

AGENDA
CITY OF CHARLEVOIX CITY COUNCIL MEETING

Monday, February 3, 2014 - 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 – January 20, 2014 Regular Meeting PG 1-8
 - B. Accounts Payable Check Register PG 9-13
 - C. Payroll Check Register PG 14-18
- V. **Public Hearings**
- VI. **Reports**
- VII. **Requests, Petitions and Communications and Actions Thereon**
 - A. Consideration to Fill Second Ward City Council Vacancy PG 19-20
 - B. Redevelopment Liquor License Application, 202 Bridge Street PG 21-72
 - C. Liquor License Application – 100 Belvedere PG 73-108
 - D. Consideration of Contributing to Additional Petunia Baskets PG 109-114
 - E. Discussion Regarding Filling Vacant City Clerk Position PG 115
 - F. Discussion regarding 100LL Fuel Truck Surcharge Proposal PG 116-123
 - G. Airport Consultant Selection Process PG 124-126
 - H. Authorization of Bank Signature Card PG 127-128
 - I. Request to Apply for Michigan Department of Transportation (MDOT) Permits PG 129-131
- VIII. **Introduction and Initial Actions Relating to Ordinances or to Resolutions That Require Publication or Hearings Prior to Final or Further Action**
- IX. **Resolutions**
 - A. Redevelopment Liquor License Application, 202 Bridge Street PG 70
 - B. Liquor License Application – 100 Belvedere PG 108
 - C. Authorization of Bank Signature Card PG 128
 - D. Request to Apply for Michigan Department of Transportation Permits PG 130-131
- X. **Ordinances**
- XI. **Miscellaneous Business**
- XII. **Audience – Non-Agenda Input (written requests take precedent)**
- XIII. **Closed Session**
 - A. POLC Union Negotiations
- XIV. **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.

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, January 20, 2014 – 7:00 p. m.
210 State Street, City Hall, Council Chambers, Charlevoix, MI

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The meeting was called to order at 7:00 p. m. by Mayor Norman L. Carlson, Jr.

I. Pledge of Allegiance

II. Roll Call of Members Present

Mayor: Norman L. Carlson, Jr.
City Attorney: Bryan Graham
City Manager: Rob Straebel
City Clerk: Deputy Clerk Stephanie Brown
Members Present: Council members Shane Cole, Lyle Gennett, Shirley Gibson, Leon Perron, and Jeff Porter
Absent: None

III. Inquiry Regarding Possible Conflicts of Interest

Councilmember Perron disclosed that, as a downtown business owner, he would benefit from the offering of free Wi-Fi in the downtown area. Mayor Carlson assured Councilmember Perron that there was not a conflict of interest, as he was not supplying the Wi-Fi. Assistant City Attorney Bryan Graham agreed.

IV. Consent Agenda

The following items were approved and filed:

- A. Approval of Minutes – January 2, 2014 Special Meeting Minutes
- B. Approval of Minutes – January 6, 2014 Regular Meeting Minutes
- C. Accounts Payable Check Register – January 8, 2014
- D. Accounts Payable Check Register – January 21, 2014
- E. ACH Payments – January 6, 2014 – January 17, 2014
- F. Tax Disbursement – January 21, 2014
- G. Payroll Check Register – January 17, 2014
- H. Payroll Transmittal – January 17, 2014

- I. Motion by Councilmember Cole, second by Councilmember Gennett, to accept the resignation of Greg Stevens as Second Ward Councilmember and from the Big Rock Point Citizens' Advisory Board.

Yeas: Cole, Gennett, Gibson, Perron, Porter
Nays: None
Absent: None

Mr. Stevens thanked Council and the citizens of the second ward for their support over the years.

V. Public Hearings

A. Public Hearing Regarding Wastewater Treatment Plan Project and Proposed Sewer Rate Increases

Mark Prein of Prein and Newhof gave a brief presentation to Council, recapping the need for the facility update and the progress of the project, including the milestone schedule. This project is being driven by the State of Michigan, who is mandating the need to reduce the amount of ammonia discharged by the plant through wastewater treatment plant improvements. During cold winter months, the temperature is too low to maintain bacteriological treatment of ammonia. Heating the water used to treat ammonia would be significantly more expensive than the proposed upgrades.

Dawn Lund of Utility Financial Solutions reviewed details of the Cost of Service Study and Financial Position. Ms. Lund also reviewed the financial impact of a 24.5% rate increase for residential, commercial, and industrial customers.

Mayor Carlson opened the item to public comment at 7:29 p.m.

Robert Timms asked if funds had been set aside over the years for depreciation. Ms. Lund explained that the Wastewater Treatment plant has not fully funded depreciation over the years, if they had, there would be a fund balance to help pay for the plant improvements.

The item was closed to public comment at 7:34 p.m.

VI. Reports

City Manager Straebel reported that he is working with MDOT and Charlevoix Township to move forward with the Lake to Lake Trail project. Due to cost overruns, Charlevoix Township is considering pulling out of the project but is allowing the City time to address their concerns. The City has contacted MDOT, and they are increasing project funding to 81.5%. The City is working on applying for additional grants as well. The project is expected to be bid in May 2014.

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Manager Straebel also reported that the City's legal firm, Young, Graham, and Eisenheimer, will be submitting a letter of resignation to be effective on the appointment of a replacement. Manager Straebel noted that Jim Young has been working for the City for 25 years, and thanked both City Attorney Young and Assistant City Attorney Bryan Graham for their many years of service.

Manager Straebel asked Council's permission to miss the March 3 meeting, as he would like to take a vacation during that time. Council agreed.

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VII. Requests, Petitions and Communications and Actions Thereon

A. Discussion Regarding City Clerk Position

Bryan Graham, Assistant City Attorney, reported that the City has received a legal opinion from the State Attorney General's office, stating that a person cannot hold both positions of County Commissioner and City Clerk, per both the City Charter and the Incompatibility of Offices Act.

Mayor Carlson asked Larry Sullivan to address Council with any questions, comments, or a decision.

Larry Sullivan stated that he would defer any decision until after the Compensation Commission had met, noting that it would be unfair to ask him to make a decision when compensation was undetermined.

Mayor Carlson reported that the previous Clerk's wage was \$41,543, and that it was not tied to set hours; however, in 2008 the Compensation Commission passed a motion recommending that any new clerk be given a base salary of 90% of the "last elected City Clerk." Mayor Carlson noted that the Compensation Commission sets the salary but that Council could provide recommendations to the Commission. The Compensation Commission is scheduled to meet on Thursday, January 23, at 4:00 p.m. at City Hall.

Mayor Carlson suggested that the Compensation Commission address issues of hierarchy reporting and posting scheduled hours.

Councilmember Gibson believes the position should require between 28-30 hours per week, no benefits, a timesheet should be required, and that there should be a posted, set schedule. Councilmember Gibson addressed the issue of salary, stating that it is unreasonable to pay an unexperienced, part time worker \$37,000 annually. She also noted that a significant amount of training will be necessary, and that training costs money.

Councilmember Porter noted that the salary changed from \$15,000 in 2000 to \$33,600 in 2004 and believes that was when an error occurred. Mayor Carlson noted that the change in salary was due to an increase in hours, which resulted in significant changes in the responsibilities of the Clerk.

Councilmember Gibson restated that she believes that the wage is too high, and that a time sheet, a posted schedule, no benefits, and required work hours be required.

Councilmember Gennett noted that any person that chose to run for the position of Clerk would only be able to make assumptions on salary, based on the previous Clerk's wage.

Mayor Carlson noted that any person that took on the job would be unable to work a second job for additional wages or benefits. Mayor Carlson also stated that, while required work hours would be beneficial, flexibility would also be an important factor for this job.

Councilmember Porter noted the difference between new Councilmember's pay and more experienced Councilmembers pay, and stated that a new, inexperienced Clerk should make significantly less than 90% of the previous Clerk.

Councilmember Gennett noted that some of the differences in Councilmember's pay is due in part to additional meetings that various Councilmembers took on. Upon questioning, Deputy Clerk Brown stated that Councilmembers receive an additional \$120/year for consecutive years of service.

Councilmember Cole stated that he agrees with both Councilmembers Gibson and Gennett: the pay is too high, but the job does not allow a person to supplement income with a second job. Additionally, Councilmember Cole believes that required work hours, accountability to the City Manager, and a set schedule should be a requirement for the position.

Manager Straebel reported that, due to the Affordable Health Care Act and that the position was developed as a non-benefited position, any required work hours would need to average less than 30 hours per week. Mayor Carlson summarized Council's recommendations: that a new Clerk be required to work 29 hours per week, submit a [bi-]weekly timesheet, and have posted hours. Council agreed. Manager Straebel also stated, for the record, that the compensation of the position was set at 90% of the previous Clerk's salary, unless the Commission should change it.

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Mr. Sullivan recommended that Council not require a set schedule. He acknowledged that there needed to be set hours for the Clerk's office, but if the Clerk is required to keep his or her hours under 30 per week, it makes it difficult to cover the office if the Deputy were to be absent for any length of time. The Clerk should be responsible for keeping the office manned during office hours.

Manager Straebel asked to be allowed to address Council about the challenges of having an elected Clerk, which he was given. Manager Straebel clarified that his statements were not directed at Mr. Sullivan, but at the situation: there has been a lot of legal issues and dissension among the community. The City has spent thousands of dollars on legal issues and the Attorney General eventually gave a determination which agreed with the City's legal counsel. He strongly recommends that the position be made into an appointed position to avoid conflict in the future.

B. Sewer Maintenance Agreement with Charlevoix Public Schools

Water/Wastewater Superintendent Steven Teunis presented the item and answered questions from Council. The City of Charlevoix Wastewater Department has maintained the lift station located on the Charlevoix High School property for the past 12 years. This work has been performed under an agreement which expired on January 1, 2014. The Superintendent of the Charlevoix Public Schools, Robert Gendron, would like to renew the agreement, and City staff is agreeable to a five year extension.

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Mayor Carlson opened the item to public comment. There was no comment, and the item was closed.

Motion by Councilmember Perron, second by Councilmember Gennett, to approve the Sewer Maintenance Agreement [between] the City of Charlevoix and Charlevoix Public Schools as outlined on pp. 44 - 45 of the [agenda] packet.

Yeas: Cole, Gennett, Gibson, Perron, Porter
Nays: None
Absent: None

C. Consideration of a Resolution to Allow Credit Card Transactions

In the past, the Charlevoix Farmers' Market has accepted credit cards for payment, which has significantly increased vendor profitability and the number of customers. Effective the summer of 2014, the Charlevoix Downtown Development Authority (DDA) will be taking over operation of the Farmers' Market, and would like to continue to offer the ability to accept credit cards. Additionally, the Recreation Department would like the ability to accept credit cards for all of its services.

Mayor Carlson opened the item to public comment. There was no comment, and the item was closed.

Action by Resolution.

D. Consideration of a Collaborative Downtown Wi-Fi Study

Community Economic Development Director Bethany Pearson presented the item and answered questions from Council. The City of Charlevoix, Charlevoix Chamber of Commerce, and Charlevoix DDA have been working with Childs Consulting Associates to develop a proposal to study the feasibility of offering free public Wi-Fi throughout the downtown area and to some of the City's public beaches. These organizations believe that free Wi-Fi could be a vehicle for economic development. At this point, the three organizations would like to move forward with Stage one, which includes concept development, field assessment, technical feasibility, determining the proper Wi-Fi type, capacity, and implementation issues and developing cost estimates. Cost of the study would be split equally by the three organizations.

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Councilmember Gibson noted that many people have internet on their phones. CED Director Pearson stated that many people do not have "smart" phones, and that "smart" phones do not have Wi-Fi, but rather access to a 3G or 4G Network. The 3G/4G Network is not as secure as Wi-Fi. At this point, Staff does not know the cost of offering Wi-Fi. That is the purpose of Stage One of this process. If the project moves forward, Stage Two would bid out the process, and Stage Three would be oversight of the project. Answers determined during Stage One will help determine if Council wants to move forward with the project.

Mayor Carlson opened the item to public comment.

Michael Doherty noted that there is free Wi-Fi available at the library and suggested that the City work with the Library to cut costs as a larger customer.

Mayor Carlson closed the item to public comment.

Motion by Councilmember Porter, second by Councilmember Cole, to approve the expenditure of \$700 per organization/for the City's share, for Childs Consulting Associates to complete Stage One of the feasibility study.

Yeas: Cole, Gennett, Gibson, Porter
Nays: Perron
Absent: None

E. Discussion of Second Ward Councilmember Vacancy

City Manager Rob Straebel presented the item and answered questions from Council. Council must take action to ensure the seat is filled within 30 days. Staff recommends that Council authorize the acceptance of applications for the position through January 29. Council could review the applications at the February 3 meeting, and take action no later than February 17.

Councilmember Porter suggested that Council should not be looking for volunteers, they should be recruiting for the position. Councilmember Porter feels that, in general, recruits are better qualified than volunteers. If someone is interested in serving on Council they can submit petitions in May. Additionally, Councilmember Porter feels the process should be expedited to ensure full representation for Second Ward.

Mayor Carlson noted that the City can do both, recruiting and asking for applications, to ensure that the process is transparent and open to all individuals. Ultimately, the decision will be made by Council appointment.

Councilmember Perron stated that he was aware of Mr. Stevens pending resignation and has been attempting to find someone to fill the vacancy. He noted that it is very difficult to find a willing, competent person; however, he knows of a person, Peggy Brennan, who is both qualified and willing. Councilmember Perron stated that, after hearing public comment, he is planning to make a motion to appoint Ms. Brennan to the position immediately.

Mayor Carlson suggested that Council wait to see who else might be interested, especially since the vacancy was just made public knowledge this evening. Councilmember Gibson stated that any other interested parties could express their interest in May by submitting petitions for the November election. Mayor Carlson stated that he believes Ms. Brennan could and would do the job well, but that public perception is important and that Council should wait two weeks to find out if anyone else is interested.

Councilmember Gennett stated that, while he is sure Ms. Brennan would do a "fine job", Council should wait until the vacancy becomes public knowledge to see if there are other interested parties.

Councilmember Cole agreed: Ms. Brennan is a qualified candidate and he has been unable to find anyone else interested, but Council should wait two weeks to find out if there are any other interested candidates.

Councilmember Gibson noted that Councilmember Perron is proposing to fill the vacancy in the same manner as its been done in the past: Council recruits a replacement and does not take applications.

Mayor Carlson opened the meeting to public comment.

Gabe Campbell noted that, in the past, Council has appointed someone they have in mind. He encouraged Council to act this evening, to ensure that his ward has full representation.

Jodi Laurent suggested that Council should wait to find out who else might be interested, rather than appointing someone that Council has selected, and she suggested that if Council did not wait the public perception would that Council is practicing "cronyism".

Michael Doherty suggested that Council wait, and that it won't hurt anything to wait.

Mayor Carlson closed the item to public comment.

Mayor Carlson restated that this is not a matter of "cronyism"; Ms. Brennan is a very qualified candidate who has served the City well in the past. He encouraged Council to wait two weeks to find out if there were other interested candidates and to ensure that the process is not rushed; he also stated that the Councilmember appointment could be the first item on the agenda and that the appointee could be sworn in at the beginning of the meeting and participate in the meeting.

Councilmember Perron stated that, based on public comment, he would wait until the next meeting to make a motion to appoint someone.

Motion by Councilmember Gennett, second by Councilmember Cole, to authorize the City Manager's office to accept applications for Second Ward Councilmember.

Yeas: Cole, Gennett
Nays: Gibson, Perron, Porter
Absent: None

MOTION FAILED.

F. Consideration to Approve EVIP Collaboration Plan for 2014

City Manager Rob Straebel presented the item and answered questions from Council. To receive a third of the City's allotment of

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revenue sharing dollars, the City must annually submit a Cooperation, Collaboration, Consolidation Plan to the State Treasurer's Office. Total revenue sharing dollars amount to approximately \$24,000. These collaborative efforts must be achievable and a final report must be sent to the State regarding the status of each effort. Manager Straebel reviewed the details of the City of Charlevoix's proposed 2014 Cooperation, Collaboration, Consolidation Plan.

Mayor Carlson opened the item to public comment. There was no public comment, and the item was closed to public comment.

Motion by Councilmember Cole, second by Councilmember Porter, to approve the City of Charlevoix's 2014 Cooperation, Collaboration, Consolidation Plan.

Yeas: Cole, Gennett, Gibson, Perron, Porter
Nays: None
Absent: None

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G. Discussion to Amend the City Charter

Manager Rob Straebel presented the item and answered questions from Council. At the January 7 meeting, Council directed staff to look into possibilities to amend the City Charter. There are two different forms of charter changes: revisions or amendments. A revision implies the examination, and rewrite, of the entire document. This type of change must be done through a nine-member, elected, Charter Commission and would take a minimum of two years. A Charter Amendment is the correction and/or clarification of one or more sections of the Charter, and may be submitted to the electors at the next election. Staff recommends that Council review the Charter, identify areas that may need to be amended, and discuss said changes.

Councilmember Gennett gave an example of a gray area in the Charter.

Mayor Carlson opened the item to public comment.

Gabe Campbell recommended that any changes wait for the November ballot, to ensure the public understands the reason for the proposed change.

Larry Sullivan addressed Council, noting that the Charter addressing duties of a Fire Chief and duties of a Police Chief. He is aware that Council is considering consolidation of the two positions and suggested that Council look at these sections of the Charter to ensure the change is allowable under the Charter.

Mayor Carlson closed the item to public comment.

Mayor Carlson addressed Mr. Sullivan's concern, stating that legal counsel had already looked into the issue and that there is nothing in the Charter to preclude one person from holding both titles of Fire Chief and Police Chief.

VIII. Introduction and Initial Actions Relating to Ordinances or to Resolutions That Require Publication or Hearings Prior to Final or Further Action
None.

IX. Resolutions

A. Consideration of a Resolution to Allow Credit Card Transactions

Motion by Councilmember Gibson, seconded by Councilmember Gennett, to approve Resolution 2014-01-03 as follows:

**CITY OF CHARLEVOIX
RESOLUTION NO. 2014-01-03**

APPROVE CREDIT CARD PAYMENTS FOR FARMERS' MARKET TRANSACTIONS, RECREATION DEPARTMENT REGISTRATIONS AND RESERVATIONS

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WHEREAS, Act 280 of the Public Acts of Michigan of 1985 authorizes units of local government to accept payments by credit card, or other electronic funds transfer card; and

WHEREAS, the City has in the past accepted credit card payments for services provided by the City Golf Course, the City Airport, the City Marina, the Electric Car Charging Station and certain City Recreational services to strengthen internal controls and provide improved customer service; and

WHEREAS, the City currently has an agreement to accept Visa and Mastercard with direct verification and validation of cards at a negotiated rate per transaction;

WHEREAS, except for the items mentioned in this resolution, the City does not wish to accept credit cards at this time for any additional services provided citizens, due to the cost; and

WHEREAS, the City has internal controls in place to monitor credit card transactions to verify the proper recording of non-cash transactions; and

NOW THEREFORE, BE IT RESOLVED, THAT THE CITY COUNCIL OF THE CITY OF CHARLEVOIX authorizes staff to provide for acceptance of payments by credit card, debit card or other electronic funds transfer card for purchasing goods at the Charlevoix Farmer's Market, for payment of services in Golf, Airport, Marina, and Electric Car Charging, and for payment of registrations and reservations in Recreation.

RESOLVED this 20th day of January, A.D. 2014.

Yeas: Cole, Gennett, Gibson, Perron, Porter
Nays: None
Absent: None

X. Ordinances

None.

XI. Miscellaneous Business

Councilmember Gibson asked if the Chamber of Commerce is subletting a portion of the building to the Convention and Visitor's Bureau (CVB) and noted that would be a violation of the lease. Manager Straebel stated that the Chamber is subletting a portion of the building, and recommended a discussion with a representative of the Chamber.

Manager Straebel asked for clarification on how Council is handling the vacant Second Ward position. Mayor Carlson reported that staff should not take applications. If an individual is interested in serving, they should contact a Councilmember, the Mayor, or the City Manager's office.

XII. Audience - Non-agenda Input (written requests take precedent)

Peggy Brennan asked if she should complete an application. Mayor Carlson stated that it was optional.

Greg Stevens addressed Council, stating his goal in his resignation had been to prevent rumors. There had not been a moving van at his house, though there was a trailer parked in the front yard since last fall. He has been anticipating the move since last November, but did not make the final move until last week.

Jodi Laurent suggested that since Council had voted to not authorize Staff to take applications for the vacant Second Ward position, that members who had voted it down should make a motion to appoint someone this evening.

XIII. Adjourn

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

There were no objections.

Meeting adjourned at 9:05 p. m.

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Stephanie Brown

Deputy City Clerk

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Norman L. Carlson, Jr.

Mayor

Accounts Payable - 01/08/2014

STATE OF MICHIGAN	95.00		
		TOTAL	95.00

Accounts Payable - 01/21/2014

ACE HARDWARE	964.96	AVFUEL CORPORATION	18,716.96
ALTEC INDUSTRIES INC	792.00	B & L SOUND INC	101.82
AMERICAN TOTAL SECURITY INC	235.00	BARRETT'S AUTO & MARINE TRIM	295.00
AMERICAN WASTE INC.	2,120.20	BIOTECH AGRONOMICS INC	14,272.44
APOLLO FIRE EQUIPMENT	857.26	BRADFORD'S	52.00
APX INC.	53.01	BY THE BAY CLEANING LLC	1,114.00
ARROW UNIFORM-TAYLOR L.L.C.	1,241.85	CARQUEST OF CHARLEVOIX	988.57
ASPEN PUBLISHERS INC.	465.00	CASSIDY, THOMAS	56.00
ASPLUNDH TREE EXPERT CO	5,556.60	CENTRAL DRUG STORE	35.49
AT&T	4,692.16	CHAIN O' LAKES DISC GOLF CLUB	1,125.00
AUTO VALUE	1,078.22	CHARLEVOIX COUNTY TREASURER	789.88

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CHARLEVOIX SEWER & DRAIN	530.00
CHARTER COMMUNICATIONS	1,000.13
CINTAS CORPORATION	67.80
CIVIC SYSTEMS	8,279.00
CLEAR WATER PLUMBING & HEATING	250.19
CNA SURETY	100.00
DAVE KRING CHEVROLET	42.68
DENBOER, MARK	76.00
DEWILDT, GARY	52.00
DIXON ENGINEERING INC	2,000.00
DTE ENERGY	1,973.71
ELLSWORTH FARMER'S EXCHANGE	1,443.50
EMERGENCY MEDICAL PRODUCTS INC	4.78
EXELBY, DON	32.00
FAMILY FARM & HOME	404.09
FASTENAL COMPANY	32.71
FAYER, CHRIS	8.00
FELS, BARBARA	8.00
GINOP SALES INC	792.67
GORDON FOOD SERVICE	174.36
GRP ENGINEERING INC.	937.17
HAMMERSMITH EQUIPMENT CO	2,725.00
HELNER, JOHN	16.00
HOLIDAY COMPANIES	11,671.46
HYDE SERVICES LLC	205.68
HYDRO DESIGNS INC.	515.00
INDEPENDENT DRAFTING SERVICES	1,856.00
JACK DOHENY SUPPLIES INC	242.76
JOHNSON, REBECCA	16.00
KENNEDY, TOM	16.00
KIRKPATRICK, TOM	80.00
KIWANIS CLUB OF CHARLEVOIX	78.00
KSS ENTERPRISES	176.84
KUHN, DOUGLAS	80.00
LAKESHORE TIRE & AUTO SERVICE	12.50
LAME, KATHLEEN	80.00
LAME, MARC	80.00
LEADERSHIP CHARLEVOIX COUNTY	200.00
LEVIN, JOHATHAN	20.00
MADDIN, RICHARD	44.00
MERIDIAN ADVISORY SERVICES	76.22
MICH ASSOC OF MUNICIPAL CLERKS	50.00
MICHIGAN LOCAL GOVERNMENT	275.00
MICHIGAN OFFICEWAYS INC	561.61
MICHIGAN WATER ENV ASSOC	60.00
MID STATES BOLT & SCREW CO	414.31
MISS DIG SYSTEM INC	82.91
MONCION, PIERRE	12.00
MONTIETH, DANIEL	8.00
MURASKY, THOMAS	72.00
NEFF, JEROLD	8.00

NEPTUNE INDUSTRIES/PLANET SNOW	16,040.00
NORTH COUNTRY POWER GENERATION	574.40
NORTHERN CREDIT BUREAU	251.80
NORTHERN MICHIGAN ELECTRIC	119.00
NORTHERN MICHIGAN REVIEW INC.	1,254.26
OLESON'S FOOD STORES	138.95
ORTWINE, MICHAEL	20.00
PARASTAR INC.	1,126.88
PARKWOOD PROPERTIES	80.00
PEARSON, BETHANY	568.20
PERFORMANCE ENGINEERS INC	515.00
POWER LINE SUPPLY	4,112.97
PURITY CYLINDER GASES INC	557.18
QUILL CORP	79.45
RAECKE, MICHAEL	4.00
ROTH, JULEE	8.00
RTI LABORATORIES INC.	111.00
S&W HEALTHCARE CORPORATION	235.10
SCANTRON CORPORATION	101.67
SCHARRER, JAMI	100.00
SECURITY SANITATION INC.	12.68
SEELEY'S PRINTING SERVICE	133.04
SEELYE, DEBRA	80.00
SHACKET, SUSAN	24.00
SIGNS LETTERS & GRAPHICS	340.00
SIMPSON ELECTRIC INC.	375.13
SPENCER, MICHAEL	248.25
STATE OF MICHIGAN	25.00
STATE OF MICHIGAN	70.00
STATE OF MICHIGAN	75.00
STATE OF MICHIGAN	256.28
SUGDEN, BARBARA	12.00
SUPERIOR MECHANICAL	245.00
SYSTEMS SPECIALISTS INC	125.00
T & R ELECTRIC	2,853.00
T & R SERVICE INC	1,908.10
TOP QUALITY GLOVE	232.50
TRAEGER, LINDSEY	100.00
TRUCK & TRAILER SPECIALTIES	266.28
UP NORTH PROPERTY SERVICES LLC	592.00
USA BLUE BOOK	610.77
UTILITY FINANCIAL SOLUTIONS	12,130.00
VILLAGE GRAPHICS INC.	56.00
WARNER, JANINE	75.56
WILLCOME TREE SERVICE	15,910.00
WILLIAMSON, HOLLY	75.00
WOODY, SCOTT	246.34
WORK & PLAY SHOP	1,124.77
WYMAN, MATT	36.50
ZD METAL PRODUCTS	71.75
TOTAL	157,855.31

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Tax Disbursement - 01/21/2014	
CHARLEVOIX COUNTY TREASURER	383.85
CHARLEVOIX COUNTY TREASURER	211,902.34
CHARLEVOIX COUNTY TREASURER	1,269.31
CHARLEVOIX DISTRICT LIBRARY	73,732.47
CHARLEVOIX PUBLIC SCHOOLS	30,826.88
CHARLEVOIX PUBLIC SCHOOLS	5,278.89
CHARLEVOIX PUBLIC SCHOOLS	276.32

CHARLEVOIX PUBLIC SCHOOLS	2,542.89
CITY OF CHARLEVOIX - TAXES DUE	76,757.12
HUNTINGTON NATIONAL BANK	245.64
PNC MORTGAGE	389.58
RECREATIONAL AUTHORITY	13,121.52
TOTAL	416,726.81

ACH Payments - 01/06/2013 - 01/17/2014	
MI PUBLIC POWER AGENCY	13,520.48
MI PUBLIC POWER AGENCY	14,480.67
STATE OF MI (Sales Tax)	19,082.28
IRS (Payroll Tax Deposit)	36,487.81
ALERUS FINANCIAL (HCSP)	380.00

STATE OF MI (Withholding Tax)	5,346.68
VANTAGEPOINT (401 ICMA Plan)	728.06
VANTAGEPOINT (457 ICMA Plan)	12,928.64
TOTAL	102,954.62

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PAYROLL: NET PAY
Pay Period Ending 01/11/2014 - Paid 01/17/2014

BRANDI, RICHARD M.	720.46	SWEM, DONALD L.	1,628.63
DOAN, GERARD P.	566.28	EATON, BRAD A.	1,572.19
ELLIOTT, PATRICK M.	384.55	WILSON, TIMOTHY J.	2,136.73
HANKINS, SCOTT A.	184.96	LAVOIE, RICHARD L.	1,424.25
HEID, THOMAS J.	484.55	STEVENS, BRANDON C.	1,126.66
IVAN, PAUL M.	452.00	WHITLEY, ANDREW T.	1,175.07
SPENCER, MICHAEL D.	551.53	ELLIOTT, PATRICK M.	1,587.17
WELLER, LINDA JO	549.66	MORRISON, KEVIN P.	1,113.50
BLANCHARD, SCOTT W.	957.73	HODGE, MICHAEL J.	1,077.23
HODGE, MICHAEL J.	234.62	WELLS JR., DONALD E.	1,279.96
LOY, EVELYN R.	485.80	BRADLEY, KELLY R.	1,366.93
MAYER, SHELLEY L.	807.66	WILSON, RICHARD J.	1,327.40
WILSON, RICHARD J.	740.91	JOHNSON, STEVEN P.	1,174.00
WURST, RANDALL W.	824.25	JONES, ROBERT F.	1,379.67
BRODIN, WILLIAM C.	793.78	DORAN, JUSTIN J.	1,423.67
ORBAN, BARBARA K.	808.14	WILKIN, AMANDA J.	757.26
ROLOFF, ROBERT P.	702.42	BOSS JR, DALE E.	1,114.57
SCHLAPPI, JAMES L.	672.18	BOSS, JAMES W.	919.97
SCHWARTZFISHER, JOSEPH L.	523.32	STEBE JR, JOHN M.	477.44
SHRIFT, PETER R.	600.41	BOSS, SHERRY M.	415.42
UMULIS, MATTHEW T.	315.91	BEHAN, DEAN T.	55.41
WELLER, LINDA JO	1,339.67	RAMSEY, MADISON L.	258.57
STRAEBEL, ROBERT J.	2,186.47	BERTINELLI, DAVID P.	461.61
BRANDI, RICHARD M.	1,797.20	STEBE, CATHERINE M.	369.90
LOY, EVELYN R.	997.09	STEVENS, RODNEY M.	330.37
KLOOSTER, ALIDA K.	1,506.26	ARNOLD, HAILEE M.	280.31
BROWN, STEPHANIE C.	1,258.79	HOLM, ARTHUR R.	534.70
SPENCER, MICHAEL D.	1,518.04	HEID, THOMAS J.	1,248.98
SPENCLEY, PATRICIA L.	1,227.45	STEIN, DONNA E.	120.07
NASH, JENNIFER B.	345.73	WOODY, SCOTT R.	1,523.84
PANOFF, ZACHARY R.	395.89	LUNDHOLM, ROBERT A.	609.39
PEARSON, BETHANY S.	1,224.97	HAND, HEATHER K.	841.78
ZIELINSKI, JOSEPH A.	1,586.40	TABER, HOLLY S.	567.71
DOAN, GERARD P.	1,380.55	CROFT, JAMES E.	189.78
SHRIFT, PETER R.	1,220.21	WYMAN, MATTHEW A.	625.93
SCHLAPPI, JAMES L.	1,306.30	STEVENS, JEFFREY W.	485.07
UMULIS, MATTHEW T.	1,563.97	ROLOFF, AUDREY M.	1,065.28
HANKINS, SCOTT A.	1,443.20	MATTER, DAWSON K.	929.01
ORBAN, BARBARA K.	1,521.24	MARSH JR., JAMES D.	31.40
TRAEGER, JASON A.	1,288.68	RILEY, TIMOTHY C.	128.71
WARNER, JANINE M.	939.22	RAMSEY, KYLE J.	13.21
IVAN, PAUL M.	1,693.56	RILEY, CASEY W.	27.70
SCHWARTZFISHER, JOSEPH L.	971.85	THORMAN, MIKAYLA R.	171.81
ROLOFF, ROBERT P.	2,467.25	JONES, LARRY M.	427.55
BRODIN, WILLIAM C.	1,539.44	TRAVERS, MANUEL J.	150.65
RILEY, DENISE M.	320.61	SCOTT JR., WINFIELD	66.07
TEUNIS, STEVEN L.	1,772.79	SILVA, JESSE L.	49.32
WURST, RANDALL W.	1,329.95	KITELEY, FISHER L.	52.86
MAYER, SHELLEY L.	1,683.11	COLLINS, CHAD M.	562.64
HILLING, NICHOLAS A.	1,274.96	RILEY, DANIEL A.	893.44
MEIER III, CHARLES A.	1,518.10	BERGMANN, DOUGLAS M.	52.86
NISWANDER, JOSEPH F.	1,255.82	SCHOOF, WILLIAM R.	477.96
BLANCHARD, SCOTT W.	1,722.73	VANLOO, JOSEPH G.	435.00
FRYE, EDWARD J.	936.79	ZACHARIAS, STEVEN B.	1,234.14
JONES, TERRI L.	1,011.70	TOTAL	97,657.86

DRAFT

PAYROLL: TRANSMITTAL
01/17/2014

AMERICAN FAMILY LIFE	182.40	MI STATE DISBURSEMENT UNIT	596.19
AMERICAN FAMILY LIFE	269.17	NORTHWESTERN BANK	150.00
BAY WINDS FEDERAL CREDIT UNION	170.00	PRIORITY HEALTH	942.91
CHAR EM UNITED WAY	84.54	TENHOUTEN RINGSTROM, PLLC	97.21
CHARLEVOIX STATE BANK	1,016.16		
COMMUNICATION WORKERS OF AMER	537.18	TOTAL	4,045.76

Check Number	Payee	Amount
01/22/2014		
108667	AT&T MOBILITY	72.09
108668	CHARLEVOIX STATE BANK	2,537.87
108669	DELTA DENTAL	4,514.90
108670	GREAT LAKES ENERGY	226.70
108671	PRIORITY HEALTH	45,459.77
108672	STANDARD INSURANCE CO	1,409.39
108673	VERIZON WIRELESS	56.72
108674	VISION SERVICE PLAN	517.80
Total 01/22/2014:		54,795.24
Grand Totals:		54,795.24

Summary of Check Registers & ACH Payments

FIRST MERIT BANK - CHECKS ISSUED

01/22/14 Special Accounts Payable Run	\$	54,795.24
01/31/14 Payroll	\$	79,811.01
01/31/14 Payroll Transmittal Checks	\$	4,094.88
02/04/14 Regular Accounts Payable	\$	117,387.58
Checks Sub-Total:		\$ 256,088.71

FIRST MERIT BANK - ACH PAYMENTS

01/21/14 MI Public Power Agency	\$	22,378.74
01/27/14 MI Public Power Agency	\$	272,066.68
01/31/14 IRS (Payroll Tax Deposit)	\$	30,804.80
01/31/14 Alerus Financial (HCSP)	\$	380.00
01/31/14 State of MI (Withholding Tax)	\$	4,376.16
01/31/14 Vantagepoint (401 ICMA Plan)	\$	728.06
01/31/14 Vantagepoint (457 ICMA Plan)	\$	12,837.92
01/31/14 MERS (Defined Benefit Plan)	\$	38,921.56
ACH Sub-Total:		\$ 382,493.92

First Merit Bank Total: \$ 638,582.63

CHARLEVOIX STATE BANK - CHECKS ISSUED

(PROPERTY TAX DISBURSEMENT TO VARIOUS TAXING AUTHORITIES)

02/04/14 Tax Disbursement	\$	145,393.07
Charlevoix State Bank Total:		\$ 145,393.07
Grand Total:		\$ 783,975.70

APPROVED:


CITY MANAGER


CITY TREASURER


DEPUTY CITY CLERK

Check Number	Payee	Amount
02/04/2014		
108700	ACCESS LOCKSMITHING INC	240.00
108701	AIRGAS USA LLC	1,016.37
108702	ALL-PHASE ELECTRIC SUPPLY CO.	272.46
108703	ARGUS/HAZCO	196.61
108704	ASPLUNDH TREE EXPERT CO	2,778.30
108705	AT&T LONG DISTANCE	827.49
108706	AVFUEL CORPORATION	1,400.00
108707	B & L SOUND INC	190.96
108708	BEHAN WINDOW CLEANING	200.00
108709	BLARNEY CASTLE OIL CO	1,373.26
108710	BOUND TREE MEDICAL LLC	1,490.00
108711	BRANDI, RICHARD	41.00
108712	BROIDA, EDWARD	3.17
108713	CCP INDUSTRIES INC	326.12
108714	CHARLEVOIX TOWNSHIP	15.23
108715	CINTAS CORPORATION	108.62
108716	CROSSROADS MOBILE MAINTENANC	3,233.38
108717	CRYSTAL FLASH ENERGY	1,548.20
108718	CSI EMERGENCY APPARATUS LLC	4,366.73
108719	DCASSESSING SERVICES	4,291.92
108720	DOAN, GERARD	41.00
108721	DTE ENERGY	2,604.87
108722	ELLIOTT, PATRICK M.	41.00
108723	ETNA SUPPLY	246.52
108724	EVANS, HAL	41.00
108725	FREIDINGER M.D., REED K.	85.00
108726	GALLS AN ARAMARK COMPANY	216.20
108727	GEMPLER'S	106.30
108728	HACH COMPANY	270.37
108729	HAND, HEATHER	41.00
108730	HANKINS, SCOTT	41.00
108731	HARBOR HOUSE PUBLISHERS	1,175.00
108732	HEID, THOMAS J.	41.00
108733	HYDE SERVICES LLC	220.17
108734	INDEPENDENT DRAFTING SERVICES	1,984.00
108735	INTERMARK	122.75
108736	IRONWOOD OIL COMPANY	960.00
108737	IVAN, PAUL	41.00
108738	JACK DOHENY SUPPLIES INC	1,353.29
108739	KSS ENTERPRISES	182.26
108740	LAVOIE, RICHARD	28.00
108741	MICHIGAN MUNICIPAL ELECTRIC	9,137.00
108742	MICHIGAN SCIENTIFIC CORPORATIO	1,420.44
108743	MID STATES BOLT & SCREW CO	266.37
108744	MONTIETH, DANIEL	20.00
108745	NASH, JENNIFER	41.00
108746	NETSOURCE ONE INC.	207.16
108747	NFPA	165.00

Check Number	Payee	Amount
108748	NORTH COAST FASTENERS LLC	36.19
108749	NORTH COUNTRY POWER GENERATI	1,722.50
108750	NORTHERN MICHIGAN JANITORIAL	113.55
108751	NYE UNIFORM CO	126.12
108752	OTEC	203.00
108753	PEARSON, BETHANY	41.00
108754	PERFORMANCE ENGINEERS INC	8,987.50
108755	PLUNKETT & COONEY	160.00
108756	POWER LINE SUPPLY	3,420.05
108757	PREIN & NEWHOF	45,414.90
108758	RELIABLE OFFICE SUPPLIES	321.37
108759	RIZE, KEVIN	225.00
108760	SCHMUCKAL OIL CO	1,335.15
108761	SEIDEL, AMANDA	34.31
108762	SIMMONS, RICHARD	60.33
108763	SPENCER, MICHAEL	41.00
108764	STATE OF MICHIGAN	407.59
108765	STEVENS, BRANDON	28.00
108766	STRAEBEL, ROBERT J.	41.00
108767	SWEM, DONALD L.	41.00
108768	TANK, JAMES	12.27
108769	TERMINAL SUPPLY CO	292.97
108770	TEUNIS, STEVEN	41.00
108771	TRUCK & TRAILER SPECIALTIES	1,932.65
108772	USA BLUE BOOK	135.24
108773	WELLER, LINDA	59.59
108774	WHITLEY, ANDREW	28.00
108775	WILKIN, AMANDA	41.00
108776	WINDER POLICE EQUIPMENT	541.28
108777	WOODY, SCOTT	41.00
108778	YOUNG GRAHAM	6,443.50
108779	ZIELINSKI, JOSEPH A.	41.00
Total 02/04/2014:		117,387.58
Grand Totals:		117,387.58

Check Number	Payee	Amount
01/21/2014		
12114001	MICHIGAN PUBLIC POWER AGENCY	22,378.74
Total 01/21/2014:		22,378.74
Grand Totals:		22,378.74

Check Number	Payee	Amount
01/27/2014		
12714001	MICHIGAN PUBLIC POWER AGENCY	18,616.19
12714002	MICHIGAN PUBLIC POWER AGENCY	253,450.49
Total 01/27/2014:		272,066.68
Grand Totals:		272,066.68

Check Number	Payee	Amount
02/04/2014		
2293	CHARLEVOIX COUNTY TREASURER	84,932.12
2294	CHARLEVOIX DISTRICT LIBRARY	34,000.83
2295	CHARLEVOIX PUBLIC SCHOOLS	226.82
2296	CHARLEVOIX PUBLIC SCHOOLS	31.45
2297	CHARLEVOIX PUBLIC SCHOOLS	1.48
2298	CHARLEVOIX PUBLIC SCHOOLS	15.30
2299	CITY OF CHARLEVOIX - TAXES DUE	20,134.22
2300	RECREATIONAL AUTHORITY	6,050.85
Total 02/04/2014:		145,393.07
Grand Totals:		145,393.07

CHECKS DRAWN ON CHARLEVOIX STATE BANK ACCOUNT

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
01/25/2014	PC	01/31/2014	16981	WELLER, LINDA JO	101		1,339.67
01/25/2014	PC	01/31/2014	16982	STRAEBEL, ROBERT J.	102		2,186.47
01/25/2014	PC	01/31/2014	16983	BRANDI, RICHARD M.	110		1,797.20
01/25/2014	PC	01/31/2014	16984	LOY, EVELYN R.	117		997.09
01/25/2014	PC	01/31/2014	16985	KLOOSTER, ALIDA K.	121		1,290.45
01/25/2014	PC	01/31/2014	16986	BROWN, STEPHANIE C.	126		1,386.66
01/25/2014	PC	01/31/2014	16987	SPENCER, MICHAEL D.	132		1,518.04
01/25/2014	PC	01/31/2014	16988	SPENCLEY, PATRICIA L.	136		1,077.77
01/25/2014	PC	01/31/2014	16989	NASH, JENNIFER B.	138		501.47
01/25/2014	PC	01/31/2014	16990	PANOFF, ZACHARY R.	141		820.00
01/25/2014	PC	01/31/2014	16991	MILLER, FAITH G.	142		15.38
01/25/2014	PC	01/31/2014	16992	PEARSON, BETHANY S.	143		1,224.96
01/25/2014	PC	01/31/2014	16993	ZIELINSKI, JOSEPH A.	144		1,586.39
01/25/2014	PC	01/31/2014	16994	DOAN, GERARD P.	201		1,211.68
01/25/2014	PC	01/31/2014	16995	SHRIFT, PETER R.	203		1,141.71
01/25/2014	PC	01/31/2014	16996	SCHLAPPI, JAMES L.	204		1,256.58
01/25/2014	PC	01/31/2014	16997	UMULIS, MATTHEW T.	205		1,287.03
01/25/2014	PC	01/31/2014	16998	HANKINS, SCOTT A.	208		1,443.21
01/25/2014	PC	01/31/2014	16999	ORBAN, BARBARA K.	209		1,244.31
01/25/2014	PC	01/31/2014	17000	TRAEGER, JASON A.	210		1,223.27
01/25/2014	PC	01/31/2014	17001	WARNER, JANINE M.	213		939.21
01/25/2014	PC	01/31/2014	17002	IVAN, PAUL M.	301		1,693.56
01/25/2014	PC	01/31/2014	17003	SCHWARTZFISHER, JOS	303		1,027.79
01/25/2014	PC	01/31/2014	17004	ROLOFF, ROBERT P.	304		1,121.71
01/25/2014	PC	01/31/2014	17005	BRODIN, WILLIAM C.	305		1,348.27
01/25/2014	PC	01/31/2014	17006	RILEY, DENISE M.	306		320.61
01/25/2014	PC	01/31/2014	17007	TEUNIS, STEVEN L.	402		1,772.79
01/25/2014	PC	01/31/2014	17008	WURST, RANDALL W.	411		1,293.57
01/25/2014	PC	01/31/2014	17009	MAYER, SHELLEY L.	412		1,234.31
01/25/2014	PC	01/31/2014	17010	HILLING, NICHOLAS A.	413		1,109.76
01/25/2014	PC	01/31/2014	17011	MEIER III, CHARLES A.	421		1,946.19
01/25/2014	PC	01/31/2014	17012	ZACHARIAS, STEVEN B.	422		1,239.59
01/25/2014	PC	01/31/2014	17013	NISWANDER, JOSEPH F.	504		1,383.66
01/25/2014	PC	01/31/2014	17014	FRYE, EDWARD J.	508		936.79
01/25/2014	PC	01/31/2014	17015	JONES, TERRI L.	511		1,011.70
01/25/2014	PC	01/31/2014	17016	EATON, BRAD A.	515		1,700.03
01/25/2014	PC	01/31/2014	17017	WILSON, TIMOTHY J.	516		1,928.15
01/25/2014	PC	01/31/2014	17018	LAVOIE, RICHARD L.	519		1,225.35
01/25/2014	PC	01/31/2014	17019	STEVENS, BRANDON C.	521		1,173.88
01/25/2014	PC	01/31/2014	17020	DRAVES, MARTIN J.	523		294.48
01/25/2014	PC	01/31/2014	17021	ELLIOTT, PATRICK M.	600		1,587.16
01/25/2014	PC	01/31/2014	17022	WELLS JR., DONALD E.	609		1,234.89
01/25/2014	PC	01/31/2014	17023	BRADLEY, KELLY R.	614		1,309.00
01/25/2014	PC	01/31/2014	17024	WILSON, RICHARD J.	615		1,503.20
01/25/2014	PC	01/31/2014	17025	JONES, ROBERT F.	618		1,558.84
01/25/2014	PC	01/31/2014	17026	DORAN, JUSTIN J.	621		1,591.52
01/25/2014	PC	01/31/2014	17027	WILKIN, AMANDA J.	700		734.22
01/25/2014	PC	01/31/2014	17028	MURPHY IV, MICHAEL J.	732		227.33
01/25/2014	PC	01/31/2014	17029	BEHAN, HALEY C.	734		203.89
01/25/2014	PC	01/31/2014	17030	RAMSEY, MADISON L.	752		305.43
01/25/2014	PC	01/31/2014	17031	BERTINELLI, DAVID P.	764		461.61
01/25/2014	PC	01/31/2014	17032	ARNOLD, HAILEE M.	768		261.57
01/25/2014	PC	01/31/2014	17033	WITTHOEFT, MARVIN J.	769		166.23
01/25/2014	PC	01/31/2014	17034	HAGEN, AARON W.	770		147.50
01/25/2014	PC	01/31/2014	17035	HEID, THOMAS J	802		1,248.98
01/25/2014	PC	01/31/2014	17036	STEIN, DONNA E.	830		112.14
01/25/2014	PC	01/31/2014	17037	WOODY, SCOTT R.	900		1,523.84

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
01/25/2014	PC	01/31/2014	17038	VANLOO, JOSEPH G.	902		261.04
01/25/2014	PC	01/31/2014	17039	LUNDHOLM, ROBERT A.	911		305.04
01/25/2014	PC	01/31/2014	17040	HAND, HEATHER K.	913		841.78
01/25/2014	PC	01/31/2014	17041	TABER, HOLLY S.	924		598.42
01/25/2014	PC	01/31/2014	17042	CROFT, JAMES E.	926		111.05
01/25/2014	PC	01/31/2014	17043	WYMAN, MATTHEW A.	927		794.61
01/25/2014	PC	01/31/2014	108675	STEVENS, GREGORY L.	47		182.30
01/25/2014	PC	01/31/2014	108676	BLANCHARD, SCOTT W.	505		1,671.79
01/25/2014	PC	01/31/2014	108677	SWEM, DONALD L.	512		1,628.63
01/25/2014	PC	01/31/2014	108678	WHITLEY, ANDREW T.	522		1,175.07
01/25/2014	PC	01/31/2014	108679	MORRISON, KEVIN P.	601		1,647.88
01/25/2014	PC	01/31/2014	108680	HODGE, MICHAEL J.	606		1,188.54
01/25/2014	PC	01/31/2014	108681	JOHNSON, STEVEN P.	617		1,596.45
01/25/2014	PC	01/31/2014	108682	BOSS JR, DALE E.	701		1,114.57
01/25/2014	PC	01/31/2014	108683	BOSS, JAMES W.	719		919.97
01/25/2014	PC	01/31/2014	108684	STEBE JR, JOHN M.	729		399.16
01/25/2014	PC	01/31/2014	108685	BOSS, SHERRY M.	730		329.11
01/25/2014	PC	01/31/2014	108686	BEHAN, DEAN T.	733		217.83
01/25/2014	PC	01/31/2014	108687	STEBE, CATHERINE M.	765		310.54
01/25/2014	PC	01/31/2014	108688	STEVENS, RODNEY M.	766		277.51
01/25/2014	PC	01/31/2014	108689	HOLM, ARTHUR R.	791		576.53
01/25/2014	PC	01/31/2014	108690	STEVENS, JEFFREY W.	1028		235.10
Grand Totals:			79				79,811.01

Report Criteria:

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

Pay Period Date	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
01/25/2014	01/31/2014	108691	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-POST	182.40
01/25/2014	01/31/2014	108691	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-PRETA	269.17
01/25/2014	01/31/2014	108692	BAY WINDS FEDERAL C	9024	HSA-EMPLOYEE CONTRIB-BAY	200.00
01/25/2014	01/31/2014	108693	CHAR EM UNITED WAY	9009	UNITED WAY Pay Period: 1/25/2	84.54
01/25/2014	01/31/2014	108694	CHARLEVOIX STATE BA	9017	HSA - EMPLOYEE CONTRIB - C	1,016.16
01/25/2014	01/31/2014	108695	COMMUNICATION WORK	9004	CWA UNION DUES Pay Period:	566.53
01/25/2014	01/31/2014	108696	MI STATE DISBURSEME	9012	FRIEND OF THE COURT Pay P	596.19
01/25/2014	01/31/2014	108697	NORTHWESTERN BANK	9018	HSA - EMPLOYEE CONTRIB - N	150.00
01/25/2014	01/31/2014	108698	PRIORITY HEALTH	392358	PRIORITY HEALTH Pay Period:	942.91
01/25/2014	01/31/2014	108699	TENHOUTEN RINGSTRO	9019	GARNISHMENT PER 90TH DIST	86.98
Grand Totals:		10				4,094.88

Check Issue Date	Check Number	Payee	Amount
13114001			
01/31/2014	13114001	**EFTPS* Payroll Taxes	7,619.64
01/31/2014	13114001	**EFTPS* Payroll Taxes	7,619.64
01/31/2014	13114001	**EFTPS* Payroll Taxes	1,782.02
01/31/2014	13114001	**EFTPS* Payroll Taxes	1,782.02
01/31/2014	13114001	**EFTPS* Payroll Taxes	12,001.48
Total 13114001:			
	5		30,804.80
13114002			
01/31/2014	13114002	Alerus Financial	380.00
Total 13114002:			
	1		380.00
13114003			
01/31/2014	13114003	STATE OF MICHIGAN	4,376.16
Total 13114003:			
	1		4,376.16
13114004			
01/31/2014	13114004	Vantagepoint - 401 Plan 109153	728.06
Total 13114004:			
	1		728.06
13114005			
01/31/2014	13114005	Vantagepoint - 457 Plan 300959	5,053.64
01/31/2014	13114005	Vantagepoint - 457 Plan 300959	36.56
01/31/2014	13114005	Vantagepoint - 457 Plan 300959	1,756.93
01/31/2014	13114005	Vantagepoint - 457 Plan 300959	5,990.79
Total 13114005:			
	4		12,837.92
Grand Totals:			
	12		49,126.94

<u>Check Number</u>	<u>Payee</u>	<u>Amount</u>
01/31/2014		
13114006	MERS	38,921.56
Total 01/31/2014:		38,921.56
Grand Totals:		38,921.56

CHARLEVOIX CITY COUNCIL

AGENDA ITEM

AGENDA ITEM TITLE: Consideration to Fill Second Ward City Council Vacancy

DATE: February 3, 2014

PRESENTED BY: Mayor Carlson

ATTACHMENTS: Doherty Application

BACKGROUND INFORMATION: City Council needs to appoint a Second Ward resident to fill the vacant City Council seat because of the recent resignation of Greg Stevens.

The vacancy will be filled for the remaining portion of the vacant term. The term expires in November of 2014.

Mr. Doherty requested that the attached application be forwarded to Council. The application was unsolicited.

RECOMMENDATION: Make a motion on to appoint a Second Ward resident to fill the vacant City Council position.

RECEIVED

JAN 29 2014

City of Charlevoix
Application for Second Ward Councilmember
January 2014

CITY OF CHARLEVOIX

Date: January 29, 2014

Name: C. Mike Doherty

Address: 410 Mason St Charlevoix

Phone: 231-437-3389 Cell Phone: 517-719-8432 Email: cmikedoherty@gmail.com

Business Phone: 517-719-8432 May we call you there? yes

Describe the reasons you are interested in serving as a Councilperson: To help the council make good business decisions that enhance the community.

Describe any background, experience and interests that you have which may assist you in performing the responsibilities of this appointment:

Occupation: Retired Battalion Chief (LFD), Emeritus Realtor, Builder
Education: BS from CMU, Continuing Education for Real Estate
Experience: Excellent people person, social skills CON Ed for Building
(Please attach a detailed resume if desired) and problem solving.

Have you served on any previous boards or in any governmental positions in the past: If yes, please explain: Board of Realtors (Lansing), Elder in Lutheran Church, Kiwanis Board of Director (East Lansing), Co-Chair of Building Committee, Professional Standard Committee,

Are you available for night meetings? yes Daytime meetings? yes

Do you foresee any potential conflicts of interest that you might have in executing the duties of this appointed position? If yes, please explain: NO

If a conflict of interest arose for you, how would you deal with it as an appointed member of this board? I would communicate with the Board what I thought the conflict was and let them make a decision regarding the final verdict.

Please return this application to the City of Charlevoix Manager Office. It can be returned in person, by mail to 210 State Street, Charlevoix, MI 49720, by fax to 231.547.3617 or by email to mgr@cityofcharlevoix.org

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Redevelopment Liquor License Application, 202 Bridge Street

DATE: February 3, 2014

PRESENTED BY: CED Director Bethany Pearson and Deputy Clerk Stephanie Brown

ATTACHMENTS: Liquor License application AND Redevelopment Liquor License Addendum from Round Lake Group, LLC
Bridge Street Tap Room Project Outline
Proposed Resolution 2014-02-##

BACKGROUND INFORMATION:

The Bridge Street Tap Room is a new business that will be opening in downtown Charlevoix in April of 2014. They will be located at 202 Bridge Street and will also be utilizing the back half of 210 Bridge Street for kitchen facilities. The restaurant will be a year round business that will feature more than 30 types of craft microbrews and will serve small plates, tapas, and other small locally sourced gourmet offerings. The business will utilize outdoor seating in the summer season.

Partners in the business venture include Phil Parr, former hospitality manager of the Inn at Bay Harbor; Aaron Hagen, wine and hospitality expert formally with Esperance; Adam Engleman, former customer service manager at the Inn at Bay Harbor; and Rich Bergman, a Charlevoix resident with more than 35 years in business and operations management.

At the recent economic development forum this fall a brewery/tap room was named as the type of business that locals not only desired the most but also the one that they would frequent and spend the most money at. At the January 27th meeting, the DDA was overwhelmingly supportive of this business venture. The DDA has called a special meeting for Friday, January 31st to review the application. Pending the appropriate paperwork the DDA's recommendation for approval will be given to City Council at the February 3rd meeting.

The gentleman listed above provided the DDA with an overview of their business plan and have followed all the necessary requirements and paperwork to be eligible for a redevelopment liquor license from the State of Michigan pending approval from City Council.

In 2000, the Charlevoix city Council adopted Chapter 77, Liquor Licenses. This chapter outlines the application process for a new license, or for transfer of an existing license. A copy of Round Lake Group Inc.'s application is attached.

REQUIREMENTS FOR APPROVAL:

Council's evaluation of the liquor license transfer should consider the following factors:

1. Whether the applicant, or if a partnership or corporation any member of the partnership or corporation, has been denied a license in the past seven (7) years and the reasons for the denial.
2. Whether the application is complete and contains all of the information required by this ordinance.
3. Whether the application shows compliance with applicable city ordinances regarding off-street parking, lighting, refuse disposal facilities and landscaping/screening and, additionally, noise control.

4. The impact of the proposed license and associated business on the occupants and owners of adjoining properties.
5. Whether the proposed license and associated business will adversely affect traffic safety.
6. Accessibility to the sight from abutting roads.
7. The distance from public or private schools for minors.
8. Whether the business will cause noise which would so that public or private land will be adversely affected.

Requirements for license – new and/or transfer. Regardless of the City Council's evaluation of the above factors, no license shall be issued under the following conditions:

1. A person whose license, under this Ordinance, has been revoked for cause. **Not applicable.**
2. A person who, at the time of the application or renewal of any license issued hereunder, would not be eligible for such license upon a first application. **Not applicable.**
3. A person who does not own the premises for which a license is sought or does not have a lease therefor for the full period for which the license is issued, or to a person, corporation or co-partnership that does not have sufficient financial assets to carry on or maintain the business. **Attached: Statement from Owner's attorney to the effect that Round Lake Group has a one year lease with option to purchase or extend the lease.**
4. A person on whose premises there exists a violation of the applicable building, electrical, mechanical, plumbing or fire codes, applicable zoning regulations, applicable public health regulations, or any other applicable city ordinance. **No known violations.**
5. A person whose application proposes a use which would be in violation of any city zoning or police power ordinance, or state or federal law. **Not applicable.**
6. A person in situations where there are delinquent unpaid real estate taxes and/or personal property taxes relating to the real estate or business which has been used, is used or will be used in conjunction with the license. **Real and Property Taxes are current. Delinquent Personal are unrelated to this unit.**
7. A person where it is determined by a majority of the city council that the premises for which the license has been requested do not or will not within six (6) months after commencement of operations, have adequate off-street parking, lighting, refuse disposal facilities, screening, noise, or nuisance control or where a nuisance does or will exist. **Planner Spencer has reviewed and has no concerns.**
8. A person whose licensing activity will expand or intensify a non-conforming use under the city zoning ordinance. **Not applicable.**

RECOMMENDATION:

Council must choose whether or not to hold a public hearing. There are two possible motions:

Motion to set a public hearing for Monday, February 17, 2014 at 7:00 p.m. for the purpose of considering a resolution to approve or disapprove a resolution for local government approval of a Redevelopment liquor license.

OR

Motion to approve (or disapprove) Resolution 2014-02-xx, Local Government Approval.

CITY OF CHARLEVOIX

Liquor License Application

You MUST answer all questions and include all attachments or this application will be returned to you. Bring or mail this application to the City Clerk, City of Charlevoix, 210 State Street, Charlevoix, Michigan 49720.

This form is designed to conform to the Michigan Liquor Control Code of 1998 being Public Act 1998 No. 58 (MCL 436.1101, et seq), and the City of Charlevoix Liquor License Ordinance.

Approval of a new liquor license or the transfer of an existing license is not a determination that the applicant has complied with other ordinances or regulations.

I. **APPLICANT INFORMATION** (if more than one applicant, please attach separate sheet):

Name of individual or business entity: The Round Lake Group LLC

- A. If the business entity is a partnership or a limited liability company provide the name of person or persons entitled to share in the profits of the partnership or limited liability company (attach separate sheets if needed):

Rich Bergmann SEE ATTACHED SHEET

- B. If the business entity is a corporation, provide the names and addresses of the officers and directors of the corporation (attach separate sheets if needed):

Rich Bergmann AARON HAGEN

12889 Dehman Ln 304 MASON ST

Charlevoix, MI 49720 CHARLEVOIX, MI 49720

~~Phil Parr~~ Phil Parr Adam Engelman

212 MASON ST Apt. 1 912 Regent Ct.

CHARLEVOIX, MI 49720 POBOSKEY, MI 49770

If a majority interest in the stock of such corporation is held by one person or one person's nominee, please provide the name and address of such person:

City of Charlevoix

Liquor License Application

- I. Applicant Information
 - A. Phil Parr Aaron Hagen Adam Engelman

II. CITIZENSHIP

Provide proof of the citizenship of the applicant and all persons listed in Paragraph I, above. Attach copy of current passport OR attach copies of two forms of identification, such as Driver's License, State ID, or Social Security card. X

If the applicant or any of the parties listed in Paragraph I above is/are a naturalized citizen of the United States, please provide the date(s) and place(s) of where citizenship was received.

III. ATTACHMENTS

All of the following attachments **MUST** be included. Label each attachment as shown.

- A. Character of the proposed business including a description of services to be provided to patrons and the manner in which intoxicating liquor will be sold. ✓
- B. The length of time the applicant has been in the business of selling intoxicating liquor, either in a retail business or in a tavern or restaurant establishment. ✓
- C. A statement including a map showing a location of the premises or place of business which is to be operated under the liquor license, including:
 - (i) Street address and, if applicable, post office box number; ✓
 - (ii) A legal description of the premises or place of business including the applicant's ownership interest in the premises and business, and the zoning district in which the premises or place of business is located; ✓
 - (iii) A statement as to whether the applicant will offer entertainment at the licensed premise or place of business, and a description of the kind(s) of entertainment to be offered. This statement must address whether any entertainment will include public nudity. If the applicant is a corporation, attach the corporation's Articles of Incorporation, state in which incorporated, and proof of the date such a corporation was approved by the incorporating state. ✓
- D. A copy of the building and site plan showing the entire structure and premises, specifically the areas within the building or structure where the license is to be utilized. Such site plan should demonstrate adequate off-street parking, lighting, refuse disposal facilities and plans, if any, for screening and noise control. A copy of a development plan which has previously been approved by the City is acceptable. ✓
- E. All copies of financial information and documents provided to the Michigan Liquor Control Commission regarding financial responsibility. X
- F. Please state whether the applicant has made an application for a similar liquor license on any premises other than the one described in this application and the disposition of that application. ✓

IV. CONVICTION AND DISQUALIFICATION

Applicant certifies that the applicant or the individuals named in Paragraph I of this application with applicant being a duly authorized disclosed agent of any corporation or partnership listed in this application certifies applicant and all listed individuals listed on this application have never been convicted of a felony and that applicant and other individuals listed in this application are not disqualified and have never been disqualified to receive a license by reason of any matter or thing contained in this ordinance or in the laws of the State of Michigan.

V. STATEMENT OF GOOD FAITH

Applicant certifies that applicant or the individuals named in Paragraph I of this application with applicant being a duly authorized disclosed agent of the corporation and/or partnership listed in this application states that applicant and all named individuals listed in Paragraph I will not violate any of the laws of the State of Michigan or the United States or any ordinances of the City of Charlevoix in the conduct of the business.

VI. AFFIDAVIT AND PERMISSION FOR CITY, COUNTY AND STATE OFFICIALS TO ENTER THE PROPERTY FOR INSPECTIONS:

I agree the statements made above are true, and if found not to be true, this application and any approval will be void. Further, I agree to comply with the conditions and regulations in the Michigan Liquor Control Code of 1998 and the Charlevoix City Code. Further, I agree to give permission for officials of the City of Charlevoix, Charlevoix County, and the State of Michigan to enter the property and any structures thereon where the licensed premises is located for purposes of inspection during normal business hours. Further, I understand that this is only a liquor license application and that such license conveys certain rights under the Charlevoix City Code and the Michigan Liquor Control Code, being Public Act 1998 No. 58, MCL 436.1101 et seq, and does not include any representation or conveyance of rights in any other statute, zoning under the City of Charlevoix's Code, or other property rights.

Finally, even if this liquor license is approved, I understand the City of Charlevoix Code and state statutes change from time to time. Therefore, I hereby acknowledge that any approval of this liquor license is subject to any change in the Charlevoix City Code or state statute as authorized by law.

Applicant's Signature:  Date: 01/29/2014

For office use only

Reviewer's action: Total fee: \$ 100⁰⁰ Check # 1039 Date received: 1-29-14 

This matter was: Approved / Denied by action of the City Council on _____

Signature: _____

Title: _____

City of Charlevoix

Liquor License Application

III. Attachments

- A. The character of the proposed business will be structured as a Tap Room, with the bar setting the stage for the experience, accompanied ^{III} by bistro tables and a feast table that overlook the stunning views of Round Lake and Bridge Park. Food, beverage and entertainment services will be provided. The manner in which intoxicating beverages will be sold will be in accordance with all state and local laws, and will be done so in a responsible manner in which we show our guests new and exciting products (See attached presentation for additional information).
- B. The four partners in the Round Lake Group, LLC have all worked in various positions in the restaurant industry responsible for ordering and serving intoxicating liquor, as well as training staff on doing so. Though none of the partners have owned a business in this capacity, together we have over 20 years in this business.
- C. (See attached presentation for a map showing location of the premise)
- I. 202 Bridge Street & P.O. Box 28
 - II. We will be leasing the space for one year with option to purchase or extend the lease. We are located within the City of Charlevoix and the DDA zoning district, and furthermore within the Central Business District of the DDA Zoning. *legal description attached*
 - III. We will offer acoustic entertainment respectfully ending at 11 p.m. and our entertainment WILL NOT include any public nudity.
- D. See attached building and site plan
- E. See attached financial information and documents.
- F. The applicant has not made an application for a similar liquor license on any other premise.

A New Experience



- Our tap room will feature exciting micro-brews, with an emphasis on Michigan breweries
- A tapas style dining experience, offering a variety of small and shared plates
- Leveraging locally sourced ingredients from our farmers, vendors, and suppliers
- A bright and open atmosphere showcasing the beauty of Round Lake, the bridge, and the energy of downtown Charlevoix

Parcel 052-205-002-00



Close This Window

Property Address and Owner Information

Property Address: BRIDGE ST
CHARLEVOIX, MI 49720

Owner Information: LSB VENTURES LLC
8534 KEMPER RD
CINCINNATI, OH 45249

Taxpayer Information: See Owner Information

Property Information

Property Class: 201 - COMMERCIAL
School District: 15050 - CHARLEVOIX

P.R.E. Percentage: 0%

Land Division Date: 8/27/2007

Parent Parcel: 052-244-001-00

Parent Parcel Acreage: 0

2013 Assessment: \$64,800
2013 SEV: \$64,800
2013 Taxable Value: \$64,800

2012 Assessment: \$64,800
2012 SEV: \$64,800
2012 Taxable Value: \$64,800

Legal Information

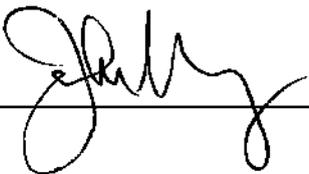
UNIT 2 ANCHORS CONDO - DDA 1984 - AS RECD L807 P003-057 CX CO R/D, 19% SPLIT ON
06/11/2007 FROM 052-244-001-00

Powered by Community Center™ software from the [Land Information Access Association](#)

**ROUND LAKE GROUP LLC
04788 WICKERSHAM ROAD, CHARLEVOIX MI 49720**

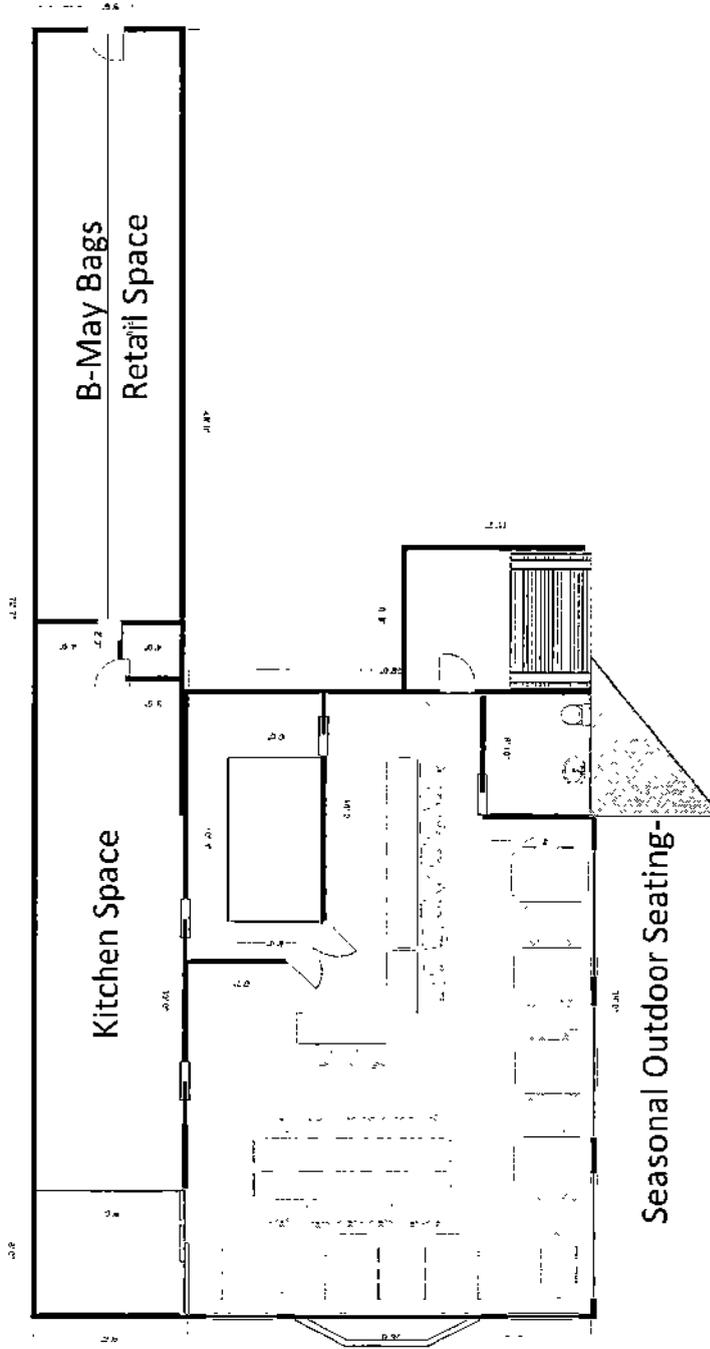
This is to inform the City of Charlevoix and the State of Michigan that a redevelopment liquor license application has been applied for and that Round Lake Group LLC has a lease established at 202 and ½ of 208 Bridge Street, Charlevoix MI 49720. The lease is for one year from February 1, 2014 with an option to purchase or an option to extend the lease. Round Lake Group LLC has permission to make improvements to the building. LSB Ventures hereby grants our permission for Round Lake Group LLC to apply and obtain a liquor license from the Michigan Liquor Control Commission.

LSB Ventures
John Murray, attorney in fact

 1-28-2014

Floor Plan

BRIDGE STREET
TAP ROOM



ANCHORS CONDOMINIUM
 PART OF BLOCK 4
 ORIGINAL PLAT OF THE VILLAGE OF CHARLEVOIX
 CITY OF CHARLEVOIX,
 CHARLEVOIX COUNTY, MICHIGAN
SURVEY PLAN



LEGEND

- BEARINGS AND COORDINATES ARE BASED ON THE CITY OF CHARLEVOIX COORDINATE SYSTEM.
- ALL DIMENSIONS ARE IN FEET. ELEVATIONS ARE BASED ON CITY OF CHARLEVOIX BENCH MARK LOOP (N.A.V.D. OF 1988)
- Ø SET 1/2" RE-RODS 22" IN LENGTH WITH YELLOW PLASTIC I.D. CAPS STAMPED "2534 & 2192"
- DENOTES ROD/IRON FOUND.
- N 730272.7817' E 1448561.6101' DENOTES NORTHING & EASTING COORDINATES
- SITE DOES NOT FALL WITHIN A FLOOD PLAIN AREA.
- SEE SHEET 1 FOR THE LOCATION MAP.

SURVEYOR'S CERTIFICATE

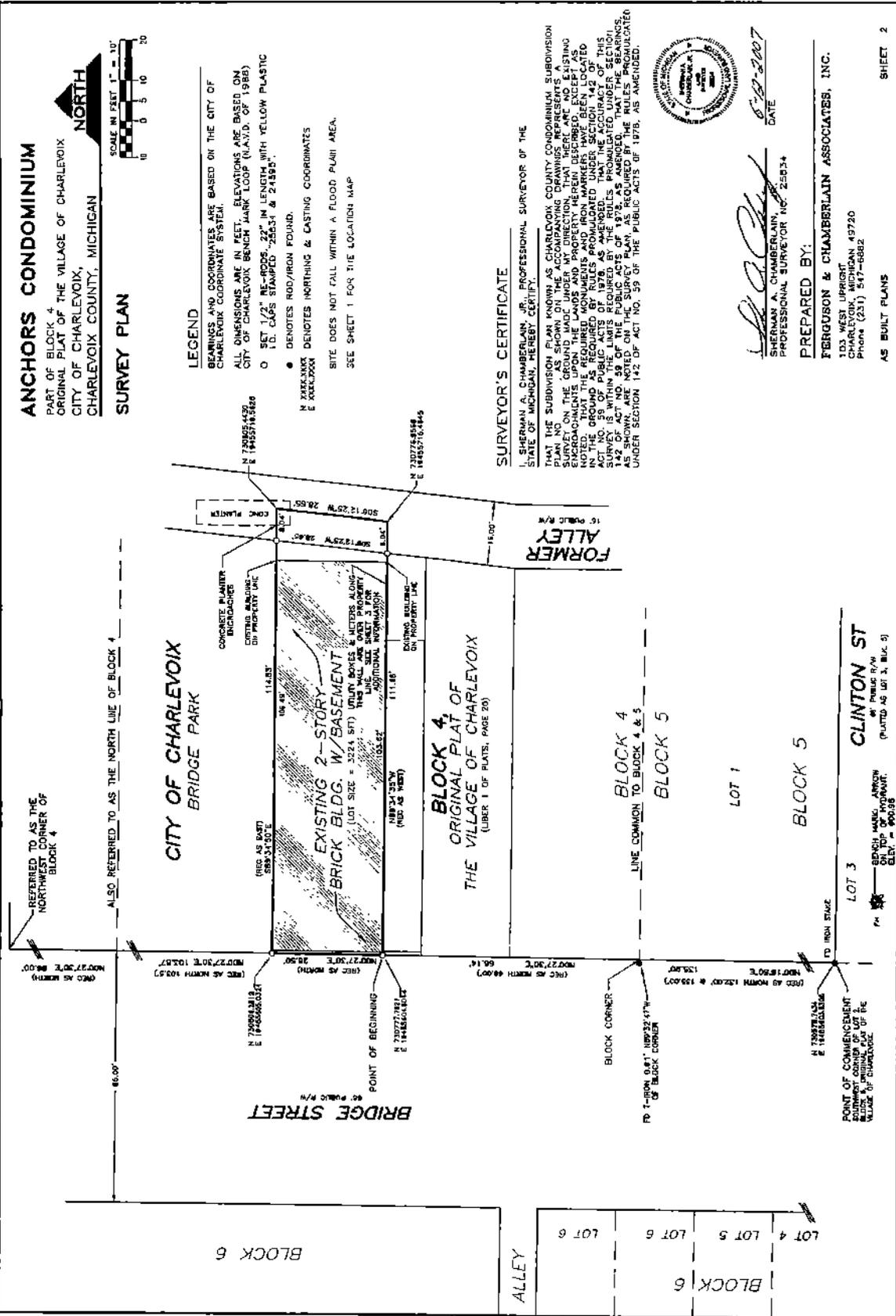
I, SHERMAN A. CHAMBERLAIN, JR., PROFESSIONAL SURVEYOR OF THE STATE OF MICHIGAN, HEREBY CERTIFY:

THAT THE SUBDIVISION PLAN KNOWN AS CHARLEVOIX COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 1, AS SHOWN ON THE ACCOMPANYING DRAWINGS, REPRESENTS A SURVEY ON THE GROUND MADE UNDER MY DIRECTION AND SUPERVISION AND THAT THE SURVEY IS IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE BOARD OF SURVEYORS AND LAND OFFICIALS OF THE STATE OF MICHIGAN. IT IS NOTED THAT THE REQUIRED MONUMENTS AND IRON MARKERS HAVE BEEN LOCATED IN THE GROUND AS REQUIRED BY RULES PROMULGATED UNDER SECTION 142 OF THIS ACT. THE SURVEY IS WITHIN THE LIMITS REQUIRED BY THE RULES PROMULGATED UNDER SECTION 142 OF ACT NO. 39 OF THE PUBLIC ACTS OF 1978, AS AMENDED, THAT THE BEARINGS, DISTANCES AND COORDINATES ARE CALCULATED FROM THE BENCH MARK LOCATED UNDER SECTION 142 OF ACT NO. 39 OF THE PUBLIC ACTS OF 1978, AS AMENDED.



Sherman A. Chamberlain, Jr.
 SHERMAN A. CHAMBERLAIN, JR.
 PROFESSIONAL SURVEYOR NO. 25634
 DATE 6-19-2007

PREPARED BY:
 FERGUSON & CHAMBERLAIN ASSOCIATES, INC.
 103 WEST UPRIGHT
 CHARLEVOIX, MICHIGAN 49720
 PHONE (231) 547-6882
 AS BUILT PLANS



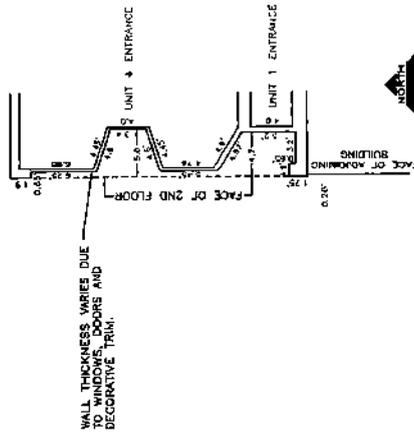
ANCHORS CONDOMINIUM

PART OF BLOCK 4
ORIGINAL PLAT OF THE VILLAGE OF CHARLEVOIX
CITY OF CHARLEVOIX,
CHARLEVOIX COUNTY, MICHIGAN

SECTION PLANS (UNITS 1 - 5)



LEGEND
SEE SHEET 4 FOR LEGEND AND UTILITY INFORMATION.



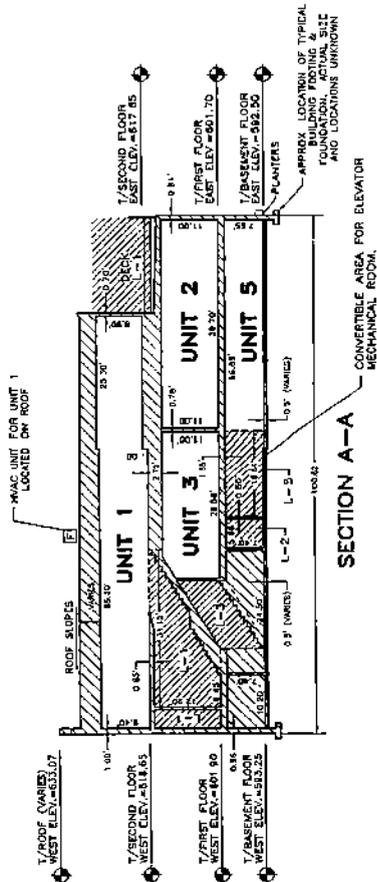
FIRST FLOOR DETAIL SCALE 1" = 5'



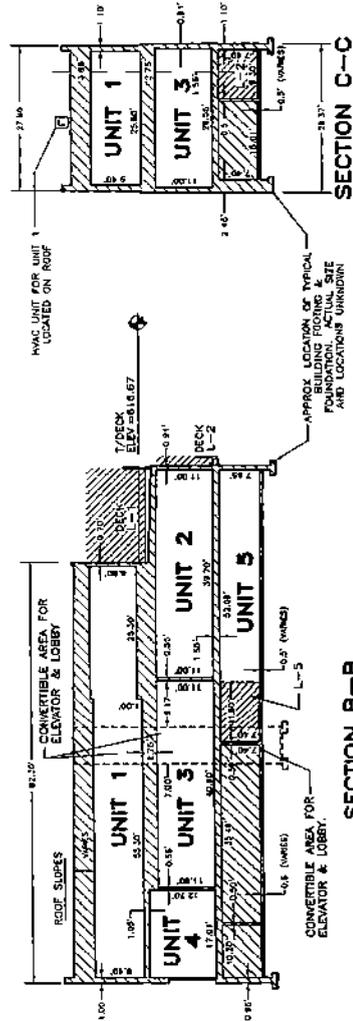
PREPARED BY:
SHERMAN A. CHAMBERLAIN, P.E.
PROFESSIONAL SURVEYOR NO. 25834
DATE: 5-18-1977

FERGUSON & CHAMBERLAIN ASSOCIATES, INC.
103 WEST UPRIGHT
CHARLEVOIX, MICHIGAN 49720
Phone (231) 547-6882

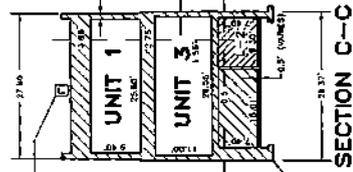
AS BUILT PLANS SHEET 5



SECTION A-A



SECTION B-B



SECTION C-C

ANCHORS CONDOMINIUM
 PART OF BLOCK 4
 ORIGINAL PLAT OF THE VILLAGE OF CHARLEVOIX
 CITY OF CHARLEVOIX,
 CHARLEVOIX COUNTY, MICHIGAN

SITE & UTILITY PLAN



LEGEND

BEARINGS AND COORDINATES ARE BASED ON THE CITY OF CHARLEVOIX COORDINATE SYSTEM.
 ALL DIMENSIONS ARE IN FEET. LOCATIONS ARE BASED ON THE ORIGINAL PLAT OF THE VILLAGE OF CHARLEVOIX, MICHIGAN, 1972.
 0 20' X DENOTES EXISTING GROUND SPOT ELEVATION, 1989.
 O SET 1/2" RE-BARS, 9" IN LENGTH WITH YELLOW PLASTIC INSULATION.
 ● DENOTES ROD/IRON FOUND.

N DENOTES NORTHING & EASTING COORDINATES
 E DENOTES EASTING & NORTHING COORDINATES



UTILITY (SUPPLIER) SYMBOL

- NATURAL GAS (DTE ENERGY) ——— 0 ——— 645
- ELECTRIC (CITY OF CHARLEVOIX) ——— 0 ——— 645
- CABLE T.V. (CHARTER COMMUNICATIONS) ——— 0 ——— 645
- TELEPHONE (AMERITECH) ——— 0 ——— 645
- WATER (CITY OF CHARLEVOIX) ——— 0 ——— 645
- SANITARY SEWER (CITY OF CHARLEVOIX) ——— 0 ——— 645
- STORM SEWER (CITY OF CHARLEVOIX) ——— 0 ——— 645



DATE: 6-12-2017

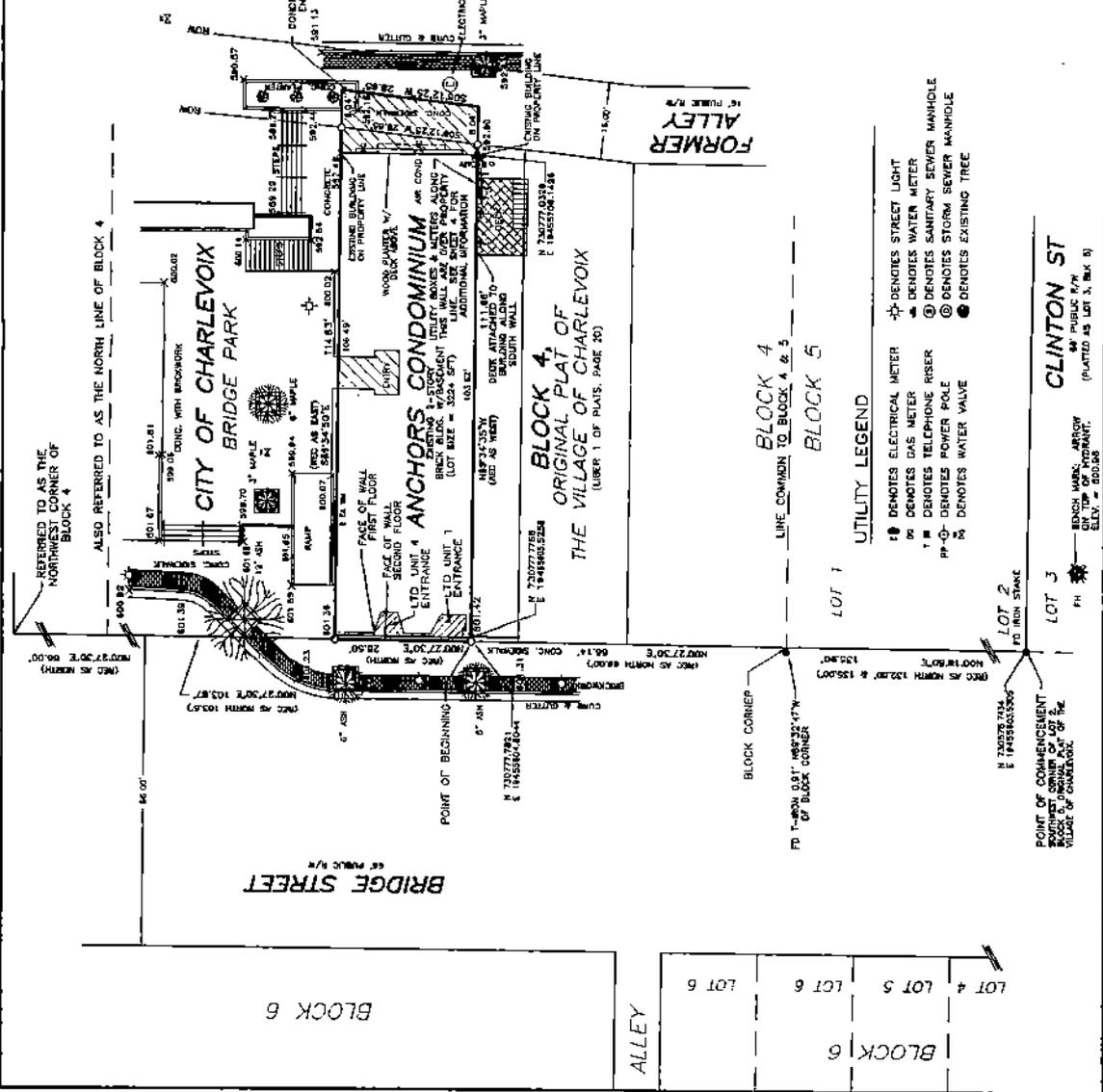
SHERBURN A. CHAMBERLAIN
 PROFESSIONAL SURVEYOR NO. 25834

PREPARED BY:

FERGUSON & CHAMBERLAIN ASSOCIATES, INC.

103 WEST UPRIGHT
 CHARLEVOIX, MICHIGAN 49720
 PHONE (261) 641-8882

SHEET 3



- UTILITY LEGEND**
- ⊕ DENOTES ELECTRICAL METER
 - ⊕ DENOTES GAS METER
 - ⊕ DENOTES TELEPHONE RISER
 - ⊕ DENOTES POWER POLE
 - ⊕ DENOTES WATER VALVE
 - ⊕ DENOTES STREET LIGHT
 - ⊕ DENOTES WATER METER
 - ⊕ DENOTES SANITARY SEWER MANHOLE
 - ⊕ DENOTES STORM SEWER MANHOLE
 - ⊕ DENOTES EXISTING TREE

CLINTON ST
 6" PUBLIC R/W
 (PLATED AS LOT 3, BLK 6)
 BENCH MARK: ARROW
 ON TOP OF MOUNTAIN
 ELEV. = 800.88

CITY OF CHARLEVOIX
Liquor License Application
Addendum for Redevelopment Liquor Licenses

Please note: this application must be submitted WITH the "Liquor License Application". You MUST answer all questions and include all attachments or the application will be returned to you. Bring or mail the applications to the City Clerk, City of Charlevoix, 210 State Street, Charlevoix, Michigan 49720.

This form is designed to conform to Public Act No. 501 of the Public Acts of 2006, being Section 521a(1) of the Michigan Liquor Control Code of 1998, being MCL 436.1521a(1), and the City of Charlevoix Redevelopment Liquor License Ordinance.

Approval of a new liquor license or the transfer of an existing license is not a determination that the applicant has complied with other ordinances or regulations.

1. Name, address, and contact information of applicant:

The Round Lake Group LLC (dba) Bridge Street Tap Room
P.O. Box 28 Charlevoix, MI 49720

2. Address of the real property at which the license will be used:

202 Bridge St. Charlevoix, MI 49720

3. Is the establishment located within the Downtown Development Authority limits? Yes No

4. Will the establishment offer: Dining Recreation Entertainment

5. How many days per week and hours per day will the establishment be open to the public?

Sunday through Saturday (7 days a week)
11am - 11pm daily

6. What is the seating capacity of this establishment?

50

Attach the following, per Ordinance 758 of 2012, 7.305.B.3-6, and 7.305.B.8:

- Documentation whether the applicant has a real property interest in the real property with which the license will be used.
- 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.
- 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.
- Documentation regarding the type of business with which the license will be used.
- 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.

As owner of the premises, (if not the applicant), I approve of the submission of this application:

Owner's Signature: Philip M. Pass Date: 1/28/14
Owner's Name & Contact #: (print) Philip Pass (517) 282-1091

I, the applicant, do state that all statements made on this application at attachments are true and complete.

Applicant's Signature: Philip M. Pass Date: 1/28/14

To whom it may concern:

This letter is in regards to The Round Lake Group's new business, the Bridge Street Tap Room, obtaining a Redevelopment Liquor License and furthermore any recommendations or approvals by the City of Charlevoix that would be necessary for us to be granted this license.

Our group is comprised of four individuals' committed to the City of Charlevoix. We all have different backgrounds in business and the hospitality industry, and through each of our own experiences have found our way into Northern Michigan and welcomed into the Charlevoix community. It was with these open arms from the local community that we knew Charlevoix was the area we wanted to invest our time and resources with the common goal to build, grow and succeed not only individually, but as a group and as a community.

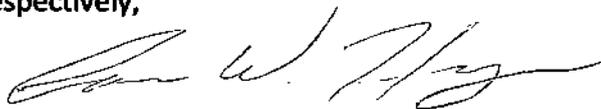
Having all lived in or around this area for some time, we have seen businesses come and go, succeed and fail, while attentively observing the feedback from the community. Downtown Charlevoix offers the town and its visitors' one of the most beautiful marinas in the Great Lakes, an incredible green space featuring a state of the art band shell, and a great selection of retail stores on and just off of Bridge Street. Our restaurant presence though has had its ups and downs, and while Charlevoix currently has a nice selection to choose from, we would like to add to the mix and help rebuild our community as one of Northern Michigan's most exciting dining destinations. We aim to contribute to the food and beverage presence our downtown has to offer its guests by complementing what the existing restaurants already offer.

Our passion and drive for this contribution also aims to aid in the growth of our downtown. We will be a year around business in this seasonal community because we feel that it is our duty as downtown business owners to see our area and not just our establishment strive economically. In aiding the DDA and City of Charlevoix in seeking out additional future businesses that will complement what Charlevoix has to offer, we will all grow and prosper.

Upon recommendation from the DDA and approval from the City Council, we will break ground with the goal to be open and available for the 2014 summer season and beyond, for many years to come, continually being proactive in drawing more people into our downtown and rebuilding this area as one of the State's premier dining destinations.

Again, thank you for your time and consideration.

Respectively,

A handwritten signature in black ink, appearing to read "Aaron W. Hagen". The signature is fluid and cursive, written over a light blue horizontal line.

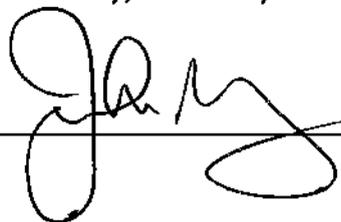
Aaron W. Hagen, Partner, Round Lake Group LLC

①

ROUND LAKE GROUP LLC
04788 WICKERSHAM ROAD, CHARLEVOIX MI 49720

This is to inform the City of Charlevoix and the State of Michigan that a redevelopment liquor license application has been applied for and that Round Lake Group LLC has a lease established at 202 and ½ of 208 Bridge Street, Charlevoix MI 49720

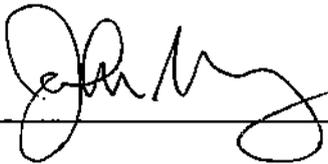
LSB Ventures
John Murray, attorney in fact

 - 1-28-2014

ROUND LAKE GROUP LLC
04788 WICKERSHAM ROAD, CHARLEVOIX MI 49720

This is to inform the City of Charlevoix and the State of Michigan that a redevelopment liquor license application has been applied for and that Round Lake Group LLC has a lease established at 202 and ½ of 208 Bridge Street, Charlevoix MI 49720. The lease is for one year from February 1, 2014 with an option to purchase or an option to extend the lease.

LSB Ventures
John Murray, attorney in fact

 1-28-2014

F&B Equipment- Approx. Investments	
Name	Price
Pizza Oven	\$ 4,695.00
60" Pizza Prep Top 2 Section	\$ 3,631.00
60" Pizza Prep Top 2 Section	\$ 3,631.00
Ice Machine- 450 lbs	\$ 3,761.00
10 Burner Range- Gas with 2 Convection Ovens	\$ 3,983.00
Bar Glasswasher	\$ 3,639.00
Glass Rack Storage Shelf- Stainless	\$ 389.00
Ice Bin	\$ 698.00
Slicer	\$ 500.00
Electric Fryer- 8.5 lbs	\$ 409.00
Double Shelf Kitchen Pick Up Window	\$ 2,500.00
Kitchen Shelving	\$ 550.00
Handwash Sink	\$ 98.00
Shelving for under the bar	\$ 600.00
Walk-In Cooler	\$ 10,000.00
Back Bar Cooler Doors	\$ 1,500.00
32 Tap Draft System w/ drip tray and 2 sprayers	\$ 10,000.00
Coffee Maker with Water Tap and 2 Carafes	\$ 691.00
Ice Bin with Water Tap	\$ 800.00
Soup Wells- 2	\$ 160.00
Stainless Steel Prep Tables (3ft & 4ft)	\$ 175.00
Dishwasher- Lease	\$ 200.00
Wire Rack- 60" with 18" deep	\$ 122.00
72" Reach-In Freezer	\$ 3,631.00
Steel Keg Shelf	\$ 1,000.00
Stainless Steel Commerical Smoker	\$ 5,000.00
Total	\$ 62,363.00

Capital Investment

Tables, Chairs, Etc - Approx. Investments	
Equipment	Total
Outdoor Mesh Table	\$ 268.00
Outdoor Metal Chair	\$ 608.00
Bar Top	\$ 5,000.00
Feast Table 168x24	\$ 750.00
Bistro Table Tops 28x24	\$ 3,000.00
Dining Table Tops 28x24	\$ 1,800.00
Bistro Table Base	\$ 1,760.00
Barstool Metal Ladder Black	\$ 2,400.00
Barstool Metal Swivel Bucket	\$ 735.00
Armless Roll Metal Bench	\$ 1,402.00
Host Stand on Wheels	\$ 311.00
Grand Total	\$ 18,034.00

01/28/2014

Application for Redevelopment Liquor License

Round Lake Group LLC dba Bridge Street Taproom

Statement regarding available on-premise liquor license search:

In addition to multiple search attempts for an escrowed or quota on-premise liquor license through Michigan's Department of Licensing and Regulatory Affairs website (www.michigan.gov/lara) throughout 2013, additional online searches were separately conducted by both Phil Parr and Aaron Hagen on January 28, 2014. No available licenses were found online. Phil Parr then called the MLCC Hotline (1-866-813-0011) at 9:39 am on January 28, 2014 from his Verizon cell phone (517-282-1091) and Bonnie with the MLCC confirmed that there were no liquor licenses available within the City of Charlevoix.

A New Experience



- Our tap room will feature exciting micro-brews, with an emphasis on Michigan breweries
- A tapas style dining experience, offering a variety of small and shared plates
- Leveraging locally sourced ingredients from our farmers, vendors, and suppliers
- A bright and open atmosphere showcasing the beauty of Round Lake, the bridge, and the energy of downtown Charlevoix

The Round Lake Group LLC

BRIDGE STREET TAP ROOM PROJECT



Our Team



Rich Bergmann

Phil Parr

Aaron Hagen

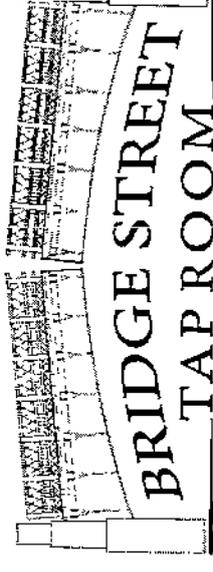
Adam Engelman

- 35 Years Business and Operations Management and Business Consulting
- Formerly Managing Director w/ Accenture and CEO of 2 Technology Co.
- Charlevoix Resident and Northern Michigan Enthusist for 45 years
- Hospitality and Restaurant Major from Michigan State University
- Former Restaurant and Bar General Manager at the Inn of Bay Harbor
- Charlevoix Resident and Active in Northern Michigan Hospitality and Music
- GVSU graduate in Hospitality and Tourism Management
- Experience in local restaurant operations and local agriculture
- Charlevoix Resident and Homeowner committed to our community
- Hospitality and Entertainment Experience and Western Michigan Graduate
- Customer Service Manager from Inn of Bay Harbor
- Leading Musician and Entrepreneur

Major Topics for Discussion

- Format of the Operation- pg. 4
- Location and Layout- pg. 6
- Menu for Operation- pg.10
- Marketing Strategy- pg. 11
- Assistance from Charlevoix- pg. 15
- Community Involvement- pg. 20

48



Format of Operation



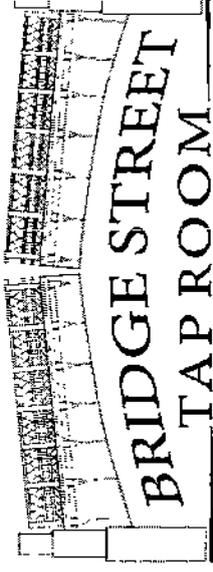
- Utilizing locally sourced ingredients, farmers, vendors and suppliers – for a fresh and healthy dining experience
- A craft beer haven with an emphasis on Michigan micro-brews for the local community
- A small plate style with a healthy and stylish preparation of quality foods
- A bright and open format leveraging the beauty of Round Lake, and the energy of downtown Charlevoix
- A team of energetic professionals – that live in Charlevoix, MI
- Experienced professionals that bring academic and business experience into Hospitality and Restaurant operations

A New Experience



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- A tapas style dining experience, offering a variety of small and shared plates
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Location and Layout



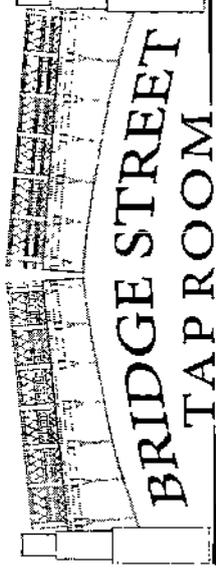
- 200 Block of Bridge Street with a Round Lake and Bridge Park view
- An open atmosphere with a classic-rustic look that is comfortable
- Open and available for lunch and dinner year-round
- Seating for 45-50 in tap room
- A classic bar and dining seating that will allow for views of the action in Charlevoix and Round Lake

Location



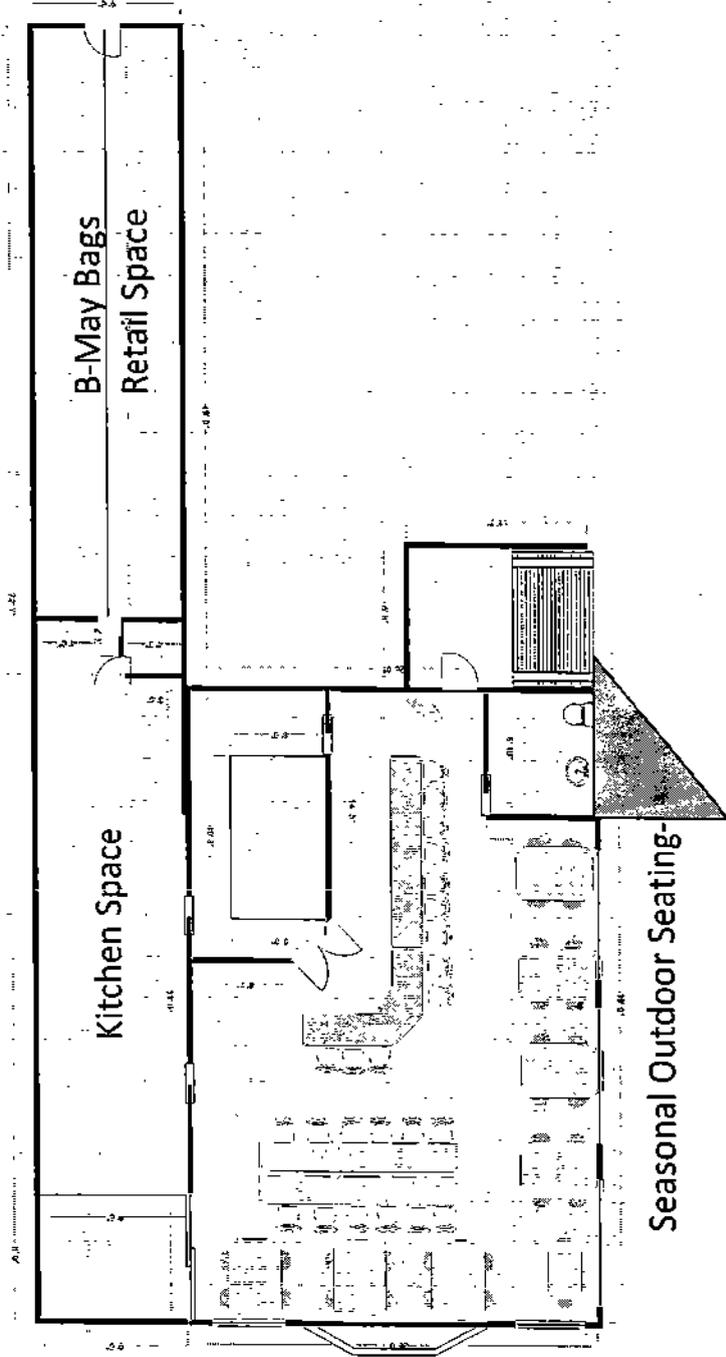
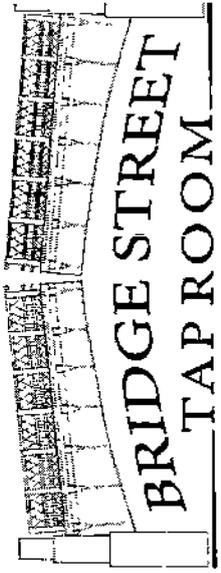
- The Bridge Street Tap Room will be located at 202 Bridge St. in Charlevoix, MI
 - We will also be using the back-half of 208 Bridge St. for our kitchen space.
- This location and structure is key to bringing year-round business back to downtown Charlevoix
- Round Lake is the backdrop in the tap room and will give our guests a spectacular view throughout the year
- Located near Bridge Park, our patrons will have a beautiful space to enjoy downtown Charlevoix

Layout of Taproom

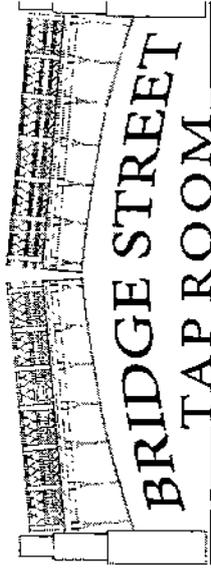


- Our tap room will utilize a strong bar presence by crafting a custom built bar designed to encompass the spirit of Northern Michigan. Equipped with 12 bar stools, this will be the stage for the experience
- Seating will vary from 45-50 in the tap room featuring high top bistro tables and a long 'feast' table
- Large panoramic windows will give the guest a beautiful view of Round Lake, the bridge, and the channel into Lake Charlevoix.
- The small space will give our patrons a feeling of "exclusivity" when entering the tap room

Floor Plan



Example Tap Room Menu



Meat Plate - \$14

Finnochionna, coppa, and prosciutto with dates, marcona almonds and olive tapenade

Veggie Plate - \$10

Local grilled and marinated veggies with hummus and crostinis

John Cross Trio - \$12

Local smoked salmon, fish dip and smoked whitefish sausage

Small Offerings

Hummus - \$2.50

Guacamole - \$3

Smoked Peanuts - \$1.50

Soft Pretzel - \$3

Fresh Local Salsa - \$3

House-Made Sausage - \$3

Buffalo Drumette - \$1.50

Today's Feature

Adam's Korean Beef Tacos - \$8

Curried Celery Soup - \$5/\$8

Spinach Salad - \$8

Roasted almonds, yellow raisins, garlic-sherry dressing

Kale Sautéed with Pancetta - \$7

Featured Pizza

Classic Margarita - \$9

Build Your Own Pizza!

3 toppings - \$9

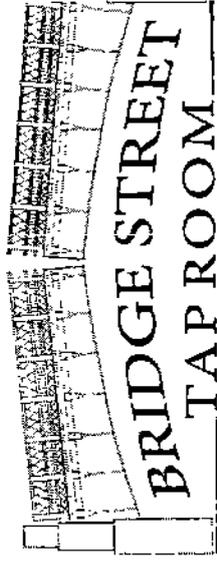
Additional Toppings \$.75

Marketing Overview



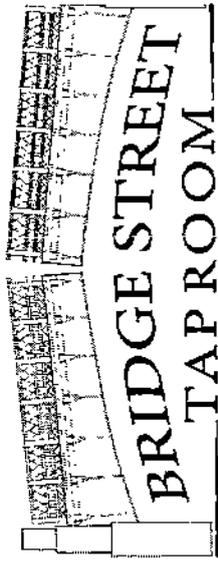
- Three distinct phases of our marketing strategy:
 - Pre-Opening- Creating a large buzz before the doors open
 - Opening Day- Being prepared to showcase our business from day one
 - Future- Ensuring that the business and the brand continue to grow
- Effective use of marketing mediums:
 - Push Notifications: Direct customer contact, website, email distribution list
 - Social Media: Facebook, Twitter, and Instagram
 - Local Print Media: The Graphic, The Express, Press Releases
 - Interpersonal Marketing: Providing guests with incredible experiences so that they speak highly of us and of their time in downtown Charlevoix
 - Organizational Marketing: Creating business relationships with individuals that have access to large groups of clients
 - Hotel concierges, secretaries, chamber members, etc .

Marketing Strategy



- Pre-Opening
 - Utilizing vendors, business partners, family, friends, and local community members to create the excitement about the new establishment in Charlevoix
 - Using marketing mediums like Facebook and Twitter to post pictures and updates
 - Capitalizing on print media for stories and press releases about the new business
- Opening Day
 - Push marketing mediums like Constant Contact to keep our guests informed of any news about or related to our business
 - Continuing to utilize our pre-opening mediums with more context depth
- Future
 - Using new social mediums like Yelp, Instagram, and Vine to stay ahead of the marketing curve
 - Continue to use our existing marketing mediums to build the business

Marketing Mediums



- Social Networking
 - Able to provide guests with instant messages and images from our operation
 - Gives the guest the opportunity to interact with the business page
 - Visible to the entire social network
- Website and Push Marketing
 - Provide our guests with instant information of the restaurant happenings
- Local Print Media- The Graphic, The Express, etc
- Interpersonal and Organizational Marketing
 - Chamber of Commerce, Downtown Development Authority, Pure Michigan, Local Events
- Guest Comment Marketing
 - Keeping up-to-date on website applications such as Trip Advisor and Yelp

Loyalty Programs



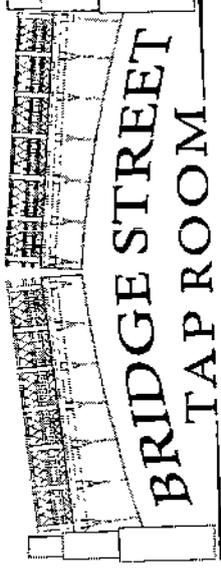
- Giving our loyalty program a unique and local twist
 - "231 Beer Drinkers Union of Northern Michigan"
 - Successfully completing the task of drinking 32 of our draft beers within 1-year and pledging your allegiance to 'beer for the greater good of mankind'
 - Receive incentive pricing on draft and growler fills
 - Opportunity to attend monthly meetings and give your thoughts on new beers, news, or any beer related events
- Hospitality Industry Nights
 - These industry nights will be held the 1st Monday and Tuesday of every month or whatever we deem reasonable
 - Provides people that work in hospitality a night to enjoy local-craft beer in a relaxing atmosphere
 - Special pricing on select drafts for pints and growler fills (must provide proof to receive pricing)

Request for Assistance



- In making our business plan and investment strategy, we will need the appropriate Charlevoix City Government, Board of Supervisor and Permits / Licensing Approvals and support.
- We would like to receive your guidance and recommendations to ensure our application to the MLCC and the local decision / approvals for the critical license process.
- Have the privilege to receive your insights and guidance on what it takes to be successful in Charlevoix – 12 months a year.
- Insight to expanding the Charlevoix “brand” to the rest of the regional area and the state of Michigan

Liquor License



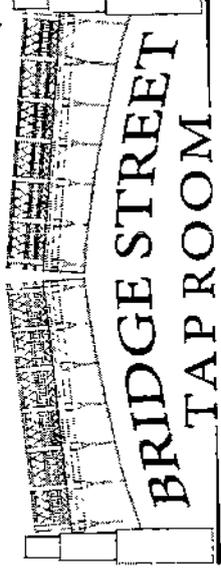
- For the operation, we would request a **Class C Liquor License** with 1 Bar to sell Beer, Wine, and Liquor for on premise consumption
- For the future stages of our business plan, we would also seek a **Specialty Designated Merchant License** for selling retail beer and wine for off-premise consumption
- This would allow us to sell bottles of local wine and beer to the patrons of downtown Charlevoix
- Our selection of retail would not interfere with the selection at Oleson's Food Market on Antrim St. or other local businesses
- Both licenses working together will improve the selection of alcohol sales in downtown Charlevoix for our locals and those visiting

Financial Commitment



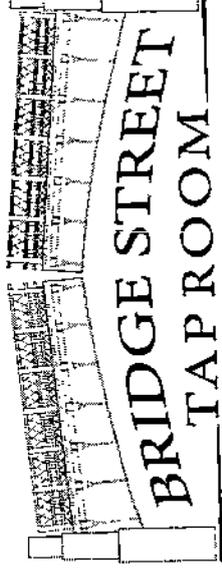
- Here is a list of our capital investments for the Redevelopment Liquor License:
- Physical Building Improvements to the Exterior: \$15,000
- Interior Improvements and Fixtures: \$53,000
- Food and Beverage Equipment: \$69,000
- Total Investment: \$137,000
- Our commitment is to provide a quality building location and a beautiful visual space to the Charlevoix Downtown

Financial Summary



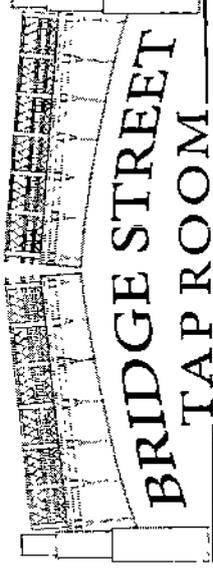
- We plan to invest a tremendous amount into these two buildings. We want to continue to strengthen the image of downtown Charlevoix
- With the added windows in the tap room , we will continue to build the image of our brand with financial stability in the business
- Our long term goal is strengthen our initial investments and conduct new business opportunities within the city of Charlevoix

Expanding the Brand



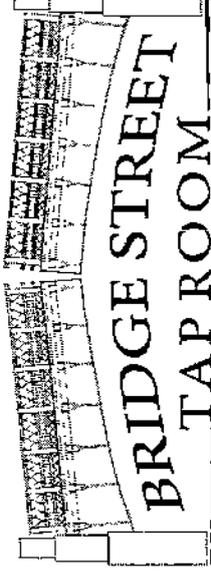
- We would like insight and assistance in our efforts of expanding the brand of Charlevoix to the Northern Michigan area and the state of Michigan
- Experience and knowledge to help Charlevoix become a year-round destination for visiting patrons and community members
- Knowledge of how to strengthen the local community support for downtown business and community events

Community Activism



- Being involved and informed with the members of Charlevoix City Government
- Attend City Council Meetings and bring ideas to help assist the City of Charlevoix
- Become active Chamber of Commerce members and help assist them with events for the city
- Become a business patron of the Charlevoix Farmers Market
- Plans to start a partnership with the Charlevoix Public School system on starting a CO-OP hospitality program with the high school
- Plans to become involved and sponsor Charlevoix athletic and fine arts programs

Community Events



- Be a consistent participant in City and Chamber events in Charlevoix
- Attending meetings and staying current on all news concerning Charlevoix
- Help sponsor events in downtown Charlevoix
- Become a financial sponsor for events in Bridge Park, East Park and throughout the city
- Communicate to industry vendors if we need their support
- Be in collaboration with the City and Chamber to create new events that focus on a year-round business in downtown Charlevoix
- New events are always exciting for local and visiting patrons
- Example: Bridge Drop on New Year's Eve was well received and it functioned properly to get patrons downtown Charlevoix in the winter season
- Utilization of the band shell in East Park
- Assisting in getting more music and artistic performances into the band shell to perform during the spring, summer and fall seasons

Farmers Market



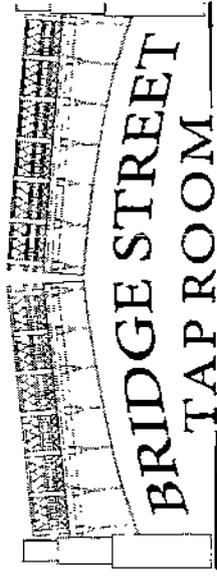
- Utilize product and produce every week from the market downtown Charlevoix
- Conducting weekly features with in-season product
- Pairing up with different farms and producers to market their names in our business
- Utilize their products year-round (if applicable)
- With our menu being seasonal, participants of the farmers market will have business every week
- This will provide incentive for farmers market participants to come year-round to sell their products
- Continuing growth for the farmers market in Charlevoix
- Getting more participants involved will help strengthen the farmers market
- Providing incentive for local community members to shop at the farmers market
 - Example: Charlevoix Chamber Holiday Drawing- when you spent \$100 at a local business, you were entered to win a gift card

Charlevoix Public Schools



- Career Fair
- Participate in the career fair at the high school with mock-interviews and open house forums
- Give the students the opportunity to interact with business people in the community
- Give the students a perspective of the hospitality industry in Charlevoix
- Answer questions about education and growth within the industry
- CO-OP and Job Shadowing
- Give the students hands-on experience in the hospitality industry
- Provide a background for those pursuing a college education in hospitality
- Sponsoring Athletic and Fine Arts Programs
- Culinary Program
- Utilizing students who are enrolled in the program in Petoskey
- Mentoring Charlevoix students who are involved in the program

One Community



- Our first and foremost goal is to become one with the community of Charlevoix
- We aim to provide a quality food and beverage establishment that cares about citizens within the greater Charlevoix area
- Our investment goes beyond a monetary number as we want to invest ourselves into this beautiful city with passion and personal drive
- Our vision is not only to have a successful year-round business operation, but to have a successful year-round community





Michigan Department of Licensing and Regulatory Affairs
 Liquor Control Commission (MLCC)
 7150 Harris Drive, P.O. Box 30005 - Lansing, Michigan 48909-7505
 Toll Free (866) 813-0011 - www.michigan.gov/lcc

Business ID: _____
 Request ID: _____
 (For MLCC use only)

Local Government Approval

(Authorized by MCL 436.1501)

Instructions for Applicants:

- You must obtain a recommendation from the local legislative body for a new license application and/or a new banquet facility permit.

Instructions for Local Legislative Body:

- Complete this resolution, or provide a resolution, along with certification from the clerk, or adopted minutes from the meeting at which this request was considered.

At a _____ regular _____ meeting of the _____ City of Charlevoix _____ council/board
(regular or special) (township, city, village)
 called to order by _____ Mayor Norman L. Carlson, Jr., _____ on _____ February 3, 2014 _____ at _____ 7:00 p.m. _____
(date) (time)

the following resolution was offered:

Moved by _____ and supported by _____
 that the application from _____ Round Lake Development, LLC dba Bridge Street Tap Room _____
(name of applicant)

for the following license(s): _____ On Premise Redevelopment License with Sunday Sales _____

to be located at _____ 202 Bridge Street _____

and the following permit, if applied for:

Banquet Facility Permit Address of Banquet Facility: _____ N/A _____

It is the consensus of this body that it _____ this application be considered for
(recommends/does not recommend)
 approval by the Michigan Liquor Control Commission.

If disapproved, the reasons for disapproval are _____

Vote

Yeas: _____

Nays: _____

Absent: _____

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the _____
 council/board at a _____ meeting held on _____
(regular or special) (date) (township, city, village)

Name and title of authorized clerk (please print): _____

Signature of authorized clerk and date: _____

Phone number and e-mail of authorized officer: _____

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.

Haggard's
PLUMBING and HEATING
"Business of Quality and Service"
"Charlevoix-the-Beautiful"
haggards@treevay.net

RECEIVED
JAN 30 2014
CITY OF CHARLEVOIX

Date: Jan 30, 2014

To: City Council
210 State Street
Charlevoix, MI 49720

RE: The Round Lake Group LLC, (Business Plan & Liquor License)

Dear City Council,

Upon reviewing the above the article, I would like to express my support with the above request of the owners of this project with much enthusiasm. Haggard's Plumbing & Heating is not at all opposed to the business plan and/or the request of a liquor license.

One local business known as Scovies Gourmet has thieved with both the expansion and liquor license of their current business downtown. With so many empty store fronts and the summer season approaching another business downtown would be a great opportunity for growth and the draw of local residence and tourist.

If a business owner is fortunate enough to have the ability and the resources in this time of economic struggles to either start a new business/or improve their existing business we would like to see their request granted. It would prove positive for the local, county, state, and country to do all we can to improve and promote growth in any way possible.

Sincerely,

Haggard's Plumbing & Heating

Cc: City Council

Haggard's
PLUMBING and HEATING
"Business of Quality and Service"
"Charlevoix-the-Beautiful"
haggards@freeway.net

RECEIVED

JAN 30 2014

CITY OF CHARLEVOIX

Date: Jan 30, 2014

To: Downtown Development Authority Board
210 State Street
Charlevoix, MI 49720

RE: The Round Lake Group LLC, (Business Plan & Liquor License)

Dear Authority Board

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Sincerely,

Haggard's Plumbing & Heating

Cc: City Council

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Liquor License Application, 100 Belvedere

DATE: February 3, 2014

PRESENTED BY: Stephanie Brown



ATTACHMENTS: Liquor License application from Julia, Inc.

BACKGROUND INFORMATION:

In 2000, the Charlevoix city Council adopted Chapter 77, Liquor Licenses. This chapter outlines the application process for a new license, or for transfer of an existing license. A copy of Julia, Incorporated's application is attached.

Council's evaluation of the liquor license transfer should consider the following factors:

1. Whether the applicant, or if a partnership or corporation any member of the partnership or corporation, has been denied a license in the past seven (7) years and the reasons for the denial.
2. Whether the application is complete and contains all of the information required by this ordinance.
3. Whether the application shows compliance with applicable city ordinances regarding off-street parking, lighting, refuse disposal facilities and landscaping/screening and, additionally, noise control.
4. The impact of the proposed license and associated business on the occupants and owners of adjoining properties.
5. Whether the proposed license and associated business will adversely affect traffic safety.
6. Accessibility to the sight from abutting roads.
7. The distance from public or private schools for minors.
8. Whether the business will cause noise which would so that public or private land will be adversely affected.

Requirements for license – new and/or transfer. Regardless of the City Council's evaluation of the above factors, no license shall be issued under the following conditions:

1. A person whose license, under this Ordinance, has been revoked for cause. **Not applicable.**
2. A person who, at the time of the application or renewal of any license issued hereunder, would not be eligible for such license upon a first application. **Not applicable.**
3. A person who does not own the premises for which a license is sought or does not have a lease therefor for the full period for which the license is issued, or to a person, corporation or co-partnership that does not have sufficient financial assets to carry on or maintain the business. **Attached: "Letter of Intent to Lease by and between Gluck LLC and Julia, Inc.". The lease term is 2 years with three 5 year options for renewal.**

4. A person on whose premises there exists a violation of the applicable building, electrical, mechanical, plumbing or fire codes, applicable zoning regulations, applicable public health regulations, or any other applicable city ordinance. **No known violations.**
5. A person whose application proposes a use which would be in violation of any city zoning or police power ordinance, or state or federal law. **Not applicable.**
6. A person in situations where there are delinquent unpaid real estate taxes and/or personal property taxes relating to the real estate or business which has been used, is used or will be used in conjunction with the license. **Real and Personal Property Taxes are current.**
7. A person where it is determined by a majority of the city council that the premises for which the license has been requested do not or will not within six (6) months after commencement of operations, have adequate off-street parking, lighting, refuse disposal facilities, screening, noise, or nuisance control or where a nuisance does or will exist. **Planner Spencer has reviewed and has no concerns.**
8. A person whose licensing activity will expand or intensify a non-conforming use under the city zoning ordinance. **Not applicable.**

RECOMMENDATION:

Council must choose whether or not to hold a public hearing. There are two possible motions:

Motion to set a public hearing for Monday, February 17, 2014 at 7:00 p.m. for the purpose of considering a resolution to approve or disapprove a resolution for local government approval of a liquor license transfer.

OR

Motion to approve (or disapprove) Resolution 2014-02-xx, Local Government Approval.

LAW OFFICE OF ROGER G. ISAAC

4438 Oakbridge Drive, Suite A

Flint, Michigan 48532

Phone: (810) 732-4022 / (Fax) 732-4060

Email: rgilaw@sbcglobal.net

January 24, 2014

RECEIVED

JAN 27 2014

City of Charlevoix

City Clerk
City of Charlevoix
210 State Street
Charlevoix, Michigan 49720

Re: Garb-Ko, Inc. / Julia, Inc.
Transfer Ownership / SDM and SDD-SS
100 Belvedere Avenue
Charlevoix, Michigan 49720

Dear Clerk:

Pursuant to your letter of January 9, 2014, enclosed please find the following:

- 1.) Liquor License Application with attachments;
- 2.) Check for \$100.00. *Receipt # 1.450628*

Please review and if acceptable, please schedule for the City Council meeting.

If you have any questions, please do not hesitate to contact me.

Very truly yours,
LAW OFFICE OF ROGER G. ISAAC



Roger G. Isaac
Attorney at Law

RGI/pgp

Enclosure

cc: Amjad Ishak

**JULIA, INC.
8130 CARPENTER ROAD
FLUSHING, MICHIGAN 48433**

January 24, 2014

Attention: Stephanie Brown
City of Charlevoix

Dear Ms. Brown:

I have included the following items as attachments:

1.) My U.S. Citizenship was received on September 8, 1994 at Detroit, Michigan. The naturalization number is A40 023 244. Also attached are copies of the Driver's License and Social Security Card.

2.) Attachments are as follows:

a.) The character of the business is a convenience store selling liquor, beer, wine, grocery, chips, cigarettes, and tobacco. (A)

b.) Applicant's shareholder has been in the liquor business for 25 years. Presently owning four convenience stores in Genesee County, to-wit: (B)

- 1.) ISHAQ, INC.
d/b/a 4-Way Party Store
1302 Dupont
Flint, Michigan 48504
- 2.) FAAM, INC.
d/b/a The Liquor Carousel
G-2372 East Hill Road
Grand Blanc, Michigan 48439

- 3.) GONI, INC.
d/b/a Ernie's Beer And Wine
G-13167 North Saginaw
Clio, Michigan 48420
 - 4.) Franklin St. Mini Mart, Inc.
2702 North Franklin Avenue
Flint, Michigan 48506
- c.) The statement including:
- i.) Map showing business and address;
 - ii.) The legal description is attached.
 - iii.) There will be no entertainment on the premises. The Articles of Incorporation are also attached. C
- d.) A copy of the site plan for the inside of the business, including anticipated remodeling.
- e.) Two years 1040 returns (2 pages each).
- f.) I have four other locations for alcohol in the state of Michigan. See 2(b) above.
- 3.) The Applicant has no conviction or felony record, nor does he have any disqualification either by the Applicant or the Corporation.

4) AMJAD ISHAK certifies that I will not as individual or my corporation violate any of the laws of the state of Michigan or the United States or any ordinances of the City of Charlevoix.

Any questions I can be reached at my cell

THANK YOU

AMJAD ISHAK THE PRESIDENT OF JULIA INC



1-24-14

CITY OF CHARLEVOIX

Liquor License Application

You MUST answer all questions and include all attachments or this application will be returned to you. Bring or mail this application to the City Clerk, City of Charlevoix, 210 State Street, Charlevoix, Michigan 49720.

This form is designed to conform to the Michigan Liquor Control Code of 1998 being Public Act 1998 No. 58 (MCL 436.1101, et seq), and the City of Charlevoix Liquor License Ordinance.

Approval of a new liquor license or the transfer of an existing license is not a determination that the applicant has complied with other ordinances or regulations.

I. APPLICANT INFORMATION (if more than one applicant, please attach separate sheet):

Name of individual or business entity: JULIA, INC.

A. If the business entity is a partnership or a limited liability company provide the name of person or persons entitled to share in the profits of the partnership or limited liability company (attach separate sheets if needed):

B. If the business entity is a corporation, provide the names and addresses of the officers and directors of the corporation (attach separate sheets if needed):

AMJAD N. ISHAK 8130 CARPENTER RD., FLUSHING, MI 48433

If a majority interest in the stock of such corporation is held by one person or one person's nominee, please provide the name and address of such person:

AMJAD N. ISHAK

8130 CARPENTER RD.

FLUSHING, MICHIGAN 48433

II. CITIZENSHIP

Provide proof of the citizenship of the applicant and all persons listed in Paragraph I, above. Attach copy of current passport OR attach copies of two forms of identification, such as Driver's License, State ID, or Social Security card.

If the applicant or any of the parties listed in Paragraph I above is/are a naturalized citizen of the United States, please provide the date(s) and place(s) of where citizenship was received.

III. ATTACHMENTS

All of the following attachments **MUST** be included. Label each attachment as shown.

- A. ✓ Character of the proposed business including a description of services to be provided to patrons and the manner in which intoxicating liquor will be sold.
- B. The length of time the applicant has been in the business of selling intoxicating liquor, either in a retail business or in a tavern or restaurant establishment.
- C. A statement including a map showing a location of the premises or place of business which is to be operated under the liquor license, including:
 - (i) Street address and, if applicable, post office box number;
 - (ii) A legal description of the premises or place of business including the applicant's ownership interest in the premises and business, and the zoning district in which the premises or place of business is located;
 - (iii) A statement as to whether the applicant will offer entertainment at the licensed premise or place of business, and a description of the kind(s) of entertainment to be offered. This statement must address whether any entertainment will include public nudity. If the applicant is a corporation, attach the corporation's Articles of Incorporation, state in which incorporated, and proof of the date such a corporation was approved by the incorporating state.

A copy of the building and site plan showing the entire structure and premises, specifically the areas within the building or structure where the license is to be utilized. Such site plan should demonstrate adequate off-street parking, lighting, refuse disposal facilities and plans, if any, for screening and noise control. A copy of a development plan which has previously been approved by the City is acceptable.

- E. All copies of financial information and documents provided to the Michigan Liquor Control Commission regarding financial responsibility.
- F. Please state whether the applicant has made an application for a similar liquor license on any premises other than the one described in this application and the disposition of that application.

IV. CONVICTION AND DISQUALIFICATION

Applicant certifies that the applicant or the individuals named in Paragraph I of this application with applicant being a duly authorized disclosed agent of any corporation or partnership listed in this application certifies applicant and all listed individuals listed on this application have never been convicted of a felony and that applicant and other individuals listed in this application are not disqualified and have never been disqualified to receive a license by reason of any matter or thing contained in this ordinance or in the laws of the State of Michigan.

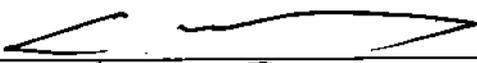
V. STATEMENT OF GOOD FAITH

Applicant certifies that applicant or the individuals named in Paragraph I of this application with applicant being a duly authorized disclosed agent of the corporation and/or partnership listed in this application states that applicant and all named individuals listed in Paragraph I will not violate any of the laws of the State of Michigan or the United States or any ordinances of the City of Charlevoix in the conduct of the business.

VI. AFFIDAVIT AND PERMISSION FOR CITY, COUNTY AND STATE OFFICIALS TO ENTER THE PROPERTY FOR INSPECTIONS:

I agree the statements made above are true, and if found not to be true, this application and any approval will be void. Further, I agree to comply with the conditions and regulations in the Michigan Liquor Control Code of 1998 and the Charlevoix City Code. Further, I agree to give permission for officials of the City of Charlevoix, Charlevoix County, and the State of Michigan to enter the property and any structures thereon where the licensed premises is located for purposes of inspection during normal business hours. Further, I understand that this is only a liquor license application and that such license conveys certain rights under the Charlevoix City Code and the Michigan Liquor Control Code, being Public Act 1998 No. 58, MCL 436.1101 et seq, and does not include any representation or conveyance of rights in any other statute, zoning under the City of Charlevoix's Code, or other property rights.

Finally, even if this liquor license is approved, I understand the City of Charlevoix Code and state statutes change from time to time. Therefore, I hereby acknowledge that any approval of this liquor license is subject to any change in the Charlevoix City Code or state statute as authorized by law.

Applicant's Signature:  Date: 1-16-14
Amjad ISHAK, President
For office use only

Reviewer's action: Total fee: \$ _____ Check # _____ Date received: _____

This matter was: Approved / Denied by action of the City Council on _____

Signature: _____

Title: _____

Stephanie Brown

From: Michael Spencer
Sent: Tuesday, January 28, 2014 3:24 PM
To: Stephanie Brown
Subject: RE: proposed liquor license transfer.

Stephanie,

There are no known violations of any city code that I administer at this time.

Mike

From: Stephanie Brown
Sent: Monday, January 27, 2014 5:23 PM
To: Joseph A. Zielinski; Michael Spencer
Cc: Patti Spencley
Subject: proposed liquor license transfer.

We have an application for a liquor license transfer from Garb-ko Inc., to Julia, Inc. at 100 Belvedere Ave, former 7-11 building.

Mike – please review items 4, 5, 7, and 8 and let me know if you see any problems.

Joe – please check (or have Patti check) for item 6, delinquent taxes – personal or real – at this location.

I hope to get this on the 2/4 agenda, so I would appreciate a quick response. If you will be unable to get me a response by 3:00 p.m., please let me know.

Requirements for license – new and/or transfer. Regardless of the City Council’s evaluation of the above factors, no license shall be issued under the following conditions:

1. A person whose license, under this Ordinance, has been revoked for cause. Not applicable.
2. A person who, at the time of the application or renewal of any license issued hereunder, would not be eligible for such license upon a first application. Not applicable.
3. A person who does not own the premises for which a license is sought or does not have a lease therefor for the full period for which the license is issued, or to a person, corporation or co-partnership that does not have sufficient financial assets to carry on or maintain the business. Working to get copy of long-term lease.
4. A person on whose premises there exists a violation of the applicable building, electrical, mechanical, plumbing or fire codes, applicable zoning regulations, applicable public health regulations, or any other applicable city ordinance.
5. A person whose application proposes a use which would be in violation of any city zoning or police power ordinance, or state or federal law.

Stephanie Brown

From: Patti Spencley
Sent: Tuesday, January 28, 2014 11:59 AM
To: Stephanie Brown
Subject: RE: proposed liquor license transfer.

Steph,

The only taxes due for this property, both real and personal, are the Winter 2013. There are no delinquent taxes owing. If you need anything else let me know.

Thanks,
Patti

From: Stephanie Brown
Sent: Monday, January 27, 2014 5:23 PM
To: Joseph A. Zielinski; Michael Spencer
Cc: Patti Spencley
Subject: proposed liquor license transfer.

We have an application for a liquor license transfer from Garb-ko Inc., to Julia, Inc. at 100 Belvedere Ave, former 7-11 building.

Mike - please review items 4, 5, 7, and 8 and let me know if you see any problems.

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Requirements for license - new and/or transfer. Regardless of the City Council's evaluation of the above factors, no license shall be issued under the following conditions:

1. A person whose license, under this Ordinance, has been revoked for cause. **Not applicable.**
2. A person who, at the time of the application or renewal of any license issued hereunder, would not be eligible for such license upon a first application. **Not applicable.**
3. A person who does not own the premises for which a license is sought or does not have a lease therefor for the full period for which the license is issued, or to a person, corporation or co-partnership that does not have sufficient financial assets to carry on or maintain the business.
Working to get copy of long-term lease.
4. A person on whose premises there exists a violation of the applicable building, electrical, mechanical, plumbing or fire codes, applicable zoning regulations, applicable public health regulations, or any other applicable city ordinance.
5. A person whose application proposes a use which would be in violation of any city zoning or police power ordinance, or state or federal law.
6. A person in situations where there are delinquent unpaid real estate taxes and/or personal property taxes relating to the real estate or business which has been used, is used or will be used in conjunction with the license.
7. A person where it is determined by a majority of the city council that the premises for which the license has been requested do not or will not within six (6) months after commencement of

ATTACHMENTS

Stephanie Brown

From: Roger Isaac <rgilaw@sbcglobal.net>
Sent: Tuesday, January 28, 2014 10:10 AM
To: Stephanie Brown
Subject: Re: Julia, Inc. liquor license application
Attachments: JULIA, INC.-LETTER OF INTENT TO LEASE.pdf

Hi Stephanie, here is the Intent To Lease, which is all we have until the License is approved. Will this suffice?

ROGER G. ISAAC

Attorney at Law

4438 Oakbridge Drive, Ste. A

Flint, Michigan 48532

810-732-4022 / Fax: 810-732-4060

Email: rgilaw@sbcglobal.net

From: Stephanie Brown <stephb@cityofcharlevoix.org>
To: "rgilaw@sbcglobal.net" <rgilaw@sbcglobal.net>
Sent: Monday, January 27, 2014 5:17 PM
Subject: Julia, Inc. liquor license application

Please send me a copy of the lease agreement between Julia, Inc., and the owner of the building.

If you send it via e-mail, I think I can get everything else in order to have the item on the 02/04 agenda.

Stephanie C. Brown, CPFA, MiCPT
Deputy Clerk/Treasurer
City of Charlevoix
(231) 547-3260

LETTER OF INTENT TO LEASE
BY AND BETWEEN

- 1.) LANDLORD : Gluck LLC, a Michigan Limited Liability Company
- 2.) TENANT : Julia, Inc., a Michigan Corporation
- 3.) TERM : Initial term 2 years, beginning after MLCC approval. There shall be 3 (5) year options to renew.
- 4.) ADDRESS : 100 Belvedere Ave., Charlevoix, Michigan 49720
- 5.) BASE RENT : \$1,750.00 per month, TNN
- 6.) Subject to MLCC approval of transfer of ownership of SDM and SDD licenses, with permits.
- 7.) **Tenant To Pay:**
 - a.) Real property taxes;
 - b.) Insurance;
 - c.) Maintenance and repair of roof, parking lot, and HVAC, not to exceed \$3,000.00 per year. Any excess or overage shall be paid by the Landlord;
 - d.) Outdoor lawn maintenance and parking lot snow removal, sweeping, patching and stripping.
- 8.) **Landlord To Pay:**
 - a.) Repairs to outer walls and gutter;
 - b.) Replacement of roof and HVAC.
- 9.) A full commercial lease will be prepared and signed prior to possession being given.

LANDLORD:
GLUCK LLC

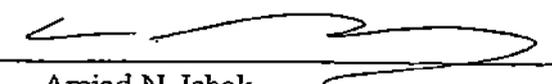
Dated: 11-27-13

By: 
Norri Movitz
Its Manager

*DA signed per
Telephone Approval
11-27-13*

TENANT:
JULIA, INC.

Dated: 11-26-13

By: 
Amjad N. Ishak
Its President

CITIZENSHIP

Required copies of driver's license and social security card were provided in application and have been forwarded to the Police Department for review.

Stephanie Brown

From: Janine Warner
Sent: Tuesday, January 28, 2014 9:51 AM
To: Stephanie Brown
Subject: Background on Ishak

Looks okay to me!

~ Janine M. Warner ~

Office Manager

Charlevoix City Police Department

210 State Street

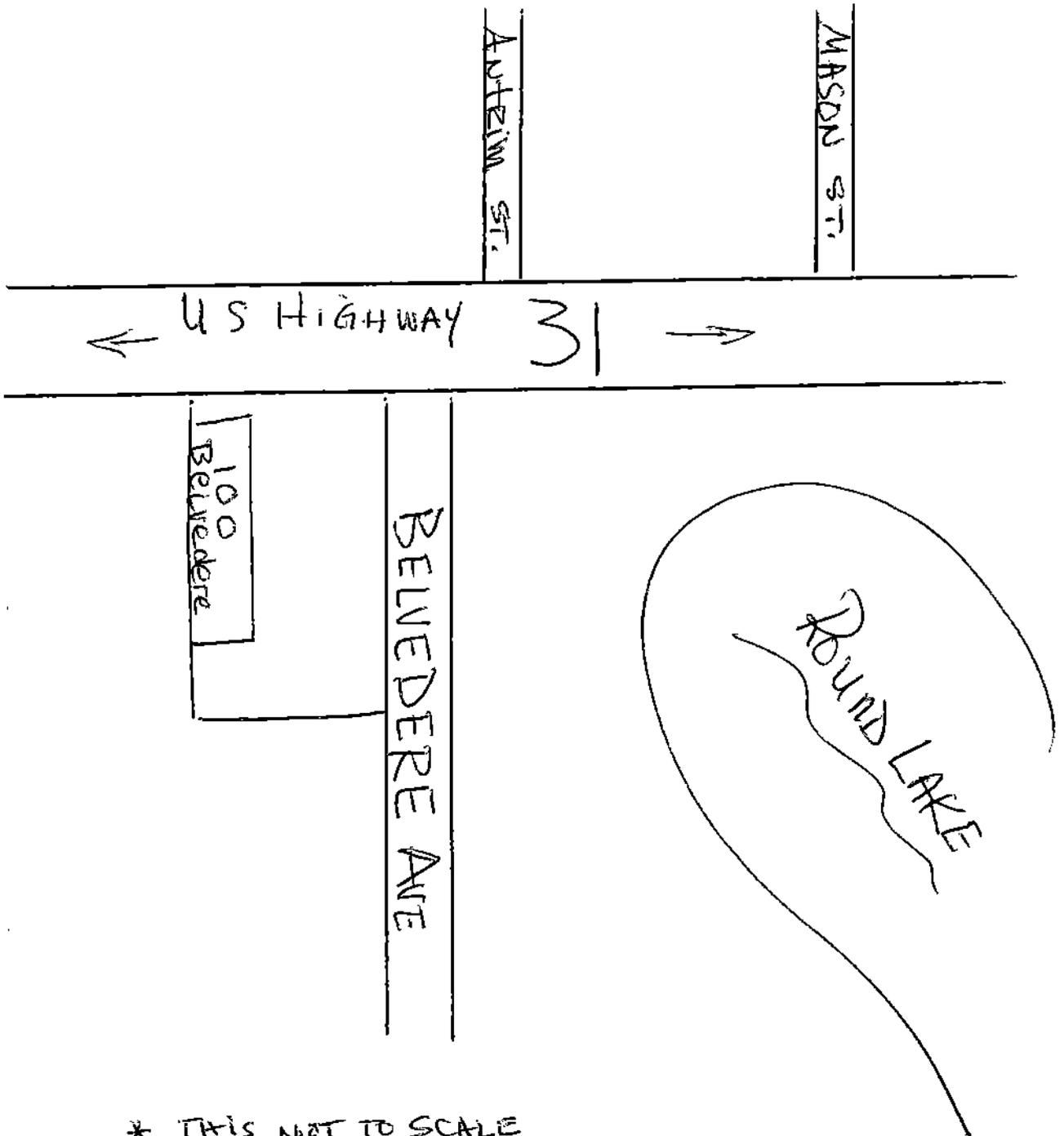
Charlevoix, MI 49720

231-547-3258

"Give it a voice. Your voice is energy and energy is power!"

MAP

- MAP -



* THIS NOT TO SCALE

LEGAL DESCRIPTION

Legal Description

The following described premises situated in the City of Charlevoix, County of Charlevoix, State of Michigan, to-wit:

The North 137-1/2 feet of Lot 1 Block 5 of Mason's Addition to the Village (Now City) of Charlevoix, Michigan. Also commencing at the Northwest Corner of Lot 2 of Block 5 of Mason's Addition to the Village (Now City) of Charlevoix, Michigan; thence South 137-1/2 feet, thence East 40 feet, thence North 137-1/2 feet to the South line of Belvedere Avenue; thence West 40 feet to the Place of Beginning. EXCEPT the South 45 feet of the East 8 feet of the aforesaid parcel in Lot 2.

Commonly known as 100 Belvedere Avenue, Charlevoix, MI 49720

Tax Parcel I.D.# 052-365-001-00

ARTICLES OF
INCORPORATION
FOR
JULIA, INC.

Michigan Department of Labor & Economic Growth

Filing Endorsement

This is to Certify that the ARTICLES OF INCORPORATION - PROFIT

for

JULIA, INC.

ID NUMBER: 09194E

received by facsimile transmission on January 3, 2006 is hereby endorsed

Filed on January 9, 2006 by the Administrator.

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



In testimony whereof, I have hereunto set my hand and affixed the Seal of the Department, in the City of Lansing, this 9TH day of January, 2006.

, Director

Bureau of Commercial Services

BC340-300 (Rev. 12/03)

MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH BUREAU OF COMMERCIAL SERVICES		
Date Received	(FOR BUREAU USE ONLY)	
This document is effective on the date filed, unless a subsequent effective date within 90 days after received date is stated in the document.		
Name ROGER G. ISAAC, ATTORNEY AT LAW		
Address 4438 OAKBRIDGE DRIVE, SUITE A		
City	State	ZIP Code
FLINT	MICHIGAN	48532
Effective Date:		

Document will be returned to the name and address you enter above, if left blank document will be mailed to the registered office.

ARTICLES OF INCORPORATION

For use by Domestic Profit Corporations
(Please read information and instructions on the last page)

Pursuant to the provisions of Act 284, Public Acts of 1972, the undersigned corporation executes the following Articles:

ARTICLE I

The name of the corporation is:

JULIA, INC.

ARTICLE II

The purpose or purposes for which the corporation is formed is to engage in any activity within the purposes for which corporations may be formed under the Business Corporation Act of Michigan.

ARTICLE III

The total authorized shares:

1. Common Shares 60,000 Preferred Shares -0-

2. A statement of all or any of the relative rights, preferences and limitations of the shares of each class is as follows:
The Corporate Stock issued shall be in accordance with Section 1244 of the Internal Revenue Code, as amended.

ARTICLE IV

1. The address of the registered office is:

8130 WEST CARPENTER ROAD, FLUSHING, Michigan 48433
(Street Address) (City) (ZIP Code)

2. The mailing address of the registered office, if different than above:

SAME, Michigan _____
(Street Address or P.O. Box) (City) (ZIP Code)

3. The name of the resident agent at the registered office is: AMJAD N. ISHAK

8C34GD-508 (Rev. 12/03)

ARTICLE V

The name(s) and address(es) of the incorporator(s) is(are) as follows:

Name	Residence or Business Address
AMJAD N. ISHAK-8130 W. CARPENTER ROAD,	FLUSHING, MICHIGAN 48433

ARTICLE VI (Optional, Delete if not applicable)

When a compromise or arrangement or a plan of reorganization of this corporation is proposed between this corporation and its creditors or any class of them or between this corporation and its shareholders or any class of them, a court of equity jurisdiction within the state, on application of this corporation or of a creditor or shareholder thereof, or an application of a receiver appointed for the corporation, may order a meeting of the creditors or class of creditors or of the shareholders or class of shareholders to be affected by the proposed compromise or arrangement or reorganization, to be summoned in such manner as the court directs. If a majority in number representing 3/4 in value of the creditors or class of creditors, or of the shareholders or class of shareholders to be affected by the proposed compromise or arrangement or a reorganization, agree to a compromise or arrangement or a reorganization of this corporation as a consequence of the compromise or arrangement, the compromise or arrangement and the reorganization, if sanctioned by the court to which the application has been made, shall be binding on all the creditors or class of creditors, or on all the shareholders or class of shareholders and also on this corporation.

ARTICLE VII (Optional, Delete if not applicable)

Any action required or permitted by the Act to be taken at an annual or special meeting of shareholders may be taken without a meeting, without prior notice, and without a vote, if consents in writing, setting forth the action so taken, are signed by the holders of outstanding shares having not less than the minimum number of votes that would be necessary to authorize or take the action at a meeting at which all shares entitled to vote on the action were present and voted. A written consent shall bear the date of signature of the shareholder who signs the consent. Written consents are not effective to take corporate action unless within 60 days after the record date for determining shareholders entitled to express consent to or to dissent from a proposal without a meeting, written consents dated not more than 10 days before the record date and signed by a sufficient number of shareholders to take the action are delivered to the corporation. Delivery shall be to the corporation's registered office, its principal place of business, or an officer or agent of the corporation having custody of the minutes of the proceedings of its shareholders. Delivery made to a corporation's registered office shall be by hand or by certified or registered mail, return receipt requested.

Prompt notice of the taking of the corporate action without a meeting by less than unanimous written consent shall be given to shareholders who would have been entitled to notice of the shareholder meeting if the action had been taken at a meeting and who have not consented to the action in writing. An electronic transmission consenting to an action must comply with Section 407(3).

ACS-CO-900 (Rev. 12/03)

The space below for additional Articles or for continuation of previous Articles. Please identify any Article being continued or added. Attach additional pages if needed.

ARTICLE VIII: ELIMINATION OF CERTAIN LIABILITY OF DIRECTORS

A Director of the Corporation shall not be personally liable to the Corporation or its Shareholders for monetary damages for a breach of fiduciary duty as a Director, except for liability:

- 1.) For any breach of the Director's duty of loyalty to the Corporation or its Shareholders;
- 2.) For acts or omissions not in good faith or that involve intentional misconduct or knowing violation of law;
- 3.) For a violation of Section 551(1) of the Michigan Business Corporation Act;
- 4.) For any transaction from which the Director derived an improper personal benefit; and
- 5.) For any acts or omissions occurring before the date this Article is filed by the Michigan Department of Consumer and Industry Services.

If, after the adoption of this Article by the Shareholders of the Corporation, the Michigan Business Corporation Act is hereafter amended to further eliminate or limit the liability of a Director, then a Director of the Corporation (in addition to the circumstances in which a Director is not personally liable as set forth in the preceding paragraph) shall not be liable to the Corporation or its Shareholders to the fullest extent permitted by the Michigan Business Corporation Act, as so amended.

Any repeal or modification of this Article by the Shareholders of the Corporation shall not adversely affect any right or protection of a Director to the Corporation existing at the time of such repeal or modification.

I, (We), the incorporator(s) sign my (our) name(s) this 8TH day of DECEMBER 2005

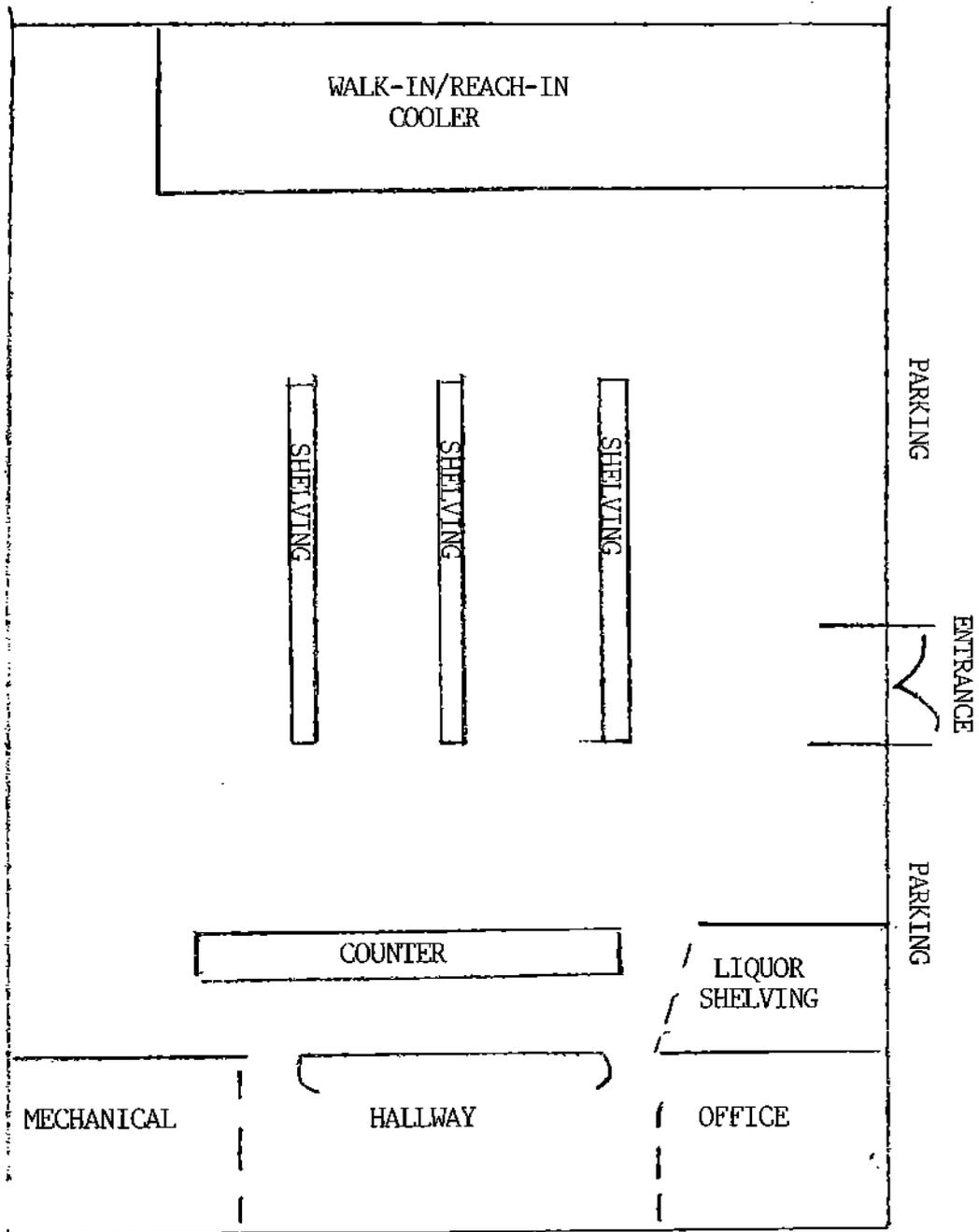
AMJAD N. ISHAK

SITE PLAN

SIGNAGE
AREA

100 BELVEDERE AVENUE
CHARLEVOIX, MICHIGAN 49720

- US 31 -



Present Configuration
(SITE PLAN)

1a

99

MLCC APPLICATION
(LCC FORM 3011)



Michigan Department of Licensing and Regulatory Affairs
 Liquor Control Commission (MLCC)
 7150 Harris Drive, P.O. Box 30005 - Lansing, Michigan 48909-7505
 Toll Free (866) 813-0011 • www.michigan.gov/lcc

Business ID: _____
 Request ID: _____
 (For MLCC use only)

Application for New Licenses, Permits, or Transfer of Ownership or Interest in License
(Retail License Applicants)

PLEASE READ! Complete this form in its entirety and return it, along with corresponding documents and fees, to the address listed at the top of this form. You may provide a copy of this application to your local municipal board for review, if applicable.

Part 1 - If you are requesting a license as a part of your application please answer the questions below:

- Are you requesting a new license as a part of your application? Yes No
- Are you buying an existing license as a part of your application? Yes No
- Is this license being transferred as a result of a default or court action? Yes No
- Do you intend to actively use this license or hold it in escrow? Active Operation Escrow

Part 2 - Transaction Information: Check boxes applicable to your application New license New permit

- Transfer ownership Add space Change status (self incorporation) Transfer stock/interest
- Transfer location Drop space Transfer classification type of license Transfer limited partnership interest

Name(s) of current licensee: GARB-KO, INC.

Current licensed address: 100 BELVEDERE, CHARLEVOIX, MI 49720

Part 3 - Applicant Information

- Name of entity/person that will hold the license: JULIA, INC.
- Corporations/Limited Liability Company(s) - State the name as it is filed with the State of Michigan Corporation Division and provide a copy of your articles.
 - Corporations/Limited Liability Company(s) must provide a list of stockholders/members in Part 8 of this form.
 - If your company has not filed with the State of Michigan, you must submit a copy of a filed certificate of authority to transact business in Michigan along with your application.

What is the physical address of the premises where the license will be located? (Include street address, city, state and zip code)

100 BELVEDERE, CHARLEVOIX, MICHIGAN 49720 (CITY OF CHARLEVOIX/CHARLEVOIX COUNTY)

Part 4 - Definitions

Off-premise licenses - Licenses that are issued for the type of business where alcoholic beverages are sold for consumption elsewhere, and where consumption on the premises is not allowed. There are two main types; SDD (spirits and mixed drink spirits) and SDM (beer and wine). Please check the appropriate box for your request. Note: Any additional transfer or license fees may be calculated and collected at a later date.

On-premise licenses - Licenses that are issued to allow alcoholic beverages to be sold, served and consumed on the premises. Note: Any additional transfer or license fees may be calculated and collected at a later date.

Part 5 - Inspection Fees: Check box applicable to your application

- Inspection fee for one license type - inspection fee is \$70.00
- Inspection fee for two license types - inspection fee is \$140.00
- Inspection fee for three license types - inspection fee is \$210.00



Michigan Department of Licensing and Regulatory Affairs
 Liquor Control Commission (MLCC)
 7150 Harris Drive, P.O. Box 30005 - Lansing, Michigan 48909-7505
 Toll Free (866) 813-0011 • www.michigan.gov/lcc

Business ID: _____
 Request ID: _____
 (For MLCC use only)

Application for New Licenses, Permits, or Transfer of Ownership or Interest in License
(Retail License Applicants)

Part 6 - Licenses and Permits: Check the type of license and permits that you need to complete your request

MCL 436.1525(1) provides that license fees shall be paid at the time of filing applications. (All checks/money orders should be made payable to the State of Michigan)

Off Premise License Type:	Base Fee:
<input checked="" type="checkbox"/> SDM License	\$100.00
<input checked="" type="checkbox"/> SDD License	\$150.00
<input type="checkbox"/> Resort SDD License	Upon Licensure
<input type="checkbox"/> Transfer Resort SDD license	\$150.00

On Premise License Type:	Base Fee:
<input type="checkbox"/> B-Hotel License	\$600.00
<input type="checkbox"/> A-Hotel License	\$250.00
<input type="checkbox"/> Brewpub license	\$100.00
<input type="checkbox"/> Class C License	\$600.00
<input type="checkbox"/> Club License	\$300.00
<input type="checkbox"/> Resort License	Upon Licensure
<input type="checkbox"/> Redevelopment License	Upon Licensure
<input type="checkbox"/> Tavern License	\$250.00
<input type="checkbox"/> G-1 License	\$1,000.00
<input type="checkbox"/> G-2 License	\$500.00
<input type="checkbox"/> Aircraft License	\$600.00
<input type="checkbox"/> Watercraft License	\$100.00
<input type="checkbox"/> Train	\$100.00
<input type="checkbox"/> Continuing Care License	\$600.00

On/Off Premise Permission Type:	Base Fee:
<input type="checkbox"/> Off-premise Storage	No charge
<input type="checkbox"/> Direct Connection(s)	No charge
<input type="checkbox"/> Gas Pumps	No charge

*Note: MCL 436.1529(5)(b) provides that an inspection fee shall not be required for the issuance of a new permit, or the transfer of an existing permit, if the permit is issued or transferred simultaneously with the issuance or transfer of a license or an interest in a license.

**Note: \$350.00 is due for each additional bar requested. This fee must also be included when calculating the total amount due for Sunday Sales Permit (PM).

Off Premise Permits:	Base Fee:
<input checked="" type="checkbox"/> Sunday Sales Permit (AM)	\$160.00
<input checked="" type="checkbox"/> Sunday Sales Permit (PM) (Held with SDD license)	\$22.50
<input type="checkbox"/> Catering Permit	\$100.00
<input type="checkbox"/> Beer and Wine Sampling	No charge *
<input type="checkbox"/> Living Quarters	No charge *

*Note: MCL 436.1529(5)(b) provides that an inspection fee shall not be required for the issuance of a new permit, or the transfer of an existing permit, if the permit is issued or transferred simultaneously with the issuance or transfer of a license or an interest in a license.

On Premise Permit Type:	Base Fee:
<input type="checkbox"/> Sunday Sales Permit (AM)	\$160.00
<input type="checkbox"/> Sunday Sales Permit (PM)	15% of license fee
<input type="checkbox"/> Catering Permit	\$100.00
<input type="checkbox"/> Outdoor Service	No charge *
<input type="checkbox"/> Entertainment Permit	No charge *
<input type="checkbox"/> Dance Permit	No charge *
<input type="checkbox"/> Topless Activity Permit	No charge *
<input type="checkbox"/> Living Quarters	No charge *
<input type="checkbox"/> Specific Purpose Permit (list activity below):	

Hours requested: _____

Extended Hours Permit (check type below): No charge *
 Dance Entertainment

Hours requested: _____

- New Additional Bar Permit (s)** Indicate #: _____ \$350.00
- New Banquet Facility Permit \$600.00

Address of proposed banquet facility:

A Banquet facility permit is an extension of your license and is different from a banquet room in your facility.



Michigan Department of Licensing and Regulatory Affairs
 Liquor Control Commission (MLCC)
 7150 Harris Drive, P.O. Box 30005 - Lansing, Michigan 48909-7505
 Toll Free (866) 813-0011 • www.michigan.gov/lcc

Business ID: _____
 Request ID: _____
 (For MLCC use only)

Application for New License, Permits, or Transfer of Ownership or Interest in License
(Retail License Applicants)

Part 7a - Name and Address of stockholder/member/limited partner

- Each stockholder/member/partner must complete Part 7b of the application.
 (For companies with multiple stockholders/members/partners, please make copies of this section for each person/entity to complete)
- Administrative rule R 436.1115 provides that an applicant for a license shall submit fingerprints and undergo investigation by the Commission. Fingerprints are not required for an applicant previously fingerprinted for a license with the Commission. If your local police agency does not have paper fingerprint cards, please contact the MLCC today at (866) 813-0011 and we will send them to the police department right away.
- Please attach the the fingerprint card and \$30.00 fee payable (for each card) to the State of Michigan and return them to the Lansing office of the Michigan Liquor Control Commission with your application.

Name: AMJAD N. ISHAK
 Home address: 6-8130 W. CARPENTER RD FLUSHING, MI 48433
 Business Phone: _____ Cell Phone: [REDACTED] E-mail address: _____

Part 7b - Personal Information (Individuals)

Date of Birth: 5/1/69 Social Security Number: [REDACTED] Drivers License Number: [REDACTED]

Are you a citizen of the United States of America? Yes No
 Have you ever legally changed your name? Yes No List maiden names, or name changes due to naturalization or court order
 If you answered yes, please state your prior name(s) (including maiden): _____

Have you ever been arrested? Yes No If yes, list below (attach additional pages if necessary)

*APPLICANT'S RECORD HAS BEEN EXPUNGED. *SEE MLCC RECORDS REGARDING LICENSE ON FILE FOR GONI, INC.

Have you ever been licensed by the Michigan Liquor Control Commission? Yes No
 If you are currently married, what is your spouse's full name? ELHAM N. Abusada
 Spouse's date of birth: [REDACTED]-71 (first, middle, last)

Is your spouse a citizen of the United States of America? Yes No (If you answered "no", you will be asked to provide documentation to verify your spouse's legal status)

Has your spouse ever been arrested? Yes No If yes, list below (attach additional pages if necessary)

Date	City/State	Charge	Disposition
_____	_____	_____	_____

Do you or your spouse hold any position, either by appointment or election, which involves the duty to enforce any penal law of the United States of America, or the penal laws of the State of Michigan, or any penal ordinance or resolution of any municipal subdivisions of the State of Michigan (civil defense volunteer policeman, mayors, village presidents, and members of city councils are not considered to be law enforcement officers).
 Yes No

Do you or your spouse hold a manufacturer or wholesale license in Michigan?
 Yes No

I certify that the information contained in this form is true and accurate to the best of my knowledge and belief. I agree to comply with all requirements of the Michigan Liquor Control Code and Administrative Rules. I also understand that providing false or fraudulent information is a violation of the Liquor Control Code pursuant to MCL 436.2003.

Date: 11/26/2013 Individual print name: AMJAD N. ISHAK Individual signature: [Signature]



Michigan Department of Licensing and Regulatory Affairs
 Liquor Control Commission (MLCC)
 7150 Harris Drive, P.O. Box 30005 - Lansing, Michigan 48909-7505
 Toll Free (866) 813-0011 • www.michigan.gov/lcc

Business ID: _____
 Request ID: _____
 (For MLCC use only)

Application for New Licenses, Permits, or Transfer of Ownership or Interest in License
(Retail License Applicants)

Part 8 - Report of Stockholders/Members/Limited Partners

Complete this section and attach more copies of this page if more room is needed.

Name and Address of stockholder/member:

Number of Shares/Percentage Held:

<u>Amjad N. Ishak - 8130 W. Carpenter Rd., Flushing, MI 48433</u>	<u>1,000</u>
_____	_____
_____	_____
_____	_____
_____	_____

Name and address of Corporate Officers and Directors, pursuant to administrative rule R 436.1109

Amjad N. Ishak - President, Secretary, Treasurer, Director
8130 W. Carpenter Road, Flushing, Michigan 48433

Name and address of Managers and Assignees, pursuant to administrative rule R 436.1110

What is the total number of shares that the corporation has issued to its stockholders? 1,000

Limited Partnerships

Name and address of General Partner(s) - Attach additional pages if necessary

Name and address of Limited Partner(s) - Attach additional pages if necessary



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Business ID: _____
 Request ID: _____
 (For MLCC use only)

**Application for New Licenses, Permits, or Transfer of Ownership or Interest in License
 (Retail License Applicants)**

Part 9 - Contact Information

Once the Commission has rendered a decision on your request there will be additional information that you will be required to provide. Complete this section so we know where to send your Commission Order and any closing packages.

What is your preferred method of receipt? Mail E-Mail In office pick-up

(If you choose to pick this package up in the office our staff will contact you when it is ready)

Contact Name: Amjad N. Ishak

Mailing Address: 8130 W. Carpenter Road, Flushing, Michigan 48433

Business Phone: _____ Cell Phone: (810) 691-0933 E-mail address: _____

Part 10 - Attorney Information

Do you have an attorney representing you in this matter? Yes No

Attorney Name: Roger G. Isaac Member Number: P- 23697

Street Address, City, State, Zip Code: 4438 Oakbridge Drive, Suite A, Flint, Michigan 48532

Business Phone: (810) 732-4022 Cell Phone: _____ E-mail address: rgilaw@sbcglobal.net

Would you prefer that we contact your attorney for all licensing matters related to your request? Yes No

Would you prefer any closing packages or notices be sent directly to your attorney? Yes No

Be advised that the information contained in this application will only be used for this request. This section will need to be completed for each subsequent request you make with this office.

Signature of Applicant:

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. Approval of this permit by the Michigan Liquor Control Commission does not waive any of these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals for this business before using this license for the sale of alcoholic liquor on the licensed premises.

I certify that the information contained in this form is true and accurate to the best of my knowledge and belief. I agree to comply with all requirements of the Michigan Liquor Control Code and Administrative Rules. I also understand that providing false or fraudulent information is a violation of the Liquor Control Code pursuant to MCL 436.2003.

11/26/2013
Date

AMJAD N. ISHAK, President
Print name of applicant/licensee and title

[Signature]
Signature of applicant/licensee

To check the status of your request, visit www.michigan.gov/lcc and click on "Online Services." Scroll down to Liquor Control Commission and click on "Online Status Check." Enter your request id number (RID) to check on your application 24 hours a day.

FINANCIAL INFORMATION

Financial Information is considered confidential & is not included in Council's Agenda packet. Please see me if you have any questions re: this portion of the application.

Stephanie Brown



Resolution 2014-02-##

Michigan Department of Licensing and Regulatory Affairs
Liquor Control Commission (MLCC)
7150 Harris Drive, P.O. Box 30005 - Lansing, Michigan 48909-7505
Toll Free (866) 813-0011 - www.michigan.gov/lcc

Business ID:
Request ID:
(For MLCC use only)

Local Government Approval

(Authorized by MCL 436.1501)

Instructions for Applicants:

- You must obtain a recommendation from the local legislative body for a new license application and/or a new banquet facility permit.

Instructions for Local Legislative Body:

- Complete this resolution, or provide a resolution, along with certification from the clerk, or adopted minutes from the meeting at which this request was considered.

At a regular meeting of the City of Charlevoix council/board
called to order by Mayor Norman L. Carlson, Jr., on February 3, 2014 at 7:00 p.m.
the following resolution was offered:

Moved by and supported by
that the application from Julia, Inc.
(name of applicant)

for the following license(s): SDM and SDD with Sunday Sales

to be located at 100 Belvedere Avenue

and the following permit, if applied for:

Banquet Facility Permit Address of Banquet Facility: N/A

It is the consensus of this body that it this application be considered for
approval by the Michigan Liquor Control Commission.

If disapproved, the reasons for disapproval are

Vote

Yeas:
Nays:
Absent:

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the
council/board at a meeting held on

Name and title of authorized clerk (please print):
Signature of authorized clerk and date:
Phone number and e-mail of authorized officer:

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Consideration of contributing to additional petunia baskets

DATE: February 3, 2014

PRESENTED BY: Aaron Wilkin, Keep Charlevoix Beautiful

ATTACHMENTS: City of Charlevoix gift policy; written intention of payment

BACKGROUND INFORMATION:

Keep Charlevoix Beautiful has been approached by a generous donor who wishes to add additional baskets to the downtown petunia display.

The baskets would be added to the light posts on the four block stretch of State Street from Antrim to Park, as well as on the first block of Antrim, Mason, Clinton and Park west of Bridge Street. This would add great visual impact to the side streets, dress up City Hall and the Chamber of Commerce/Visitor's Center and ultimately increase foot traffic and business to more of the downtown area.

Through a Keep Charlevoix Beautiful donation, the donor would like to pay for the brackets and hardware to be added to the light posts (\$7,875), the additional baskets (\$1,125) and the additional petunias to fill the baskets (\$1,485). The donor would also like to donate to pay for half of the additional incurred watering costs that city staff estimated at \$5,566 for staff time and fringes. Keep Charlevoix Beautiful asks that the City of Charlevoix pay the other half.

Keep Charlevoix Beautiful will pay for half of the watering in perpetuity, as long as donations will cover the costs.

RECOMMENDATION: City Council needs to entertain a motion to support Keep Charlevoix Beautiful's additional petunia basket display with half of the watering expenses (\$2,783).

City of Charlevoix Donation Acceptance Policy

I. Introduction/Purpose

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

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

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

II. Guidelines

- A. Gifts intended to either become incorporated into City parks as well as gifts of equipment, vehicles, boats or facilities intended to supplement those of the City often involve considerations of aesthetics, costs, and compatibility whose features shall be evaluated using the following criteria:
1. Aesthetics- The City and Community have an interest in ensuring the best appearance and aesthetic quality of public lands and facilities. Donations and their recognition shall reflect the character and be consistent with the intended surroundings.
 2. Requirement of Maintenance/Repair- Since donated elements and their associated recognition become City property, the Community has an interest in ensuring that all elements remain in good repair. In addition, the Community has an interest in ensuring that the short and long-term repair costs are reasonable and that repair parts and materials be readily

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

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

Donation acknowledgments and memorial plaques shall be made of bronze and be of the highest quality, life and durability. In cases where bronze plaques are not feasible, other alternative types may be considered.

9. Special Provisions Relating to City Parks- In cases of donations to City parks which may reasonably affect the park or its immediate surroundings,

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

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

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

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

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

III. Installation

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

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

IV. Removal and/or Relocation

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

V. Procedures for Making and Accepting Gifts

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

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

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

From: Todd Wyett
Sent: Monday, January 27, 2014 5:25 PM
To: Dr. Aaron Wilkin
Cc: Rob Straebel
Subject: Re: Basket Watering

I will pay for (the flowers of) all downtown baskets this year -- new and old
I will pay for costs assoc with new baskets and brackets
I will pay for 1/2 the watering

This is a one year commitment, but I am likely to do it on a going forward basis

Will this email suffice?

Todd A. Wyett

CHARLEVOIX CITY COUNCIL

AGENDA ITEM

AGENDA ITEM TITLE: Discussion Regarding Filling Vacant City Clerk Position

DATE: February 3, 2014

PRESENTED BY: Mayor Carlson

ATTACHMENTS: Job Description

BACKGROUND INFORMATION: City Council needs to discuss filling the vacant City Clerk position. Even when appointing a person to this position, the City Clerk will be an “elected official” and therefore must be a City resident. Additionally, the Compensation Commission still determines the salary of the position which was established at their last meeting at \$37,888. If the City Council by a 2/3 vote rejects the recommendation, the existing salary would prevail (\$41,452). Staff recommends City Council accepts the proposed salary of \$37,388. No motion is needed in this respect.

Staff could advertise for applications for the position over the next 3-4 weeks and compile all applications for City Council. An interview committee could be set up with members of the City Council. The committee would then make a recommendation to City Council and City Council could vote on the most qualified person for the position of City Clerk.

Future discussions will be held regarding ballot language to change City Clerk position from elected to appointed.

The Charlevoix Compensation Commission met on January 23rd and approved the attached job description. The Commission has asked Council to consider approving the job description.

RECOMMENDATION: Discussion with direction to Staff and consideration of a motion to approve the attached City Clerk job description.

CITY OF CHARLEVOIX

Title: City Clerk

FLSA: Exempt
STATUS: Elected Official

Department: Clerk

Accountable To: Voters
Courtesy Reporting To: City Manager
Daily Supervision: Oneself

Date: April 24, 2013

Position Summary

To perform all of the duties of a city clerk as provided by Federal and Michigan Statutes and the City Charter and Code Book. Administers all national, state, and local elections. Maintains all official City records and ordinances. Responsible for all meeting minutes of City Council, Zoning Board of Appeals, Planning Commission, and Downtown Development Authority. Supervises election officials. Works with the Treasurer's Office regarding Deputy Clerk tasks.

Scope and Environment

As this is an elected administration official and not an at-will employee of the City, the incumbent operates with considerable autonomy. The clerk should maintain a professional working relationship with City Council and the City Manager. The city clerk duties are task-oriented, dependent on a particular situation, and are generally of a clerical/administrative nature. Many of those tasks have mandated deadlines.

The incumbent has considerable contact with Treasurer staff, department heads, contractor and vendor representatives, voting officials, and the general public. Duties require tact and discretion to research and resolve issues. Considerable attention to detail and careful time management are also required to meet deadlines and to respond to issues in a timely manner. The incumbent operates a computer and standard office equipment. Work is performed in a cubicle/office environment. Essential functions may require walking, standing, or sitting for prolonged periods of time and lifting a standard-sized box of records or election equipment. Concentration may be interrupted by phone calls and walk-ins at counter.

Essential Functions

- Serves as the City's election official liaison to the County, conducts all aspects of the City's general and special elections including legal notices, absentee ballots, and voting equipment information. Ensures compliance with federal, state, and local laws related to municipal elections. Works closely with the County election officials.
- Attend City Council meetings, takes minutes, and causes them to be published, indexed, and recorded in a permanent journal. Serves as clerk to the Board of Review and the Compensation Commission.
- Publish and post all notices of all City council hearings and meetings, except those related to zoning matters.
- Serves as clerk to the Planning Commission, Zoning Board of Appeals, and Downtown Development Authority.
- Administer oath of office for City Council and Commissioners and maintains custody of official City seal.
- Responds to citizen inquiries regarding election processes and Freedom of Information Act requests.
- Responsible for oversight and/or issuance of licenses (e.g. airport, business, liquor), bid openings, cemetery records, and the like.
- Responsible for City's official records maintenance, ensuring documents are recorded and filed properly; coordinates records retention and storage schedules;

- Oversees archiving all paper records into a digital format.
- Oversees annual inspection of official records room; discarding records according to state statutes.
- Remains current on legal changes, principles, practices, and developments in the field.
- Develop and administer the budget for the City Clerk's Office.
- Serves as signatory on all City contracts, agreements, ordinances, resolutions, checks and related documents; maintain and codify all ordinances in the Municipal Code.
- Other tasks as the clerk accepts and acknowledges without additional compensation.

Minimum Qualification Requirements

- City of Charlevoix registered voter.
- City of Charlevoix resident.

Skills, Ability, and Knowledge

- Extensive knowledge of State and Municipal laws, rules and regulations as they pertain to the City Clerk functions and the administration of City government.
- General knowledge of office management procedures, records management and retention, filing systems, correspondence, etc.
- Proficiency in Microsoft Office Suite, particularly WORD and EXCEL; ability to learn and become proficient in the Qualified Voter File (QVF), Electronic Poll Book (EPB) programs and records management software.
- Skill in maintaining and updating records and documents.
- Skill in interpersonal relations and written and oral communications sufficient to soothe irate citizens, work with vendors, employees, and communicate with council and board members.
- Ability to attend meetings and accommodate deadlines scheduled at night or at times other than regular business hours.
- Ability to work effectively under stress and changes in work priorities.

Certifications Desirable

- Ability to meet the standards required for bonding.
- Ability to meet the standards required to become a notary.

Compensation Commission Approval:
 City Council Approval:

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Discussion regarding 100LL Fuel Truck surcharge proposal

DATE: February 3, 2014

PRESENTED BY: Scott Woody

ATTACHMENTS: Letter from Mike Borta, QoE

BACKGROUND INFORMATION: In an effort to make the airport self-sufficient, it's necessary to look at every cost. One particular item that incurs substantial costs to the city is the 100LL (aircraft gasoline) fuel truck. The estimated annual cost to operate the fuel truck is \$15,000. In an attempt to defer some of these costs we are proposing a .25 cent per gallon surcharge for all users. The 100LL fuel is also available 24/7 via our self-serve cabinet. This surcharge would be a strong step to cover some of the costs associated with running the fuel truck.

Fresh Air Aviation is contesting the surcharge fee and states it is an illegal charge. We are asking for a legal interpretation from both our consultant and FAA officials on this. Obviously, we would not implement the charge if found to be illegal.

City Council ultimately has the authority to decide whether to implement the .25 charge or not. We are looking for direction on this issue for the 2014-15 budget.

RECOMMENDATION: Motion to approve the 100LL fuel truck .25 cent per gallon surcharge.

From: Mike Borta <MBorta@QoEConsulting.com>
Date: January 28, 2014 at 2:40:26 PM EST
To: Rob Straebel <robs@cityofcharlevoix.org>
Subject: Fuel Delivery Truck Surcharge

Good afternoon Rob –

Attached is my analysis of the ‘fuel surcharge’ situation (pdf version) and a copy of the applicable FAA grant assurances (I attached these just for convenience).

Bottom-line, my opinion is the City of Charlevoix is well within its rights to assess a fuel truck delivery surcharge that will apply to all commercial users. Fresh Air may not like it, but they have alternatives at their disposal to avoid the surcharge.

The City has to look after the financial well being of the airport and, sometimes, that means imposing things not always popular.

The cure-all to the rather unique charter service situation at CVX (that is, one operating from the terminal building, one operating from off airport) is to renovate the terminal building so it can accommodate both charter services.

Let me know if you have any comments/questions regarding my analysis.

Michael Borta, P.E.
Manager

ISSUE:

Charlevoix Municipal Airport (CVX) presently charges a fixed 'fuel flowage fee' of \$0.35/gallon for 100LL avgas to registered air charter services (currently Island Airways and Fresh Air Aviation), while charging different flowage rates to noncommercial airport users. The \$0.35/gallon fee is assessed whether an air charter aircraft is fueled by the air charter staff at the pumps, or the air charter aircraft are fueled at the air charter hangar by airport staff from the airport fuel delivery vehicle. CVX states an additional delivery truck surcharge of \$0.25/gallon is needed to partially offset the cost of operating the airport owned fuel truck. This surcharge would be assessed to all commercial operations that request fueling via airport staff and the airport fuel delivery vehicle.

Having been the recipient of several FAA funding grants over the past few years, CVX is obligated to thirty-nine (39) grant assurances that specify how CVX is to maintain and operate the airport and make the airport financially viable. The grant assurances most applicable to the fuel flowage situation are:

- Assurance 22: Economic Nondiscrimination
- Assurance 23: Exclusive Rights
- Assurance 24: Fee and Rental Structure
- Assurance 25: Airport Revenues

DISCUSSION:

Assurance 22 – Economic Nondiscrimination

Subpara. a. It (CVX) will make the airport available as an airport...on reasonable terms and without unjust discrimination to all types...of aeronautical activities, including commercial aeronautical activities...

Discussion: It would seem, with the proposed \$0.25/gal fuel surcharge for truck delivery being assessed to all commercial operators, the onus to prove an unjust discriminatory practice would fall to Fresh Air.

Subpara. c. Each FBO...shall be subject to the same rates...as are uniformly applicable to all other FBOs making the same or similar uses of such airport and utilizing the same or similar facilities (emphasis added).

Discussion: This subparagraph clearly enables the airport to vary fees to FBOs based solely on the way an FBO's needs are met, such as one charter service fueling at the pumps and another charter service requiring trucked fueling.

Subpara. d. Each air carrier using such airport shall have the right to service itself or to use any FBO ...permitted by the airport...

Discussion: This subparagraph enables a charter service to choose how it wishes to service itself, which permits Fresh Air to self-fuel at the pumps (as does Island Air), if they so choose.

Subpara. e. Each air carrier...shall be subject to such nondiscriminatory and substantially comparable rules, regulations, conditions, rates, fees,...as are applicable to all other such air carriers...

Discussion: This subparagraph permits variable rates between air carriers, dependent on each air carrier's specific demands for services. Again, would it not fall to Fresh Air to prove rates Fresh Air pays are not substantially comparable?

Subpara. f. It (CVX) will not...grant any right or privilege...to prevent any ...firm...operating aircraft on the airport from performing any services on its own aircraft with its own employees (including...fueling) that it may choose to perform.

Discussion: This subparagraph permits air carriers the option of providing their own fuel service for their aircraft, that is Fresh Air and Island Airways can furnish their own fuel truck (which must be filled from the City owned avgas fuel tanks at \$0.35/gallon flowage fee), thus saving the \$0.25/gallon truck delivery surcharge.

Subpara. h. The sponsor may establish such reasonable, and not unjustly discriminatory (emphasis added), conditions to be met by all users of the airport as may be necessary for the safe and efficient operation of the airport.

Discussion: It would seem this paragraph puts the onus of proving 'unjust discriminatory' conditions on Fresh Air. Further, this subparagraph enables the airport to establish variable rates to be met by all users (as is the case with the proposed \$0.25/gal. truck fuel delivery surcharge – that is, all commercial users will be assessed a \$0.25/gal surcharge for truck delivery).

Assurance 23 – Exclusive Rights

This Assurance stipulates that the airport cannot permit any exclusive rights by any person...intending to provide aeronautical services to the public.

Discussion: Clearly, CVX has not established any exclusive rights for anyone providing aeronautical services.

Assurance 24 – Fee and Rental Structure

This Assurance states: It will maintain a fee and rental structure for the facilities and services...which will make the airport as self-sustaining as possible...

Discussion: By this Assurance it is incumbent on CVX to establish and maintain a revenue stream that is fair and covers its incurred costs, such as the cost to operate and maintain a fuel truck. Because management and operation of the airport became a City responsibility in April, 2011, the City is still adjusting rates and fees to achieve the best level of self-sustainability.

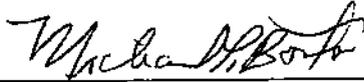
Assurance 25 – Airport Revenues

Subpara. a. All revenues generated by the airport...will be expended by it for the capital or operating costs of the airport...

Discussion: As the current fuel flowage fee and proposed delivery truck surcharge are assessed and collected, these revenues will meet the requirement of this assurance in that the fees will be used as part of the airport budget and airport operating fund.

CONCLUSION:

It is the opinion of this writer that the City of Charlevoix and Charlevoix Municipal Airport comply with the Grant Assurances applicable to assessing fees and do, indeed, maintain nondiscriminatory rules, regulations, and practices. The imposition of the proposed fuel truck delivery surcharge simply strives to move the airport towards self-sufficiency, as required by Grant Assurance 24.



January 28, 2014

Michael L. Borta
Owner/Manager
QoE Consulting, PLC

Date

Full Grant Assurance Language for Assurances 22., 23., 24., and 25.

22. Economic Nondiscrimination.

- a. It will make the airport available as an airport for public use on reasonable terms and without unjust discrimination to all types, kinds and classes of aeronautical activities, including commercial aeronautical activities offering services to the public at the airport.
- b. In any agreement, contract, lease, or other arrangement under which a right or privilege at the airport is granted to any person, firm, or corporation to conduct or to engage in any aeronautical activity for furnishing services to the public at the airport, the sponsor will insert and enforce provisions requiring the contractor to-
- 1) furnish said services on a reasonable, and not unjustly discriminatory, basis to all users thereof, and
 - 2) charge reasonable, and not unjustly discriminatory, prices for each unit or service, provided that the contractor may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.
- c. Each fixed-based operator at the airport shall be subject to the same rates, fees, rentals, and other charges as are uniformly applicable to all other fixed-based operators making the same or similar uses of such airport and utilizing the same or similar facilities.
- d. Each air carrier using such airport shall have the right to service itself or to use any fixed-based operator that is authorized or permitted by the airport to serve any air carrier at such airport.
- e. Each air carrier using such airport (whether as a tenant, non tenant, or subtenant of another air carrier tenant) shall be subject to such nondiscriminatory and substantially comparable rules, regulations, conditions, rates, fees, rentals, and other charges with respect to facilities directly and substantially related to providing air transportation as are applicable to all such air carriers which make similar use of such airport and utilize similar facilities, subject to reasonable classifications such as tenants or non tenants and signatory carriers and non signatory carriers. Classification or status as tenant or signatory shall not be unreasonably withheld by any airport provided an air carrier assumes obligations substantially similar to those already imposed on air carriers in such classification or status.
- f. It will not exercise or grant any right or privilege which operates to prevent any person, firm, or corporation operating aircraft on the airport from performing any services on its own aircraft with its own employees [including, but not limited to maintenance, repair, and fueling] that it may choose to perform.
- g. In the event the sponsor itself exercises any of the rights and privileges referred to in this assurance, the services involved will be provided on the same conditions as would apply to the furnishing of such services by commercial aeronautical service providers authorized by the sponsor under these provisions.
- h. The sponsor may establish such reasonable, and not unjustly discriminatory, conditions to be met by all users of the airport as may be necessary for the safe and efficient operation of the airport.
- i. The sponsor may prohibit or limit any given type, kind or class of aeronautical use of the airport if such action is necessary for the safe operation of the airport or necessary to serve the civil aviation needs of the public.

23. Exclusive Rights. It will permit no exclusive right for the use of the airport by any person providing, or intending to provide, aeronautical services to the public. For purposes of this paragraph, the providing of the services at an airport by a single fixed-based operator shall not be construed as an exclusive right if both of the following apply:

- a. It would be unreasonably costly, burdensome, or impractical for more than one fixed-based operator to provide such services, and
- b. If allowing more than one fixed-based operator to provide such services would require the reduction of space leased pursuant to an existing agreement between such single fixed-based operator and such airport. It further agrees that it will not, either directly or indirectly, grant or permit any person, firm, or corporation, the exclusive right at the airport to conduct any aeronautical activities, including, but not limited to charter flights, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products whether or not conducted in conjunction with other aeronautical activity, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity, and that it will terminate any exclusive right to conduct an aeronautical activity now existing at such an airport before the grant of any assistance under Title 49, United States Code.

24. Fee and Rental Structure. It will maintain a fee and rental structure for the facilities and services at the airport which will make the airport as self-sustaining as possible under the circumstances existing at the particular airport, taking into account such factors as the volume of traffic and economy of collection. No part of the Federal share of an airport development, airport planning or noise compatibility project for which a grant is made under Title 49, United States Code, the Airport and Airway Improvement Act of 1982, the Federal Airport Act or the Airport and Airway Development Act of 1970 shall be included in the rate basis in establishing fees, rates, and charges for users of that airport.

25. Airport Revenues.

- a. All revenues generated by the airport and any local taxes on aviation fuel established after December 30, 1987, will be expended by it for the capital or operating costs of the airport; the local airport system; or other local facilities which are owned or operated by the owner or operator of the airport and which are directly and substantially related to the actual air transportation of passengers or property; or for noise mitigation purposes on or off the airport. The following exceptions apply to this paragraph:
 - 1) If covenants or assurances in debt obligations issued before September 3, 1982, by the owner or operator of the airport, or provisions enacted before September 3, 1982, in governing statutes controlling the owner or operator's financing, provide for the use of the revenues from any of the airport owner or operator's facilities, including the airport, to support not only the airport but also the airport owner or operator's general debt obligations or other facilities, then this limitation on the use of all revenues generated by the airport (and, in the case of a public airport, local taxes on aviation fuel) shall not apply.
 - 2) If the Secretary approves the sale of a privately owned airport to a public sponsor and provides funding for any portion of the public sponsor's acquisition of land, this limitation on the use of all revenues generated by the sale shall not apply to certain proceeds from the sale. This is conditioned on repayment to the Secretary by the private owner of an amount equal to the remaining unamortized portion (amortized over a 20-year period) of any airport improvement grant made to the private owner for any purpose other than land acquisition on or after October 1, 1996, plus an amount equal to the federal share of the current fair market value of any land acquired with an airport improvement grant made to that airport on or after October 1, 1996.

3) Certain revenue derived from or generated by mineral extraction, production, lease, or other means at a general aviation airport (as defined at Section 47102 of title 49 United States Code), if the FAA determines the airport sponsor meets the requirements set forth in Sec. 813 of Public Law 112-95.

b. As part of the annual audit required under the Single Audit Act of 1984, the sponsor will direct that the audit will review, and the resulting audit report will provide an opinion concerning, the use of airport revenue and taxes in paragraph (a), and indicating whether funds paid or transferred to the owner or operator are paid or transferred in a manner consistent with Title 49, United States Code and any other applicable provision of law, including any regulation promulgated by the Secretary or Administrator.

c. Any civil penalties or other sanctions will be imposed for violation of this assurance in accordance with the provisions of Section 47107 of Title 49, United States Code.

CHARLEVOIX CITY COUNCIL

AGENDA ITEM

AGENDA ITEM TITLE: Airport Consultant Selection Process

DATE: February 3rd, 2014

PRESENTED BY: Scott Woody

ATTACHMENTS: Request for Qualifications advertisement
January 28th Airport Advisory Committee meeting minutes

BACKGROUND INFORMATION: The FAA requires airport sponsors to go through a Consultant Selection every 5 years. Charlevoix's last selection was 2006. On January 28th the Airport Advisory Committee met to discuss this process and voted unanimously to approve proceeding with a Request for Qualification advertisement.

RECOMMENDATION: A motion can be made as follows: "City Council approves advertising a Request for Qualifications for an airport consultant"

Request for Qualifications (RFQ)

Charlevoix Municipal Airport to provide Professional Aviation Consultant Services

The City of Charlevoix, MI intends to select a consultant to assist in airport development projects. Interested consulting firms are requested to submit a Statement of Qualifications (SOQ) in seven copies to the Airport Manager, Scott Woody, 210 State Street Charlevoix MI 49720 no later than February 28th 2013. Statements should be marked "Charlevoix Municipal Airport Consulting Services SOQ". Submittals must include all information specified in these instructions and shall not exceed 25 printed pages including transmittal letter. (cover, back, table of contents, and section dividers not included) The SOQ should demonstrate the consultants' interest in providing airport planning, architectural/engineering design, and construction administration services focused on The City of Charlevoix's current Five-Year Airport Capital Improvement Plan (ACIP). Services will include general consulting and advisement on airport development issues including assistance in the following projects:

1. Terminal Apron Reconstruction & Expand Phase II Construction
2. PFC runway 9/27
3. USDA Wildlife Study
4. Wildlife Fence – Design & Construction
5. PAPI, REIL, Windcone – Design & Construction
6. Crackseal & Paint Airside Pavements

Services associated with the above project list, such as minor ALP Updates, programming, drainage improvements, environmental review, approach clearing, paint marking, crack sealing, NAVAID/electrical, land acquisition, and/or planning/user survey studies may be performed in association with the listed projects as funding and constructability allow. From time to time projects develop as a result of airport inspections, letters of correction and/or emergency circumstances. The selected consultant may be asked to perform said additional work as part of this procurement action.

This is a Quality Based Selection process, and services for each project will be negotiated independently. SOQ submittals shall exclude fees or costs. Not all of the services or development items listed in this advertisement may be contracted nor eventually required. The Sponsor reserves the right to initiate additional procurement action for any services included in this procurement, but not under contract.

Firms will be ranked in areas such as: familiarity and understanding of the airport needs; corporate history and background in aviation consulting; demonstrated experience with similar projects; key personnel professional qualifications; firms ability to provide contact person with demonstrated aviation experience and overall project coordination; knowledge/familiarity with FAA and State regulations, policies, and procedures; success of recent projects; Familiarity of Charlevoix Municipal Airport, awards, or special recognition achieved by the firm should be highlighted.

Firms should demonstrate their reputation with other airports, by providing at least 3 airport references within the State of Michigan. Additional information may be requested from the top selected firm or firms. Interviews may be conducted at the discretion of the Sponsor.

Projects are anticipated to be initiated between 2014-2019. Projects are expected to be completed over several years and funded in full or in part with funds and/or multiple grants from the Federal Aviation Administration, State of Michigan, and/or local sources. The selected firm will be subject to all state and federal requirements.

Questions can be directed to: Scott Woody, (231) 547-3605 or scottw@cityofcharlevoix.org

CITY OF CHARLEVOIX
AIRPORT ADVISORY COMMITTEE MEETING MINUTES
Tuesday, January 28, 2014 — 4:00 p.m.
210 State Street, City Hall, 2nd Floor Conference Room, Charlevoix, MI

I. Call to Order – Roll Call

The meeting was called to order at 4:05 p.m. by Airport Manager Scott Woody

Members Present: Councilmember Shirley Gibson, Councilmember Lyle Gennett, Airport Manager Scott Woody, CED Director Bethany Pearson, Member Don Seelye, and Mayor Norman L. Carlson, Jr., (arr. 4:10 p.m.)

Members Absent: City Manager Rob Straebel

II. Inquiry Regarding Possible Conflicts of Interest

None.

DRAFT

III. Airport Consultant Selection Process

A. Discuss Consultant Selection Process

Airport Manager Woody briefed the committee about the February 2013 MDOT letter concerning the overdue Consultant Selection Process (CSP), and reminded the Committee that R.W. Armstrong was the last consultant selected for Charlevoix in 2006. The Federal Aviation Administration (FAA) requires a CSP every five years. Mayor Carlson asked how the current consultant, QOE, was selected. Airport Manager Woody reported that R.W. Armstrong left Michigan in 2011 and their local office changed to QOE. QOE did not go through the selection process at that time.

B. Review Request for Qualifications (RFQ) Advertisement

Airport Manager Woody reviewed the Request for Qualifications (RFQ) letter that will be used for advertising through the Michigan Department of Transportation (MDOT) website.

C. Motion to Approve RFQ to present to City Council for Approval

Motion by Member Carlson, second by Member Gibson, to approve the draft RFQ [Request for Qualifications] to present to City Council February 3rd for approval.

Motion passed by unanimous vote.

IV. General Comments

Airport Manager Woody briefed the committee on the proposed surcharge for all users of the 100LL fuel truck and discussed the need for clarification of non-airport related vehicles operating within the boundaries of the airport.

V. Call for Public Comment

Airport Manager Woody called for public comment at 4:50 p.m. There was no public comment and the item was closed to public comment.

VI. Adjourn

The Committee generally agreed to adjourn at 4:55 p.m.

DRAFT

Scott Woody

Airport Manager

CHARLEVOIX CITY COUNCIL

AGENDA ITEM

AGENDA ITEM TITLE: Authorized Bank Signatures

DATE: February 3, 2014

PRESENTED BY: Rob Straebel

ATTACHMENTS: Resolution

BACKGROUND INFORMATION: Due to the retirement of City Treasurer Rick Brandi effective February 14th, the banks we use to deposit funds in and write checks from, require a City Council resolution to approve the staff allowed to be on signature cards to deposit funds and write checks on City accounts. In order to pay our bills and pay our employees, staff has proposed to include the following signatures:

Check signors: Joseph A. Zielinski, City Treasurer

Robert Straebel, City Manager

Account Signature Cards at Banks:

Joseph A. Zielinski
Robert Straebel
Alida K. Klooster
Stephanie Brown

We foresee this to be a temporary setup until a City Clerk is appointed by City Council and Stephanie Brown is able to return to work as Deputy Clerk.

Our auditors approve of having the City Manager and the City Treasurer sign checks and feel this would not create any conflicts for separation of duties.

RECOMMENDATION: Council needs to authorize the following resolution in order to allow us to bank with our two depositories and pay the bills (by check or ACH payment) after the effective date of Mr. Brandi's retirement.

RESOLUTION # 2014-02-XX

WHEREAS, the City Council has approved the Charlevoix State Bank and FirstMerit Bank (formerly Citizens Bank) as depositories for the City business accounts during the City Council meeting of February 4, 2013,

WHEREAS, these banks are required to comply with Michigan P.A. 20 and have agreed to follow our adopted investment policy,

WHEREAS, the retirement of the City Treasurer has required changes be made to the staff which are allowed to authorize receipts and payments to these banks,

THEREFORE BE IT RESOLVED, That any and all funds standing to the credit of the City of Charlevoix with these banks in their main checking and/or sweep accounts may be withdrawn with checks, drafts, notices for the payment of money, when signed by any of the following:

**Joseph A. Zielinski, City Treasurer
Robert Straebel, City Manager
Alida K. Klooster, Payroll Administrator
Stephanie Brown, Deputy Clerk**

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Request to Apply for Michigan Department of Transportation Permits

DATE: February 3, 2014

PRESENTED BY: City Manager Rob Straebel

ATTACHMENTS: MDOT Annual Permit Application and Permit for Miscellaneous Operations with the State Trunkline Right-of-Way

MDOT Performance Resolution for Governmental Bodies

BACKGROUND INFORMATION:

The State of Michigan Department of Transportation (MDOT) requires various permits to be obtained to work in the highway right-of-way. The City Staff desires to apply for an Annual Permit to plant and maintain petunias, plant, remove and trim trees, work on various overhead and underground utilities, do survey work and soil borings, emergency hazardous spill/clean up, host parades and other day to day maintenance operations in the US 31 right-of-way.

RECOMMENDATION:

Staff requests the City Council to consider approving the attached resolution, which is a performance resolution for governmental bodies that is required by MDOT for any operations within the highway right-of-way.

**PERFORMANCE RESOLUTION FOR
GOVERNMENTAL AGENCIES**

This Performance Resolution is required by the Michigan Department of Transportation for purposes of issuing to a municipal utility an "Individual Permit for Use of State Highway Right of Way" (form 2205), or an "Annual Application and Permit for Miscellaneous Operations Within State Highway Right of Way" (form 2205B).

RESOLVED WHEREAS, the City of Charlevoix
(city, village, township, etc.)

hereinafter referred to as the "GOVERNMENTAL AGENCY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utility or other facilities, or to conduct other activities, on, over, and under State Highway right of way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the GOVERNMENTAL AGENCY agrees that:

1. Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law. This Agreement is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. Any work performed for the GOVERNMENTAL AGENCY by a contractor or subcontractor will be solely as a contractor for the GOVERNMENTAL AGENCY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL AGENCY, or their subcontractors or any other person not a party to the PERMIT without its specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the GOVERNMENTAL AGENCY.
3. The GOVERNMENTAL AGENCY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.
4. The GOVERNMENTAL AGENCY It will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the GOVERNMENTAL AGENCY'S facilities according to a PERMIT issued by the DEPARTMENT.
5. With respect to any activities authorized by PERMIT, when the GOVERNMENTAL AGENCY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.

- 6. The incorporation by the DEPARTMENT of this resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
- 7. This resolution shall continue in force from this date until cancelled by the GOVERNMENTAL AGENCY or the DEPARTMENT with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL AGENCY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the GOVERNMENTAL AGENCY.

Name	and/or	Title
Robert Straebel		City Manager
Patrick Elliott		DPW Superintendent
Don Swem		Electric Superintendent

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by

the Charlevoix City Council

(Name of Board, etc)

of the City of Charlevoix of Charlevoix
 (Name of GOVERNMENTAL AGENCY) (County)

at a regular meeting held on the _____ day

of _____ A.D.

Signed _____ Title _____