

**AGENDA
CITY OF CHARLEVOIX CITY COUNCIL MEETING**

Monday, August 3, 2015 - 7:00 p.m.

210 State Street, City Hall, Second Floor City Council Chambers, Charlevoix, Michigan

- 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 - July 6, 2015 Regular Meeting PG 1-23
 - B. City Council Meeting Minutes - July 20, 2015 Regular Meeting PG 24-29
 - C. Accounts Payable Check Registers & Payroll Check Registers PG 30-42
 - D. Certificate of Appreciation Robert Heath
- V. Public Hearings**
- VI. Reports**
- VII. Requests, Petitions and Communications and Actions Thereon**
 - A. Discussion on Skydiving Operations at Charlevoix Municipal Airport PG 43-118
 - B. Consideration to Approve a Resolution Verifying Non-Profit Status for a Charitable Gaming License PG 119-121
 - C. Status of the Designated Interim Manager PG 122
 - D. Consideration to Approve the Emergency Medical Services (EMS) Director/Assistant Fire Chief and Assistant Operations Manager Job Descriptions PG 123-127
- 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. Consideration to Approve a Resolution Verifying Non-Profit Status for a Charitable Gaming License PG 121
- X. Ordinances**
- XI. Miscellaneous Business**
- XII. Audience – Non-Agenda Input (written requests take precedent)**
- XIII. Adjourn**

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

Posted July 30, 2015 4:00 p.m.

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, July 6, 2015 – 7:00 p.m.
210 State Street, City Hall, Council Chambers, Charlevoix, MI

The meeting was called to order at 7:00 p.m. by Mayor Gabe Campbell.

I. Pledge of Allegiance

II. Roll Call of Members Present

Mayor: Gabe Campbell
Interim City Manager: Mike Spencer
City Clerk: Joyce Golding
City Attorney: Scott Howard
Members Present: Councilmembers Shane Cole, Shirley Gibson, Luther Kurtz, Leon Perron, Jeff Porter, Bill Supernaw
Absent: None

III. Inquiry Regarding Possible Conflicts of Interest

Councilmember Kurtz stated that he would recuse himself from agenda item D: Airport Manager Qualifications and Documentation of Changes Implemented at the Charlevoix Municipal Airport.

Councilmember Supernaw questioned the origins of the need for agenda item III: Inquiry Regarding Possible Conflicts of Interest. City Attorney Howard stated this item was likely added by a previous Council and was quite typical of most municipalities. Having this agenda item allows for any possible recusals in advance of regular agenda topics. City Attorney Howard noted that if there is a disagreement to whether there is a possible conflict of interest, the appropriate course of action is for Council to discuss and try to come to an agreement. If there is not a consensus, then Council should vote on the matter with a majority required.

IV. Consent Agenda

The following items were approved and filed:

- A. Approval of Minutes – June 15, 2015 Regular Meeting Minutes
- B. Special Accounts Payable Check Register – June 11, 2015
- C. Special Accounts Payable Check Register – June 12, 2015
- D. Special Accounts Payable Check Register – June 22, 2015
- E. Special Accounts Payable Check Register – July 1, 2015
- F. Regular Accounts Payable Check Register – July 7, 2015
- G. ACH Payments – June 15, 2015 – July 6, 2015
- H. Payroll Check Register – June 19, 2015
- I. Payroll Transmittal – June 19, 2015
- J. Payroll Check Register – July 2, 2015
- K. Payroll Transmittal – July 2, 2015

V. Public Hearings

None.

VI. Reports

Interim City Manager Spencer stated that the Lake to Lake Trail is officially open to the public after a twenty year process. Seventy percent of the \$580,000 raised for the trail was obtained through grant funding. Additional donations will be used toward landscaping, benches and future trail work and can be made through the Charlevoix County Community Foundation: "Charlevoix Lake to Lake Multi-use Trail Fund".

Interim City Manager Spencer indicated that the State Street project paving is scheduled to begin on July 17 creating at least a two week delay. He will contact the contractor and report back to Council the reason for the delay. It was noted that the original completion date was July 1 and there is a penalty clause for late completion.

Interim City Manager Spencer referred to the Proposed Street Improvement map that was created by DPW Superintendent Elliott and the engineers regarding a proactive approach to alleviating water main breaks within the City. Interim City Manager Spencer will address this topic in more detail at the July 20th Council meeting.

One locust tree will be removed in front of the County building which is causing the sidewalk to heave creating a safety concern.

VII. Requests, Petitions and Communications and Actions Thereon

A. Charlevoix Venetian Festival

1. Consideration of Venetian Festival Funding Contract

Dan Barron, President of Charlevoix Venetian Festival, reviewed the 2015 Venetian Festival planned activities and submitted a proposed contract for Council's consideration asking for a \$15,000 donation.

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

Motion by Councilmember Supernaw, second by Councilmember Gibson, to authorize the Mayor to sign the 2015 Funding Contract for the Venetian Festival.

Yeas: Porter, Kurtz, Perron, Gibson, Cole, Supernaw
Nays: None
Absent: None

2. Venetian Festival Fireworks Permit

The Venetian Committee is requesting permission for a fireworks display on July 24th and July 25th. Chief Doan reviewed the permits and there are no changes from 2014 in the setup and size of the display for either night. The proposed fireworks display by Colonial Fireworks meets all NFPA requirements and exceeds the NFPA standard for minimum setbacks for both shows. Chief Doan recommended that the permit be authorized noting that the Police Department will take an aggressive stance to stop the display if drifting debris or other unforeseen issues arise that may compromise safety.

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

Motion by Councilmember Perron, second by Councilmember Kurtz, to authorize the City Clerk to issue the fireworks permit for the 2015 Venetian Festival fireworks displays.

Yeas: Porter, Kurtz, Perron, Gibson, Cole, Supernaw
Nays: None
Absent: None

Motion by Councilmember Cole, second by Councilmember Supernaw, to authorize the Mayor to sign the Hold Harmless agreement with Colonial Fireworks Company.

Yeas: Porter, Kurtz, Perron, Gibson, Cole, Supernaw
Nays: None
Absent: None

3. Consideration of Charlevoix Venetian Festival's Tiki Tent

The Charlevoix Venetian Festival wishes to erect a Tiki Tent with all proceeds benefitting the Venetian Festival. The tent will be located at the north end of East Park and will be open Tuesday through Saturday 6pm-11pm offering beverages and entertainment.

The City of Charlevoix City Code, Title III, Chapter 31, Section 3.14 states:

It shall be unlawful for any person to consume alcoholic beverages in any part of any park which lies within one thousand (1,000) feet of US Highway 31, except that such restriction does not extend to privately owned vessels moored in the yacht basin nor does it extend to any specific function authorized by the city manager...

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

Motion by Councilmember Cole, second by Councilmember Kurtz, to authorize the Interim City Manager to waive the alcohol restrictions as outlined in the City of Charlevoix City Code, Title III, Chapter 31, Section 3.14 for the Venetian Festival Tiki Tent.

Yeas: Porter, Kurtz, Perron, Gibson, Cole, Supernaw
Nays: None
Absent: None

B. Request by Charlevoix Yacht Club for Free Parking – Nucore Triangle and Red Fox Regatta

The Charlevoix Yacht Club would like City Council to consider waiving parking fees at Ferry Beach Boat Launch for the Nucore Triangle on September 4, 2015 and the Red Fox Regatta on September 5-6, 2015.

Per the City Code, Title X, Chapter 148, Section 10.84:

The city council, by resolution, may revise or waive fees for special or public events. The term "special or public events" shall mean a tournament, festival or other type of event, whether or not open to public participation or observation, the occurrence of which will, in the judgment of the city council, benefit the city economically or by virtue of the publicity surrounding the event.

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

Action by Resolution.

C. Consideration of Approval for Jefferson Beach Yacht Sales Rendezvous July 31 – August 2, 2015

Jefferson Beach Yacht Sales (JBYS), a downtown Charlevoix business, wishes to host a boat rendezvous at the Charlevoix City Marina July 31 – August 2, 2015 for approximately 25 boats. JBYS is proposing a tent in Bridge Park for meals and is requesting to serve alcohol during their evening activities. Executive Assistant Weller indicated that this private event with a cash bar is permitted in Bridge Park and insurance was reviewed by the City Treasurer.

The City of Charlevoix City Code, Title III, Chapter 31, Section 3.14 states:

It shall be unlawful for any person to consume alcoholic beverages in any part of any park which lies within one thousand (1,000) feet of US Highway 31, except that such restriction does not extend to privately owned vessels moored in the yacht basin nor does it extend to any specific function authorized by the city manager...

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

Motion by Councilmember Gibson, second by Councilmember Perron, to authorize the Interim City Manager to waive the alcohol restrictions as outlined in the City of Charlevoix City Code, Title III, Chapter 31, Section 3.14 for the Jefferson Beach Yacht Sales Rendezvous.

Yeas: Porter, Kurtz, Perron, Gibson, Cole, Supernaw
Nays: None
Absent: None

D. Airport Manager Qualifications and Documentation of Changes Implemented at the Charlevoix Municipal Airport

The following is a verbatim transcript of this agenda item, per Mayor Campbell's request.

Mayor Campbell: "Airport Manager Qualifications and Documentation of Changes Implemented at the Charlevoix Municipal Airport."

Airport Manager Myer: "Good evening, before I begin Luther Kurtz would like to make a statement about his parachuting companies."

Councilmember Kurtz: "Thanks, Liz. Good evening, Council, Mr. Mayor. I just wanted to make a couple of comments about my skydiving business at the airport. There's been a lot of things circulating around about it. First of all I'd just like to get it out there that yes, my comprehensive general liability insurance policy specifically excludes people that are participating in the parachute jump after they have departed the airport. That's the national standard for every skydiving company in the country. I'll discuss a little bit more about that later. What I want to talk about is why I came to Charlevoix with the parachuting company, the history of my interaction with the airport regarding skydiving, some of the complaints that I read on my email over the last few days, specifically in the last few weeks since the last Council meeting, FAA guidance regarding skydiving and airports and then the insurance standards of the skydiving industry."

So, why I came to Charlevoix with skydiving, really it's I love this community and I want to operate a business here that I'm passionate about. You know skydiving and movies are the same deal. When you do a good job for the people they are really excited and really happy and I'm blessed to have two businesses that I can give people a service like that where they're really excited about it. In 2013 Bethany Pearson, unsolicited, invited me to bring my skydiving business and my call center that I use to operate all our skydiving businesses around the country to the City of Charlevoix, that's about 18 jobs. I said I would do it if I could land at the Charlevoix Airport which is like most other skydiving centers around the country. I met with, early 2014, I met with Scott Woody. Scott was very helpful to me to work out a plan to operate that business. He required me to put the City of Charlevoix in our release of liability waiver and my understanding from Scott and other Staff was that everyone liked our operation and that they didn't have any issues with it last summer. So in 2015 I approached Liz, the new Airport Manager here, if we could do the same thing again. And Liz in my opinion loved the operation but she wanted to make sure everything was done correctly. So she required me to fill out a license application and she required me to pay a \$2,500 license fee that is in the minimum, well I don't know if it's in the minimum standards, but it's in somewhere that skydivers have to pay a \$2,500 license fee to Charlevoix. So just on a side note I object to this fee for parachuting at Charlevoix. I've polled all the other skydiving centers in the state of Michigan since really in the last couple of weeks, since this kind of issues have come up regarding my business. And only one other skydiving center in Michigan has to pay a license fee and their license fee is \$200. So I would ask that Council consider reducing that fee actually. I was required to show proof of comprehensive general liability policy which I did. It does have a specific exclusion of the people participating in the parachute jump and she asked me to show that I included the City of Charlevoix in my release of liability waiver. So just to recap, last year I paid about a \$1,000 in jump costs and stuff like that at the airport with no proof of insurance. This year Liz was hired and she required me to pay \$2,500 and name the City on my comprehensive general liability insurance policy.

After improving the City's position extensively from last year it all of a sudden seems that there's a problem with my operation. In my opinion, Liz did a great job enforcing this. You know this year I've spent \$25,000 in advertising statewide. I advertise in Grand Rapids, Lansing, Detroit, Sault Ste. Marie, and in Traverse City to try to bring people up here to go skydiving. So my customers are a little bit different, people that want to go skydiving around the country, I know. I reach out to them and bring them to Charlevoix. You might notice that I don't do any advertising in Charlevoix except for at the theatre where I play some nice skydiving videos for

people to enjoy. I advertise outside the City to bring people here so I feel that's a great value to the City. The Staff has indicated that there were no complaints about our operation, people have had positive comments about it. I've served several happy customers so far this summer and I received a lot of comments from people in the community that love watching the parachutes land in there from downtown. You know there's been a couple of disappointing complaints about our operation. There was an email just today from Island Airways. You know it's a long email and it was in your packet, but I will say that I've reached out to Island Airways a few times this summer to try to approach them about developing procedures and my understanding was that we were working towards that goal. I'm surprised by the email that was sent. One thing at the end, I'll just read, it says 'Liz, I appreciate your hard work in keeping the construction project well organized and minimally interruptive to our operation. We understand that a change in drop location may have something to do with the construction but the construction is now complete.' I don't know if the construction is complete or not, but they immediately addressed the safety concerns regarding that and I would say we would be open to moving back to the spot that we were at before the construction started. So I don't know if that resolves the issue. I haven't had the chance to fully talk about this email with Island Airways since it just was sent today but, I did talk to the General Manager and she didn't even know that this letter was written. So I don't know exactly how that came about. But, you know it does feel from here a little bit like a personal attack. Now I know that we don't want that on this Council to personally attack each other but, I'm just saying it feels a little bit like that."

Campbell: "Okay I kind of object to that. I don't think that there's a personal attack. I personally think pretty highly of you and maybe I might put it on my bucket list to try that some time."

Kurtz: "Thank you, Mr. Mayor."

Campbell: "But there is a serious problem at the airport and Island Airways had a gentleman's complaint and you're a pilot, I'm not, but if you're bringing a jet in doing 100 miles an hour."

Kurtz: "Hopefully a little more."

Campbell: "And they couldn't find where the guys were that were parachuting. And so I checked at Harbor Springs and you could land and take off but you couldn't drop there. Is that correct?"

Kurtz: "That's true. I offered to not land on the airport in Harbor Springs and that was when I started 13 years ago or 14 years ago maybe, and wasn't as familiar with skydiving as I am now."

Campbell: "Well. It looks like it's a dangerous thing to me because if the pilots don't know where the parachutists are. I worry about the guy in the parachute too."

Kurtz: "Thank you, Mr. Mayor."

Campbell: "A bird can bring a plane down, so. How many, what does it say in here? There was 300 arrivals and departures. So they were coming in pretty regular, leaving pretty regular and I think that that's pretty scary and they didn't know where the jumpers were. So you know that maybe you could do the same thing like you did in Harbor, land and take off and drop someplace else so that you wouldn't be right in the line of fire. Have you thought of that or?"

Kurtz: "No. I do plan to address landing on the airport a little bit later, but I can address your comment there. My goal was to land on the airport here and that is what I agreed to when I agreed to move here. And you know the FAA says that most parachute landing areas are on the airport. And so I'm gonna discuss the guidance by the FAA a little bit farther down if you don't mind. I'll address that at that time in my presentation."

Campbell: "Well you must agree that it's pretty scary having people jumping out of planes with a parachute when you got planes coming and going."

Kurtz: "You know the FAA says that the primary means of separation is visual, meaning that both the parachutists and the pilot have a responsibility to see and avoid each other. Parachutes are steerable just like airplanes are, and they both have an obligation to see and avoid."

Campbell: "Well it looks to me like we should either stop the planes from landing and taking off or stop the parachutes."

Kurtz: "You know, Mr. Mayor, I could see how that might look but, I don't make up the stuff. I go from the FAA and the USPA, United States Parachute Association, guidance and so that's what I look at when I'm trying to figure out what to do regarding skydiving and to do regarding flying. So and that's what I'm doing in this case."

Campbell: "Well I appreciate that but 18 years ago this July 26th we had a tragedy here and two days later the City Manager knocked on my door and said we got a problem. And I said besides the fireworks, oh it relates to that, we don't have any insurance. Okay, so at that time the Council we had to go within a 90-day period until after the Council. I don't know what it is today, but they were so, they were so busy going after the City and they didn't do very good. But they let that go by and then the judge waived that

and they were back over after the Council. Now they only talked to one person and that was Butch Russell but he had, he was in there for I think he told me two hours and there were seven attorneys questioning him and he must have told them the right thing because they didn't come knocking on my door, but like I spent about two or three months wondering. I don't have a hell of a lot but everything I got I earned and I thought that we weren't going to be living in that home. Luckily we only had one child left in the house but I still had my wife and they can just clean you out. And they don't if they, there wasn't enough money for them to go after. But if they have a problem at that airport and either a parachutist is killed or a plane crashes they are going to come after the City big time and they're gonna come after the Council and they're gonna come after Mike or anybody they can come after. And they won't be coming after me because you'll meet your new Mayor because I'm not going to put my house up for grabs again. I spent many a restless night, Bob Timms was on the Council, Linda was working here, Gerard was working here as a police officer, there's nobody else in here, Dan Barron was working at the thing. Everybody's new and maybe some of them can say oh that's not a big deal I'll get another house. Well I'm 82 and I don't want to start building and trying to get another house so I'm all for you taking off and landing but I don't want any parachutes in there. I do like watching them go down."

Kurtz: "Thank you, Mr. Mayor. Mr. Mayor do you have any even one example of a parachuting incident where a City was?"

Campbell: "Right here. They couldn't find where the parachutes were."

Kurtz: "They couldn't find where the what? So you have an example where the City was?"

Campbell: "And they could only find one, then they found the second one. Is there anybody here from Island Airways?"

Angela LeFevre-Welke, President Island Airways: "I'm here."

Campbell: "Would you like to come up?"

Welke: "I put everything in the complaint and I just wanted to bring this to everyone's attention. There were a tremendous number of planes there and all of my pilots need to be in the course of those three days, so I need to share that. I too, follow the FAA regs."

Councilmember Cole: "Can you have her come up front, Mr. Mayor?"

Kurtz: "Can I finish what I'm doing here, then she can come up?"

Campbell: "He should be able to finish his statement."

Kurtz: "Thank you. Mr. Mayor my question is do you have an example of a City that has been sued because of a skydiving incident and found to be guilty?"

Campbell: "No, but I have an example of a City that had been sued because of a firework."

Kurtz: "I understand that you are trying to sensationalize my business by relating it to the skydiving, I just a (voices talking over each other) relating it to a firework incident."

Campbell: "I want you to succeed in your business. I just don't want you putting the City at risk, that's all I want."

Kurtz: "Okay, thank you, Mr. Mayor."

Cole: "Can we ask some questions?"

Campbell: "Go ahead, Shane."

Councilmember Supernaw: "Mr. Mayor you said that we could have either skydiving or Island Airways. You didn't mean it that way, did you?"

Campbell: "Well I mean, I mean, (voices talking over each other) what I meant was that if you can't guarantee that the planes can land and take off I wouldn't."

Supernaw: "I didn't read that, this, did you get this Ms. City Clerk? There's a date stamp, but no time stamp. What time did this come in?"

Clerk Golding: "I received that from Linda Weller."

Supernaw: "I'm a little suspicious of it coming in at a late hour. Linda, do you remember what time it came in today, this is events that happened apparently on last Thursday."

Campbell: "Just read what it says."

Supernaw: "I did read it and I'm suspicious and I'd would like Mr. Kurtz to explain if his pilot lost two jumpers, if, I don't even know if this is accurate. I have copies and emails in here with falsehoods on other subjects that we'll be talking about before the night's over. I don't know if this, does this sound accurate?"

Campbell: "Can you point out the falsehoods in here?"

Supernaw: "I don't know if it's false or not but that's why I'd like Mr. Kurtz to explain if two, three people jumped out of a plane and two of the parachuters couldn't be found. Where'd they go?"

Kurtz: "Down, I think they're going down. I, Councilman Supernaw, one thing is that a pilot that drops the parachuters is not responsible to keep a visual on all the parachuters that are in the air so the pilot is flying the plane that drops them is responsible to keep a visual on what he is flying toward to see and be seen is the responsibility of his and it's the responsibility of all the other aircraft that come into the airport. Go ahead."

Supernaw: "My, my inference from this letter is the jump plane dropped three jumpers but could only find one jumper while that pilot was turning base to final for runway 27. It sounds like, oh my god there's a parachutist right in front of me. And that's why I need that Island Airways representative to come up here and I want to ask if he is in the flight line or the landing pattern."

Welke: "There could have been a parachutist. My pilot could not see the parachutes, he talked to Luther's pilot and neither of them could see them at the time both planes were in the air."

Campbell: "Would you please come up to the podium? Thank you."

Supernaw: "Nothing happened?"

Welke: "No. Have you ever had an accident or a fatal accident in any of your operations?"

Kurtz: "No."

Supernaw: "This is a."

Welke: "I'm here."

Supernaw: "Yeah, I don't want to monopolize all the time, but."

Welke: "Okay."

Supernaw: "Yes, I am, nobody else seems to want to ask questions. Nothing happened?"

Welke: "No, but it could have."

Supernaw: "I know."

Welke: "Okay."

Supernaw: "The air conditioning might come on in here too but I doubt it. So, I treat you with respect and Island Airways. I do business with you people. Don't know, do I have a conflict, Mr. Attorney? I fly to the island occasionally, but this is hyperbole."

Welke: "Okay, we felt it needed to be brought to your attention and we've done that."

Supernaw: "Earlier than this afternoon would have been nice."

Welke: "I sent it about 9:00 o'clock this morning."

Supernaw: "Okay I got it at 4:30."

Welke: "Okay."

Kurtz: "Okay, can I continue on, Mr. Mayor?"

Campbell: "Please."

Kurtz: "You want to say something?"

Myer: "Yes, I definitely want to say, first of all so the facts are straight. Last year Luther operated out of the airport with neither insurance nor paying fees, without proof of insurance and it was no issue. So he was doing everything wrong last year, there was nobody raised an objection. And now that he is doing everything that he was asked to by the City to meet the licensing agreement, now it's a big issue. And one thing I want to add. I received one complaint and if I read Island Airways complaint letter which conveniently I received at about 4:00 this afternoon, or this morning, it was dropped off by Paul. And reading through this it says one of our pilots had a very close call with a skydiver operation on Thursday. No one from Island Airways contacted the Airport Manager. No one contacted the Assistant Airport Manager. I worked 72 hours last week and you think anybody could have told me there was a problem? No. We wait till City Council day to send me this letter. And not only did Island Airways not notify me that they that there was a problem, why not the pilot tell me that there was a safety issue? And it says this is an incredibly unsafe environment for all involved. If it's so unsafe how come nobody told the Airport Manager? And lastly on the next page it says over 300 arrivals and departures were in this three day period. You know how many complaints I received? I received this one today this morning. That's 300 operations in those three days and I can tell ya right now people at that airport have told me this is the busiest that airport's been during the five day period. And I can guarantee you, we did more than 300 operations and my crew did one hell of a job to get them in and out of there. And I had one complaint. And I can tell you this smells really bad and that's all I have to say about that." (applause)

Mayor: "We (applause covers up voices)."

Myer: "And another thing last year there was not one, I have the NOTAM log here, 'Notices to Airmen' that the airport issues when there's a skydiving operation, there was not one NOTAM issued last year during skydiving operations. You want to see how many were issued this year? They're in here. You want to look at it? You want the truth? It's right here."

Campbell: "Why didn't they say that in Harbor Springs, why do?"

Myer: "I don't want to hear about what Harbor Springs. We're talking about Charlevoix Airport."

Campbell: "I want to know how many airports locally have skydiving."

Myer: "I don't care about other airports. I care about my airport."

Campbell: "You care about the airport. You must not worry, because you didn't check off the insurance box. I noticed that."

Myer: "I didn't check off the box Mr. Mayor, but last year nobody even checked to see if he had insurance. He has insurance this year. He met every obligation that was required for that business license and."

Campbell: "Well I still think that it's insane."

Myer: "Well last year he didn't have it. This year he met every requirement according to what he was supposed to have and now it's an issue that he is doing everything. Plus I collected \$2,500 and last year."

Cole: "Which is a lot more than, yeah."

Myer: "And Luther came up to me and I said sorry buddy, I don't do deals."

Campbell: "Would you take full responsibility for any accidents that might occur? (audience noise) I just want to know. I wouldn't because I think it's dangerous."

Myer: "Well that's, you're entitled to your opinion. But like I said, Luther has not had any issues, I've not had any issues, and I told Luther that he could which map, could point out on the map, the airport map that during construction we had to move him over to that side of the field. And I told Luther once construction is completed he's going back over there, and right now there is still equipment there and I'm not going to have him jumping on dump trucks. Until he has a complaint, and I can guarantee you if he does something wrong he's going to hear about it from me. That's all I got to say about that."

Cole: "Thank you, Liz. (applause)"

Supernaw: "Liz can I ask you one quick question, what does NOTAM stand for?"

Myer: "NOTAM 'Notice to Airmen'. It's an advisory like if there is snow piling on a runway or if lights are out or an activity."

Supernaw: "Thank you."

Councilmember Porter: "The issue is not Luther versus aircraft taking off and on. The issue is an uninsured parachutist, okay, getting involved with an aircraft. Luther doesn't have anything to do with this whole thing. It's the parachutist, okay, who is going to be involved with this aircraft and the parachutist, okay, is uninsured. The City who thinks they have deep pockets, okay, would never if one of those Lear jets or one of those Gulfstream jets that fly in here, if one of those jets collides with a parachutist, trust me the City would never have pockets deep enough. They, we'd never have attorneys, we'd never have enough attorneys to defend the City and we've already been through that as Mayor Campbell said. We've already been through that once with the fireworks explosion. Everybody thought everything was great. Oh we're doing all the right things, we're launching these things right down on the shore next to the bridge, there can never be an accident, okay. I hear the same thing from Luther, there can never be a collision between an aircraft and a parachutist, it can never happen."

Cole and audience members: "He didn't say that."

Porter: "Well I say never say never, okay, and when it happens, and when it happens, okay, the City taxpayers and."

Supernaw: "Jeff, I believe the Mayor said the City also made out pretty good on the fireworks lawsuits, we pretty much prevailed, didn't we?"

Campbell: "We lost, we didn't have any money and they backed away, that's what happened."

Supernaw: "I call that winning." (audience noise) "I call that winning."

Kurtz: "Do you have an example of one time that's happened in history where a municipality was held liable for a parachutist?"

Porter: "Well, I don't have an example of that but I'm sure there are examples of parachutists colliding with aircraft."

Supernaw: "World War II."

Kurtz: "So do you have a question Councilman Porter?"

Cole: "I say we let Luther finish what he has to say."

Porter: "No, I'll let you finish what you have to say."

Kurtz: "So there was another email sent by a Councilmember and you know this. It's also a long email that outlines 11 things that were, that are now purportedly wrong with my operation since the last Council meeting. You know one thing, I just wanted to read it, says that 'it's disappointing that a City Councilmember cannot or will not follow the requirements and rules to operate his business at the airport.' And, you know, again this, that feels more like a political attack than it does about concern for the airport. So I know you all, just all have a copy of this and I just want you to know I do take all of this stuff seriously. And so any of these kind of things can be brought to my attention. You know we can discuss with the City risk manager those things. Anyway, the thing I wanted to talk about next was the FAA guidance which that a lot of us are thinking about. How do we know skydiving should take place at the airport, you know right? Well luckily the FAA has regulations for how you are required to operate when you are flying, when you're parachuting, you're using gliders, all kinds of things. They have regulations that have requirements and they also publish what's called Advisory Circulars and those provide suggestions about best practices for how different types of aviation should happen. So there is an Advisory Circular that covers skydiving and it's AC105-2E if you want to look it up and I can provide you a copy of it if you want one. So interestingly in Section 6, the first line of it is 'most parachute operations take place at airports including having the parachute landing area located on airport property'. So that tells us that that's where parachutes are supposed to land on airport property. I know that we all can come up with a whole bunch of ideas and hypotheticals about why that shouldn't happen but, the professionals that regulate the skies per the first line of Section 6 which talks about parachute operations on airports, says that most parachute operations take place at airports and the landing areas on the airport too. So you were asking about other users in the airport. So the next section is called 'Additional Aviation Activities'. Now that section says 'large number of airports that accommodate parachute operations also have different kinds of aviation activities taking place simultaneously including flight training, glider and helicopter operations, emergency medical services, sightseeing operations and aerobatic practice over or in the immediate vicinity of the airport. Many airports accommodate a large volume of transient traffic during skydiving operations.' So that's Section 6B in this Advisory Circular. You know and I will point out that I just came back from Arizona and the FAA, I guess what you'd call big shots from Washington, and they came out there and they did a safety study at the airport that I jump at. I'm currently jumping off the airport. I want to land on the airport and they did a safety study and that airport claims to have 328 operations every single day average all year long and the FAA found that skydiving was feasible at that airport. So I know that in one of the emails it said that we had 300 operations over a three day period and in this busy time and it shouldn't happen. Well now the guidance suggests that it is feasible and let's see, let me read to you number 3, so this would be 'Parachute Operations onto Airports,' Section 6, subsection C2, 'The FAA recommends that airport management work with parachute operators to develop standard procedures for activities conducted by parachutists'. And the reason they do that is so other operators can know what we're doing and where we're doing it and we have been working together on those procedures. And I've reached out to Island Airways and Fresh Air Aviation to develop procedures and up until today I was unaware of any conflict."

So let me just tell you about parachute landing areas and I'll move on from the FAA guidance. So one thing people are talking about where my landing area is and so in Section 5 it talks about parachute landing areas and it says 'The FAA recommends the areas used as parachute landing areas remain unobstructed with sufficient minimum radial distances to the nearest hazard' and then it says 'the guidelines and the USPA's basic safety requirements,' and the USPA again is the United States Parachute Association 'can be used in determining if the landing area is adequate.' So in your packet I showed a picture of where our landing area was and you know I outlined the minimal distance, I showed you where the requirements were in the USPA BSR's and then I drew the circle on the map showing the distance to the nearest hazards and it's more than adequate. Additionally the Vice President, I'll just point out now I'm going to bring it up again in a little bit, but you got a letter on your desk from the Vice President of the USPA. He also reviewed the landing area where we have it located on the airport and said that it appears to him that it's compliant with that. Now we did move and if you take the same radial circle between the two runways our landing area there also meets the requirements.

So the last thing I wanted to talk about was the insurance. You know Randy Allison from the USPA, oh here's the letter, he identified in a four-page letter that he wrote, he's the Regional Director which covers about five states around Michigan and he is also the Vice President of USPA and he wrote a letter discussing some things about USPA and also about."

Supernaw: "What is that Luther, USPA, Pilots Association?"

Kurtz: "United States Parachute Association. He discussed my operation a little bit here and around country and then he addressed some of the concerns and he identified that the standard practice around the country is that there's a liability release. And we have that. It's been drafted by an attorney. Perhaps our City Attorney could review it. We've been using it for 15 years. We have a general liability policy that covers the general liability when we are on the airport and we also as a kind of added bonus, the USPA for all members, not just group members, will cover the parachute if they like run into somebody's property or injure somebody up to \$50,000. So that's not a lot but, it covers off airport incidents as well. So that's an additional coverage. So you know finally he says that you know the kind of insurance that perhaps you are going to try to require me to get is not available in the US market at any cost. All skydiving centers in the U.S. operate and utilize coverage similar to or identical to those used by Skydive Harbor Springs and so this is what I offer you, I offer you the standard procedures and what people do all over the country at large cities and small cities, at large airports and small airports. This is what's allowed."

Porter: "Oh, Luther, excuse me. Why do you think insurance companies cannot offer or will not offer parachutist insurance? Is there a reason?"

Kurtz: "You know you could ask them that if you wanted."

Porter: "You think the risk managers at those insurance companies don't believe there's a serious risk?"

Kurtz: "You know I have an opinion about why they don't do it. I don't know if I want to get into how insurance companies think and what they think about when they offer things and don't offer things. Now if you have a concern about that you could ask the City's risk manager or maybe the City's insurance company, maybe the City Attorney."

Porter: "I think that's something we should do. We should ask the City's, we should ask the City insurance, we're insured through I think the Township Municipal League or something like that, yeah, Michigan Township Association or something like that. We should ask those folks about the risk having an airport and having."

Kurtz: "Skydiving on it."

Porter: "Skydiving operation at the airport."

Councilmember Gibson: "Mike, don't we have separate insurance for the airport?"

Interim City Manager Spencer: "We do and I think if I could interject one quick comment, Mayor. Obviously this is an important issue. There's members of the public that are concerned about it. Luther wants to maintain and do his skydive operation at the airport. Council has some concerns about liability. Those are all valid things. A lot of this information is new. Some of it we got via email today. We received probably 3 or 4 different emails in support of Luther's operation from operators and from pilots and we have one of course, that was mentioned from Island Airways. Scott has not had a chance to review everything and offer his opinion and obviously this is a complex subject. The real reason for this agenda item is for Liz to be able to present some things to Council, on changes she's made at the airport but, it's kind of morphed into a discussion on skydiving. So my recommendation, if Council's supportive of it, is to maybe take some comments tonight and have a special meeting after our City Attorney has had the ability to review everything. Maybe Luther would be okay with the City Attorney reviewing his full insurance policy, get some answers, get some standards from the FAA, maybe get input from the FAA and have a special meeting where we only talk about skydiving. And I think that would be a little bit more proactive than a heated debate or you know."

Campbell: "I think those are good ideas."

Spencer: "I think, you know I don't know much about it but, I'm sure people on Council other than Luther don't know much about it."

Campbell: "Why no other airport around here allows?"

Kurtz: "Well that's not true, Mr. Mayor."

Cole: "Hold on."

Kurtz: "I skydive at other airports around here, I skydive at the Yuba Airport. I skydive at the Empire Airport."

Spencer: "I think that's an example to get the facts before we."

Campbell: "I think that's a good idea."

Gibson: "I agree Mike."

Spencer: "Why don't we take some public comment, take a step back, and schedule a separate meeting where we only talk about skydiving, is that okay with you Mayor?"

Gibson: "Yes."

Campbell: "Yeah that's fine with me, and I would like Scott's input on."

Supernaw: "Yes, I would too."

Mayor: "Because."

Kurtz: "Mr. Mayor, if I could make one more comment?"

Campbell: "I just worry about the City. It's what I worry about. And next to the City I worry about starting all over, I just don't want to get cleaned out."

Kurtz: "You know if the City, what I would ask is that you try to find a way to make it work instead of directing our Attorney to find a way to make it not work."

Campbell: "I think that is a reasonable request."

Cole: "I agree with that Luther."

Kurtz: "Okay, well thank you for allowing me to talk. Sorry for taking all your time, Liz, the floor is yours. Oh, I guess sorry that was your job."

Gibson: "Comments. Comments."

Cole: "Are you going to have some public comment on that first, like Mike said?"

Campbell: "We can do that in miscellany or let her do."

Gibson: "Now. Now."

Cole: "I think now, would, let's just let them."

Campbell: "Anybody wants to come up and speak or forever hold your peace."

Cole: "The man."

Don Seelye: "I'm Don Seelye, I live at the airport. My grandson is one of the tandem jumpers, I love watching these guys, they're having a great time and I'm a big promoter of the airport and I'm used to all operations and safety ways having, we've got a great investment out there. We really need to get all we can out of it. Last year I voiced my concerns to Scott when he suggested that maybe they were going to jump here and I said well that's great except I'd like to see them land off the airport. I'm really concerned about them coming down right in the middle of the traffic pattern. By the way I'm also a pilot with about 3,500 hours, I've been at this airport since 1966 flying airplanes of my own. I'm a private pilot. Unbeknownst to me, Scott approved the jumping on Saturdays only as a trial period. He picked Saturday because Saturday was a fairly low traffic day and so that's how it happened last year. So this year it was approved based on last year's operation with no more discussion about how many days or so on and

so it just happened without much approval. It's a very distracting thing on busy days. I flew Beaver Island Thursday afternoon. When I took off there was so much radio traffic that you can understand it when you talk on an aircraft radio from 100 miles around you're hearing it at Charlevoix so when you're up in the air you're hearing all this chatter and there's other frequencies bumping each other, squeals on the radio so you don't hear anything and so the traffic reporting of the jump plane was blanked out quite a bit and even the traffic calling into the airport was blanked out some. And so it's unsafe in my opinion that we have this jumping especially on these really busy days. Friday was even worse. I didn't fly Friday but I talked to some people that did. In addition to all the traffic we had haze in the air so the parachutes blend into that haze, the grey colored chute quite often, sometimes red on them, sometimes blue, but they are hard to see when it's real hazy. So we've got this report of this jump plane saying that now there's jumpers coming down, where the hell are they? You're coming in trying to do a traffic pattern and try to miss this guy. This guy in the parachute he doesn't have a motor, he's coming down, he can't say you know, I'm gonna go around and try this again like an airplane can. So it creates a real situation. I hope it never happens. My grandson's one of them, you know it scares me death sometimes when he's up in the middle of this stuff. He's safe, he's done a great job, I've gone back and spent a day watching these guys jump especially on the north side, how they come in on the pattern and how they land. I mean they are doing it all right but they're really close to the airplanes and if somebody's a little off course on their approach you know sometimes you turn a little wide, different things, who knows. So look at my notes here, that's probably most of what I had to say about it but I'm really in favor of the jumping operation, I really am, but I think they really should land off airport. It's so great to see them there, it's fun to watch it, it brings people to the airport but man if somebody gets killed whether it's an airplane full of people or just one jumper it's a bad deal. By the way some corporate aircraft, the larger jets, are required, company required, that if they know a jump operation is going on at an airport they can't land there company rules. How do we know how much traffic we might lose from a jet if he's scheduled to come to Charlevoix but he finds out this is going on, they don't even get in the air. They go someplace else and they don't get in the air to come to Charlevoix so you never know that flight was meant to come here but didn't. So I'm in favor of the jumping, I really am, I just think that it should be off airport."

Campbell: "Thank you. Anybody else?"

Supernaw: "Don, are all you pilots on the same frequency or different channels? You get everything from Minneapolis Center?"

Seelye: "No, the UNICOM frequency is a basic 122.8 on the radio and they have a few of those, but the most basic one, Gaylord, Charlevoix, Boyne City, Beaver Island, all the local airports around all use the same. Pellston's a different UNICOM, though."

Supernaw: "Was that garbled before the parachuters started talking?"

Seelye: "Oh it can be on busy days, oh yeah, yeah."

Sandra Bennett: "My name is Sandra Bennett from Ward 1. My husband and I attend the Council meetings very often and on the very last meeting on June 15th when there was a little disagreement between a couple Councilmembers there was a question, a very polite question was raised and I'm sure a lot of people here know what that question was. I wrote my husband a little note that uh-oh Luther watch out because I felt like right after that comment there was going to be some repercussion. And honestly I thought it would be done a little less obvious than this, that all this commotion would not happen at the very next meeting. And so whether or not it's a political attack on him, that's what the community thinks, that's how the perception is. It may not be what your intention is but the perception of a community is that you all are attacking him for making a comment about why does why do you have to insult people by calling them names like hobos and gypsies, people don't like that and so because Luther brought (applause) that up I think this is directly related."

Cole: "The man in blue had his hand raised."

Campbell: "That guy first, he'd been up and down three times."

Terry Osterhout: "I moved here back to Michigan after growing up here and leaving 20-23 years ago. I grew up in Petoskey but spent my childhood living here, moved back with my young infant and my wife to start a new life in the area I grew up. When I got back to northern Michigan it wasn't the area that I recalled that it was. It was suffering and I couldn't find a job once I got back despite a good work history and so Luther Kurtz and Mary Kurtz hired me to manage their skydiving drop zones from Harbor Springs and saved my family and I worked for them for a year doing that. And then they said we love Charlevoix we want to buy the movie theatre and we know you made movies in New York City and ran video stores and have experience with them and we want you to run it. And so I made the commute from Harbor Springs and worked in the movie theatre for them and in my entire experience working for them I've seen them grow every single business that they touch and employ more and more people. And as manager of the movie theatre now it's expanding, we're hiring more people, just like at the skydiving center. Luther is not an amateur. He has multiple drop zones across the country and excellent safety records. I know this because I managed those drop zones or the phone center for them. I know that he is one of the most hard working decent human beings that I have ever known. I might be a little bit biased but, my experience in New York City gave me good insight into people. I know his heart and I know Mary's heart and I know how good they are for Charlevoix and I know how much they love this community and they would do anything to see it prosper. Now we recently moved to the First Ward, my wife and my son and I, because Harbor Springs and Petoskey show a lot less promise than Charlevoix and we didn't want to make the commute anymore. Charlevoix's got it together. They've got Venetian in the summer, they've got festivals going on and all the time. I talk to hundreds and hundreds of people every week that come to the

movie who love this town and you know what else they love? Skydiving. What Luther and Mary have done for the theatre and their fireless and selfless contributions and they're amazed we can see the skydivers from the window. I go to the beach with my young son every day and we can see them and people are enthusiastic and they love it. Northern Michigan needs young energy and growth to survive. Instead of seeing outrage over, full outrage I might add, over this we should be outraged that this construction took so many more weeks that it ought to of. (applause) And I, it's crippling the City. Terry from the Villager Pub, all the businesses around, the flower shop on the corner couldn't even get people to park and were talking about this and there's a pattern here. When you here about people being called gypsies and hobos and slandering small businesses that are trying to rise and grow the community and this is what we're worried about and now we're worried about skydiving after it's been going for this long. It is beneath the City Council, I can't wait to vote this November and we need to (applause) oppose. You all need to work together because you work for us. I love being in Charlevoix. Life here is so much better here than Petoskey with their giant hole and Harbor Springs that can't save themselves and businesses that are never open. But in Charlevoix businesses are open late every night and it's fantastic and it's growing and it's good for the community, good for northern Michigan. Thank you Mary and Luther." (applause)

Bob Ludwig: "Hi, my name is Bob Ludwig. We own a piece of property here in Charlevoix. We're not downstaters, we're out-of-staters. We've been coming to Charlevoix for many, many years. And I don't know all the ins and outs of this but, if you're going to talk about insurance make sure you have a representative from the insurance company to explain exactly what they cover. I can tell you from the City I come from which is Cincinnati, that we do have skydiving on airports. We have it at Lunken, we have it at Waynesville and we even have it on CVG, which is the main airport. Somehow in a much bigger city they make it work. I also think it's important that the City Council be very, very pro-business and anything (applause) and everything you can do to support the local business is very important to the growth and to the financial welfare of the City. I pay my taxes, are obviously a hell of a lot higher than the local residents, 30%, but you just can't depend on that, you need to support the local restaurants, support every business that is here so that they can bring more people from downstate, out-of-state to spend their bucks here because basically this whole economy as I see it happens in about a four month period. And so that's my comments." (applause)

Mayor: "Sir, you were up, no you."

Dave Gudritz: "Thank you, Mr. Mayor. My name is Dave Gudritz and I live at 204 Alice which is about 4 or 5 blocks from the airport. I'm in favor of Luther and skydiving and I hope my two Council people vote in favor of it also. My concern when we talk about procedures, I would like to talk with Island Airways, is she still here, about approaches. There's a pilot. Now Island Airways and me being about 4 or 5 blocks from the airport, when they take off to the east they go right directly over my house. Now isn't there an approach or isn't there a distance that they have to travel before they can, they don't, they can go and then when they land to the south they land on the grass and they got a fence to clear there and there's very little clearance. I've watched them come in there and it scares the heck out of me."

Seeyle: "The airport was there first sir, if you want my comments again."

Gudritz: "No, I listen to them; sit down, I listen to them. So any airplane, I notice these jets they approach from way out, and they got a good view of what's going on at the airport. Island Airways they take off, they come in, at all different angles. I've seen jets discontinue their approach because of traffic coming in illegal if, it seemed to me to be illegal that you'd cut that corner that sharp."

Seeyle: "Not at all."

Goodritz: "Not at all. Well it would concern me if I was talking about litigation or something like that. Airplanes coming together."

Seeyle: "They're all talking to each other, sir." (voices talking over each other)

Mayor: "Is there anybody else? I guess we can get back to your report."

Supernaw: "Was that half of your report done with Liz or haven't you even started yet?"

Myer: "Well this is going to be short and sweet. I get to the point. I've been a licensed airport manager or assistant manager in the State of Michigan since 1984. I brought to Charlevoix my 31 years of aviation experience and expertise to manage the City's airport. I came out of retirement to do this. Arriving at Charlevoix I did what I have done at other airports I've managed in the past. I walk into the airport with the attitude that it's mine and I run it like a business. I submitted a listing of numerous major changes that I have implemented to improve not only the airport operations but the financial position of the airport. In addition to securing the federal funding of one million dollars for fiscal year 2015, by the way you're welcome, (audience laughter), by submitting the required airport access agreement to the FAA, the submitted implemented change I made according to my calculations totaled well over \$50,000. I would like to remind City Council that I've only been employed by the City for approximately seven months. I expected that City Council would support their airport and airport manager but after the last City Council meeting I was left in doubt and felt it necessary to address the issue. At the last Airport Advisory Committee meeting, the members of the Committee suggested that Dave Guanci, as a user of the airport, would be a good candidate for the vacant Airport Advisory Committee position as noted in the meeting minutes. Then at the last City Council meeting there's an agenda item that stated the following: 'The Airport Advisory Committee has one Airport User membership unfilled. The Committee is recommending David Guanci to fill the seat. This

is a Council appointment.' During the City Council meeting it was brought up by Councilmember Gibson that Scott Woody should be selected for this position and we all know the outcome of that vote. It was my understanding that the nominee of the Airport Advisory Committee was to be a user of the airport. To my knowledge Mr. Woody is not a user of the airport except for as an occasional passenger. It puzzles me as how a previous City employee who quit his position as the Airport Manager can be considered as a good candidate for the Airport Committee. If this individual cared so much about that Airport and its future, why did he resign his position with the City's Airport? In addition, I clearly stated that I have a personal issue with this nominee being selected as previously noted during Mr. Straebel's administration when the same person was suggested as a nominee. At that time individual Council members and the Mayor spoke to me in regard to my objections about this individual. Yet again, here we are months later. I raise the same objection that I had, that I had personal issue with this nominee being selected, as noted in the last Airport Advisory minutes. In spite of knowing this, Councilmember Gibson chose to support her previous Airport Manager versus supporting her current Airport Manager by not only ignoring the Airport Advisory Committee meeting's recommended selection of David Guanci, but ignoring her current Airport Manager's objections. By partaking in back door politics and at the last minute sliding in a nominee who is a close friend, and neighbor, into a committee position without the Airport Committee or individuals' knowledge so they would not be available to comment at the City Council meeting is a conflict of interest and in my opinion unethical politics. I am curious as to why there is even an Airport Committee, since the recommendations of the committee are being ignored and backdoor politics are used to satisfy a Councilmember's individual personal agenda. I feel ethical politics should be the norm and not the exception. I am a long standing respected airport manager in the aviation community and you are fortunate to have me employed as your airport manager (applause) to benefit from my 31 years of airport experience. I presented tonight a list of all the major discrepancies and corrective action taken at the airport and a list of my credentials. These are the facts and keep in mind that the truth has no motive or agenda. Thank you." (applause)

Campbell: "I guess you're not going to make your report then, is that correct?"

Myer: "Pardon?"

Campbell: "You didn't want to make your report?"

Myer: "My report that I listed lists all the discrepancies and, like I said, that is my report."

Campbell: "I just wanted to give you the opportunity to do that if you wanted."

Myer: "Nope, my report, the individual things I listed, like I said, I more than paid my wages this year, so I don't owe anybody anything."

Gibson: "Liz, I have a question."

Myer: "Yes?"

Gibson: "In your report you have unaccounted fuel inventory that was actually from 4/2013 to 4/2014, before you were the airport manager."

Myer: "That is correct."

Gibson: "Why did you list that as having taken care of the problem? It's a meter problem."

Myer: "I took care of the problem by implementing a... there was no system there. Like I said, there was no system there to reconcile the cash and all the parking passes, which I stated in here are a lot of cash. There was no stub being retained by that airport, so the passes were being given out and at the end of the day nobody reconciled that the cash was there. They was no system to inventory the fuel. And since I have been there, there are so many people that I say, we have a card system now, every airplane that lands at that airport we keep track of, and we double check to make sure they paid. I can't tell you how many people came up to me and said, what it's not free anymore? Seriously? Seriously? And all I can say is by the end of the year, the first fiscal year, like Oakland County did, look at the numbers. And already, like I said with just retraining the staff, I eliminated two positions, seasonal positions, one part-time position. That's almost 40 some thousand dollars right there. And like I said, if you guys have questions, why don't you come out and ask people instead of going a roundabout way about things. How many people, I've seen a few members from City Council come out to the airport and ask what we've been doing. I haven't seen anybody else."

Gibson: "I was out there a week and a half ago, and you weren't there, and you never contacted me to come back out."

Porter: "I was out there Sunday."

Supernaw: "I was out there. We talked, several times, haven't we?"

Myer: "Yes, yeah we've talked several times. And like I said that the thing is the changes that have been made, it was never run as a business. And like I said, unfortunately it's not just, I treat it as mine, and this is not, it'll be interesting. All I can say it's going to be very interesting at the end of the fiscal year, that's all I can say."

Supernaw: "I have a question too, Mr. Mayor. Great minds think alike. I have a notation here on the same thing Shirley asked about. There was over two thousand gallons of Jet A fuel unaccounted for, what kind of money does that represent, 2,000 gallons approximately?"

Myer: "Matt's my fuel guy. You know what the cost is on, I'm going to have him come up because he was the one that presented me the inventory so."

Supernaw: "And one other question for you, or maybe Matt can handle it."

Airport Operations Manager Wyman: "Good afternoon Council, Mayor. Right now our Jet A cost is \$4.90 a gallon, back then it was in the neighborhood of \$5.15 or maybe a little more."

Supernaw: "\$10,000 or so."

Wyman: "Yep."

Supernaw: "It also says on here, according to my calculations, I assume those are yours Liz, operational cost to plow snow is seasonal and runs between \$6,000 and \$8,000 per snow event?"

Myer: "What it, since I also in my spare time I co-owned an excavating company. In order to calculate the cost you take the number of man hours, which we have with us, and I took a base of \$150.00 for one piece of equipment and that covers operational costs and since Matt was there last, the previous year, who had to plow the runway, I told him this year nobody - no airport manager that I know plows a seasonal runway and because of the cost and expense. And again I act like it's my airport and if it was mine would I spend the money to plow that runway that's not really used? So, no, but anyway Matt has the figures we calculated on that so."

Supernaw: "I have another question for you when Matt's done."

Wyman: "Yeah, just real quick. That year, that winter as we all know, was a hell of a winter. I think we had over 200 inches of snow here in Charlevoix. The first time we opened up the runway it roughly took about 12 hours. I think we opened the runway an additional four other times at about four hours per opening. And then I myself because there's so much snow, as the pilot when you pull up to runway 27 you need to be able to clear any traffic coming down or not and those banks were impeding your view so I spent two days, eight hours a piece in our loader, just shoveling snow, moving it out onto our ramp."

Supernaw: "If it's snowing, you just don't go out and plow at 8:00 in the morning and go home, do you?"

Wyman: "No, we start at 5:00 sir."

Supernaw: "Okay."

Wyman: "Anyways, just a rough estimate of 44 hours at \$160 an hour you're in the neighborhood of \$7,000 for that winter."

Gibson: "Matt, do you leave the runway open for Island Airways? Don't they use that in the winter?"

Wyman: "Per the A/FD NOTAM, that's closed November through April and we had it open that one winter."

Gibson: "Okay."

Wyman: "It is my understanding when they had the FBO the runway wasn't open."

Gibson: "Thank you."

Question from the audience (unintelligible): "...the board said \$6,000 to \$7,000 per incident?"

Matt: "No, it's for the winter."

Supernaw: "It says on here, per event."

Gibson: "Right."

Supernaw: "Liz, I also have the minutes from the Airport Advisory meeting on May 27th. Did they have a meeting today by the way?"

Wyman: "No."

Supernaw: "I've been asked, I want to be notified of those meetings please. It says on here in the minutes, you referred to this, 'with respect to filling the vacant advisory seat, Member Seelye', we talked about this Don, 'asked Mr. Dave Guanci if he was interested in filling the seat on the advisory committee. Mr. Guanci said he would be happy to serve on the committee. Mr. Guanci did mention that he would only be able to attend the meetings for 5 or 6 months if meetings were held once a month. Member Gibson said that the agenda could be emailed to him. Interim City Manager Mike Spencer added the committee could meet and just conference Mr. Guanci by a speaker phone. After public comment, Seelye came back to the vacancy on the committee and wanted to nominate either Mr. Dave Guanci or Mr. Scott Woody. Due to personal conflict between herself and Scott Woody, Liz Myer would vote for Guanci and not for Woody. It was then the general consensus of the committee that Mr. Guanci be appointed to fill the vacant seat.' Then it goes on to say, 'Mr. Woody stated he didn't understand the personal conflict that Liz Myer had with him. Also Mr. Woody stated that he took offense with being blamed for the RTTF not being submitted.' That is what? RTTF quickly."

Myer: "That is the, if you go the items that I submitted, it's about the funding, it's the letter I have from the FAA. If you read the starred area, it says please be reminded that on October 1st, 2014, airport sponsors, which is the City."

Supernaw: "Is it a big deal?"

Myer: "Yes, it is, because it was due by October 1st of 2014 in order to be eligible for the funding for fiscal 2015 as stated in the FAA letter. I started in November so if it takes anywhere from 6 to 9 months typically, with FAA things, and of course we had issues with that, but we did get it submitted, we did get the funding for fiscal year 2015. But again, it says right here, October 1st, 2014, the access plan was due. I wasn't there, who was working?"

Supernaw: "Okay. Let me quickly wrap up here, where it says Mr. Woody took offense, he said he does not understand the personal conflict Liz Myer had with him. At the suggestion of another Council person, about a month after I was elected I had breakfast with him, and we talked. And I don't know him well, but I met him, it's the only time we've ever met, in fact. He told me his problem with you, and he told me his problem with the former City Manager, Mr. Straebel. So, to state that he doesn't understand the personal conflict maybe was, I'm not sure. My question, my thought is this, it's incredible. I'm impressed with people that are paying attention to this in Charlevoix, and the pilots that are here. Why would someone want to serve? This would be like you getting a divorce and some judge putting your ex-husband as the executor of your estate."

Myer: "Exactly, exactly."

Supernaw: "Why would he want to come someplace that he's not wanted? I think Mr. Guanci might be here, I had a conversation with him and he would like to be on the board. He was on the agenda, his name was in print and his name was never brought up."

Myer: "It wasn't. I don't know what happened. And all I can say is that as the committee stands now, it'll probably be a very cold day in Charlevoix before I ask for an Airport Committee meeting, since I am the chairperson of that committee, because I don't see how it's going to be very productive. How's it going to be productive?"

Supernaw: "That's disappointing."

Myer: "It is."

Supernaw: "I've been assured by Council people and the Mayor."

Campbell: "I'd like you to wrap it up now."

Supernaw: "Okay."

Campbell: "Number one you could have made the motion, you were on that committee."

Supernaw: "That's not true Mr., never mind, we'll bring that up at a later date."

Campbell: "We will."

Supernaw: "There was a nomination made that wasn't on the agenda and you said call for the vote. Almost that quick, there was no discussion. Luther and I asked what happened to David Guanci and then I read in an email that someone changed their mind."

Campbell: "I didn't have any idea who was going to be nominated."

Supemaw: "It was on the agenda printed out."

Campbell: "It was on the agenda to appoint somebody but that's a Council decision and I don't mess with the Council."

Supemaw: "A Council decision, not a Council person's decision."

Campbell: "A Council decision."

Supemaw: "No one asked me who I'd like to nominate. Dave Guanci's name was on the agenda I can bring that for you."

Campbell: "You don't seem to mind jumping up and asking a lot of questions, I'm surprised you didn't jump up and make that nomination."

Supemaw: "Because you called for the vote after the nomination was made. But I don't know if Mr. Guanci would like to say something tonight or not, but I, I don't know if he's disappointed or not, but people are saying what happened to Dave Guanci, he's a nice guy."

Myer: "Well, it's not only that he's a user of the airport, and that was the idea of it, was to get people involved who are users of the Airport. And like I said, it's that since I have personal issue, I like the way you put it actually, but I explained to not only the Mayor, but different Council members, why I had issue with Mr. Woody. And he is stating that I've been his friend for 25 years, et cetera. I would not, he was my airport tenant, and that's how I knew him. If I had, I don't need friends like that, so."

Supemaw: "Thank you, Liz. Sorry, Mr. Mayor for taking up so much time."

Campbell: "Are you done with your report then?"

Myer: "I'm done."

Campbell: "Thank you for your report."

Myer: "Thanks." (applause)

Dave Guanci: "They nominated me or asked me to be on it. I go to Florida for six months, I'm very busy with my vineyard so I'm happy to help out but, I am a busy guy. So I don't know what the problem is with everyone else but, I'm happy to help but, I'm not available all the time, that's all I can tell you."

Campbell: "Well I haven't heard anybody say anything negative about you so."

Guanci: "Okay, great. I hope not. I got a big investment out at that airport. Okay."

Kurtz: "Mr. Mayor, can I make one comment please."

Campbell: "Sure."

Kurtz: "I just want to say that I heard some people boo when Don was talking, and I just want to say that I consider Don a friend and we do disagree on things but, I have a lot of respect for Don. So I just wanted to say that. Thank you."

Campbell: "Good to have you back."

Kurtz: "I'm back. Thank you, Mr. Mayor."

End of Agenda Item D verbatim.

E. Mandated FOIA Changes

Beginning July 1, 2015, significant new regulations took effect governing how public bodies administer and respond to requests under the Freedom of Information Act (FOIA), PA 442 of 1976. The changes impact nearly every area of FOIA, including local policies required for FOIA administration, fees categories and methods of calculation, good-faith deposits and fee waivers, records available on the public body's website, and the appeal process, including significant new penalties.

The most significant change made by the amendment is that public bodies are required to establish specific written procedures and guidelines to implement FOIA, including a standard fee itemization form, and separate written public summary which must be posted on the City's website. Another significant area of change is the categories and manner in which fees may be charged.

The Clerk's Office has published the mandatory Procedures and Guidelines and subsequent Summary which have been approved

by the City Attorney. The Clerk's Office has also published the required forms, thus adhering to the new legislation. The 2015/2016 budgeted labor FOIA fee should be amended to reflect the new fifteen minute increment.

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

Action by Resolution.

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. Request by Charlevoix Yacht Club for Free Parking

Motion by Councilmember Supernaw, second by Councilmember Cole, to adopt Resolution 2015-07-01 Waive Parking Fees for Charlevoix Yacht Club, as follows:

**CITY OF CHARLEVOIX
RESOLUTION NO. 2015-07-01
WAIVE PARKING FEES FOR CHARLEVOIX YACHT CLUB**

WHEREAS, the Charlevoix Yacht Club is hosting the Nucore Triangle Race on September 4th and the Red Fox Regatta on September 5th and 6th, 2015; and

WHEREAS, the Charlevoix Yacht Club is requesting that parking fees be waived for the races; and

WHEREAS, the City Code permits the City Council to waive parking fees for special or public events.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Charlevoix, hereby waives parking fees for the Nucore Triangle Race on September 4th and the Red Fox Regatta on September 5th and 6th, 2015.

RESOLVED, this 6th day of July, 2015, A.D.

Resolution adopted by the following yea and nay vote:

Yeas: Porter, Kurtz, Perron, Gibson, Cole, Supernaw
Nays: None
Absent: None

B. Mandated FOIA Changes

Motion by Councilmember Kurtz, second by Councilmember Cole, to adopt Resolution 2015-07-02 Mandated FOIA Regulations per PA 563 of 2014, as follows:

**CITY OF CHARLEVOIX
RESOLUTION NO. 2015-07-02
MANDATED FOIA REGULATIONS PER PA 563 OF 2014**

WHEREAS, significant new regulations took effect on July 1, 2015 governing how public bodies administer and respond to requests under the Freedom of Information Act (FOIA), PA 442 of 1976; and

WHEREAS, the changes are the result of HB 4001, which was signed into law by the governor on January 11, 2015 as PA 563 of 2014; and

WHEREAS, the changes impact nearly every area of FOIA, including local policies required for FOIA administration, fees categories and methods of calculation, good-faith deposits and fee waivers, records available on the public body's website, and the appeal process; and

WHEREAS, that public bodies are required to establish specific written Procedures and Guidelines to implement FOIA, including a standard fee itemization form and separate written public summary and post these on the City's website; and

WHEREAS, the City of Charlevoix City Council approved the 2015/2016 budget for the FOIA labor fees charging for the cost of labor exceeding 30 minutes; and

WHEREAS, the City Clerk has published and made available, the mandated FOIA policies, procedures, documents, fee categories and forms.

NOW THEREFORE BE IT RESOLVED that the City of Charlevoix adopts the mandated FOIA policies, procedures, documents, fee categories and forms published by the City Clerk in compliance with PA 563 of 2014; and

BE IT FURTHER RESOLVED that the City of Charlevoix City Council amend the FOIA labor fee charging for the cost of labor exceeding 15 minutes.

RESOLVED, this 6th day of July, 2015 A.D.

Resolution adopted by the following yeas and nays votes:

Yeas: Porter, Kurtz, Perron, Gibson, Cole, Supernaw
Nays: None
Absent: None

X. Ordinances

None.

XI. Miscellaneous Business

Councilmember Gibson brought up the topic of food trucks after receiving a complaint from a downtown business owner. Discussion ensued. Mr. Dan Barron stated that downtown restaurants cannot support the amount of customer traffic during Venetian Festival. Interim City Manager Spencer suggested that a food truck discussion should be held in the fall and Council generally agreed.

Councilmember Porter noted a discrepancy with the updated sidewalk ordinance verbiage. City Clerk Golding suggested that this may be a clerical error and she would look into the issue.

Councilmember Supernaw requested confirmation from Lonnie Allen, Charlevoix Courier editor, that a particular email did not originate from Councilmember Supernaw. Mr. Allen responded that he did not have to address private business with Council. Councilmember Supernaw read portions of the email which noted a flood of complaints on numerous issues over the last week. The email recommended that differences should be resolved in a non-threatening, transparent, more positive manner. Councilmember Supernaw suggested that in light of the recent issues, people "are laughing at us". Mayor Campbell stated that no one on Council is anti-business. Councilmember Supernaw and Cole look exception to the mayor's statement. Mayor Campbell stated that if people have a legitimate complaint regarding a business, then it should be heard by the City without accusations of harassment by the business.

Interim City Manager Spencer stated businesses are being treated equally with regards to ordinance complaints, but this is not accurately reflected in the press. He indicated that three newspaper articles regarding one business were published the last week, while there was no mention of the long awaited Lake to Lake Trail opening. Interim City Manager Spencer stated for the record that the City needs "better and fair press coverage and reporting all of the things: not just the negative things, but all the positive things that this community has to offer". He felt that everyone, including the press, needs to do a better job promoting the community and not just focus on the negative.

Councilmember Cole extended kudos to Rich Bergmann of the Round Lake Group. He also stated that Councilmember Kurtz has bent over backwards with regards to his sky diving operation and has done a fantastic job. Councilmember Cole agreed that the City Attorney should review Skydive Harbor Springs operation details and insurance coverage.

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

Kirk Ikens, 108 W. Hurlbut, requested that the cement curb be replaced in front of his home rather than the scheduled rolled asphalt curb. He understands budget constraints, but felt that his property value will suffer with the asphalt curb as well as affecting the street aesthetics. Future street improvements were discussed. Interim City Manager Spencer cautioned that Council would be setting precedence by approving this request. It was generally agreed to spend up to \$10,000 of reserve money to install curb and gutter, laying asphalt on the entire street. Interim City Manager Spencer will communicate with Council if the estimate exceeds \$10,000.

Derek Chowen, Lake Charlevoix Brewing Company, thanked everyone for participating in the Council meeting and extended his appreciation to Councilmember Supernaw for clarifying facts in the newspaper. Mr. Chowen stated that the Round Lake Group is doing their best to make a good business and rectify any mistakes. The Round Lake Group wants to be a part of the community and work together.

Don Seeyle, discussed airport history, Mr. Woody's aviation experience, and commended Mr. Woody's efforts while in the position of Airport Manager. He felt that Mr. Woody's membership on the Airport Advisory Committee would be a huge benefit to the airport. Interim City Manager Spencer clarified that his previous reluctance to meet with ex-employee Mr. Woody was due to the fact that Mr. Seeyle should have been meeting with the current Airport Manager, not the former. Councilmember Supernaw asked Mr. Seeyle why the

committee unanimously recommended Mr. Guanci for membership. Mr. Seeyle replied that Mr. Guanci showed interest in the position.

Bob Timms, was concerned that Council was not aware of the revised plans for the Antrim Street – State Street intersection. He felt that the City would be losing four parking spaces. Interim City Manager Spencer will research the issue and email Council with his findings.

It was generally agreed to recess at 9:58 p.m. Council reconvened at 10:04 p.m.

XIII. Closed Session

A. City Attorney Consultation – Section 15.268 (8)(h)

Motion by Councilmember Kurtz, second by Councilmember Cole, to go into Closed Session for a consultation with the City Attorney, citing Section 15.268(8)(h) of the Open Meetings Act.

Yeas: Porter, Kurtz, Gibson, Cole

Nays: None

Absent: Perron, Supernaw

Council moved into closed session at 10:04 p.m. Council resumed open session at 10:24 p.m.

XIV. Adjourn

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

Meeting adjourned at 10:24 p.m.

Joyce Golding

City Clerk

Gabe Campbell

Mayor

	Special Accounts Payable – 06/11/2015		
BRIAN DIXON PAINTING	920.00		
THUNDER BAY RESORT	1,300.00	TOTAL	2,220.00

	Special Accounts Payable – 06/12/2015		
LARSON, KATHERINE	7,500.00	TOTAL	7,500.00

	Special Accounts Payable – 06/22/2015		
AT&T	1,917.11	METLIFE SMALL BUSINESS CENTER	744.45
AT&T MOBILITY	72.61	PRIORITY HEALTH	45,958.41
CHARLEVOIX STATE BANK	4,288.35	VERIZON WIRELESS	56.72
DELTA DENTAL	4,771.88	VISION SERVICE PLAN	554.69
DTE ENERGY	6,052.69		
GREAT LAKES ENERGY	203.01	TOTAL	64,619.92

	Special Accounts Payable – 07/01/2015		
MICHIGAN JAZZ TRAIL BIG BAND	1,000.00	TOTAL	1,000.00

	Regular Accounts Payable – 07/07/2015		
AIRGAS USA LLC	1,280.15	FISHER SCIENTIFIC	952.05
ALL-PHASE ELECTRIC SUPPLY CO.	595.63	FORRESIER, KATHERINE	37.10
AMSTUTZ, LINDA	289.66	FUHRMAN, DANIEL	33.71
ANYBATTERY INC.	112.05	GALLAGHER, ART	83.56
ARROW UNIFORM-TAYLOR L.L.C.	1,036.30	GALLIMORE, SARAH	43.00
AT&T LONG DISTANCE	43.96	GALLOUP	1,075.68
AVFUEL CORPORATION	53,119.02	GALLS AN ARAMARK COMPANY	275.36
B & L SOUND INC	471.81	GERBER HOMEMADE SWEETS	45.00
BAILLARGEON, JOSEPH	31.20	GOLDING, JOYCE	41.00
BIOTECH AGRONOMICS INC	12,526.16	GORDON FOOD SERVICE	39.97
BLACK PEARL PLATINUM BRAND	25.00	GRAINGER	148.88
BOB MATHERS FORD	172.91	GRAPHIC CONTROLS LLC	427.32
BOSS, LINDA K.	825.00	GREAT LAKES ELEVATOR LLC	319.50
BUDAY'S SOUND ADVICE	3,836.06	GREAT LAKES PIPE & SUPPLY	623.37
CALDWELL, THOMAS	82.14	GREAT LAKES PIPE & SUPPLY	111.22
CCI SOUTH LLC	693.50	GRP ENGINEERING INC.	7,354.96
CENTRAL DRUG STORE	6.59	GSK ENTERPRISES LLC	450.00
CHARLEVOIX AGENCY	749.70	GUNTZVILLER, RHONDA	143.00
CHARLEVOIX SCREEN MASTERS INC	4,560.50	HAGGARD'S INC	1,763.00
CHARLEVOIX TOWNSHIP	15.00	HANKINS, SCOTT	41.00
CHARTER COMMUNICATIONS	999.20	HARRELL'S	4,730.12
CHEMICAL SYSTEMS INC.	1,872.00	HARWOOD GOLD	249.00
CHESAPEAKE GROUP INC.	5,500.00	HAID, THOMAS J.	41.00
COOK FAMILY FARMS	277.00	HI-LINE	125.88
COVEYOU FARMS LLC	84.00	HOLIDAY COMPANIES	7,254.04
CSI EMERGENCY APPARATUS LLC	11.27	HYDE SERVICES LLC	388.81
CUMMINS BRIDGEWAY LLC	2,502.49	IDEXX DISTRIBUTION INC.	1,234.37
DAMOUR, DAVID	26.00	INDEPENDENT DRAFTING SERVICES	1,260.00
DCASSESSING SERVICES	4,371.08	INDUSTRIAL MARKETING	2,248.73
DeROSIA, PATTY	41.00	J & B MEDICAL SUPPLY INC.	19.90
DHASELEER, CARL	102.00	JACK DOHENY SUPPLIES INC	469.94
DISTRICT 21 SOFTBALL	100.00	JOHN E. GREEN COMPANY	799.27
DITCH WITCH SALES OF MICHIGAN	1,351.14	JOHNNY MAC'S SPORTING GOODS	140.58
DOAN, GERARD	41.00	KELLERVILLE	300.00
DOYLE, ANNIE	391.00	KERBY, MICHELLE	70.00
DTE ENERGY	55.18	KIRINOVIC, THOMAS	41.00
EJ USA INC.	513.05	KLOOSTER, ALIDA K.	41.00
ELLIOTT, PATRICK M.	41.00	KORTHASE FLINN	11.25
ELMER'S CRANE & DOZER INC.	59,260.00	KSS ENTERPRISES	2,246.93
EMERGENCY MEDICAL PRODUCTS INC	112.70	LAKESHORE TIRE & AUTO SERVICE	14.95
ETNA SUPPLY	1,960.00	LERMA INC.	75.00
EVANS, HAL	41.00	LEVINE, STUART	53.41
FARMER WHITE'S	160.00	LOTTIE'S BAGELS	109.00
FASTENAL COMPANY	59.63	LYONS, SHELIA	59.13
FERGUSON & CHAMBERLAIN	2,876.00	MARSCHNER, JOHN	2,322.23

MATTER, DAWSON	390.00	RICK-BIDDICK, MICHELLE	1,021.14
MCCARDEL CULLIGAN-PETOSKEY	250.00	RTI LABORATORIES INC.	31.00
MCGINN, KELLY	72.49	RUSTIC BAKER	45.00
MDC CONTRACTING LLC	630.00	S & S WORLDWIDE	1,338.77
METTLER CONCEPTS & DESIN	325.87	SCHWAGER, EDWARD J.	41.00
MICHIGAN APPRAISAL CO INC	1,200.00	SEARS COMMERCIAL ONE	650.23
MICHIGAN BOATING INDUSTRIES ASSOC	295.00	SECURITY SANITATION INC.	380.00
MICHIGAN MUNICIPAL LEAGUE	5,040.49	SEELEY'S PRINTING SERVICE	825.00
MICHIGAN MUSHROOM MARKET LLC	20.00	SMOKE ON THE WATER	20.00
MICHIGAN POLICE EQUIPMENT	969.65	SPARTAN DISTRIBUTORS INC	2,064.22
MID STATES BOLT & SCREW CO	51.04	SPEEDWRENCH INC.	355.34
MYER, ELIZABETH A.	41.00	SPENCER, MICHAEL	41.00
NORTH COUNTRY POWER GENERATION	235.00	STATE OF MICHIGAN	126,155.21
NORTHERN CREDIT BUREAU	290.51	STATE OF MICHIGAN	50.00
NORTHERN MICHIGAN DUST CONTROL	288.00	STEIN, DONNA	10.40
NORTHERN MICHIGAN JANITORIAL	87.35	SUPERNAW, BILL	20.70
NORTHERN SAFETY CO INC	773.25	SURE SOURCE	217.09
NORTHWEST DESIGN GROUP	3,974.25	SWEM, DONALD L.	41.00
NYE UNIFORM CO	104.45	T & R SERVICE INC	3,856.00
OLSON BZDOK & HOWARD	2,836.50	TERMINAL SUPPLY CO	470.59
OMS COMPLIANCE SERVICES INC	78.75	TEUNIS, STEVEN	242.25
ORIENTAL TRADING COMPANY INC	1,364.35	THREE OAKS WOODWORKING	451.12
OUDBIER INSTRUMENT CO	551.00	TRAEGER, JASON	142.00
PARASTAR INC.	1,058.46	UMULIS, MATTHEW	299.40
PERFORMANCE ENGINEERS INC	19,109.25	UP NORTH PROPERTY SERVICES LLC	5,811.00
PETOSKEY PUBLIC SCHOOLS	1,000.00	USA BLUE BOOK	173.87
POLLARD WATER	69.48	VILLAGE GRAPHICS INC.	254.45
POND HILL FARM LLC	200.00	WALTERS SHARPENING SVC. INC.	72.00
POWER LINE SUPPLY	957.47	WELLER, LINDA	41.00
PREFERRED WASTE 2 LLC	120.00	WHITLEY, ANDREW	14.00
PREIN & NEWHOF	51,009.76	WHOLLY GRANOLY LLC	9.00
PRESTON FEATHER	268.65	WOJAN WINDOW & DOOR CORP.	18.50
PROVIDENCE FARM LLC	98.00	WOOD SHOP, THE	500.00
QUICK CARE MEDICAL CENTER	144.00	WORK & PLAY SHOP	187.63
QUILL CORP	246.90	WURST, RANDALL W.	362.12
REHMANN-ROBSON & CO	3,900.00	WYMAN, MATTHEW A.	170.95
RESIDEX LLC	978.24	TOTAL	446,946.44

ACH Payments - 06/15/2015 - 07/06/2015

MI PUBLIC POWER AGENCY	9,578.88	MI PUBLIC POWER AGENCY	15,833.59
IRS (PAYROLL TAX DEPOSIT)	39,178.88	IRS (PAYROLL TAX DEPOSIT)	39,936.48
ALERUS FINANCIAL (HCSP)	370.00	ALERUS FINANCIAL (HCSP)	370.00
STATE OF MI (WITHHOLDING TAX)	5,753.13	STATE OF MI (WITHHOLDING TAX)	5,690.63
VANTAGEPOINT (457 ICMA PLAN)	13,609.13	VANTAGEPOINT (457 ICMA PLAN)	13,764.46
MERS (DEFINED BENEFIT PLAN)	26,670.84	MI PUBLIC POWER AGENCY	9,908.01
MI PUBLIC POWER AGENCY	13,374.77		
MI PUBLIC POWER AGENCY	258,415.64	TOTAL	452,454.44

PAYROLL: NET PAY

Pay Period Ending 06/13/2015 - Paid 06/19/2015

WELLER, LINDA JO	1,620.71	HANKINS, SCOTT A.	1,489.79
GOLDING, JOYCE M.	1,059.15	ORBAN, BARBARA K.	1,340.84
DEROSIA, PATRICIA E.	971.47	TRAEGER, JASON A.	1,318.50
DOYLE, ANNE E.	1,385.05	WARNER, JANINE M.	851.52
LOY, EVELYN R.	1,017.73	EVANS JR, HALBERT K.	1,442.49
KLOOSTER, ALIDA K.	1,447.08	GODDARD, RYAN D.	551.33
GOLOVICH, KAREN J.	704.07	BINGHAM, LARRY E.	1,046.00
SPENCER, MICHAEL D.	2,238.33	VANLOO, JORDAN C.	619.18
SPENCLEY, PATRICIA L.	1,561.31	TELGENHOF, WILL G.	261.11
PANOFF, ZACHARY R.	631.71	GREYERBIEHL, KELLY M.	465.22
MILLER, FAITH G.	34.41	SCHWARTZFISHER, JOSEPH L.	1,617.74
LEESE, MERRI C.	284.05	ROLOFF, ROBERT P.	3,816.73
MCGINN, KELLY A.	1,585.98	BRODIN, WILLIAM C.	1,459.74
DOAN, GERARD P.	1,644.23	RILEY, DENISE M.	408.40
SHRIFT, PETER R.	1,284.22	TEUNIS, STEVEN L.	1,681.68
SCHLAPPI, JAMES L.	1,095.23	WURST, RANDALL W.	1,657.02
UMULIS, MATTHEW T.	1,364.08	MAYER, SHELLEY L.	1,557.82

HILLING, NICHOLAS A.	1,092.80	MYER, ELIZABETH A.	1,622.72
MEIER III, CHARLES A.	1,256.45	VANLOO, JOSEPH G.	796.97
ZACHARIAS, STEVEN B.	1,327.51	WYMAN, MATTHEW A.	955.66
NISWANDER, JOSEPH F.	1,382.44	DRAVES, MICHAEL J.	384.68
EATON, BRAD A.	1,896.70	SCHRADER, LOU ANN	622.65
WILSON, TIMOTHY J.	1,926.77	SCHWAGER, EDWARD J.	778.54
LAVOIE, RICHARD L.	2,240.24	BOSS, RYDER S.	225.34
STEVENS, BRANDON C.	1,925.57	FUNKEY, KRAIG R.	124.67
DRAVES, MARTIN J.	1,581.93	RILEY, TIMOTHY C.	52.86
BROWN, STEPHANIE C.	1,023.66	RAMSEY, KYLE J.	3.21
ELLIOTT, PATRICK M.	1,762.40	RILEY, CASEY W.	472.04
WELLS JR., DONALD E.	1,194.66	THORMAN, MIKAYLA R.	228.47
BRADLEY, KELLY R.	1,667.57	JONES, LARRY M.	968.83
WILSON, RICHARD J.	1,194.33	LOPER II, GARY D.	702.32
HART II, DELBERT W.	828.72	WILLSON, BRENDA R.	281.92
JONES, ROBERT F.	1,370.66	OCHS, THOMAS F	41.56
DORAN, JUSTIN J.	1,173.48	TRAVERS, MANUEL J.	1,089.31
MANKER JR, DAVID W.	493.95	RILEY, DANIEL A	1,327.43
MANKER SR, DAVID W.	717.35	KLOOSTER, PATRICK H.	382.94
NEUMANN, DANA L.	536.31	JOHNSON, KYLE W.	434.53
BECKER, MICHAEL S.	554.09	LABELLE, DAVIS B.	333.02
SHEPARD, ZACHARY N.	502.73	KLINGE, EDGAS D.	580.41
BUTLER, SEAN C.	650.90	GREENE, GLORIA C.	478.39
HAWKINS, JAMES S.	438.25	KLINGER, BRADLEY W.	208.00
MCGHEE, ROBERT R.	943.00	DAVIS, LEAH R.	314.22
STANTS, JACOB W.	494.36	SWEM, DONALD L.	1,808.24
BLOOMER, GABRIELLE J.	505.36	WHITLEY, ANDREW T.	1,342.77
KIRINOVIC, THOMAS F.	620.18	MORRISON, KEVIN P.	868.50
STEBE, LAURA A.	109.14	HODGE, MICHAEL J.	1,270.61
FORRESTER, KATHERINE A.	544.88	JOHNSON, STEVEN P.	1,264.89
AMSTUTZ, LINDA J.	493.15	BISHAW, JAMES H.	632.13
DUTCHER, ROBERT G.	365.01	HERRIMAN, COBY M.	408.47
SABSOOK, SARA E.	117.05	MCGILLIVRAY, RAYMOND L.	79.13
BROSIO, VALERIE L.	114.28	HALL, CHASE D.	114.59
WEBB, MICHAEL B.	205.42	PETERS, MEGAN M.	134.99
PARKER-DROST, HERO	74.89	HOLM, ARTHUR R.	540.51
HOLECHECK, JENNACA R.	121.70	CURTIS, DENNIS E.	781.01
ROCKAFELLOW, SARAH C.	84.38	GILL, DAVID R.	1,008.90
HEID, THOMAS J	1,252.44	TODD, RICHARD D.	501.10
STEIN, DONNA E.	252.28	STEVENS, JEFFREY W.	602.49
BOOTHE, STEVEN A.	268.24	ROLOFF, AUDREY M.	2,950.91
GRUNCH, RONALD J.	294.20	MATTER, DAWSON K.	1,901.58
RYPSTRA III, BART	226.57	SCOTT JR., WINFIELD	26.42
DAVIS, RONALD L.	220.22	KITELEY, FISHER L.	26.42
MACLEOD, SAMUEL R.	371.61	BERGMANN, DOUGLAS M.	13.21
DAKROUB, JOSEPH E.	146.03		
MASSON, DONALD J.	135.41		
		TOTAL	107,900.75

PAYROLL: TRANSMITTAL - 06/19/2015

4FRONT CREDIT UNION	218.46	CHEMICAL BANK	150.00
AMERICAN FAMILY LIFE	145.20	COMMUNICATION WORKERS OF AMER	496.16
AMERICAN FAMILY LIFE	271.20	MI STATE DISBURSEMENT UNIT	502.40
CHAR EM UNITED WAY	32.00	PRIORITY HEALTH	1,809.98
CHARLEVOIX STATE BANK	1,021.16	TOTAL	4,646.56

PAYROLL: NET PAY

Pay Period Ending 06/27/2015 - Paid 07/02/2015

CAMPBELL, GABRIEL M.	932.73	GOLOVICH, KAREN J.	891.61
GIBSON, SHIRLEY J.	689.53	SPENCER, MICHAEL D.	2,457.72
PORTER, JEFFREY L.	544.01	SPENCLEY, PATRICIA L.	1,561.31
PERRON, LEON R.	449.96	PANOFF, ZACHARY R.	626.91
KURTZ, LUTHER J.	443.28	LEESE, MERRI C.	262.02
SUPERNAW, WILLIAM J.	674.15	MCGINN, KELLY A.	1,585.98
WELLER, LINDA JO	1,620.71	DOAN, GERARD P.	1,720.06
GOLDING, JOYCE M.	1,059.15	SHRIFT, PETER R.	1,136.19
DEROSIA, PATRICIA E.	938.33	SCHLAPPI, JAMES L.	1,040.63
DOYLE, ANNE E.	1,385.05	UMULIS, MATTHEW T.	1,172.31
LOY, EVELYN R.	1,017.73	HANKINS, SCOTT A.	1,489.79
KLOOSTER, ALIDA K.	1,675.15	ORBAN, BARBARA K.	1,169.15

TRAEGER, JASON A.	1,295.40	SABSOOK, SARA E.	437.61
WARNER, JANINE M.	1,079.60	BROSIO, VALERIE L.	634.09
EVANS JR, HALBERT K.	1,442.49	RUDOLPH, TRISTAN M.	59.16
GODDARD, RYAN D.	944.45	WEBB, MICHAEL B.	242.43
JOHNSON, KYLE W.	662.59	PARKER-DROST, HERO	461.28
BINGHAM, LARRY E.	820.38	HOLECHECK, JENNACA R.	537.42
VANLOO, JORDAN C.	630.43	ROCKAFELLOW, SARAH C.	567.03
TELGENHOF, WILL G.	528.09	HEID, THOMAS J	1,252.44
GREYERBIEHL, KELLY M.	557.33	STEIN, DONNA E.	204.23
ROLOFF, ROBERT P.	2,269.96	BOOTHE, STEVEN A.	269.95
BRODIN, WILLIAM C.	3,417.70	GRUNCH, RONALD J.	396.82
RILEY, DENISE M.	467.76	RYPSTRA III, BART	281.58
TEUNIS, STEVEN L.	1,681.68	DAVIS, RONALD L.	220.22
WURST, RANDALL W.	1,343.62	MACLEOD, SAMUEL R.	416.38
MAYER, SHELLEY L.	1,475.12	DAKROUB, JOSEPH E.	162.88
HILLING, NICHOLAS A.	1,471.64	MASSON, DONALD J.	176.91
MEIER III, CHARLES A.	1,981.84	MYER, ELIZABETH A.	1,850.80
ZACHARIAS, STEVEN B.	1,288.83	VANLOO, JOSEPH G.	952.92
NISWANDER, JOSEPH F.	1,283.76	WYMAN, MATTHEW A.	1,011.83
EATON, BRAD A.	1,979.58	SCHRADER, LOU ANN	660.27
WILSON, TIMOTHY J.	2,154.83	SCHWAGER, EDWARD J.	503.44
LAVOIE, RICHARD L.	1,924.67	BOSS, RYDER S.	503.65
STEVENS, BRANDON C.	1,650.68	JONES, LARRY M.	87.14
DRAVES, MARTIN J.	1,547.85	TRAVERS, MANUEL J.	138.52
BROWN, STEPHANIE C.	1,023.65	RILEY, DANIEL A.	132.14
ELLIOTT, PATRICK M.	1,762.40	COLE, SHANE	604.89
SCHWARTZFISHER, JOSEPH L.	1,065.82	KLOOSTER, PATRICK H.	682.84
WELLS JR., DONALD E.	1,587.00	LABEELE, DAVID B.	165.12
BRADLEY, KELLY R.	1,370.91	KLINGER, LUCAS D.	514.61
WILSON, RICHARD J.	1,177.64	GREENE, GEORGIA C.	528.09
HART II, DELBERT W.	821.40	KLINGER, BRADLEY W.	208.00
JONES, ROBERT F.	1,327.31	DAVIS, LEAH R.	528.09
DORAN, JUSTIN J.	1,838.33	SWEM, DONALD L.	1,808.24
MANKER JR, DAVID W	493.95	WHITLEY, ANDREW T.	1,483.38
MANKER SR, DAVID W.	717.35	MORRISON, KEVIN P.	1,137.33
NEUMANN, DANA L.	542.71	HODGE, MICHAEL J.	1,270.61
BECKER, MICHAEL S.	609.65	JOHNSON, STEVEN P.	997.86
SHEPARD, ZACHARY N.	551.87	BISHAW, JAMES H.	737.86
BUTLER, SEAN C.	645.43	HERRIMAN, COBY M.	521.87
HAWKINS, JAMES S.	507.33	HINDLE, LYDIA R.	468.92
MCGHEE, ROBERT R.	1,074.06	MACGILLIVRAY, RAYMOND L.	652.72
STANTS, JACOB W.	531.94	HALL, CHASE D.	676.84
BLOOMER, GABRIELLE J.	570.97	PETERS, MEGAN M.	586.57
MCCLANATHAN, BRANDON R.	263.45	CURTIS, DENNIS E.	1,307.86
STEBE, LAURA A.	105.38	GILL, DAVID R.	1,484.51
FORRESTER, KATHERINE A.	425.27	TODD, RICHARD D.	517.36
AMSTUTZ, LINDA J.	991.91	STEVENS, JEFFREY W.	138.52
DUTCHER, ROBERT G.	273.10	TOTAL	109,905.80

PAYROLL: TRANSMITTAL - 07/02/2015

4FRONT CREDIT UNION	218.46	COMMUNICATION WORKERS OF AMER	497.30
AMERICAN FAMILY LIFE	145.20	MI STATE DISBURSEMENT UNIT	401.83
AMERICAN FAMILY LIFE	271.20	POLICE OFFICERS LABOR COUNCIL	294.00
CHAR EM UNITED WAY	32.00	PRIORITY HEALTH	1,656.80
CHARLEVOIX STATE BANK	1,021.16	TOTAL	4,687.95
CHEMICAL BANK	150.00		

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, July 20, 2015 – 7:00 p.m.
210 State Street, City Hall, Council Chambers, Charlevoix, MI

The meeting was called to order at 7:00 p.m. by Mayor Gabe Campbell.

I. Pledge of Allegiance

II. Roll Call of Members Present

Mayor: Gabe Campbell
Interim City Manager: Mike Spencer
City Clerk: Joyce Golding
Members Present: Councilmembers Shane Cole, Shirley Gibson, Luther Kurtz, Leon Perron, Jeff Porter, Bill Supernaw
Absent: None

Mayor Campbell stated that the meeting will be run according to the "Rules of Procedure for City Council" and "Robert's Rules of Order", and he read the following:

Speakers must address their remarks to the Chair (mayor), maintain a courteous tone, and should avoid injecting a personal note into debate. ...they must never attack or make any allusion to the motives of members. The word "members" shall be deemed to include Council, Mayor, City Staff and all other speakers. The Chair may limit public input to three minutes...

Mayor Campbell advised that speakers need to stay on the subject.

Mayor Campbell stated it was his understanding that the City Attorney and an insurance representative for the City would be present at tonight's meeting. In fairness, he is rescheduling agenda item F "Discussion on Skydiving Operations at Charlevoix Municipal Airport" to the August 3rd Council meeting. Mayor Campbell said that his decision can be overturned by a vote of the Council.

Councilmember Kurtz recused himself from the discussion. He then moved to the podium and as the business proponent, stated that he would like to discuss agenda item F as scheduled.

Interim City Manager Spencer stated for the record that the City Attorney was out of town and unable to attend tonight's meeting. He also read from an email dated July 20, 2015 from Edmund Underwood, President Avsurance Corporation, which stated "I cannot make it to tonight's meeting. Our chairman has committed me to a corporate dinner... I think it would be best if you send me any other questions prior to the meeting and I will mail the answers to you."

Councilmember Supernaw asked the Mayor whether it would be appropriate to ask the audience for their opinion regarding the postponement. Councilmembers Gibson and Porter responded "no".

It was the general consensus of Council to postpone agenda item F until the next meeting.

III. Inquiry Regarding Possible Conflicts of Interest

Councilmember Kurtz stated that if there was discussion regarding agenda item F, he would have a conflict.

IV. Consent Agenda

The following items were approved and filed:

A. Approval of Minutes – July 6, 2015 Regular Meeting Minutes

Mayor Campbell requested that the Clerk amend the minutes to include verbatim with regards to item D because of the contentious nature of the discussion. Clerk Golding will submit the verbatim minutes for approval at the August 3rd meeting.

Councilmember Supernaw read the following for the record regarding the July 6th agenda item A.3. Consideration of Charlevoix Venetian Festival's Tiki Tent:

The City of Charlevoix City Code, Title III, Chapter 31, Section 3.14 states: it shall be unlawful for any person to consume alcoholic beverages in any part of any park which lies within one thousand (1,000) feet of US Highway 31, except that such restriction does not extend to privately owned vessels moored in the yacht basin nor does it extend to any specific function authorized by the city manager...

Councilmember Supernaw questioned whether the City Manager could approve the use of alcohol in the park or do all requests come before Council. Interim City Manager Spencer replied that based on the language in the code, the City Manager could approve of his own accord, but past practice was to always receive Council's approval.

- B. Special Accounts Payable Check Register – July 2, 2015
- C. Special Accounts Payable Check Register – July 14, 2015
- D. Regular Accounts Payable Check Register – July 21, 2015
- E. ACH Payments – July 6, 2015 – July 17, 2015
- F. Tax Disbursement – July 21, 2015
- G. Payroll Check Register – July 17, 2015

H. Payroll Transmittal – July 17, 2015

V. Public Hearings

None.

VI. Reports

Interim City Manager Spencer stated that the State Street Project is complete.

VII. Requests, Petitions and Communications and Actions Thereon

A. Biennial Review and Approval of the Energy Optimization Plan

The City has an Energy Optimization Plan that Council originally approved in May of 2009. Every two years the plan must be updated and subsequently reviewed by the Michigan Public Service Commission (MPSC). Electric Superintendent Swern stated that the intent of the plan is to entice customers through various incentive programs to implement energy efficiencies that will lower the customer's electrical usage. He indicated that the new updated plan is very similar to the last cycle's plan.

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

Motion by Councilmember Cole, second by Councilmember Kurtz, to approve the Energy Optimization Plan for the years 2015 through 2018.

Yeas: Supernaw, Porter, Kurtz, Perron, Gibson, Cole
Nays: None
Absent: None

B. Consideration to Approve RS&H Engineering Contract for 2015 Airport Projects

David Joye, RS&H Engineering, discussed this year's projects as part of the Airport 10 Year Capital Improvement Program. FY 2015-2016 projects include the Friction Improvement Design of Runway 09-27, Lighting and Rehabilitation Design, and Sidewalk Removal Design. The project will be included in this year's FAA grant with the City being responsible for 5% of the funding. ES&H's portion of these projects is \$85,200. Mr. Joye stated that the total local share for the project should be less than \$5,000.

Councilmember Gibson stated that the public should be aware of the sidewalk removal on the east side of the airport. Mr. Joye responded that the FAA has identified the sidewalk as a potential safety hazard because it resides in the airport's Runway Protection Zone (RPZ) and this situation is not allowed by the FAA. Councilmember Gibson expressed her concern regarding the future impact on the Community Garden.

Mr. Joye stated that RS&H is charging \$2,000 for the design portion of the sidewalk removal and contractor bids will be solicited by the City for its ultimate removal. Councilmember Gibson also asked for a status on the entitlement money. Mr. Joye responded that the FAA allocates \$1,000,000 per year and the City can accumulate \$4,000,000 held for up to three years. He stated that this project would be using monies accumulated in 2012.

Councilmember Kurtz confirmed with Mr. Joye that moving the sidewalk anywhere within the RPZ would not be an option.

Councilmember Porter questioned the effect of the RPZ on the Community Garden. Mr. Joye stated that the garden will be considered when creating the design.

Don Seeyle responded to Councilmember Supernaw saying that the sidewalk is heavily used.

Interim City Manager Spencer stated that the location of the sidewalk is impacting the Lake to Lake Trail and an alternate trail route will need to be found.

Councilmember Supernaw asked if the Community Garden was in jeopardy in anyway. Mr. Joye responded that he could not answer that question at this point in time. He stated that upon Council's approval, design would begin this fall and construction would not commence until August 2016. It was agreed that there would be a potential problem with the FAA if Council insisted on leaving the sidewalk where it is.

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

Motion by Councilmember Supernaw, second by Councilmember Cole, to approve the engineering agreement with RS&H Michigan, Inc. and authorize the Mayor and City Clerk to sign the agreement after review by the City Attorney.

Yeas: Supernaw, Porter, Kurtz, Perron, Gibson, Cole
Nays: None
Absent: None

C. Appointment for Committee to Decide on Job Description/Responsibilities for DDA/Main Street Director

As a result of the additional Main Street program job responsibilities, the job description for the Community Economic Development (CED) Director has changed and needs to be officially documented and agreed upon by all involved stakeholders. The DDA/Main Street Board voted unanimously at their June 22, 2015 regularly scheduled meeting to create an executive committee tasked with this revision. The Board recommended the following individuals for the committee: Kirby Dipert, Fred DiMartino, Gabe Campbell, Patty DeRosia, Annie Doyle and one City Councilmember. The DDA/Main Street Board is requesting the appointment of one Councilmember for the vacant position.

CED Director Doyle requested that the committee also establish a review process for her new position.

Mayor Campbell thanked CED Director Doyle for her hard work.

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

Motion by Councilmember Cole, second by Councilmember Supernaw, to appoint Councilmember Kurtz to serve on the executive committee tasked with creating a revised job description and associated set of responsibilities for the DDA/Main Street Director position.

Yeas: Supernaw, Porter, Kurtz, Perron, Gibson, Cole
Nays: None
Absent: None

D. Consideration of Job Descriptions: Firefighter, Lifeguard

The new part-time non-union Firefighter position job description and a revised Lifeguard job description were presented for Council's approval.

Interim City Manager Spencer stated that the City has a lifeguard at Michigan Beach only and it is difficult to fill the position.

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

Motion by Councilmember Perron, second by Councilmember Gibson, to approve the Lifeguard and Firefighter job descriptions.

Yeas: Supernaw, Porter, Kurtz, Perron, Gibson, Cole
Nays: None
Absent: None

E. MML Worker's Compensation Fund

The City of Charlevoix is a member of the Michigan Municipal League (MML) Worker's Compensation Fund. The City's governing body is asked to vote for the Fund's Board of Trustees each year. Mayor Campbell commented that all looked like good candidates to him. Executive Assistant Weller stated that the trustees are unpaid volunteers.

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

Motion by Councilmember Kurtz, second by Councilmember Cole, to authorize the City of Charlevoix to cast their vote for the six Trustees on the MML 2015 Worker's Compensation Fund ballot.

Yeas: Supernaw, Porter, Kurtz, Perron, Gibson, Cole
Nays: None
Absent: None

F. Discussion on Skydiving Operations at Charlevoix Municipal Airport

Per the above discussion, this agenda item is moved to the August 3rd Council meeting agenda.

Interim City Manager Spencer requested that Council submit questions for both the City Attorney and the insurance representative in advance of the meeting in order to facilitate a more productive meeting. Council agreed.

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

None.

X. Ordinances

None.

XI. Miscellaneous Business

Councilmember Supemaw mentioned that there was a memorial service for Kari Way in East Park tonight at 8:30 p.m. He extended his congratulations to the DPW Department for their fantastic job in cleaning up the parks and beaches after the weekend's events.

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

None.

XIII. Adjourn

The Mayor stated if there were no objections, the meeting would adjourn. There were no objections.
 Meeting adjourned at 7:35 p.m.

Joyce Golding City Clerk Gabe Campbell Mayor

	Special Accounts Payable – 07/02/2015		
MICHIGAN JAZZ TRAIL BIG BAND	1,000.00	TOTAL	1,000.00

	Special Accounts Payable – 07/14/2015		
MDS OF MICHIGAN INC	4,457.95	TOTAL	4,457.95

	Regular Accounts Payable – 07/21/2015		
ACE HARDWARE	5,039.42	GELDERBLOM, PAUL	25.00
ALL-PHASE ELECTRIC SUPPLY CO.	1,830.96	GERBER HOMEMADE SWEETS	76.00
AMERICAN LEGION AUXILIARY	273.66	GINOP SALES INC	292.84
AMERICAN WASTE INC.	93.52	GORDON FOOD SERVICE	476.96
AMSTUTZ, LINDA	63.91	GOSLING CZUBAK	2,837.25
APX INC.	51.89	GRAINGER	152.14
ARROW UNIFORM-TAYLOR L.L.C.	1,375.58	GRIFFIN BEVERAGE CO	40.00
AT&T	2,007.49	GRULER'S FARM SUPPLY INC	79.90
AUTO VALUE	731.83	GUNTZVILLER, RHONDA	291.00
AVFUEL CORPORATION	61,232.40	HACH COMPANY	516.60
BC/BS OF MI REFUNDS	280.86	HAGGARD'S INC	1,549.71
BLACK PEARL PLATINUM BRAND	46.00	HARWOOD GOLD	97.00
BLARNEY CASTLE OIL CO	862.06	HEID, THOMAS J.	86.64
BRADFORD'S	71.50	HEYDLAUFF, MARK L	2,500.00
BULBS.COM	48.80	HOLIDAY COMPANIES	6,538.63
CARQUEST OF CHARLEVOIX	1,035.62	HYDE SERVICES LLC	141.50
CENTRAL DRUG STORE	131.78	HYDRO CORP	515.00
CHARLEVOIX AREA COMMUNITY POOL	475.00	JOHN CROSS FISHERIES	122.00
CHARLEVOIX COUNTY NEWS	35.00	JOHN DEERE LANDSCAPES LLC	603.53
CHARLEVOIX SCREEN MASTERS INC	1,026.25	JTHOMAS PARTS	307.76
CHARLEVOIX VENETIAN FESTIVAL	15,000.00	KIWANIS CLUB OF CHARLEVOIX	39.00
CINTAS CORPORATION	174.62	KMart	421.88
CIRCLE K SERVICE	1,893.30	KORTHASE FLINN	135.00
CITY OF CHARLEVOIX - UTILITIES	55,158.95	KSS ENTERPRISES	1,080.91
CLEAR WATER PLUMBING & HEATING	5,813.88	LAKESHORE TIRE & AUTO SERVICE	16.00
CONKLIN, CLIFF	28.75	LAVANWAY, PHILLIP	46.00
COOK FAMILY FARMS	163.00	LEESE, M. CHRIS	31.25
COVEYOU FARMS LLC	79.00	LOTTIE'S BAGELS	122.00
DHASELEER, CARL	31.00	MACKINAW ART & SIGN	266.80
DITCH WITCH SALES OF MICHIGAN	206.54	MDC CONTRACTING LLC	146,595.51
DORNBOS SIGN INC.	134.10	METTLER TOLEDO INC	813.39
ELLSWORTH FARMER'S EXCHANGE	132.28	MICHIGAN MUSHROOM MARKET LLC	75.00
EMERGENCY MEDICAL PRODUCTS INC	202.20	MICHIGAN OFFICEWAYS INC	3,200.00
EMMET BRICK & BLOCK	485.91	MICHIGAN RURAL WATER ASSN	620.00
EMSHWILLER, ERIC	10.00	MID STATES BOLT & SCREW CO	58.90
ETNA SUPPLY	2,012.82	MITCHELL GRAPHICS INC.	866.00
FAMILY FARM & HOME	641.27	NORTHERN CREDIT BUREAU	643.94
FARMER WHITE'S	73.00	NORTHERN FIRE & SAFETY INC.	165.00
FISHER SCIENTIFIC	555.71	NORTHERN LIGHTS FAMILY	999.00
FREEDOM MAILING SERVICES INC.	2,276.30	NORTHERN MICHIGAN DUST CONTROL	624.00

NOVOTNY, SANDRA	65.00	SIEGRIST, DAVID	108.00
NYE UNIFORM CO	95.53	SIMPSON ELECTRIC INC.	766.23
OLD DOMINION BRUSH	343.56	SITE PLANNING DEVELOPMENT INC	1,100.00
OLSTROM EXCAVATING AND PAVING	27,711.00	SOS ANALYTICAL	353.00
ORIENTAL TRADING COMPANY INC	234.01	SPARTAN DISTRIBUTORS INC	506.48
OSTLUND PEST CONTROL LLC	580.00	STATE OF MICHIGAN	225.00
OTEC	1,295.00	STEVENS, JEFF	599.00
P.K. CONTRACTING	11,312.10	UP NORTH PROPERTY SERVICES LLC	4,284.00
PATTERSON, TONY	160.00	UPPER CASE PRINTING INK.	1,094.24
PERFORMANCE ENGINEERS INC	21,765.25	VILLAGE GRAPHICS INC.	50.10
POND HILL FARM LLC	212.00	WASHBURNE, BRENDA	74.00
POWER LINE SUPPLY	4,709.12	WATERTRONICS LLC	545.70
PURITY CYLINDER GASES INC	312.52	WHITLEY, MARIA	29.83
RIEHL, CAROLINE	30.00	WHOLLY GRANOLY LLC	31.00
RILEY, DENISE	19.67	WITTHOEFT, CHARLES	25.00
ROAD WEASEL ENTERPRISES LLC	54.00	WORK & PLAY SHOP	17.64
ROCKY TOP FARMS	30.00		
RUSTIC BAKER	88.00	TOTAL	414,661.18

ACH Payments – 07/06/2015 – 07/17/2015

PAYMENT SERVICE NETWORK	224.90	ALERUS FINANCIAL (HCSP)	370.00
STATE OF MI (SALES TAX)	19,526.83	STATE OF MI (WITHHOLDING TAX)	7,019.72
MI PUBLIC POWER AGENCY	13,748.78	VANTAGEPOINT (457 ICMA PLAN)	14,093.31
IRS (PAYROLL TAX DEPOSIT)	49,533.67	TOTAL	104,517.21

Tax Disbursement – 07/21/2015

ERBER, THOMAS	60.00		
HEID, RALPH	50.00	TOTAL	110.00

PAYROLL: NET PAY

Pay Period Ending 07/11/2015 – Paid 07/17/2015

WELLER, LINDA JO	1,620.71	WILSON, TIMOTHY J.	1,944.37
GOLDING, JOYCE M.	1,059.15	LAVOIE, RICHARD L.	1,838.62
DEROSIA, PATRICIA E.	1,145.44	STEVENS, BRANDON C.	1,599.42
DOYLE, ANNE E.	1,385.05	DRAVES, MARTIN J.	1,684.15
LOY, EVELYN R.	1,017.73	BROWN, STEPHANIE C.	1,023.65
KLOOSTER, ALIDA K.	1,447.08	ELLIOTT, PATRICK M.	1,762.40
GOLOVICH, KAREN J.	883.21	SCHWARTZFISHER, JOSEPH L.	1,319.30
SPENCER, MICHAEL D.	2,238.33	WELLS JR., DONALD E.	1,217.43
SPENCLEY, PATRICIA L.	1,498.51	BRADLEY, KELLY R.	1,330.83
PANOFF, ZACHARY R.	626.91	WILSON, RICHARD J.	8,912.05
LEESE, MERRI C.	262.02	HART II, DELBERT W.	716.45
MCGINN, KELLY A.	1,585.98	JONES, ROBERT F.	1,352.00
DOAN, GERARD P.	1,883.38	DORAN, JUSTIN J.	1,312.38
SHRIFT, PETER B.	1,319.36	MANKER JR, DAVID W.	493.95
SCHLAPPI, JAMES L.	1,259.16	MANKER SR, DAVID W.	653.30
UMULIS, MATTHEW T.	1,345.90	NEUMANN, DANA L.	507.53
HANKINS, SCOTT A.	1,503.29	BECKER, MICHAEL S.	604.43
ORBAN, BARBARA K.	1,393.34	SHEPARD, ZACHARY N.	502.73
TRAEGER, JASON A.	1,671.39	BUTLER, SEAN C.	586.95
WARNER, JANINE M.	851.52	HAWKINS, JAMES S.	500.75
EVANS JR, HALBERT K.	1,442.49	MCGHEE, ROBERT R.	1,047.25
GODDARD, RYAN D.	884.99	STANTS, JACOB W.	555.86
JOHNSON, KYLE W.	732.77	BLOOMER, GABRIELLE J.	505.36
BINGHAM, LARRY E.	820.38	MCCLANATHAN, BRANDON R.	459.96
VANLOO, JORDAN C.	570.48	KIRINOVIC, THOMAS F.	635.68
TELGENHOF, WILL G.	521.87	STEBE, LAURA A.	150.53
GREYERBIEHL, KELLY M.	557.33	FORRESTER, KATHERINE A.	549.31
ROLOFF, ROBERT P.	4,724.12	AMSTUTZ, LINDA J.	991.91
RILEY, DENISE M.	465.78	DUTCHER, ROBERT G.	237.86
TEUNIS, STEVEN L.	1,681.68	SABSOOK, SARA E.	479.33
WURST, RANDALL W.	1,474.39	BROSIO, VALERIE L.	584.74
MAYER, SHELLEY L.	2,333.15	RUDOLPH, TRISTAN M.	528.92
HILLING, NICHOLAS A.	1,092.80	GOLOVICH, SAWYER P.	469.34
MEIER III, CHARLES A.	1,651.86	ECKHARDT, LOGAN R.	509.64
ZACHARIAS, STEVEN B.	2,223.89	WEBB, MICHAEL B.	330.30
NISWANDER, JOSEPH F.	1,283.76	PARKER-DROST, HERO	514.12
EATON, BRAD A.	1,826.24	HOLECHECK, JENNACA R.	537.42

WELLS, IVY L.	537.04	KLOOSTER, PATRICK H.	682.84
ROCKAFELLOW, SARAH C.	549.94	LABELLE, DAVIS B.	521.15
HEID, THOMAS J	1,252.44	KLINGER, LUCAS D.	580.41
STEIN, DONNA E.	204.23	SPEGELE, GREYSON H.	586.95
BOOTHE, STEVEN A.	280.20	GREENE, GLORIA C.	528.09
GRUNCH, RONALD J.	414.68	KLINGER, BRADLEY W.	274.39
RYPSTRA III, BART	299.27	DAVIS, LEAH R.	528.09
DAVIS, RONALD L.	117.29	SWEM, DONALD L.	1,808.24
MACLEOD, SAMUEL R.	422.78	WHITLEY, ANDREW T.	1,600.85
DAKROUB, JOSEPH E.	220.90	MORRISON, KEVIN P.	1,050.91
MASSON, DONALD J.	169.42	HODGE, MICHAEL J.	1,270.61
MYER, ELIZABETH A.	1,732.35	JOHNSON, STEVEN P.	1,535.69
VANLOO, JOSEPH G.	873.38	BISHAW, JAMES H.	526.42
WYMAN, MATTHEW A.	955.66	HERRIMAN, COBY M.	441.11
SCHRADER, LOU ANN	687.60	HINDLE, LYDIA R.	459.24
SCHWAGER, EDWARD J.	461.43	MACGILLIVRAY, RAYMOND L.	545.82
BOSS, RYDER S.	896.56	HALL, CHASE D.	572.69
FUNKEY, KRAIG R.	124.67	PETERS, MEGAN M.	579.62
RILEY, TIMOTHY C.	13.21	CURTIS, DENNIS E.	1,098.72
RILEY, CASEY W.	562.46	GILL, DAVID R.	1,200.78
THORMAN, MIKAYLA R.	296.42	TODD, RICHARD D.	297.87
JONES, LARRY M.	1,493.69	STEVENS, JEFFREY W.	777.81
LOPER II, GARY D.	435.65	ROLOFF, AUDREY M.	2,738.93
WILLSON, BRENDA R.	755.83	MATTER, DAWSON K.	2,358.47
OCHS, THOMAS F	103.89	SCOTT JR., WINFIELD	99.11
TRAVERS, MANUEL J.	1,147.65	KITELEY, FISHER B.	33.04
RILEY, DANIEL A.	2,205.73	TOTAL	129,147.88

PAYROLL: TRANSMITTAL - 07/17/2015

4FRONT CREDIT UNION	218.46	CHEMICAL BANK	150.00
AMERICAN FAMILY LIFE	145.20	COMMUNICATION WORKERS OF AMER	477.94
AMERICAN FAMILY LIFE	271.20	MI STATE DISBURSEMENT UNIT	401.83
CHAR EM UNITED WAY	32.00	PRIORITY HEALTH	1,558.16
CHARLEVOIX STATE BANK	1,021.16	TOTAL	4,275.93

Check Number	Payee	Amount
07/22/2015		
113901	AT&T LONG DISTANCE	47.88
113902	AT&T MOBILITY	73.39
113903	CHARLEVOIX STATE BANK	6,122.09
113904	CHARTER COMMUNICATIONS	6.72
113905	DELTA DENTAL	4,214.69
113906	DEVERE CONSTRUCTION COMPANY	1,154,976.83
113907	DTE ENERGY	1,538.14
113908	GREAT LAKES ENERGY	211.98
113909	METLIFE SMALL BUSINESS CENTER	695.85
113910	PREIN & NEWHOF	37,631.39
113911	PRIORITY HEALTH	40,094.00
113912	SPOK INC	9.99
113913	VERIZON WIRELESS	56.72
113914	VISION SERVICE PLAN	529.66
Total 07/22/2015:		1,246,209.33
Grand Totals:		1,246,209.33

Summary of Check Registers & ACH Payments

FIRSTMERIT BANK - CHECKS ISSUED

07/22/15 Special Accounts Payable Run	\$ 1,246,209.33
07/31/15 Payroll	\$ 108,179.61
07/31/15 Payroll Transmittal Checks	\$ 4,275.95
08/04/15 Regular Accounts Payable	\$ 422,186.16
Checks Sub-Total:	\$ 1,780,851.05

FIRSTMERIT BANK - ACH PAYMENTS

07/20/15 MI Public Power Agency	\$ 19,136.35
07/27/15 MI Public Power Agency	\$ 280,666.21
07/27/15 MI Public Power Agency	\$ 14,502.39
07/31/15 IRS (Payroll Tax Deposit)	\$ 39,386.68
07/31/15 Alerus Financial (HCSP)	\$ 370.00
07/31/15 State of MI (Withholding Tax)	\$ 5,821.04
07/31/15 Vantagepoint (457 ICMA Plan)	\$ 13,452.35
07/31/15 MERS (Defined Benefit Plan)	\$ 41,093.95
ACH Sub-Total:	\$ 414,428.97

First Merit Bank Total: \$ 2,195,280.02

CHARLEVOIX STATE BANK - CHECKS ISSUED

(PROPERTY TAX DISBURSEMENT TO VARIOUS TAXING AUTHORITIES)

08/04/15 Tax Disbursement	\$ 1,086,898.75
Charlevoix State Bank Total:	\$ 1,086,898.75

Grand Total: \$ 3,282,178.77

APPROVED:

[Signature]
CITY MANAGER

[Signature]
CITY TREASURER

[Signature]
CITY CLERK

M = Manual Check, V = Void Check

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
07/25/2015	PC	07/31/2015	19774	WELLER, LINDA JO	101		1,620.71
07/25/2015	PC	07/31/2015	19775	GOLDING, JOYCE M.	106		1,059.15
07/25/2015	PC	07/31/2015	19776	DEROSIA, PATRICIA E.	107		1,012.89
07/25/2015	PC	07/31/2015	19777	DOYLE, ANNE E.	108		1,385.05
07/25/2015	PC	07/31/2015	19778	LOY, EVELYN R.	117		1,017.73
07/25/2015	PC	07/31/2015	19779	KLOOSTER, ALIDA K.	121		1,447.08
07/25/2015	PC	07/31/2015	19780	GOLOVICH, KAREN J.	122		869.22
07/25/2015	PC	07/31/2015	19781	SPENCER, MICHAEL D.	132		2,238.33
07/25/2015	PC	07/31/2015	19782	SPENCLEY, PATRICIA L.	136		1,519.45
07/25/2015	PC	07/31/2015	19783	PANOFF, ZACHARY R.	141		626.91
07/25/2015	PC	07/31/2015	19784	MILLER, FAITH G.	142		83.87
07/25/2015	PC	07/31/2015	19785	LEESE, MERRI C.	145		262.02
07/25/2015	PC	07/31/2015	19786	MCGINN, KELLY A.	146		1,585.98
07/25/2015	PC	07/31/2015	19787	DOAN, GERARD P.	201		2,067.13
07/25/2015	PC	07/31/2015	19788	SHRIFT, PETER R.	203		1,292.52
07/25/2015	PC	07/31/2015	19789	SCHLAPPI, JAMES L.	204		1,240.35
07/25/2015	PC	07/31/2015	19790	UMULIS, MATTHEW T.	205		1,408.19
07/25/2015	PC	07/31/2015	19791	HANKINS, SCOTT A.	208		2,056.87
07/25/2015	PC	07/31/2015	19792	ORBAN, BARBARA K.	209		1,350.51
07/25/2015	PC	07/31/2015	19793	TRAEGER, JASON A.	210		1,211.81
07/25/2015	PC	07/31/2015	19794	WARNER, JANINE M.	213		851.52
07/25/2015	PC	07/31/2015	19795	EVANS JR, HALBERT K.	214		1,442.49
07/25/2015	PC	07/31/2015	19796	GODDARD, RYAN D.	221		1,329.08
07/25/2015	PC	07/31/2015	19797	JOHNSON, KYLE W.	223		811.71
07/25/2015	PC	07/31/2015	19798	BINGHAM, LARRY E.	224		820.38
07/25/2015	PC	07/31/2015	19799	VANLOO, JORDAN C.	239		630.43
07/25/2015	PC	07/31/2015	19800	TELGENHOF, WILL G.	246		602.65
07/25/2015	PC	07/31/2015	19801	GREYERBIEHL, KELLY M.	260		715.23
07/25/2015	PC	07/31/2015	19802	ROLOFF, ROBERT P.	304		1,850.80
07/25/2015	PC	07/31/2015	19803	RILEY, DENISE M.	306		467.76
07/25/2015	PC	07/31/2015	19804	TEUNIS, STEVEN L.	402		1,681.68
07/25/2015	PC	07/31/2015	19805	WURST, RANDALL W.	411		1,605.96
07/25/2015	PC	07/31/2015	19806	MAYER, SHELLEY L.	412		1,557.07
07/25/2015	PC	07/31/2015	19807	HILLING, NICHOLAS A.	413		1,670.49
07/25/2015	PC	07/31/2015	19808	MEIER III, CHARLES A.	421		1,418.03
07/25/2015	PC	07/31/2015	19809	ZACHARIAS, STEVEN B.	422		1,576.77
07/25/2015	PC	07/31/2015	19810	NISWANDER, JOSEPH F.	504		1,283.76
07/25/2015	PC	07/31/2015	19811	EATON, BRAD A.	515		1,777.65
07/25/2015	PC	07/31/2015	19812	WILSON, TIMOTHY J.	516		1,926.77
07/25/2015	PC	07/31/2015	19813	LAVOIE, RICHARD L.	519		1,839.22
07/25/2015	PC	07/31/2015	19814	STEVENS, BRANDON C.	521		2,030.75
07/25/2015	PC	07/31/2015	19815	DRAVES, MARTIN J.	523		1,547.85
07/25/2015	PC	07/31/2015	19816	BROWN, STEPHANIE C.	524		1,023.65
07/25/2015	PC	07/31/2015	19817	ELLIOTT, PATRICK M.	600		1,762.40
07/25/2015	PC	07/31/2015	19818	SCHWARTZFISHER, JOS	603		1,457.34
07/25/2015	PC	07/31/2015	19819	WELLS JR., DONALD E.	609		1,491.23
07/25/2015	PC	07/31/2015	19820	BRADLEY, KELLY R.	614		1,332.35
07/25/2015	PC	07/31/2015	19821	HART II, DELBERT W.	616		735.98
07/25/2015	PC	07/31/2015	19822	JONES, ROBERT F.	618		1,421.21
07/25/2015	PC	07/31/2015	19823	DORAN, JUSTIN J.	621		1,810.49
07/25/2015	PC	07/31/2015	19824	MANKER JR, DAVID W.	638		493.95
07/25/2015	PC	07/31/2015	19825	MANKER SR, DAVID W.	639		723.35
07/25/2015	PC	07/31/2015	19826	NEUMANN, DANA L.	640		572.29
07/25/2015	PC	07/31/2015	19827	BECKER, MICHAEL S.	641		618.03
07/25/2015	PC	07/31/2015	19828	SHEPARD, ZACHARY N.	656		574.88
07/25/2015	PC	07/31/2015	19829	BUTLER, SEAN C.	660		645.43
07/25/2015	PC	07/31/2015	19830	HAWKINS, JAMES S.	662		454.69

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
07/25/2015	PC	07/31/2015	19831	MCGHEE, ROBERT R.	663		1,109.81
07/25/2015	PC	07/31/2015	19832	STANTS, JACOB W.	664		550.74
07/25/2015	PC	07/31/2015	19833	BLOOMER, GABRIELLE J.	665		498.81
07/25/2015	PC	07/31/2015	19834	MCCLANATHAN, BRAND	666		529.96
07/25/2015	PC	07/31/2015	19835	KIRINOVIC, THOMAS F.	700		651.19
07/25/2015	PC	07/31/2015	19836	STEBE, LAURA A.	703		112.90
07/25/2015	PC	07/31/2015	19837	FORRESTER, KATHERIN	704		544.88
07/25/2015	PC	07/31/2015	19838	AMSTUTZ, LINDA J.	706		991.91
07/25/2015	PC	07/31/2015	19839	DUTCHER, ROBERT G.	710		237.86
07/25/2015	PC	07/31/2015	19840	SABSOOK, SARA E.	721		476.35
07/25/2015	PC	07/31/2015	19841	BROSIO, VALERIE L.	722		331.01
07/25/2015	PC	07/31/2015	19842	RUDOLPH, TRISTAN M.	757		719.99
07/25/2015	PC	07/31/2015	19843	GOLOVICH, SAWYER P.	759		658.53
07/25/2015	PC	07/31/2015	19844	ECKHARDT, LOGAN R.	761		225.53
07/25/2015	PC	07/31/2015	19845	WEBB, MICHAEL B.	773		473.23
07/25/2015	PC	07/31/2015	19846	PARKER-DROST, HERO	775		512.56
07/25/2015	PC	07/31/2015	19847	HOLECHECK, JENNACA	777		537.42
07/25/2015	PC	07/31/2015	19848	WELLS, IVY L.	781		260.13
07/25/2015	PC	07/31/2015	19849	ROCKAFELLOW, SARAH	782		520.43
07/25/2015	PC	07/31/2015	19850	HEID, THOMAS J	802		1,252.44
07/25/2015	PC	07/31/2015	19851	STEIN, DONNA E.	830		260.29
07/25/2015	PC	07/31/2015	19852	BOOTHE, STEVEN A.	832		269.95
07/25/2015	PC	07/31/2015	19853	GRUNCH, RONALD J.	844		177.75
07/25/2015	PC	07/31/2015	19854	RYPSTRA III, BART	852		281.58
07/25/2015	PC	07/31/2015	19855	DAVIS, RONALD L.	853		277.01
07/25/2015	PC	07/31/2015	19856	MACLEOD, SAMUEL R.	857		358.82
07/25/2015	PC	07/31/2015	19857	DAKROUB, JOSEPH E.	860		157.25
07/25/2015	PC	07/31/2015	19858	MASSON, DONALD J.	861		169.42
07/25/2015	PC	07/31/2015	19859	MYER, ELIZABETH A.	900		1,622.72
07/25/2015	PC	07/31/2015	19860	VANLOO, JOSEPH G.	902		682.99
07/25/2015	PC	07/31/2015	19861	WYMAN, MATTHEW A.	927		1,121.47
07/25/2015	PC	07/31/2015	19862	SCHRADER, LOU ANN	929		697.36
07/25/2015	PC	07/31/2015	19863	SCHWAGER, EDWARD J.	930		882.07
07/25/2015	PC	07/31/2015	19864	BOSS, RYDER S.	932		711.99
07/25/2015	PC	07/31/2015	19865	RILEY, CASEY W.	1052		416.97
07/25/2015	PC	07/31/2015	19866	JONES, LARRY M.	1057		257.27
07/25/2015	PC	07/31/2015	19867	TRAVERS, MANUEL J.	1071		242.77
07/25/2015	PC	07/31/2015	19868	RILEY, DANIEL A.	1079		604.91
07/25/2015	PC	07/31/2015	113915	TIMMS, ROBERT N	92		46.17
07/25/2015	PC	07/31/2015	113916	EVELEIGH, MARY J.	96		46.17
07/25/2015	PC	07/31/2015	113917	KLOOSTER, PATRICK H.	216		778.96
07/25/2015	PC	07/31/2015	113918	LABELLE, DAVIS B.	234		560.63
07/25/2015	PC	07/31/2015	113919	KLINGER, LUCAS D.	235		659.35
07/25/2015	PC	07/31/2015	113920	SPEGELE, GREYSON H.	237		665.89
07/25/2015	PC	07/31/2015	113921	GREENE, GLORIA C.	243		602.65
07/25/2015	PC	07/31/2015	113922	KLINGER, BRADLEY W.	244		453.52
07/25/2015	PC	07/31/2015	113923	DAVIS, LEAH R.	245		602.65
07/25/2015	PC	07/31/2015	113924	SWEM, DONALD L.	512		1,808.24
07/25/2015	PC	07/31/2015	113925	WHITLEY, ANDREW T.	522		1,489.64
07/25/2015	PC	07/31/2015	113926	MORRISON, KEVIN P.	601		1,539.47
07/25/2015	PC	07/31/2015	113927	HODGE, MICHAEL J.	606		1,491.57
07/25/2015	PC	07/31/2015	113928	JOHNSON, STEVEN P.	617		1,607.05
07/25/2015	PC	07/31/2015	113929	BISHAW, JAMES H.	633		689.39
07/25/2015	PC	07/31/2015	113930	HERRIMAN, COBY M.	654		546.73
07/25/2015	PC	07/31/2015	113931	HINDLE, LYDIA R.	667		572.50
07/25/2015	PC	07/31/2015	113932	MACGILLIVRAY, RAYMO	720		488.25
07/25/2015	PC	07/31/2015	113933	HALL, CHASE D.	726		581.36

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
07/25/2015	PC	07/31/2015	113934	PETERS, MEGAN M.	738		300.06
07/25/2015	PC	07/31/2015	113935	CURTIS, DENNIS E.	831		950.29
07/25/2015	PC	07/31/2015	113936	GILL, DAVID R.	856		1,073.31
07/25/2015	PC	07/31/2015	113937	TODD, RICHARD D.	859		326.40
Grand Totals:			118				108,179.61

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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
07/25/2015	07/31/2015	113938	4FRONT CREDIT UNION	9024	HSA-EMPLOYEE CONTRIB-4FR	218.46
07/25/2015	07/31/2015	113939	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-POST	145.20
07/25/2015	07/31/2015	113939	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-PRETA	271.20
07/25/2015	07/31/2015	113940	CHAR EM UNITED WAY	9009	UNITED WAY Pay Period: 7/25/2	32.00
07/25/2015	07/31/2015	113941	CHARLEVOIX STATE BA	9017	HSA - EMPLOYEE CONTRIB - C	1,021.16
07/25/2015	07/31/2015	113942	CHEMICAL BANK	9018	HSA - EMPLOYEE CONTRIB - C	150.00
07/25/2015	07/31/2015	113943	COMMUNICATION WORK	9004	CWA UNION DUES Pay Period:	477.94
07/25/2015	07/31/2015	113944	MI STATE DISBURSEME	9012	FRIEND OF THE COURT Pay P	401.83
07/25/2015	07/31/2015	113945	PRIORITY HEALTH	392358	PRIORITY HEALTH Pay Period:	1,558.16
Grand Totals:		9				4,275.95

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Check Number	Payee	Amount
08/04/2015		
113946	AIRGAS USA LLC	175.28
113947	ALL-PHASE ELECTRIC SUPPLY CO.	119.79
113948	AMERICAN WASTE INC.	2,278.80
113949	AVFUEL CORPORATION	38,419.56
113950	BARUZZINI GENERAL CONTRACTOR	600.00
113951	BEAR EARTH HERBALS	12.00
113952	BEEGEN, REID	51.77
113953	BERG, REBECCA	159.00
113954	BLACK PEARL PLATINUM BRAND	23.00
113955	BRADY'S CARPET CLEANING	345.00
113956	CHARLEVOIX AREA CHAMBER OF CO	6,700.00
113957	CHARLEVOIX DISTRICT LIBRARY	15,000.00
113958	CHARLEVOIX SCREEN MASTERS INC	458.00
113959	CHARLEVOIX TOWNSHIP	15.23
113960	CHEMICAL SYSTEMS INC.	1,872.00
113961	CHERRINGTON ENTERPRISES INC.	328.54
113962	CINTAS CORPORATION #729	274.50
113963	CITY OF CHARLEVOIX - MISC	15,466.45
113964	CIVIC SYSTEMS	9,154.00
113965	COOK FAMILY FARMS	155.00
113966	DCASSESSING SERVICES	4,371.08
113967	DeROSIA, PATTY	41.00
113968	DHASELEER, CARL	113.00
113969	DOAN, GERARD	41.00
113970	DORNBOS SIGN INC.	521.27
113971	DOYLE, ANNIE	41.00
113972	EJ USA INC.	2,699.09
113973	ELLIOTT, PATRICK M.	41.00
113974	ETNA SUPPLY	2,024.24
113975	EVANS, HAL	41.00
113976	FARMER WHITE'S	118.00
113977	FIDELITY GOLF SERVICES LLC	210.00
113978	FISHER SCIENTIFIC	435.55
113979	FRAME, MARY	110.00
113980	GALLS AN ARAMARK COMPANY	137.56
113981	GERBER HOMEMADE SWEETS	59.00
113982	GOLDING, JOYCE	41.00
113983	GORDON FOOD SERVICE	111.22
113984	GRAINGER	738.00
113985	GREAT LAKES PIPE & SUPPLY	207.79
113986	GRIFFIN BEVERAGE CO	43.20
113987	GRP ENGINEERING INC.	5,714.48
113988	GUNTZVILLER, RHONDA	217.00
113989	HACH COMPANY	1,186.34
113990	HANKINS, SCOTT	41.00
113991	HEID, THOMAS J.	41.00
113992	HEINZMAN, WAYNE	29.32
113993	HEP'S HOMEBAKED GRANOLA	24.00

M = Manual Check, V = Void Check

Check Number	Payee	Amount
113994	HEYDLAUFF, MARK L	41.00
113995	HI-LINE	228.03
113996	HOLIDAY COMPANIES	113.16
113997	HUGH'S EXCAVATING LLC	1,325.00
113998	HURT, JOE	14.58
113999	INTERSTATE ALL BATTERY CTRS	340.89
114000	JERRY'S TIRE	568.32
114001	JOHN CROSS FISHERIES	66.00
114002	JOHNNY MAC'S SPORTING GOODS	249.04
114003	KEWEENAW EXCURSIONS	150.00
114004	KIRINOVIC, THOMAS	41.00
114005	KLOOSTER, ALIDA K.	41.00
114006	KSS ENTERPRISES	3,083.57
114007	LOTTIE'S BAGELS	119.00
114008	MAXX SUNGLASSES	251.84
114009	McGINN, KELLY	41.00
114010	MDC CONTRACTING LLC	875.00
114011	MESSER, JACK	15.40
114012	MICHIGAN MUSHROOM MARKET LLC	27.00
114013	MILLER, ANN	88.20
114014	MYER, ELIZABETH A.	41.00
114015	NEOFUNDS BY NEOPOST	21.01
114016	NETSOURCE ONE INC.	24.00
114017	NORTHERN MICHIGAN DUST CONTR	480.00
114018	NORTHERN MICHIGAN REVIEW INC.	307.29
114019	NORTHERN SAFETY CO INC	163.07
114020	NORTHWEST DESIGN GROUP	8,225.79
114021	OLSON BZDOK & HOWARD	3,518.50
114022	OUDBIER INSTRUMENT CO	4,963.00
114023	PIGS EATIN' RIBS	22.00
114024	PINE HILL NURSERY	288.00
114025	PLUNKETT & COONEY	2,620.00
114026	POND HILL FARM LLC	205.00
114027	POWER LINE SUPPLY	446.13
114028	PREFERRED WASTE 2 LLC	425.00
114029	PRESTON FEATHER	88.20
114030	QUICK CARE MEDICAL CENTER	80.00
114031	RESIDEX LLC	1,325.52
114032	RICK-BIDDICK, MICHELLE	899.67
114033	ROAD WEASEL ENTERPRISES LLC	25.00
114034	SCHWAGER, EDWARD J.	41.00
114035	SECURITY SANITATION INC.	285.00
114036	SHORELINE POWER SERVICES INC.	352.50
114037	SIEGRIST, DAVID	6.00
114038	SMOKE ON THE WATER	89.00
114039	SPARTAN DISTRIBUTORS INC	610.11
114040	SPENCER, MICHAEL	41.00
114041	STATE OF MICHIGAN	267,443.46
114042	STATE OF MICHIGAN	130.00

Check Number	Payee	Amount
114043	STEIN, DONNA	21.56
114044	SWEM, DONALD L.	41.00
114045	T & R SERVICE INC	15.00
114046	TEUNIS, STEVEN	41.00
114047	THAT FRENCH PLACE	47.00
114048	TRI-TURF	496.74
114049	UP NORTH PROPERTY SERVICES LL	6,321.00
114050	VAN'S BUSINESS MACHINES	75.00
114051	VILLAGE GRAPHICS INC.	368.40
114052	WELLER, LINDA	41.00
114053	WILLCOME TREE SERVICE	320.00
114054	WILLIAMS, GLORIA JEAN	18.00
114055	WINNELL, CHARLES	1,550.00
114056	WORK & PLAY SHOP	938.12
114057	WYMAN, MATTHEW A.	41.00
Total 08/04/2015:		422,186.16
Grand Totals:		422,186.16

Check Number	Payee	Amount
07/20/2015		
72015001	MICHIGAN PUBLIC POWER AGENCY	19,136.35
Total 07/20/2015:		19,136.35
Grand Totals:		19,136.35

Check Number	Payee	Amount
07/27/2015		
72715001	MICHIGAN PUBLIC POWER AGENCY	280,666.21
72715002	MICHIGAN PUBLIC POWER AGENCY	14,502.39
Total 07/27/2015:		295,168.60
Grand Totals:		295,168.60

Check Issue Date	Check Number	Payee	Amount
73115001			
07/31/2015	73115001	**EFTPS* Payroll Taxes	9,790.14
07/31/2015	73115001	**EFTPS* Payroll Taxes	9,790.14
07/31/2015	73115001	**EFTPS* Payroll Taxes	2,289.65
07/31/2015	73115001	**EFTPS* Payroll Taxes	2,289.65
07/31/2015	73115001	**EFTPS* Payroll Taxes	15,227.10
Total 73115001:			
	5		39,386.68
73115002			
07/31/2015	73115002	Alerus Financial	370.00
Total 73115002:			
	1		370.00
73115003			
07/31/2015	73115003	STATE OF MICHIGAN	5,821.04
Total 73115003:			
	1		5,821.04
73115004			
07/31/2015	73115004	Vantagepoint - 457 Plan 300959	5,473.58
07/31/2015	73115004	Vantagepoint - 457 Plan 300959	301.16
07/31/2015	73115004	Vantagepoint - 457 Plan 300959	1,764.29
07/31/2015	73115004	Vantagepoint - 457 Plan 300959	5,913.32
Total 73115004:			
	4		13,452.35
Grand Totals:			
	11		59,030.07

dm

Check Number	Payee	Amount
07/31/2015		
73115005	MERS	41,093.95
Total 07/31/2015:		41,093.95
Grand Totals:		<u>41,093.95</u>

Check Number	Payee	Amount
08/04/2015		
2543	CHARLEVOIX COUNTY TREASURER	220,509.90
2544	CHARLEVOIX PUBLIC SCHOOLS	341,379.66
2545	CHARLEVOIX PUBLIC SCHOOLS	54,796.73
2546	CHARLEVOIX PUBLIC SCHOOLS	2,593.86
2547	CHARLEVOIX PUBLIC SCHOOLS	26,676.39
2548	CHARLEVOIX PUBLIC SCHOOLS	5,766.76
2549	CITY OF CHARLEVOIX - TAXES DUE	135,113.97
2550	CITY OF CHARLEVOIX/DDA	300,061.48
Total 08/04/2015:		1,086,898.75
Grand Totals:		1,086,898.75

CHECKS DRAWN ON CHARLEVOIX STATE BANK ACCOUNT

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

- AGENDA ITEM TITLE:** Discussion on Skydive Harbor Springs Operation at the Charlevoix Municipal Airport
- DATE:** August 3, 2015
- PRESENTED BY:** Mike Spencer, City Planner
- ATTACHMENTS:**
1. Memo to Scott Howard, Ed Underwood and Luther Kurtz RE: City Council Questions on Skydiving at Charlevoix Municipal Airport dated July 29, 2015
 2. Skydive Harbor Springs, inc. dba Skydive Charlevoix - Charlevoix Airport Skydiving
 3. Email from Mr. Kurtz dated July 15, 2015 RE: Skydiving
 4. Welcome to Skydive Harbor Springs, Inc. - Agreement, Release of Liability and Assumption of Risk
 5. City Council Agenda Item - July 15, 2015
 6. US Department of Transportation, Federal Aviation Administration Advisory Circular, Sport Parachuting, Dated December 4, 2013
 7. US Department of Transportation, Federal Aviation Administration Advisory Circular, Recommended Standard Traffic Patterns and Practices for Aeronautical Operations at Airports without Operating Control Towers, Dated August 26, 1993
 8. Email from Marlon Pena, of the FAA RE: CVX - Skydiving at the Airport dated July 20, 2015
 9. Email from Ed Underwood, Airport Liability Insurance Agent, dated July 20, 2015
 10. Email from Doug LaBelle RE: Skydiving dated July 5, 2015
 11. Letter from Island Airways dated July 6, 2015
 12. Email from Randy Allison RE: Skydive Harbor Springs dated July 6, 2015
 13. Email from Jim Chionsini RE: Skydiving at Charlevoix Airport dated July 6, 2015
 14. Email from Bill Hartman RE: Skydiving at Airport dated July 6, 2015
 15. Email from Bob Kagle RE: Input dated July 6, 2015
 16. Email from Robert Christoph RE: skydiving at Charlevoix Airport dated July 7, 2015
 17. Letter from Connie Saltonstall RE: skydivers at Charlevoix City

- Airport dated July 11, 2015
18. Letter from Island Airways dated July 13, 2015
 19. Email from Bethany Pearson RE: Comment on Skydiving Operation dated July 17, 2015
 20. Email from Steve Saindon RE: AC 105-2E dated July 28, 2015
 21. Letter from Alvin Ranger received July 28, 2015
 22. Associated Press "4 Die After Their Plane Collides with a Sky Diver", *The New York Times*, November 23, 1993
<http://www.nytimes.com/1993/11/23/us/4-die-after-their-plane-collides-with-a-sky-diver.html>

BACKGROUND INFORMATION: As you are aware at the July 20th meeting, the agenda item pertaining to the skydiving operation at the Airport was postponed. Attached to this agenda item are all the previous attachments, in addition to everything that was provided at the last meeting. At this point, I believe Scott Howard will be there but we believe our insurance representative is unavailable. Questions from Council were compiled into a memo and sent to Mr. Howard, the insurance agent, and Mr. Kurtz.

I would also like to summarize a discussion that I had with Liz Myer, Marlon Pena and another gentlemen who was responsible for FAA compliance for airports who receive federal funding. I did not get a chance to write down his name but he was with the Chicago FAA office. Marlon Pena is the Program Manager for the Detroit Aviation District Office. They stated they received a call from Mr. Kurtz who asked them to call the City and make sure we were aware of their requirements. In response to Mr. Kurtz's call they reached out to make sure I was aware of the FAA requirements. We had a conference call at 1 PM on July 20. I specifically asked if Mr. Kurtz called to voice a complaint and they said no. They asked what the discussion with City Council was about and whether any formal action had been taken concerning the skydiving operation. I explained that Council was concerned about liability and there had been comments made about landing off airport. I asked if the City had the legal ability to require off airport parachute landings. Mr. Pena stated that the only way that could happen is if the City documented there was legitimate safety concern and proved to the FAA that this action is warranted and appropriate. The City would have to follow this process and get FAA approval first before requiring off airport landings. The conversation then turned to insurance and they stated that the City could not require Skydive Harbor Springs to have "unattainable" insurance. I asked if they would put all of this information in writing and they again stated that there were previous FAA rulings that were precedent setting.

RECOMMENDATION: None

MEMO

TO: Mr. Scott Howard, City Attorney
Mr. Ed Underwood, Avsurance Corporation
Mr. Luther Kurtz, Skydive Harbor Springs, Inc.
FROM: Mark L. Heydlauff, City Manager
CC: Mayor Campbell and the City Council; Ms. Liz Myer, Airport Manager
DATE: July 29, 2015
RE: City Council Questions on skydiving at Charlevoix Municipal Airport

At several previous City Council meetings, the members had various questions about the operation of a skydiving business at Charlevoix Municipal Airport. To have a productive meeting, the Council wished to outline their questions in advance to those with expertise on matters of insurance, the law, and due diligence for the City. I also have included Mr. Kurtz, whose business is the focus of the discussion, in case there are matters he might also clarify.

Below are questions I received from Councilmembers; I asked they forward them to me by Tuesday afternoon, July 28 so that I could distribute them in advance of the meeting in case research or other follow-up was needed. Some questions may be repetitive, but I wanted to list all the questions I received as I received them.

- Can the city require all tenants to have liability insurance? Can waivers be set aside for any person?
- Has there been any accident between planes and parachutes in 2014 or 2015, especially in Los Angeles, Miami, Phoenix, Detroit, northern Michigan, Washington DC or Atlanta?
- Is SDH (Skydive Harbor) in compliance with the Airport Minimum Standards and Airport Ordinance with respect to insurance requirements? Insurance is REQUIRED.
- When the City's airport insurance coverage was renewed and was the coverage changed at some point to cover "skydiving" and what was the date of the change, if any?
- Our airport insurance carrier in an email dated July 20, 2015 has indicated "there is no exclusion for parachute operations." What is the definition of "operations" and does that mean coverage for the sky dive operation's planes only? Please define.
- Our insurance carrier "spoke to the sky dive operator and he has standard limits available in the insurance market." What do the standard limits mean: planes only, passengers, airport damage, damage to other planes, i.e. jet traffic and their passengers, commercial operations?
- Our insurance carrier says "all policies exclude the jumpers once they leave the aircraft". Does that mean the City has no insurance to cover jumpers if they are injured and jump on our airport property? Does that mean the sky dive operations has no insurance to cover the jumpers if they are injured on our airport property?
- If there is no coverage by the sky dive operation and the city, if the jumpers are injured on our property, how does this expose the city to risk and liability?
- If the City creates a hazardous situation (an entertainment activity with the potential of risk by allowing jumpers to land on airport property) how does the government immunity issue work? Would the immunity be for sky dive operation and not the city? Is the sky dive operation using the City for governmental immunity? Is the City creating a situation to be sued rather than the burden being on the sky dive operation? In other words, "is the sky dive operation using the city to protect its business"?

- **“The policy limit is \$5,000,000.” For what? Jumpers or planes?**
- **“There is no exclusion for parachute operations”- define operations.**
- **“All policies exclude jumpers once they leave the aircraft”- neither the skydive operations nor the City have insurance for the jumpers.**



Skydive Harbor Spring, Inc. dba Skydive Charlevoix
8380 M-119, Harbor Springs, Michigan 49740

Charlevoix Airport Skydiving

Introduction:

Skydive Harbor Springs (SDH) is interested in using the Charlevoix Airport (CHX) for skydiving. Skydive Harbor Springs is owned by Luther and Mary Kurtz and currently operates out of the Harbor Springs Airport along with jumping at several other airports around Northern Michigan. The Kurtz's also own and operate the Charlevoix Cinema III. Additionally, the Kurtz's are majority owners of AivCon Inc., a company that operates several skydiving centers around the country, including operations in the metro areas of: Los Angeles, Miami, Phoenix, Detroit, Northern Michigan, Washington DC (Warrenton) and Atlanta. The call center for these locations is currently located in the upstairs office part of the SDH hanger at the Harbor Springs Airport. These operations have a great safety record and pride themselves on their ability to work well with all parts of the aviation community. It has been Luther's dream to offer skydiving at the Charlevoix Airport for a long time and we are grateful for the opportunity.

Compliance with USPA and FAA: In 2013, the FAA published AC-105-2e to provide suggestions, among other things, for the improvement sport parachuting safety. In AC-105-2E the FAA states "most parachute operations take place at airports, including having the parachute landing area located on the airport property." This is exactly what we are doing in Charlevoix.

Nature and Location of proposed Commercial Activity: AC105-2e also states that "the guidelines in the USPA's BSRs can be used in determining if the [parachute] landing area is adequate." The USPA's BSRs identify an unobstructed circle with a 50-meter radius as a sufficient landing area for USPA B-licensed skydivers and Tandem Parachutes. See supplement 3. SDH requires a B-license to skydive in Charlevoix unless the person is a passenger on a Tandem Jump with a licensed tandem instructor. The SDH Parachute Landing Area is unobstructed and is larger than a 50-meter radius circle. See Supplement 1. Therefore, the landing area is adequate for SDH's proposed skydiving at the Charlevoix Airport.

Proposed business location and routes: SDH proposes that its packing tent, parking and customer viewing area be located outside the fence. The access to the ramp will be through the gate near the packing tent. SDH and the Airport had a similar arrangement in 2014 and my understanding from conversations with Airport staff is that the arrangement worked well for the Airport. Supplement 1 shows where SDH will place its packing tent and allow customers to park during their jump. SDH will not allow overnight parking.

Establish compliance with Minimum Standards applicable to proposed Commercial Activity: SDH complies with all applicable Federal Aviation Regulations (FAR's) including Part 91, General Operating and Flight Rules; and Part 105, Parachute Operations. Additionally, SDH is a voluntary member of the United States Parachute Association. The Charlevoix Minimum Standards are presented below with an explanation of compliance.

Parachuting and Jump Schools. Businesses in this category shall, at a minimum:

- (1) Provide, at all times, a minimum of one aircraft properly licensed and FAA-certified, for parachuting activities, and employ personnel sufficient to be responsive during published business hours, as may seasonally change, to meet the needs of the aviation public.
 - a. *We are currently available three days a week in Charlevoix but this may change as the needs of the aviation public change.*

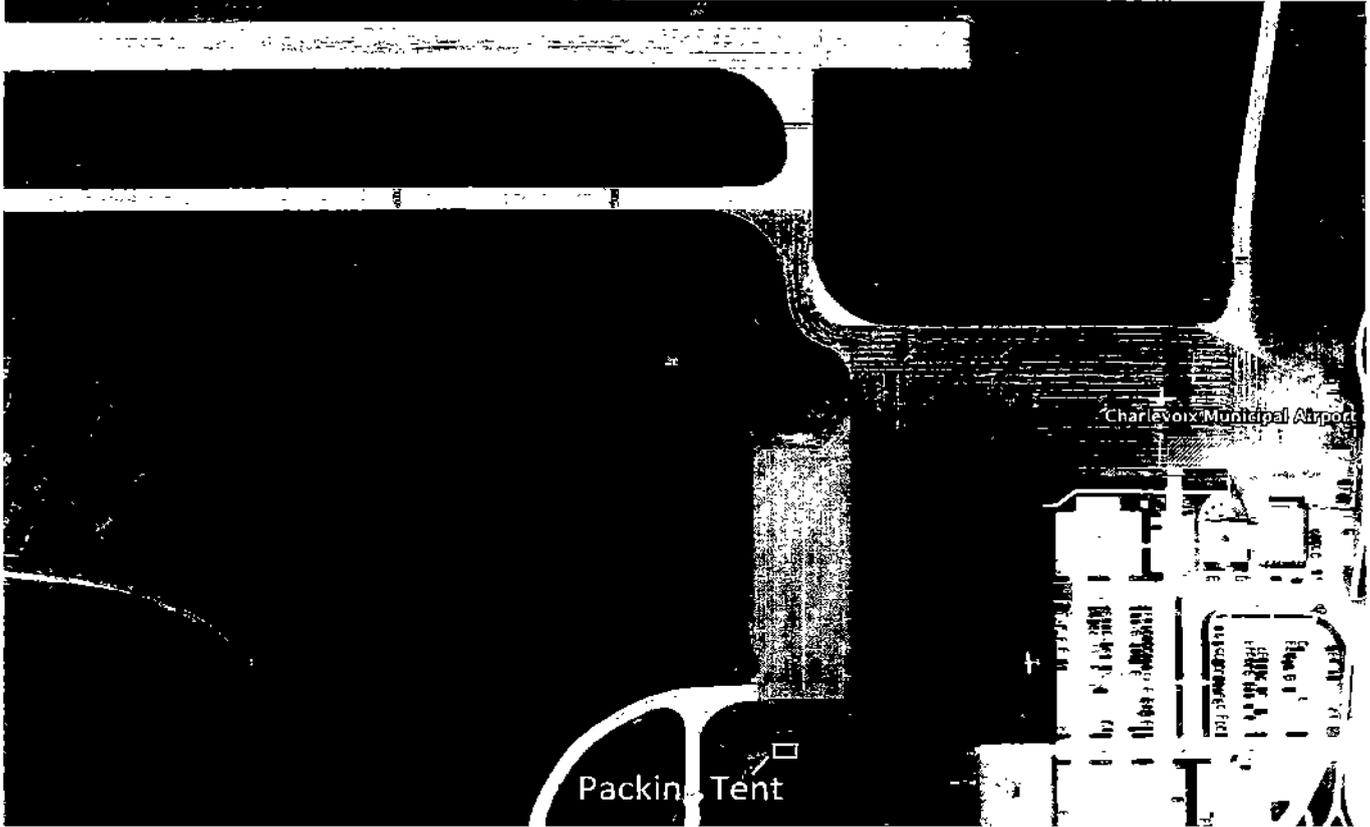
- (2) Provide a minimum of one FAA-certified pilot during advertised hours of business.
 - a. *We typically have two FAA commercial pilots on site during operations. We always provide a minimum of one FAA Commercial Pilot during operations.*

- (3) Maintain FAA and state approvals for schools, services and flight operations offered to the public.
 - a. *The FAA does not pre-approve Skydiving schools. Therefore, we are in compliance. However, we are voluntary group-members of the United States Parachute Association.*

- (4) Make regular and timely payments to the City as defined by the lease(s) and any operating agreement(s), in addition to applicable rates and charges imposed by the City, which may be updated and revised from time to time.
 - a. *SDH prepaid a \$2500 license fee to the city prior to starting operations for the 2015 season.*

- (5) Carry comprehensive general liability insurance per the Schedule of Insurances approved and updated by the City Council from time to time or as required in applicable lease(s) and/or operating agreement(s), if any.
 - a. *Certificate of insurance was submitted to the city on March 18th, 2015.*

Supplement 1:



Supplement 2:

e. Parachute Operations.

(1) All activities are normally conducted under a NOTAM noting the location, altitudes, and time or duration of jump operations. The Airport/Facility Directory lists airports where permanent drop zones are located.

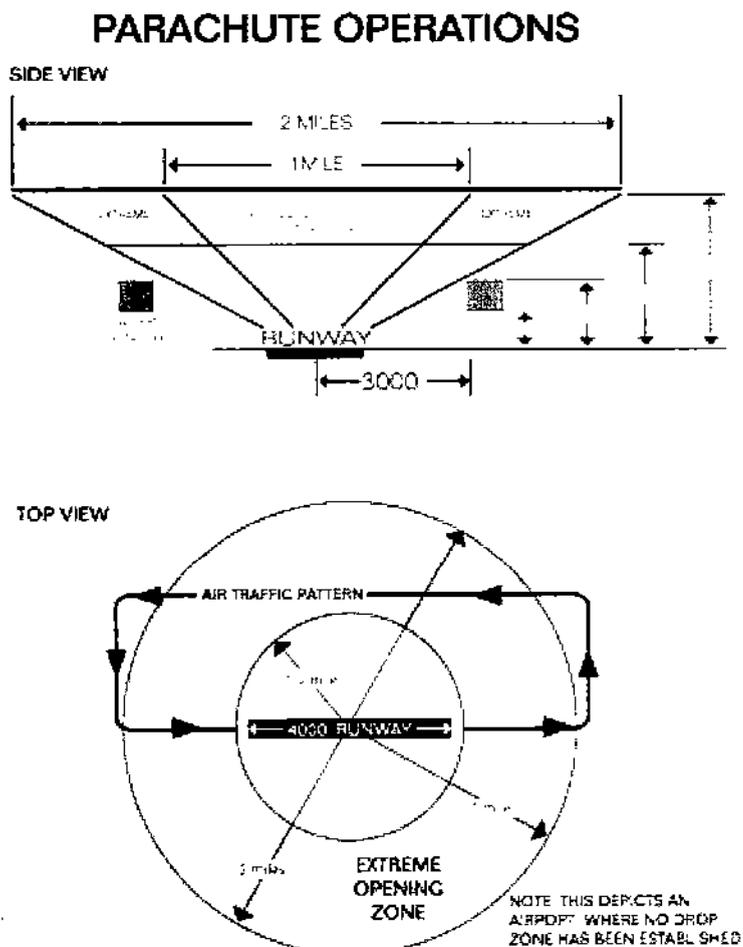
(2) Jumpers normally exit the aircraft either above, or well upwind of, the airport and at altitudes well above traffic pattern altitude. Parachutes are normally deployed between 2,000 feet and 5,000 feet AGL and can be expected to be below 3,000 feet AGL within 2 miles of the airport.

(3) Pilots of jump aircraft are required by Part 105 to establish two-way radio communications with the air traffic control facility or Flight Service Station which has jurisdiction over the affected airspace prior to jump operations for the purpose of receiving information in the aircraft about known air traffic in the vicinity. In addition, when jump aircraft are operating at or in the vicinity of an airport, pilots are also encouraged to provide advisory information on the CTAF, i.e., "Chambersburg traffic, jumpers away over Chambersburg."

(4) When a drop zone has been established on an airport, parachutists are expected to land within the drop zone. At airports that have not established drop zones, parachutists should avoid landing on runways, taxiways, aprons, and their associated safety areas. Pilots and parachutists should both be aware of the limited flight performance of parachutes and take steps to avoid any potential conflicts between aircraft and parachute operations.

(5) Appendix 3 diagrams operations conducted by parachutists.

*Harold W. Becker
Acting Director, Air Traffic
Rules and Procedures Service*



Supplement 3:

Section 2: Basic Safety Requirements and Waivers

E

Contents:

Summary

Section 2-1: Basic Safety Requirements

Section 2-2: Waivers to the Basic Safety Requirements

Section Summary

Skydiving is based on the Basic Safety Requirements (BSRs) that have been established as the cornerstone of a self-policing principle. The BSRs represent the industry standard generally agreed upon as necessary for an adequate level of safety. Research can be conducted to develop and document new methods and procedures within the BSRs and, when necessary, under waivers to the BSRs, to establish a justifiable basis to modify these standards. This section includes two fundamental, interrelated USPA publications: the Basic Safety Requirements and waivers to the Basic Safety Requirements.

H. Drop zone requirements

1. Areas used for skydiving should be unobstructed, with the following minimum radial distances to the nearest hazard: [S]
 - a. solo students and A-license holders—100 meters
 - b. B- and C-license holders and all tandem skydives—50 meters
 - c. D-license holders—12 meters
2. Hazards are defined as telephone and power lines, towers, buildings, open bodies of water, highways, automobiles, and clusters of trees covering more than 3,000 square meters. [NW]
3. Manned ground-to-air communications (e.g., radios, panels, smoke, lights) are to be present on the drop zone during skydiving operations. [NW]

Michael Spencer

From: luther kurtz <lutherkurtz@hotmail.com>
Sent: Wednesday, July 15, 2015 6:53 AM
To: Michael Spencer
Subject: FW: Skydiving

Hi Mike, I have gathered some information for you. Immediately below are Charlevoix's published operations data on airnav.com. Then, below that are 7 other airports around the country that have medium or high intensity parachute operations at the airport. I have highlighted the airport data for those operations in blue and also included a link to the page for that specific airport. I hope this helps. I'll send a copy of ac105-2e in another email.

Skydive Harbor Springs. Charlevoix Airport: Low intensity parachute operation. Average 50-70 jumps per week.

<http://www.airnav.com/airport/KCVX>.

Aircraft based on the field: 14	Aircraft operations: avg 82/day *
Single engine airplanes: 7	40% air taxi
Multi engine airplanes: 7	32% transient general aviation
	27% local general aviation
	2% military
	* for 12-month period ending 31 December 2012

Skydive Deland in Deland, FL: High intensive parachute operation. Several Hundred parachute jumps per day.

<http://www.airnav.com/airport/KDED>.

Aircraft based on the field: 197	Aircraft operations: avg 322/day *
Single engine airplanes: 148	70% transient general aviation
Multi engine airplanes: 35	30% local general aviation
Jet airplanes: 8	<1% air taxi
Helicopters: 4	<1% military
Ultralights: 2	* for 12-month period ending 13 August 2013

Ohio Skydiving Center in Carol, Ohio: Medium intensity skydiving operation.

Aircraft based on the field: 88	Aircraft operations: avg 118/day *
Single engine airplanes: 73	92% local general aviation
Multi engine airplanes: 7	8% transient general aviation
Helicopters: 7	<1% military
Ultralights: 1	* for 12-month period ending 23 May 2012

Start Skydiving in Middletown, OH: High Intensity parachute operation.

<http://airnav.com/airport/KMWO>.

Aircraft based on the field: 66	Aircraft operations: avg 110/day *
Single engine airplanes: 63	46% transient general aviation
Multi engine airplanes: 1	44% local general aviation
Jet airplanes: 1	9% air taxi
Helicopters: 1	<1% military
	* for 12-month period ending 02 August 2013

Former civilian DZ: Skydive San Diego. And current military team practices on airport. Brown Field in San Diego, CA.

<http://www.airnav.com/airport/KSDM>.

Aircraft based on the field: 204	Aircraft operations: avg 246/day *
Single engine airplanes: 166	56% local general aviation
Multi engine airplanes: 23	26% transient general aviation
Jet airplanes: 10	14% military
Helicopters: 5	3% air taxi

* for 12-month period ending 31 March 2015

Skydive Ogden: Ogden, UT. High Intensity Parachute operation.

<http://www.airnav.com/airport/KOGD>.

Aircraft based on the field: 241	Aircraft operations: avg 247/day *
Single engine airplanes: 191	59% local general aviation
Multi engine airplanes: 25	37% transient general aviation
Jet airplanes: 8	4% air taxi
Helicopters: 12	<1% military
Gliders airplanes: 2	<1% commercial
Ultralights: 3	* for 12-month period ending 30 September 2014

Skydive Space Center: Titusville, FL: High intensity Parachute operation.

<http://airnav.com/airport/X21>.

Aircraft based on the field: 73	Aircraft operations: avg 111/day *
Single engine airplanes: 47	74% local general aviation
Multi engine airplanes: 5	25% transient general aviation
Helicopters: 1	1% military
Ultralights: 20	* for 12-month period ending 14 August 2013

Skydive Jacksonville: Jacksonville, FL. Medium intensity parachute operation. Note: I heard they moved or closed this year but their USPA membership is still

current. <http://www.uspa.org/FindaDZ/GroupMemberListbyState/Florida/tabid/365/Default.aspx#809>.

<http://airnav.com/airport/KHEG>.

Aircraft based on the field: 187	Aircraft operations: avg 221/day *
Single engine airplanes: 137	53% local general aviation
Multi engine airplanes: 18	43% transient general aviation
Jet airplanes: 1	3% military
Helicopters: 1	* for 12-month period ending 19 February 2014
Gliders airplanes: 13	
Ultralights: 17	

Welcome to Skydive Harbor Springs Inc.

Please complete the form below and read/initial the attached waiver. You must be at least 18 years of age and weigh no more than 235 lbs to skydive. Please wear comfortable shoes, no sandals, and empty pockets of wallets, phones, keys, etc. Don't bring anything you don't want to lose; watches, necklaces, bracelets, etc. Thanks for choosing Skydive Harbor Springs Inc.

Name _____ Date _____ / _____ / _____

Birthdate _____ / _____ / _____ Weight _____ Height _____ / _____

Emergency Contact Name _____

Relationship _____ Phone # _____

No smoking near the skydiving gear, aircraft or fuel tanks.
Please be respectful of the airplanes and do not touch them.
Stay away from moving airplanes as they may not see you.
Never touch the propellers, even when the plane is parked and the engine is off.

AGREEMENT, RELEASE OF LIABILITY AND ASSUMPTION OF RISK

NOTICE

You are not required to make a skydive at Skydive Harbor Springs, Inc. There are other skydiving centers in the State of Michigan, and you may consult your telephone company's yellow pages for further information. However, in the event that you wish to make a skydive here, you must sign this waiver and release of liability.

In consideration of being permitted to utilize the facilities and equipment of Skydive Harbor Springs, Inc., (and its associated entities), to engage in parachute activities, ground instruction, flying and related activities, hereinafter collectively referred to as "parachuting activities." I hereby agree as follows:

1. **Parties Included.** I understand that this Agreement, Release of Liability and Assumption of Risk includes Luther J. Kurtz, Edward Shepherd, the City of Harbor Springs, Grand Traverse County, the City of Charlevoix, its officers, employees, volunteers and agents, the Charlevoix Municipal Airport, United Parachute Technologies, Inc., Skydive Harbor Springs, Inc., its agents, associated entities, officers, shareholders, partners, employees, pilots, instructors, jump masters, parachute packers, the owner of the aircraft and land utilized for "parachuting activities," the United States Parachute Association and its members, all manufacturers. Dorance M. Amos, Julia Pollister Amos, Daisy Pollister, Pollister Amos LLC, 3 Morrison's Inc., Donald L. Watkins, Sharon G. Watkins, anyone working with or for Skydive Harbor Springs, Inc., and anyone involved in my "parachuting activities," hereinafter referred to in this Agreement, Release of Liability and Assumption of Risk as "Skydive and/or Shepherd." All of the above parties are hereby collectively referred to as the "Released Parties."

Initial _____

2. **Risks Contemplated.** This agreement is made in contemplation of all "parachuting activities," including but not limited to parachute jumping, ground instruction, flying and related activities, the exit, freefall, time under canopy, the landing, any rescue operations or attempts by "Skydive and/or Shepherd" whether on, above or off the area know as the Charlevoix Municipal Airport, East Jordan Municipal Airport, Harbor Springs Airport, or any facilities used by "Skydive and/or Shepherd."

Initial _____

3. **Release From Liability.** I hereby release and discharge the above "Released Parties" from any and all liabilities, claims, demands, or causes of action that I may hereafter have for injuries or damages arising out of my participation in "parachuting activities" even if caused by negligence or other fault of the above "Released Parties."

Initial _____

4. **Covenant Not To Sue.** I further agree that I will not sue or make claim against the above "Released Parties" for damages or other losses sustained as a result of my participation in "parachuting activities" even if caused by negligence or other fault of the above "Released Parties."

Initial _____

5. **Indemnification and Hold Harmless.** I also agree to indemnify and hold the above "Released Parties" harmless from all claims, judgments and costs, including but not limited to attorney fees, and to reimburse them for any expenses whatsoever incurred in connection with any action brought as a result of my participation in "parachuting activities." I further agree that part of my obligation to indemnify and hold the above "Released Parties" harmless from all claims, judgments, and costs, I agree to post a bond in the amount of \$2,500.00 in favor of the above "Releases Parties."

Initial _____

6. **Assumption of Risk.** I understand and acknowledge that "parachuting activities" are inherently dangerous and expressly and voluntarily assume all risk of death or personal injury sustained while participating in "parachuting activities" whether or not caused by the negligence or other fault of the above "Released Parties," including but not limited to equipment malfunction from whatever cause, inadequate training, any deficiencies in the landing area, rescue attempts, bad landing, or any other injury I may sustain even if caused by negligence or any fault of the above "Released Parties."

Initial _____

7. **Parties Bound by this Agreement.** It is my understanding that this agreement be binding not only on myself, but on anyone or any entity, including my estate and my heirs, that or who may be able to or does sue because of my injury or death. It is further my understanding and agreement that this agreement is intended to and does in fact release the above "Released Parties" from any and all claims or obligation whatsoever arising any way from my participation in "parachuting activities," even if caused by the negligence or other fault of the above "Released Parties."

Initial _____

8. **Limitation of Warranty.** "Skydive and/or Shepherd" hereby warrants that the equipment provided by "Skydive and/or Shepherd" has been previously used for "parachuting activities." This warranty is the only warranty made and is made in lieu of any other warranties, express or implied, including but not limited to warranty of merchantability or fitness for a particular purpose.

Initial _____

I have read the above paragraph #8 and acknowledge that I understand and accept the limitation of warranty.

Initial _____

9. **Duration of Release.** It is my understanding and intention that this agreement be effective not only for my first jump, but for any subsequent jumps or activities which are in any way associated with the above "Released Parties."

Initial _____

10. **Enforceability.** I agree that if any portions of this agreement are found to be unenforceable or against public policy, that only that portion shall fail, but I specifically waive any unenforceability or any policy argument that I may make or that may be made on behalf of my estate or by anyone who would sue because of my injury or death.

Initial _____

11. **Legal Rights.** It has been explained to me, and I understand, that by signing this document I am giving up important legal rights and it is my intention to do so.

Initial _____

12. **Waiver of Duty.** I hereby agree to waive all duty of care, whether by omission or commission, or any other duty which may be owed to me by the about "Released Parties."

Initial _____

13. **Interpretation of Release.** It is my agreement with the above "Released Parties" and my intention that this document be broadly construed in favor of the above "Released Parties" and against me and that any and all ambiguities be resolved in favor of the above "Released Parties."

Initial _____

14. **Choice of Laws.** I agree that this agreement shall be interpreted under the laws of the state of Michigan, no matter where I reside or where I execute this agreement and participate in activities with "Skydive and/or Shepherd."

Initial _____

15. **Right to Use Name and/or Likeness in Advertising.** I further acknowledge and agree that during the course of my participation in skydiving activities, "Skydive and/or Shepherd" may videotape or photograph me. I expressly agree to the use of my name, photograph, or any video footage involving me for advertising purposes, and release "Skydive and/or Shepherd" for any and all liability thereof.

Initial _____

16. **Independent Contractors.** I understand that all Jumpmasters, Instructors, Videographer's, Parachute Riggers, and Packers or any other entity or individual which may have participated in any aspect of my skydiving experience with Capitol City Skydiving Inc. are independent contractors. I understand that I am personally selecting, hiring, and separately paying them for any service rendered. I understand that all contractor fees were included in the advertised estimated cost and are not additional payments. I further understand that I may provide my own qualified United States Parachute Association rated, trained, and licensed contractor, provided they meet or exceed Capitol City Skydiving Inc.'s own minimum experience, currency, and safety standards.

Initial _____

17. **Understanding of Agreement.** I hereby certify that I have read and understand the contents of this document and I wish to be bound by its terms.

Initial _____

Signature of Participant Date

Signature of Employee/Witness

Printed Name of Participant

CHARLEVOIX CITY COUNCIL

AGENDA ITEM

AGENDA ITEM TITLE:	Discussion on skydiving operations at the Charlevoix Municipal Airport.
DATE:	July 15, 2015
PRESENTED BY:	Mike Spencer, Interim City Manager
ATTACHMENTS:	Skydive Harbor Springs proposal to operate in Charlevoix Letter from Luther Kurtz dated July 15, 2015 Letter from Island Airways dated July 13, 2015 Email submitted by Luther Kurtz dated July 9, 2015 FAA Advisory Circulars for Sport Parachuting Email regarding the City's airport insurance Public comments received as of July 15, 2015

BACKGROUND INFORMATION:

As everyone is aware, at the past meeting there was a fairly heated discussion on skydiving operations taking place at the Charlevoix Municipal Airport. The purpose of this agenda item is to have a productive, fact-based discussion about skydiving at the airport, allow for additional public comment, and to determine what specific guidance should be given to the city attorney. My understanding is that Luther's goal is to continue to be allowed to operate his business at the airport and land on airport property. Further, it is my understanding that certain council members are not necessarily against skydiving, but want to ensure proper safety protocols are being followed and that the city is properly covered in the event of an incident, or subsequent lawsuit. If I am incorrect on these statements please clarify on record what the issues are. There are a number items attached to help assist in the discussion and specific public comments to consider. I would also like to offer the following points:

1. The FAA uses, and requires sport parachuting operations to follow specific guidelines that are published in "Advisory Circulars." These are included as an attachment and we have marked the specific sections with arrows that would apply to our airport, or the skydiving operation. I spoke to Tom Kozura with the FAA "Flight Standard District Office or FSDO" on July 15th. He stated that he has talked with Luther about the skydiving

operation and in his opinion they were following the FAA standards in accordance with the circulars.

2. Luther provided data from other airports summarizing the number and type of aircraft on the field, how many aircraft operations there are per day, and how many skydiving jumps there are on average at those airports. This information is included in the attachment.
3. As I reported to you on July 11, there were complaints about both the landing and flying patterns of Island Airways pilots and potential safety concerns from that behavior. There were also complaints about the trajectory and landing pattern of skydivers. Apparently communication was an issue between the pilots. Since Liz was not at the airport and she did not have all the facts surrounding the complaints, she decided to error on the side of safety and close the grass runway, and temporarily suspend skydiving. This issue was addressed Monday by Liz and the FAA. I spoke to Tom at the FAA and asked him what complaints he received, and if the FAA was pursuing any violations or found any wrongdoing. He said he received calls from “a lot of people including Island Airways and Luther.” He stated that if the airport manager approves the skydiving operation and landing on airport, and the operation is following the standards for sport parachuting they are permitted. He also stated he spoke to Island Airways about complaints they received about “short landings” and “right traffic” which is apparently illegal. He stated that they talked to all parties involved and he was “not pursuing any violations.” He also mentioned he spoke with Fresh Air Aviation who have never had any issues with the skydivers. I asked if he would email me or put in writing this information and his response was that “there is nothing to put in writing since we have followed up on the complaints and not found any violations.” He also stated they do not get involved in local politics. I asked if would be available to come to our meeting. He was not available Monday but stated he would be up here on August 5th, 6th, and would be leaving August 7th. He would be available to come to a meeting or just be present at City Hall to answer questions. Tom also recommended that all of the commercial operations and airport staff get together to discuss these issues and come up with specific recommendations on how to operate together safely. Luther and Paul Welke from Island Airways did meet and came up with solutions to improve safety and allow both operations to continue on the airport property. The airport manager is also supportive of their recommendations, including relocating the landing zone for skydivers. A letter from Mr. Welke is attached.
4. Luther sent an email on July 9th stating that there was no formal direction given to the city attorney at July 6th meeting concerning his legal review. The email is attached. I believe Luther is seeking clarification on what the other council members want Mr.

Howard to review and he clearly does not want Mr. Howard to be directed to find a way to stop his operation.

5. Kelly McGinn contacted the insurance provider for airport, which is Aviation Insurance Solutions. I included an email from Kelly to them and we think they will have a representative at the meeting.

RECOMMENDATION:

No specific recommendation at this time.



U.S. Department
of Transportation
Federal Aviation
Administration

Advisory Circular

Subject: Sport Parachuting

Date: 12/4/13

AC No: 105-2E

Initiated by: AFS-800

Change:

1. PURPOSE. This advisory circular (AC) provides suggestions to improve sport parachuting safety and disseminates information to assist all parties associated with sport parachuting to be conducted in compliance with Title 14 of the Code of Federal Regulations (14 CFR) part 105. It also contains information for jumpers and riggers on parachuting equipment, on-airport parachuting operations, jump pilot training, aircraft maintenance programs, parachute rigging, and procedures for Federal Aviation Administration (FAA) authorization for flight operations with a removed or modified door.

2. CANCELLATION. This AC cancels AC 105-2D, Sport Parachuting, dated May 18, 2011.

3. RELATED 14 CFR PARTS AND PUBLICATIONS. The FAA's primary responsibility with respect to skydiving is the protection of air traffic and persons and property on the ground. Part 105 was developed to accomplish this task.

a. Title 14 CFR. This paragraph describes the 14 CFR parts that are of interest to skydivers, parachute riggers, and jump aircraft pilots. They may be downloaded from the FAA's Web site at <http://www.faa.gov>. Since the Federal regulations and other publications may be amended at any time, all FAA regulations, ACs, and other documents are also available for download from the FAA's Web site for continued compliance with current requirements.

(1) Part 65, Certification: Airmen Other Than Flight Crewmembers. Subpart F concerns parachute riggers, their eligibility requirements, privileges, and performance standards.

(2) Part 91, General Operating and Flight Rules. Parachute operators and jump pilots must comply with all applicable sections of part 91.

(3) Part 105, Parachute Operations. This part is especially important to parachutists, parachute riggers, and the pilots who fly parachutists, since it contains regulations governing intentional parachute jumping.

(4) Part 119, Certification. Air Carriers and Commercial Operators (§ 119.1(e)(6)). Pilots who conduct parachute operations within a 25 statute mile (sm) radius of the airport of departure may conduct them as commercial operations under part 91.

b. Technical Standard Order (TSO)-C23, Personnel Parachutes Assemblies. The TSO-C23 series contains the minimum performance standards for parachute assemblies and components. Manufacturers design and test new parachutes to the most current TSO standards,

although they may continue to produce parachutes approved under earlier TSO standards. The most current TSO-C23 document may be obtained from the FAA Web site, <http://www.faa.gov>.

c. Parachuting Symbols on Charts, Electronic Navigation Equipment, and Related Publications. Having parachuting symbols on aeronautical charts, electronic navigation equipment, and related publications helps alert pilots to the location of parachuting drop zones and the need for extra caution in those areas. The FAA Aeronautical Information Management Office (AJV-2) collects, stores, and distributes static parachute jumping activities (PAJA) data for use in FAA publications, charts, and navigation databases.

(1) Operators conducting parachute operations should report any additions, deletions, or changes to static PAJA data to the FAA air traffic control (ATC) facility with jurisdiction over the affected airspace. Operators should submit changes as outlined in part 105, § 105.15.

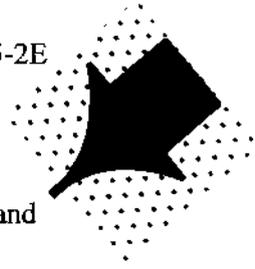
(2) ATC facilities that have jurisdiction over the affected airspace should report any additions, deletions, or changes to static PAJA data to AJV-2. At a minimum, include location; distance and radial from the nearest Very High Frequency Omnidirectional Range (VOR); maximum altitude; drop zone radius; day/time of use; and the ATC frequency. Submit static PAJA changes to the National Flight Data Center (NFDC) Web site at <http://nfdc.faa.gov>.

4. BACKGROUND.

a. Parachuting as an FAA-Recognized Aeronautical Activity. Sport parachuting (skydiving) continues to increase in popularity and is an FAA-recognized aeronautical activity even though parachutists are not certificated airmen. As an FAA-recognized aeronautical activity, regulations require airports that have received FAA funding to accommodate this activity unless the FAA determines that compatibility issues prohibit parachuting operations at a particular airport. FAA Order 5190.6, FAA Airport Compliance Manual, has more information regarding airport obligations.

b. Training, Licensing, and Instructor Rating. Sport parachuting has certain inherent risks for all participants. The FAA encourages sport parachutists to complete formal training courses offered by nationally recognized organizations or organizations that have equivalent training programs. The United States Parachute Association (USPA) is an FAA-accepted, nationally recognized skydiving organization that licenses skydivers in the United States. Many local skydiving clubs, schools, and drop zone operators (DZO) require documentation of experience and competency before using their equipment and/or parachuting facilities. This documentation usually consists of a logbook with endorsements and/or a skydiving license issued by a nationally recognized organization.

c. Parachute Equipment. Parachuting as a sport depends on equipment manufacturers, materials suppliers, parachute riggers, government and military agencies, and other industry professionals. The Parachute Industry Association (PIA) is an international trade association that brings all of these interests together for the purpose of advancing the technology and safety of parachutes and parachuting activities. The PIA creates, publishes, and maintains materials, technical, and certification standards relating to parachutes, accessible on their Web site: <http://www.pia.com>.



5. SKYDIVER SAFETY.

a. Basic Safety Requirements (BSR). The USPA developed basic safety requirements and information for skydiving activities. These requirements and information are for training, checking equipment, and conducting a wide variety of sport parachuting activities. While not approved by the FAA, the BSRs are considered industry best practices and are widely accepted for use by individuals and parachute centers. The BSRs may be obtained from: The United States Parachute Association, 5401 Southpoint Centre Boulevard, Fredericksburg, VA 22407. The association's phone number is (540) 604-9740 and the USPA Web site is <http://www.uspa.org>. The FAA encourages skydivers to use facilities that conduct their operations in accordance with the USPA BSRs or other similar skydiving association best practices.

b. Medical Certificates. While the regulations do not require an FAA medical certification, the FAA urges prospective skydivers to receive a physical examination prior to their first jump and on a periodic basis thereafter. The skydiver should inform the physician of the purpose of the examination.

c. Training Methods. The skydiving industry has developed various methods of first-jump instruction. The FAA recommends that beginning skydivers seek instruction from instructors that have met the qualifications set forth by a nationally recognized parachuting organization.

d. Safety Devices and Equipment.

(1) Deployment Assist Device. Section 105.47 requires that all persons making a parachute jump with a static line attached to the aircraft and main parachute use an assist device to aid the pilot chute in performing its function. An assist device is also required if no pilot chute is used in direct deployment of a round, main parachute canopy. The regulations do not require an assist device for direct deployment of a ram-air main parachute canopy.

(2) Automatic Activation Device (AAD). An AAD is a self-contained mechanical or electromechanical device attached to the parachute container that automatically releases the parachute closing system when it meets specific parameters, such as exceeding a specific vertical velocity and being at or below a specific altitude. Parachutists may attach this device to the main, reserve, or both. However, it is normally only attached to the reserve. An AAD does not physically open the parachute container or deploy the canopy, but rather initiates the container opening by pulling the ripcord pin or by cutting the container closing loop, allowing the canopy to deploy in a similar manner as when pulling the ripcord manually.

(a) The FAA requires that all tandem parachutes have an AAD installed on the reserve parachute. Many skydiving schools and clubs follow USPA BSRs and require the use of an AAD for all unlicensed skydivers.

(b) The FAA has not established minimum operational performance standards (MOPS) or a TSO for AADs. Therefore, the FAA recommends that anyone using an AAD review manufacturer's reports conforming to the PIA Technical Standard TS-120, AAD Design and Testing Report Format, and independent third-party reports attesting to the AAD's performance standard in order to make an educated decision prior to the use of any particular make or model AAD. The FAA recommends that jumpers using AADs to satisfy the

requirements set forth in part 105 purchase them from manufacturers who provide such reports. Each parachute manufacturer approves the installation of the AAD on their equipment.

(c) Users of AADs should be aware of the device's level of reliability and its operating limitations, be knowledgeable about the various parameters of the device, and be trained on the specific use and setting for the particular AAD. Users should be well informed about the use of the AAD and have access to the manufacturer's instructions.

(d) Users should understand that AADs are strictly backup devices and are not intended to replace training or timely manual execution of emergency procedures. AADs may or may not initiate reserve parachute deployment at a sufficient altitude, depending upon various combinations of circumstances.

(e) Jumpers should make a pre-jump check using the manufacturer's recommended procedures for proper setting, arming, and operational status verification to ensure the proper functioning of the AAD. This pre-jump check is usually made prior to boarding the aircraft to ensure that it is set at the proper altitude and under current weather conditions to aid in accuracy. This is especially important when using an AAD that has selectable or adjustable activation settings, or when the intended landing area is at an elevation different from that of the departure airfield.

(f) AADs may have selectable or adjustable altitude activation settings. Some AADs are preset for the intended type of operation (e.g., Tandem or Student), while others may be user-selectable. The model, version, and settings, must be appropriate for the particular type of equipment and jump. Different manufacturers may have different arming altitudes, as well as different activation altitudes and vertical speeds for the similar settings.

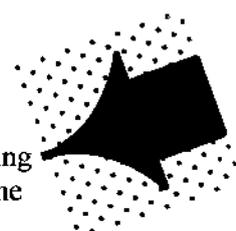
(g) Since body position and other factors may cause a delay in the actual parachute opening altitude, the devices should only be used as a backup to manually deploying the reserve parachute. When the situation requires the use of the reserve parachute, the jumper should always manually pull the reserve ripcord using the established procedures for reserve deployment before ever reaching AAD activation altitude. The procedures for deployment of the reserve parachute are usually the same whether an AAD is installed or not.

(h) AAD malfunctions and activations should be reported to the AAD and container manufacturers, as well as to the USPA.

e. Weather. Strong or gusty winds can be dangerous, especially to student jumpers. In addition, skydivers and pilots should ensure adequate ceiling and visibility to maintain the required weather minimums.

f. Parachute Landing Areas. The FAA recommends that areas used as parachute landing areas remain unobstructed, with sufficient minimum radial distances to the nearest hazard. The guidelines in the USPA's BSRs can be used in determining if the landing area is adequate.

g. Water Safety Equipment. Flotation gear should be worn whenever the intended exit point or landing point of a skydiver is within 1 mile of an open body of water.



h. Advanced Parachuting. Many of the safety suggestions presented in this AC are intended primarily for the student parachutist, who should make all jumps in a controlled training environment. Individual experience and judgment dictate what additional training should be obtained before undertaking more advanced parachuting activities. All parachutists should acquire experience and training before using unfamiliar or high-performance equipment.

i. Pre-Jump Equipment Checks. The parachute system user has primarily responsibility for the airworthiness of his equipment at the time of use. Prior to each jump, the user should inspect his equipment for serviceability, including at least general condition, AAD serviceability (see subparagraph 5d(2)), pilot chute bridle routing, main and reserve pin seating, and Reserve Static Line (RSL) routing and connection.

6. PARACHUTE OPERATIONS ONTO AIRPORTS.

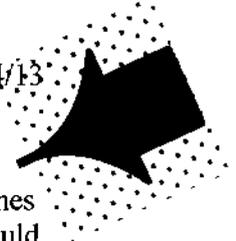
a. Stipulations for Landing at or Flying Over an Airport. Most parachute operations take place at airports, including having the parachute landing area located on the airport property. Section 105.23 requires approval from airport management prior to skydiving onto any airport. However, § 105.23(c) allows a parachutist to drift over an airport with an open parachute without airport management approval as long as the parachutist remains at least 2,000 feet above that airport's traffic pattern. Airport traffic patterns are generally 1,000 to 1,500 feet above ground level (AGL).

b. Additional Aviation Activities. A large number of airports that accommodate parachute operations also have different kinds of aviation activities taking place simultaneously, including flight training, glider and helicopter operations, emergency medical services, sightseeing operations, and aerobatic practice over or in the immediate vicinity of the airport. Many airports accommodate a large volume of transient traffic during skydiving operations.

c. Shared Facility Airports. The FAA recommends that shared facility airports have operating procedures so that each activity can operate safely by knowing the procedures for each of the other activities. Representatives of each type of activity can operate more effectively by knowing the procedures for each of the other activities. Representatives of each type of airport user group should develop procedures specific to their activity and share these procedures with other user groups. Airport management must ensure that airport policies and procedures are kept current, which can be accomplished via regularly scheduled meetings with all airport user groups.

(1) Traffic Patterns. With a minimum parachute opening altitude of 2,000 feet AGL (most parachutists open much higher), parachutes are nearly always open 800 feet or more above the traffic pattern altitude for any airport. Parachutes descend relatively slowly and are easy for pilots to acquire visually. Parachutists and pilots have a shared responsibility to see and avoid each other. Refer to the current edition of AC 90-66, Recommended Standard Traffic Patterns and Practices for Aeronautical Operations at Airports without Operating Control Towers, for information on traffic patterns and parachute operations.

(2) Parachute Landings on Airports. Airports may designate suitable parachute landing areas. While skydivers attempt to land in such areas, at times there may be inadvertent landings



in other grass or hard-surfaced areas. This could include landings on runways, taxiways, and other hard-surfaced areas. Areas such as runways, taxiways, clearways, and Obstacle Free Zones (OFZ) are not prohibited areas but should not be designated as a primary landing area and should be vacated as soon as practical. Flying a parachute over runways at low altitudes should be avoided where possible. The FAA recommends that airport management work with parachute operators to develop standard operating procedures (SOP) for activities conducted by parachutists. Airports that receive or have received Federal funding or grant assurances may have additional requirements or restrictions to parachute landing areas. For additional information, see the current editions of FAA Order 5190.6, FAA Airport Compliance Manual, AC 150/5190-7, Minimum Standards for Commercial Aeronautical Activities; and AC 150/5300-13, Airport Design.

7. JUMP AIRCRAFT MAINTENANCE AND JUMP PILOTS. Whenever flights are offered for compensation or hire, the flight is considered a commercial operation under part 91, and Federal regulations require:

a. Aircraft Inspections. The operator must ensure the aircraft is maintained in accordance with part 91, § 91.409 as applicable:

- (1) Section 91.409(a) and (b), annual and 100-hour inspection programs;
- (2) Section 91.409(d), progressive inspection program;
- (3) Section 91.409(f)(3), manufacturer's inspection program; or
- (4) Section 91.409(f)(4), approved inspection program.

b. Aircraft Inspection Quality Assurance (QA). Aircraft operated commercially under part 91 must be inspected by a person authorized to perform inspections under a 100-hour/annual program or an FAA-approved progressive inspection program consistent with the requirements for part 91 operations. Operators must maintain aircraft operated under 14 CFR part 125 or 135 under an FAA-approved maintenance program. The FAA recommends the use of an aircraft status sheet for QA.

c. Additional Information on Acceptable Maintenance Programs. Anyone conducting parachuting operations should contact his or her local FAA Flight Standards District Office (FSDO) for additional information on acceptable maintenance programs. Reviewing aircraft maintenance records can be simplified by the use of an aircraft status sheet (see Figure 1, FAA Aircraft Status Inspection List Example).

FIGURE 1. FAA AIRCRAFT STATUS INSPECTION LIST EXAMPLE

N _____ S/N _____ A/C M/M _____

Name of A&P, AI, or FAA Repair Station responsible for the inspection of the aircraft:

A&P or IA Certificate No. or Repair Station No.: _____

Inspection Item Pending	Hours:	Date	Next Due
Annual or Progressive Inspection			
100-Hour Inspection			
Static System Check			
Altimeter Check			
Transponder Check			
ELT Battery			
AD Number	Description	Hours: Date Completed	Next Due

8. PILOT RESPONSIBILITIES. The pilot in command (PIC) must adhere to all regulations applicable to the operation conducted. This includes, but is not limited to, the following:

a. Pilot Certification, Experience, and Operating Requirements. The PIC is responsible for meeting the certification, proficiency, operating, and experience requirements of, but not limited to, 14 CFR parts 61, 91, and 105. Pilots conducting flight operations for compensation or hire are required to possess a Commercial Pilot Certificate with the appropriate ratings for the aircraft being flown and must have a current Class 2 medical certificate or equivalent.

b. Jump Pilot Training. For those DZOs and parachuting operations that do not have a nationally recommended jump pilot training program, the FAA recommends that pilots flying aircraft for the purpose of sport parachuting have appropriate initial and recurrent training. The training program should include testing to ensure a high level of competence in the jump aircraft being flown. The training should include at least the following:

(1) Ground Training.

- (a) Preflight inspection specific to jump aircraft and modifications.
- (b) Aircraft limitations.
- (c) Weight and Balance (W&B).
 - 1. Takeoff computations.
 - 2. Weight shift in flight procedures for exiting jumpers.
 - 3. Landing configuration.
- (d) Low-speed operations for jump runs.
 - 1. Maneuvering at minimum speed.
 - 2. Opening and closing jump door, if applicable.
 - 3. Stall recognition and recovery.
- (e) Emergency procedures.
 - 1. Standard aircraft emergencies.
 - 2. Emergencies caused by jump activities.
 - 3. Bailout procedures.

- (f) Aircraft airworthiness determination.
 - 1. Maintenance requirements and procedures.
 - 2. Aircraft Status Inspection List (Figure 1).
 - 3. Minimum equipment list (MEL), if applicable.
 - 4. Logging maintenance discrepancies.
- (g) Parachute packing in compliance with § 105.43.
- (h) Drop zone surface and airspace familiarization.
- (i) Descent Procedures.
 - 1. Aircraft best-glide speed for engine failure.
 - 2. AAD activation considerations with skydivers onboard.

(2) Flight Training.

- (a) Takeoffs and landings with representative loads.
- (b) Center of gravity (CG) shift with jumper exit.
- (c) Stall-spin prevention and recovery.
- (d) Configuration for jump run and jumper exit including procedures for tail strike avoidance.

c. W&B Procedures. The PIC is solely responsible for assuring that the aircraft being flown is properly loaded and operated so that it stays within gross weight and CG limitations. The PIC should obtain additional aircraft station position information (loading schedule) for future W&B computations. The PIC is also responsible for reviewing these records and the flight manual to gain familiarity with an aircraft's W&B procedures and flight characteristics.

d. Computing W&B. The PIC must include the following factors:

- (1) The maximum allowable gross weight and the CG limitations.
- (2) The currently configured empty weight and CG location.
- (3) The weight and CG location prior to each flight.

(4) The weight and location of jumpers during each phase of the flight in order to ensure that the aircraft stays within CG limits. The PIC must remain aware of CG shifts and their effects on aircraft controllability and stability as jumpers move into position for exiting the aircraft and as they exit.

e. Operational Requirements. The PIC is solely responsible for the operational requirements of parts 91 and 105, including compliance with the special operating limitations and placards required for flight with the door open or removed. The PIC is also responsible for ensuring that each occupant has been briefed on operation of his or her restraint system, procedures for ensuring aircraft W&B stays within limits while jumpers exit, and procedures to avoid tail strikes.

f. Suitable Placards. Placards should be located in the aircraft to help the pilot inform jumpers of the maximum approved loading and weight distribution. These placards should be located where anyone boarding the aircraft can see them. They should also clearly show the maximum approved seating capacity and the load distribution.

g. Seatbelts and Approved Loading. Section 91.107(a)(3)(ii) permits persons aboard an aircraft for the purpose of participating in sport parachuting activities to use the floor of the aircraft for a seat. However, among jump aircraft there are a wide variety of seats, benches, troop seats, and floor seating arrangements. In all cases, each person must have access to an installation-approved seatbelt. See Appendix 3, Seats and Restraint Systems, for additional information describing seat and restraint system configurations. The maximum number of skydivers is determined by that aircraft's W&B limitations, as long as there is a seatbelt or restraint for each skydiver. The approved number of skydivers that each aircraft can carry for parachute operations will most commonly be found on FAA Form 337, Major Repair and Alteration (Airframe, Powerplant, Propeller, or Appliance), used for field approvals, or an aircraft Supplemental Type Certificate (STC).

h. Oxygen. Pilots must use oxygen when flying above 14,000 feet mean sea level (MSL). Operators must provide oxygen to occupants when the jump plane is above 15,000 feet MSL. Above 25,000 feet MSL, occupants should use pressure-demand oxygen systems. High-altitude jumps should be made only after becoming familiar with the problems and hazards created by low temperatures, lack of oxygen, and the various types of oxygen equipment. Jumpers should not attempt high-altitude jumps without an adequate supply of breathing oxygen (refer to § 91.211). Also, pilots must use oxygen while flying between 12,500 to 14,000 feet MSL for a duration of over 30 minutes.

i. Altitude Reporting. Pilots report altitudes in feet above MSL.

9. PARACHUTE OPERATIONS IN DESIGNATED AIRSPACE. Section 105.25 contains information on the ATC authorization and notification process (see Appendix 1, Table of Location of Jump Authorization or Notification).

a. Parachute Operations Restrictions. No person may conduct a parachute operation, and no PIC of an aircraft may allow a parachute operation to be conducted from that aircraft:

(1) Over or within a restricted or prohibited area, unless the controlling agency of the area concerned has authorized that parachute operation;

(2) Within or into a Class A, B, C, or D airspace area without, or in violation of the requirements of, an ATC authorization issued under § 105.25; or

(3) Within or into a Class E or G airspace area (except as provided in subparagraphs 9c and 9d), unless the ATC facility that has jurisdiction over the airspace at the first intended exit altitude receives notification of the parachute operation no earlier than 24 hours before and no later than 1 hour before the parachute operation begins.

b. Request for a Parachute Operation Authorization or Notification. Submit each request for a parachute operation authorization or notification required under this section to the ATC facility that has jurisdiction over the airspace at the first intended exit altitude and include the information prescribed by § 105.15(a).

c. Notification of Parachute Operations. For the purposes of subparagraph 9a(3), ATC facilities may accept a written notification from an organization that conducts parachute operations and lists the scheduled series of parachute operations over a period of time not longer than 12 calendar-months. The notification must contain the information prescribed by § 105.15(a) (see Appendix 1).

d. Armed Force. Subparagraph 9a(3) does not apply to a parachute operation conducted by a member of a Department of Defense (DOD) armed force within a restricted area that extends upward from the surface when that area is under the control of the DOD armed force.

10. JUMPS OVER AND INTO CONGESTED AREAS AND OPEN-AIR ASSEMBLIES OF PERSONS.

a. Off-Airport Jumps. A skydiver may make parachute jumps away from the usual on-airport parachute school, club, or center location, as long as landowner permission is obtained for the off-airport location.

b. Certificate of Authorization (COA). Section 105.21(a) requires an FAA COA in order to conduct a parachute operation over or into a congested area of a city, town, or settlement, or an open-air assembly of persons. The responsible person of the proposed jump must obtain this COA from the FAA FSDO that has jurisdiction over the site where the jump is proposed by submitting an application, FAA Form 7711-2, Certificate of Waiver or Authorization Application. A copy of FAA Form 7711-2 and information on filling out this form can be obtained from the local FSDO or downloaded from <http://www.faa.gov>. An application for a COA should be submitted at least 10 working days in advance of the intended jump date to allow time for processing. Approval or denial of the application must be completed within 5 working days of receipt by the FSDO.

11. AUTHORIZATION AND NOTIFICATION REQUIREMENTS FOR PARACHUTE OPERATIONS. Whether regulations require verbal or written authorization or a COA (FAA Form 7711-1, Certificate of Waiver or Authorization) for a parachute operation depends upon the type of airspace involved and the area where the parachutist intends to land. The airspace and landing area will determine the requirements. Parachutists and pilots can use Appendix 1 to determine what authorization or notification requirements are necessary for various types of jumps. The FAA recommends that anyone establishing a permanent drop zone or a temporary jump site contact the ATC facilities nearest the site as early as possible. ATC personnel are in the best position to provide information on arrival and departure routes, airspace

classifications, and other airspace operations that may affect the safe and efficient flow of a parachuting operation. If you are uncertain of the requirements after looking at Appendix I, contact your local FSDO and/or ATC facility for additional information.

12. EXHIBITION JUMPS AT OFF-AIRPORT LOCATIONS.

a. Parachute Landing Areas. The FAA requires the following size areas when issuing a COA for parachuting operations conducted over or into a congested area or an open air assembly of persons.

(1) Open Field. An open area, no less than 500,000 square feet (e.g., approximately 710 feet by 710 feet, or dimensions with a sum total that equals or exceeds 500,000 square feet) that will accommodate landing no closer than 100 feet from spectators. Allows a jumper to drift over the spectators with sufficient altitude (250 feet) so as to not create a hazard to persons or property on the ground.

(2) Level I. An open area that will accommodate a landing area no smaller than 250,000 square feet (e.g., approximately 500 feet by 500 feet, or dimensions with a sum total that equals or exceeds 250,000 square feet) and which will accommodate landing no closer than 50 feet from spectators. Allows a jumper to pass over the spectators no lower than 250 feet, including the canopy and all external paraphernalia. Many open field athletic areas and airport operational areas constitute Level I landing areas.

(3) Level II. An open area that will accommodate a rectangular, square, oval, or round-shaped landing area of approximately 5,000 square feet for no more than four jumpers, with at least 50 feet in width. Also accommodates an additional 800 square feet minimum for each additional jumper over four for any jumper landing within 30 seconds of the last of any four jumpers. This permits jumpers to land no closer than 15 feet from spectators and to pass over the spectators no lower than 50 feet including the canopy and all external paraphernalia.

(4) Stadium. A level II landing area smaller than 450 feet in length by 240 feet in width and bounded on two sides or more by bleachers, walls, or buildings in excess of 50 feet high.

(5) Other Landing Area Considerations.

(a) A landing area that exceeds the maximum dimensions of a Level I landing area, that permits a parachutist to drift over a congested area or open air assembly with a fully deployed and properly functioning parachute (if the parachutist is at sufficient altitude to avoid creating a hazard to persons and property on the ground) and that has no other safety concerns would likely not require a COA as required by § 105.21.

(b) Any parachute jumping demonstration planned in conjunction with a public aviation event will require a COA with appropriate special provisions as required by § 105.21, even if the landing area exceeds the maximum dimensions for a Level I area. A parachute jumping demonstration planned in conjunction with a public aviation event is one that takes place any time after the first spectator arrives for the event that day.

(6) Tandem Jump Demonstrations. Only tandem instructors, rated by the USPA or authorized by the FAA General Aviation and Commercial Division (AFS-800), Federal Aviation Administration, Flight Standards Service, 800 Independence Avenue, SW, Washington, DC 20591 may conduct tandem demonstrations. Tandem jumps may be authorized as follows:

(a) Tandem jumps into open field and Level I landing areas do not require any previous jump experience for the passenger.

(b) Tandem jumps into Level II areas require the passenger to have a USPA category D license with a Professional Exhibition Rating (PRO).

(7) Alternate Landings Areas. Regardless of the parachutists' experience, "runoffs" or escape areas must be identified.

(8) Intentional Cutaway. Cutaways may not be performed if the cutaway equipment will drift into the spectator area.

b. Qualification and Currency Requirements. In addition to landing area size requirements, the FAA also imposes qualification and currency requirements. The FAA recognizes and accepts USPA licenses and ratings found in the parachutist's license and recent experience requirements that are established in the current edition of FAA Order 8900.1, Flight Standards Information Management System (FSIMS), Volume 3, Chapter 6, Section 1, Issue a Certificate of Waiver or Authorization for an Aviation Event, located at <http://fsims.faa.gov>. In accordance with Order 8900.1, parachutists and instructors who are not members of the USPA and who wish to participate in a demonstration or exhibition jump over or into a congested area must present satisfactory evidence of the experience, knowledge, and skill equivalent to that required by the USPA and must have a letter of approval from AFS-800.

13. PARACHUTE EQUIPMENT RULES.

a. Parachute. Title 14 CFR part 1, § 1.1 defines a parachute as a device used, or intended to be used, to retard the fall of a body or object through the air. For the purposes of this AC, a parachute assembly normally, but not exclusively, consists of the following major components: a canopy, a deployment device, a pilot chute and/or drogue, risers, a stowage container, a harness, and an actuation device (rip-cord). There are, of course, some lesser parts associated with these major components such as connector links, bridles, and hardware. The term "pack," when used in this AC, refers to the complete harness-container system, including the main parachute container, plus the reserve parachute and associated components. Except for an RSL (if installed), it does not include the main canopy, main risers, or components that depart with the main canopy if it is jettisoned. If a container is designed to be easily disconnected from its harness (for storage or transport, for example), the term "pack" refers to the container/canopy assembly by itself, without the harness.

b. Parachute Harness. Section 105.43 requires a solo parachutist making an intentional jump wearing a single-harness dual-pack parachute to have at least one main parachute and one approved reserve parachute. For tandem jumps, the parachute system defined in § 105.3 includes a main parachute, a reserve parachute, a harness and dual parachute container, an AAD, and a forward harness for a passenger parachutist. For both solo and tandem parachutists, the harnesses

(including the forward harness of a tandem system) and reserve parachute packs must be approved types, but the main parachutes do not need approval. The following are examples of approved parachutes as defined in § 105.3:

(1) Parachutes Manufactured under TSO-C23. This TSO prescribes the minimum performance and QA standards for personnel parachutes that are carried aboard civil aircraft or by skydivers for emergency use, including reserve parachutes used for intentional jumps. The manufacturer must meet these standards before labeling its parachute or components as complying with the TSO.

(2) Demilitarized or Military Surplus Parachutes. Military personnel-carrying parachutes (other than high-altitude, high-speed, or ejection kinds) identified by military drawing number, military order number, or any other military designation or specification. These parachutes are often referred to as demilitarized or military surplus parachutes.

c. Assembly of Major Components. The assembly or mating of approved parachute components from different manufacturers may be made by a certificated, appropriately rated parachute rigger in accordance with the parachute manufacturer's instructions and without further authorization by the manufacturer or the FAA. Specifically, when various parachute components are interchanged, the parachute rigger should follow the canopy manufacturer's instructions as well as the parachute container manufacturer's instructions. However, the container manufacturer's instructions take precedence when there is a conflict between the two.

(1) Assembled parachute components must be compatible. Each component of the resulting assembly must function properly and may not interfere with the operation of the other components. For example:

(a) Do not install a canopy of lesser or greater pack volume than the intended design criteria for the specific size of container, since it could adversely affect the proper functioning of the entire parachute assembly.

(b) A TSO'd canopy may be assembled with a demilitarized harness, or vice versa, as long as the assembled components comply with the safety standard of the original design.

(c) In cases where a main canopy that is already mounted on risers is assembled to an existing harness/container system, ensure that the completed assembly functions correctly. Refer to the manufacturer's instructions to see if and how the RSL (if installed) may be deactivated when equipment configuration does not permit its use.

(2) Any questions about the operation of the assembly should be resolved by actual tests by the rigger to make certain the parachute is safe for emergency use.

(3) For a single-harness parachute system, the strength of the harness must always be equal to or greater than the maximum force generated by the canopy during certification tests. The rigger who assembles the system should record these limits in a place accessible to the user when he or she dons the assembly. Some manufacturers may also specify minimum weights or speeds for safe operation.

(a) The maximum operating weight and maximum pack opening speed of components manufactured under TSO-C23c, TSO-C23d, and TSO-C23f are marked on the components themselves.

(b) In the case where either the harness or canopy of a single-harness system is certified under TSO-C23b and the manufacturer has not specified operating limits, derive the maximum pack opening speed for that component from the strength test table in the National Aerospace Standards Specification (NAS)-804, Parachutes.

1. For the maximum operating weight of the TSO-C23b component, use the highest weight in the table less than or equal to the maximum operating weight of the other component and use the corresponding speed in the table as the maximum pack opening speed of the TSO-C23b component.

2. For the maximum pack opening speed of the TSO-C23b component, use the highest speed in the table less than or equal to the maximum pack opening speed of the other component and use the corresponding weight in the table as the maximum operating weight of the TSO-C23b component.

(4) For tandem systems, there may be additional limits for each harness.

d. AAD Installation. The FAA accepts the installation (addition of pockets, channels, guides, etc., required for the AAD assemblage in the parachute container) of each make/model AAD as part of the paperwork that is submitted by the parachute manufacturer during the TSO approval for parachute harness/container systems. The TSO approval by the FAA and the AAD approval by the manufacturer (mentioned, for example, in § 105.43(b)) are for the installation only, and are based on AAD operation not interfering with normal function of the parachute. A retrofit installation, or installation of a make or model AAD other than those specifically authorized for use by the parachute manufacturer for a particular TSO or Military Specifications (MIL-SPEC)-approved parachute, constitutes an alteration to that parachute (see paragraph 16). Manufacturer and retrofit installation are done in consultation and agreement with the AAD manufacturer, and in accordance with established test procedures such as PIA Technical Standard (TS)-112, Harness/Container - AAD Installation Test Protocol.

e. Instructions for Maintenance, Repair, or Alteration of Specific Parachutes. These instructions may be available by contacting manufacturers. Many manufacturers provide their manuals online through their Web sites. The PIA Web site, <http://www.pia.com>, provides a good starting point for searches. When such instructions are not available, The Parachute Manual, Volumes I and II (Dan Poynter, 1991) and FAA-H-8083-17, Parachute Rigger Handbook, set out commonly accepted repair practices. The Parachute Manual and The Parachute Rigger Handbook can be purchased from commercial booksellers; The Parachute Rigger Handbook is also available for download at: <http://www.faa.gov>.

f. Parachutist's Handling of Equipment. The user of a parachute system may perform simple assembly and disassembly operations necessary for transportation, handling, or storage between periods of use if the parachute's design simplifies such assembly and disassembly without the use of complex operations.

g. Removal of Pilot Chute. A certificated senior or master parachute rigger may remove the pilot chute from a front-mounted (e.g., chest-type) reserve parachute if the canopy does not use a diaper, bag, or other deployment device. When complete, the parachute must have the plain marking, "PILOT CHUTE REMOVED." This kind of parachute can be used for intentional jumping only.

h. Extra Equipment. The FAA does not consider the attachment of an instrument panel, knife sheath, or other material to the exterior of the parachute assembly an alteration. If attaching any extra equipment, take care not to impair the functional design of the system.

14. PARACHUTE PACKING.

a. Reserve Parachutes.

(1) A certificated and appropriately rated parachute rigger must pack the reserve parachute.

(2) Visiting foreign parachutists jumping parachute systems that the FAA has not approved must have their reserve parachutes packed by someone acceptable to the foreign parachutist's Civil Aviation Authority (CAA) or by a FAA-certificated rigger.

(3) The certificated and appropriately rated parachute rigger must pack the reserve parachute within 180 days before the date of use if the parachute system is made of materials substantially resistant to mold, mildew, or other rotting agents, or within 60 days of the date of use otherwise.

(4) A parachute user must ensure that an AAD is maintained in accordance with the AAD manufacturer's instructions and service requirements. When a rigger packs a reserve parachute, the rigger is only certifying that it meets all safety requirements on the day it is packed; therefore, riggers should note any maintenance or battery replacement due date(s) on the packing data card so that users are able to determine AAD airworthiness and ensure conformance to the regulations. AADs are to be installed in accordance with the harness/container manufacturer's instructions.

(5) Only the rigger who did the packing, and whose seal is removed to permit scheduled or unscheduled maintenance or repairs to the reserve container, may open, reclose, and reseal it (e.g., AAD service or closing loop adjustment) within the 180-day or 60-day period in subparagraph 14a(3).

b. Main Parachutes. Main parachutes must be packed within 180 days before the date of use and be packed by any certificated parachute rigger or a person working under the direct supervision of a certificated parachute rigger. The person making the next jump (including a tandem parachutist in command, but not the passenger parachutist) may also pack the main parachute.

15. PARACHUTE REPAIRS.

a. Major Repair. A major repair, as defined in § 1.1, is a repair that, if improperly done, might appreciably affect airworthiness.

b. Minor Repair. A minor repair is a repair other than a major repair.

c. Major or Minor Repair Determination. When there is a question about whether a particular repair is major or minor, follow the manufacturer's instructions. In the absence of the manufacturer's instructions, riggers should use the FAA's Parachute Rigger Handbook (FAA-H-8083-17) and Poynter's Parachute Manual Volume I and II as guides. If the procedure calls for a master rigger, it should be considered a major repair. If the procedure allows for a senior rigger, it should be considered a minor repair.

(1) The same kind of repair may be classed as major or minor depending on size or proximity to key structural components. For example, a basic patch may be a minor repair if it is small and away from seams, but may be a major repair if it is large or adjacent to a seam.

(2) The same kind of repair may be classed as major or minor depending on whether it is done to an approved or unapproved component. For example, replacement of a suspension line on a reserve canopy is usually a major repair, while replacement of a suspension line on a main canopy is generally considered a minor repair (even if the identical technique is required for both replacements).

(3) If an operation results in an approved configuration, the operation is considered a repair. For example, if a parachute system is approved with and without an RSL, then removing or replacing RSL components is a repair that may be major or minor depending on whether, if improperly done, it might appreciably affect airworthiness. Similarly, resizing a harness, when the original design permits a range of sizes, is a repair when the resized harness remains within the permitted range.

(4) Only an appropriately rated master rigger or a manufacturer of approved parachute components may make major repairs. The manufacturer may designate certain repairs to be done only by the manufacturer or the manufacturer's designee.

16. PARACHUTE ALTERATIONS.

a. Configuration. Alterations are changes to a parachute system configuration that the manufacturer or the manufacturer's supervising FAA Aircraft Certification Office (ACO) has not approved. Examples include removing a deployment device from a reserve canopy, adding harness fittings to permit attaching an additional canopy, using nonstandard repair materials or techniques, or installation of a specific make/model AAD when the manufacturer has not authorized such changes. Changes that result in an approved configuration are considered repairs (see paragraph 15).

b. Approval. An alteration to an approved parachute system must be done in accordance with approved manuals and specifications and only by those with specific authorization to perform that alteration. Specific approval is not needed for the method of altering a non-TSO'd

main parachute canopy. A person seeking authorization to alter an approved parachute system should proceed as follows:

(1) A person qualified to alter a parachute (as listed below) should contact his or her local FAA FSDO inspector to discuss the proposed alteration. The applicant should be prepared to show the inspector the nature of the alteration by using a sample assembly, sketch, or drawing and be prepared to discuss the nature of the tests necessary for showing that the altered parachute meets all applicable requirements.

(2) The inspector will review the proposal with the applicant and a plan of action will be agreed upon.

(3) The applicant will then prepare an application, in the format of a letter, addressed to the local FSDO. Attach all pertinent data. The data should include:

- A clear description of the alteration;
- Drawings, sketches, or photographs, if necessary;
- Information such as thread size, stitch, pattern, materials used, and location of altered components; and
- Some means of identifying the altered parachute (model and serial number).

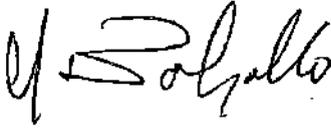
(4) The FSDO aviation safety inspector (ASI) may send an alteration to the ACO for review if the ASI is not experienced in parachute alterations. When satisfied, the inspector will indicate approval by date stamping, signing, and placing the FSDO identification stamp on the letter of application.

(5) Only a certificated and appropriately rated master parachute rigger, a current manufacturer of approved parachute systems or components, or any other manufacturer the Administrator considers competent may perform alterations to approved parachutes.

17. MATERIALS USED FOR REPAIRS TO TSO-APPROVED COMPONENTS.

a. Material Quality. Materials used for repairs to TSO-approved components including, but not limited to, fabric, suspension line, tape, webbing, thread, and hardware, must meet the same specifications, requirements, and certifications of the original materials used by the manufacturer.

b. Parachute Fittings. Hardware may be reconditioned and reused, as long as it complies with subparagraph 17a. However, the plating or replating of load-carrying parachute fittings may cause hydrogen embrittlement and subsequent failure under stress unless the plating is done properly. Chrome- or nickel-plated harness adjustment hardware may also have a smoother finish than the original and may permit slippage.



/s/

John Barbagallo
Director, Flight Standards Service

APPENDIX 1. TABLE OF LOCATION OF JUMP AUTHORIZATION OR NOTIFICATION

Location of Jump	Kind of Authorization Required	When to Apply or Notify	Where to Apply or Notify	Title 14 CFR Section Reference
Over or onto any airport	Prior approval	Prior to jump	Airport management	§ 105.23
In or into Class E or G airspace	Air Traffic Control (ATC) notification	Between 24 hours and 1 hour prior to jump	ATC facility having jurisdiction	§ 105.25
In or into Class A, B, C, or D airspace	ATC authorization (see Note 1)	Prior to jump	ATC facility having jurisdiction	§ 105.25
Over or within a restricted or prohibited area	Prior authorization	Prior to jump	Controlling agency, as noted on sectional chart	§ 105.25
Over or into a congested area or open air assembly of persons	FAA Form 7711-1, Certificate of Authorization	10 working days prior to jump	Flight Standards District Office (FSDO) having jurisdiction over the area where jump is to be made	§ 105.21
Note 1: Verbal authorization normally issued.				

APPENDIX 2. OPERATION OF AIRCRAFT WITH DOOR REMOVED OR MODIFIED FOR PARACHUTING OPERATIONS

1. Operating Limitations Revision. The previous revision, Advisory Circular (AC) 105-2D, Sport Parachuting, Appendix 2, provided a list of aircraft that have Federal Aviation Administration (FAA)-approved door open or removal procedure authorization with operating limitations. That list did not include all the aircraft currently used in skydiving operations. Instead of continuing with the use of that list, contact your local Flight Standards District Office (FSDO) for information on getting an authorization to operate your aircraft with the door removed and/or a door modified to open/close in flight. Aircraft that have approved procedure and operating limitations in their FAA-approved Aircraft Flight Manual (AFM) or a FAA-approved Supplemental Type Certificate (STC) may operate in accordance with those documents.

2. Operation with Modified or Removed Door. Any aircraft type, utility/normal category model that has had FAA-approved data used for skydiving operations or door removal can be considered.

a. Required Data. It is the responsibility of the applicant to supply the FAA aviation safety inspector (ASI) with any data necessary to have his or her aircraft approved to operate with a door removed or a door modified to open/close in flight during jump operations. If the aircraft is altered and operated in accordance with an STC, no other limitations are required.

b. Approved Data. Many aircraft have jump door and/or restraint systems approved by type certificate (TC), STC, or field approval. Aircraft that have not been FAA-approved by TC, STC, or field approval must have the required data to address the alteration from a Designated Engineering Representative (DER), Organization Designation Authority (ODA), or other FAA-approved data. This data will allow the owner/operator the ability to apply for a field approval or one-time STC for that aircraft.

3. Previously Approved Field Approvals. Applicants can present a previously FAA-approved field approval for jump door, handles, step, and skydiver restraint systems as data for the field approval process if the FAA-approved data are for the same aircraft make, model, and series (M/M/S).

4. Field Approval Process. Applicants need to follow the latest guidance found in FAA Order 8900.1, Flight Standards Information Management System (FSIMS), Volume 4, Chapter 9, Selected Field Approvals, for a field approval process. This guidance can be found at <http://fsims.faa.gov>. Any changes to the flight manual require FAA and Aircraft Certification Office (ACO) approval. Applicants must include placards and skydiver restraint systems in the continued airworthiness instructions covering the repair of placards, restraint system components, steps, handles, jump doors, etc. Installation, removal, and inspection of installed equipment will be entered in the aircraft maintenance records, including the inspection checklist for the installation and operational check of restraint systems.

APPENDIX 3. SEATS AND RESTRAINT SYSTEMS

1. Seating Configuration and Restraint System Safety. Not all seating and restraint system configurations used in jump aircraft provide the same level of safety in the event of an emergency landing. This appendix provides general information concerning the relative safety of commonly used seating configurations and restraint systems. These safety assessments are based on available research data and in-service experience.

2. General Information.

a. Quick Release Track Fittings. Single stud quick release track fittings have been shown to release from the track at dynamic loads much lower than their rated strength. Dual stud quick release fittings did not exhibit this behavior in dynamic tests. Therefore, dual stud quick release fittings of the type shown in Figure 2, Dual Stud Quick Release Track Fitting, provide a much more reliable restraint anchorage than single stud fittings.

b. Lap Belts. Lap belts are only effective if there is a solid support surface behind the occupant, such as a seat back, aircraft sidewall, or bulkhead. Otherwise, a tether restraint that attaches to the parachute harness provides more effective restraint.

c. Restraint for Aft-Facing Parachutists. Research has shown that to restrain aft-facing parachutists, the most effective point to attach a tether restraint to a parachute harness is at the junction of the leg straps, main lift web, and the horizontal back strap. Figure 3, Tether Restraint Usage, illustrates this attachment method, in which the tether loop encircles the junction by passing between the main lift web and the horizontal back strap, and between the upper leg strap and the lower leg strap. One way to achieve this is to route the tether loop under the upper leg strap, then under the main lift web before latching the loop, as depicted in Figure 4, Pass Tether Loop Under Upper Leg Strap, Figure 5, Pass Tether Loop Under Main Lift Web, and Figure 6, Latch Tether Loop Around Parachute Harness. Since these two components of the harness are easily accessible by the wearer, this attachment method should not be prone to misuse. It also provides more effective restraint than attaching at other points on the parachute harness since the restraining force is applied near the seated occupant's center of gravity (CG).

d. Restraint Belts or Tethers. Past experience and testing have shown the validity of attaching a restraint belt(s) or tether(s) to the parachute harness as part of the overall integrated restraint system. However, most manufacturers have not tested their parachute harness configurations to see if they can accept the load vectors that would be experienced during the actual use of this type of restraint configuration. Because of this, any parachute harness that has been subjected to actual use as part of an integrated restraint system must be removed from service and inspected by the manufacturer or a parachute rigger designated by the manufacturer to determine the continued airworthiness of the parachute harness. If the inspection shows that the harness is Airworthy, it may be returned to service.

3. Specific Seating/Restraint Configurations.

a. Side-Facing. Conventional side-facing bench seats employing dual point lap belts are a superior means of carrying parachutists in aircraft large enough to accommodate them. They offer the advantages of being simple to use and can be designed to provide significant vertical energy absorption.

b. Rear-Facing Floor Seating.

(1) Restraints are more effective if attached to the floor instead of the sidewall. Only use sidewall attachments if floor attach points are not available.

(2) Effectiveness is increased if overall tether length is kept as short as possible and the tether attachment to the aircraft is aft of the harness attachment point.

(3) Single point, single tether restraints are not recommended.

(4) Dual point, dual tether restraints offer superior restraint compared to single point, single tether restraints. This restraint method consists of two straps, each connecting the parachute harness to the aircraft floor on both sides of the parachutist as shown in Figures 7, Tether Restraint Attachment To Floor For Rear-Facing Floor Seats, Figure 8, Dual Point, Dual Tether Restraint Configuration For Rear-Facing Floor Seats, and Figure 9, Dual Point, Dual Tether Restraint Attachment To Floor For Rear-Facing Straddle.

c. Rear-Facing on Straddle Bench.

(1) Straddle benches can offer more occupant crash protection than floor seating since they can be designed to provide significant vertical energy absorption.

(2) As with floor seating, restraints are more effective if attached to the floor instead of the sidewall.

(3) Restraint effectiveness is improved if the tether strap is attached to the floor such that it is at an approximately 45 degree angle, as shown in Figure 9.

(4) Single point, single tether restraints are not very effective.

(5) Dual point, dual tether restraints offer superior restraint compared to single point, single tether restraints.

FIGURE 2. DUAL STUD QUICK RELEASE TRACK FITTING

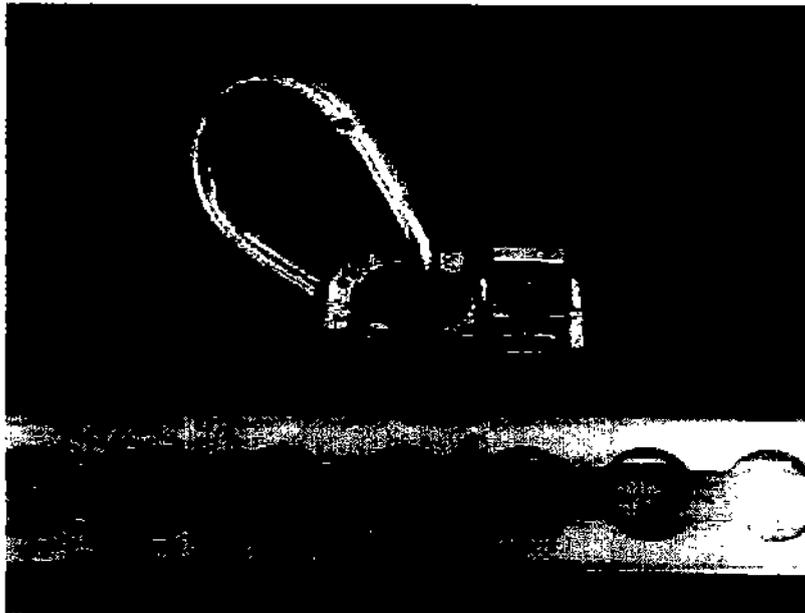


FIGURE 3. TETHER RESTRAINT USAGE

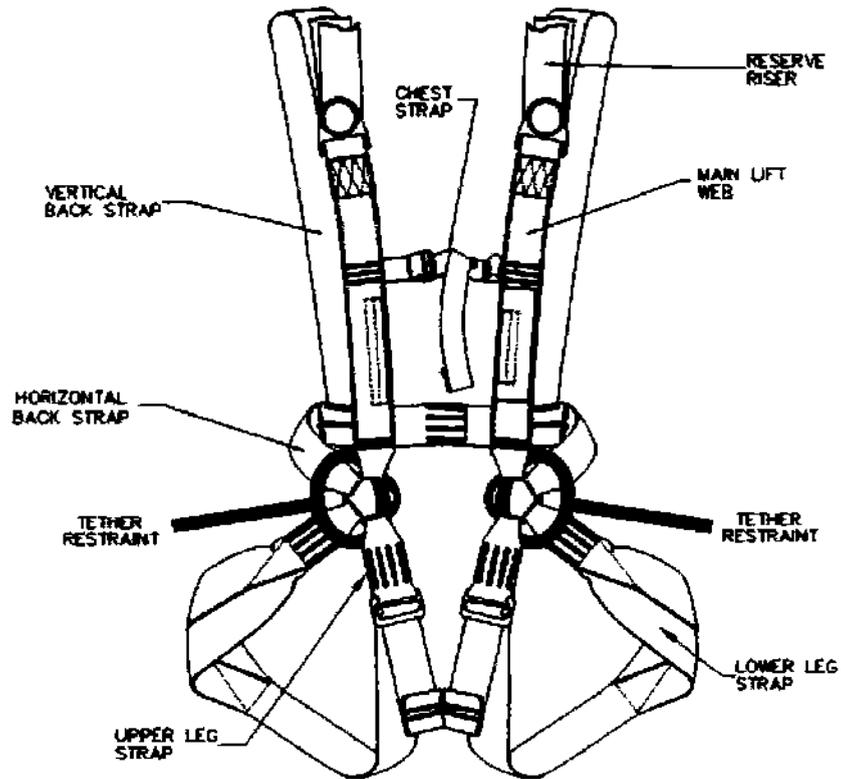


FIGURE 4. PASS TETHER LOOP UNDER UPPER LEG STRAP



FIGURE 5. PASS TETHER LOOP UNDER MAIN LIFT WEB



FIGURE 6. LATCH TETHER LOOP AROUND PARACHUTE HARNESS

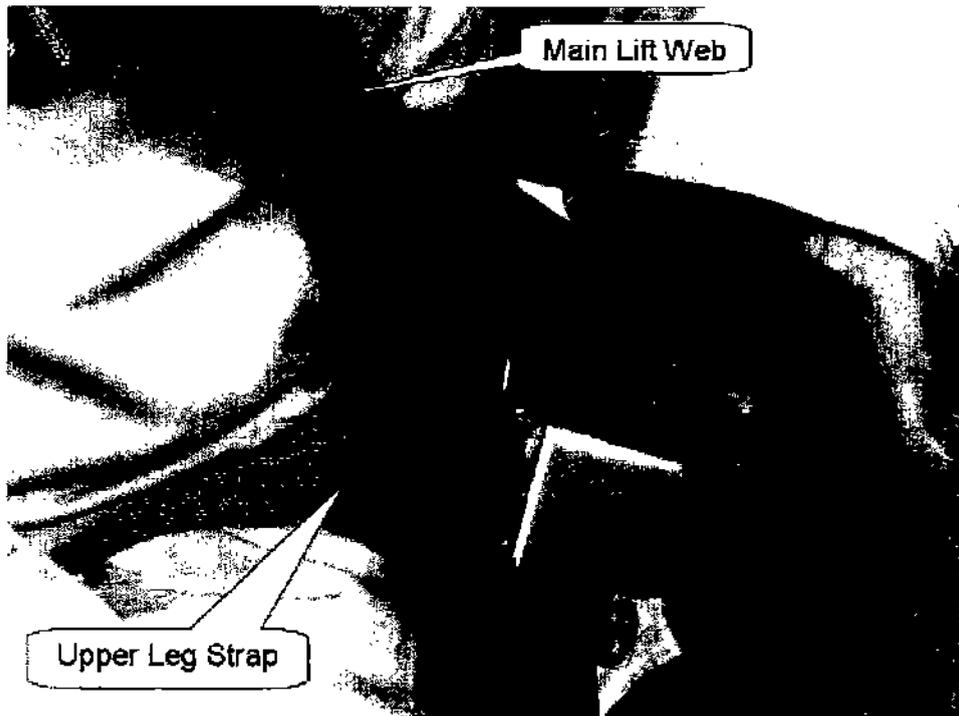


FIGURE 7. TETHER RESTRAINT ATTACHMENT TO FLOOR FOR REAR-FACING FLOOR SEATS

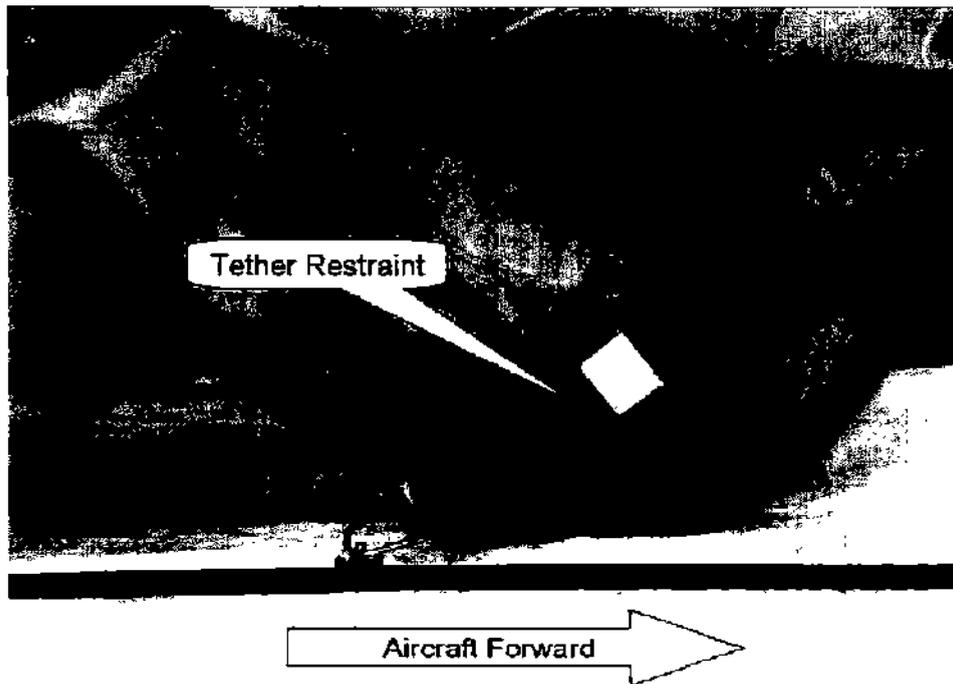
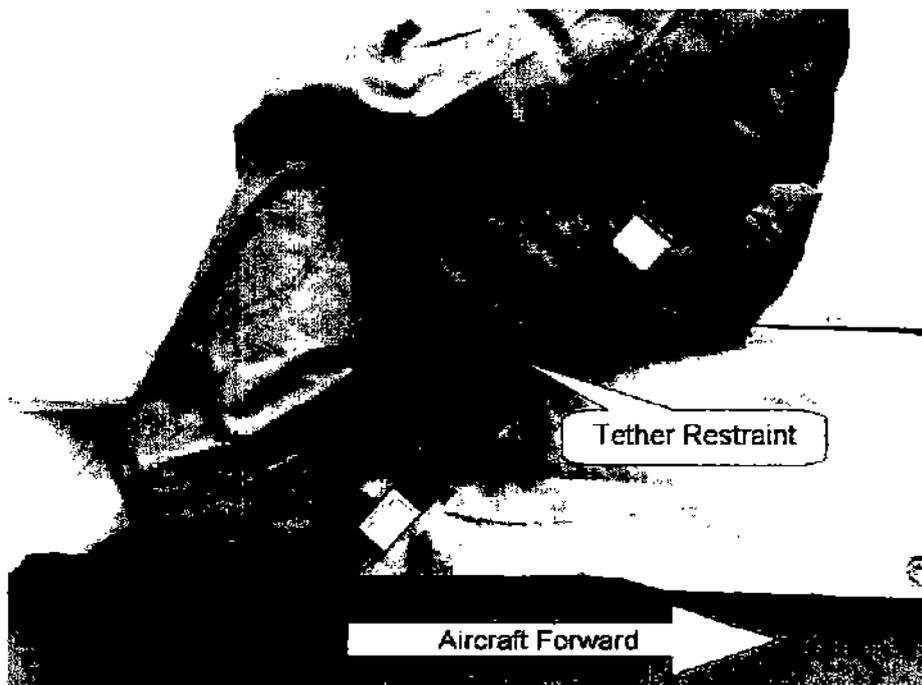


FIGURE 8. DUAL POINT, DUAL TETHER RESTRAINT CONFIGURATION FOR REAR-FACING FLOOR SEATS



FIGURE 9. DUAL POINT, DUAL TETHER RESTRAINT ATTACHMENT TO FLOOR FOR REAR-FACING STRADDLE





U.S. Department
of Transportation
**Federal Aviation
Administration**

Advisory Circular

Subject: RECOMMENDED STANDARD TRAFFIC PATTERNS AND PRACTICES FOR AERONAUTICAL OPERATIONS AT AIRPORTS WITHOUT OPERATING CONTROL TOWERS

**Date: 8/26/93
Initiated by: ATP-230**

AC No. 90-66A

1. PURPOSE.

This advisory circular (AC) calls attention to regulatory requirements and recommended procedures for aeronautical operations at airports without operating control towers. It recommends traffic patterns and operational procedures for aircraft, lighter than air, glider, parachute, rotorcraft, and ultralight vehicle operations where such use is not in conflict with existing procedures in effect at those airports.

2. CANCELLATION.

AC 90-66, Recommended Standard Traffic Patterns for Airplane Operations at Uncontrolled Airports, dated February 27, 1975, is cancelled.

3. PRINCIPAL CHANGES.

This AC has been updated to reflect current procedures at airports without operating control towers. Principal changes include: adding on "Other Traffic Pattern" section, amending appendix charts to remain consistent with the Airman's Information Manual (AIM), expanding the "Related Reading Material" section from "airplane" to "aeronautical" operations, adding definition and references to Common Traffic Advisory Frequency (CTAF), acknowledging straight-in approaches are not prohibited but may be operationally advantageous, and adding a paragraph on wake turbulence.

4. DEFINITIONS.

a. **Airports Without Operating Control Towers.** Airports without control towers or an airport with a control tower which is not operating. These airports are commonly referred to as non-towered, uncontrolled, or part-time towered airports.

b. **Common Traffic Advisory Frequency (CTAF).** A frequency designed for the purpose of carrying out airport advisory practices while operating to or from an airport without an operating control tower. The CTAF may be a UNICOM, MULTICOM,

flight service station, or tower frequency and is identified in appropriate aeronautical publications.

5. RELATED READING MATERIAL.

a. Airport/Facility Directory (AFD).

b. Airman's Information Manual (AIM).

c. Fly Neighborly Guide, Helicopter Association International.

d. Aviation USA, Aircraft Owners and Pilots Association (AOPA).

e. State aviation publications.

f. Various pilot guides.

g. Pilot Operations at Nontowered Airports, AOPA Air Safety Foundation pamphlet.

h. Guidelines for the Operation of Ultralight Vehicles at Existing Airports, United States Ultralight Association.

i. Facts for Pilots, United States Parachute Association.

j. The latest addition of the following AC's also contain information applicable to operations at airports without operating control towers:

(1) AC 90-23, Aircraft Wake Turbulence.

(2) AC 90-42, Traffic Advisory Practices at Airports Without Operating Control Towers.

(3) AC 90-48, Pilot's Role in Collision Avoidance.

(4) AC 91-32, Safety In and Around Helicopters.

(5) AC 103-6, Ultralight Vehicle Operations—Airports, Air Traffic Control, and Weather.

(6) AC 105-2, Sport Parachute Jumping.

6. BACKGROUND AND SCOPE.

a. Regulatory provisions relating to traffic patterns are found in Parts 91, 93, and 97 of the Federal Aviation Regulations (FAR). The airport traffic

patterns contained in Part 93 relate primarily to those airports where there is a need for unique traffic pattern procedures not provided for in Part 91. Part 97 addresses instrument approach procedures. At airports without operating control towers, Part 91 requires only that pilots of airplanes approaching to land make all turns to the left unless light signals or visual markings indicate that turns should be made to the right.

b. The Federal Aviation Administration (FAA) believes that observance of a standard traffic pattern and the use of CTAF procedures as detailed in AC 90-42 will improve the safety and efficiency of aeronautical operations at airports without operating control towers.

7. GENERAL OPERATING PRACTICES.

a. Use of standard traffic patterns for all aircraft and CTAF procedures by radio-equipped aircraft are recommended at all airports without operating control towers. However, it is recognized that other traffic patterns may already be in common use at some airports or that special circumstances or conditions exist that may prevent use of the standard traffic pattern.

b. The use of any traffic pattern procedure does not alter the responsibility of each pilot to see and avoid other aircraft. Pilots are encouraged to participate in "Operation Lights On," which is a voluntary pilot safety program described in the AIM designed to enhance the "see-and-avoid" requirement.

c. As part of the preflight familiarization with all available information concerning a flight, each pilot should review all appropriate publications (AFD, AIM, Notices to Airmen (NOTAM), etc.), for pertinent information on current traffic patterns at the departure and arrival airports.

d. It is recommended that pilots utilize visual indicators, such as the segmented circle, wind direction indicator, landing direction indicator, and traffic pattern indicators which provide traffic pattern information.

e. The FAA encourages pilots to use the standard traffic pattern. However, for those pilots who choose to execute a straight-in approach, maneuvering for and execution of the approach should be completed so as not to disrupt the flow of arriving and departing traffic. Therefore, pilots operating in the traffic pattern should be alert at all times to aircraft executing straight-in approaches.

f. Pilots who wish to conduct instrument approaches should be particularly alert for other

aircraft in the pattern so as to avoid interrupting the flow of traffic. Position reports on the CTAF should include distance and direction from the airport, as well as the pilot's intentions upon completion of the approach.

g. Pilots of inbound nonradio-equipped aircraft should determine the runway in use prior to entering the traffic pattern by observing the landing direction indicator or by other means. Pilots should be aware that procedures at airports without operating control towers generally do not require the use of two-way radios; therefore, pilots should be especially vigilant for other aircraft while operating in the traffic pattern.

h. Wake turbulence is generated by all aircraft. Therefore, pilots should expect to encounter turbulence while operating in a traffic pattern and in proximity to other aircraft. Aircraft components and equipment can be damaged by wake turbulence. In flight, avoid the area below and behind the aircraft generating turbulence especially at low altitude where even a momentary wake encounter can be hazardous. All operators should be aware of the potential adverse effects that their wake, rotor or propeller turbulence has on light aircraft and ultralight vehicles.

8. RECOMMENDED STANDARD TRAFFIC PATTERN.

Airport owners and operators, in coordination with the FAA, are responsible for establishing traffic patterns. However, the FAA encourages airport owners and operators to establish traffic patterns as recommended in this AC. Further, left traffic patterns should be established except where obstacles, terrain, and noise-sensitive areas dictate otherwise. Appendix 1 contains diagrams for recommended standard traffic patterns.

a. Prior to entering the traffic pattern at an airport without an operating control tower, aircraft should avoid the flow of traffic until established on the entry leg. For example, wind and landing direction indicators can be checked while at an altitude above the traffic pattern. When the proper traffic pattern direction has been determined, the pilot should then proceed to a point well clear of the pattern before descending to the pattern altitude.

b. Arriving aircraft should be at the appropriate traffic pattern altitude before entering the traffic pattern. Entry to the downwind leg should be at a 45-degree angle abeam the midpoint of the runway.

c. It is recommended that airplanes observe a 1000-foot above ground level (AGL) traffic pattern altitude. Large and turbine-powered airplanes should enter the traffic pattern at an altitude of 1,500 feet AGL or 500 feet above the established pattern altitude. A pilot may vary the size of the traffic pattern depending on the aircraft's performance characteristics.

d. The traffic pattern altitude should be maintained until the aircraft is at least abeam the approach end of the landing runway on the downwind leg.

e. The base leg turn should commence when the aircraft is at a point approximately 45 degrees relative bearing from the runway threshold.

f. Landing and takeoff should be accomplished on the operating runway most nearly aligned into the wind. However, if a secondary runway is used, pilots using the secondary runway should avoid the flow of traffic to the runway most nearly aligned into the wind.

g. Airplanes on takeoff should continue straight ahead until beyond the departure end of the runway. Aircraft executing a go-around maneuver should continue straight ahead, beyond the departure end of the runway, with the pilot maintaining awareness of other traffic so as not to conflict with those established in the pattern. In cases where a go-around was caused by an aircraft on the runway, maneuvering parallel to the runway may be required to maintain visual contact with the conflicting aircraft.

h. Airplanes remaining in the traffic pattern should not commence a turn to the crosswind leg until beyond the departure end of the runway and within 300 feet below traffic pattern altitude, with the pilot ensuring that the turn to downwind leg will be made at the traffic pattern altitude.

i. When departing the traffic pattern, airplanes should continue straight out or exit with a 45-degree left turn (right turn for right traffic pattern) beyond the departure end of the runway after reaching pattern altitude. Pilots need to be aware of any traffic entering the traffic pattern prior to commencing a turn.

j. Airplanes should not be operated in the traffic pattern at an indicated airspeed of more than 200 knots (230 mph).

k. Throughout the traffic pattern, right-of-way rules apply as stated in FAR Part 91.113. Any aircraft in distress has the right-of-way over all other aircraft. In addition, when converging aircraft are of different categories, a balloon has the right-of-way over any other category of aircraft;

a glider has the right-of-way over an airship, airplane, or rotorcraft; and an airship has the right-of-way over an airplane or rotorcraft.

9. OTHER TRAFFIC PATTERNS.

Airport operators routinely establish local procedures for the operation of gliders, parachutists, lighter than air aircraft, helicopters, and ultralight vehicles. Appendices 2 and 3 illustrate these operations as they relate to recommended standard traffic patterns.

a. Rotorcraft.

(1) In the case of a helicopter approaching to land, the pilot must avoid the flow of fixed-wing aircraft and land on a marked helipad or suitable clear area. Pilots should be aware that at some airports, the only suitable landing area is the runway.

(2) All pilots should be aware that rotorcraft may fly slower and approach at steeper angles than airplanes. Air taxi is the preferred method for helicopter ground movements which enables the pilot to proceed at an optimum airspeed, minimize downwash effect, and conserve fuel. However, flight over aircraft, vehicles, and personnel should be avoided.

(3) In the case of a gyrocopter approaching to land, the pilot should avoid the flow of fixed-wing aircraft until turning final for the active runway.

(4) A helicopter operating in the traffic pattern may fly a pattern similar to the airplane pattern at a lower altitude (500 AGL) and closer to the airport. This pattern may be on the opposite side of the runway with turns in the opposite direction if local policy permits.

(5) Both classes of rotorcraft can be expected to practice power-off landing (autorotation) which will involve a very steep angle of approach and high rate of descent (1,500-2,000 feet/minute).

b. Gliders.

(1) A glider, including the tow aircraft during towing operations, has the right-of-way over powered aircraft.

(2) If the same runway is used by both airplanes and gliders, the glider traffic pattern will be inside the pattern of engine driven aircraft. If a "Glider Operating Area" is established to one side of a powered-aircraft runway, the glider pattern will normally be on the side of the airport closest to the "Glider Operating Area." This will allow gliders to fly the same direction traffic pattern as powered aircraft in one wind condition and necessitate a separate opposing direction traffic

pattern in the opposite wind condition. (See examples in Appendix 2, Glider Operations).

(3) Typically, glider traffic patterns have entry points (initial points) from 600 to 1,000 feet AGL.

c. Ultralight Vehicles.

(1) In accordance with FAR Part 103, ultralight vehicles are required to yield the right-of-way to all aircraft.

(2) Ultralight vehicles should fly the rectangular pattern as described in Appendix 2. Pattern altitude should be 500 feet below and inside the standard pattern altitude established for the airport. An ultralight pattern with its own dedicated landing area will typically have a lower traffic pattern parallel to the standard pattern with turns in the opposite direction.

(3) All pilots should be aware that ultralights will fly significantly slower than airplanes. In addition, ultralights may also exhibit very steep takeoff and approach angles. Turns may be executed near the end of the runway in order to clear the area expediently.

d. Lighter Than Air Aircraft.

(1) A balloon has the right-of-way over any other category of aircraft and does not follow a standard traffic pattern.

(2) Due to limited maneuverability, airships do not normally fly a standard traffic pattern. However, if a standard traffic pattern is flown, it will be at an airspeed below most other aircraft.

e. Parachute Operations.

(1) All activities are normally conducted under a NOTAM noting the location, altitudes, and time or duration of jump operations. The Airport/Facility Directory lists airports where permanent drop zones are located.

(2) Jumpers normally exit the aircraft either above, or well upwind of, the airport and at altitudes well above traffic pattern altitude. Parachutes are normally deployed between 2,000 feet and 5,000 feet AGL and can be expected to be below 3,000 feet AGL within 2 miles of the airport.

(3) Pilots of jump aircraft are required by Part 105 to establish two-way radio communications with the air traffic control facility or Flight Service Station which has jurisdiction over the affected airspace prior to jump operations for the purpose of receiving information in the aircraft about known air traffic in the vicinity. In addition, when jump aircraft are operating at or in the vicinity of an airport, pilots are also encouraged to provide advisory information on the CTAF, i.e., "Chambersburg traffic, jumpers away over Chambersburg.

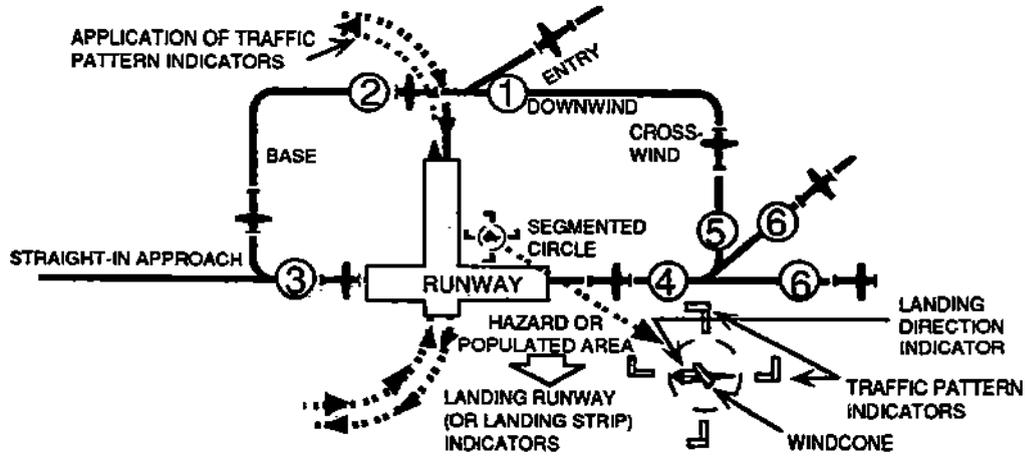
(4) When a drop zone has been established on an airport, parachutists are expected to land within the drop zone. At airports that have not established drop zones, parachutists should avoid landing on runways, taxiways, aprons, and their associated safety areas. Pilots and parachutists should both be aware of the limited flight performance of parachutes and take steps to avoid any potential conflicts between aircraft and parachute operations.

(5) Appendix 3 diagrams operations conducted by parachutists.

Harold W Becker

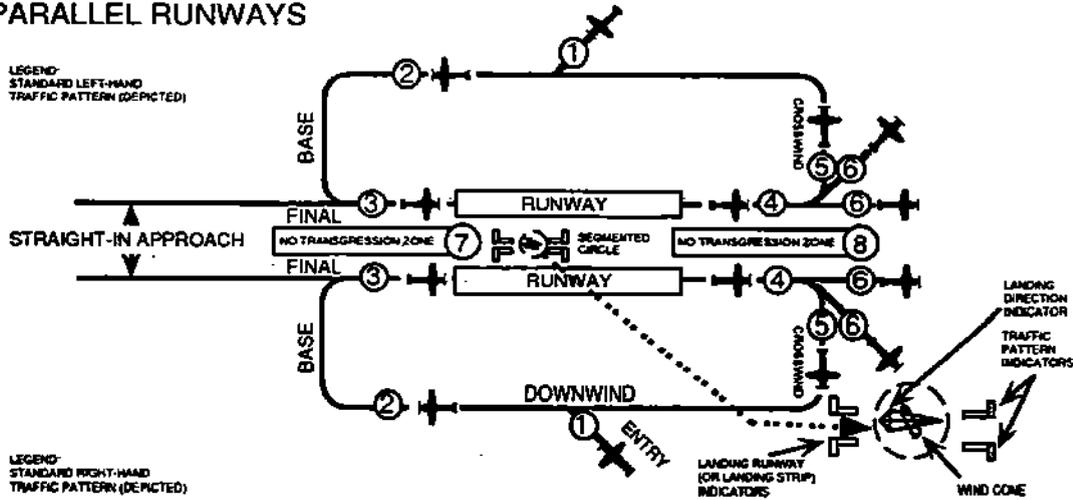
Harold W. Becker
Acting Director, Air Traffic
Rules and Procedures Service

SINGLE RUNWAY AIRPORT OPERATIONS



PARALLEL RUNWAYS

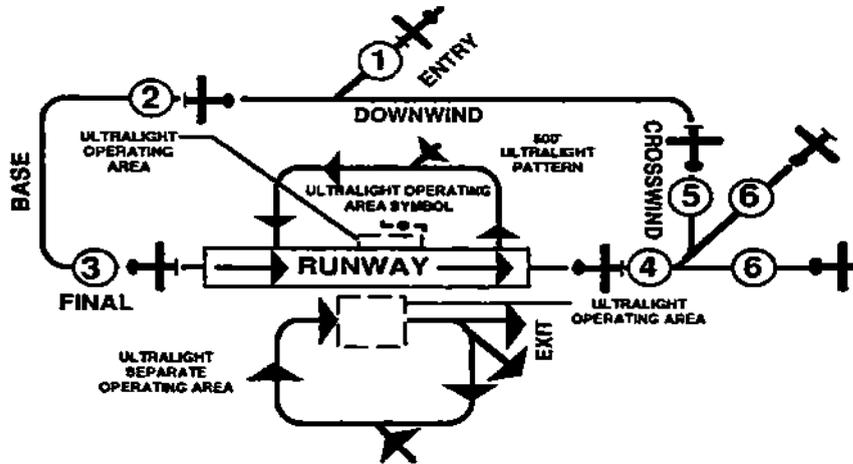
LEGEND:
STANDARD LEFT-HAND
TRAFFIC PATTERN (DEPICTED)



KEY

- ① Enter pattern in level flight, abeam the midpoint of the runway, at pattern altitude. (1000' AGL is recommended pattern altitude unless established otherwise).
- ② Maintain pattern altitude until abeam approach end of the landing runway, or downwind leg.
- ③ Complete turn to final at least 1/4 mile from the runway.
- ④ Continue straight ahead until beyond departure end of runway.
- ⑤ If remaining in the traffic pattern, commence turn to crosswind leg beyond the departure end of the runway, within 300 feet of pattern altitude.
- ⑥ If departing the traffic pattern, continue straight out, or exit with a 45° left turn beyond the departure end of the runway, after reaching pattern altitude.
- ⑦ Do not overshoot final or continue on a track which will penetrate the final approach of the parallel runway.
- ⑧ Do not continue on a track which will penetrate the departure path of the parallel runway.

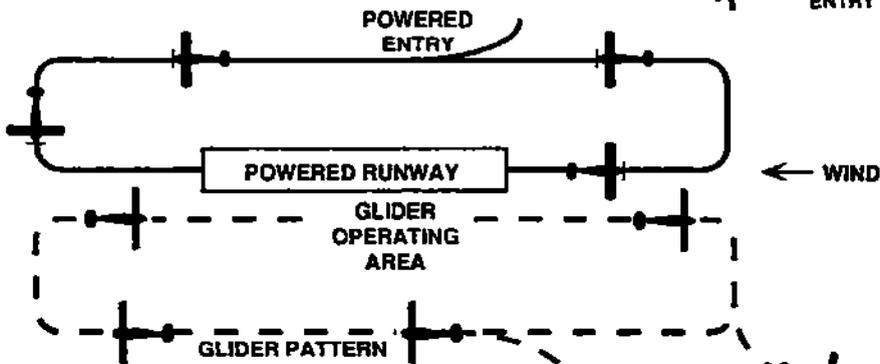
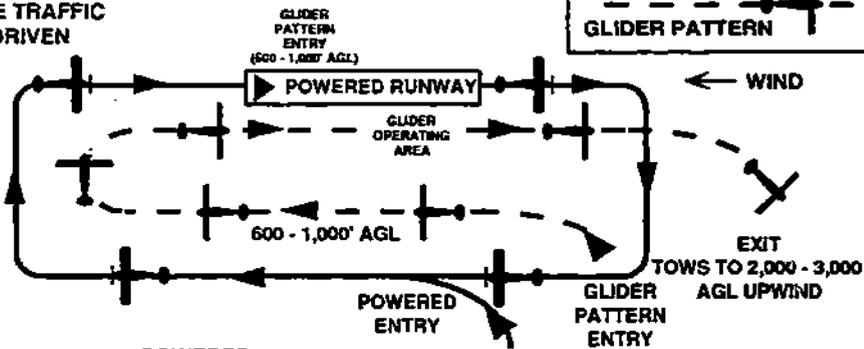
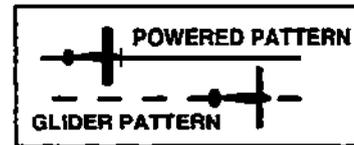
ULTRALIGHT OPERATIONS



GLIDER OPERATIONS

GLIDER PATTERN AND POWER PATTERN
SAME SIDE OF RUNWAY

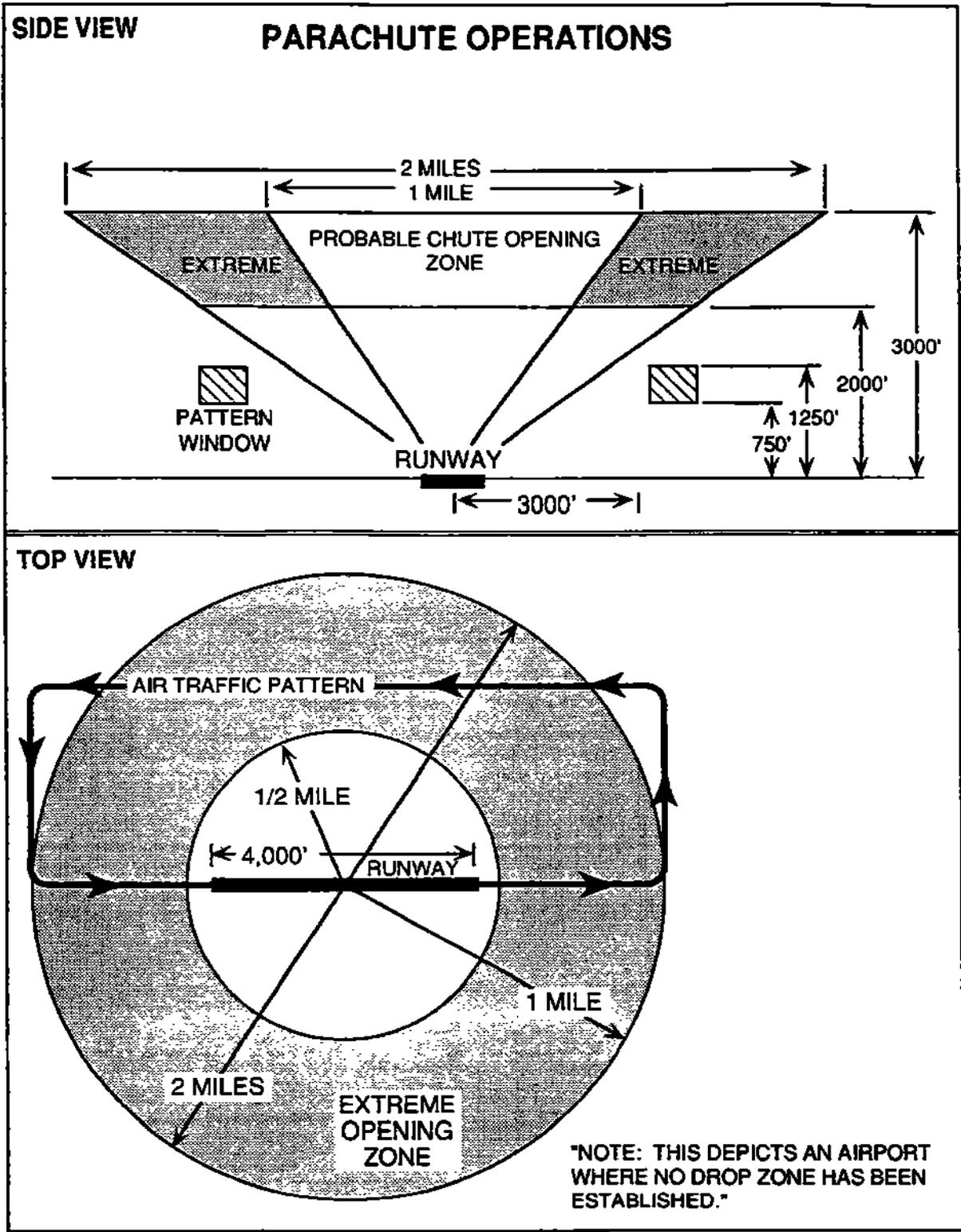
GLIDER PATTERN INSIDE TRAFFIC
PATTERN FOR ENGINE-DRIVEN
AIRCRAFT



GLIDER PATTERN AND POWER PATTERN
OPPOSITE SIDE OF RUNWAY
GLIDER PATTERN IS SEPARATE
FROM POWERED RUNWAY

ENTRY
600 - 1,000' AGL

TOWS TO
2,000 - 3,000 FT. AGL
UPWIND



Linda Weller

From: Michael Spencer
Sent: Monday, July 20, 2015 3:17 PM
To: Linda Weller
Subject: FW: CVX - Skydiving at the Airport

From: Marlon.Pena@faa.gov [mailto:Marlon.Pena@faa.gov]
Sent: Monday, July 20, 2015 2:33 PM
To: Michael Spencer
Cc: Liz Myer; Matthew Wyman
Subject: CVX - Skydiving at the Airport

Mr. Spencer,

Thank you for taking the time out of your schedule to speak with us this afternoon regarding the concerns brought up by Mr. Luther Kurtz on skydiving at the Charlevoix Municipal Airport. We also appreciate your efforts to help the City Council better understand FAA guidance on skydiving at the airport.

Below are references to FAA guidance that we spoke about over the phone in reference to requirements that an airport may try to put on skydiving as well as limiting skydiving.

- FAA Docket No. 16-09-09, Skydive Sacramento v. City of Lincoln, California, - Discusses insurance requirements for Skydiving (<http://part16.airports.faa.gov/pdf/16-09-09b.pdf>). See page 25 for discussion on unattainable requirements

The City admits that its insurance requirement may not be available and fails to identify a source of such insurance. However, it is barring access to Skydive Sacramento for the use of an identified drop zone at LHM because of Skydive Sacramento's inability to comply with Section 11.c., of the draft lease. This restriction is not reasonable because it is banning an aeronautical activity at LHM by requiring Skydive Sacramento to meet an unattainable requirement. As stated, FAA policy regarding the implementation of rules, terms and minimum standards states that the standards must be attainable.

Skydive Sacramento's approach of notification and waiver is more consistent with the Director's past application of a reasonableness standard to insurance requirements, including a test for availability and broad industry practice. Again, the record reflects that the City has not identified any attainable approach or procedure to implement to its satisfaction, which would provide for alternative liability protections to the City.

- FAA Docket No. 16-11-06, Garlic City Skydiving v. County of Santa Clara, California – Discusses County preference for skydiving further away from the airport and not to utilize an on-airport drop zone.

<http://part16.airports.faa.gov/pdf/16-11-06.pdf>). See page 31, last paragraph, for discussion on airport preference to conduct skydiving activities further from the airport and not utilize an on-airport drop zone.

While the County may prefer the Complainant conduct its skydiving activities further away from E16 and not utilize an on-airport drop zone, the FAA has determined that neither safety nor efficiency will be compromised by the skydiving operations as proposed by the Complainant and conducted in accordance with Federal Aviation Regulations and mitigation measures specific to the proposed operation. The Respondent's restriction is unreasonable and constitutes a denial of access in violation of its obligations under Grant Assurance 22(a).

- FAA Order 5190.6B, Airport Compliance, Section 8.8. Exclusive Rights Violations, discusses restrictions on aeronautical service providers based on safety and efficiency.
http://www.faa.gov/airports/resources/publications/orders/compliance_5190_6/)

8.8. Exclusive Rights Violations.

a. Restrictions Based on Safety and Efficiency. An airport sponsor can deny an individual or prospective aeronautical service provider the right to engage in an on-airport aeronautical activity for reasons of safety and efficiency if the kind of activity (e.g., skydiving, sailplanes, ultralights) would adversely impact the safety and efficiency of another aeronautical activity at the airport, typically fixed-wing operations. An aeronautical operator holding an FAA certificate is presumed to be a safe operator, and the airport sponsor may not deny access to an individual certificated operator on the basis of safety of its aeronautical operations. Any safety concerns with an operator would need to be brought to the attention of the FAA. However, the airport sponsor may find that an aeronautical activity as a whole is inconsistent with the safety and efficiency of the airport and may, therefore, not permit that activity at all, subject to concurrence by the FAA. The airport sponsor may also prohibit access by an individual or individual service provider that has not complied with the airport's minimum standards or operations rules for safe use of airport property.

Any denial based on safety must be based on reasonable evidence demonstrating that airport safety will be compromised if the applicant or individual is allowed to engage in the proposed aeronautical activity. Airport sponsors should carefully consider the safety reasons for denying an aeronautical service provider or individual the opportunity to engage in an aeronautical activity if the denial has the possible effect of limiting competition or access.

The FAA is the final authority in determining what, in fact, constitutes a compromise of safety. As such, an airport sponsor that is contemplating the denial of a proposed on-airport aeronautical activity or access is encouraged to contact the local ADO or regional airports division. Those offices will then seek assistance from FAA Flight Standards (FS) and Air Traffic (AT) to assess the reasonableness of the proposed action because of safety and efficiency, and to determine whether unjust discrimination or an exclusive rights violation results from the proposed restrictions.

Safety concerns are not limited to aeronautical activities but may include Occupational Safety and Health Administration (OSHA) standards, fire safety standards, building codes, or sanitation considerations. Restrictions on aeronautical operators by airport sponsors for safety must be reasonable. Examples of reasonable restrictions include, but are not limited to: (1) restrictions placed on the handling of aviation fuel and other flammable products, including aircraft paint and thinners; (2) requirements to keep fire lanes open; and (3) weight limitations placed on vehicles and aircraft to protect pavement from damage.²² (See Chapter 14 of this Order, *Restrictions Based on Safety and Efficiency Procedures and Organization.*)

Thank you again for your time earlier this afternoon. We hope this information is helpful in your discussions.

Marlon D. Peña
Program Manager
Detroit ADO
Federal Aviation Administration

Linda Weller

From: Michael Spencer
Sent: Monday, July 20, 2015 2:02 PM
To: Linda Weller
Subject: FW: Tonight's Meeting

From: Underwood, Ed W. [<mailto:eunderwood@avfuel.com>]
Sent: Monday, July 20, 2015 1:01 PM
To: Michael Spencer
Cc: Kelly McGinn; Liz Myer
Subject: Re: Tonight's Meeting

Mike,

Yes the Airport Liability policy would respond. ACE would defend the city in the event of a claim.

Ed

Edmund W. Underwood Jr. CPCU, CIC
Avsurance Corporation
President
PO Box 1387
Ann Arbor, MI 48106-1387
P: 800-472-7090
F: 734-663-8296
C: 734-604-5331

On Jul 20, 2015, at 11:31 AM, Michael Spencer <michaels@cityofcharlevoix.org> wrote:

Ed,

What would happen if there were a skydiving accident and the City was named in the lawsuit?

When you say there is no exclusion for parachute operations what do you mean exactly? I assume that means we would still be covered in the event there is a claim.

City Council may have additional questions.

Thanks,

Mike

Mike Spencer

City Planning Director
City of Charlevoix Office of Planning and Zoning.
210 State Street
Charlevoix, MI. 49720
mspencer@cityofcharlevoix.org
www.cityofcharlevoix.org
Phone: 231-547-3265
Fax: 231-547-3617

Like us on Facebook: <https://www.facebook.com/pages/City-of-Charlevoix-Michigan/212193170389>

From: Underwood, Ed W. [<mailto:eunderwood@avfuel.com>]
Sent: Monday, July 20, 2015 11:04 AM
To: Kelly McGinn
Cc: Liz Myer; Michael Spencer
Subject: Tonight's Meeting

Kelly,

I cannot make it to tonight's meeting. Our Chairman has committed me to a corporate dinner. I can answer the following general questions:

- The policy limit is \$5,000,000. Higher limits up to \$25,000,000 are available at pretty reasonable cost.
- There is no exclusion for Parachute operations.
- I spoke to the Sky Dive operator and he has the standard limits available in the insurance market. All policies exclude the jumpers once they leave the aircraft.

I think it would be best if you send me any other questions prior to the meeting and I will e-mail the answers to you.

Ed

Edmund W. Underwood Jr. CPCU, CIC
Avsurance Corporation
President
PO Box 1387
Ann Arbor, MI 48106-1387
P: 800-472-7090
F: 734-663-8296
C: 734-604-5331

Linda Weller

From: Doug LaBelle [doug@thelabelles.us]
Sent: Sunday, July 05, 2015 1:02 PM
To: Linda Weller
Subject: skydiving....

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Mike....As a person who had a Citation V for the last two years coming in and out of Charlevoix as well as chartering flights as needed, we have never had an issue with sky divers interfering with our pilots. I feel that any business that meets the proper rules is an asset to our community. If they are providing jobs, bringing in tourism and making Charlevoix a more pleasant place to visit and live we should all be welcoming them with open arms!! Any other questions I would be happy to discuss...thanks, Doug LaBelle a proud Charlevoix resident.

Island Airways

July 6, 2015

Liz Myers
Airport Manager
Charlevoix Municipal Airport
111 Airport Drive
Charlevoix MI 49720

Dear Liz,

Please accept this letter as a formal complaint regarding skydiving activities at Charlevoix Municipal Airport. We believe the skydiving taking place on the airport has created a safety issue that must be brought to your attention so it can be dealt with immediately.

Below are our concerns:

- The drop zone is in the approach of both runway 27 and 22.
- The skydiving tent and other items are set up at the approach end of 22 inside the airport perimeter fence.
- Runway 22 has not been NOTAM'd closed to date.
- Incoming traffic electing to use runway 22 are not aware of this situation until they are at or near the field.
- Skydive Harbor Springs is not operating at the location as submitted on their "Business License Application for Specialized Aviation Services." I obtained this application via a Freedom of Information Act request.
- According to the license application, this operation is to be taking place where it did last year. Why is it being allowed to operate in the approach to two active runways?
- When this operation started in 2014, it was our understanding the drop zone would be off airport just as the operation in Harbor Springs does. Why was this changed to an airport drop? It is very uncommon to have jumpers actively land on an airport. It is even more unusual and unsafe to have them land in the approach to two active runways.
- One of our pilots had a very close call with the skydiver operation on Thursday. The jump plane dropped three jumpers but could only find one jumper while our pilot was turning base to final for runway 27. Our pilot asked repeatedly where the jumpers were but the jump plane pilot could not locate the other two. The second jumper was located but the third landed at nearly the same time our pilot did. This is an incredibly unsafe environment for all involved.
- July 4 weekend (Thursday to Monday) is one of the five busiest weekends each year at Charlevoix Airport. The following is a breakdown of traffic at CVX Thursday, Friday and Saturday while Skydive Harbor Springs was operating at CVX.

FAA Approved Air Carrier • Passengers & Freight / Hazardous Material Approved
Aviation Fuels
FAA CRS ECLR465D

Britten
Year Round Air

101

Welke Airport
36155 East Side Drive
Beaver Island, MI 49782
(231) 448-2071
Toll Free (866) 202-8683
FAX (231) 448-3118
www.islandairways.com

Island Airways

- Island Airways had 68 flights between Charlevoix and Beaver Island OR 68 arrivals and 68 departures with 554 passengers on board. These flights included two medical evacuations of critical patients.
- Fresh Air Aviation did approximately 35-40 flights OR 40 arrivals and 40 departures.
- IFR traffic as taken from Flight Aware: 73 arrivals and departures.
- Unknown: VFR traffic and blocked tail numbers (do not appear on flight tracking). My estimate is another 25 – 35 arrivals and departures.
- TOTAL: Over 300 arrivals and departures in this three day period.

Luther Kurtz called our office on Friday and wanted to know our flight times so he could plan his jumps accordingly. Mary (our General Manager) explained that on Friday we had over 30 flights planned from 8:30am to 8:30pm. On busy weekends like this, we utilize all six aircraft and as the first group of passengers for a flight arrives they are checked in and immediately take off for the island. When we operate all four Britten Norman Islanders at once, we stagger our departures. If there are 32 people on a flight, we take them in four groups of 8 in about 10-12 minute intervals. This was explained to Luther at length. We could not offer him a time when there would be a window without a flight. When he finished discussing this with Mary he called back and asked Mary Kay (counter person) the same question. Mary Kay reiterated how busy our day was and the planes would be launching as soon as they were filled!

Liz, we appreciate your hard work in keeping the construction project well organized and minimally interruptive to our operation. We understand that the change in drop location may have something to do with construction but construction is now complete.

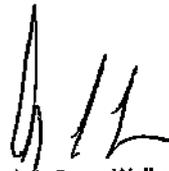
We ask that you immediately address these safety concerns.

If you have any questions, would like to discuss this matter, or would like additional information, please do not hesitate to contact either one of us at the numbers listed above, via e-mail, or via mobile phone (231 675 7882 Angel & 231 675 5297 Paul).

Sincerely,



Paul R. Welke
Owner / Chief Pilot / Director of Operations
McPhillips Flying Service, Inc.
DBA Island Airways



Angela LeFevre-Welke
Owner / President
McPhillips Flying Service, Inc.
DBA Island Airways

CC (via e-mail) City of Charlevoix Mayor & City Council

Linda Weller

From: Randy Allison [randy@midwestfreefall.com]
Sent: Monday, July 06, 2015 4:41 PM
To: Linda Weller
Subject: Skydive Harbor Springs
Attachments: Skydive Harbor Springs 7 6 2015.pdf

Dear Mr. Spencer:

I am writing you regarding recent discussions regarding Skydive Harbor Springs. Please take a look at the attached letter as you are able and let me know of any questions you may have.

I appreciate your time. Thank you.

Randy Allison

DZO and Chief Pilot - Midwest Freefall Sport Parachute Club, Inc.

USPA Mideastern Regional Director

USPA Vice President

randy@midwestfreefall.com

(586) 698-8110 Cell

MIDWEST FREEFALL SPORT PARACHUTE CLUB, INC.

OFFICE: 1500 MOHAWK AVE., ROYAL OAK, MI 48067
DROPZONE: 62912 KUNSTMAN ROAD, RAY, MI 48096

July 6, 2015

Mr. Michael Spencer
City Manager
Charlevoix, MI 49720

Subject: Skydiving Operational Concerns – Skydive Harbor Springs/Charlevoix Airport

Dear Mr. Spencer

I have recently become familiar with ongoing discussions between Skydive Harbor Springs and Charlevoix city leadership, and would like to share a regional and national perspective on the issues under discussion.

First I should explain my position within the skydiving community and more importantly with the United States Parachute Association. The United States Parachute Association (USPA) is a volunteer organization consisting of nearly 38,000 individual members who are skydivers and associates of sport parachuting. In addition to these individual members of USPA, there are approximately 280 Skydiving Centers (also known as "dropzones") which choose to associate with USPA through a program known as Group Membership. USPA establishes and maintains a program of certification and credentialing for individual skydivers (an extensive licensing program, with four levels of accomplishment ranging from "novice" to "expert"), establishes and maintains a complicated, multi-tiered instructional rating program for all skydiving disciplines, and manages an FAA-recognized credentialing system for professional exhibition skydiving performers (the PRO rating). The United States Parachute Association maintains a permanent headquarters operation in Fredericksburg, Virginia, employs a full time Executive Director, has a full time staff of approximately 15 persons, and has an annual budget of nearly five million dollars. I want to be clear in the sense that skydiving is not a wild, unregulated thrill-seeking activity. We, through our national organization and through the Federal Aviation Administration, have established clear rules and recommendations for robust training, disciplined rule making and enforcement, and high expectations for our membership both on an individual and operator basis. At USPA, we employ full time representatives and experts in the areas of Safety and Training, Government Relations, Competition, Membership Services, and Sport Promotion. It is serious business. Not only do we have strict criteria for individual skydiver licensing, but we have a difficult and extensive system of evaluating and licensing instructors for each and every skydiving discipline. We also have a code of expectations and obligations for any Skydiving Center that elects to associate with USPA. We also have, and frequently exercise, a disciplinary process for those who either inadvertently or intentionally disregard our rules.

The USPA is overseen by a 22-person Board of Directors, which consists of a slate of National Directors elected by the membership at large, and a slate of Regional Directors elected by members of specific regions within the United States. I am the Mideastern Regional Director,

representing the states of Michigan, Ohio, Indiana, and West Virginia. Our elections are held every three years, and we must achieve a majority of votes from our region (in the case of Regional Directors) or nationwide (for National Directors) to continue to hold office. I have had the pleasure of serving the Mideastern Region for the past six years. The Board of Directors meets twice per year for three days, during which we conduct business for the organization and its membership. Between Board meetings, business is conducted continuously by the Board's Executive Committee and Headquarters Staff.

In addition to serving as the Mideastern Regional Director, I have been elected by the Board of Directors to the position of USPA's Vice President for two consecutive terms and am currently serving in that capacity. I also serve as an active member of the organization's Disciplinary Committee, which meets nearly every week to evaluate allegations and evidence, and to recommend specific disciplinary actions to be taken against both individual members and associated Skydiving Centers in the event of rule violations. I also am the Chairman of USPA's Group Membership Committee, which oversees the program in which we allow Skydiving Centers associate with the organization. Skydive Harbor Springs is a USPA associated Skydiving Center, and as a result is obligated to follow USPA's rules and recommendations.

One of the most critical responsibilities of USPA Regional Directors is to monitor performance of individual members and associated Skydiving Centers within our respective regions. To this end, Regional Directors are obligated to appoint local officials for each associated Skydiving Center to monitor performance and assist the membership with safety and training issues. These individuals, known as Safety and Training Advisers, are appointed by and serve at the pleasure of the Regional Director, without accountability to the Skydiving Center's owner or operator. They are the conduit to the national organization to assure consistent application of rules and regulations, and have the authority to report and/or take action on violations.

In addition to the above, please be aware that I own and manage a Skydiving Center which is similar to in nature to Skydive Harbor Springs. Midwest Freefall Sport Parachute Club, Inc., is located northeast of Metro Detroit, near Romeo, Michigan. Like Skydive Harbor Springs, we lease and own aircraft which are specifically configured for skydiving operations, and serve large numbers of customers every season.

Finally, I am an FAA-licensed Commercial Pilot with Instrument Rating, aircraft owner, aircraft lessor, and long-time skydiving pilot. Last year alone, I piloted well over 500 skydiving flights. I am also an FAA certificated Master Parachute Rigger, Expert Licensed Skydiver with over 4500 skydives and 32 years in the sport, and hold skydiving instructional ratings in three disciplines.

I have known Luther Kurtz for well over five years, having served as his USPA Regional Director, and have met with him numerous times for the purposes of discussing common concerns as skydivers and skydiving center operators. Luther currently owns and operates seven skydiving centers around the country, and each is associated with USPA as a Group Member. USPA has high expectations for Group Member Dropzones, and we monitor the performance of each skydiving center in accordance with obligations that are made to the national organization as a condition of affiliation.

It is important to note that Luther's operations are all in good standing with USPA, indicating he consistently complies with our national guidelines and standards. USPA has had no complaints

lodged against Skydive Harbor Springs or Capital City Skydiving or any of Luther's other centers.

Luther has shared concerns regarding the following topics, on which I would like to briefly comment:

Risk Management and Insurance

As an industry, we fundamentally rely on three elements to manage risk. They are as follows:

1. **Liability Release, or Waiver Document Execution.** Every skydiving operation in the United States has each participant execute (sign) some form of liability release document prior to participation in skydiving activities. There are elements of the skydiving activity which carry inherent risks (similar to flying aircraft, white water rafting, rock climbing, spelunking, etc.) and we want participants to acknowledge, understand and accept those risks. Waiver documents, which include voluntary release of liability for the skydiving center, airport, aircraft owners, pilots, and other released parties, have been upheld in courts around the country. USPA has extensive experience with all aspects of the liability release process and document execution, and it is industry standard practice. Individual waiver documents vary in form and content, and are developed in accordance with the individual skydiving center's needs. It is very common to include airport and municipal entities as released parties.
2. **Premises Liability Insurance.** Most skydiving centers maintain premises liability insurance ("slip and fall" insurance) that always excludes air (flying and skydiving) activities.
3. **Third Party Liability Insurance.** USPA offers, as a member benefit, a third party liability insurance policy for each member in good standing. This policy covers damage to property resulting from actions by a member associated with a skydiving activity, and is payable only to non-participating individuals or entities. This coverage is valid for damage caused by a covered skydiver to persons or property on the ground – i. e. buildings, airport property, parked or moving non-jump aircraft, agricultural crops, etc. This policy has a limit of \$50,000.

It is important to note that liability insurance coverage for skydiving participation (persons actively participating in skydiving activities) is not available in the U. S. market, at any cost. There is simply no such product available, and all skydiving centers in the U. S. operate utilizing coverage similar or identical to those utilized by Skydive Harbor Springs.

Skydiving Center Landing Areas and Airport Compatibility

Around the country, the vast majority of skydiving centers operate from, and land parachutes on, public use airports. Most of these airports are owned by government entities, and operations occur on a daily basis concurrently with normal General Aviation activity (private and commercial operators conducting normal take-off, landing, and ground operations). In many cases, skydiving centers simply develop an operating agreement with airport management if

special needs or requirements exist. Skydiving operations are held at some very busy airports around the country, some of which have operating control towers and hundreds of thousands of annual operations.

It is of the utmost importance, however, that the skydiver landing area meets minimum requirements for the type of operations conducted. These minimum standards are published by the United States Parachute Association in our documents known as the Basic Safety Requirements and the Skydiver's Information Manual. I have reviewed Luther's landing area and verified that it exceed the minimum requirements published in our guidance documents.

I have high confidence that Skydive Harbor Springs will address any of your concerns, and I encourage you to contact me should you have further questions or if I can be of service to you in any manner.

With best regards,

A handwritten signature in black ink, appearing to read "Randy Allison". The signature is stylized and includes a horizontal line at the end.

Randy Allison

USPA Mideastern Regional Director

USPA Vice President

DZO / Chief Pilot - Midwest Freefall Sport Parachute Club, Inc.

(586) 698-8110 Cell

(586) 752-5867 DZ

Linda Weller

From: Jim Chionsini [jchionsini@yahoo.com]
Sent: Monday, July 06, 2015 9:55 AM
To: Linda Weller
Subject: Skydiving at Charlevoix airport

Mike,

I own a King Air C90 which we fly in and out of Charlevoix 8 to 10 times a year.

The skydiving operation has never affected our ability to land or use the airport services.

To deny a company to use the facility paid for by taxpayers would be an injustice and has a smell of political motivation.

Thank you

Jimmy Chionsini
217 Belvedere

Linda Weller

From: Bill Hartman [bhartman@hartmannews.com]
Sent: Monday, July 06, 2015 10:11 AM
To: Linda Weller
Subject: sky diving at airport

Dear Mr. Manager:

I have the pleasure of using the Charlevoix airport several times a year and have never had a problem with sky divers.

We fly a King Air 200 (N719BH), which we presently have at the airport. I'm happy to see the airport growing, and I can't imagine a skydiving business being anything but an attraction for the airport and the entire city.

I would urge council members to carefully weigh any negative comments against the many advantages from an entertainment aspect and the thrill a skydiving experience can offer.

Sincerely,

Bill Hartman

Linda Weller

From: Bob Kagle [bob@benchmark.com]
Sent: Monday, July 06, 2015 1:59 AM
To: Linda Weller
Subject: Input

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Mike,

I am a seasonal resident of Charlevoix and have been using the Charlevoix airport for several years for our family's Falcon 900 jet operation during the summer. I spoke with my two pilots and they see no problem with the proposed sky diving operation there.

As an aside, my wife and I had the opportunity to sky dive with the Navy Seals a couple of years ago. It was a thrilling experience. I think the availability of this activity would enhance summers in Charlevoix, and help keep Charlevoix vibrant and competitive as a summer destination.

Sincerely,
Bob Kagle

Linda Weller

From: Robert Christoph [rwc@rcimarine.com]
Sent: Tuesday, July 07, 2015 12:34 PM
To: Linda Weller
Cc: Robert Christoph, Jr.; Luther Kurtz
Subject: Sky diving at Charlevoix Airport

Any and all activities that encourage people to come to and enjoy all that Charlevoix has to offer should be encouraged and supported. So long as all the appropriate protections, licenses, insurances are in place and this activity is scheduled so as not to interfere with the airports primary business of planes landing and taking off, sky diving is a new venue that promotes the airport and the community to a visitor group that heretofore did not view Charlevoix as a skydiving destination.

This is a concrete example of how Charlevoix's economic base and growth can be enhanced through better and expanded programs offered by and operating at it's two unique community assets - the Airport and it's expansion and the Harbour (lake port) and it's expansion. Grow the PORTS and prosperity will follow!

Robert W Christoph Sr.

Date: July 11, 2015

To: Mayor Gabe Campbell and the Charlevoix City Council

From: Connie Saltonstall

Re: Sky Divers at Charlevoix City Airport

I am not a resident of the city of Charlevoix but I am a customer of the Charlevoix City Airport. I am very concerned that the Charlevoix City Council has been discussing that sky divers could be allowed to use the Charlevoix Airport property for a landing location for the sky divers. The potential for accidents and the additional stress and confusion on pilots should preclude this from happening.

The city has the responsibility to create the safest environment possible for the aircraft, pilots, and passengers. I cannot imagine that the Charlevoix City Council would be willing to create a serious safety and liability situation endangering lives and the financial health of the city.

The aircraft of the private sky diving business should be allowed to take off and land like any other aircraft. People jumping out of those aircraft have no business being in airport airspace. There are open fields in the area that are not in the airport air space and would not endanger air traffic.

I can't believe that this was even a topic of discussion!

Connie Saltonstall

11362 Boyne City Road

Charlevoix, MI 49720

231-547-2138

Island Airways

ATTACHMENT

Toll Free (866) 202-8683
FAX (231) 448-3118
www.islandairways.com

July 13, 2015

Liz Myer, Airport Manager
Charlevoix Municipal Airport
111 Airport Drive
Charlevoix MI 49782

Dear Liz,

I am writing to follow-up on recent events at the Charlevoix Airport. As you know, I have been operating a charter service between Beaver Island and Charlevoix for 43 years. Additionally, that service (McPhillips Flying Service, Inc. dba Island Airways) has been in operation for 70 years. Safety, customer service, and community service are top priorities at Island Airways. It was a matter of safety that initiated events in the last week.

Today I had the first of what I believe will be many conversations with Luther Kurtz regarding how we can improve operations at Charlevoix Airport and continue to provide the services our customers require AND improve the overall safety of all involved. I appreciate that Luther is relocating his operation to the area designated at the South side of Charlevoix Airport. I believe this will greatly reduce issues. I have also agreed, in the spirit of working together, to change some of our flight patterns to help further prevent conflicts in the airspace around Charlevoix Airport.

Based on these discussions, I believe skydiving can be accommodated at the Charlevoix Airport. It is important that we as operators continue to communicate. We will continue to work with Luther to improve our respective operations at Charlevoix Airport.

If you have any questions or would like to discuss this matter further, please contact me via e-mail at pwelke@islandairways.com. This drops directly into my mobile phone.

Sincerely,



Paul Welke
Owner / Director of Operations / Chief Pilot
Island Airways

CC: Charlevoix City Council (via e-mail)

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Year Round Air Service between Beaver Island and Charlevoix

Linda Weller

From: Michael Spencer
Sent: Friday, July 17, 2015 11:56 AM
To: Linda Weller; Bill Supernaw; Gabe Campbell; Jeff Porter; Joyce Golding; Leon Perron; Luther Kurtz; Mark Heydlauff; Shane Cole; Shirley Gibson
Cc: Linda Weller
Subject: Public Comment on skydiving operation.

Good morning Council,

I have been asked what role the City had in recruiting the skydiving operation to come here. This was during the time when Bethany was economic development director. I have asked Bethany for an account of what happened and when. Her response is below. I wanted you to have her response in case it comes up again.

Mike

From: Bethany Pearson [<mailto:bethany@northernlakes.net>]
Sent: Friday, July 17, 2015 9:31 AM
To: Michael Spencer; Luther Kurtz
Subject: Re: Question

Hi Mike,

Hope all is going well over at the City, I know you are bracing for a busy week with the kick off of the Venetian Festival!

Yes, I did speak with Luther about bringing his business from Harbor Springs to Charlevoix. I can't recall exactly when this was but we had discussions not too long after I came on the job so I would have to say it was in the fall or winter of 2013.

As a member of the Airport Advisory committee and as the Community Economic Development Specialist I saw an opportunity to grow the community and the airport by actively recruiting well established businesses like Skydive Harbor Springs. I had these discussions with Luther and also brought up the idea at an Airport Advisory Committee Meeting after we spent some time talking about how to make the airport a better economic driver for the community.

I based my recommendations to solicit Luther's business on the following objectives:

- Potential to generate more income for the Charlevoix Municipal Airport.
- Potential to relocate a business to our community that employs 10-20 people year round.
- Potential to attract a younger demographic of individuals to the region who may not otherwise visit Charlevoix.
- Opportunity to offer a recreational opportunity that is in limited supply and increasing in popularity.
- Discussions with former Airport Manager Scott Woody who was supportive of the idea.
- The potential for the business to grow and create more jobs. Skydive Harbor Springs has acquired multiple locations all over the country where they operate skydiving businesses. Based off his current

model it was reasonable to expect that there would be more expansion and acquisition in the future and therefore more jobs at the administrative center.

- Their excellent safety rating and flawless FAA compliance reports
- Helping to support a young entrepreneur who was doing his best to invest and bring business to our community. Forming a partnership and solidifying the Kurtz's business' investments in our community would be the best way to make sure that his next venture remains locally- providing more taxes, employing more people, and enhancing the economic vitality of the city.

Hope all goes well and Skydive Harbor Springs and City Council can settle this matter so Luther can continue to operate in Charlevoix. My family all went for Father's Day this year and couldn't have asked for a more positive experience.

Talk to you soon, happy Venetian!

On Wed, Jul 15, 2015 at 4:29 PM, Michael Spencer <michaels@cityofcharlevoix.org> wrote:

Bethany,

At the last council meeting Luther stated you actively tried to recruit him to relocate his skydiving business here and the call center operation. Clearly you were doing this for economic development reasons which is what you were hired to do but can you please get me any information about when you called him, what the discussion was, and why you felt it would benefit Charlevoix? Just trying to get my ducks in a row in case it comes up.

Thanks

Mike

Mike Spencer

City Planning Director

City of Charlevoix Office of Planning and Zoning.

210 State Street

Charlevoix, MI. 49720

m Spencer@cityofcharlevoix.org

www.cityofcharlevoix.org

Phone: [231-547-3265](tel:231-547-3265)

TO WHOM IT MAY CONCERN

I am writing to comment on the skydiving activity being conducted at the Charlevoix Municipal Airport. I have been piloting aircraft since 1957. And I currently lease a T-hangar at the airport and fly in and out on a regular basis. I support the activity of skydiving as long as it does not present a safety issue to pilots and their aircraft.

I am, however, not in favor of the skydivers landing on our airport. It is too small. The jumpers, out of necessity, must descend through the same airspace being used by approaching aircraft that are preparing to land at the airport. The mixing of aircraft operations and that of skydiving activities at a small airport, such as ours, is dangerous for pilots and dangerous for the skydivers. The fact that aircraft and jumpers are using the same airspace increases the risk of having an accident. We don't want that to happen in Charlevoix.

So, in the interest of safety for all, I believe that the jumpers should land off the airport.

Sincerely,



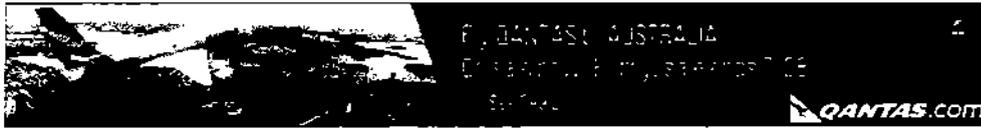
Alvin Ranger

223 Park Avenue, Charlevoix

RECEIVED

JUL 28 2015

CITY OF CHARLEVOIX



4 Die After Their Plane Collides With a Sky Diver

Published November 23, 1993

NORTHAMPTON, Mass., Nov. 22— A sky diver collided with a plane more than a mile above the ground on Sunday, causing a crash that killed the four people aboard the aircraft, the authorities said today. The parachutist was hospitalized with a broken ankle.

Mary Culver, a spokeswoman for the Federal Aviation Administration, said the parachutist, Alfred Peters, who had not yet opened his parachute, hit the upright part of the tail section of the Cherokee Piper Warrior II and damaged the single-engine plane "so severely that it went into a tailspin." It crashed in woods near the Connecticut River, about a mile from Northampton Airport.

"The odds against this happening are absolutely astronomical," said Dave Strickland, owner of the airport's sky-diving operation.

State police identified the dead as Elliot Klein, 49, of Rhinebeck, N.Y., the pilot; his son, Jonas Klein, 18, a student at the Massachusetts Institute of Technology; another M.I.T. student, Christina Park, 18, of Auburn, Wash., and Jean Kimball, 45, of Pine Plains, N.Y.

The accident occurred in midafternoon in sunny weather as the Piper flew at 120 miles an hour about 7,500 feet over Northampton Airport, en route to Boston from Poughkeepsie, N.Y. State police said Mr. Klein was taking the two students to school.

Mr. Peters, a 51-year-old Westfield resident who had made 37 jumps, told the authorities that he had leaped from a single-engine Cessna at 8,000 feet above the airport. He said he saw the Piper heading at him moments before the collision, Jeff Guzzetti, an inspector for the National Transportation Safety Board, said.

Mr. Peters told the authorities that he had been flipped over by the force of the blow but had managed to open his parachute at about 4,000 feet.

Investigators said they could not immediately determine why the pilots of the Cessna and the Piper were unaware of each other. Mr. Strickland said it appeared that the Piper had been behind and below the sky-diving plane.

Investigators said the sky-diving plane, which was carrying a pilot and four other jumpers, radioed controllers to alert other planes of the jump. But it was not known if Mr. Klein had heard the warning. Flight rules require pilots flying through the designated jump zone to keep their radios tuned for such warnings. The zone extends three miles in all directions from the airport.

Mr. Peters, who was listed in stable condition at Cooley Dickinson Hospital in Northampton, declined to speak to reporters. But his wife, Joyce, said: "All he keeps talking about is seeing that plane coming at him. He tried to get out of the way as best he could, but there wasn't much he could do."

Photo: Over a mile above Northampton, Mass., a sky diver, Alfred Peters, who had not yet opened his parachute, hit the tail section of a Cherokee Piper Warrior II on Sunday, sending the single-engine plane into a tailspin to crash, killing the four passengers. Mr. Peters survived the accident with a broken ankle. Jeff Guzzetti of the National Transportation Safety Board inspected the wreckage yesterday. (Associated Press)

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4. Ku Klux Klan and New Black Panther Party Protest at South Carolina Capitol
5. A Text That Read 'Active Shooter,' Then Silence
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**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Consideration to Approve a Resolution Verifying Non-Profit Status for a Charitable Gaming License

DATE: August 3, 2015

PRESENTED BY: Mark L. Heydlauff, City Manager

ATTACHMENTS: Letter from Rayder Gridiron Club
Resolution for Charitable Gaming License

BACKGROUND INFORMATION:

The Rayder Gridiron Club would like the City to consider adopting a resolution in support of 50/50 raffles at local football functions. According to State Statute, they need a resolution from the local governing body recognizing their non-profit status, as well as endorsing their gaming license.

RECOMMENDATION:

Motion to approve a resolution for a Charitable Gaming License for the Rayder Gridiron Club.

RECEIVED

JUL 28 2015

CITY OF CHARLEVOIX



Rayder Gridiron Club
P.O. Box 754 Charlevoix, MI 49720
Tax ID # 27-2940433

To The City of Charlevoix,

The Rayder Gridiron Club is a Non-profit 501 © 3 Organization that supports Charlevoix Football from youth level programs through High School Varsity Football and seeks membership and financial assistance to address costs not included in the overall Charlevoix Public School Athletic Budget.

I am asking that the board recognize The Rayder Gridiron Club as a Non-profit Organization operating within the city. We would like to organize 50/50 raffles at local football functions. Your approval would be greatly appreciated.

Sincerely,

Patrick Mitchell
Vice President
Charlevoix Gridiron Club

CITY OF CHARLEVOIX
RESOLUTION 2015-08-xx
LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES

At a regular meeting of the City of Charlevoix City Council called to order by Mayor Gabe Campbell on August 3, 2015 at 7:00 p.m. the following resolution was offered:

Moved by Councilmember xxx and supported by Councilmember xxx that the request from The Rayder Gridiron Club of Charlevoix, County of Charlevoix, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses, be considered for approval.

RESOLVED, this 3rd day of August, 2015 A.D.

Resolution adopted by the following yea and nay vote:

Yeas:

Nays:

Absent:

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Status of the Designated Interim Manager

DATE: August 3, 2015

PRESENTED BY: Mark L. Heydlauff, City Manager

ATTACHMENTS: none

BACKGROUND INFORMATION:

As you are aware, the City Council appointed City Planner Michael Spencer as Interim City Manager upon the departure of Mr. Straebel earlier this year. It would be my judgment that the City Council should end the role of interim manager at a time of its choosing. When the City transitioned managers in 2007, Council extended the interim role beyond the start date of the new manager and kept the temporary salary increase in place.

While I have settled in over the past week, there are a couple of items which I will rely on Mr. Spencer- notably ongoing discussion (if any) regarding the airport, CWA negotiations, and the infrastructure planning.

You could continue the interim role if you wish and thus set an elevated level of pay or rescind the interim title and authorize the City Manager (as is standard practice) to set an appropriate pay rate for duties assigned.

I appreciate the way Mr. Spencer has welcomed me to the City of Charlevoix and the way he served you in a challenging transition period.

RECOMMENDATION: None

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Consideration to Approve the Emergency Medical Services (EMS) Director/Assistant Fire Chief and Assistant Operations Manager Job Descriptions

DATE: August 3, 2015

PRESENTED BY: Patty DeRosia, Human Resource Assistant

ATTACHMENTS: Emergency Medical Services (EMS) Director/Assistant Fire Chief and Assistant Operations Manager Job Descriptions

BACKGROUND INFORMATION: Because the Charlevoix Fire Department is switching from a full time fire department to an all-volunteer fire department, we are adding additional duties to the remaining Assistant Fire Chief position. Additional duties will include directing the Emergency Medical Services and full supervisory duties for all volunteer EMS and Firefighters. As a result of these changes, this position will no longer be a member of the union. This job description reflects these changes.

We are also proposing a new job description entitled Assistant Operations Manager. Because the Charlevoix Municipal Airport is open seven (7) days a week from 8:00 a.m. to 7:00 p.m., the current Airport Manager and Operations Manager are unable to cover of the shifts. As a result, we believe for the safety of the Airport we need an additional manager who is experienced enough in all of the operational needs of the Airport when the Airport Manager and Operational Manager is unavailable.

RECOMMENDATION: Motion to approve the Emergency Medical Services (EMS) Director/Assistant Fire Chief and the Assistant Operations Manager job descriptions.

CITY OF CHARLEVOIX

Title: Emergency Medical Services (EMS) Director/Assistant Fire Chief **FLSA:** Exempt
STATUS: Full-Time, Non-Union

Department: Fire

Reports to: Fire Chief

Date: August 3, 2015

Position Purpose and Objectives

The primary function of the EMS Director is to plan, organize and administer the Emergency Medical Training Program for all EMS Department personnel. Maintain records as required by the State of Michigan Medical Services. Enter and maintain Quality Assurance on all medical documentation of runs performed by the personnel of the Charlevoix City EMS Department. In the capacity of Assistant Fire Chief, the position will be responsible for the advanced administrative and management responsibilities related to organizing and directing the activities of the Fire Department. This position will supervise all volunteer EMS and Firefighters and will report directly to the Fire Chief.

Essential Job Functions

- Ability to work independently, using good judgment, and initiative to make sound decisions;
- Ability to communicate professionally and effectively, both verbally and in writing;
- Establish and maintain effective working relationships with various individuals and groups;
- Provide both general and direct supervision to subordinate employees as required;
- Perform work assignments, and respond to emergency and non-emergency calls during normal hours, and on weekend, and on holidays if required;
- Safely and properly operate various fire apparatus and equipment, use power and hand tools, operate radios, telephones, computers, and other communications equipment;
- Work outdoor on uneven terrain during extreme and difficult weather conditions;
- Climb ladders and stairs without assistance and work at varying heights above the ground;
- Comply with all safety rules and requirements, including the wearing of all required protective clothing, safety equipment, and respiratory protection equipment;
- Perform tasks which require frequent and repetitious bending and stooping; lifting up to 90 pounds, carrying, rolling, dragging and pulling large/heavy objects and persons.
- Sit at a work station for extended periods;
- Effectively utilize computer equipment and associated software applications, telephones, and other office equipment;
- Manage projects and assignments with frequent changes in priorities and interruptions while still meeting specific deadlines and goals;
- Research and prepare detailed reports, develop and maintain confidential records and files;

- Knowledge of Fire Department role and responsibilities as they relate to pre-hospital basic life support and definitive medical care;
- Knowledge of fire based emergency medical programs, training methodology, and techniques;
- Ability to plan, organize and conduct emergency medical service training based on the policies and procedures of the City of Charlevoix Fire Department;
- Ability to demonstrate and provide instruction in a variety of medical techniques common to emergency and medical situations;
- Ability to develop and maintain a cooperative working relationship with a variety of local, county, state, and private agencies;
- Skills in oral communications to effectively interact with public, Township employees, and other EMS/Fire personnel;
- Skills in writing and computers to be able to prepare reports and maintain accurate records.

Knowledge, Skills & Abilities Required

- Instruct, train and coordinate instruction and training on EMS procedures as it related to public education, CPR, Basic EMT, quality assurance/improvement and other MES functions;
- Develop proposals and prepare presentations;
- Attend meetings, training seminars and public hearings to ensure the interests of the Charlevoix EMS/Fire Departments are met and to serve as a source of information concerning EMS issues;
- Coordinate all department activities and personal as it related to EMS/Fire operations, continuing education requirements, infectious disease and other EMS/MIOSHA policies and regulations;
- Maintain the records for continued licensing requirements for the State of Michigan;
- Coordinate, research, and maintain records for EMS/Fire supplies and budget accordingly for supplies needed for EMS/Fire operations;
- Coordinate records as it pertains to personnel relating to licensing, certifications, training, vaccinations, and infectious disease exposures;
- Be responsible to review all patient care reports to ensure accuracy and enter date into the approved collection data base as required by local, state and/or federal requirements;
- Develops, reviews and updated EMS policies as needed or requested by the Fire Chief;
- Respond to and performs firefighting, rescue, emergency medical, hazardous materials, and other emergency and non-emergency activities as directed;
- Attends training programs and seminars in all areas of Emergency Medical, firefighting, rescue, hazardous materials, and other training as directed;
- Performs other duties which may include administrative, clerical, and public relations;
- Attend regular Fire Department trainings and stay current in firefighting operations and maintain fire ground operations;
- Unless otherwise directed during structure fires or other large scale emergencies, maintain a Re-Hab station monitoring firefighters for injuries or medical problems to assure their well-being'
- Other duties as assigned by the Fire Chief.

Minimum Qualifications

- High school diploma or GED equivalency;
- Must be at least 18 years of age at the time of application;
- Shall possess and maintain valid Michigan driver's license and MFFTC Fire Apparatus Driver's Exemption;
- Shall possess a Firefighter I & II Certification;
- Shall possess a Hazardous Materials Operations Level;
- Shall possess an Incident Command Systems Certificate;
- Shall possess and maintain a State of Michigan Paramedic license;
- Ten (10) years experience as a Basic EMT or Paramedic; and
- Ten (10) years experience as a firefighter.

Essential Physical Abilities

The primary duties of this class are performed in a work environment in which the employee is subject to potential personal danger; therefore, the following physical abilities are deemed essential:

- Sufficient clarity of speech and hearing and other communication capabilities, with or without reasonable accommodation, which permits the employee to communicate effectively, including during emergency situations which may involve a high degree of noise;
- Sufficient vision and other powers of observation, with or without reasonable accommodations, which permits the employee to effectively operate at a fire or related emergency scene;
- Sufficient manual dexterity with or without reasonable accommodation, which permits the employee to operate EMS/Fire equipment;
- Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to perform all duties involved in protecting life and property.

The information contained in this position description is intended to describe the general content and requirements for successful performance of the job. It is not an exhaustive list of duties, responsibilities or requirements. Additional duties and requirements may be assigned at the sole discretion of the City. Hence, the job description does not constitute an employment agreement between the employer and employee and is subject to change by the employers as the needs of the employer and requirements of the job change. The position is an at-will position.

City Council Approval:

CITY OF CHARLEVOIX

Title: Assistant Operations Manager **FLSA:** Exempt
Department: Airport **STATUS:** Full Time/Salaried
Reports To: Operations Manager/Airport Manager
Date: August 3, 2015

Position Purpose and Objectives

This individual manages day-to-day airport operations under the direction of the Operations Manager and the Airport Manager and acts as the Operations Manager/Airport Manager when he/she is unavailable. Works with City Manager and City staff as required.

Essential Job Functions

Assists the Operations Manager and Airport Manager in performing all or some of the following functions as required:

- Manage, train, and schedule personnel. For example, train fueling, ramp, counter, maintenance, plowing, and mowing personnel, ensuring compliance with Airport and City policies, procedures, and practices.
- Oversee Airport grounds, buildings, parking lot, and equipment. Arrange for and/or oversee janitorial and maintenance services, adhering to accepted City practices. Ensure that the Terminal itself, snow removal equipment (SRE), and other airport equipment or tools are inspected and secured on a daily basis and that equipment/tools are returned and properly stored in their designated area(s). Also maintain/oversee necessary repairs.
- Maintain/oversee daily records of labor and time distribution, daily fuel logs, equipment inspections, Navaid inspections, and all other required inspections or audits.
- Oversee fuel/ramp activities.
- Abide by applicable FAA/OSHA/MIOSHA/City safety practices, policies, and procedures.
- Operate various types of motorized and non-motorized equipment and tools as necessary.
- Promote positive relationships with all airport users and businesses and encourage strong customer-service orientation among Airport employees.
- Perform other duties as requested by the Operations Manager and Airport Manager.

Knowledge, Skills and Abilities Required

- Good knowledge of airport operations and FAA & MDOT regulations.
- Ability to meet required FAA/OSHA/MIOSHA/ guidelines
- Minimum of one year progressively responsible experience in airport operations.
- Demonstrated ability to motivate and train employees.
- Good written and oral communication skills: Able to communicate effectively with staff and general public.
- Computer proficiency including MS Office (Word, Excel, and Outlook).
- Ability to operate various types of motorized and non-motorized equipment and tools safely.
- Flexibility regarding work hours; available for after-hour call-ins.
- Ability to project a positive public image of the City of Charlevoix and to provide outstanding customer service to all Airport patrons.

Required Pre-employment Certifications

- High school or equivalent; bachelor's degree preferred.
- Assistant Airport Manager License or ability to pass the Assistant Airport Manager License exam within one year of employment.

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