

AGENDA
CITY OF CHARLEVOIX CITY COUNCIL MEETING

Monday, December 17, 2012 - 7:00 p.m.
210 State St, City Hall, Second Floor City Council Chambers, Charlevoix, MI

- I. Invocation or Pledge of Allegiance**
- II. Roll Call of Members Present**
- III. Inquiry Regarding Possible Conflicts of Interest**
- IV. Consent Agenda**
 - A. City Council Meeting Minutes – December 3, 2012 Regular Meeting **PG 1-8**
 - B. Payroll Check Register **PG 9-11**
 - C. Accounts Payable Check Register **PG 12-15**
 - D. Board of Canvassers Report from November 7, 2012 Election **PG 16-18**
- V. Public Hearings**
- VI. Reports**
- VII. Requests, Petitions and Communications and Actions Thereon**
 - A. Discussion Regarding Apron Improvements at Municipal Airport **PG 19-21**
 - B. Discussion Regarding Preliminary Design of 300 Block of Clinton Street **PG 22-24**
 - C. Consideration to Approve the Amended Contract with MDC Contracting for the Infrastructure Work on Clinton Street from Park Avenue to Grant Street **PG 25-30**
 - D. Discussion Regarding Matching Funds for Grand Traverse Band of Ottawa and Chippewa Indians **PG 31**
 - E. Appointments **PG 32-43**
- VIII. Introduction and Initial Actions Relating to Ordinances or to Resolutions That Require Publication or Hearings Prior to Final or Further Action**
 - A. Redevelopment Liquor License Ordinance **PG 44**
- IX. Resolutions**
- X. Ordinances**
- XI. Miscellaneous Business**
- XII. Audience – Non-Agenda Input (written requests take precedent)**
- XIII. Adjourn**

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

Posted December 13, 2012 4:00 p.m.

Statement of Votes Cast
Charlevoix County, MI
2012 General Election

Date:11/13/12
Time:10:38:15
Page:141 of 145

SOVC For Jurisdiction Wide, All Counters, All Races

WAS 19924 (OF WHICH)

Doug Dern	RECEIVED	710
Connie Marie Kelley	RECEIVED	4019
Stephen Markman	RECEIVED	5160
Bridget M. McCormack	RECEIVED	4179
Kerry L. Morgan	RECEIVED	721
Colleen O'Brien	RECEIVED	4454
Bob Roddis	RECEIVED	629
Write-In Votes	RECEIVED	52

THE WHOLE NUMBER OF VOTES GIVEN: PT Justice of Supreme Court
WAS 10557 (OF WHICH)

Mindy Barry	RECEIVED	1003
Shelia Johnson	RECEIVED	3732
Brian Zahra	RECEIVED	5762
Write-In Votes	RECEIVED	60

THE WHOLE NUMBER OF VOTES GIVEN: Judge Ct Appeals-Inc
WAS 14519 (OF WHICH)

Stephen L. Borello	RECEIVED	6817
Peter D O'Connell	RECEIVED	7581
Write-In Votes	RECEIVED	121

THE WHOLE NUMBER OF VOTES GIVEN: Judge Ct Appeals PT
WAS 8408 (OF WHICH)

Amy Ronayne Krause	RECEIVED	8302
Write-In Votes	RECEIVED	106

THE WHOLE NUMBER OF VOTES GIVEN: Probate Dist Ct Judge
WAS 9001 (OF WHICH)

Fred Mulhauser	RECEIVED	8880
Write-In Votes	RECEIVED	121

THE WHOLE NUMBER OF VOTES GIVEN: C-Charlevoix Mayor
WAS 1156 (OF WHICH)

Norman L. Carlson Jr	RECEIVED	854
Gabe Campbell	RECEIVED	271
Write-In Votes	RECEIVED	31

THE WHOLE NUMBER OF VOTES GIVEN: C-Charlevoix Councilman 1st
WAS 401 (OF WHICH)

Lyle E. Gennett	RECEIVED	391
Write-In Votes	RECEIVED	10

THE WHOLE NUMBER OF VOTES GIVEN: C-Charlevoix Councilman 2nd
WAS 352 (OF WHICH)

Statement of Votes Cast
Charlevoix County, MI
2012 General Election

Date:11/13/12
Time:10:38:15
Page:142 of 145

SOVC For Jurisdiction Wide, All Counters, All Races

Greg Stevens	RECEIVED	276
Leon R. Perron	RECEIVED	73
Write-In Votes	RECEIVED	3

THE WHOLE NUMBER OF VOTES GIVEN: C-Charlevoix Councilman 3rd
WAS 417 (OF WHICH)

Shane D. Cole	RECEIVED	219
Shirley J. Gibson	RECEIVED	191
Write-In Votes	RECEIVED	7

THE WHOLE NUMBER OF VOTES GIVEN: Beaver Island Sch Brd
WAS 731 (OF WHICH)

Dawn E. Marsh	RECEIVED	397
Nancy Tritch	RECEIVED	331
Write-In Votes	RECEIVED	3

THE WHOLE NUMBER OF VOTES GIVEN: Boyne City Sch Brd
WAS 5174 (OF WHICH)

Zareena S. Koch	RECEIVED	2268
Ed Vondra	RECEIVED	2867
Write-In Votes	RECEIVED	39

THE WHOLE NUMBER OF VOTES GIVEN: Boyne Falls Sch Brd
WAS 1023 (OF WHICH)

Chris Kondrat Thomas	RECEIVED	564
Joe Westbrook	RECEIVED	458
Write-In Votes	RECEIVED	1

THE WHOLE NUMBER OF VOTES GIVEN: Charlevoix Pub Sch Brd
WAS 6518 (OF WHICH)

Nancy K. Allison	RECEIVED	3252
Valerie K. Snyder	RECEIVED	3242
Write-In Votes	RECEIVED	24

THE WHOLE NUMBER OF VOTES GIVEN: East Jordan Pub Sch Brd
WAS 4273 (OF WHICH)

Becky Rowbolham	RECEIVED	1144
Scott Nachazel	RECEIVED	1720
Kevin Shepard	RECEIVED	1385
Write-In Votes	RECEIVED	24

THE WHOLE NUMBER OF VOTES GIVEN: PT E. Jordan Pub Sch Brd
WAS 2063 (OF WHICH)

John Hunter	RECEIVED	2042
Write-In Votes	RECEIVED	21

State of Michigan }
 }
County of Charlevoix }

We Do Hereby Certify, that the foregoing is a correct transcript of the statement of the Board of County Canvassers of the County of Charlevoix of the votes given in said County and/or Township for the offices named and for the persons designated therein, and other matters submitted, at the Election held on November 6, 2012, so far as it relates to the votes cast, as appears from the original statement on file in the office of the County Clerk.

In Witness Whereof, we have hereunto set our hands and affixed the Seal of the Circuit Court for the County of Charlevoix on November 14th, 2012.

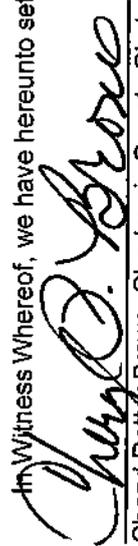
BOARD OF COUNTY CANVASSERS


Ken Allen, Chairman


Edna Lawler, Canvasser


Eleanor Sutliff, Canvasser

Barbara Perreault, Canvasser


Cheryl Potter Browe, Charlevoix County Clerk
Clerk, Board of County Canvassers

In Witness Whereof, we have hereunto set our hands and affixed the seal of the Circuit Court for the County of Charlevoix on November 14th, 2012.

Ken Allen, Chairman
Board of County Canvassers

Attest:

Cheryl Potter Browe, Charlevoix County Clerk
Clerk, Board of County Canvassers

CHARLEVOIX CITY COUNCIL

AGENDA ITEM

AGENDA ITEM TITLE: Discussion Regarding Apron Improvements at Municipal Airport

DATE: December 17, 2012

PRESENTED BY: Rob Straebel

Scott Woody, Airport Manager

ATTACHMENTS:

BACKGROUND INFORMATION: The City Treasurer, Airport Manager and City Manager have been discussing the financial feasibility of completing both an apron rehabilitation/expansion project (2013) and the terminal expansion project (2014) in consecutive years. With the FAA now requiring a 5% local match as compared to a 2.5% match, we are finding the City may not be able to afford the cash match for both projects. As we believe the terminal expansion project is a higher priority, we feel completing a portion of the apron project would be prudent at this time.

The apron rehabilitation/expansion project costs are estimated at \$2.7 million with the City's local match of 5%, or \$135,000. These monies would need to be taken from the General Fund and would substantially diminish the City's General Fund reserves.

The terminal expansion project will also require a substantial cash match. With the eligibility percentage still unknown and cost estimates not fully developed, it is difficult to gauge exactly what the City will need to contribute to the project. There is the cash match of 5%, uncertainty about eligibility percentage and need to furnish new terminal with new seats, etc. Suffice it to say, the City will need to invest substantially in the project and use some of the General Fund reserves.

For illustrative purposes only:

\$2 million terminal expansion @ 5% cash match =	\$100,000
\$2.5 million terminal expansion @ 5% cash match =	\$125,000
\$3 million terminal expansion @ 5% cash match =	\$150,000
\$3.5 million terminal expansion @ 5% cash match =	\$175,000

We propose the following:

1. In 2013, relocate the 100LL fuel cabinet next to jet fuel cabinet off the apron. Costs are estimated to be \$10,100 to relocate.
2. Soon thereafter, complete a much smaller apron rehabilitation project to address current drainage issues on apron. Fortunately, drainage issues are concentrated in the general vicinity of 100LL fuel cabinet that is being proposed to be removed. City could coordinate relocation of fuel cabinet with drainage improvements. Reduced apron project is estimated to cost \$200,000. City's 5% match would be \$10,000.
3. Complete final design and bid documents for terminal building expansion. Costs are estimated at \$300,000 with a City match of \$15,000.

Although the entire apron will need attention in the next few years, according to consultants, there is no major cracking and it is still very usable. The complete \$2.7 million project may fit the adage of being "a want and not a need" at this point.

The City has made great efforts to keep the General Fund reserve in the \$1 million range that both the Treasurer and City Manager think is a comfortable level. Additionally, it makes sense that the fuel cabinet be moved off the apron either before or concurrent with apron work.

With that in mind, we are recommending that the City does not proceed with the full \$2.7 million apron improvements but reduces the project to addressing the immediate drainage issues at a costs of \$200,000 with a 5% match, or \$10,000. By postponing most of the apron project, the City may be able to "pay as we go" and not have to take out any loans for the terminal expansion project.

QoE, the City's Airport Consultants, state that \$761,000 from 2010 may be jeopardized as these funds must be under grant contract by September 30, 2013. We may be able to earmark some of these funds for the terminal expansion but will need to finalize drawings and get the project bid.

RECOMMENDATION: The City has taken a very conservative approach to funding large infrastructure projects with a "pay as you go" approach that has well-served the community and has put us in a very healthy financial position. Combining possible cuts of the personal property tax (\$80,000) with a pending tax tribunal case with the City's largest taxpayer, future revenues are uncertain.

Staff's recommendation is to budget for the relocation of the one remaining fuel cabinet- \$10,100 and proceed with drainage improvements estimated at \$200,000 (\$10,000 local match from City). Additionally, earmark \$15,000 for local cash match for final design/development and contract documents for the terminal which is estimated at \$300,000.

By postponing most of the apron project the City would have an additional \$125,000 that could be earmarked to complete the terminal expansion project. Additionally, we will be able to retain our General Fund reserves in a healthy position. If all goes accordingly, the City may be able to complete the terminal expansion project with no new debt. If Council is agreeable, we would need a general consensus that this is good approach that should be incorporated into the 2013-14 Budget.

CHARLEVOIX CITY COUNCIL

AGENDA ITEM

AGENDA ITEM TITLE: Discussion Regarding Preliminary Design of 300 Block of Clinton Street

DATE: December 17, 2012

PRESENTED BY: Jim Malewitz

Rob Straebel

ATTACHMENTS:

1. Preliminary Drawings
2. Letter from Project Engineer, Jim Malewitz

BACKGROUND INFORMATION: Performance Engineering has developed the attached drawings for the 300 block of Clinton Street. Project engineers and City Staff are soliciting feedback on the design. City Staff has sent out letters to all affected property owners on the 300 block of Clinton regarding the changes. A meeting with property owners and City Staff will occur on December 20. We have had three residents of the neighborhood call and give input on the new design. All three residents are supportive of the new design and the City's efforts to beautify the area.

The project includes the following:

- ❖ New 8" water and sewer mains;
- ❖ Curb and gutter;
- ❖ New sidewalk construction;
- ❖ New asphalt;
- ❖ New Park Avenue configuration.

Slight reduction of road widths will be consistent with the 200 block of Clinton Street. This will allow for more permeable surfaces for better storm water management as well as increasing green areas on this block. The north side of Clinton Street will be reduced to preserve several large trees. This will eliminate parking on this section of Clinton Street. See attached drawings. Funding will come from the Infrastructure Fund and the County Road Millage.

RECOMMENDATION: We would like City Council's general support for design of 300 block of Clinton Street. There may be some input regarding Park Avenue/Clinton Street configuration from property owners at the planned December 20, 2012 meeting. If substantial changes are

sought after from affected property owners, we may revise drawings and bring back changes for City Council's review.



Performance Engineers Inc.
Civil / Structural Engineering

December 13, 2012

Mr. Rob Straebel, City Manager
City of Charlevoix
210 State Street
Charlevoix, MI 49720

Dear Rob:

The intent of this letter is to help explain some of the design concepts of the 300 block of Clinton Street which is between Grant Street and Park Avenue. As you know, as part of Performance Engineer's design, we have reduced the street widths of Clinton to match street work that was completed this year and have reconfigured the Park/Grant intersection.

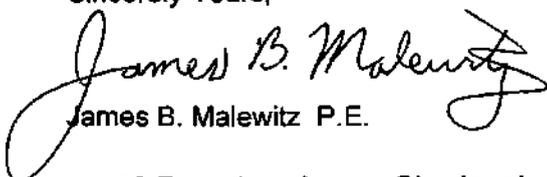
The street width of the eastern portion of the project as designed is 34' from face to face of curb. This represents a reduction in overall street width of approximately 2.5' to 3 feet. The reasons for the reduction in street width are several. City Streets in residential areas are to be of narrower widths due to low traffic volumes. In addition reduced speeds are encouraged for safety reasons. Also the proposed width allows for additional lawn green between the curb and the sidewalk which reduces the amount of hard surfaces resulting in less storm water runoff. This 34' width measured from face of curb to face of curb is the same as was constructed on Clinton from State to Grant Street.

The western portion of Clinton street has been designed to allow for parking only on the south side of the street. This change will allow for a reasonable green buffer between the proposed curb and existing trees and stone walls. It will also allow for gentle slopes between the proposed street and existing right of way. This section of street is being proposed at 29.5' from face of curb to face of curb which is virtually the same as the width of the 100 block of Park Avenue, which is 30' from face of curb to face of curb.

The intersection of Clinton and Park Avenue exists as a virtual sea of asphalt. Performance Engineers has designed an intersection that allows for proper traffic direction by incorporating a green island in the center of the intersection. Besides allowing for a safer intersection, the proposed configuration allows for a large amount of green and landscape area to beautify this side of town. By reducing the amount of hard surfaces there will be significantly less storm water runoff. The new design proposed will allow for reasonable cross grades that did not exist before to also help with safe driving movements.

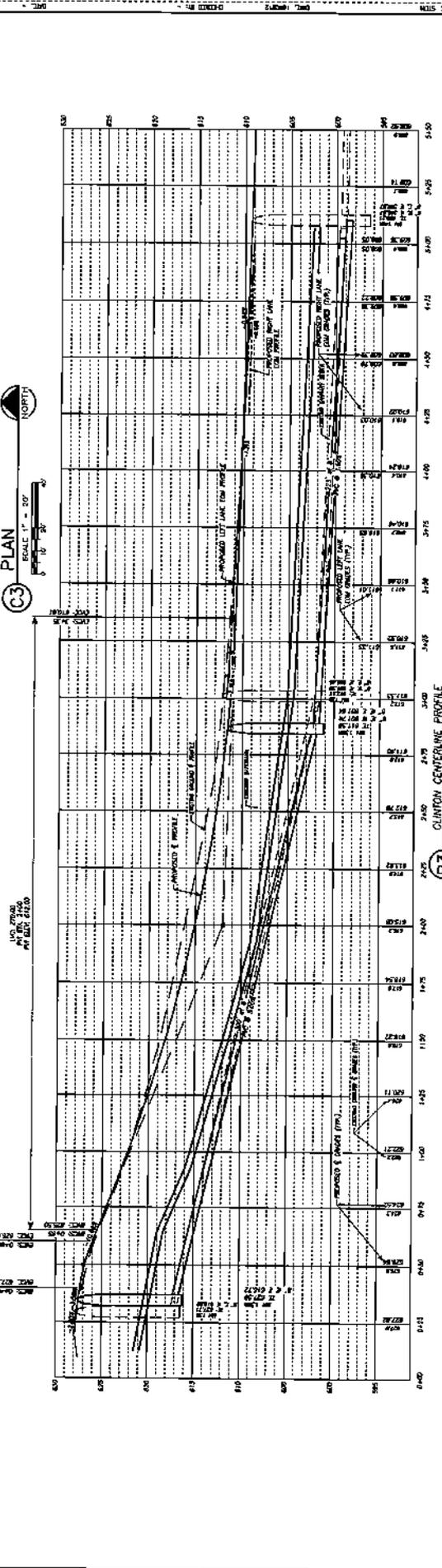
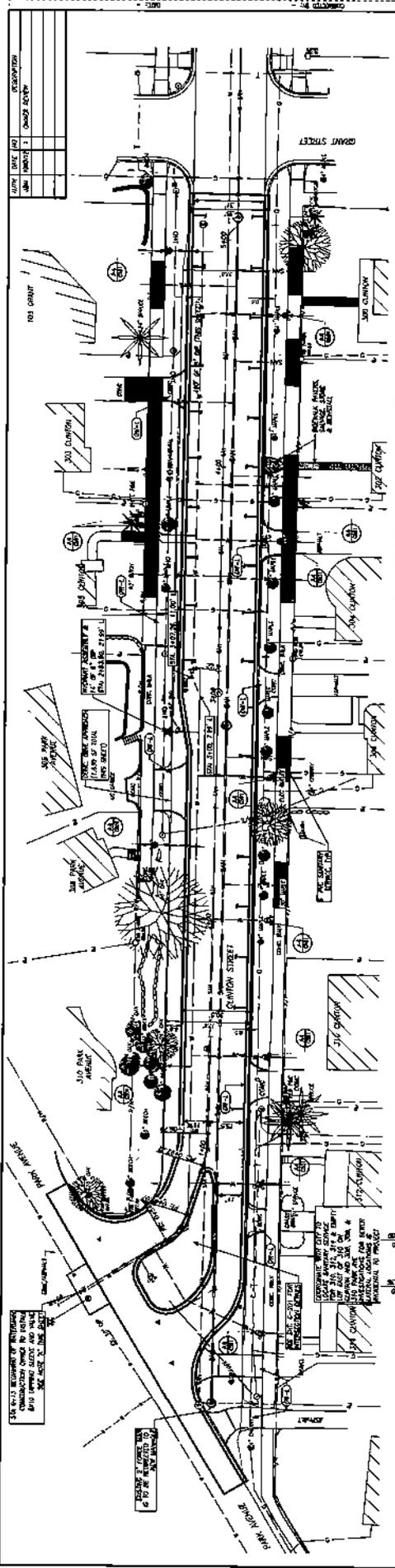
Rob, I will be happy to talk further about these designs with council at this Monday night's meeting. If you have any questions before then, please give me a call.

Sincerely Yours,


James B. Malewitz P.E.

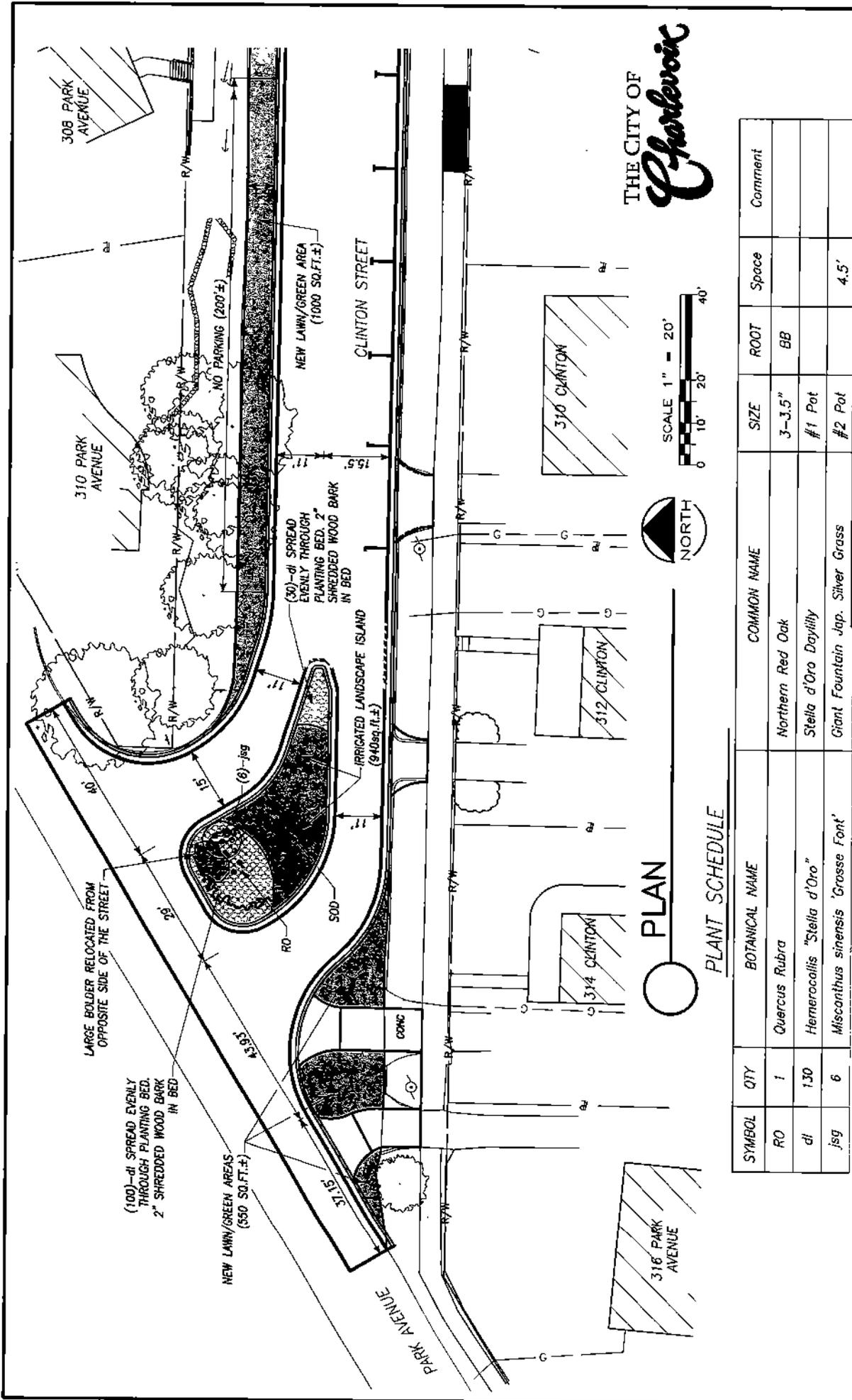
406 Petoskey Ave. • Charlevoix, MI 49720 • (231) 547-2121 • Fax: (231) 547-0084

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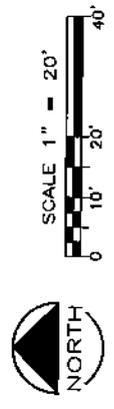


ESTIMATED QUANTITIES

UNIT	QTY	UNIT	QTY	UNIT	QTY
1000	1.000	1000	1.000	1000	1.000
500	1.000	500	1.000	500	1.000
250	1.000	250	1.000	250	1.000
125	1.000	125	1.000	125	1.000
62.5	1.000	62.5	1.000	62.5	1.000
31.25	1.000	31.25	1.000	31.25	1.000
15.625	1.000	15.625	1.000	15.625	1.000
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0.0000000000000000033881317887119393683028125	1.000	0.0000000000000000033881317887119393683028125	1.000	0.0000000000000000033881317887119393683028125	1.000
0.00000000000000000169406589435596968415140625	1.000	0.00000000000000000169406589435596968415140625	1.000	0.00000000000000000169406589435596968415140625	1.000
0.000000000000000000847032947177984842075703125	1.000	0.000000000000000000847032947177984842075703125	1.000	0.000000000000000000847032947177984842075703125	1.000
0.0000000000000000004235164735889924210378515625	1.000	0.0000000000000000004235164735889924210378515625	1.000	0.0000000000000000004235164735889924210378515625	1.000
0.000000000000000000211758236794496210586428125	1.000	0.000000000000000000211758236794496210586428125	1.000	0.000000000000000000211758236794496210586428125	1.000
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0.0000000000000000000529395591986240514660703125	1.000	0.0000000000000000000529395591986240514660703125	1.000	0.0000000000000000000529395591986240514660703125	1.000
0.00000000000000000002646977959931202573328125	1.000	0.00000000000000000002646977959931202573328125	1.000	0.00000000000000000002646977959931202573328125	1.000
0.000000000000000000013234889799656012866428125	1.000	0.000000000000000000013234889799656012866428125	1.000	0.000000000000000000013234889799656012866428125	1.000
0.0000000000000000000066174448998280064332140625	1.000	0.0000000000000000000066174448998280064332140625	1.000	0.0000000000000000000066174448998280064332140625	1.000
0.00000000000000000000330872244991400321660703125	1.000	0.00000000000000000000330872244991400321660703125	1.000	0.00000000000000000000330872244991400321660703125	1.000
0.0000000000000000000016543612249570016083028125	1.000	0.0000000000000000000016543612249570016083028125	1.000	0.0000000000000000000016543612249570016083028125	1.000
0.00000000000000000000082718061247850080415140625	1.0				



THE CITY OF
Charlotte



PLAN

PLANT SCHEDULE

SYMBOL	QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	Space	Comment
RO	1	<i>Quercus Rubra</i>	Northern Red Oak	3-3.5"	BB		
dl	130	<i>Hemerocallis "Stella d'Oro"</i>	Stella d'Oro Daylily	#1 Pot			
jsg	6	<i>Miscanthus sinensis 'Grosse Font'</i>	Giant Fountain Jap. Silver Grass	#2 Pot		4.5'	

NOTES: SOD TURF AREAS
IRRIGATION FOR TURF & OAK TREE (BATTERY POWERED CONTROLLER)

**2013 INFRASTRUCTURE IMPROVEMENTS
CLINTON STREET**



**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Consideration to approve the amended contract with MDC Contracting for the infrastructure work on Clinton St. from Park Ave. to Grant St.

DATE: December 17, 2012

PRESENTED BY: Pat Elliott

ATTACHMENTS:

1. Bid tab, and unit pricing from the original bid opening.
2. Amended Contract signed by MDC Contracting.

BACKGROUND INFORMATION: In late winter of 2012 we advertised for, and opened five sealed bids for the 2012 infrastructure work. After reviewing and analyzing the bids we decided to eliminate the infrastructure work for the 300 block of Clinton due to budget constraints. As you are aware MDC Contracting was awarded the work for the 100 and 200 blocks of Clinton based on unit pricing and their overall low bid. Subsequently MDC has successfully completed the project on time and approximately \$40,000.00 under budget.

Upon completion of this year's infrastructure work, MDC contacted the City of Charlevoix and Performance Engineers and offered to hold their unit prices, that were competitively bid, and low, if we were interested in locking them in to complete the infrastructure work on the 300 block of Clinton.

After further discussions with Performance Engineers, MDC, City staff and a legal opinion from Jim Young, City staff will be recommending that we enter into an amended contract with MDC to complete the work on the 300 block of Clinton.

There are a number of benefits to amending the original contract with MDC, and are listed below.

1. This locks us into an early spring start for the project and an early summer (May 24th at the latest) completion date, with a local contractor that we have had great success with.
2. This will also allow the City to have the entire Clinton St. project completed prior to our busy summer season.

3. This also opens up more time in the fall to complete other infrastructure work and avoid dealing with the late fall weather that always seems to conflict with laying the top course of asphalt.
4. If you review the bid tab attached, and assume a similar mobilization fee from all of the other bidders MDC is still the low bidder, by at least \$8,000.00, and very capable of completing this work.

Overall MDC Contracting has successfully completed numerous projects for the City over a number of years and staff feels very comfortable working with them to complete the Clinton St. project.

Funding for this project will come from PI6, the infrastructure fund and PI7, the road millage fund.

RECOMMENDATION: Considering all of the above, it is staff's recommendation that Council accept the amendment of contract #11-4268, and enter into an agreement with MDC Contracting for a total job cost of \$185,862.50

PARK TO GRANT CONSTRUCTION COSTS
Clinton Street Reconstruction

2013

Item	Unit	Description	TOTAL	MDC	
			QTY	Unit Price	Extension
1	LSUM	Mobilization	1	\$19,550.00	\$19,550.00
2	LSUM	Construction Staking	1	\$2,250.00	\$2,250.00
3	EACH	Structure/Catch Basin (San/Dr), REM	2	\$110.00	\$220.00
4	FOOT	Sewer (San/Dr), REM, less than 24 inch	515	\$2.50	\$1,287.50
5	SYD	Pavement (HMA), REM	2500	\$0.95	\$2,375.00
6	SYD	Driveway (HMA), REM	30	\$2.30	\$69.00
7	SYD	Driveway (Conc), REM	120	\$5.80	\$696.00
8	FOOT	Curb and Gutter, REM	1000	\$1.50	\$1,500.00
9	SYD	Sidewalk, REM	114	\$6.95	\$792.30
12	CYD	Subgrade Undercutting, Type II	25	\$9.05	\$226.25
13	STA	Machine Grading Modified	5.2	\$1,200.00	\$6,240.00
17	SQ YD	Aggregate Base, 6 inch, 22A	1870	\$4.00	\$7,480.00
18	TON	HMA, MDOT 13A, 165 lbs/syd	163	\$76.00	\$12,388.00
19	TON	HMA, MDOT 36A, 165 lbs/syd	163	\$80.00	\$13,040.00
24	SQ FT	Driveway, Conc., 6 inch, Type L	1855	\$3.65	\$6,770.75
25	LFT	Curb and Gutter, Conc. MDOT E-2	40	\$26.50	\$1,060.00
26	LFT	Curb and Gutter, Conc. MDOT C-4, Including Modified	1220	\$12.35	\$15,067.00
27	SQ FT	Sidewalk, Conc. 6 inch	400	\$3.60	\$1,440.00
28	SQ FT	Sidewalk, Conc. 4 inch	1690	\$3.05	\$5,154.50
30	SQ FT	Sidewalk, Pavers, Salv. Store, Reinstall	80	\$12.00	\$960.00
35	LFT	2" PVC Electrical Grade Conduit SCH 40 Plus (Two Conduits Per Foot)	1300	\$2.75	\$3,575.00
39	SYD	Topsoil Surface, Furnish, 4 inch	1050	\$2.80	\$2,940.00
40	LB	Seeding, MDOT Mixture THM	80.5	\$2.50	\$201.25
41	SYD	Mulch	1050	\$0.50	\$525.00
42	LFT	Watermain, DIP CL 52, 8 inch	510	\$38.00	\$19,380.00
43	LFT	Watermain, DIP CL 52, 6 inch	10	\$40.00	\$400.00
48	EACH	Fire Hydrant Assembly	1	\$3,225.00	\$3,225.00
49	LFT	Water Service, K-Copper, 1"	440	\$19.55	\$8,602.00
50	EACH	Water Service Assembly 1"	14	\$600.00	\$8,400.00
52	EACH	Sanitary Manhole, 48" Dia.	2	\$2,525.00	\$5,050.00
53	LFT	Sanitary Sewer, PVC SDR-26, 8"	543	\$33.65	\$18,271.95
54	LFT	Sanitary Sewer Service, PVC SDR-26, 6"	520	\$22.40	\$11,648.00
55	EACH	Sanitary Sewer Service Cleanout Assembly	1	\$270.00	\$270.00
67	EACH	Relocate Boulder	1	\$200.00	\$200.00
68	LSUM	Park Avenue IIsnad Plantings	1	\$1,585.00	\$1,585.00
69	EACH	Northern Red Oak	1	\$380.00	\$380.00
70	SFT	Irrigate Park Island Area Complete	1000	\$1.85	\$1,850.00
71	SFT	Sod	600	\$0.53	\$318.00
73	LSUM	Reconnect Force Main to Manhole	1	\$475.00	\$475.00

TOTALS = \$185,862.50

PARK TO GRANT CONSTRUCTION COSTS
Clinton Street Reconstruction

2013

PARK TO GRANT CONSTRUCTION COSTS
Clinton Street Reconstruction

9HT 2 OF 2

Item	Unit	Description	TOTAL QTY		MDC		Glava		Elmers		Tri County		Rish-Riley	
			Unit	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	
1	LSUM	Mobilization		\$19,550.00	\$19,550.00									
2	LSUM	Construction Staking	1	\$2,250.00	\$2,250.00									
3	EACH	Structure/Catch Basin (San/Dp), REM	2	\$110.00	\$220.00	\$33.00	\$68.00	\$125.00	\$250.00	\$220.00	\$440.00	\$220.00	\$440.00	\$440.00
4	FOOT	Sewer (San/Dp), REM, less than 24 inch	515	\$2.50	\$1,287.50	\$2.00	\$1,030.00	\$8.54	\$4,398.10	\$4.00	\$2,060.00	\$4.00	\$2,060.00	\$2,060.00
5	SYD	Pavement (HMA), REM	2500	\$0.85	\$2,125.00	\$1.00	\$2,500.00	\$1.50	\$3,750.00	\$3.00	\$7,500.00	\$1.40	\$3,500.00	\$3,500.00
6	SYD	Driveway (HMA), REM	30	\$2.30	\$69.00	\$2.00	\$60.00	\$3.58	\$106.80	\$4.00	\$120.00	\$4.00	\$120.00	\$120.00
7	SYD	Driveway (Core), REM	120	\$5.80	\$696.00	\$1.70	\$204.00	\$2.90	\$346.00	\$4.00	\$480.00	\$10.00	\$1,200.00	\$1,200.00
8	FOOT	Curb and Gutter, REM	1000	\$1.50	\$1,500.00	\$2.25	\$2,250.00	\$3.25	\$3,250.00	\$2.30	\$2,300.00	\$4.50	\$4,500.00	\$4,500.00
9	SYD	Sidewalk, REM	114	\$6.85	\$782.30	\$1.40	\$159.80	\$5.88	\$668.04	\$3.60	\$399.00	\$7.70	\$877.80	\$877.80
12	CYD	Subgrade Undercutting, Type II	25	\$9.05	\$226.25	\$14.00	\$350.00	\$10.55	\$263.75	\$9.00	\$225.00	\$16.00	\$400.00	\$400.00
13	STA	Machine Grading Modified	5.2	\$1,200.00	\$6,240.00	\$730.00	\$3,798.00	\$1,250.00	\$6,500.00	\$1,000.00	\$5,200.00	\$1,885.00	\$9,802.00	\$9,802.00
17	SQ YD	Aggregate Base, 6 inch, 22A	1970	\$4.00	\$7,880.00	\$4.50	\$8,865.00	\$4.64	\$9,140.80	\$6.30	\$12,417.00	\$5.10	\$9,937.00	\$9,937.00
18	TON	HMA, MDOT 13A, 165 lbs/syd	163	\$76.00	\$12,378.00	\$86.25	\$14,058.75	\$78.25	\$12,754.75	\$80.00	\$13,040.00	\$76.00	\$12,388.00	\$12,388.00
19	TON	HMA, MDOT 36A, 185 lbs/syd	163	\$80.00	\$13,040.00	\$84.50	\$13,773.50	\$82.50	\$13,447.50	\$84.00	\$13,692.00	\$80.00	\$13,040.00	\$13,040.00
24	SQ FT	Driveway, Conc, 6 inch, Type I	1855	\$3.65	\$6,760.75	\$5.00	\$9,275.00	\$3.40	\$6,307.00	\$4.20	\$7,791.00	\$4.30	\$7,976.50	\$7,976.50
25	LFT	Curb and Gutter, Conc, MDOT E-2	40	\$28.50	\$1,140.00	\$17.55	\$702.00	\$19.00	\$762.00	\$19.17	\$766.80	\$18.00	\$720.00	\$720.00
26	LFT	Curb and Gutter, Conc, MDOT C-4, Including Modified	1220	\$12.35	\$15,067.00	\$14.50	\$17,690.00	\$11.55	\$14,091.00	\$14.20	\$17,324.00	\$14.20	\$17,324.00	\$17,324.00
27	SQ FT	Sidewalk, Conc, 6 inch	400	\$3.60	\$1,440.00	\$4.35	\$1,740.00	\$3.25	\$1,300.00	\$3.75	\$1,500.00	\$4.00	\$1,600.00	\$1,600.00
28	SQ FT	Sidewalk, Conc, 4 inch	1890	\$3.05	\$5,754.50	\$3.55	\$6,769.50	\$2.60	\$4,934.00	\$2.81	\$5,300.60	\$3.50	\$6,665.00	\$6,665.00
30	SQ FT	Sidewalk, Pavers, Selv. Stone, Reintail	80	\$12.00	\$960.00	\$13.50	\$1,080.00	\$12.55	\$1,004.00	\$7.87	\$629.60	\$11.95	\$955.00	\$955.00
35	LFT	2" PVC Electrical Grade Conduit, SCH 40 Plus (Two Conduits Per Foot)	1300	\$2.75	\$3,575.00	\$6.70	\$8,710.00	\$6.70	\$8,710.00	\$7.80	\$10,140.00	\$8.35	\$8,255.00	\$8,255.00
39	SYD	Topsoil Surface, Furnish, 4 inch	1050	\$2.60	\$2,730.00	\$4.00	\$4,200.00	\$3.50	\$3,675.00	\$3.25	\$3,412.50	\$3.65	\$4,042.50	\$4,042.50
40	LB	Seeding, MDOT Mixture THM	60.5	\$2.50	\$152.25	\$16.00	\$968.00	\$2.75	\$166.38	\$4.00	\$240.00	\$15.00	\$900.00	\$900.00
41	SYD	Mulch	1050	\$0.50	\$525.00	\$3.62	\$3,801.00	\$0.55	\$577.50	\$0.75	\$787.50	\$3.40	\$3,570.00	\$3,570.00
42	LFT	Watermain, DIP CL 52, 8 inch	510	\$36.00	\$18,360.00	\$37.00	\$18,870.00	\$50.60	\$25,806.00	\$56.00	\$28,560.00	\$53.00	\$27,030.00	\$27,030.00
43	LFT	Watermain, DIP CL 52, 6 inch	10	\$40.00	\$400.00	\$16.40	\$164.00	\$43.00	\$430.00	\$50.00	\$500.00	\$60.00	\$600.00	\$600.00
48	EACH	Fire Hydrant Assembly	1	\$3,225.00	\$3,225.00	\$3,500.00	\$3,500.00	\$4,200.00	\$4,200.00	\$3,500.00	\$3,500.00	\$3,700.00	\$3,700.00	\$3,700.00
49	LFT	Water Service, K-Copper, 1"	440	\$19.55	\$8,602.00	\$14.75	\$6,460.00	\$21.70	\$9,548.00	\$20.00	\$8,800.00	\$21.00	\$9,240.00	\$9,240.00
50	EACH	Water Service Assembly 1"	14	\$600.00	\$8,400.00	\$465.00	\$6,510.00	\$460.00	\$6,440.00	\$340.00	\$4,760.00	\$350.00	\$4,900.00	\$4,900.00
52	EACH	Sanitary Manhole, 48" Dia.	2	\$2,525.00	\$5,050.00	\$2,920.00	\$5,840.00	\$2,500.00	\$5,000.00	\$2,150.00	\$4,300.00	\$2,150.00	\$4,300.00	\$4,300.00
53	LFT	Sanitary Sewer, PVC SDR-26, 6"	543	\$33.65	\$18,271.95	\$26.50	\$14,389.50	\$52.00	\$28,236.00	\$36.00	\$19,548.00	\$36.00	\$19,548.00	\$19,548.00
54	LFT	Sanitary Sewer Service, PVC SDR-26, 6"	520	\$22.40	\$11,648.00	\$18.70	\$9,724.00	\$35.00	\$18,200.00	\$24.00	\$12,480.00	\$24.00	\$12,480.00	\$12,480.00
55	EACH	Sanitary Sewer Service Cleanout Assembly	1	\$270.00	\$270.00	\$270.00	\$270.00	\$160.00	\$160.00	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00
67	EACH	Relocate Boulder	1	\$200.00	\$200.00	\$70.00	\$70.00	\$100.00	\$100.00	\$200.00	\$200.00	\$225.00	\$225.00	\$225.00
68	LSUM	Park Avenue Island Plantings	1	\$1,585.00	\$1,585.00	\$1,800.00	\$1,800.00	\$1,665.00	\$1,665.00	\$2,016.00	\$2,016.00	\$1,665.00	\$1,665.00	\$1,665.00
69	EACH	Northern Red Oak	1	\$360.00	\$360.00	\$645.00	\$645.00	\$400.00	\$400.00	\$420.00	\$420.00	\$615.00	\$615.00	\$615.00
70	SFT	Irrigate Park Island Area Complete	1000	\$1.85	\$1,850.00	\$1.75	\$1,750.00	\$2.00	\$2,000.00	\$2.00	\$2,000.00	\$1.80	\$1,800.00	\$1,800.00
71	SFT	Sod	600	\$0.53	\$318.00	\$1.00	\$600.00	\$1.00	\$600.00	\$1.00	\$600.00	\$0.60	\$360.00	\$360.00
73	LSUM	Reconnect Force Main to Manhole	1	\$475.00	\$475.00	\$450.00	\$450.00	\$70.00	\$70.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00

TOTALS = \$185,862.00 \$172,220.85 \$194,138.62 \$194,166.30 \$197,564.30

AMENDMENT OF CONTRACT #11-4268

Owner Name: City of Charlevoix
Owner Address: Charlevoix, Michigan
Project Name/Number: 2012 Infrastructure Improvements – Clinton Street
Contractor: MDC Contracting, LLC
Date: December 11, 2012

NARRATIVE

The parties desire to amend contract #11-4268 (the Contract) to include the construction of Clinton Street from Park Avenue to Grant Street that was previously bid, but subsequently omitted from the contract.

AMENDMENTS

The Contract is amended or modified as described below:

A. Attachment #1 lists what is necessary to construct Clinton Street from Park Avenue to Grant Street. The unit costs of every item listed is the same as was originally bid before being omitted, except for items 1 and 2. Except as modified below, the Contractor shall perform all work described in Attachment #1 and at the unit costs contained in Attachment #1 and as modified by this Amendment. Time is of the essence and all work shall be completed not later than May 24, 2013. If an extension is allowed due to weather considerations, the project must be in usable shape during the Memorial Day week end from Friday, May 24, 2013 at 5:00 P.M. through Tuesday May 28, 2013 at 7:00 A.M.

B. The unit costs in Attachment #1 are modified as follows:

Item #1 – The unit costs for mobilization have been adjusted to allow for work to be done on this portion of Clinton Street from Park Avenue to Grant Street. Mobilization includes costs to bring equipment and trucks to and from the site, local traffic control during the construction of the project, and the bonding necessary for this contract amendment work.

Item #2 – The unit costs for this item has been adjusted so to include only the construction staking necessary for construction of Clinton from Park Avenue to Grant Street.

C. Based on the adjustments described above, the total amount of the Contract is as follows:

SUMMARY OF CONTRACT CHANGES

Original Contract Amount	=	\$700,623.10
Addition/Reductions To Contract Previously	=	- \$45,956.50
Contract Amendment Amount (See Attachment #1)	=	\$185,862.50

Revised Contract Amount = \$840,529.10

Except as modified above, all other provisions of the Contract shall remain in effect.

CONTRACTOR:

By: 

Date: 12/11/12

By: _____

Date: _____

APPROVED: OWNER

By: _____

Date: _____

PARK TO GRANT CONSTRUCTION COSTS
Clinton Street Reconstruction Project #11-4268

ATTACHMENT #1

2013

Item	Unit	Description	TOTAL	MDC	
			QTY	Unit Price	Extension
1	LSUM	Mobilization	1	\$19,550.00	\$19,550.00
2	LSUM	Construction Staking	1	\$2,250.00	\$2,250.00
3	EACH	Structure/Catch Basin (San/Dr), REM	2	\$110.00	\$220.00
4	FOOT	Sewer (San/Dr), REM, less than 24 inch	515	\$2.50	\$1,287.50
5	SYD	Pavement (HMA), REM	2500	\$0.95	\$2,375.00
6	SYD	Driveway (HMA), REM	30	\$2.30	\$69.00
7	SYD	Driveway (Conc), REM	120	\$5.80	\$696.00
8	FOOT	Curb and Gutter, REM	1000	\$1.50	\$1,500.00
9	SYD	Sidewalk, REM	114	\$6.95	\$792.30
12	CYD	Subgrade Undercutting, Type II	25	\$9.05	\$226.25
13	STA	Machine Grading Modified	5.2	\$1,200.00	\$6,240.00
17	SQ YD	Aggregate Base, 6 inch, 22A	1870	\$4.00	\$7,480.00
18	TON	HMA, MDOT 13A, 165 lbs/syd	163	\$76.00	\$12,388.00
19	TON	HMA, MDOT 36A, 165 lbs/syd	163	\$80.00	\$13,040.00
24	SQ FT	Driveway, Conc., 6 inch, Type L	1855	\$3.65	\$6,770.75
25	LFT	Curb and Gutter, Conc. MDOT E-2	40	\$26.50	\$1,060.00
26	LFT	Curb and Gutter, Conc. MDOT C-4, Including Modified	1220	\$12.35	\$15,067.00
27	SQ FT	Sidewalk, Conc. 6 inch	400	\$3.60	\$1,440.00
28	SQ FT	Sidewalk, Conc. 4 inch	1690	\$3.05	\$5,154.50
30	SQ FT	Sidewalk, Pavers, Salv. Store, Reinstall	80	\$12.00	\$960.00
35	LFT	2" PVC Electrical Grade Conduit SCH 40 Plus (Two Conduits Per Foot)	1300	\$2.75	\$3,575.00
39	SYD	Topsoil Surface, Furnish, 4 inch	1050	\$2.80	\$2,940.00
40	LB	Seeding, MDOT Mixture THM	80.5	\$2.50	\$201.25
41	SYD	Mulch	1050	\$0.50	\$525.00
42	LFT	Watermain, DIP CL 52, 8 inch	510	\$38.00	\$19,380.00
43	LFT	Watermain, DIP CL 52, 6 inch	10	\$40.00	\$400.00
48	EACH	Fire Hydrant Assembly	1	\$3,225.00	\$3,225.00
49	LFT	Water Service, K-Copper, 1"	440	\$19.55	\$8,602.00
50	EACH	Water Service Assembly 1"	14	\$600.00	\$8,400.00
52	EACH	Sanitary Manhole, 48" Dia.	2	\$2,525.00	\$5,050.00
53	LFT	Sanitary Sewer, PVC SDR-26, 8"	543	\$33.65	\$18,271.95
54	LFT	Sanitary Sewer Service, PVC SDR-26, 6"	520	\$22.40	\$11,648.00
55	EACH	Sanitary Sewer Service Cleanout Assembly	1	\$270.00	\$270.00
67	EACH	Relocate Boulder	1	\$200.00	\$200.00
68	LSUM	Park Avenue Inland Plantings	1	\$1,585.00	\$1,585.00
69	EACH	Northern Red Oak	1	\$380.00	\$380.00
70	SFT	Irrigate Park Island Area Complete	1000	\$1.85	\$1,850.00
71	SFT	Sod	600	\$0.53	\$318.00
73	LSUM	Reconnect Force Main to Manhole	1	\$475.00	\$475.00

TOTALS = \$185,862.50

CHARLEVOIX CITY COUNCIL

AGENDA ITEM

AGENDA ITEM TITLE: Discussion Regarding Matching Funds for Grand Traverse Band of Ottawa and Chippewa Indians

DATE: December 17, 2012

PRESENTED BY: Rob Straebel

ATTACHMENTS:

BACKGROUND INFORMATION: At the last City Council meeting, City Council members voted to submit five grant applications to the Grand Traverse Band of Ottawa and Chippewa Indians. There were three grant applications submitted specifically by the City that require matching funds. Agenda item is to obtain Council's approval on matching funds for the three grants. Below are the total project costs and proposed matching funds for each application:

<u>Project</u>	<u>Project Costs</u>	<u>Local Match</u>
1. Engineer Study for Petoskey Avenue Underpass	\$15,000	\$3,750
2. Purchase of Terrain Park Features at Mt. McSauba	\$15,175	\$3,793
3. Rotary Park Playground Equipment Purchase	\$21,318	\$5,000 (Rotary Club) \$3,500, In-kind donations from City*

*In-kind donations from the City include staff time and equipment to remove old playground equipment and prepare site for installation.

RECOMMENDATION: Motion to approve matching funds for grant applications to the Grand Traverse Band of Ottawa and Chippewa Indians for the following:

- ❖ \$3,750 cash match for underpass engineering study on Petoskey Avenue/U.S. 31;
- ❖ \$3,793 for purchase of terrain park equipment at Mt. McSauba;
- ❖ \$3,500 for in-kind donations for work in Rotary Park to install new playground equipment.

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Appointments

DATE: December 17, 2012

PRESENTED BY: Carol Ochs

ATTACHMENTS: Appointment listing

BACKGROUND INFORMATION:

The following appointments are expired:

DDA, Jeannine Wallace (4/12, until successor appt.)

Mayoral Appt – 4 yr term

The following appointments will expire 12/31/2012:

Shade Tree Commission, Ken Polakowski

Mayoral Appt – 3 yr. term

Compensation Commission, Conrad "Bud" Klooster

Mayoral Appt – 5 yr term

ZBA, Richard Clem & Gary Anderson (must be made w/in 30 day of exp.)

Council Appt – 3 yr term

2 Council members to Board of Review – 1 yr term (currently Steven & Kusina, must take oath w/in 10 days of appt)

The following vacancies exist:

Shade Tree Commission, term expiring 12/31/13

Mayoral Appt – 3 yr. term

Housing Commission, term expired 04/12 (held by Joan Buday, 547-2474)

Mayoral Appt – 5 yr term

RECOMMENDATION:

Motions to appoint/reappoint various members to various boards as needed.

CHARLEVOIX CITY COUNCIL

Norman L. (Boogie) Carlson, Jr. (Lisa) 105 Eaton Ave.	11/2010 (11/2004)	547-1938 547-0152 675-4561	Business Home Cell
Jim Young, City Attorney 104 E. Forest Home, P.O. Box 398 Bellaire, MI 49615		231-288-7700 231-533-6225	Cell Bellaire Fax
<i>If not available, contact Bryan Graham, Assistant City Attorney at Bellaire Office: 231-533-8635</i>			
Carol Ochs, City Clerk 210 State St.	11/2011 (06/2004)	547-3250 547-3617 547-9352	City Hall Fax Home <small>(Please use sparingly)</small>
<u>First Ward</u>			
Dennis Kusina (Peggy) 205 Elm St.	11/2011 (11/2007)	547-4844	Home
Lyle Gennett (Gayle) 217 Clinton St	11/2012 (11/2006)	547-5598 675-5398	Home Cell
<u>Second Ward</u>			
Bryan Vollmer (Jenn) 405 W. Lincoln	11/2011 (11/2009)	237-9493 675-4699	Home Cell
Greg Stevens (Ginger) 200 Sheridan PO BOX 174	11/2012 (11/2006)	330-1429	Cell
<u>Third Ward</u>			
Jill Picha, Deputy Mayor (Nov 08-10)(John) 122 Belvedere Ave.	11/2011 (11/2007)	547-4169 675-8069	Home Cell
Shane Cole (Chris) 504 May St	11/2012 (11/2008)	547-4991	Home

APPOINTMENTS

Rob Straebel	City Manager	09-04-07
Richard Brandi	City Treasurer	06-29-87
James Young	City Attorney	04-01-89
Gerard Doan	Chief of Police	01-16-06
Paul Ivan	Fire Chief	03-17-03

ZONING BOARD OF APPEALS

COUNCIL APPOINTMENT - THREE YEAR TERMS - 5 MEMBERS/2 ALTERNATES

(Appointments need to be made within 30 days after expiration)

Patricia Miller 121 Hampton Road 547-5225-H	11-07-11 (11-07-11)	12-31-13
Greg Bryan	05-07-12 (05-07-12)	12-31-13
Larry Sullivan (Alternate) 222 Sherman 547-5415, 237-0377 H 547-7234 -W	02-20-12 (11-06-06)	12-31-14
Greg Withrow - CHAIR 202 Elm Street 547-5516-H	02-20-12 (01-4-93)	12-31-14
Ann Gorney 116 E. Hurlbut 547-5315 - H 547-8234 - W (231) 881-5495 - C	03-19-12 (03-19-12)	12-31-14
Gary Anderson 1111 Beacon 237-9307-H 881-5124-C	12-21-09 (09-18-00)	12-31-12
Richard Clem 209 E. Upright Ave. 547-5463 - H 675-8677 - C	12-21-09 (08-03-09)	12-31-12

**DOWNTOWN DEVELOPMENT AUTHORITY
MAYORAL APPOINTMENT**

**FOUR YEAR TERM - EIGHT MEMBERS
(OR UNTIL SUCCESSOR IS APPOINTED)**

MAYOR IS A MEMBER OF THE DDA

Mayor Norman L. (Boogie) Carlson, Jr.
105 Eaton Ave.
675-4561-C
547-0152-H

11-15-04 Term

REGULAR DDA MEMBERS

Dan Barron
309 Petoskey Ave.
P. O. Box 309
547-9950-O 547-2977-FAX
547-4124-H

04-20-09 4-13
(8-2-93)

Todd Wyett
808 E. Dixon
(248) 352-2454 - (O)
(231)675-4151 - Cell

10-03-11 4-13
(10-03-11)

Kirby Dipert – SEC/TREAS
12480 Country Club Dr.
547-4359-O
547-7007-H

04-19-10 4-14
(05-15-06)

Gina Whitney
304 Meech
547-0818 - O
547-1965 - H

04-19-10 4-14
(04-20-09)

John Yaroch
203 Bridge St.
547-9905-O
547-4580-H 675-2555-Cell

10-03-11 4-15
(02-17-03)

Hugh Mason - CHAIR
300 Clinton St.
547-4911-O 547-5911-FAX

10-03-11 4-15
(4-4-82)

Fred DiMartino
04003 U S 31, South
547-7511-H

03-19-12 4-16
(11/20/95)

Jeannine Wallace – VICE CHAIR
103 Grant St.
547-2342-H

05/06/08 4-12
(4-12-82 to 4-12-89)
(04-12-92)

DDA Executive Director Keith Carey
Linda Weller, Recording Secretary for DDA

PLANNING COMMISSION
MAYORAL APPOINTMENT

THREE YEAR TERMS - NINE MEMBERS

Terms expire the first Monday in April, or until a successor is appointed

Larry Boog 310 Mason St 547-6969 – H	01-16-12 (09-17-07)	4-14
Francis Flanders – Vice Chair 217 Belvedere Terrace #26 547-4887-H	01-16-12 (1-5-98)	4-14
Toni Felter 116 E. Hurlbut 547-5315 -H	01-16-12 (11-17-08)	4-14
Dan Buday 305 Burns 237-0218 - H	03-19-12 (01-07-08)	4-15
Becky Doan 309 Meech St. 547-0838 – H 675-5556	03-19-12 (03-24-10)	4-15
Judy Clock 207 E. Dixon 547-9627 - H	03-19-12 (11-17-08)	4-15
John Elzinga 202 May St. 547-4183 (H)	08-15-11 (08-15-11)	4-13
Sherm Chamberlain 210 E. Lincoln 547-6882 – O 547-7046 - H	03-07-11 (03-07-11)	4-13
John Hess - Chairman 326 Meech St. 547-4245-H	04-19-10 (03-01-04)	4-13

BOARD OF REVIEW**COUNCIL APPOINTMENT****THREE YEAR TERM - FIVE MEMBERS**

Appointment to be made in January of each year. Council members' terms are for 1 year; all other are for 3 years. (Must take oath within 10 days of appt., per State law.)

COUNCIL MEMBERS FOR 2011

Greg Stevens 200 Sheridan 330-1429 Cell	01-03-12 (02-07-11)	12-31-12
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Dennis Kusina 205 Elm St. 547-4844 Home	01-03-12 (11-16-09)	12-31-12
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REGULAR MEMBERS - 3 YEAR TERM

Kim VanMeter-Sanderson 1003 State Street 547-1839 (H) (231) 373-0794	02-07-2011 (12-15-08)	12-31-13
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Arlene Staley 401 Antrim St. 547-2985-H	01-03-2012 (07-06-04)	12-31-14
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Bob Timms 303 Clinton St. 547-2918 Home	11.19.12 (11-19-07)	12-31-15
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SHADE TREE COMMISSION**MAYORAL APPOINTMENT****THREE YEAR TERMS - THREE MEMBERS**

VACANCY	00-00-00 (00-00-00)	12-31-13
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John Campbell PO Box 528 547-4429-O 547-2478-H	01-16-12 (04-20-09)	12-31-14
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Ken Polakowski 301 Mason 547-6753-H	12-07-09 (12-15-03)	12-31-12
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HOUSING COMMISSION
MAYORAL APPOINTMENT

FIVE YEAR TERM - FIVE MEMBERS

Terms expire on the 3rd Monday in April

		Term
Rob Harrison - Director Charlevoix Housing Commission 210 West Garfield 547-5451 - O		
Jim Jinsky 106 Eaton Ave 547-4195	04-19-10 (04-20-09)	4-15
Lillian Left 407 Prospect St. 547-5412-H	01-16-12 (3-16-98)	4-16
Joan Buday 104 St Mary's Drive 547-2474 -H	09-04-07	4-12
Joanie Olach 210 W. Garfield, #208 622-2765	03-19-12 (03-19-12)	4-13
Mary Lee Campbell 309 East Dixon Ave. 547-2478-H	04-20-09 (11-4-99)	4-14

COMPENSATION COMMISSION
MAYORAL APPOINTMENT

FIVE YEAR TERM - FIVE MEMBERS

Appointments to be made before October of the year of appointment

John Kurtz 712 E. Dixon 547-2418-H 547-1840 FAX	12-07-09 (02-05-07)	12-31-14
Ken Staley 401 Antrim 547-2985 staley@freeway.net	02-21-11 (08-04-03)	12-31-15
John Campbell PO Box 528 547-4429-O 547-2478-H jwc@siteplanning.com	01-16-12 (11-16-98)	12-31-16
Conrad "Bud" Klooster, Jr. 1010 St. James Pl 547-9884 - H 231-620-5536 - C	01-07-08 (01-07-08)	12-31-12
Dale Meredith 103 Eaton Ct. 547-4705	11-17-08 (07-17-06)	12-31-13

HISTORIC DISTRICT COMMISSION

(Ord. 706-2005; 711-2006)

MAYORAL RECOMMENDATION/COUNCIL APPROVAL

3-Year Term/7 Members

Ken Polakowski 301 Mason 547-6753-H	10-01-12 (10-01-12)	06-00-15
Mary Adams 429 Michigan Ave. 547-0348 – Home 237-9773 - Office	03-19-12 (06-05-06)	06-00-15
John Campbell PO Box 528 547-4429-O 547-2478-H	03-19-12 (06-05-06)	06-00-14
Lary Sullivan 222 Sherman St. 547-7234 - Office 547-5415 – Home	03-19-12 (06-05-06)	06-00-14
Jeannine Wallace 103 Grant St. 547-2342 – Home	11-19-12 (06-05-06)	06-00-14
Linda Mason 604 Park Ave. PO BOX 582 547-9953 – Work	03-19-12 (06-05-06)	06-00-13
Hans Wiemer* 514 Michigan Ave. 547-4278 * architect member, per ord.	11-19-12 (06-05-06)	06-00-10

DISTRICT LIBRARY BOARD - CITY REPRESENTATIVE (3-Year Term, Expire June 30) Mayoral Appointment

Rick Brandt
210 State
547-3251-O

June 30, 2013

BIG ROCK POINT CITIZEN ADVISORY BOARD COUNCIL APPOINTMENT

Greg Stevens 12.21.09
200 Sheridan 330-1429 Cell
PO BOX 174

CHARLEVOIX COMMUNITY POOL REC AUTHORITY, CITY REPS MAYORAL APPOINTMENT (2 City residents, one Council member)

Council member Lyle Gennett
Dave Garland
Bruce Herbert

(The following are standing committees. There are no specific terms, and the members are not sworn.)

AIRPORT AD HOC COMMITTEE

Mayor Norman L. (Boogie) Carlson, Jr. 105 Eaton Ave.	675-4561-C 547-0152-H	Edith Dale 1008 Marina Bluff Dr.	547-6839
City Manager Rob Straebel	547-3270	VACANCY	
Airport Manager	547-3270	Don Seelye 1217 State St.	547-2393-H
William (Bill) Bellows 507 State St.	547-6263-H	Shirley Gibson 209 E. Upright Ave.	547-5463 - H
CM Lyle Gennett 217 Clinton St.	547-5598 – H 675-5398 - C		

City Clerk Carol Ochs, Recording Secretary 547-3250

STANDING HISTORIC DISTRICT STUDY COMMITTEE

Ken Polakowski 301 Mason 547-6753-H	Mary Adams 429 Michigan Avenue 547-0348 – Home 237-9773 – Work	12-31-09	Linda Mason PO BOX 582 604 Park Avenue 547-9953 – Work
John Campbell P.O. Box 528 547-4429 – Work 547-2478-H	Amy Lalewicz 1006 St. James Place 547-0474 – Home		Mike Spencer, City Planner City of Charlevoix 210 State Street 547-3265 – Work
Jeannine Wallace 103 Grant Street 547-2342 – Home	Hugh Mason 300 Clinton St. 547-4911 – Work		
Bob Heath 210 East Hurlbut Avenue 437-3255 – Home	Paul Weston 110 Burns 547-6603 – Home		

CEMETERY GRAVE MAPPING ADHOC COMMITTEE

Mayor Norman L. (Boogie) Carlson, Jr. 547-0152-Home 675-4561-C	Mary Adams 429 Michigan Avenue 547-0348 Home 237-9773 Work
City Manager Rob Straebel 547-3270 Office	C. Marilyn Gibbons 210 W. Garfield 547-1059 Home
Gabe Campbell 547-9739 Home	John Campbell PO Box 528 309 E. Dixon 547-2478 Home 547-4429 Office
Sherm Chamberlain 547-7046 Home 547-6882 Office	Cynthia Garland 201 E. Dixon 547-6707 Home
Pat Elliot, Street Superintendent 547-3276 Office	

LIGHTING COMMITTEE

Ad Hoc Committee
Don Swem
Electric Superintendent
210 State Street
547-3278-O

Mike Spencer, City Planner
210 State St
547-3265-O

Kathy Reid
1032 May Street
Charlevoix, MI 49720
547-6657-H

Gwen Kramer
LEXALITE INTERNATIONAL
P. O. Box 498
Charlevoix, MI 49720
547-6584-O

Tom Barnes
LEXALITE INTERNATIONAL
P. O. Box 498
Charlevoix, MI 49720
547-6584-O

AIRPORT DESIGN DEVELOPMENT COMMITTEE

Mark Buday, Architect
339 Slate Street
Harbor Springs, MI 49740
231-526-0223

RW Armstrong
Mike Borta, Paul Shapter, Ron Lebbon
4100 Capital City Blvd., 2nd Floor
Lansing, MI 48906
517-327-1980

FAA Program Manager: Dave Welhouse
FAA Planning Manager: Brad Davidson
11677 South Wayne Rd., Suite 107
Romulus, MI 48174
734-229-2952

MDOT Project Manager: Mark Dontje
2700 East Airport Service Dr.
Lansing, MI 48906
517-335-9712

CM Lyle Gennett
217 Clinton
547-5598 - H

615-5398 - C

Rob Straebel, City Manager
210 State Street
231-547-3270

Matt Bailey, Airport Manager
210 State Street
231-547-3605

Mayor Norman L. Carlson, Jr.
210 State Street
547-0152-H
675-4561-C

CM Jill Picha
210 State Street
547-4169-H
675-8069 -C

CM Greg Stevens
200 Sheridan
PO BOX 174
330-1429 - C

AIRPORT POLICY ADVISORY COMMITTEE

RW Armstrong
Mike Borta, Paul Shapter, Ron Lebbon
4100 Capital City Blvd., 2nd Floor
Lansing, MI 48906
517-327-1980

FAA Program Manager: Diane Morse
Detroit Airports District Office, DET-ADO-600
11677 South Wayne Rd., Suite 107
Romulus, MI 48174
734-229-2929

MDOT Project Manager: Mark Dontje
2700 East Airport Service Dr.
Lansing, MI 48906
517-335-9712

CM Lyle Gennett
217 Clinton
547-5598 - H
615-5398 - C

Jim Young, City Attorney (Bryan Graham, Assistant CA 231-533-8635)
231-288-7700 - C

Rob Straebel, City Manager
210 State Street
231-547-3270

Matt Bailey, Airport Manager
210 State Street
231-547-3605

Mayor Norman L. Carlson, Jr.
210 State Street
547-0152-H
675-4561-C

CM Jill Picha
210 State Street
547-4169-H
675-8069 -C

AIRPORT TECHNIAL ADVISORY COMMITTEE

Mike Borta, RW Armstrong
4100 Capital City Blvd., 2nd Floor
Lansing, MI 48906
517-327-1980

Kevin Clarke
Paul Puckli
RW Armstrong
4080 Lafayette Center Dr., Ste 210 A
Chantilly, VA 20151
703-230-0300

FAA Program Manager: Dave Welhouse
11677 South Wayne Rd., Suite 107
Romulus, MI 48174
734-229-2952

Mark Grennell, Project Support Unit Supervisor
Airports Division, MDOT
2700 Port Lansing Rd.
Lansing, MI 48906

CM Lyle Gennett
217 Clinton
547-5598 – H
615-5398 – C

Rob Straebel, City Manager
210 State Street
231-547-3270

Matt Bailey, Airport Manager
210 State Street
231-547-3605

Mike Spencer, City Planner
210 State Street
231-547-3265

Mayor Norman L. Carlson, Jr.
210 State Street
547-0152-H
675-4561-C

GREEN TEAM AD HOC COMMITTEE

Roger Knutson
408 Burns Street
547-1209

Rob Straebel, City Manager
210 State Street
231-547-3270

Mike Spencer, City Planner
210 State Street
231-547-3265

CM Jill Picha
210 State Street
547-4169-H
675-8069 –C

Dave Guanci, Latitude 45
123 Belvedere Ave.
630-258-5849

Erin Bemis, Director
Charlevoix Area Chamber of Commerce
109 Mason Street
547-2101

Terry Salmonson, Charlevoix Flying Club
215 Antrim Street
547-2601

Paul Welke, Island Airways
111 Airport Dr.
547-2141

Rachel Teague, Fresh Air Aviation
06918 Old Norwood Rd
PO BOX 328
237-9482

NON-MEMBERS

Ron Lebbon
Paul Shapler
RW Armstrong
4100 Capital City Blvd., 2nd Floor
Lansing, MI 48906
231-327-1980

Keith Carey, DDA Director
210 State Street
231-547-3257

Hal Evans, Harbormaster
210 State Street
231-547-3272

Tom Heid, Golf Director
210 State Street
231-547-3269

RECREATION ADVISORY COMMITTEE

Amy Putman
07103 Lake St.
547-1396

Nick Popoff
314 W. Hurlbut Ave.
547-2914 (H)
231-944-8019 (C)

Matt Peterson
210 W. Hurlbut Ave.
547-3407 (H)
231-675-1746 (C)

VACANCY

Dean Davenport (Twp Rep)
13535 Matthews Lane
547-6433 (H)
712 Cypress
Big Rapids, MI 49307

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Redevelopment Liquor License Ordinance

DATE: December 17, 2012

PRESENTED BY: DDA Director Keith Carey, City Clerk Carol Ochs

ATTACHMENTS: Draft Ordinance

BACKGROUND INFORMATION:

This past spring, City Council passed a resolution establishing our current DDA District as a Redevelopment District in which businesses that meet certain requirements are eligible to apply for a redevelopment liquor license. The Mayor established a committee, made up of Terry Left, Fred DiMartino, Gina Whitney, Amanda Wilkin, and Vi Keller to review the program and make recommendations to comprise a proposed ordinance governing local implementation of the program.

As an overview, the Michigan Liquor Control Commission (MLCC) requires the applicant to:

- Be a business engaged in dining, entertainment or recreation and open to the general public.
- Have a seating capacity of at least twenty-five (25) people.
- Have spent at least \$75,000 for the rehabilitation or restoration of the building where the license will be housed over a period of the preceding five years or a commitment for a capital investment of at least \$75,000 that will be spent before the issuance of the license.
- Demonstrate that they have attempted to purchase a readily available escrowed or quota on-premise license within the municipality that they want to operate, and that a license was not available.
- Pay a \$20,000 fee for the license.
- The MLCC will not transfer a license under this act to another location. If the licensee goes out of business, the licensee shall surrender the license to the MLCC.

Attached is the draft minutes of the Committee's November 13, 2012 meeting containing its recommendations, however the City Attorney advised against the inclusion of several Committee recommendations in the ordinance. Staff is prepared to elaborate further on this matter.

RECOMMENDATION:

If Council desires:

Motion to set a public hearing for Monday, January 7, 2013 at 7:00 p.m. in Council Chambers of City Hall on a proposed ordinance to amend the Charlevoix City Code, Title VII, Business and Trades, Chapter 77 Liquor Licenses, to add Sections 7.305: City of Charlevoix Redevelopment Liquor License Program.

**CITY OF CHARLEVOIX
ORDINANCE NO. XXX OF 2013**

AN ORDINANCE TO AMEND TITLE VII, BUSINESS AND TRADES, CHAPTER 77, LIQUOR LICENSES, TO ADD
SECTION 7.305: CITY OF CHARLEVOIX REDEVELOPMENT LIQUOR LICENSE PROGRAM

THE CITY OF CHARLEVOIX ORDAINS:

SECTION 1. Addition of Section 7.305.

Section 7.305 is hereby added to Title VII, Chapter 77 of the Charlevoix City Code and shall read as follows:

7.305. City of Charlevoix Redevelopment Liquor License Program

A. Definitions

As used in this section, the following definitions shall apply:

"Downtown Development Authority" (DDA) means the Authority created by and described in Title I, Article IV (Section 1.271, et seq.) of the City Code.

"Redevelopment Project Area" means land and buildings located within the boundaries of the DDA, which are described in Section 1.276 of the City Code.

"Real property interest" means a legally recognized right in land and buildings on that land and may be established by a deed, lease, land contract, contingent sale, contingent lease, or similar documentation.

B. Application for Redevelopment Liquor License

Applications for City approval of a Redevelopment Liquor License, as authorized by MCL 436.1521a(1)(b), as amended, may be submitted to the City Clerk for real property located within the Redevelopment Project Area. The application fee shall be paid at the time of the filing of the application. The application shall contain or be accompanied by the following:

1. If the applicant is not the owner, the applicant shall include written approval by the owner for the submission of the application.
2. The address of the real property at which the license will be used.
3. Documentation whether the applicant has a real property interest in the real property with which the license will be used.
4. Documentation showing that at least \$75,000 has been expended for the rehabilitation or restoration of the building that will house the licensed premises, or which makes a commitment for a capital investment of at least \$75,000 which will be expended prior to the issuance of the license.
5. Documentation of attempts to purchase a readily available escrowed or quota on-premise license within the City of Charlevoix, and why such license was not reasonably available.
6. Documentation regarding the type of business with which the license will be used.
7. The seating capacity of business with which the license will be used.
8. Additional information or documentation that will show whether the application complies with the standards contained in Section 7.303.A, and Section 7.305.D, of the City Code.

C. Actions of City Clerk, DDA and City Council.

The City Clerk shall determine whether the application is complete. If the application is complete and the application fee has been paid, the application shall be forward to the executive director of the Downtown Development Authority (DDA) for a written recommendation by the DDA board regarding whether the application meets the standards of the City Code for the issuance of the Redevelopment Liquor License and the reasons for DDA's recommendation. The DDA shall have 30 days from the submission of the application to its executive director to make its recommendation to the City Council or this requirement of a recommendation from the DDA shall be waived. Upon the expiration of 30 days from submission of the application to the executive director of the DDA or upon receipt by the City Clerk of the DDA's recommendation, whichever occurs first, the application and the DDA's recommendation, if any, shall be submitted to the City Council for consideration and written notice of the time and date on which the application will be considered by the City Council. An application that is incomplete shall neither be forwarded to the DDA nor to the City Council.

D. Standards For Non-preferential Approval

When an application is submitted for City approval of a Redevelopment Liquor License and the State Liquor Control Commission does not request or require that the City approve one application "above all others" or otherwise prioritize an application, the application may be approved, approved with conditions or denied by the City Council. Any conditions shall relate to compliance with the requirements or standards contained in the City Code and which are applicable to the application. In determining whether a license should be approved, the City Council shall consider the following requirements or factors (jointly, called the Standards):

1. If the applicant is not the owner, the owner of the real property with which the license will be used must approve in writing the submission of the application.
2. The applicant must have a real property interest in the real property with which the license will be used.
3. The business with which the license will be used shall be engaged in dining, entertainment or recreation.
4. The business with which the license will be used shall have a seating capacity of at least twenty-five (25) people.
5. At least \$75,000 shall have been expended for the rehabilitation or restoration of the building that will house the licensed premises, or which makes a commitment for a capital investment of at least \$75,000 or if a commitment has been made to expend at least \$75,000 prior to the issuance of the license, the applicant must agree that the fulfillment of this commitment shall be a condition of approval.
6. The applicant shall have attempted to purchase a readily available escrowed or quota on-premise license within the City of Charlevoix and shall establish that a license was not reasonably available.
7. The extent to which the business with which the license will be used will contribute a new or unique choice to the mix of businesses in the DDA district.
8. The extent to which the business with which the license will be used will promote economic growth in a manner consistent with adopted goals, plans or policies applicable to the DDA district, including but not limited to the DDA's Development Plan and all other master plans applicable to the DDA district.
9. Those factors related to a request for issuance of a new liquor license contained in Section 7.303.B. of the City Code.

E. Standards for Preferential Approval

When an application is submitted for a Redevelopment Liquor License and the State Liquor Control Commission requests or requires the City to approve one application "above all others" or otherwise prioritize an application, the following procedure shall apply:

1. The application must be approved or approved with conditions pursuant to Section 7.305.D. of the City Code.
2. The application shall be ranked or prioritized by the City Council in comparison to other pending and approved applications in a manner consistent with the request or requirements of the State Liquor Control Commission.
3. In evaluating the ranking or prioritization of an application, the Council shall consider the extent to which the application and supporting information or documentation exceeds the Standards contained in Section 703.5.D. and the detail and quality of the application and supporting information or documentation. The more detailed and precise the application and the supporting information or documentation and the greater the extent that the Standards contained in Section 705.3.D. are exceeded, then the higher the priority that such an application shall be given.

F. Setting of Application Fee.

The City Council shall adopt by resolution for an application fee for a Redevelopment Liquor License and may modify such fee from time to time.

G. Zoning Compliance.

The issuance of a Redevelopment Liquor License does not alter the requirement that the proposed land use must comply with all applicable zoning regulations.

Section 2. Severability.

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any remaining

Section 3. Effective Date.

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

CITY OF CHARLEVOIX
REDEVELOPMENT LIQUOR LICENSE ADVISORY COMMITTEE MEETING MINUTES
Tuesday, November 13, 2012 — 9:00 a.m.
210 State Street, City Hall, Council Chambers, Charlevoix, MI.

The meeting was called to order at 9:00 a.m. Mayor Carlson was unable to attend the meeting. The Clerk served as procedural Chair.

I. Roll Call of Members Present

City Manager: Rob Straebel
DDA Director: Keith Carey
City Clerk: Carol A. Ochs
Members Present: Terry Left, Fred DiMartino, Amanda Wilkin, Vi Keller
Absent: Gina Whitney

II. Inquiry Regarding Possible Conflicts of Interest

None.

[Note: The makeup of the committee consists of two existing bar/restaurant owners and one restaurant owner who may be a future candidate for a redevelopment liquor license.]

III. Approval of Minutes

A. Approval of September 11, 2012 Minutes

Motion by DiMartino, second by Left, to approve the September 11, 2012 minutes as presented. Motion passed by unanimous voice vote.

IV. General Business

A. Discussion of Redevelopment Liquor Licenses and Any Possible Conditions or Regulations

The Clerk reviewed that the State is no longer issuing "quotas" to municipalities, as they are concerned the cities will think they are entitled to that number of licenses. Instead, they say we can estimate the number we may be eligible for based on the investment total. Mr. Carey has estimated the City of Charlevoix may be eligible for 8-10 licenses. Mr. Carey has drafted a program that Council could adopt as an ordinance that Staff would like the Committee to review and make any changes. The Clerk said that, based on input so far from the Committee, it appears they would like the ordinance to limit that number to 3-4.

The Committee reviewed the draft ordinance. Mr. Carey and the Clerk explained that, under the particular section of the State law the City would be using (because we have an already-established DDA), the State requirement to be open 10 hours a day, 5 days a week will not apply. However, the City could put similar requirements in place. The Manager expressed concerns about unduly regulating new businesses moving into the district. Mr. Carey stated that the process does require the applicant to document the intended days and hours of operation. Mr. Carey also reminded the Committee of the unique uses of this license, such as for theaters, where requiring a certain number of days and hours could be difficult. The Clerk informed the Committee that there is no food requirement tied into this type of license, and Mr. Carey has verified that liquor liability insurance could still be obtained for a non-food business, but the business may pay more for that. The Committee discussed and decided that there was no need to place additional limitations on businesses such as hours of service or limited bar seating; businesses will weed themselves out.

The Committee discussed the number of licenses. The Manager stated that 3 licenses seems like a good place to start. Mr. Left would like to see only 2. Ms. Wilkin would prefer 4. Staff discussed that the idea was that we currently have one applicant and that Mr. Carey may have a party interested in another. This would leave one in reserve. Council can always revisit the ordinance later and, if the program is successful, could change it. However, the process of changing an ordinance does take around 90 days, so it would be helpful to have an available license. The remaining members seemed to agree that 3 might be a good number to start with. The Clerk explained that Council still could change that number, but that they wanted input from stakeholders before they make their decision. There was general agreement that there is nothing wrong with limiting the number and making the program more competitive.

Motion by Left, second by DiMartino, to limit the number of licenses available to 3.
Motion passed, 3-1 voice vote.

Under section III. Application Process, item 2, the committee discussed several options for language that would favor existing businesses and discussed if there should be a cutoff date. It was agreed that business owners in the DDA at least two years should be favored, whether they are restaurant owners or some other business downtown, such as clothing store. People who have tried to start, remain, and succeed in the downtown area should be given additional consideration over someone new coming in.

Motion by Left, second by DiMartino, to change item III.2. to read: "Existing business owners who have been in business at least two years within the DDA district." Motion passed by unanimous voice vote.

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V. Public Comment

The Clerk called for public comment. There were no comments.

VI. Adjourn

The Clerk stated if there were no objections, the meeting would adjourn.

There were no objections.

Meeting adjourned at 10:00 a.m.

Carol A. Ochs

City Clerk