOUSING AND RETAIL.

Charlevoix's draw is no secret. Each year, visitors flock from far and wide to experience the city's lively downtown, sandy beaches, crystal clear water, and lush forests. Charlevoix is in close proximity to Northern Michigan destinations like Traverse City and Torch Lake, making it a highly desired stop on Northern Michigan's scenic route.

As Charlevoix continues to grow, 109 Mason prompts the opportunity for the community to inform what it wants to become. Fostering vibrancy is as much about attracting quality development as it is about retaining it's community, including younger adults and retirees who invigorate the space.

The City's vision for 109 Mason is a mixed-use development that provides community amenities for ~~short-term~~ and ~~long-term members of~~ Charlevoix.



0.25 ACRES

11,016 SQUARE FEET

Source: Lake Life Charlevoix

COMMUNITY OVERVIEW

CHARLEVOIX

Charlevoix (population 2,361) is located on the western edge of Charlevoix County on Lake Michigan in the northwest corner of Michigan's lower peninsula. It is located along US-31 roughly 50 miles south of the Mackinac Bridge, the largest suspension bridge in North America, which joins Michigan's upper and lower peninsulas.

Charlevoix's natural features and modern amenities are shared today by both seasonal and permanent residents including the Little Traverse Bay Bands of Odawa Indians who live and work in the community. The City of Charlevoix is largely responsible for the improvements to public spaces and private development that have helped Charlevoix remain a truly special place where residential, commercial, and public uses coexist.

Much of the city's housing stock is well-maintained historic homes with access to nearby schools and parks. The centrally located downtown features a commercial center that provides dining, retail, and entertainment opportunities while the nearby East Park is the recreational and cultural focal point of the city. This combination of quality housing, a walkable commercial center, and family-friendly recreation and trails creates a highly desirable place where the community can grow and thrive.

Climate migration is expected to contribute to a rise in population in the Midwest. Cities located safely away from increasing drought, fires, floods, and severe storms attract residents from parts of the country plagued by these weather-related disasters. Michigan in particular, has been cited as a state that stands to gain population because of its resilience to many of the climate disasters that are impacting other parts of the country.

The convergence of remote working, lifestyle pursuit, and climate migration show the need for increased housing to ensure Charlevoix remains competitive in this new era of resident choice. The waterfront location and amenities, trail network, proximity to other Northern Michigan destinations, affordability, and investment in its Downtown provide many opportunities for 109 Mason.



REMARKABLE ASSETS

Charlevoix has a unique location with incredible proximity to areas ripe for the Michigan explorer. With the Charlevoix Municipal Airport and Charlevoix Marina, Charlevoix provides multi-modal access to regional and local assets. The city is in close proximity to regional destinations ~~like the Mushroom House Tours, Petoskey Wine Region, and Young State Park. Furthermore,~~ the city is minutes from unsurpassed bucolic forests, beaches and fresh water.

HISTORIC SENSE OF PLACE

Just a block from 109 Mason is Charlevoix's charming, walkable downtown. Local events and festivals such as the Farmer's Market and Venetian Festival bring visitors from all over to the city.

UNSURPASSED NATURAL FEATURES

Charlevoix sits proudly in Northern Michigan along the shores of Lake Michigan, with access to incredible natural features. Residents and visitors can stroll along the shoreline of Lake Michigan, sail out of the city's deep water harbor, or hike in nearby forests.

GREAT LAKES ECONOMY

At the center of the Great Lakes mega-region, Charlevoix is exploring ways to leverage its unique surroundings in response to a shifting local, national and global economy. This includes engaging the unique environmental resources, local culture and the amenities of the Great Lakes, as well as the area's strong public research universities.

CLIMATE HAVEN

Cities in the Great Lakes, such as Charlevoix, are increasingly identified as "receiver cities" given their unique location and reduced risk profiles associated with climate change. As such, receiver cities are preparing for growth by improving infrastructure, expanding housing opportunities, and making more people aware of their increasing benefits.



MARKET CONDITIONS AND OPPORTUNITIES

REGION

The City of Charlevoix is located in northwestern lower Michigan, in northwest Charlevoix County. Charlevoix County largely surrounds Lake Charlevoix and follows along the southern edge of Walloon Lake. Charlevoix County borders Emmet County to the north, Cheboygan and Otsego Counties to the east, Antrim to the south, and Lake Michigan to the west. Charlevoix County has three ~~major~~ economic centers, the City of Charlevoix, Boyne City, and the City of East Jordan. ~~Boyne City and East Jordan are located at the eastern end of Lake Charlevoix and on the south arm, respectively.~~

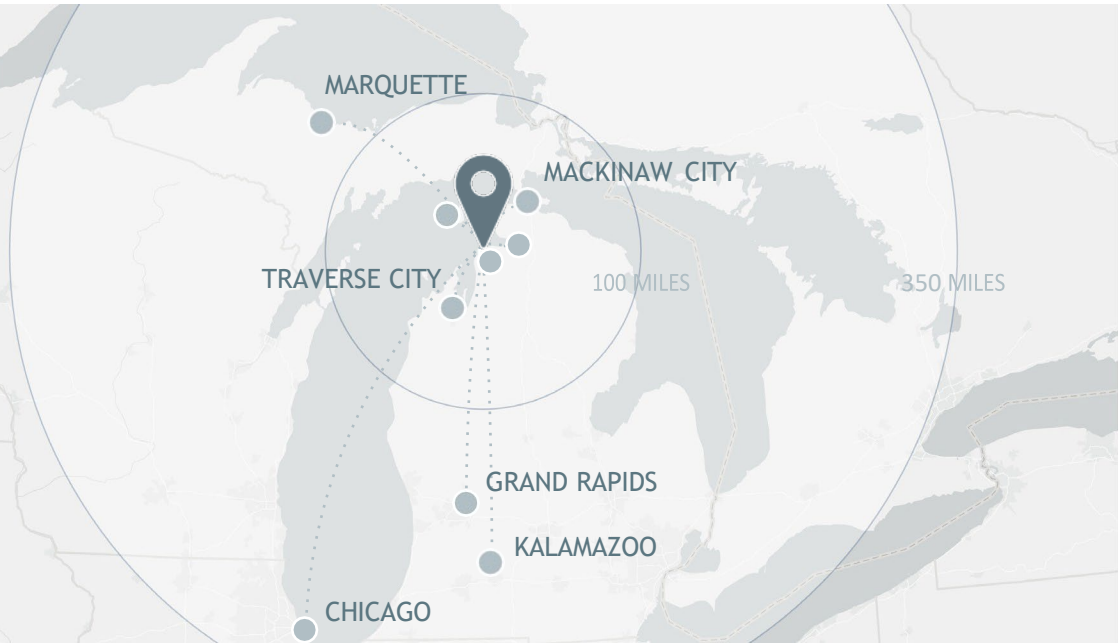
The city surrounds Round Lake and sits on an isthmus between Lake Michigan on the west and Lake Charlevoix on the east. Round Lake is connected to Lake Michigan by the Pine River Channel. Charlevoix Township borders the city on the north and south. The total area of the city is roughly 1,352 acres, excluding Round Lake and the Pine River Channel.

TRANSPORTATION

Tourists, as well as seasonal and permanent residents can access regional economic and recreation destinations through two main highways. From the east, M 66 enters near the south city limits, connecting Ironton and East Jordan. US 31 cuts through the middle of Charlevoix and connects with Petoskey, Elk Rapids, and Traverse City. The Boyne City-Charlevoix Road runs from US 31 to the north of Charlevoix, through Horton Bay into Boyne City. Charlevoix County Transit, Beaver Island Boat Company, the Ironton Ferry, and Charlevoix Municipal Airport provides additional multi-modal circulation.

HIGHLY CONNECTED

- 17 MILES TO BOYNE CITY
- 17 MILES TO PETOSKEY
- 20 MILES TO TORCH LAKE
- 32 MILES TO BEAVER ISLAND
- 50 MILES TO TRAVERSE CITY
- 175 MILES TO GRAND RAPIDS
- 215 MILES TO MARQUETTE
- 230 MILES TO KALAMAZOO
- 350 MILES TO CHICAGO



MARKET OVERVIEW

A highest and best use analysis for the site was prepared by Mission North in May 2024. Based on the findings of the market study, there is a development opportunity for residential and institutional and/or co-working space. A shortage of urban housing types and the general age of housing in Charlevoix creates opportunity for the project, which includes micro units. Though commercial retail will be challenged by the project’s location off of Bridge Street, the first floor could accommodate institutional and/or co-working space. This is in alignment with the city’s vision to retain the visitor’s center and office on the first floor, coupled with additional incubator retail space.

The Charlevoix Primary Market Area (PMA) had a 2022 estimated population of 13,695, according to the American Community Survey. The PMA had a median income close to that of the State and about 88% of the country’s. The median age for the Primary Market Area is six to seven years higher than the State and Country. Finally, the PMA has a higher high school diploma rate than the other geographies. At 93.7%, it is higher than the nation’s and state’s but lower than the city and Charlevoix County.

109 Mason can help retain and attract younger residents who may eventually start families which would help bolster overall population.

POPULATION, INCOME, AGE

Trends through 2022 show that the Charlevoix market has become more educated, older and has generally seen income grow at a similar pace to that of the country’s. At the same time, the PMA has lost younger population, as individuals move away for more economic opportunities in urban areas.

	Charlevoix	PMA
Population	2,474	13,695
Median Household Income	\$30,114	\$66,238
Median Age	44.7	49.7
Edu: High School or Higher*	96.7%	93.7%

**For those age 25 and over
Source: 2022 American Community Survey, Mission North, LLC*

ECONOMY

Charlevoix County’s employment is dominated by manufacturing and health care. Tourism plays a large part in the economy too, with restaurants, hotels, tourist homes, and retail. *to a lesser extent, with*

Unemployment in 2022 was lower in Charlevoix, the PMA, and the County than in Michigan and the country. More recent data for Charlevoix and Antrim counties show unemployment trending downward in March 2024. The two area zip codes had a payroll of nearly \$170 million in 2021. Since then, employees and payroll have risen dramatically in Charlevoix County, pegged at 11,067 jobs and \$621,559,000 in gross wages in the third quarter of 2023, up from 7,847 and \$390,902,000 in 2018.

Amanda Wilkin
2024-10-03 15:06:04

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HOUSING

Homes in the area are generally older, and there is less variety than is found nationally. Mission North’s 2024 Housing Needs Assessment reported that Charlevoix County’s rental housing stock is older than the other Northwest Michigan counties in the study. The County’s owner-occupied housing is aged too, with 35% being pre-1970 product. 54% of the area’s housing stock is over 40 years old with only 4% built after 2010. Housing types are limited largely to single-family, with mobile homes coming in as a distant second. Comparing the PMA’s unit breakdown versus the country’s shows how the area lags in apartment and single-family attached offerings.

PROPOSED USES

OWNER-OCCUPIED HOUSING

80% of the occupied housing stock in the Charlevoix Primary Market Area is owner-occupied. This is a higher percentage than that of the country and state, which are 65% and 73% respectively. Home values have rebounded since the Great Recession and shot up during the pandemic. Values have increased faster in Charlevoix market than in Michigan, rising over 59% in the Charlevoix Zip Code.

FOR-SALE DEMAND

The proposed development includes two floors of residential that could either be for sale or for rent. The preferred development scenario as all for sale units was tested against capture rate standards. The capture rate is the percentage of qualified buyer households in the primary market area that the property must capture to fill the units. Qualified households were defined as those with an income between \$35,000- \$150,000, with 1-2 in the household. Based on this analysis, the project’s proposed 16 for-sale units can be absorbed by the primary market area. These units should include various sizes, including 1-2 bedroom units.

Home values have increased faster in Charlevoix market than in Michigan overall, rising over 59% in the Charlevoix Zip Code in four years.

2020-TO APRIL 2024 HOME VALUES

	Increase
Michigan	40.5%
Charlevoix County	56.8%
49720 Zip Code (Charlevoix)	59.1%
49729 Zip Code (Ellsworth)	51.3%

Zillow Home Value Index, Zillow, Inc.

A shortage of urban housing types and the general age of housing in Charlevoix creates opportunity for the project, which includes micro units.

CHARLEVOIX PMA DEMAND FOR 16 OWNER UNITS

Target Characteristics	
Household Income	\$35,000-\$150,000
Household Size	1-2 residents
Household Ages	All ages
Capture Rate (target ≤14%)	10%

Mission North, Preliminary Market Study (2024)

RENTAL HOUSING

Nationally, apartment occupancy is at a 10-year low, due to robust additions to supply. In December 2023, it stood at 94.1%. In the Charlevoix area, apartment properties are essentially at 0% vacancy.

The Primary Market Area has over 1,300 renter-occupied units, which represent about 20% of all occupied units in the PMA. ~~Other projects in the pipeline in the City of Charlevoix could add another 65 units to the supply over the next three to five years. The Charlevoix PMA has a disproportionately small number of units in multi-family buildings.~~

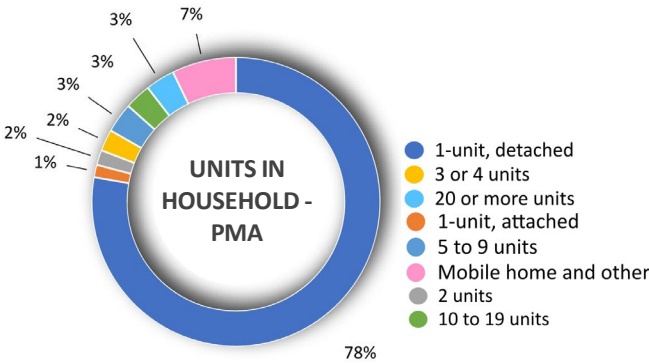
Realtors report that monthly rents in the City of Charlevoix range from \$800 to \$1,200 for one-bedroom units and up to \$2,000 for two-bedroom units. Apartments in nearby Petoskey’s downtown are asking well above that. The project’s prime location will certainly allow it to fetch the top rents in the market. It is suggested to target around \$36 to \$38 per square foot annually.

RENTAL DEMAND

As noted above, rental demand is robust in the City of Charlevoix. Like with owned units, demand was analyzed for 16 rental units using capture rate as the measure. Target households are those with an income of \$35,000 to \$150,000 and with household sizes of one and two. Again, the market easily supports the proposed units in the project.

OFFICE/INSTITUTIONAL

The site currently houses the Charlevoix Area Chamber of Commerce and Visit Charlevoix’s visitors center. There is a desire for both organizations to occupy the first floor of the new building. In addition, there has been discussion of the Vault co- working space, which is operated by the Chamber of Commerce, also moving to the first-floor space. These uses are  destinations and would be well suited for the location.



The project’s prime location will certainly allow it to fetch the top rents in the market. It is suggested to target around \$36 to \$38 per square foot annually.

CHARLEVOIX PMA DEMAND FOR 16 APARTMENT UNITS

Target Characteristics	
Household Income	\$35,000-\$150,000
Household Size	1-2 residents
Household Ages	All ages
Capture Rate (target ≤14%)	6%

Mission North, Preliminary M
Amanda Wilkin
2024-10-03 15:06:04

Consideration for these organizations to remain within current rent structure will be heavily weighted as they provide important service to the community. Not to mention the inherent foot traffic provided by both. Page 85 of 110

SITE OVERVIEW

109 Mason is a 11,016 square foot building located on a rectangular 162 by 68 foot parcel. The site faces south towards Mason Street, with rear access parking and walking connections to the activated Hoop Skirt Alley in the heart of Downtown Charlevoix. The site is about 300 feet walking distance to Bridge Street and Charlevoix’s downtown, and 480 feet to the water and East Park.

Adjacent to City Hall to the west, a residential rental complex to the east, and commercial uses to the south, the site currently hosts the Charlevoix Chamber of Commerce. The parking to the rear (north) is shared with the Charlevoix Fire Department.

The site has been home to a handful of uses since it’s construction in 1956, most notably a post office, and residential housing. The building itself is not historically significant.

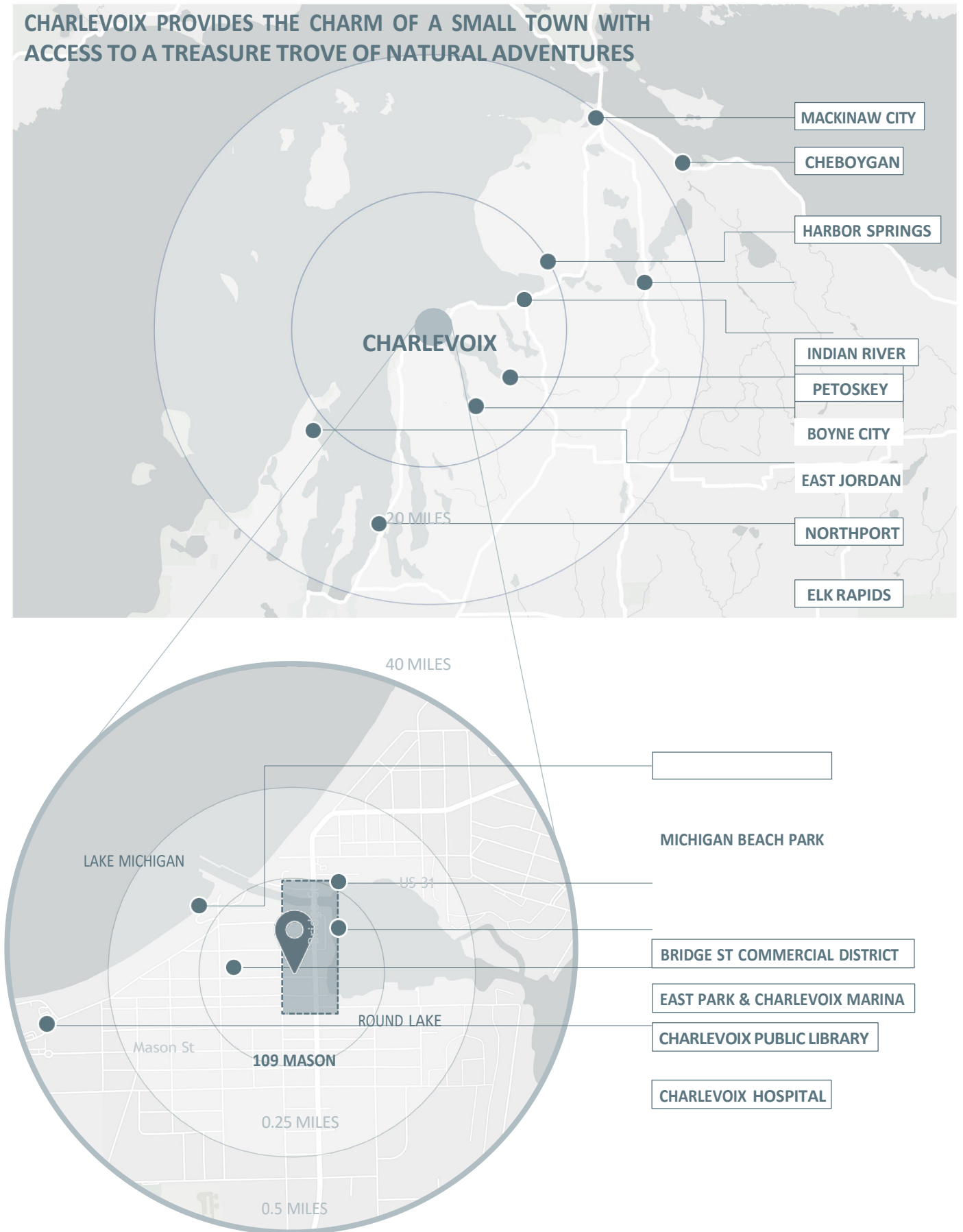
Charlevoix has continued to see growth in the past decades. Given the prime location, it is integral that the development be in line with the Charlevoix charm, and forth in the Charlevoix Master Plan. Charlevoix has a significant tourism industry, it is important to support the needs of current and potential long-term, year-round residents, and provide resources for people of all lifestyles.

Amanda Wilkin
2024-10-03 15:06:04
rework this sentence --- 11016 sq ft parcel measuring 162 by 68
Plan. While Charlevoix
try, it is important to
and potential long-term,
provide resources for people

109 Mason offers an incredible investment opportunity to promote economic development and support diverse housing types in the downtown in order to ensure that current/future residents of Charlevoix have the choice to enjoy the community’s walkable downtown and nearby recreational opportunities.



**CHARLEVOIX PROVIDES THE CHARM OF A SMALL TOWN WITH
ACCESS TO A TREASURE TROVE OF NATURAL ADVENTURES**



CURRENT PLANS

MASTER PLAN

The 2022 Master Plan sets the vision and goals for the city, with a focus on the following:

- Natural beauty
- Preservation of small town character
- Protection of historical and cultural resources
- Economic growth
- Sustainable utilities
- Environmental standards in land use
- Housing needs

These goals are key components in the development of 109 Mason and make it an area of great interest for the city.

ZONING

The site is zoned as CBD, Central Business District. The CBD District is designed to support the central activity area of the city by accommodating a mix of retail, office, service, entertainment and residential uses in a walkable, pedestrian-friendly environment. The district allows for a flexible range of uses including:

- Public/institutional
- Retail
- Entertainment
- Recreation and open space
- Offices and services
- Multi-family residential, and dwellings above the first floor

While the site is City-owned, it is imperative that the development is conducive with surrounding neighborhood design and character.

SITE UTILITIES AND LOCAL SUPPORT

This site is served by public streets including Bridge Street, Mason St, State St, and Clinton St. Full access to utilities is provided from these adjacent streets. For more information, contact the following:

CITY OF CHARLEVOIX

ZONING

Jonathan Scheel, Director of Planning and Zoning
planner@charlevoixmi.gov
(231) 547-3265

PUBLIC WORKS

Pat Elliott, Public Works Superintendent
pate@charlevoixmi.gov
(231) 547-3276

ELECTRIC

John Griffith, Electric Department Director
johng@charlevoixmi.gov
(231) 547-3273

~~CHARLEVOIX TOWNSHIP~~

~~WATER DEPARTMENT~~

~~Daniel A. Riley, Operator~~
~~water@charlevoixtownshipmi.gov~~
~~(231) 497-8369~~

COUNTY OF CHARLEVOIX

Department of Building Safety
buildingsafety@charlevoixcounty.org
(231) 547-7236

CHAMBER OF COMMERCE

Sarah VanHorn
info@charlevoix.org
(231) 547-2101



Amanda Wilkin

2024-10-03 15:06:04

...and has full access...

Guest 1

2024-10-03 15:06:04

Remove Chx Township and Water Department
Remove Chx Township and Water Department

Amanda Wilkin

2024-10-03 15:06:04

Took DDA off

Amanda Wilkin

2024-10-03 15:06:04

Visit Charlevoix amanda@visitcharlevoix.com
231-547-2101

PRELIMINARY DEVELOPMENT SCENARIO

Northern Michigan cities such as Charlevoix are situated in one of the globe’s most unique and majestic regions. Surrounded by over 22% of the world’s fresh surface water supply, with long-term market-driving resilience benefits, and regional connectivity to North America’s most noteworthy cities - from Chicago, to Toronto and Detroit - the development potential for Charlevoix continues to be celebrated. As Charlevoix continues to grow, it is important that development nurtures the unique culture of the city, and provides resources to transient and permanent residents of all ages.

Within this context, the preferred development scenario for 109 Mason is for-rent commercial and office space on the ground floor, and multi-family housing on the upper levels, with amenities like a publicly accessible bathroom, plaza space, and non-motorized connections providing access to an activated alleyway in the heart of downtown.

These uses - in alignment with the policy vision of Charlevoix’s master plan, and the regulatory framework of its zoning - will leverage the unique existing characteristics of 109 Mason and the assets directly adjacent:

- Lake Michigan, including a marina for recreational boating, as well as the Charlevoix Airport
- Downtown Charlevoix, supporting walkable retail, cafes, and restaurants as well as seasonal festivals and events
- Other northern Michigan cities, from Traverse City, Boyne City, and East Jordan, to Marquette, Petoskey and Mackinaw City

109 Mason will foster unique and recent retirees, as well as families across the Great Lakes investment made in property Lakes will leverage the increased market demand induced by population migration, and the northern Great Lakes cities p

Amanda Wilkin

2024-10-03 15:06:04

rework- maybe just: 109 Mason will foster unique opportunities for people looking to live within the downtown Charlevoix district.



View of the south facade of the proposed vision for the site, facing Mason Street.

SMITHGROUP

DEVELOPMENT CONCEPT

The following building concept has been prepared to demonstrate the potential building program and desired elements that Charlevoix is seeking in the future redevelopment of 109 Mason. The concept reflects alignment with local zoning, and the 2015 Michigan Building Code. The final development will include a unique combination of residential program elements including micro units, one-, and two-bedroom units, as well as office/commercial space on the ground floor. Publicly accessible restrooms on the west side of the building have been incorporated to enhance amenities for visitors and passersby, ensuring that they have access to clean and convenient restrooms independent of office or retail hours.

RESIDENTIAL UNIT BREAKDOWN

PROGRAM	GROUND FLOOR	SECOND FLOOR	THIRD FLOOR
MICRO	0	5	5
ONE-BEDROOM	0	2	2
TWO-BEDROOM	0	1	1
OFFICE	1	0	0
RETAIL	1	0	0
Total			16

A micro unit is a smaller variation of a "studio" unit. Micro units typically include a one-room living space designed to include a bed, kitchenette, seating, bathroom and storage. This unit approach leverages available nearby amenities and services in the community, while maintaining lower rents to support workforce and younger residents.

The proposed development concept includes the following:

- MICRO UNITS (10 TOTAL)
These units are approximately 320-340 sq. ft.
- ONE-BEDROOM UNITS (4 TOTAL)
These units are approximately 425-435 sq. ft.
- TWO-BEDROOM UNITS (2 TOTAL)
These units are approximately 620 sq. ft.

- OFFICE SPACE
Approximately 605 sq. ft. of office space on the ground floor.
- RETAIL SPACE
Approximately 1150 sq. ft. of retail space on the ground floor.

PUBLIC SPACE
~~On the east side of the building, an opportunity for public space exists to host events or services.~~

Amanda Wilkin
2024-10-03 15:06:04

Can we combine this? We don't want to pigeon hold into the Chamber/CVB reducing space to be SO small. We can't fit into 605sf

THE CASE FOR MINIMALISM & CHANGING DEMOGRAPHICS

"Micro housing is revolutionizing urban living, offering an innovative solution to the challenges of affordability, sustainability, and efficient space utilization. This trend reflects a shift in housing norms, addressing the needs of diverse urban populations with unique lifestyles while promoting a more inclusive and vibrant cityscape."

- Bryant Beltran, eXp Realty

MISSING MIDDLE HOUSING

Source: City of Jackson, Mi

Source: Homebuilders Association Vancouver

Source: ArchDaily

PUBLIC AMENITIES

Source: miplace

Source: Visit Grady County

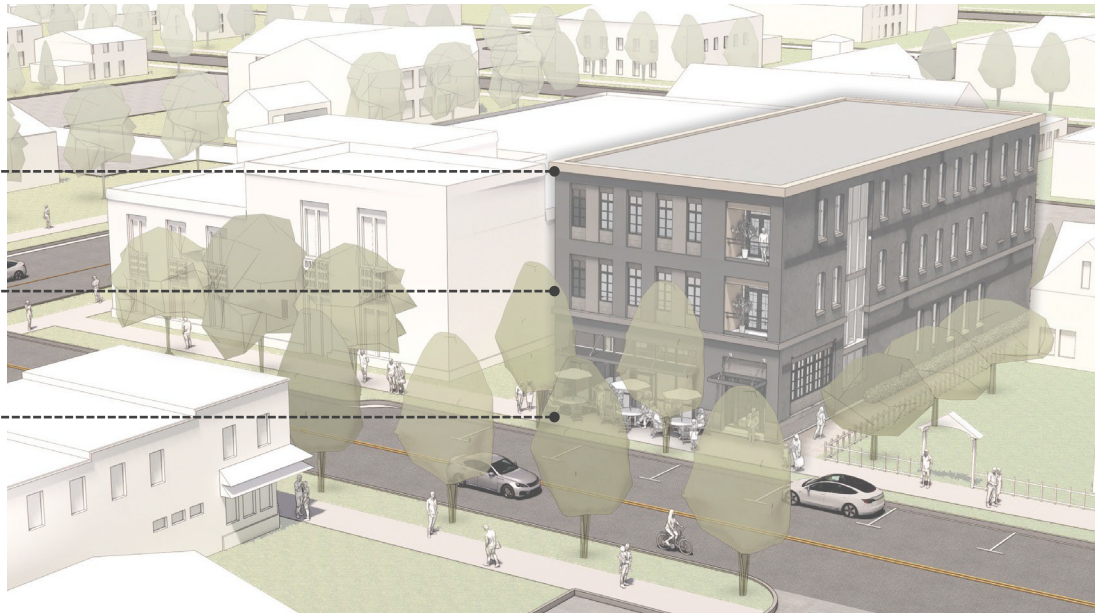
ACTIVATED GROUND FLOOR

Source: ArchDaily

THIRD FLOOR
RESIDENTIAL

SECOND FLOOR
RESIDENTIAL

GROUND FLOOR
RETAIL+OFFICE

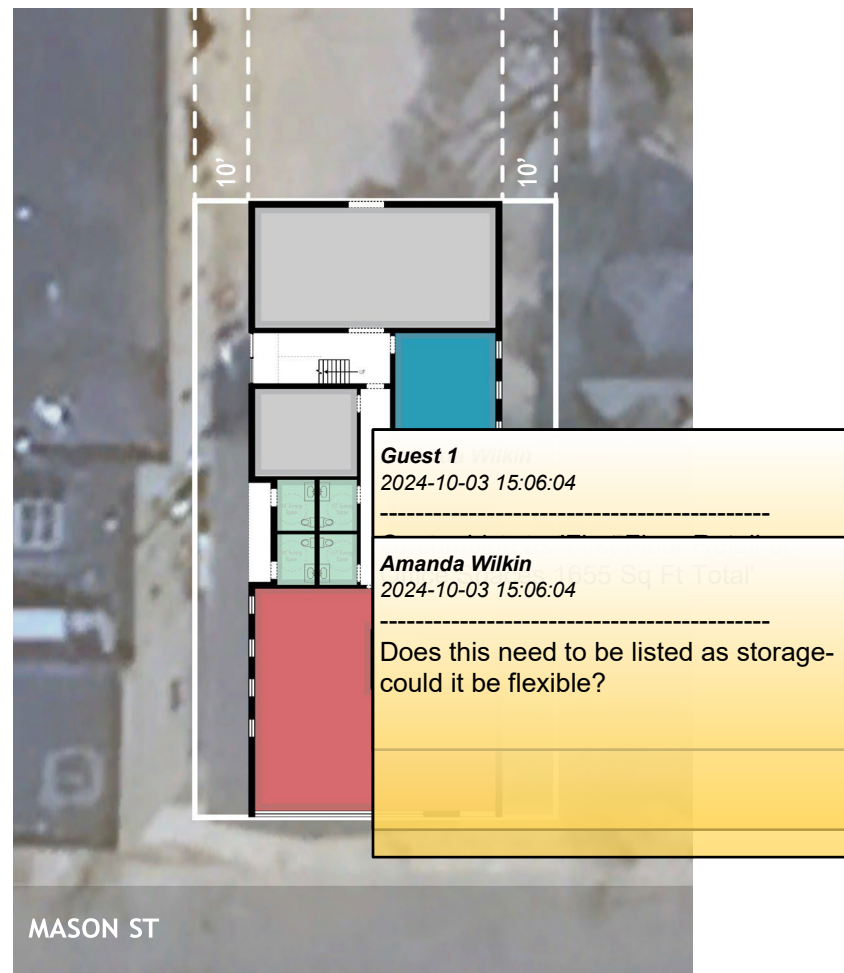


GROUND FLOOR

GROSS FLOOR AREA: 4284 SF

NET RENTABLE FLOOR AREA: 3017 SF

-
- STORAGE - 1048 SF
- BATHROOM - 214 SF
- TOTAL - 3,017



GROUND LEVEL FLOOR PLAN WITH RETAIL
AND STORAGE SPACES

LEVELS 2 AND 3

LIVING UNIT TYPES

- 2 BEDROOM (2 TOTAL)**
 - NET RENTABLE PER UNIT: 597 SF
- 1 BEDROOM (4 TOTAL)**
 - NET RENTABLE PER UNIT: 413 SF
- MICRO (10 TOTAL)**
 - NET RENTABLE PER UNIT: 319 SF

TOTAL RESIDENTIAL GROSS FLOOR AREA:

8,568 SF

TOTAL RESIDENTIAL NET RENTABLE AREA:

6,043 SF

- | | |
|---|---|
| LIVING SPACE | BEDROOM |
| KITCHEN | BATHROOM |



TYPICAL UNIT TYPE FLOOR PLAN
FOR LEVELS 2 AND 3



TYPICAL PROGRAM FLOOR PLAN
FOR LEVELS 2 AND 3

DESIGN OBJECTIVES AND PRELIMINARY CODE CONSIDERATIONS

The proposed program calls for new construction on 109 Mason. The information provided below is general in nature and intended to provide a broad sense of prevailing design objectives and cursory code considerations for the redevelopment project. All interested parties are encouraged to visit the property and to review all relevant state and local codes to ensure compliance.

DESIGN OBJECTIVES

- **Respect Neighborhood Character.** Complement the design elements of the surrounding neighborhood and downtown. This includes punched windows on the upper floors, parapets, and utilizing materials like brick and natural stone.
- **Activated Ground Floors.** Foster street frontage, access and an activated ground floor by providing primary street-fronting entry and a transparent facade.
- **Setbacks.** Allow 10 foot minimum building setbacks on the east and west sides, allowing windows on all floors. Preserve existing minimum rear allowance for emergency fire station access.
- **Height.** Maximum height is 40’-0” (3 stories) to align with neighborhood character and construction type.

CONSTRUCTION TYPE

The construction type has been identified as 5-B with fire suppression

PARCEL DATA

- 0.24 acre lot size (10,376sf)
- Parcel ID 052-347-017-00

ZONING

- CBD (Central Business District).

OCCUPANCY

- Floor 1 - Mercantile, Business
- Floors 2, 3 - Multifamily Residential

CONSTRUCTION TYPE

- The construction type identified for the development is Type 5-B, with fire suppression (whole building).
- 1hr Fire Rated Second floor.

MAXIMUM BUILDING HEIGHT

- 40’ - 0”

SIDE SETBACKS

- 10’ - 0” (associated with Type 5-B construction type)
- (Refer to 153.087 Area, Height and Placement Requirements).
- 3 Stories maximum

Information above is based on MBC 2015. Please consult MBC 2015, or local code officials for additional information or clarifications.

Note: The aforementioned considerations are for informational purposes only. Interested parties are encouraged to visit and evaluate the site, and engage local Building Code and zoning officials to confirm and clarify all requirements.

PROJECT INCENTIVES



Charlevoix and the MEDC are committed to making sure that all available incentives may be leveraged to ensure the selected developer can achieve a quality outcome commensurate with the project vision and goals. Such incentives may include the following:

- **Neighborhood Enterprise Zone (NEZ)** allows for reduced property taxes for up to 15 years in designated areas to promote revitalization.
- ~~Charlevoix may consider a **Personal Property Tax Exemption**.~~
- **Michigan Community Revitalization Program (MCRP)**. Through the MCRP, which is a program available from the Michigan Strategic Fund (MSF) in cooperation with MEDC, grants or loans may be available to fill financial gaps and promote community revitalization. MEDC and the City are committed to collaborate with the selected developer to ensure this tool is used efficiently and successfully in order to contribute to Michigan's employment opportunities, foster infill redevelopment of historic properties and reduce blight.
- **New Markets Tax Credit** financing may be available.
- The **Michigan State Housing Development Authority (MSHDA) Housing Tax Increment Financing** allows communities through Brownfield Redevelopment Authorities to create/finance attainable housing.



Amanda Wilkin

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The City of Charlevoix looks to work with developers to create a mutually beneficial development based on the guiding principles of this document, our master plan, and the character of the community. We welcome innovative ideas and incentive structures to fulfill

Amanda Wilkin

2024-10-03 15:06:04

We would like to add a page about process and submission of RFQ similar to Grand Haven or Plainwell on the miplace website. Timeline: Oct release of RFQ Due Jan 15th noon est Initial review by city stakeholders within 45 days.



REDEVELOPMENT READY SITE

109 MASON

CONTACT CITY MANAGER MARK HEYDLAUFF WITH ANY QUESTIONS OR REQUESTS

MARKH@CHARLEVOIXMI.GOV

(231) 547-3270

Charlevoix City Council

All Other Actions and Requests

Title: Revised LCEMSA Articles of Incorporation

Date: October 7, 2024

Presented By: Mark Heydlauff, City Manager
Mark Knapp

Background:

The Lake Charlevoix EMS Authority was created by the City of Charlevoix and the Townships of Hayes, Charlevoix, and Marion back in 2021. At creation, Norwood Township joined as an approved contracting municipality. This summer, Eveline Township expressed interest in having the authority cover a portion of the township similar to how the City provided coverage to them when we were the EMS provider. The authority's Articles of Incorporation require a unanimous vote of the authority members in order to amend the articles. The attached amendment to the articles would permit Eveline Township to join the authority as an approved contracting municipality and also make other administrative modifications to the authority given the three years of history since it was formed--including changing the fiscal year to January 1.

This change makes sense for the authority and the city since it will extend the revenue collection of the authority to Eveline Township and thus spread operational costs over the area of service.

Recommendation:

Motion to approve the amendment to the Lake Charlevoix EMS Authority Articles of Incorporation and authorize the Mayor to sign the document.

Attachments:

1. Lake Charlevoix EMS Authority Articles of Incorporation Amendment

_____ [Municipality Name]

RESOLUTION ADOPTING LCEMSA ARTICLES OF INCORPORATION AMENDMENT

At a duly scheduled meeting of the _____ (Legislative Body) of _____ (Municipality Name) held at the _____ (Location) on the _____ day of _____, at _____ .m.

Present: _____

Absent: _____

The following resolution was offered by _____ and supported by _____.

WHEREAS, _____ (Municipality Name) is an Incorporating Municipality or Approved Contracting Municipality of the Lake Charlevoix Emergency Medical Service Authority (“LCEMSA”), which is an emergency services authority organized under Act 57 of 1988, MCL 124.601, *et. seq.*, (“Act 57”) providing EMS service to various municipalities; and

WHEREAS, the Board of Directors of the LCEMSA believes it is in the best interests of LCEMSA to amend its Articles of Incorporation to: (1) add Eveline Township as an Approved Contracting Municipality; (2) include a provision as to membership on the LCEMSA Board of Directors intended to prevent dual representation of one member municipality on two Board of Director seats; and (3) make miscellaneous administrative changes. (“Articles Amendment”); and

WHEREAS, to comply with MCL 124.603(2) the _____ (Legislative Body) of _____ (Municipality Name) desires to adopt this resolution to approve of the Articles Amendment to comply with Act 57 including MCL 124.603(2).

NOW THEREFORE BE IT RESOLVED:

1. The _____ (Municipality Name) _____ (Legislative Body Name) approves of the Articles Amendment as attached as **Exhibit A** and allows an officer of _____ (Municipality Name) to coordinate with the LCEMSA Board of Directors to execute the Articles Amendment and assist with all filing and administrative requirements of Act 57.
2. Once signed by all relevant parties, the LCEMSA shall take all actions necessary to file and/or complete the Articles Amendment per Act 57.

3. All resolution or parts of resolutions insofar as they are inconsistent with this resolution shall be hereby repealed.

ADOPTED:

YEAS: _____

NAYS: _____

ABSENT: _____

CERTIFICATION

[illegible]

I, the undersigned, the duly qualified and acting Clerk of _____ (Municipality Name), DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the _____ (Municipality Name Legislative Body) at a meeting held on the _____ day of _____, 2024

_____ (Sign)

By: _____ (Print), Clerk
 _____ (Municipality Name)

Exhibit A

ADDENDUM

LCEMSA ARTICLES OF INCORPORATION AMENDMENT (MEMBERSHIP AND EVELINE TWP)

This addendum (“Addendum”) is entered into by the signatories below under Act 57 of 1988, Emergency Services to Municipalities, MCL 124.601 *et. seq.*, and the Articles of Incorporation for the Lake Charlevoix Emergency Medical Service Authority (“LCEMSA”). The purpose of this Addendum is to amend the LCEMSA Articles of Incorporation (as noted in an “Intergovernmental Agreement Creating Articles of Incorporation of the Lake Charlevoix Emergency Medical Service Authority” and referred to as the “Articles”). The amendment shall be in addition to all nonconflicting language in the Articles.

Recitals

- A. LCEMSA is an emergency services authority under Act 57 of 1988 (“Act 57”). MCL 124.603 provides standards to amend LCEMSA’s Articles of Incorporation. MCL 124.608 allows Act 57 emergency services authorities to contract with municipalities to provide service.
- B. LCEMSA desires to amend its Articles of Incorporation to add Eveline Township of Charlevoix County as an Approved Contracting Municipality under Section II of the Articles.
- C. As LCEMSA recognizes the need for its Board of Directors to act in the best interests of the LCEMSA as well as to ensure the proportionality of representation on the Board of Directors, it further desires to amend Section VII of the Articles to avoid potential dual representation of municipal members of LCEMSA on the Board of Directors.
- D. Moreover, LCEMSA also desires to make some administrative changes to the Articles based on experience from current operations.

Amendment

Now, therefore, the Articles shall be expressly amended to:

- 1. Amend Section II. “Approved Contracting Municipalities” of the Articles to add below Norwood Township, **Eveline Township**, a Michigan general law township of 8525 Ferry Rd, East Jordan, MI 49727 as an Approved Contracting Municipality.
- 2. Amend Section VII. “Board of Directors” of the Articles to add the language below as Section VII(I).
 - a. No individual shall serve on the Lake Charlevoix Emergency Medical Service Board of Directors if: (1) they are an employee of the Lake Charlevoix Emergency Medical Service or other emergency medical services provider; or (2) if they intend to serve as the representative for one Incorporating Municipality or Approved Contracting Municipality (excluding the At-Large Member) and also concurrently are an elected official, appointed official, or employee of another Incorporating Municipality or Approved Contracting Municipality.

3. Amend the last sentence of Section VIII. "Officers" of the Articles from "No Authority funds shall be expended, except by a check or other bank draft signed by the Treasurer and one other Authority officer to be determined by the Authority Board[.]" to the below.
 - a. "No Authority funds shall be expended, except by a check or other bank draft signed by two Lake Charlevoix Emergency Medical Service officers as authorized by the Board of Directors."
4. Amend Section X. "Finances" of the Articles to require that the Authority budget be given to each Incorporating Municipality and Approved Contracting Municipality at least ten (10) days before the budget is adopted by the Authority Board of Directors.
5. All references in the Articles to having five (5) member municipalities shall now reflect six (6) member municipalities due to the inclusion of Eveline Township. This includes cost calculations in Section X. "Finances."
6. Section X(iv) of the Articles shall be amended to remove its final sentence that stated "For purposes of this calculation, ambulance runs originating at the Charlevoix Area Hospital and Boulder Park Terrace shall be spread out to all parties based on the pro-rata calculation for ambulance runs provided for herein."
7. Section XI. "Fiscal Year" of the Articles shall be amended to make the fiscal year begin January 1st each year.

This may be signed in counterparts, which together shall have the effect of a signed agreement. The LCEMSA Board of Directors also expressly authorizes incorporating the above amendments into a compilation of the Articles prepared with review by the LCEMSA attorney to ensure all such amendments are contained in one document.

Upon obtaining all signatures, this Addendum (from this paragraph above) shall: (1) be published at least once in a newspaper circulating within the LCEMSA service area; and (2) have a true copy certified by the LCEMSA Secretary that indicates the time and place of publication and have such true copy filed with the Michigan Secretary of State. MCL 124.603(2) and MCL 124.602(3).

SINGLE FOLLOW OF NEXT PAGE

_____(Signature)

_____(Print Name)

By: Hayes Township Supervisor

Dated: _____, 2024

_____(Signature)

_____(Print Name)

By: Charlevoix Township Supervisor

Dated: _____, 2024

_____(Signature)

_____(Print Name)

By: Marion Township Supervisor

Dated: _____, 2024

_____(Signature)

_____(Print Name)

By: City of Charlevoix, Mayor

Dated: _____, 2024

_____(Signature)

_____(Print Name)

By: Norwood Township Supervisor

Dated: _____, 2024

_____(Signature)

_____(Print Name)

By: Eveline Township Supervisor

Dated: _____, 2024

**By signing this on behalf of Eveline Township, I represent that the Township Board has approved of becoming a LCEMSA Approved Contracting Member*

_____(Signature)

Roy Griffitts

By: LCEMSA Board of Directors President

Dated: _____, 2024

**This signature shall constitute approval of the amendment of the Articles noted above by the LCEMSA Board of Directors and is an endorsement of it. See MCL 124.603(2).*

Charlevoix City Council

Reports and Communications

Title: City Manager's Comments

Date: October 7, 2024

Presented By:

Background:

A. ICMA Conference

Last week, I had the chance to attend the 2024 ICMA Conference in Pittsburgh. Here are some notes and takeaways I had (edited with the assistance of AI of course):

I've left a handout on your desk from a group called the Dignity Index who is working to improve the level of discourse in our country. Here are some key points:

When we're treating the other side with CONTEMPT, we:

- Mock the other side
- Call them names
- Attack their motives and their character
- Ridicule their backgrounds and beliefs
- Define them on the basis of a single belief
- Lump them together in large groups under negative labels
- Blame them for bad outcomes

When we're treating the other side with DIGNITY, we:

- Declare our values
- State our goals
- Make proposals
- Discuss facts, decisions, actions, and outcomes
- Speak respectfully
- Listen carefully and ask for more information
- Debate specifics:
 - What was done and not done
 - Why it worked or didn't work
 - Who benefited and who suffered

Another couple of sessions focused on resilient leadership:

ATHENIAN OATH

"We will never bring disgrace on this our City by an act of dishonesty or cowardice. We will fight for the ideals and Sacred Things of the City, both alone and with many. We will revere and obey the City's laws and will do our best to incite a like reverence and respect in those above us who are prone to annul them or set them at naught. We will strive unceasingly to quicken the public's sense of civic

duty. Thus, in all these ways, we will transmit this City not only, not less, but greater and more beautiful than it was transmitted to us."

Recognize what you can and cannot control

- You determine your reaction to a crisis.
- Ignore people dominated by their own negative emotions.
- Master yourself and aim to be virtuous.
- Learn to move on.

Memento Mori - Remember you are going to die.

Amor Fati - Love your fate.

Premeditatio Malorum - Premeditation of misfortune.

We suffer more in imagination than in reality. - Seneca

1. Tweak your mind for daily strength.
2. Be aware of what lens you are wearing.
3. Create your own identity.
4. Recognize the power within you to create a 'new normal' at work or home.
5. Live and work with Mojo!

Daily process in a journal

- Anticipate
- Recollect
- Gratitude

And of course....AI

Key Takeaways from the Speech:

The Invisible Nature of Trust and Its Evolution with AI:

Trust is a fundamental yet often unseen component of daily interactions. The rise of AI challenges traditional notions of trust, prompting questions about how trust will evolve as AI becomes more integrated into society. With predictions that up to 90% of internet content could be AI-generated by 2026, distinguishing between human and AI output becomes increasingly difficult.

AI as a Democratizing Force in Work and Action:

AI is not just democratizing knowledge but also the execution of tasks, effectively transforming how work is done. Individuals now have access to tools that can perform complex tasks, leveling the playing field and enabling anyone to create and innovate regardless of technical skill.

Transformative Applications of AI in the Public Sector:

AI has significant potential in areas like data analytics, customer service, and process automation

within government services.

Examples include:

1. **Data Analytics:** Utilizing AI to analyze large datasets quickly, revealing insights such as parking violation hotspots.
2. **Customer Service:** Creating AI avatars to interact with the public in multiple languages, improving accessibility and efficiency.
3. **Rapid Development:** Generating functional prototypes or solutions (e.g., websites, apps) through AI, significantly reducing development time and cost.

4. **The Emergence of AI Agents and the Reasoning Era:**

Advanced AI models are now capable of reasoning and problem-solving, not just predicting text.

This advancement leads to AI agents that can perform complex, multi-step tasks autonomously, signaling a shift in how work is approached.

Redefining Leadership and Skills in the AI Age:

Leaders must adapt by leveraging AI or risk becoming irrelevant. The most valuable skills are shifting from technical knowledge to creativity, innovation, and the ability to challenge the status quo. Education and skill development should focus on fostering these abilities rather than solely on traditional programming skills.

Infinite Leverage Through Technology:

AI and other technologies provide unprecedented leverage, allowing individuals and organizations to do more with less. This shift enables the reduction of bureaucracy and empowers employees at all levels to become creators and innovators.

Personal Responsibility in Adapting to AI:

Individuals should proactively engage with AI technologies rather than wait for organizational mandates. Experimentation and hands-on experience with AI tools are crucial for personal and professional growth.

The Dual Nature of AI Advancement:

While AI offers immense opportunities, it also poses risks such as deepfakes, scams, and the erosion of trust. Society must navigate the challenges of misinformation and develop strategies to maintain trust in an AI-saturated environment.

The Need for Self-Disruption and Challenging Status:

To stay relevant, individuals and organizations must be willing to disrupt themselves and reassess established norms. Letting go of traditional status and embracing new ways of working with AI is essential for progress.

Embracing Fear as a Catalyst for Innovation:

Fear of new technology is natural but should be harnessed to drive learning and adaptation. Being bold and willing to take risks leads to personal empowerment and organizational advancement.

The Importance of Critical Thinking and Skepticism:

In an age where AI can generate indistinguishable content, critical thinking becomes paramount. Trust should be placed in verifiable work and outcomes rather than appearances or positions of authority.

Recommendation:**Attachments:**

1. Police Department September 2024 Daily Activity Report

CITY OF CHARLEVOIX

POLICE ACTIVITY REPORT FOR THE MONTH OF SEPTEMBER 2024

ITEM	TOTAL THIS MONTH	MONTH YEAR PRIOR	TOTAL THIS YEAR	TOTAL LAST YEAR
TRAFFIC CITATIONS	28	12	234	101
TRAFFIC WARNINGS	113	14	588	419
TRAFFIC CONTACTS	134	22	758	513
MOTORIST/CITIZEN ASSIST	13	19	119	174
POLICE ASSIST	23	45	230	261
MEDICAL RESPONSE	4	7	49	83
PAPER SERVICE	0	1	4	11
RESIDENTIAL/COMMERCIAL	0/88	7	171	203
FELONY ARRESTS	1	0	9	11
MISDEMEANOR/NTA ARRESTS	2	5	47	36
WARRANT ARRESTS	1	6	16	34
WARRANT ATTEMPTS	0	0	5	4
TRAFFIC CRASH 9300-1	6	7	58	72
TRAFFIC CRASH 9300-2	1	11	34	56
GENERAL ASSISTS/OTHER	126	158	1,207	2,441
FUNERAL ESCORTS	0	0	3	8
ALARMS	6	2	35	49
SCHOOL PATROL	15	32	86	156
SCHOOL PRESENTATIONS	0	0	0	0
PARKING/SNOW TICKETS	29	12	219	325
PARKING METER TICKETS	350	369	1,739	2,606
LIQUOR INSPECTIONS	0	5	99	112
ORIGINAL COMPLAINTS	57	30	329	300
CLOSED COMPLAINTS	56	12	241	199
FOLLOW-UP/SUPPLEMENTS	12	16	171	134
MENTAL HEALTH INCIDENTS	0	-	6	-
PATROL MILES	5,005	3,372	33,759.2	36,409

TOTAL MILEAGE #87-1	600
TOTAL MILEAGE #87-2	540
TOTAL MILEAGE #87-3	<u>3,865</u>

Jill McDonnell

Jill McDonnell
Chief of Police

Charlevoix City Council

Reports and Communications

Title: Mayor and Council Comments

Date: October 7, 2024

Presented By:

Background:

Recommendation:

Attachments:

None