

AGENDA
CITY OF CHARLEVOIX CITY COUNCIL MEETING

Monday, May 2, 2016 - 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 - April 18, 2016 Regular Meeting PG 1-7
 - B. Accounts Payable Check Registers & Payroll Check Registers PG 8-19
 - C. Mayor Proclamation - Charlevoix City Band PG 20
- V. **Public Hearings**
- VI. **Reports**
- VII. **Requests, Petitions and Communications and Actions Thereon**
 - A. Concession Agreement with Jack and Annie Russell PG 21-26
 - B. Mt. McSauba Assistant Camp Director Job Description PG 27-28
 - C. Lake Charlevoix Mariners Agreements PG 29
 - 1. License Agreement PG 30-32
 - 2. Stand Agreement PG 33-34
 - D. Charlevoix City Band Contract PG 35-38
 - E. Sea Scout Ship 11 Use of Marina Slip PG 39-40
 - F. Resolution to Waive Parking Fees at Ferry Beach Boat Launch for Lake Charlevoix Area Trout Tournament PG 41-44
 - G. Charlevoix Craft Brew Festival PG 45
 - H. Planter Design in East Park PG 46-48
 - I. Food Truck Pilot Program Policy PG 49-50
 - J. Amendment to Rules of Procedure for City Council PG 51-54
- 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. Charlevoix Trout Tournament Parking Fee PG 44
 - B. Amendment to the Rules of Procedure for City Council PG 52-53
- 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

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, April 18, 2016 – 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
City Manager: Mark Heydlauff
City Clerk: Joyce Golding
Members Present: Councilmembers Shane Cole, Shirley Gibson, Aaron Hagen, Luther Kurtz, Leon Perron, Bill Supernaw
Absent: None

III. Inquiry Regarding Possible Conflicts of Interest

None.

IV. Consent Agenda

The following items were approved and filed:

- A. Approval of Minutes – March 21, 2016 Regular Meeting Minutes
- B. Approval of Minutes – April 4, 2016 Regular Meeting Minutes
- C. Regular Accounts Payable Check Register – April 19, 2016
- D. ACH Payments – April 4, 2016–April 11, 2016
- E. Payroll Check Register – April 8, 2016
- F. Payroll Transmittal – April 8, 2016
- G. Resignation from Historic District Study Committee – Linda Mason
- H. Mayor Proclamation – National Arbor Day and Earth Day

V. Public Hearings

A. Earl Young Historic Buildings District Ordinance

Interim Planner Panoff recalled the history of establishing the proposed local historic district to preserve Earl Young residential structures within the City of Charlevoix. The district has been downsized to include homes on the block bounded by Park Avenue, Clinton Street, and Grant Street, as well as one lot across Clinton Street to the south.

David Miles, Charlevoix Historical Society and Historic District Commission, discussed the value of a historic district to preserve Earl Young homes and how it will benefit the local economy. On behalf of the historical committees, he recommended approval of the ordinance.

Mayor Campbell opened the item to public comment at 7:12 p.m. There were no comments and the item was closed to the public.

VI. Reports

City Manager Heydlauff stated that Staff is preparing for the summer season. He toured the Nu Core facility and learned about their product line. City Manager Heydlauff extended his appreciation to the Shade Tree Commission members and the work they do.

VII. Requests, Petitions and Communications and Actions Thereon

A. Well Rehabilitation – Pump System Upgrade

Golf Director Heid stated that the 2016/2017 Budget includes \$26,000 for well rehabilitation and pump system upgrades at the Charlevoix Golf Club. The 6" well was established in 1983 and has experienced major failures over the last few years. Director Heid explained how the pump system works. On April 6, 2016, the City received bids from three contractors with the lowest bidder being C.S. Raymer Co., Inc. of Marne, Michigan at \$26,000. This bid meets all bid specifications and Raymer has worked for the City several times in the past.

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 award the well pump upgrade bid to C.S. Raymer Company, Inc. of Marne, Michigan for the sum of \$26,000.

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

B. Kayak/Paddleboard Rentals at Depot Beach

Recreation Director Kirinovic stated that Schulman Paddleworks is proposing a similar agreement to 2015 and would like to be located at the south end of Depot Beach for the summer season. The term of the agreement would be two years.

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

Motion by Councilmember Gibson, second by Councilmember Kurtz, to approve the agreement with Schulman Paddleworks as presented.

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

C. Kayak/Paddleboard Rentals at Lake Michigan and Ferry Beaches

Recreation Director Kirinovic stated that Charlevoix Paddle Sports, LLC is requesting to have rental locations at Lake Michigan Beach and Ferry Beach for a two year term. He discussed the specifics of the proposed agreement.

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 agreement with Charlevoix Paddle Sports, LLC.

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

D. Code Enforcement Officer (seasonal part-time) Job Description

City Manager Heydlauff stated that this part-time position would assist the Planner's office proactively ensuring that City ordinances are followed. He felt that Staff should be regularly addressing code compliance.

Mayor Campbell opened the item to public comment.

Greg Stevens, 2nd Ward, was in support of this position. He indicated that the Planner's office is very busy in the summer season.

The item was closed to the public.

Motion by Councilmember Hagen, second by Councilmember Gibson, to approve the Code Enforcement Officer (seasonal part-time) Job Description.

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

E. Discussion of Miscellaneous Business

At the last Council meeting, Council Member Kurtz and Council Member Gibson requested a discussion regarding how Council uses the Miscellaneous Business portion of the agenda and a broader discussion of the *Rules of Procedure for City Council*. City Manager Heydlauff provided background on these topics.

Councilmember Gibson stated that the Miscellaneous Business agenda item has been abused in the past by many Councils. She felt that this agenda item should be for Council comments only and not for major decisions. Councilmember Gibson suggested that if Council wanted to move on an issue, they should have a straw vote. If the majority of Council wanted to take action, three members could request that the item be placed on the following agenda. She also mentioned that in her years on Council, action has never been taken under Audience – Non-Agenda Input. Councilmember Gibson indicated that if Council decides to update the *Rules of Procedure*, then these two agenda items should be limited and clarified.

City Manager Heydlauff explained how Council might define the content of agenda items such as Miscellaneous Business and Audience – Non-Agenda Input and how additional agenda items could be added to an existing agenda.

Councilmember Supernaw felt that the reconsideration of the conservation easement resulted in this conversation. The proper steps for reconsidering a motion were discussed at length. The City Manager also explained the importance of having predictable, stable meetings and Staff challenges when Council swings from one position to another between meetings.

Councilmember Gibson stated that her goal was to amend the *Rules of Procedure* to assure transparency when it comes to City business. Councilmember Cole agreed.

Councilmember Kurtz clarified that he requested "Miscellaneous Business" be put on this evening's agenda to discuss transparency, not because of any specific issues. He also wanted to mitigate wasted Staff time when Council proposes spontaneous motions.

Councilmember Gibson stated that she doesn't have a problem with Council changing their position on an issue at a later date, but the public should be aware of the proposed change.

The format of the agenda was discussed and several efficiencies were suggested. The need to have a sub-committee to review the *Rules of Procedure* was debated. It was generally agreed that the City Manager and City Attorney would propose language changes to the *Rules of Procedure*. This draft would be brought to Council following Rule 20: Amendment or Repeal of Council Rules.

F. Mayor Appointments

Motion by Councilmember Kurtz, second by Councilmember Supernaw, to re-appoint Fred DiMartino to the DDA, term expiring April 2020.

Yeas: Cole, Supernaw, Hagen, Kurtz, Perron, Gibson

Nays: None

Absent: None

Motion by Councilmember Supernaw, second by Councilmember Cole, to re-appoint John Elzinga to the Planning Commission, term expiring April 2019.

Yeas: Cole, Supernaw, Hagen, Kurtz, Perron, Gibson

Nays: None

Absent: None

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**

A. Earl Young Historic Buildings District Ordinance

Motion by Councilmember Kurtz, seconded by Councilmember Gibson, to approve Ordinance No. 778 of 2016, as follows:

**CITY OF CHARLEVOIX
ORDINANCE NO. 778 of 2016**

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF CHARLEVOIX BY ADDING A NEW SECTION, WHICH NEW SECTION SHALL BE DESIGNATED AS SECTION 1.551: EARL YOUNG HISTORIC BUILDINGS DISTRICT OF ARTICLE VI: HISTORIC DISTRICTS OF CHAPTER 7: BOARDS AND COMMISSIONS OF TITLE I: ADMINISTRATION OF SAID CODE

THE CITY OF CHARLEVOIX ORDAINS:

SECTION 1 Chapter 7: Boards and Commissions, of Title I: Administration, of the Code of Ordinances of the City of Charlevoix, is hereby amended by the addition of a new section in Article VI: Historic Districts, which shall read as follows:

ARTICLE VI: HISTORIC DISTRICTS

Sec. 1.551 Earl Young Historic Buildings District

The Earl Young Historic Buildings District is hereby established and is bounded and described as follows:

Block and lot number: 300 Park Avenue

Dimensions of parcel: Legal information: BEG AT NRN MOST COR LOT 1 BLK 12 ORIG PLAT OF VILL OF CHX TH SLY AL ELY LI SD LOT 113.14 FT TO SE COR SD LOT TH WLY ATANG OF 90DEG25'16" TO RT FRM LAST DESC CRSE AL SLY LI SD LOT 65.98FT TH NWLY ATANG OF 58DEG54'57" TO RT FROM LAST DESC CRSE 26.23 FT TH NWLY AT ANG OF 13DEG15'50" TO RT FROM LAST DESC CRSE 36.94 FT TO NWLY LI SD LOT TH NELY AT ANG OF 76 DEG09'30" TO RT FROM LAST DESC CRSE AL NWLY LI SD LOT 105.74 FT TO POB BEING PTOF LOT 1 BLK 12 ORIG PLAT OF VIL OF CX

Block and lot number: 302 Park Avenue

Dimensions of parcel: Legal information: COM AT SE COR LOT 1 BLK 12 OF ORIGINAL PLAT OF VILL OF CHX TH WLY AL SLY LI LOT 65.98 FT FOR POB TH SLY AT ANG OF 90DEG34' 42" TO LFT FRM LAST DESC CRSE AL ELY LI LOT 3 SD BLK 40.19 FT TH WLY AT ANG OF 90 DEG 45' 53" TO RT FRM LAST DESC CRSE 66.03 FT TO WLY LI SD LOT 3 THNLY AT ANG OF 90 DEG 36' 12" TO RT FRM LAST DESC CRSE AL WLY LI SD LOT 3 23.18 FT TO NW COR SD LOT 3 TH CONT NLY AT ANG OF 0 DEG 03' 46" TO LFT FRM LAST DESC CRSE 16.46 FT TO SLY LI SD LOT 1 TH CONT NLY AT ANG OF 0 DEG 06'37" TO RT FROM LAST DESC CRSE 34.84 FT TO NWLY LI SD LOT 1 TH NELY AT ANG OF 58 DEG 40'03"TO RT FRM LAST DESC CRSE AL NWLY LI SD LOT 48.45 FT TH SELY AT ANG OF 103 DEG 50'30" TO RT FRM LAST DESC CRSE 36.94 FT TH SELY AT ANG OF 13 DEG 15'50" TO LFT FRM LAST DESC CRSE 26.23 FT TO POB BEINGPART OF LOTS 1 & 3 BLK 12 ORIGINAL PLAT OF VILL OF CHX

Block and lot number: 304 Park Avenue (Non-Contributing)

Dimensions of parcel: Legal information: COM AT NERN MOST COR LOT 1 BLK 12 ORIGINAL PLAT OF VILL OF CHX TH SWLY AL NWLY LI SD LOT 154.19 FT FOR POB TH SLY AT ANG OF 58DEG40'03" TO LFT FRM LAST DESC CRSE 34.84 FT TO SLY LI SD LOT TH SLY AT ANG OF 0DEG06'37" TO LFT FRM LAST DESC CRSE 16.46 FT NELY COR LOT 4 SD BLKTH CONT SLY AT ANG OF 0DEG03'46" TO RT FRM LAST DESC CRSE AL ELY LI SD LOT 4 23.18 FT TH CONT SLY ANG OF 0DEG01'12" TO LFT FRM LAST DESC CRSE AL E LI SD LOT4 46.66 FT TH WLY AT ANG OF 90DEG13'25" TO RT FRM LAST DESC CRSE 66.03 FT TO LI COMM TO LOTS 4&5 TH CONT WLY AL PROLONG- ATION OF LAST DESC CRSE 9.37FT TH NELY AT ANG OF 91DEG18'40" TO RT FRM LAST DESC CRSE 73.97FT TO NWLY LI LOT 5 SD BLK TH NELY AT ANG OF 57DEG12'01" TO RT FRM LAST DESC CRSE AL NWLY LI SD LOT 5 THE NWLY END OF ALLEY & NWLY LI LOT 1 85.94 FT TO POB BEING PT OF LOTS 1,4,&5 BLK 12 ORIGINAL PLAT OF VILL OF CX

Block and lot number: 306 Park Avenue

Dimensions of parcel: Legal information: BEG AT SE COR LOT 5 BLK 12 ORIGINAL PLATOF VILL OF CHX TH WLY AL SLY LI SD LOT & SLY LI LOT 6 70.20 FT TH NLY AT ANG OF 83 DEG 38' 49" TO RT FRM LAST DESC 22.2 FT TH NWLY AT ANG OF 20 DEG 44'46" TO LFT FRM LAST DESC CRSE 43.9 FT TH NWLY AT ANG OF 15 DEG 06'40" TO LFT FRM LAST DESC CRSE 40.19 FT TO NWLY LI LOT 6 TH NELY AT ANG OF 100 DEG 41'30" TO RT FRM LAST DESC CRSE AL NWLY LI LOTS 5 & 6 130.88 FT TH SWLY AT ANG OF 122 DEG 47' 59" TO RT FRM LAST DESC CRSE 73.97 FT THELY AT ANG OF 91 DEG 18'40" TO LFT FRM LAST DESC CRSE 9.37 FT TO ELY LI SD LOT 5 TH SLY AT ANG OF 89 DEG 46'57" TO RT FRM LAST DESC CRSE AL ELY LI SD LOT 85.39 FT TO POB BEING PART OF LOTS 5&6 ORIGINAL PLAT OF VILL OF CHX

Block and lot number: 308 Park Avenue

Dimensions of parcel: Legal information: COM AT SE COR LOT 5 BLK 12 ORIGINAL PLATOF VIL OF CHX TH WLY AL SLY LI LOT 5 & 6 70.20 FT FOR POB TH CONT WLY AL PROLONGATION OF LAST DESC CRSE AL SLY LI SD LOT 6 57.17 FT TH NLY AT ANG OF 82DEG 54' 50" TO RT FRM LAST DESC CRSE 27.73 FT TH NWLY AT ANG OF 5 DEG 06' 17"TO LFT FRM LAST DESC CRSE 51.10 FT TO NWLY LI SD LOT 6 TH NELY AT ANG OF 70 DEG 40' 20" TO RT FRM LAST DESC CRSE AL NWLY LI SD LOT 6 25.72 FT TH SELY AT ANGOF 79 DEG 18' 30" TO RT FRM LAST DESC CRSE 40.19 FT TH SELY AT ANG OF 15 DEG 06' 40" TO RT FRM LAST DESC CRSE 43.9 FT TH SLY AT ANG OF 20 DEG 44'46" TO RT FRM LAST DESC CRSE 22.2 FT TO POB BEING PART OF LOT 6 BLK 12 ORIGINAL PLAT OF VILL OF CHX

Block and lot number: 310 Park Avenue

Dimensions of parcel: Legal information: COM AT SE COR LOT 5 BLK 12 ORIGINAL PLATOF VILL OF CHX TH WLY AL S LI LOT 5 & 6 127.37FT FOR POB TH CONT WLY AL PROLONGATION OF LAST DESC CRSE AL S LI SD LOT 6 120.4FT TH NLY AT ANG 90DEG51'34" TO RT FRM LAST DESC CRSE 12.46FT TO NWLY LI SD LOT TH NELY AT ANG OF 57DEG38'19" TO RT FRM LAST DESC CRSE AL NWLY LI SD LOT 124.35FT TH SELY AT ANG OF 109 DEG19'40" TO RT FRM LAST DESC CRSE 51.1FT TH SLY AT ANG OF 5DEG06'17" TO RT FROM LAST DESC CRSE 27.73FT TO POB BEING PARTOF LOT 6 BLK 12 ORIGINAL PLAT OF VIL CX.

Block and lot number: 101 Grant Street and 103 Grant Street

Dimensions of parcel: Legal information: LOT 2 BLOCK 12 OF ORIGINAL PLAT OF CITY OFCHARLEVOIX

Block and lot number: 303 Clinton Street

Dimensions of parcel: Legal information: LOT 3 OF BLOCK 12 OF ORIGINAL PLAT OF CITY OF CHARLEVOIX EX:N 22 FT

Block and lot number: 305 Clinton Street

Dimensions of parcel: Legal information: BEG AT SE COR LOT 4 BLK 12 ORIGINAL PLATOF VILL OF CHX TH WLY AL SLY LI SD LOT 66 FT TO SW COR SD LOT TH NLY AT ANG OF 89DEG45'09" TO RT FRM LAST DESC CRSE AL W LI SD LOT 85.39 FT TH ELY AT ANG OF

90DEG13'03" TO RT FRM LAST DESC CRSE 66.03 FT TO E LI SD LOT TH SLY AT ANG OF 89DEG48'28" TO RT FRM LAST DESC CRSE AL E LI SD LOT 85.43 FT TO POB BEING PT OF LOT 4BLK 12 ORIGINAL PLAT OF VILL OF CHX

Block and lot number: 316 Park Avenue
 Dimensions of parcel: Legal information: LOT 9 OF BLK 13 OF ORIGINAL PLAT OF CITYOF CHARLEVOIX ALSO N1/2 OF VACATED ALLEY ABUTTING SD LOT AS RECD L348P715 CX R/D

Section 2 SEVERABILITY

No other portion, paragraph or phase of the Code of the City of Charlevoix, Michigan shall be affected by this Ordinance except as to the above sections, and in the event any portion, section or subsection of this Ordinance shall be held in valid for any reason, such invalidation shall not be construed to affect the validity of any other part of portion of this ordinance or of the Code of the City of Charlevoix, Michigan.

Section 3 EFFECTIVE DATE

This Ordinance shall be effective thirty (30) days from the date of adoption and shall be published as required by the Charter of the City of Charlevoix.

Ordinance No. 778 was adopted on the 18th day of April, 2016 A.D., by the Charlevoix City Council as follows:

Motion by: Councilmember Kurtz
 Seconded by: Councilmember Gibson

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

State of Michigan)
) ss
 City of Charlevoix)

 Joyce M. Golding Clerk Gabe Campbell Mayor

XI. Miscellaneous Business

Mayor Campbell suggested that a 10' x 10' sign should be placed on Grant Street at the entrance to Michigan Beach Park that prohibits the cutting of trees. He would like to include this topic on the next meeting's agenda.

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

None.

XIII. Adjourn

Motion by Councilmember Hagen, second by Councilmember Gibson, to adjourn. Motion passed by unanimous voice vote. Meeting adjourned at 7:56 p.m.

 Joyce M. Golding City Clerk Gabe Campbell Mayor

Regular Accounts Payable – 04/19/2016

ACE HARDWARE	1,838.50	AVFUEL CORPORATION	31,147.51
AMERICAN TOTAL SECURITY INC	188.00	B & L SOUND INC	401.89
AMERICAN WASTE INC.	2,015.96	BC PIZZA	60.95
APX INC.	102.41	BELL EQUIPMENT COMPANY	172.79
ARCADIA BENEFITS GROUP INC	25.00	BRADFORD'S	32.50
ARROW UNIFORM-TAYLOR L.L.C.	1,299.22	BRIAN DIXON PAINTING	2,260.00
AT&T	2,550.30	CARQUEST OF CHARLEVOIX	726.69
AUTO VALUE	445.19	CERILLIANT	359.96

CHARLEVOIX COUNTY FIRE	50.00	MINE SAFETY APPLIANCES CO. LLC	650.00
CHARLEVOIX DISTRICT LIBRARY	10,000.00	MMS CO LLC	557.65
CHARLEVOIX SCREEN MASTERS INC	300.00	NORTHERN CREDIT BUREAU	665.90
CHARLEVOIX STATE BANK	70.00	NORTHERN LAKES	40.00
CHARLEVOIX TOWNSHIP	16.79	NORTHERN MICHIGAN REVIEW INC.	2,315.28
CHARTER COMMUNICATIONS	1,075.50	NORTHERN PUMP & WELL	3,495.00
CINTAS CORPORATION	64.66	NORTHERN PUMP SERVICE INC.	2,162.84
CINTAS CORPORATION #729	41.37	OLD DOMINION BRUSH	630.52
CITY OF CHARLEVOIX - UTILITIES	36,670.28	OLESON'S FOOD STORES	30.25
COCA-COLA REFRESHMENTS	318.66	ORBAN, BARBARA	14.00
CROSS CUT CONCRETE CUTTING	375.90	OVERHEAD DOOR COMPANY	75.64
DITCH WITCH SALES OF MICHIGAN	2,702.80	PATRICK, SABRINA	75.00
DXE MEDICAL INC	303.50	PERFORMANCE ENGINEERS INC	11,743.88
ETNA SUPPLY	840.00	PHYSIO-CONTROL INC.	417.84
FAMILY FARM & HOME	267.85	POLYDYNE INC	379.50
FASTENAL COMPANY	259.25	POWER LINE SUPPLY	5,545.30
FISHER SCIENTIFIC	716.81	PRESTON FEATHER	252.99
FISHER, HOLLY	75.00	PURITY CYLINDER GASES INC	321.26
FLETCH'S	142.15	RANGE TELECOMMUNICATIONS	114.00
FREEDOM MAILING SERVICES INC.	2,244.89	RESCO	844.48
GBS INC.	172.46	SAYLOR, JESSICA	75.00
GOLDING, JOYCE	225.84	SEARS COMMERCIAL ONE	19.99
HANKINS, SCOTT	41.00	SHARROW MASONRY INC	1,945.00
HEID, THOMAS J.	58.32	SMITH, MARY	75.00
HEIGHTS MACHINERY	566.61	SOUTH ARM CONSTRUCTION LLC	13,110.00
HELLEBUYCK DRYWALL	3,500.00	SPARTAN DISTRIBUTORS INC	5,860.00
HYDRO CORP	515.00	STATE OF MICHIGAN	115.00
IDEXX DISTRIBUTION INC.	1,074.57	SYSTEMS SPECIALISTS INC	1,200.00
JACK DOHENY SUPPLIES INC	6,492.67	TERMINAL SUPPLY CO	368.39
KANTOLA, ANNE	55.00	TRUCK & TRAILER SPECIALTIES	242.66
KMart	259.43	UNITED HEALTHCARE SERVICES INC.	571.70
KSS ENTERPRISES	342.71	USA BLUE BOOK	681.51
MATELSKI, KIM	14.00	ZOLL MEDICAL CORPORATION	808.50
MCCARDEL CULLIGAN-PETOSKEY	50.00		
MICHIGAN OFFICEWAYS INC	1,009.98	TOTAL	169,943.95

ACH Payments – 04/04/2016 – 04/11/2016

MI PUBLIC POWER AGENCY	25,642.47	VANTAGEPOINT (401 ICMA PLAN)	687.59
PAYMENT SERVICE NETWORK	238.50	VANTAGEPOINT (457 ICMA PLAN)	13,552.26
IRS (PAYROLL TAX DEPOSIT)	34,919.11	STATE OF MI (SALES TAX)	19,287.74
ALERUS FINANCIAL (HCSP)	420.00	MI PUBLIC POWER AGENCY	34,270.71
STATE OF MI (WITHOLDING TAX)	4,714.12	TOTAL	133,732.50

PAYROLL: NET PAY

Pay Period Ending 04/02/2016 – Paid 04/08/2016

CAMPBELL, GABRIEL M.	828.84	ORBAN, BARBARA K.	1,367.94
GIBSON, SHIRLEY J.	554.47	TRAEGER, JASON A.	1,334.22
PERRON, LEON R.	483.01	FLICKEMA, ANDREW M.	1,507.78
KURTZ, LUTHER J.	385.56	MATELSKI, KIMBERLY A.	1,098.71
SUPERNAW, WILLIAM J.	339.38	ROLOFF, ROBERT P.	1,646.56
HAGEN, AARON W.	350.93	RILEY, DENISE M.	411.34
WELLER, LINDA JO	1,631.90	LOPER II, GARY D.	357.46
HEYDLAUFF, MARK L.	2,367.61	WURST, RANDALL W.	1,351.74
GOLDING, JOYCE M.	1,061.96	MAYER, SHELLEY L.	1,444.31
DEROSIA, PATRICIA E.	878.25	HILLING, NICHOLAS A.	1,274.29
DOYLE, ANNE E.	1,364.90	MEIER III, CHARLES A.	1,691.87
LOY, EVELYN R.	1,029.15	ZACHARIAS, STEVEN B.	1,153.76
KLOOSTER, ALIDA K.	1,640.39	NISWANDER, JOSEPH F.	5,411.98
GOLOVICH, KAREN J.	985.42	EATON, BRAD A.	1,703.20
SPENCLEY, PATRICIA L.	1,219.79	WILSON, TIMOTHY J.	2,213.61
PANOFF, ZACHARY R.	1,028.48	LAVOIE, RICHARD L.	1,914.00
MILLER, FAITH G.	55.91	STEVENS, BRANDON C.	1,852.90
LEESE, MERRI C.	253.22	DRAVES, MARTIN J.	1,775.24
MCGINN, KELLY A.	1,460.00	BROWN, STEPHANIE C.	1,070.47
DOAN, GERARD P.	1,519.27	ELLIOTT, PATRICK M.	1,761.19
SCHLAPPI, JAMES L.	1,102.41	SCHWARTZFISHER, JOSEPH L.	1,184.88
UMULIS, MATTHEW T.	1,512.21	WELLS JR., DONALD E.	5,945.64
HANKINS, SCOTT A.	1,468.84	BRADLEY, KELLY R.	1,265.12

JONES, ROBERT F.	1,277.51	DOAN, GERARD P.	181.89
DORAN, JUSTIN J.	1,804.20	HANKINS, SCOTT A.	175.35
KIRINOVIC, THOMAS F.	588.98	ROLOFF, ROBERT P.	291.80
BITELY, KATHERINE A.	431.47	NISWANDER, JOSEPH F.	1,513.45
BERTINELLI, DAVID P.	459.61	SWEM, DONALD L.	1,794.47
BOSS, BEAU J.	219.51	WHITLEY, ANDREW T.	2,210.69
HEID, THOMAS J.	1,247.00	MORRISON, KEVIN P.	1,295.18
MYER, ELIZABETH A.	1,855.74	HODGE, MICHAEL J.	1,355.80
VANLOO, JOSEPH G.	636.75	WELLS JR., DONALD E.	3,903.78
WYMAN, MATTHEW A.	940.11	JOHNSON, STEVEN P.	1,178.59
SCHRADER, LOU ANN	472.05	BOSS JR, DALE E.	1,116.49
BOSS, RYDER S.	359.28	HOLM, ARTHUR R.	160.15
MILLER, WILLIAM S.	1,173.97	STEPHAN, MARY ANN	16.00
COLE, SHANE	593.34	TOTAL	91,513.27

PAYROLL: TRANSMITTAL – 04/08/2016

4FRONT CREDIT UNION	248.46	COMMUNICATION WORKERS OF AMER	489.93
AMERICAN FAMILY LIFE	166.74	MI STATE DISBURSEMENT UNIT	627.13
AMERICAN FAMILY LIFE	379.74	POLICE OFFICERS LABOR COUNCIL	201.00
CHAR EM UNITED WAY	56.00	PRIORITY HEALTH	1,858.52
CHARLEVOIX STATE BANK	1,286.16	TOTAL	5,463.68
CHEMICAL BANK	150.00		

Check Number	Payee	Amount
04/21/2016		
116510	AT&T LONG DISTANCE	39.88
116511	CHARLEVOIX STATE BANK	5,526.41
116512	DELTA DENTAL	3,756.80
116513	GREAT LAKES ENERGY	294.65
116514	METLIFE SMALL BUSINESS CENTER	705.61
116515	PRIORITY HEALTH	38,800.78
116516	STATE OF MICHIGAN	100.00
116517	VERIZON WIRELESS	56.72
116518	VISION SERVICE PLAN	495.36
Total 04/21/2016:		49,776.21
Grand Totals:		49,776.21

Summary of Check Registers & ACH Payments

FIRSTMERIT BANK - CHECKS ISSUED

04/21/16 Special Accounts Payable Run	\$	49,776.21
04/22/16 Payroll	\$	76,476.99
04/22/16 Payroll Transmittal Checks	\$	5,287.61
05/03/16 Regular Accounts Payable	\$	67,859.93
Checks Sub-Total:	\$	199,400.74

FIRSTMERIT BANK - ACH PAYMENTS

04/18/16 MI Public Power Agency	\$	35,564.66
04/19/16 DTE Energy	\$	7,161.30
04/22/16 IRS (Payroll Tax Deposit)	\$	30,340.14
04/22/16 Alerus Financial (HCSP)	\$	420.00
04/22/16 State of MI (Withholding Tax)	\$	4,319.77
04/22/16 Vantagepoint (401 ICMA Plan)	\$	699.94
04/22/16 Vantagepoint (457 ICMA Plan)	\$	12,391.23
04/22/16 Vantagepoint (Roth IRA)	\$	261.53
04/22/16 MERS (Defined Benefit Plan)	\$	29,163.78
04/22/16 DeVere Construction Company	\$	251,080.84
04/25/16 MI Public Power Agency	\$	237,685.49
04/22/16 MI Public Power Agency	\$	29,402.29

ACH Sub-Total: \$ 638,490.97

First Merit Bank Total: \$ 837,891.71

CHARLEVOIX STATE BANK - CHECKS ISSUED

(PROPERTY TAX DISBURSEMENT TO VARIOUS TAXING AUTHORITIES)

05/03/16 Tax Disbursement	\$	729.74
Charlevoix State Bank Total:	\$	729.74

Grand Total: \$ 838,621.45

APPROVED:


CITY MANAGER


CITY TREASURER


CITY CLERK

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
04/16/2016	PC	04/22/2016	21147	WELLER, LINDA JO	101		1,481.58
04/16/2016	PC	04/22/2016	21148	HEYDLAUFF, MARK L.	102		2,118.60
04/16/2016	PC	04/22/2016	21149	GOLDING, JOYCE M.	106		1,082.62
04/16/2016	PC	04/22/2016	21150	DEROSIA, PATRICIA E.	107		894.15
04/16/2016	PC	04/22/2016	21151	DOYLE, ANNE E.	108		1,387.69
04/16/2016	PC	04/22/2016	21152	LOY, EVELYN R.	117		1,029.15
04/16/2016	PC	04/22/2016	21153	KLOOSTER, ALIDA K.	121		1,554.10
04/16/2016	PC	04/22/2016	21154	GOLOVICH, KAREN J.	122		985.42
04/16/2016	PC	04/22/2016	21155	SPENCLEY, PATRICIA L.	136		1,249.37
04/16/2016	PC	04/22/2016	21156	PANOFF, ZACHARY R.	141		1,180.04
04/16/2016	PC	04/22/2016	21157	MILLER, FAITH G.	142		111.83
04/16/2016	PC	04/22/2016	21158	LEESE, MERRI C.	145		262.02
04/16/2016	PC	04/22/2016	21159	MCGINN, KELLY A.	146		1,492.91
04/16/2016	PC	04/22/2016	21160	DOAN, GERARD P.	201		1,558.33
04/16/2016	PC	04/22/2016	21161	SCHLAPPI, JAMES L.	204		956.47
04/16/2016	PC	04/22/2016	21162	UMULIS, MATTHEW T.	205		1,219.71
04/16/2016	PC	04/22/2016	21163	HANKINS, SCOTT A.	208		1,494.68
04/16/2016	PC	04/22/2016	21164	ORBAN, BARBARA K.	209		1,355.76
04/16/2016	PC	04/22/2016	21165	TRAEGER, JASON A.	210		1,098.76
04/16/2016	PC	04/22/2016	21166	FLICKEMA, ANDREW M.	211		1,241.80
04/16/2016	PC	04/22/2016	21167	MATELSKI, KIMBERLY A.	212		1,118.59
04/16/2016	PC	04/22/2016	21168	ROLOFF, ROBERT P.	304		3,327.37
04/16/2016	PC	04/22/2016	21169	RILEY, DENISE M.	306		418.25
04/16/2016	PC	04/22/2016	21170	LOPER II, GARY D.	308		906.09
04/16/2016	PC	04/22/2016	21171	WURST, RANDALL W.	411		1,317.21
04/16/2016	PC	04/22/2016	21172	MAYER, SHELLEY L.	412		1,486.95
04/16/2016	PC	04/22/2016	21173	HILLING, NICHOLAS A.	413		1,266.18
04/16/2016	PC	04/22/2016	21174	MEIER III, CHARLES A.	421		1,244.18
04/16/2016	PC	04/22/2016	21175	ZACHARIAS, STEVEN B.	422		1,479.08
04/16/2016	PC	04/22/2016	21176	EATON, BRAD A.	515		1,771.19
04/16/2016	PC	04/22/2016	21177	WILSON, TIMOTHY J.	516		1,962.89
04/16/2016	PC	04/22/2016	21178	LAVOIE, RICHARD L.	519		1,662.97
04/16/2016	PC	04/22/2016	21179	STEVENS, BRANDON C.	521		1,821.51
04/16/2016	PC	04/22/2016	21180	DRAVES, MARTIN J.	523		1,703.08
04/16/2016	PC	04/22/2016	21181	BROWN, STEPHANIE C.	524		1,020.24
04/16/2016	PC	04/22/2016	21182	ELLIOTT, PATRICK M.	600		1,961.37
04/16/2016	PC	04/22/2016	21183	SCHWARTZFISHER, JOS	603		984.13
04/16/2016	PC	04/22/2016	21184	BRADLEY, KELLY R.	614		1,363.14
04/16/2016	PC	04/22/2016	21185	HART II, DELBERT W.	616		821.21
04/16/2016	PC	04/22/2016	21186	JONES, ROBERT F.	618		1,375.70
04/16/2016	PC	04/22/2016	21187	DORAN, JUSTIN J.	621		1,203.59
04/16/2016	PC	04/22/2016	21188	MANKER JR, DAVID W.	638		24.94
04/16/2016	PC	04/22/2016	21189	HAWKINS, JAMES S.	662		39.65
04/16/2016	PC	04/22/2016	21190	MCGHEE, ROBERT R.	663		419.47
04/16/2016	PC	04/22/2016	21191	KIRINOVIC, THOMAS F.	700		312.79
04/16/2016	PC	04/22/2016	21192	BITELY, KATHERINE A.	704		433.30
04/16/2016	PC	04/22/2016	21193	MILAN, JANE E.	711		420.10
04/16/2016	PC	04/22/2016	21194	HEID, THOMAS J	802		1,272.04
04/16/2016	PC	04/22/2016	21195	LEESE, ALAN K.	835		398.03
04/16/2016	PC	04/22/2016	21196	DAVIS, RONALD L.	853		115.02
04/16/2016	PC	04/22/2016	21197	DAKROUB, JOSEPH E.	860		106.78
04/16/2016	PC	04/22/2016	21198	MASSON, DONALD J.	861		231.10
04/16/2016	PC	04/22/2016	21199	MYER, ELIZABETH A.	900		1,653.03
04/16/2016	PC	04/22/2016	21200	VANLOO, JOSEPH G.	902		613.18
04/16/2016	PC	04/22/2016	21201	WYMAN, MATTHEW A.	927		1,006.89
04/16/2016	PC	04/22/2016	21202	SCHRADER, LOU ANN	929		467.36
04/16/2016	PC	04/22/2016	21203	BOSS, RYDER S.	932		294.85

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
04/16/2016	PC	04/22/2016	21204	MILLER, WILLIAM S.	933		960.02
04/16/2016	PC	04/22/2016	21205	FUNKEY, KRAIG R.	1034		92.35
04/16/2016	PC	04/22/2016	21206	MEGGISON, JERRY B.	1036		87.66
04/16/2016	PC	04/22/2016	21207	RILEY, CASEY W.	1052		406.82
04/16/2016	PC	04/22/2016	21208	JONES, LARRY M.	1057		1,242.91
04/16/2016	PC	04/22/2016	21209	WILLSON, BRENDA R.	1059		153.29
04/16/2016	PC	04/22/2016	21210	BEAN, PETER J.	1060		338.95
04/16/2016	PC	04/22/2016	21211	OCHS, THOMAS F.	1068		30.01
04/16/2016	PC	04/22/2016	21212	TRAVERS, MANUEL J.	1071		453.32
04/16/2016	PC	04/22/2016	21213	RILEY, DANIEL A.	1079		542.41
04/16/2016	PC	04/22/2016	116491	SWEM, DONALD L.	512		1,833.28
04/16/2016	PC	04/22/2016	116492	WHITLEY, ANDREW T.	522		1,603.09
04/16/2016	PC	04/22/2016	116493	MORRISON, KEVIN P.	601		1,255.24
04/16/2016	PC	04/22/2016	116494	HODGE, MICHAEL J.	606		1,284.79
04/16/2016	PC	04/22/2016	116495	JOHNSON, STEVEN P.	617		1,271.07
04/16/2016	PC	04/22/2016	116496	GILL, DAVID R.	856		968.20
04/16/2016	PC	04/22/2016	116497	TODD, RICHARD D.	859		191.89
04/16/2016	PC	04/22/2016	116498	STEVENS, JEFFREY W.	1028		420.16
04/16/2016	PC	04/22/2016	116499	ROLOFF, AUDREY M.	1037		1,501.43
04/16/2016	PC	04/22/2016	116500	MATTER, DAWSON K.	1038		26.42
04/16/2016	PC	04/22/2016	116501	SCOTT JR., WINFIELD	1072		35.24
Grand Totals:			78				76,476.99

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
04/16/2016	04/22/2016	116502	4FRONT CREDIT UNION	9024	HSA-EMPLOYEE CONTRIB-4FR	248.46
04/16/2016	04/22/2016	116503	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-POST	166.74
04/16/2016	04/22/2016	116503	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-PRETA	379.74
04/16/2016	04/22/2016	116504	CHAR EM UNITED WAY	9009	UNITED WAY Pay Period: 4/16/2	56.00
04/16/2016	04/22/2016	116505	CHARLEVOIX STATE BA	9017	HSA - EMPLOYEE CONTRIB - C	1,286.16
04/16/2016	04/22/2016	116506	CHEMICAL BANK	9018	HSA - EMPLOYEE CONTRIB - C	150.00
04/16/2016	04/22/2016	116507	COMMUNICATION WORK	9004	CWA UNION DUES Pay Period:	489.93
04/16/2016	04/22/2016	116508	MI STATE DISBURSEME	9012	FRIEND OF THE COURT Pay P	652.06
04/16/2016	04/22/2016	116509	PRIORITY HEALTH	392358	PRIORITY HEALTH Pay Period:	1,858.52
Grand Totals:		9				5,287.61



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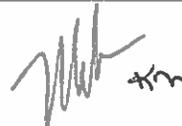
Check Number	Payee	Amount
05/03/2016		
116519	ABILITA	292.50
116520	AIRGAS USA LLC	58.43
116521	ALEXANDER, TOM	300.00
116522	ALL-PHASE ELECTRIC SUPPLY CO.	546.32
116523	ALTEC INDUSTRIES INC	337.50
116524	AVFUEL CORPORATION	2,270.00
116525	BARRETT'S AUTO & MARINE TRIM	430.00
116526	BELLEROC TIRE/GAYLORD	295.00
116527	BOSS, KEN	8.50
116528	CANNON EQUIPMENT	54.71
116529	CHANNING BETE COMPANY INC.	540.37
116530	CHARLEVOIX DISTRICT LIBRARY	70.00
116531	CHARLEVOIX GLASS INC.	230.64
116532	CHARLEVOIX SCREEN MASTERS INC	461.00
116533	CHARLEVOIX TOWNSHIP	15.23
116534	CHESAPEAKE GROUP INC.	4,400.00
116535	CINTAS CORPORATION #729	118.23
116536	CITY OF CHARLEVOIX - PETTY CASH	264.00
116537	CLOTHING COMPANY, THE	1,905.00
116538	DCASSESSING SERVICES	4,371.08
116539	DELL MARKETING L P	1,567.55
116540	DeROSIA, PATTY	41.00
116541	DITCH WITCH SALES OF MICHIGAN	26.34
116542	DOAN, GERARD	41.00
116543	DOYLE, ANNIE	41.00
116544	ELECTION SYSTEMS & SOFTWARE	31.60
116545	ELHORN ENGINEERING COMPANY	942.10
116546	ELLIOTT, PATRICK M.	41.00
116547	ELLSWORTH FARMER'S EXCHANGE	366.01
116548	EVANS, HAL	41.00
116549	FASTENAL COMPANY	40.07
116550	FREIDINGER, REED	33.00
116551	GEMPLER'S	519.15
116552	GOLDING, JOYCE	41.00
116553	GORDON FOOD SERVICE	212.95
116554	GOVERNMENT FINANCE	160.00
116555	GRAINGER	448.09
116556	GREAT LAKES PIPE & SUPPLY	110.20
116557	HACH COMPANY	1,190.10
116558	HANKINS, SCOTT	223.00
116559	HARRELL'S	290.00
116560	HEID, THOMAS J.	41.00
116561	HELNER, JOHN	12.81
116562	HEYDLAUFF, MARK L	41.00
116563	HYDE SERVICES LLC	332.57
116564	INDEPENDENT DRAFTING SERVICES	1,225.00
116565	JONES & JONES GARAGE DOOR SVC	434.40
116566	KIRINOVIC, THOMAS	41.00

Check Number	Payee	Amount
116567	KIWANIS CLUB OF CHARLEVOIX	39.00
116568	KLOOSTER, ALIDA K.	41.00
116569	KSS ENTERPRISES	705.99
116570	LALONDE, GEORGE	38.50
116571	MASSON, DONALD J.	132.24
116572	MATELSKI, KIM	14.00
116573	MAYER, SHELLEY L.	41.00
116574	McGINN, KELLY	272.74
116575	METAL HEAD WELDING LLC	963.90
116576	MI-AWWA	155.00
116577	MICHIGAN WATER ENV ASSOC	200.00
116578	MYER, ELIZABETH A.	41.00
116579	N M A C P	50.00
116580	NORTHERN LAKES	60.00
116581	NORTHERN PUMP SERVICE INC.	3,908.23
116582	OLSON BZDOK & HOWARD	1,066.60
116583	ORBAN, BARBARA	14.00
116584	OTEC	1,591.25
116585	OVERHEAD DOOR COMPANY	675.00
116586	PANOFF, ZACH	41.00
116587	PARASTAR INC.	723.06
116588	PLUNKETT & COONEY	582.63
116589	PRO WEB MARKETING LLC	50.00
116590	PURITY CYLINDER GASES INC	49.15
116591	QUILL CORP	716.67
116592	REHMANN-ROBSON & CO	11,483.20
116593	ROLOFF, ROBERT	41.00
116594	SHORELINE POWER SERVICES INC.	634.50
116595	SPARTAN DISTRIBUTORS INC	137.18
116596	STATE OF MICHIGAN	14,723.17
116597	SUPERIOR MECHANICAL	556.93
116598	SWEM, DONALD L.	41.00
116599	TERMINAL SUPPLY CO	35.58
116600	TRI-TURF	188.89
116601	UNITED STATES PLASTIC CORP.	259.15
116602	UP NORTH PROPERTY SERVICES LL	434.00
116603	USA BLUE BOOK	308.23
116604	WELLER, LINDA	41.00
116605	WHARFSIDE ENT. LTD.	1,100.00
116606	WILMOT ELECTRIC INC	119.69
116607	WURST, RANDALL W.	41.00
116608	WYMAN, MATTHEW A.	41.00
Total 05/03/2016:		67,859.93
Grand Totals:		67,859.93

Check Number	Payee	Amount
04/18/2016		
41816001	MICHIGAN PUBLIC POWER AGENCY	35,564.66
Total 04/18/2016:		35,564.66
Grand Totals:		35,564.66

Check Number	Payee	Amount
04/19/2016		
41916001	DTE ENERGY	7,161.30
Total 04/19/2016:		7,161.30
Grand Totals:		7,161.30

Check Issue Date	Check Number	Payee	Amount
42216001			
04/22/2016	42216001	**EFTPS* Payroll Taxes	7,349.43
04/22/2016	42216001	**EFTPS* Payroll Taxes	7,349.43
04/22/2016	42216001	**EFTPS* Payroll Taxes	1,718.85
04/22/2016	42216001	**EFTPS* Payroll Taxes	1,718.85
04/22/2016	42216001	**EFTPS* Payroll Taxes	12,203.58
Total 42216001:			
	5		30,340.14
42216002			
04/22/2016	42216002	Alerus Financial	420.00
Total 42216002:			
	1		420.00
42216003			
04/22/2016	42216003	STATE OF MICHIGAN	4,319.77
Total 42216003:			
	1		4,319.77
42216004			
04/22/2016	42216004	Vantagepoint - 401 Plan 109153	699.94
Total 42216004:			
	1		699.94
42216005			
04/22/2016	42216005	Vantagepoint - 457 Plan 300959	4,960.03
04/22/2016	42216005	Vantagepoint - 457 Plan 300959	548.30
04/22/2016	42216005	Vantagepoint - 457 Plan 300959	1,717.76
04/22/2016	42216005	Vantagepoint - 457 Plan 300959	5,165.14
Total 42216005:			
	4		12,391.23
42216006			
04/22/2016	42216006	Vantagepoint - Roth IRA 706117	261.53
Total 42216006:			
	1		261.53
Grand Totals:			
	13		48,432.61



Check Number	Payee	Amount
04/22/2016		
42216007	MERS	29,163.78
42216008	DEVERE CONSTRUCTION COMPANY	251,080.84
Total 04/22/2016:		280,244.62
Grand Totals:		280,244.62

Check Number	Payee	Amount
04/25/2016		
42516001	MICHIGAN PUBLIC POWER AGENCY	237,685.49
42516002	MICHIGAN PUBLIC POWER AGENCY	29,402.29
Total 04/25/2016:		<u>267,087.78</u>
Grand Totals:		<u><u>267,087.78</u></u>

Check Number	Payee	Amount
05/03/2016		
2730	CHARLEVOIX COUNTY TREASURER	436.84
2731	CHARLEVOIX DISTRICT LIBRARY	165.24
2732	CITY OF CHARLEVOIX - TAXES DUE	97.54
2733	RECREATIONAL AUTHORITY	30.12
Total 05/03/2016:		729.74
Grand Totals:		729.74

CHECKS DRAWN ON CHARLEVOIX STATE BANK ACCOUNT

MAYORAL PROCLAMATION

WHEREAS, the visitors and citizens of Charlevoix have been entertained by the Charlevoix City Band for decades; and

WHEREAS, the Charlevoix City Band will be providing its musical programs in East Park's Clarence Odmark Performance Pavilion for eight Tuesday evenings again this Summer; and

WHEREAS, the Charlevoix City Council wishes to congratulate the Charlevoix City Band for receiving the Sudler Silber Scroll Historic Award;

BE IT SO RESOLVED THAT THE MAYOR OF THE CITY OF CHARLEVOIX, hereby expresses his appreciation to the members of the Charlevoix City Band and its director Gary Stutzman for their talent and dedication in making Charlevoix's downtown alive with music.

**Gabe Campbell,
City of Charlevoix**

**Mayor
May 2, 2016**

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Consideration to Approve a Concession Agreement with Jack and Annie Russell

DATE: May 2, 2016

PRESENTED BY: Tom Kirinovic, Recreation Director

ATTACHMENTS: Concession Agreement

BACKGROUND INFORMATION: Jack and Annie Russell have had concession agreements for Lake Michigan Beach, Ferry Beach, and Carpenter Street Ball Field concession stands. The Russell's are again pursuing a concession agreement with the City. The proposed concession agreement will take effect May 15, 2016 and conclude November 14, 2019. The days and hours of operation will be set forth at the discretion of the concessionaire with discussion with the Recreation Director. The concessionaire will be responsible for buying a business license at the time of signing the concession agreement. The Russell's will be responsible for providing monthly rent payments and they will be responsible for all costs associated with propane/gas. The electric and water for the concession stands shall be provided by the City. Concession stands provide a public service to visitors and residents.

RECOMMENDATION:

Move to approve the concession stand agreement with Jack and Annie Russell to operate the Lake Michigan Beach, Ferry Beach, and the Carpenter Street Ball Field Concessions (contingent upon receipt of liability insurance validation, purchase of a business license) and authorize the City Manager to sign the concession agreement.

CONCESSION AGREEMENT

AGREEMENT is made this _____ day of _____, 2016 between the CITY OF CHARLEVOIX, a Michigan municipal corporation (the "City"), of 210 State Street, Charlevoix, Michigan 49720, and Jack and Annie Russell ("Concessionaire") PO Box 393, Charlevoix, Michigan 49720 as follows:

In consideration of Concessionaire's payment to the City of \$100 Business License fee at the time of signing this agreement, the City grants to Concessionaire the privilege and right of conducting concession sales within the concessions buildings on the grounds of Lake Michigan Beach, the Ferry Avenue Beach Park, and the Carpenter Avenue Ball fields. The Concessionaire shall pay the City \$300 per month, on the dates of June 15th, July 15th and August 15th for a total of \$900 for the time period. No other business is to be performed on the premises. The electric and water for the concession shall be paid by the City. The Concessionaire is responsible for paying all costs associated with any propane/gas.

1. The space presently set aside for concession sales at each of the venues mentioned above is not being leased to the Concessionaire. The Concessionaire is a licensee and not a lessee thereof. The Concessionaire's shall comply with all of the requirements of this Agreement. If the Concessionaire defaults in strict and prompt performance of any portion of this Agreement, in lieu of terminating this Agreement without cause upon 7 days notice as described below, the City may immediately or at any time after such default close up and take possession of said area designated for and presently utilized for concession sales at said beach concession and any improvements made thereon, and the license to Concessionaire shall be forfeited together with all privileges to occupy or use any part of said area.
2. Concessionaire shall have no authority whatsoever, nor any power to permit any other person or party to have any interest in or use any part of the premises, building space, or space covered by this concession for any purpose whatsoever. It is the purpose of this Agreement to grant said concession and privilege solely to the Concessionaire and neither directly nor indirectly to any other person or party.
3. Concessionaire shall supply and have ready for sale sufficient quantities of food and drink to satisfy the demands of the patrons of at all three venues mentioned previously. Hours of Operation will be mutually agreed upon between the Recreation Director on behalf of the City and the Concessionaire within the parameters as follows below for each venue:

LAKE MICHIGAN BEACH: beginning no earlier than May 15 and ending no later than October 1 the stand will open no later than 11:00 a.m. and close no later than 10:00 p.m. each business day.

FERRY AVENUE BEACH: beginning no earlier than May 15 and ending no later than October 1 the stand will open no later than 11:30 a.m. and close no later than 10:00 p.m. each business day.

CARPENTER STREET BALL FIELDS: beginning no earlier than June 1 and ending no later than November 14 the stand will be open as field usage and game times require.

Either party may terminate this Agreement without cause upon 7 days written notice to the other party. This Agreement, which includes the license granted by this Agreement, shall terminate on November 14, 2019.

4. It shall be the responsibility of the Concessionaire to maintain the premises in a clean and neat fashion, to assume maintenance of the grounds in the immediate area of the beach concession with respect to any paper, wrappings, or other evidence of concession sales and to insure the efficient operation of said concession by staffing with responsible employees. It shall be the duty of the Concessionaire to inspect the premises, including building, equipment, grounds and appurtenances and promptly report in writing to the City Manager or Street Superintendent any portion of the premises in need of repair.
5. Concessionaire, as well as any persons named above, shall be personally responsible for the management of said concession including but not limited to such important management functions as maintenance of inventory, security of premises, and designation of qualified and responsible employees of Concessionaire.
6. Concessionaire shall at their own cost and expense procure all necessary licenses and official permits necessary for carrying out the provisions of this Agreement, with the exception that the City of Charlevoix shall obtain the Michigan Public Health Department license and the Concessionaire shall comply with the terms of the Michigan Public Health Department license and the applicable sections of the Public Health Code during the term of this Agreement.
7. All notices and orders given to Concessionaire shall be served by delivering a copy thereof to them in person, or by leaving same addressed to Concessionaire at the Michigan Beach Concession Stand with any person then in charge of same.

8. Concessionaire shall conduct the business of Concession Sales at all times in a courteous, respectful and business-like manner, and the premises shall be kept in a neat, clean and sanitary manner.
9. The CITY OF CHARLEVOIX agrees that it will not, during the existence of this Agreement grant like or similar privileges hereby granted to any other person(s) or corporations to locate and/or operate at the Ferry Avenue Beach Concession area, Lake Michigan Beach Concession area, and the Carpenter Street Ball Fields Concession area with the exception that additional concessionaires will be permitted during the Venetian Festival week. Upon mutual agreement between the Concessionaire and the City Recreation Director, the City may provide alternative concessionaires to cover the Michigan Beach and Ferry Beach concessions areas. Any alternative concessionaire will not be able to utilize the concessions buildings at each beach.
10. Concessionaire shall not improve or alter the improvements set aside for concession sales at all Concessions Areas in any manner without the prior written consent of the Manager of the City of Charlevoix. All improvements or alterations so approved and erected or made on the premises shall belong to the City upon expiration or sooner termination of this Agreement.
11. The CITY OF CHARLEVOIX shall not be liable, and Concessionaire waives all claims, for injury or damage to persons or property sustained by Concessionaire or any occupant of the space presently set aside for concession sales at the Ferry Avenue Beach Concession and surrounding areas resulting from:
 - (A) Any part of the building, equipment, or appurtenances in the space set aside at the Concession Areas as afore described in need of repair, unless the Concessionaire has reported the need of repair as required by paragraph 4;
 - (B) Any injury or damage resulting directly or indirectly from any act or negligence of Concessionaire.
12. Concessionaire indemnifies the City against all liability, loss, costs, damage, or expense sustained by the City, including reasonable attorney fees and other expenses of litigation arising prior to the termination of this Agreement even if such claims are made after the termination of this Agreement:
 - (A) On account of or which relate to the Concessionaire's exercise of the rights and privileges granted in this Agreement; and/or
 - (B) Arising out of, or directly or indirectly due to, any failure of Concessionaire in any respect promptly and faithfully to satisfy their obligations under this Agreement.

This indemnification provision shall be effective regardless of whether such claims are proximately caused by an act or omission of the Concessionaire (such as a food-related illness that the Concessionaire asserts was caused by a supplier or other third party) and regardless of any such claims resulted from a wrongful act or omission of the Concessionaire. As used in this Agreement, "claims" include, but are not limited to any damage to real or personal property and the injury, illness or death of a person or animal.

13. The City shall not be responsible for any claims arising from any act or omission in connection with the Concessionaire's operation, management or maintenance of any equipment or facilities on the space set aside for concession sales at the Concession Stands. Concessionaire shall assume all of such liability and indemnify the City against any liability arising there from. The Concessionaire shall inspect all equipment owned by the City and which is being used by the Concessionaire and shall promptly notify the City in writing if any repairs are needed. If repairs are needed to any equipment, then such equipment shall not be used without written permission of the City until all repairs have been made.
14. The City shall have no obligation to issue a new license to Concessionaire or enter into a new agreement with Concessionaire in the future.
15. The Concessionaire shall under go a standard background check as is required by all City employees or volunteers who have contact with the public. If the results of that background check are unsatisfactory to the City, then City may terminate this contract immediately and without prior notice. This shall be in addition to the right of either party to terminate this contract as described in paragraph 3.
16. The Concessionaire shall not employ or accept the services of another person as a volunteer on the premises unless the person has been approved in advance by the City. Any person whom the Concessionaire proposes to perform services on the premises shall undergo a standard background check as is required by all City employees or volunteers who have contact with the public.
17. The City of Charlevoix owns a stove hood and an old cooler at the Ferry Beach Concession. In addition, the City will provide active internal phone lines at the Michigan Beach concessions stand and the Ferry Beach concession stand.

CITY OF CHARLEVOIX

Dated: _____

By: _____

Mark L. Heydaulff

Its: City Manager

CONCESSIONAIRE

Dated: _____

By: _____

By: _____

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Mt. McSauba Assistant Camp Director (Seasonal, Part-Time) Job Description

DATE: May 2, 2016

PRESENTED BY: Tom Kirinovic, Recreation Director

ATTACHMENT(S): Mt. McSauba Assistant Camp Director (Seasonal, Part-Time) Job Description

BACKGROUND INFORMATION: We are requesting the approval to create a part-time, seasonal Assistant Camp Director job description. This position will assist our Camp Director with oversight of Camp McSauba and extended day camp activities.

RECOMMENDATION: Move to approve the Mt. McSauba Assistant Camp Director (Seasonal, Part-Time) Job Description as presented.

CITY OF CHARLEVOIX

Title: Mt. McSauba Assistant Camp Director **FLSA:** Exempt, Salaried
STATUS: Part-time, Seasonal Summer

Department: Recreation

Reports To: Mt. McSauba Camp Director

Date: May 2, 2016

Position Purpose and Objectives

Assist the Camp Director with oversight of Camp McSauba to ensure that it is operational and safe for all campers. Assist with the creation, coordination, and implementation of a variety of programs suitable for day camp participants. Supervise all camp staff to ensure that they are fulfilling job responsibilities and maintaining a safe environment.

Scope/Environment

Works under the general supervision of the Camp Director and exercises day-to-day supervision, as needed, over approximately seven camp counselors. Directs weekly summer camp and extended day camp activities that include swimming, field sports, and arts and crafts on the lakefront property. Works in all types of summer weather.

Essential Job Functions

- Assist in directing day-to-day operations of camp.
- Assist in coordination and implementation of a variety of programs including physical fitness activities, the arts, nature education, and other activities that maintain the children's interests and broaden their knowledge.
- Assist with the implementation and enforcement of safety standards.
- Supervise personnel on day-to-day basis as needed.
- Resolve problems and keep superiors apprised of incidents, etc.
- Assist in covering the extended day camp activities.

Knowledge, Skills and Abilities Required

- Be at least 21 years old.
- Possess a minimum of 8 weeks of cumulative full-time experience working with a population similar to that which the camp serves.
- Excellent interpersonal and public relations skills, including the ability to interact with children and parents.
- Able to work outdoors in all types of summer weather.
- Must be able to withstand activities in the water for up to one hour at a time and be able to swim.
- Resourceful, self-starter.
- Positive attitude.
- Patience working with people of all ages and abilities.
- Ability to project a courteous and positive public image of the City of Charlevoix.

Certifications

- Current Red Cross Certification or equivalent to Community First Aid and Safety Course.
- Ability to pass a fingerprint background check

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: Pending Approval

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Lake Charlevoix Mariners Agreements

DATE: May 2, 2016

PRESENTED BY: Tom Kirinovic, Recreation Director

ATTACHMENTS: Lake Charlevoix Mariners License Agreement
Lake Charlevoix Mariners Boat Storage Concession Agreement

BACKGROUND INFORMATION: The Lake Charlevoix Mariners have been running a successful sailing school at Depot Beach for area youth. During the summer months, area children have the opportunity to learn sailing fundamentals through this program. The organization also offers adult sailing lessons. The Mariners are seeking approval to renew their contract.

The Mariners also rent stands for kayak and stand up paddle board storage. The stands are located in the furthest northern location of Depot Beach. The stands have been in the same location for the past five years.

RECOMMENDATION Move to approve the agreements with Lake Charlevoix Mariners, Inc. as presented and authorize the Mayor and City Clerk to sign all necessary agreements.

LICENSE AGREEMENT

The License Agreement is made to be effective this ___ day of ____, 2016 between the City of Charlevoix, a Michigan home rule city, whose address is 210 State Street, Charlevoix, MI 49720 (the City) and Lake Charlevoix Mariners, Inc. a Michigan nonprofit corporation, whose address is P.O. Box 122, Charlevoix, MI 49720 (the Mariners).

RECITALS

- A. The City currently owns and operates a park on the shore of Lake Charlevoix commonly known as Depot Beach as a public outdoor recreation facility.
- B. The City obtained state grant funds under the Land and Water Conservation Fund Act, (L&WCF) to assist in the development of Depot Beach.
- C. Under the grant regulations, the City may provide for the operation of a L&WCF assisted facility by granting private a organization or individuals the right to use the facility for public outdoor recreation purposes.
- D. The Mariners desire to use a portion of Depot Beach in conjunction with its summer sailing classes, which are offered to members of the public.
- E. As a result, the parties desire to specify their rights and responsibilities in this Agreement.

Agreement

Therefore, in consideration of the mutual covenants and promises contained herein the parties agree as follows:

1. Description

The City hereby grants to the Mariners a nonexclusive, revocable license to use the north 250 feet of the City Park of Lake Charlevoix, commonly known as Depot Beach (the Licensed Area) to be used under the terms and conditions specified in this Agreement.

2. Purpose

The Mariners shall use the Licensed Area for its summer sailing classes, a public outdoor recreation activity, in full compliance with the provisions of the Land & Water Conservation Fund Act and implementing guidelines.

3. License Fee

The Mariners shall pay the City ONE DOLLAR (\$1.00) as a fee for the license granted herein.

4. Term of Agreement

The term of this agreement shall be for 5 years from the effective date hereof, unless this Agreement is terminated earlier under paragraph 11 below.

5. Temporary Structures

The Mariners may place on the Licensed Area temporary structures for use with its summer sailing classes. All temporary structures placed on the Licensed Area shall be removed by the Mariners upon the expiration or termination of this Agreement.

6. Assignment

This Agreement may not be assigned by the Mariners.

7. Identification of the Licensed Area as Being Public

The Mariners shall identify the Licensed Area as being publically owned and operated as a public outdoor recreation facility in all signs, literature and advertising. In addition, the Mariners shall post a notice in a conspicuous location on the Licensed Area that the facility is open to the public in accordance with Chapter 675.4 of the L&WCF Grants Manual.

8. User Fees

The fees charged by the Mariners in connection with its summer sailing classes shall be competitive with the fees charged by similar private facilities.

9. Compliance with Federal and State Accessibility Legislation

When using the Licensed Area and providing its summer sailing classes, the Mariners shall comply with federal Title VI of the Civil Rights Act, Section 504 of the Rehabilitation Act, and the Americans with Disability Act, shall comply with the state Handicappers' Civil Rights Act, and shall comply with any other applicable federal and state accessibility legislation.

10. Right of Periodic Review

The City shall have the right during the term of this Agreement to inspect the Mariners' use of the Licensed Area and to review whether the actions of the Mariners in connection with its use of the Licensed Area complies with the Land and Water Conservation Fund Act and the City's grant agreement, including standards for maintenance, public use, and accessibility.

11. Termination

The City may revoke the license granted herein and terminate this Agreement at any time during the term of this Agreement for failure of the Mariners to comply with the terms of this Agreement or for any other reason whatsoever. If the City elects to revoke the license granted herein and terminate this Agreement, it shall personally deliver or send written notice of the revocation and termination to the Mariners at the above address no less than 7 days prior to the effective dates of the revocation and termination. The date of service of a notice served by mail shall be the date on which the mailing occurred.

12. Indemnification

The Mariners shall indemnify and hold harmless the City for any claims made against the City arising from the Mariners' use of the Licensed Area. The provision shall apply to any claims by the Mariners, its agents or any other third party.

13. Liability Insurance

The Mariners shall at its sole expense during the term of this Agreement obtain and maintain public liability insurance for the benefit of the City in the sum of not less than One Hundred Thousand and 00/100 (\$100,000) for damages relating to any one person and Three Hundred Thousand and 00/100 (\$300,000) for damages relating to a single occurrence. The insurance policy shall name the City as an Additional Insured using ISO "Form B-CG2010" and shall contain a provision that the policy cannot be terminated or canceled without 30 days written notice to the City.

14.

The Mariners will secure a business license from the City Clerk on an annual basis. The license must be in place prior to the agreement be considered by the City Council.

IN WITNESS WHEREOF this License Agreement has been executed to be effective on the day and year set forth above.

CITY OF CHARLEVOIX

Date:

BY: _____

Gabe Campbell, Its: Mayor

By: _____

Joyce Golding, Its: Clerk

LAKE CHARLEVOIX MARINERS

Date:

By: _____

Chris Kuhn, Its: President

By: _____

John Friedly, Its: Treasurer

**CITY OF CHARLEVOIX DEPOT BEACH
BOAT STORAGE CONCESSION AGREEMENT**

BACKGROUND

The City of Charlevoix (the City), 210 State Street, Charlevoix, MI 49720 and Lake Charlevoix Mariners (the Company), PO Box 122, Charlevoix, MI 49720, mutually agree to the terms listed below for operating a boat storage concession on the North End of the City-owned Depot Beach Park. This Agreement describes the rights and obligations of both parties.

THE PARTIES AGREE AS FOLLOWS:

1. **Use of Depot Beach.** The company desires to operate a boat storage concession on the property presently used to operate the Sailing School program. The storage will consist of a series of racks placed on or adjacent to the beach area between the Sail School Docks and the old railroad spurt. Depending on water level, the racks may be moved inland. It is contemplated that up to 50 racks will be desired but the program will not expand beyond 20 racks without the express written permission of the City.
2. **Timing and Frequency of Use.** Depot Beach is a public beach. The racks are to be set back from the shore a minimum of 10 feet to allow pedestrian access along the waterfront. The storage season will run from May 1st to October 31st, after which boaters leaving their boats may lose their priority for future rack use.
3. **Fees.** The Company will charge \$75 per rack. Rates after the first year may be adjusted to reflect reasonable adjustments to maintain the racks in good condition. Under no circumstances are the rates for the racks to exceed other regional boat storage rates. The split is contemplated at 50/50, after any additional rack storage construction or maintenance costs.
4. **Term.** The agreement shall become effective upon execution of signatures of both parties and shall expire 5 year after date of signatures unless terminated earlier by the City because of a breach of this agreement by the Company. If mutually agreed in writing by both parties, the Agreement can be extended for an additional 1 year.
5. **Breach by the Company.** If the Company breaches its obligations under this Agreement, the City may prohibit the Company from operating a boat storage concession at Depot Beach and may terminate this Agreement. This right shall be in addition to any other rights granted to the City or the Company by law for breach of contract. The failure of the City to exercise this right of termination for a breach shall not constitute a waiver of its rights as to any future breaches.
6. **Damages to Depot Beach or City-Owned Property.** The Company shall be fully responsible to pay for any damages to Depot Beach or City-Owned property as a result of performing the activities contemplated by this Agreement.
7. **Indemnification.** The Company shall indemnify and hold harmless the City, its officers, board members, assigns, agents, servants, employees, and insurance companies from any and all damages, legal fees or expenses, losses, claims and actions which may arise out of performing the activities contemplated by this Agreement.

In acknowledgement of this Agreement, authorized representatives of the parties have executed this document as shown below.

CITY OF CHARLEVOIX

Date:

BY: _____

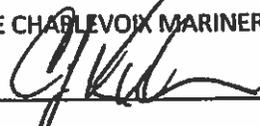
Gabe Campbell, Its: Mayor

By: _____

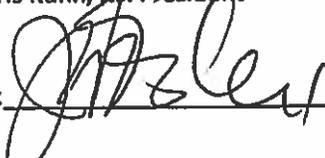
Joyce Golding, Its: Clerk

LAKE CHARLEVOIX MARINERS

Date:

By:  _____

Chris Kuhn, Its: President

By:  _____

John Friedly, Its: Treasurer

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Charlevoix City Band Contract

DATE: May 2, 2016

PRESENTED BY: Gary Stutzman

ATTACHMENTS: Letter from Charlevoix City Band
Draft Contract

BACKGROUND INFORMATION:

Residents of the City of Charlevoix have been entertained by the Charlevoix City Band for generations. The Charlevoix City Band entertains residents in East Park on Tuesday evenings during the summer. Charlevoix City Band uses the City's contribution to help defray the costs of providing its musical programs to Charlevoix residents and visitors.

The 2016-17 budget has \$3,000 allocated for the Charlevoix City Band.

RECOMMENDATION:

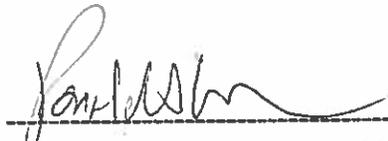
Move to approve the draft contract for the Charlevoix City Band and authorize the Mayor to sign the contract.

Office of the City Manager
City of Charlevoix

This letter constitutes the request for funding for the 2016 season of the Charlevoix City Band.



Evelyn Wujcik, President



Ron Winchester, Vice-President

RECEIVED

APR - 7 2016

CITY OF CHARLEVOIX

**The
Sudler
Silver Scroll**

Historic Award

an international award
recognizing a community band program
of very special merit
is awarded to

CHARLEVOIX CITY BAND

Gary Stutzman, Director

Charlevoix, Michigan

2015



Sponsored by
Louis & Virginia Sudler
Chicago, Illinois

Administered by
The John Philip Sousa
Foundation

CONTRACT

THIS CONTRACT is effective on the _____ day of _____, 2016 between the City of Charlevoix, a Michigan home rule city, whose address is 210 State Street, Charlevoix, Michigan 49720 (City) and the Charlevoix City Band, a Michigan nonprofit corporation, whose address is 06685 M-66, Lot #108, Charlevoix, Michigan 49720.

Recitals

- A. Pursuant to MCLA 117.3(j); MSA 5.2073(j) and Article I, Section 1.6 of the City Charter the City is authorized to provide for the peace and health and for the safety of persons and property within the City and to expend funds for that purpose.
- B. Charlevoix City Band provides music in the Clarence Odmark Performance Pavilion for the residents and visitors of the City of Charlevoix during the Summer season.
- C. The parties desire to act cooperatively in providing the above musical services to citizens in the City.

Agreement

NOW, THEREFORE, in consideration of the mutual promises contained in this Contract, the parties hereby agree as follows:

- 1. The City shall pay to Charlevoix City Band the sum of Three Thousand and 00/100 Dollars (\$3,000.00).
- 2. Charlevoix City Band shall provide not less than eight musical programs during the forthcoming summer season and shall use the above money to help defray the costs of providing those musical programs to Charlevoix residents and visitors.

CITY OF CHARLEVOIX

Date

By: _____
Gabe Campbell, Mayor

CHARLEVOIX CITY BAND

Date

By: _____
Evelyn Wujcik, President

Date

By: _____
Ron Winchester, Vice-President

CHARLEVOIX CITY COUNCIL

AGENDA ITEM

AGENDA ITEM TITLE: Sea Scout Ship 11 Use of Marina Slip

DATE: May 2, 2016

PRESENTED BY: Scott Stebe, Ship 11 Skipper

ATTACHMENTS: Email from Scott Stebe, Ship 11 Skipper

BACKGROUND INFORMATION: Scott Stebe, representing local Sea Scout Ship 11, would like the City to consider waiving docking fees for the summer months for the 30-foot Santana 30. See Mr. Stebe's letter.

Harbormaster Hal Evans said that in the early part of the season there should be plenty of docking space for this vessel. There would also be sufficient docking space after Labor Day. The Sea Scouts program is consistent with Charlevoix's maritime values and has tremendous educational and character building benefits for Charlevoix youth. The City is highly supportive of the program.

The City's DNR grant documents state, *"The City shall request, not more than once annually, approval to vary from fee rates set by the DNR Waterways Commission."* If Council chooses to waive docking fees, City staff will send a written request to the Michigan Waterways Commission seeking their support of the request that the fees be waived.

RECOMMENDATION: Move to approve free dockage for the Sea Scouts for the 2016 Boating Season when the marina is not full, contingent upon support from the Waterways Commission and approval from the DNR.

Linda Weller

From: Scott Stebe [seascoutship11@gmail.com]
Sent: Friday, April 22, 2016 8:12 PM
To: Linda Weller
Subject: Sea Scout Ship dockage

Ship 11 would like to renew there agreement with the City of Charlevoix for dockage at the city marina, in the past the city has allowed the Sea Scouts to dock there sailboat at the marina, at no cost, when there are vacant slips, when notified, the Sea Scouts will vacate the slip until a latter date when a becomes available once again.

Thank you for your time

--
Scott Stebe
Skipper
Ship 11

231-675-5806

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Resolution to Waive Parking Fees at Ferry Beach Boat Launch for Lake Charlevoix Area Trout Tournament

DATE: May 2, 2016

PRESENTED BY: Chris Mikulski and Kent Seymour
Lake Charlevoix Area Trout Tournament

ATTACHMENTS: April 22, 2016 email from Lake Charlevoix Trout Tournament Resolution

BACKGROUND INFORMATION:

The Charlevoix Area Trout Tournament wishes to host a fishing tournament from June 10 - 12, 2016. They are asking the City Council to waive the parking fees for a practice fishing day on June 9 and for the tournament on June 10 - 12, 2016.

Section 10.84 of Chapter 148 of the City Code permits the City Council to waive the fees:

“Any person launching a boat from the Ferry Beach boat launch; or parking a vehicle with or without trailer or parking a single trailer shall be required to obtain a permit from the city and display the permit on their vehicle. Charges for the permit shall be set by resolution of the city council. **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.**”

The Charlevoix Area Trout Tournament wish to hold their event in East Park. They will be using the Odmark Pavilion for fish displays and registration. The Tournament also wishes to display their sponsor’s boats, trucks, ATV’s in the park during the event.

The Trout Tournament wishes to have a Kid’s Fishing Pond again this year. The trout tournament will purchase additional fish for the trout stream and then whatever fish are left over will be kept in the trout stream for the remainder of the summer. DPW Superintendent Pat Elliott plans to supervise the placement of the fish in the trout stream. Mr. Elliott will also

be working with Tournament representatives to ensure that children do not climb on the stream's rocks and landscaping. The children will be permitted to fish only on the brick paver areas. The stream has a maximum density of 200 fish for a short period of time

RECOMMENDATION:

Move to approve the draft resolution waiving parking fees for the Lake Charlevoix Area Trout Tournament from June 9 - 12, 2016 and to allow children to fish in the trout stream on June 12, 2016 .



Charlevoix Trout Tournament Inc.

April 22, 2016

Mark Heydlauff, City Manager
City of Charlevoix
210 State Street
Charlevoix, MI 49720

Dear Mark,

The Charlevoix Area Trout Tournament will take place June 10th, 11th and 12th, 2016. The tournament is once again requesting the launch fees to be waived the dates of the tournament and also on June 9th for a practice fishing day.

Thank you for your consideration on this matter and please feel free to contact me if you have any questions regarding the tournament.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kent Seymour'. The signature is fluid and cursive, with a long horizontal stroke at the end.

Charlevoix Area Trout Tournament
Kent Seymour, President

P.O. Box 616

Charlevoix, MI 49720

A NON-PROFIT ORGANIZATION

43

**CITY OF CHARLEVOIX
RESOLUTION NO. 2016-05-xx
WAIVE PARKING FEES FOR TROUT TOURNAMENT**

- WHEREAS,** the Lake Charlevoix Area Trout Tournament will be held on June 10, 11 and 12, 2016; and
- WHEREAS,** the Lake Charlevoix Area Trout Tournament is requesting that parking fees be waived for the tournament; and
- WHEREAS,** the Charlevoix Area Trout Tournament is requesting parking fees to be waived for a practice fishing day on June 9, 2016; and
- WHEREAS,** the City Code permits City Council to waive parking fees for special or public events.

NOW THEREFORE BE IT RESOLVED, that the City of Charlevoix hereby waives parking fees for the Lake Charlevoix Area Trout Tournament from June 9 to June 12, 2016.

RESOLVED this ____ day of May, 2016, A.D.

Resolution was adopted by the following yea and nay vote:

- Yeas:
- Nays:
- Absent:

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Charlevoix Craft Beer Festival

DATE: May 2, 2016

PRESENTED BY: Annie Doyle, Executive Director, Charlevoix Main Street/DDA

ATTACHMENTS: none

BACKGROUND INFORMATION:

The Charlevoix Main Street along with Bridge Street Tap Room and the Lake Charlevoix Brewing Company will be presenting the 3rd Annual Charlevoix Craft Beer Festival on Saturday, June 4, 2016 in Robert Bridge Memorial Park. Over 20 Michigan breweries from around the state will be participating.

The City of Charlevoix City Code, Section 3.14 (alcoholic beverages- consumptions prohibited in certain places), 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 U.S. 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, provided, however, that any person or persons or legal entity authorized to control any playground, recreational area or athletic field covered by this chapter which property is not owned, leased or rented by the City of Charlevoix, may extend authority to consume alcoholic beverages on said premises, upon written notification to the city manager.

RECOMMENDATION:

Motion to allow the City Manager to waive the provision in the City Code under *Title III: Parks and Public Grounds, Chapter 31, Section 3.14.*

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Planter Design in East Park

DATE: May 2, 2016

PRESENTED BY: Mark L. Heydlauff, City Manager

ATTACHMENTS: Design Concept from Site Planning

BACKGROUND INFORMATION:

John Campbell of Site Planning has brought a proposal to us to update the plantings in the planters in East Park. Due to the design of the Harbormaster Building, there are unique challenges to these planters because of the weight of soil and water. Rather than do a full-scale redesign of all planters, we thought it might best to redo one planter to see how the plants performed, consider the maintenance time requirements for those plantings, and plan our way forward. The planter in question is not around the Harbormaster Building and thus is not as sensitive as others- making it a good choice to pilot this design.

As you can see, Site Planning is proposing to donate the plantings while our staff would be responsible to remove the current plants. Conceivably, this could be considered through under our Donation Acceptance Policy though this does not change the size of the planters, is not a capital item, and, aside from design, does not materially change the space.

RECOMMENDATION:

Move to authorize the redesign as presented.



March 4, 2016

RE: Renovate the street level planting bed near the band shell

The process to replant this area would be divided into five tasks. They are as follows:

Plant Removal

City of Charlevoix would be responsible for removal of all existing plant material within the planting bed.

Topsoil

This area would need approximately 8-10 cubic yards of additional processed topsoil. City of Charlevoix would be responsible for this task.

Planting & Mulching

The following new plant material would be added (as per plan dated 3/4/16):

- (10) Weigela 'Fine Wine' – 18-24"
- (15) Spiraea 'Double Play Big Bang' - 18-24"
- (3) Buddleia 'Black Knight'- 2 gal.
- (20) flats of wax begonias

Following planting, pre-emergent herbicide would be added, followed by top dressing with wood bark mulch. An estimated four cubic yards of mulch is needed. Site Planning Development would be responsible for installation of plant material, herbicide, and mulch. Estimated cost for materials & labor is \$3000.

Irrigation

Existing irrigation would be modified as necessary to provide water to new plantings. Site Planning Development would be responsible for this task. Estimated cost is \$500.

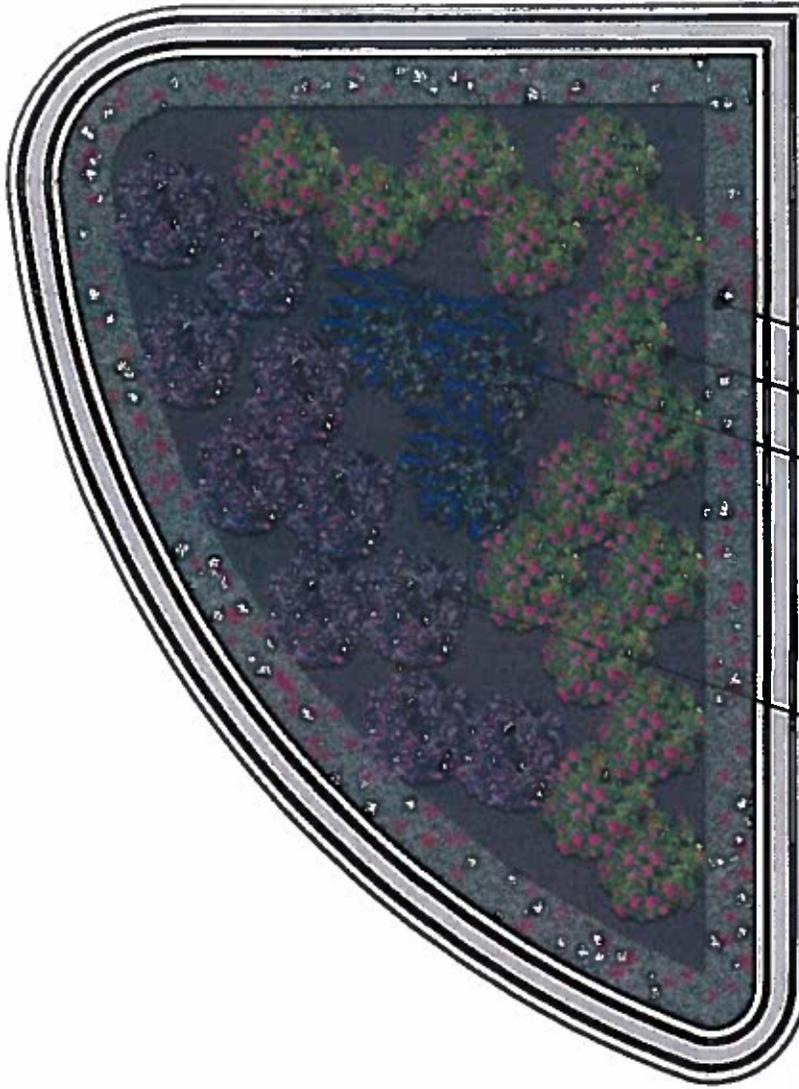
Maintenance

Planting materials would require minimal maintenance. In a 26 week growing season, average hours per week spent on maintenance in this area would be roughly two hours for annual plant care, annual fertilization, and weeding. Spring cleanup maintenance may require additional time with pruning and cut backs of plantings. City of Charlevoix would be responsible in providing maintenance.

NOTE: Site Planning Development would be responsible to solicit funding for the future installation of plants, mulch, and irrigation amendments/installation.

South Landscape Bed

On street level hear bandshell



(10) - Weigela 'Fine Wine'

(3) - Buddleia 'Black Knight'

(15) - Spirea 'Double Play Big Bang'

Annual plantings border
of wax begonias (20 flats)



Hilary Harrington
Landscape Designer

Site Planning Development, Inc.

3/4/16 - (231) 547-4429

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Food Truck Pilot Policy

DATE: May 2, 2016

PRESENTED BY: Mark L. Heydlauff, City Manager

ATTACHMENTS: Policy Resolution

BACKGROUND INFORMATION:

Council appointed a committee last fall to study the issue of food trucks. The Committee has met extensively over the past several months. The policy includes is a pilot policy intended only for this year. It is fair to say not all members of the Committee are pleased with all aspects of the policy. The goal is to give something a try and see what works and what does not work. It includes a provision for the City Manager to place certain other requirements and qualifications for food trucks into effect based on further discussion by the Committee; a meeting is set in a couple of weeks for this purpose. The policy would expire October 31, 2016 giving Council the option to reconsider the issue next fall.

RECOMMENDATION: Move to approve the Food Truck Pilot Policy Resolution as presented.

**CITY OF CHARLEVOIX
RESOLUTION NO. 2016-05-XX
FOOD TRUCK PILOT PROGRAM POLICY**

WHEREAS, the City Council appointed a committee to study how and where food trucks might be permitted in Charlevoix; and

WHEREAS, the Committee has met frequently over the past several months to discuss these matters.

NOW THEREFORE BE IT RESOLVED, that the City of Charlevoix City Council hereby adopts the following pilot program policy regarding food trucks on City property:

FOOD TRUCK PILOT PROGRAM POLICY

Food trucks, food carts, and other mobile food vendors (collectively hereafter referred to as vendors) shall be permitted at certain locations and certain days on City-owned property according to the following rules:

- Vendors shall obtain a business license from the City Clerk in accord with City Code.
- Vendors shall pay a fee of \$450 for a license to operate on City property and fulfill all requirements for vendors; the City Manager is directed to develop reasonable standards for vendors in consultation with the Food Truck Committee. Vendors shall be required to obtain appropriate health department certifications and provide to the City certificates of insurance. Failure to adhere to these standards shall be cause for termination of the license to operate without a refund of fees paid.
- The City Manager shall cause a schedule to be created and maintained permitting vendors to register their location based on the following stipulations from May 1-October 31:
 - On Thursdays, two vendors shall be permitted downtown in the parking lane in the vicinity of Plaza B from 9am until 8pm.
 - On Tuesdays, one vendor each shall be permitted at Lake Michigan Beach and Ferry Beach and shall park in the parking lot near the concession stands. Such vendors are permitted from 10am until 10pm. The Recreation Director may specify exact parking locations and may move this location as necessary based on events and activities in the parks.
 - One vendor may locate at Depot Beach in the parking lot on any day from 10am-9pm.
 - One vendor may locate at the Charlevoix Golf Club in the parking area near the clubhouse on any day from 10am-8pm.
 - One vendor may locate at the Charlevoix Municipal Airport in a parking spot designated by the Airport Manager from 9am-8pm. A vendor parking at the Airport shall be responsible to pay applicable parking fees.
 - The City Manager is permitted to restrict scheduling based on community events, inclement weather, or reasons as necessary.
 - Scheduling of vendors shall occur based on availability of space on a "first come, first served" basis. Upon meeting all requirements to be a vendor and paying all fees, the vendor may register for a space(s) on the schedule published by the City Manager.
- This policy shall expire October 31, 2016.

Vendors locating on private property shall be subject to the provisions of the Charlevoix City Code relative to temporary business licenses. Vendors used during festivals and events not sponsored by the City of Charlevoix but which occur on City property shall be subject to the terms of use for those festivals and events.

RESOLVED this 2nd day of May, 2016 A.D.

Resolution was adopted by the following ye and nay vote:

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Amendment to Rules of Procedure for City Council

DATE: May 2, 2016

PRESENTED BY: Mark L. Heydlauff, City Manager

ATTACHMENTS: Amendment Resolution
Sample Agenda

BACKGROUND INFORMATION:

As you know at the last Council meeting, you requested the City Attorney, City Clerk, and me to develop a draft amendment to the Rules of Procedure for City Council. We have developed this with an eye toward making the meetings smooth and concise. We have also proposed a couple of small amendments to remove language regarding the election of the City Clerk and to clarify all resolutions need not be read aloud.

I have drafted a sample agenda for the May 2 meeting following the format proposed in the amendment.

If there are changes you wish to make to this draft, please advise. Otherwise, pursuant to Rule 20 of the Rules of Procedure for City Council, you may not approve this amendment until at least the next meeting.

RECOMMENDATION: Move to introduce Resolution 2016-05-xx and lay it upon the table in accord with Rule 20 with the Rules of Procedure for City Council.

**CITY OF CHARLEVOIX
RESOLUTION NO. 2016-05-xx
AMENDMENT TO THE RULES OF PROCEDURE FOR CITY COUNCIL**

WHEREAS, the Charlevoix City Council adopted "Rules of Procedure for City Council" on November 4, 1996; and

WHEREAS, pursuant to Rule 20 of the Rules, they may be amended by resolution voted upon at any meeting but shall be tabled until the next regular meeting thereof or at such other time as the Council shall determine; and

WHEREAS, on April 18, 2016 City Council directed the City Manager to draft an amending resolution.

NOW THEREFORE BE IT RESOLVED, the Rules of Procedure for City Council shall be amended as follows:

Rule 1 (b) shall be amended as follows:

Strike language referring to the election of the City Clerk so that Rule 1(b) should read:

The Mayor shall be elected at the annual General Election in even numbered years, for a two (2) year term, by the balloting of the electors of the City at large. The Mayor shall take office at the first regular City Council meeting after the Mayor's election. The names of the nominees shall appear on the ballots and election materials of the Primary and General Election without reference to ward residence.

Rule 4(a) shall be amended as follows:

Modify the order of actions, remove certain categories, add other categories, and add explanatory information so that Rule 4(a) should read:

a. The Order of Business at any regular meeting of the Council shall be as follows:

1. Invocation or Pledge of Allegiance
2. Roll Call
3. Presentations

(This section shall be used for presentations for which Council action is not required or anticipated. This section shall include, but not be limited to, reports of community groups, recognition of significant achievements, proclamations, or other items determined by the City Manager as appropriate presentations for this section.)

4. Inquiry regarding conflicts of interest
5. Consent Agenda

(This section is to receive and list any item which is deemed by the City Manager to be of a routine nature. All items, including, but not limited to, reading of the minutes of the previous Meeting(s), the most recent Accounts Payable Check Register, the scheduling of Public Hearings, shall be listed and may be acted upon in one motion. All items to be received and acted upon under the Consent Agenda must be included in the packet for that meeting. Any Council member may request that any item(s) be taken from the consent agenda for discussion and possible action by Council.)

6. Actions Laid Upon the Table
(This section shall be omitted except when there are actions tabled at the previous regular or special Council meeting.)
7. Public Hearings and Actions Requiring Public Hearings
8. All Other Actions & Requests
9. Reports & Communications

- a. Public Comments
(Public Comments shall be governed by Robert's Rules of Order and the rules found in Exhibit A of the Rules of Procedure for City Council.)
 - b. City Manager Comments
 - c. Mayor and Council Comments
10. Other Council Business
(This section shall be used for procedural motions which are in order under State statute, the City Charter, and the Rules of Procedure for City Council including, but not limited to, motion to reconsider, motion to add future agenda items, and motion to enter Closed Session. If the City Manager requests a Closed Session for any legally permitted reason, it shall be listed on the agenda for this section.)
11. Adjourn

Rule 9(a) shall be amended as follows:

Strike the requirement that motions and resolutions be read and permit the City Manager the right to speak on such actions so that Rule 9(a) should read:

- a. Motions and Resolutions presented to the Council by the City Manager shall be provided to the Council in writing together with the City Manager's recommendations or reports thereon. Upon the mayor opening such agenda item, it shall be in order for any member of the Council to move adoption, and if seconded, the question shall be on the adoption of the motion or resolution as the case may be. In all actions of the Council, the City Manager shall have the right to speak.

RESOLVED this 5th day of May, 2016 A.D.

Resolution was adopted by the following yea and nay vote:

Yeas:

Nays:

Absent:

1. Invocation or Pledge of Allegiance
2. Roll Call
3. Presentations
 - a. Mayoral Proclamation for the 100th Anniversary of the Charlevoix City Band
4. Inquiry regarding conflicts of interest
5. Consent Agenda
 - a. City Council Meeting Minutes - April 18, 2016 Regular Meeting
 - b. Accounts Payable Check Registers & Payroll Check Registers
 - c. Resolution to waive Parking Fees at Ferry Beach Launch Ramp for Lake Charlevoix Area Trout Tournament
 - d. Sea Scout Ship 11 Use of Marina
 - e. Mt. McSaubia Assistant Camp Director Job Description
6. Public Hearings and Actions Requiring Public Hearings
7. All Other Actions & Requests
 - a. Concession Agreement for Ferry Beach and Lake Michigan Beach
 - b. Lake Charlevoix Mariners Agreements
 1. License Agreement
 2. Stand Agreement
 3. Lake Charlevoix Mariners Use of Depot Beach
 - c. Charlevoix City Band Contract
 - d. Charlevoix Craft Beer Festival
 - e. Planter Design in East Park
 - f. Food Truck Pilot Program Policy Resolution
 - g. Resolution Amending Rules of Procedure for City Council
8. Reports & Communications
 - a. Public Comments
 - b. City Manager Comments
 - c. Mayor and Council Comments
9. Other Council Business
10. Adjourn