

**AGENDA  
CITY OF CHARLEVOIX CITY COUNCIL MEETING**

**Monday, February 15, 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 - February 1, 2016 Regular Meeting PG 1-12
  - B. Accounts Payable Check Registers & Payroll Check Registers PG 13-25
- V. Public Hearings**
  - A. Conservation Easement Public Hearing PG 26-28
  - B. Budget Amendment for 2015-2016 PG 29-30
  - C. 2016-2017 Budget Ordinance PG 31-34
- VI. Reports**
- VII. Requests, Petitions and Communications and Actions Thereon**
  - A. Food Truck Committee Report and Proposal PG 35
  - B. Resolution to Adopt Rates & Fees Associated with 2016-17 Budget PG 36-53
  - C. Consideration to Approve the Mt. McSauba Camp Director Job Description PG 54-55
  - D. Internal Loan Policy PG 56-57
  - E. ICMA Retirement Corporation Governmental Money Purchase Plan & Trust Adoption Agreement PG 58-68
  - F. Resolution Opposing Line 5 PG 69-75
  - G.
- 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. Resolution to Adopt Rates & Fees Associated with 2016-17 Budget PG 37
  - B. Resolution Opposing Line 5 PG 74-75
- X. Ordinances**
  - A. Budget Amendment for 2015-2016 PG 30
  - B. 2016-2017 Budget Ordinance PG 32-34
- 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 February 11, 2016 4:00 p.m.

**CITY OF CHARLEVOIX**  
**REGULAR CITY COUNCIL MEETING MINUTES**  
Monday, February 1, 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

Mayor Campbell called for a moment of silence out of respect for the tragedy on Round Lake.

**III. Inquiry Regarding Possible Conflicts of Interest**

None.

**IV. Consent Agenda**

The following items were approved and filed:

- A. Approval of Minutes – January 18, 2016 Regular Meeting Minutes
- B. Special Accounts Payable Register – January 21, 2016
- C. Regular Accounts Payable Check Register – February 2, 2016
- D. ACH Payments – January 19, 2016–January 29, 2016
- E. Tax Disbursement – February 2, 2016
- F. Payroll Check Register – January 29, 2016
- G. Payroll Transmittal – January 29, 2016
- H. Mayor Campbell accepted Ms. Joni Olach's letter of resignation from the Housing Commission.

**V. Public Hearings**

None.

**VI. Reports**

City Manager Heydlauff noted changes regarding the capital budget approval process. In accordance with the Michigan Planning/Zoning Enabling Act, he recommended that Council receive the capital budget at the February 15<sup>th</sup> meeting and refer it to the Planning Commission, who will then approve a capital improvement plan and return it to Council for final approval. He stated that an updated fee schedule will be forwarded later in the week.

City Manager Heydlauff expressed his appreciation to the first responders involved on January 29<sup>th</sup> under challenging circumstances. He also thanked Bo Boss and his team at Mt. McSauba as well as Charlevoix Township for their partnership.

**VII. Requests, Petitions and Communications and Actions Thereon**

**A. Long Term Capacity Purchase**

Electric Superintendent Swern stated that the City's future power supplies are controlled by the Michigan Public Power Agency's (MPPA) Risk Management Policy, a consortium of 14 public utilities. To fill gaps left after using what we own, the City purchases contracts for future power supplies to fit our future load predictions. Electric Superintendent Swern indicated that the price of future contracts for capacity are on the rise and MPPA recommended the purchase of up to 2,300 KW of capacity for June 1, 2020 to May 31, 2030. He indicated that it is difficult to predict future prices with any certainty.

Motion by Councilmember Cole, second by Councilmember Gibson, to approve the purchase up to a maximum of 2,300 KW of capacity covering the time period from June 1, 2020 to May 31, 2030 at a price not to exceed \$4.00 per KW-month (or a total of \$1,104,000).

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

**B. ACAT Global Expansion-Electric Service**

Electric Superintendent Swern stated that ACAT Global located at 05339 M-66 North discussed future expansion plans with Staff which required an additional 500 DVZ transformer. He provided ACAT with an estimate of \$15,500 to do the upgrade and ACAT asked for a discount on the installation cost. ACAT spends \$47,000 a year for electricity, and will be increasing that significantly (approximately \$15,000 annually) in the coming years. Staff recommended a discount of 50% of the installation cost or \$7,750.

This discount helps ACAT Global with their expansion and at the same time assures a future steady load that will help keep costs under control for the rest of our customers.

Electric Superintendent Swern confirmed for Councilmember Cole that the original work done at ACAT was at full price. He stated that he has issued discounts to other companies in the past, but not at this magnitude.

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 approve a \$7,750 discount to ACAT Global for their electric service upgrade and authorize City Staff to execute any other related agreements to this proposal.

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

C. Revision of the Recreation Advisory Board Bylaws

Recreation Director Kirinovic stated that the Recreation Advisory Board and Staff identified areas within the bylaws that need to be updated to reflect the needs of the Recreation Advisory Board. He indicated that the proposed changes include adding additional committee members, setting a regular meeting schedule, and adding an additional student member to the Committee.

Councilmember Gibson stated she liked the changes to the bylaws.

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 revised Recreation Advisory Board bylaws [as presented].

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

Mayor Campbell requested that Recreation Director Kirinovic recommend members for the new vacancies on the Board.

D. Parks and Recreation Master Plan Bid Acceptance

Recreation Director Kirinovic stated that every five years, the Recreation Department must submit a Parks and Recreation Master Plan to the Michigan Department of Natural Resources (DNR) if the City wishes to pursue grant opportunities. Staff recommended the use of an outside resource to write the master plan. The City distributed a request for proposals and these bids were evaluated by the Recreation Department and the Recreation Advisory Board Chairman as to whether they met certain important criteria. It was determined that the Spicer Group, Saginaw, was the best candidate. The Spicer Group has implemented numerous parks and recreation master plans throughout the state, in addition to working closely with the DNR and has experience with universal design (handicapped accessibility.)

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 accept the proposal from the Spicer Group for the preparation of the City of Charlevoix's Parks and Recreation Master Plan for a cost not to exceed \$11,500.

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

E. Discontinuing Lifeguards at Lake Michigan Beach

Recreation Director Kirinovic stated that it has become increasingly difficult staff an appropriate lifeguard crew at Michigan Beach. Last summer 40% of the lifeguard staff left before the end of summer for similar jobs that paid more and provided better hours.

In the summer of 2014, we spent roughly \$18,000 on wages for lifeguards and spent about \$11,000 in the shortened summer of 2015. The City Manager, Police Chief and Recreation Director recommended shifting resources toward a third full-time seasonal police officer who would patrol the beaches and pier as part of his/her responsibilities. The seasonal officer would not be lifeguard certified and signs would be posted that no lifeguards are on duty.

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

Motion by Councilmember Gibson, second by Councilmember Cole, to authorize Staff to seek a third seasonal police officer and not post for lifeguards.

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

F. Concession Stands/Food Truck Discussion

City Manager Heydlauff recalled that at the January 18<sup>th</sup> Council meeting, there was discussion on whether to conduct a request for proposal for the City-owned concession stands at Lake Michigan Beach, Ferry Beach, and the Carpenter Avenue ball fields. The Food Truck Committee also had discussion on using the beach areas for food truck parking and service.

Recreation Director Kirinovic and the City Manager met with Anne and Jack Russell who have operated the City's concession stands over the past few years and discussed their ideas for the future. Staff suggested working with the Russells for at least one more year offering them the ability to vary their menu options and their business hours. City Manager Heydlauff stated that Ms. Russell also requested the opportunity to serve on the Food Truck Committee.

Mayor Campbell stated that Council owes the Russells an apology for not considering them when the Food Truck Committee was created.

Councilmember Gibson felt that the Russells have done a great job and recommended a three year contract. Councilmember Perron stated that the City is fortunate to have someone so dedicated to all three venues.

Motion by Councilmember Gibson, second by Councilmember Supernaw, to appoint Anne Russell to the Food Truck Committee.

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

Councilmember Kurtz commented that the direction to Staff to create an RFP for concessions should be postponed so the Russells contract could be extended for another year. Recreation Director Kirinovic felt that a three year contract with the Russells would be beneficial for both the City and the Russells. Councilmember Kurtz felt that the Food Truck Committee recommendations should be considered before granting a three year contract.

Councilmember Gibson commented that operating the concession stands has nothing to do with the Food Truck Committee. She stated that withholding a three year contract from the Russells is "anti-business". Councilmember Kurtz stated that it seemed "shortsighted" to offer a contract to the Russells without listening to concession ideas from the Food Truck Committee first. He also stated that he was not against the Russells and thinks they are doing a great job.

When questioned, Ms. Russell stated that she would like a three year contract. Councilmember Gibson clarified that the Food Truck Committee was not in charge of the concession contract. Councilmember Hagen questioned whether having a food truck on the beaches would weigh in on the Russell's desire to have a three year contract and Ms. Russell responded that it would not. The specifics of the Russell's current contract as well as a proposed contract were discussed and questions from Council were answered.

Councilmember Perron stated that the hardest part of owning a food business is to supply and train staff. This takes time, and the effort the Russells have taken to train their staff should be taken into consideration. He was in favor of a three year contract.

Councilmember Kurtz stated that he did not have a problem with a three year contract. He is concerned that Council is making a "knee-jerk reaction" to a discussion that is happening at the Food Truck Committee. Mayor Campbell felt that there was "not really an overlap because they [Russells] are in the three places and they've been building their business".

Debate continued whether to issue a contract or wait for the Food Truck Committee recommendations.

Recreation Director Kirinovic advised Council that not all days have good concession revenue. He wondered if food trucks would be willing to stay open at the beaches when the weather was not conducive to a good customer turnout.

Mayor Campbell opened the item to public comment.

Maureen Owens, Food Truck Committee member, agreed with the three year contract but stated that it would be disingenuous of the City to give the Russells a contract but, not be willing to back them financially for future repairs.

Mary Eveleigh, 1<sup>st</sup> Ward, felt that food trucks are a good idea, but that concession stands should stay.

Discussion continued with the Russells regarding the repairs needed on the concession buildings, their licensing by the Health Department and their preferred contract language. More debate was heard regarding whether food trucks and concessions were related and whether a decision regarding a three year contract should occur at this meeting.

The item was closed to the public.

Councilmember Kurtz stated that the Russells were doing a great job and was impressed with their menus. He would like to see longer hours of operation and include outdoor dining. He explained that his comments were not intended to be negative.

Motion by Councilmember Hagen, second by Councilmember Supernaw, to [have Council] review the [Russell concessions] lease that the City Manager and the Russells work out with any changes they would like.

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

G. Approve Service Agreements with AT&T

City Manager Heydlauff stated that the City uses numerous AT&T services for its phone and communication needs. The previous contract from 2014, used rates established through the State of Michigan MiDEAL program. Since the State of Michigan MiDEAL contract for this service ended, the City needed to renew the Service Agreement, as outlined in section 4.2 of the agreement. Without a contract for this service, AT&T would charge \$8,000 per month. Under the 36 month contract, the charge would be \$465 per month - similar to the previous MiDEAL charge.

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 approve the AT&T service agreement as proposed and authorize the Mayor and Clerk to sign all necessary documents.

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

H. Sale and Refunding of Bonds

City Manager Heydlauff recalled that Council approved a Resolution of Intent to issue up to \$3.6 million in Capital Improvement Bonds last fall and the plan for this work was approved at the January 18<sup>th</sup> meeting. Staff requested authorization to proceed with the bond sale, which will occur after bid figures for the project are received. The bonds for the summer infrastructure work will not exceed \$3.6 million.

At the same time the City issues this new debt, it would refinance the 2006 Marina debt on behalf of the Downtown Development Authority. With the issue, the interest rate would be lowered on the remaining 10 years of debt, saving approximately \$300,000 in reduced debt service. Additionally, since we would issue both bonds simultaneously, we would save on legal fees and issuance expenses.

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

Action by Resolution.

I. Mayor Appointment

With the resignation of Joni Olach from the Housing Commission, Mayor Campbell appointed Laurene Crandall.

Motion by Councilmember Gibson, second by Councilmember Perron, to appoint Laurene Crandall to the Housing Commission, term expiring April 2018.

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

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. Sale and Refunding of Bonds**

Motion by Councilmember Cole, second by Councilmember Gibson, to approve Resolution 2016-02-01 Resolution Authorizing 2016 Capital Improvement and Refunding Bonds and authorize the Mayor and City Clerk to sign all necessary documents, as follows:

**CITY OF CHARLEVOIX  
RESOLUTION NO. 2016-02-01  
RESOLUTION AUTHORIZING 2016 CAPITAL IMPROVEMENT AND REFUNDING BONDS  
(LIMITED TAX GENERAL OBLIGATION)**

**CITY OF CHARLEVOIX  
County of Charlevoix, Michigan**

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Minutes of a regular meeting of the City Council of the City of Charlevoix, County of Charlevoix, State of Michigan, held in the City Hall on the 1st day of February, 2016 at 7:00 p.m., prevailing Eastern Time.

**PRESENT:** Members Shane Cole, Shirley Gibson, Aaron Hagen, Luther Kurtz, Leon Perron, Bill Supernaw

**ABSENT:** None

The following preamble and resolution were offered by Member Cole and supported by Member Gibson.

WHEREAS, the City of Charlevoix, Michigan (the "City") has determined that it is necessary to pay all or part of the cost to acquire and construct road and street reconstruction improvements, including water, sanitary sewer system, storm sewer, utility, curb and gutter and all related improvements (the "Project"); and

WHEREAS, the cost of the Project is estimated to be approximately Three Million Six Hundred Thousand Dollars (\$3,600,000); and

WHEREAS, a notice of intent for bonds was published in accordance with Act 34, Public Acts of Michigan, 2001, as amended ("Act 34") which provides that bonds may be issued without a vote of the electors of the City unless a proper petition for an election on the question of the issuance of the bonds is filed with the City Clerk within a period of forty-five (45) days from the date of publication and as of this date no petition has been filed with the Clerk; and

WHEREAS, the City Council deems it necessary to borrow the principal amount of not to exceed Three Million Six Hundred Thousand Dollars (\$3,600,000) and issue limited tax general obligation bonds pursuant to Act 34 to pay the cost of the Project; and

WHEREAS, the City has previously issued its Limited Tax General Obligation Development Bonds, Series 2006, dated as of August 29, 2006, in the original principal amount of \$5,500,000 (the "Prior Bonds") for the purpose of financing the cost of certain public improvements within the City; and

WHEREAS, Act 34 authorizes the City to refund or advance refund all or any part of its outstanding securities, including the Prior Bonds; and

WHEREAS, the City desires to issue refunding bonds pursuant to Act 34, in an aggregate principal amount of not to exceed Four Million Three Hundred Thousand Dollars (\$4,300,000) for the purpose of refunding or advance refunding all or a portion of the Prior Bonds in order to achieve interest cost savings for the benefit of the City and its taxpayers; and

WHEREAS, because the security for the bonds will be the same and to reduce the cost of issuance and administration, the City determines that it makes practical and economic sense to combine the bond issues for the Project and the refunding into a single series; and

WHEREAS, the City desires to negotiate the sale of the Bonds to Hutchinson, Shockey Erley & Co. (the "Underwriter") within the parameters established by this Resolution.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Authorization of Bonds: Bond Terms. Bonds of the City designated **2016 CAPITAL IMPROVEMENT AND REFUNDING BONDS (LIMITED TAX GENERAL OBLIGATION)** (the "Bonds") are hereby authorized to be issued in the aggregate principal amount of not to exceed Seven Million Nine Hundred Thousand Dollars (\$7,900,000), for the purpose of (a) refunding all or a portion of the Prior Bonds, (b) paying the costs of the Project, and (c) paying costs incidental to the issuance, sale and delivery of the Bonds.

The Bonds shall consist of bonds registered as to principal and interest of the denomination of \$5,000 or multiples of \$5,000 not exceeding for each maturity the aggregate principal amount of such maturity, dated as the date of delivery, or such other date as determined by the City Manager, City Treasurer or City Clerk (each, an "Authorized Officer"), numbered as determined by the Transfer Agent (hereinafter defined), and maturing or subject to mandatory redemption on October 1st in the years 2016 to 2030, inclusive, or such other dates as shall be determined at the time of sale and in the amounts as determined by an Authorized Officer. The Bonds shall bear interest at a rate or rates to be determined at the time of sale thereof, but in any event not exceeding 6.00% per annum, payable on October 1, 2016 (or such other date as determined at the time of sale thereof), and semi-annually thereafter by check or draft mailed by the Transfer Agent to the registered owner of record as of the 15th day of the month prior to the payment date for each interest payment. The record date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the City to conform to market practice in the future. The principal of the Bonds shall be payable at the designated office of U.S. Bank National Association, Detroit, Michigan, as registrar and transfer agent for the Bonds (the "Transfer Agent"). The Bonds may be subject to optional or mandatory redemption prior to maturity as determined at the time of sale.

Unless waived by any registered owner of Bonds to be redeemed, official notice of redemption shall be given by the Transfer Agent on behalf of the City. Such notice shall be dated and shall contain at a minimum the following information: original issue date; maturity dates; interest rates; CUSIP numbers, if any; certificate numbers (and in the case of partial redemption) the called amounts of each certificate; the redemption date; the redemption price or premium; the place where Bonds called for redemption are to be surrendered for payment; and that interest on Bonds or portions thereof called for redemption shall cease to accrue from and after the redemption date.

In addition, further notice shall be given by the Transfer Agent in such manner as may be required or suggested by regulations or market practice at the applicable time, but no defect in such further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as prescribed herein.

The Bonds may be issued in book entry only form through the Depository Trust Company in New York, New York ("DTC") and the Authorized Officers are each authorized to execute such custodial or other agreements with DTC as may be necessary to accomplish the issuance of the Bonds in book entry only form and to make such change in the Bond Form within the parameters of this Resolution as may be required to accomplish the foregoing.

2. Execution of Bonds. The Bonds shall be signed by the manual or facsimile signatures of the Mayor and City Clerk and shall have the facsimile seal of the City printed on the Bonds. No Bond signed by facsimile signature shall be valid until authenticated by an authorized signatory of the Transfer Agent. The Bonds shall be delivered to the Transfer Agent for authentication and be delivered by it to the purchaser in accordance with instructions from the Treasurer upon payment of the purchase price for the Bonds. Executed blank bonds for registration and issuance to transferees shall simultaneously, and from time to time thereafter as necessary, be delivered to the Transfer Agent for safekeeping.

3. Transfer of Bonds. The Transfer Agent shall keep the books of registration for this issue on behalf of the City. Any Bond may be transferred upon such registration books by the registered owner of record, in person or by the registered owner's duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever any Bond or Bonds shall be surrendered for transfer, the City shall execute and the Transfer Agent shall authenticate and deliver a new Bond or Bonds, for like aggregate principal amount. The Transfer Agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer.

4. Security for Bonds: Limited Tax Pledge; Defeasance of Bonds. The City hereby pledges its limited tax full faith and credit for the prompt payment of the principal and interest on the Bonds. The City shall, each year budget the amount of the debt service coming due in the next fiscal year on the principal of and interest on the Bonds and shall advance as a first budget obligation from its general funds available therefor, or, if necessary levy taxes upon all taxable property in the City subject to applicable constitutional, statutory and charter tax rate limitations, such sums as may be necessary to pay such debt service in said fiscal year.

The City Treasurer is authorized and directed to open a separate fund with a bank or trust company designated by the City Treasurer as the 2016 CAPITAL IMPROVEMENT AND REFUNDING BONDS DEBT RETIREMENT FUND (the "Debt Retirement Fund"), the moneys to be deposited in the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds as they mature.

In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay the principal of and interest on the Bonds when due, shall be deposited in trust and irrevocably held for the payment and discharge of the Bonds, this Resolution shall be defeated and the owners of the Bonds shall have no further rights under this Resolution except to receive payment of the principal of and interest on the Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange Bonds as provided herein.

5. Construction Fund; Bond Issuance Fund; Escrow Account. The City Treasurer is authorized and directed to open a separate depository account with a bank or trust company or to create a separate account on the books of the City, to be designated 2016 CAPITAL IMPROVEMENT AND REFUNDING BONDS CONSTRUCTION FUND (the "Construction Fund"), and to deposit into said Construction Fund that portion of the proceeds of the Bonds issued for the purpose of paying the costs of the Project less the accrued interest, if any, which shall be deposited in the Debt Retirement Fund for the Bonds. Any net original issue premium received on sale and delivery of the Bonds shall be deposited in the appropriate account consistent with State and federal law, and if required by State or federal law, may be used to reduce the principal amount of Bonds issued, as determined by the Authorized Officers. Moneys in the Construction Fund shall be used solely to pay the costs of the Project and issuance costs for the Bonds.

From the proceeds of the Bonds there shall next be set aside a sum sufficient to pay the costs of issuance of the Bonds in a fund designated 2016 CAPITAL IMPROVEMENT AND REFUNDING BONDS ISSUANCE FUND (the "Bond Issuance Fund"), which may be established by the City or by the Escrow Agent (hereinafter defined). Moneys in the Bond Issuance Fund shall be used solely to pay expenses of issuance of the Bonds. Any amounts remaining in the Bond Issuance Fund after payment of issuance expenses shall be transferred to the Construction Fund for the Bonds.

The balance of the proceeds of the Bonds, together with other available funds provided by the City, if any, shall be deposited in an escrow fund (the "Escrow Fund") consisting of cash and investments in direct obligations of or obligations the principal of and interest on which are unconditionally guaranteed by the United States of America or other obligations the principal of and interest on which are fully secured by the foregoing (the "Escrow Securities") and used to pay the principal of and interest on all or a portion of the Prior Bonds as determined by any of the Authorized Officers at the time of sale (the portion of the Prior Bonds being refunded are the "Refunded Bonds"). The Escrow Fund shall be held in trust by U.S. Bank National Association, Detroit, Michigan, as escrow agent (the "Escrow Agent") pursuant to an escrow agreement (the "Escrow Agreement") which shall irrevocably direct the transfer agent for the Refunded Bonds to take all necessary steps to pay the principal of, interest and redemption premium on the Refunded Bonds being refunded when due, and to call the Refunded Bonds being refunded for redemption as specified by the City. The investments held in the Escrow Fund shall be such that the principal and interest payments received thereon will be sufficient, without reinvestment, to pay the principal of, interest and redemption premium, if any, on the Prior Bonds as they become due pursuant to maturity or the call for redemption required by this paragraph. Following establishment of the Escrow Fund, any amounts remaining in the debt retirement funds for the Prior Bonds shall be transferred to the Debt Retirement Fund for the Bonds. The Authorized Officers are each authorized and directed to purchase or cause to be purchased, Escrow Securities, including United States Treasury Obligations – State and Local Government Series (SLGS), in an amount sufficient to fund the Escrow Fund.

6. Bond Form. The Bonds shall be in substantially the following form with such changes as may be required to conform the Bond to the final terms of the Bonds established by the Sale Order:

UNITED STATES OF AMERICA

STATE OF MICHIGAN  
COUNTY OF CHARLEVOIX

CITY OF CHARLEVOIX

2016 CAPITAL IMPROVEMENT AND REFUNDING BOND  
(LIMITED TAX GENERAL OBLIGATION)

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
	October 1, 20__	_____, 2016	

Registered Owner:

Principal Amount:

Dollars

The City of Charlevoix, County of Charlevoix, State of Michigan (the "City"), acknowledges itself to owe and for value received hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America on the Maturity Date specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon (computed on the basis of a 360 day year consisting of twelve 30-day months) from the Date of Original Issue specified above or such later date to which interest has been paid, at the Interest Rate per annum specified above, payable on October 1, 2016 and semiannually thereafter. Principal of this bond is payable upon presentation and surrender of this bond at the designated office of U.S. Bank National Association, Detroit, Michigan, or such other transfer agent as the City may hereafter designate (the "Transfer Agent") by notice mailed to the registered owner not less than sixty (60) days prior to an interest payment date. Interest on this bond is payable to the person or entity which is the registered owner of record as of the 15th day of the month preceding the interest payment date as shown on the registration books of the City kept by the Transfer Agent, by check or draft mailed by the Transfer Agent to the registered owner of record at the registered address.

This bond is one of a series of bonds aggregating in the principal sum of \$\_\_\_\_\_, issued pursuant to Act 34, Public Acts of Michigan, 2001, as amended, and a resolution duly adopted by the City Council of the City for the purpose of (a) paying all or part of the cost of certain capital improvements for the City, (b) paying all or part of the cost of refunding a certain outstanding prior bond issue of the City, and (c) paying the costs of issuance of the bonds of this issue.

Bonds maturing in the years 2016 to 20\_\_ inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of bonds in multiples of \$5,000 maturing in the year 20\_\_ and thereafter shall be subject to redemption prior to maturity, at the option of the City, in any order of maturity and by lot within any maturity, on any date on or after October 1, 20\_\_, at par and accrued interest to the date fixed for redemption.

Notice of redemption of any bond shall be given by the Transfer Agent at least thirty (30) days prior to the date fixed for redemption by mail to the registered owner at the registered address shown on the registration books kept by the Transfer Agent. No further interest on a bond or portion thereof called for redemption shall accrue after the date fixed for redemption, whether presented for redemption or not, provided funds are on hand with the Transfer Agent to redeem this bond.

This bond is transferable only upon the registration books of the City kept by the Transfer Agent by the registered owner of record in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing this bond and upon the payment of the charges, if any, therein prescribed.

It is hereby certified and recited that all acts, conditions and things required to be done, exist and happen, precedent to and in the issuance of this bond in order to make it a valid and binding obligation of said City have been done, exist and have happened in regular and due form and time as provided by law, and that the total indebtedness of said City, including this bond, does not exceed any constitutional, statutory or charter limitation.

IN WITNESS WHEREOF, the City, by its City Council, has caused this bond to be signed in the name of the City by

the facsimile signatures of its Mayor and City Clerk and a facsimile of its corporate seal to be printed hereon, all as of the Date of Original Issue.

CITY OF CHARLEVOIX  
County of Charlevoix  
State of Michigan

By: \_\_\_\_\_  
Its Mayor

By: \_\_\_\_\_  
Its Clerk

7. Useful Life of Project. The estimated period of usefulness of the Project is hereby declared to be not less than fifteen (15) years.

8. Negotiated Sale. The City has considered the option of selling the Bonds through a competitive sale and a negotiated sale and, pursuant to the requirements of Act 34, based on the advice of its financial advisor, determines that a negotiated sale of the Bonds will allow more flexibility in accessing the municipal bond market, and to price and sell the Bonds at the time that is expected to best achieve the most advantageous interest rates and costs to the City, and will provide the City with greater flexibility in structuring bond maturities and adjusting terms for the Bonds.

9. Bond Purchase Agreement; Delegation to Authorized Officer; Sale Order. The Authorized Officers are each hereby authorized to negotiate the sale of the Bonds with the Underwriter, negotiate and execute a Bond Purchase Agreement, execute a Sale Order specifying the final terms of the Bonds and take all other necessary actions required to effectuate the sale, issuance and delivery of the Bonds within the parameters authorized in this resolution.

10. Adjustment of Bond Terms; Bond Parameters. The Authorized Officers are each hereby authorized to adjust the final bond details as set forth herein to the extent necessary or convenient to complete the sale of the Bonds and in pursuance of the forgoing is each authorized to exercise the authority and make the determinations pursuant to Sections 315(1)(d) of Act 34, including but not limited to determinations regarding interest rates, prices, discounts, maturities, principal amounts, denominations, date of issuance, interest payment dates, redemption rights and other matters within the parameters established by this resolution, provided that the principal amount of Bonds issued shall not exceed the principal amount authorized in this resolution, the interest rate per annum on the Bonds shall not exceed 6.00% per annum, the underwriter's discount shall not exceed 0.60% of the par amount of the Bonds and the refunding of the Prior Bonds shall result in net present value savings to the City.

11. Tax Covenant; Qualified Tax Exempt Obligations. The City shall, to the extent permitted by law, take all actions within its control necessary to maintain the exclusion of the interest on each issue of the Bonds from gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), including, but not limited to, actions relating to any required rebate of arbitrage earnings and the expenditures and investment of Bond proceeds and moneys deemed to be Bond proceeds. The City hereby designates the Bonds as "qualified tax exempt obligations" for purposes of deduction of interest expense by financial institutions pursuant to Section 265(b)(3) of the Code.

12. Continuing Disclosure Undertaking. The City covenants to enter into a continuing disclosure undertaking for the benefit of the holders and beneficial owners of the Bonds in accordance with the requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission, and the Authorized Officers are each hereby authorized to execute such undertaking prior to delivery of the Bonds.

13. Bond Counsel. The appointment of the law firm of Miller, Canfield, Paddock and Stone, P.L.C. of Detroit, Michigan, as Bond Counsel for the Bonds is hereby confirmed, notwithstanding the periodic representation by Miller, Canfield, Paddock and Stone, P.L.C., in unrelated matters of the Underwriter and potential parties to the issuance of the Bonds.

14. Financial Advisor. Robert W. Baird & Co. is retained as the financial advisor to the City in connection with the issuance of the Bonds.

15. Authorization of Other Actions. The Authorized Officers are each authorized and directed to (a) approve the circulation of a preliminary official statement describing the Bonds and to deem the preliminary official statement "final" for

purposes of Rule 15c2-12 of the SEC; (b) approve the circulation of a final official statement describing the Bonds and to execute the same on behalf of the City; (c) solicit bids for and approve the purchase of a municipal bond insurance policy for the Bonds; and (d) do all other acts and take all other necessary procedures required to effectuate the sale, issuance and delivery of the Bonds.

16. Rescission. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution be and the same hereby are rescinded.

AYES: Members Gibson, Cole, Supernaw, Hagen, Kurtz, Perron

NAYS: None

RESOLUTION DECLARED ADOPTED

X. Ordinances

None.

XI. Miscellaneous Business

Councilmember Supernaw noted the passing of several locals over the weekend, but he explained that he was occupied with a Petoskey News Review article regarding the innuendo that he may have received per diem payment for four ineligible meetings. He stated that he was asked to attend 3 of the 4 meetings in question. Councilmember Supernaw indicated that he would pay \$200 back to the City and would make arrangements with the City Treasurer. Mayor Campbell agreed.

Councilmember Supernaw commented that he attended 12-14 meetings as a Board of Review member and Volunteer Fire/EMS Staffing Review Committee member. In looking at his annual compensation, if these meetings were deleted, Councilmember Supernaw's compensation would be in line with other members of Council.

Mayor Campbell stated that if a council member is appointed to a committee or required to go to a meeting, he is paid per diem. He indicated that there is no pay for attending a meeting without being a member of that committee. Councilmember Supernaw then questioned why he and Councilmember Gibson were paid for a Housing Commission meeting in Petoskey and Councilmember Gibson responded that the City requested their attendance. Councilmember Perron cited ambiguity when he first started on Council and he suggested that written guidelines may help clarify what is compensated.

Councilmember Supernaw felt that "this was a hit job" because his integrity was questioned. He discussed perceived "back stabbing" and cliques on Council. Councilmember Supernaw stated "that it is hardly worth sitting up here with stuff like this going on, so that is what my decision is going to be in the next two weeks". He indicated that he didn't want constituents to beg him to stay on Council, but asked that if constituents wanted him to leave, that they "say it to his face." Mayor Campbell responded that he "was amazed that you are making a big to-do about a misunderstanding".

Councilmember Kurtz invited the public to join Council to sled on Friday, February 5<sup>th</sup> at 6pm to kick off Groundhog Shadow Fest.

Councilmember Kurtz presented the idea of holding an informal Meet and Greet with the School Board and Charlevoix Township to build relationships.

Councilmember Cole commented that the City Manager was the special guest speaker at the Chamber Annual Meeting on February 5<sup>th</sup>.

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

None.

XIII. Adjourn

It was generally agreed to adjourn. Meeting adjourned at 8:20 p.m.

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Joyce M. Golding

City Clerk

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Gabe Campbell

Mayor

**Special Accounts Payable – 01/21/2016**

AT&T	16,583.01	METLIFE SMALL BUSINESS CENTER	768.73
AT&T LONG DISTANCE	28.77	PRIORITY HEALTH	44,082.05
AT&T MOBILITY	72.90	VERIZON WIRELESS	56.72
CHARLEVOIX STATE BANK	2,711.80	VISION SERVICE PLAN	532.44
DELTA DENTAL	4,121.40		
GREAT LAKES ENERGY	291.22	<b>TOTAL</b>	<b>69,249.04</b>

**Regular Accounts Payable – 02/02/2016**

AIRGAS USA LLC	146.13	JONES & BARTLETT LEARNING	167.03
ALL-PHASE ELECTRIC SUPPLY CO.	253.87	KIWANIS CLUB OF CHARLEVOIX	39.00
AMERICAN PUBLIC WORKS ASSN	360.00	KSS ENTERPRISES	231.31
AMERICAN TOTAL SECURITY INC	281.53	LAKESHORE TIRE & AUTO SERVICE	541.80
AMERICAN WASTE INC.	2,138.36	MDC CONTRACTING LLC	553.63
ARCADIA BENEFITS GROUP INC	50.00	MI ASSOC OF AIRPORT EXECUTIVES	70.00
BELLEROC TIRE/GAYLORD	1,180.00	MICHIGAN GOVERNMENT	104.00
BILL'S FARM MARKET	350.00	MICHIGAN MUNICIPAL ELECTRIC	10,056.00
BIOMEDICAL SOLUTIONS	1,525.00	MICHIGAN POLICE EQUIPMENT	85.00
BOB MATHERS FORD	292.00	Michigan Public Power Agency	17,838.79
BOYNE AREA MEDICAL CENTER	100.00	MICHIGAN WATER ENV ASSOC	130.00
BULBS.COM	224.90	MITCHELL GRAPHICS INC.	922.00
CCP INDUSTRIES INC	427.18	MYER, ELIZABETH A.	63.07
CENTRAL DRUG STORE	20.44	NORTHERN CREDIT BUREAU	2,113.70
CHARLEVOIX AREA CHAMBER	210.00	NORTHERN SAFETY CO INC	136.67
CHARLEVOIX DISTRICT LIBRARY	6,201.48	OLSON BZDOK & HOWARD	4,201.90
CHAR GROUNDHOG SHADOW FEST	1,000.00	PLUNKETT & COONEY	1,076.27
CHARLEVOIX SCREEN MASTERS INC	638.00	POLYDYNE INC	379.50
CHARTER COMMUNICATIONS	925.58	POWER LINE SUPPLY	203.30
CINTAS CORPORATION	156.92	PRO WEB MARKETING LLC	20.00
CINTAS CORPORATION #729	37.87	ROTARY CLUB OF CHARLEVOIX	37.50
CIVIC SYSTEMS	9,354.00	RTI LABORATORIES INC.	274.00
CROW, ALAN & LISA	126.50	S&W HEALTHCARE CORPORATION	130.13
CZAR, RON & LYNN	43.98	SOUND ENVIRONMENTS	435.00
DAVIS, JEAN	214.00	STATE OF MICHIGAN	541.64
DEWILDT, AMANDA	132.00	STATE OF MICHIGAN	30.00
DIXON, MARY	180.00	STEVENS, KRISTIE	39.81
ECONO SIGNS LLC	1,380.00	STOLT, GLEN	22.00
EJ EQUIPMENT INC	893.44	SYSTEMS SPECIALISTS INC	362.00
EJ USA INC	273.60	TERMINAL SUPPLY CO	56.23
ELLSWORTH FARMER'S EXCHANGE	853.65	THOMAS ELECTRICAL SERVICES LLC	450.00
EMERGENCY MEDICAL PRODUCTS INC	210.16	TRUCK & TRAILER SPECIALTIES	1,874.65
EMMET BRICK & BLOCK	51.75	UP NORTH PROPERTY SERVICES LLC	224.00
ETNA SUPPLY	500.00	UPPER CASE PRINTING INK	1,094.24
FASTENAL COMPANY	89.76	VILLAGE GRAPHICS INC.	189.59
FAYER, CHRIS	31.96	VOSS LIGHTING	1,908.00
FLETCHER	312.60	WHITLEY, ANDREW	14.00
GINOP SALES INC.	327.14	WINDER POLICE EQUIPMENT	125.70
GROUNDWORK	100.00	WOLTERS KLUWER LAW & BUSINESS	525.00
GRP ENGINEERING INC.	161.06	WOOD, BARRY	66.88
HABERMAN, SAMUEL	65.50	WORK & PLAY SHOP	44.32
HERBERT, BRUCE	158.05	ZBIERAJEWSKI, MICHAEL	191.50
IDEXX DISTRIBUTION INC	146.56		
JERRY'S TIRE	651.72	<b>TOTAL</b>	<b>80,345.85</b>

**ACH Payments – 01/19/2016 – 01/29/2016**

MI PUBLIC POWER AGENCY	15,282.43	STATE OF MI (WITHHOLDING TAX)	4,094.76
MI PUBLIC POWER AGENCY	11,663.85	VANTAGEPOINT (401 ICMA PLAN)	686.22
MI PUBLIC POWER AGENCY	262,066.08	VANTAGEPOINT (457 ICMA PLAN)	13,212.25
IRS (PAYROLL TAX DEPOSIT)	28,498.62	MERS (DEFINED BENEFIT PLAN)	25,731.26
ALERUS FINANCIAL (HCSP)	420.00	<b>TOTAL</b>	<b>361,655.47</b>

Tax Disbursement – 02/02/2016			
CHARLEVOIX COUNTY TREASURER	425.31	CHARLEVOIX PUBLIC SCHOOLS	278.13
CHARLEVOIX COUNTY TREASURER	93,550.32	CHARLEVOIX PUBLIC SCHOOLS	60.12
CHARLEVOIX DISTRICT LIBRARY	34,338.13	CITY OF CHARLEVOIX - TAXES DUE	23,928.22
CHARLEVOIX PUBLIC SCHOOLS	5,412.65	HART, RICHARD & MICHELLE	379.52
CHARLEVOIX PUBLIC SCHOOLS	571.32	RECREATIONAL AUTHORITY	6,260.70
CHARLEVOIX PUBLIC SCHOOLS	27.05	<b>TOTAL</b>	<b>165,231.47</b>

**PAYROLL: NET PAY**

**Pay Period Ending 01/23/2016 – Paid 01/29/2016**

WELLER, LINDA JO	1,648.61	BROWN, STEPHANIE C	1,037.84
HEYDLAUFF, MARK L.	2,079.77	ELLIOTT, PATRICK M	1,738.94
GOLDING, JOYCE M.	1,063.96	SCHWARTZFISHER, JOSEPH L.	1,407.38
DEROSIA, PATRICIA E.	936.24	WELLS JR, DONALD E.	1,254.29
DOYLE, ANNE E.	1,362.36	BRADLEY, KELLY R.	1,505.36
LOY, EVELYN R.	1,046.75	JONES, ROBERT F.	1,530.47
KLOOSTER, ALIDA K.	1,441.35	DORAN, JUSTIN J.	1,857.08
GOLOVICH, KAREN J.	991.10	KIRINOVIC, THOMAS F.	588.98
SPENCLEY, PATRICIA L.	1,302.39	BITELY, KATHERINE A.	420.20
PANOFF, ZACHARY R.	1,027.00	MURPHY IV, MICHAEL J.	141.41
MILLER, FAITH G.	27.96	RAMSEY, MADISON L.	102.37
LEESE, MERRI C.	173.92	BERTINELLI, DAVID P.	870.74
MCGINN, KELLY A.	1,456.33	BOSS, BEAU J.	372.55
DOAN, GERARD P.	1,514.92	BARNEVELD, VLADIMIR R.	141.41
SHRIFT, PETER R.	1,198.95	FICHTNER, KRISTIE S.	212.40
SCHLAPPI, JAMES L.	990.72	HEID, THOMAS J.	1,244.10
UMULIS, MATTHEW T.	1,250.87	MYER, ELIZABETH A.	1,623.20
HANKINS, SCOTT A.	1,465.98	VANLOO, JOSEPH G.	587.44
ORBAN, BARBARA K.	1,278.76	WYMAN, MATTHEW A.	988.29
TRAEGER, JASON A.	1,098.76	SCHRADER, LOU ANN	521.64
MATELSKI, KIMBERLY A.	1,134.50	BOSS, RYDER S.	330.77
ROLOFF, ROBERT P.	1,415.41	MILLER, WILLIAM S.	941.42
RILEY, DENISE M.	408.67	SWEM, DONALD L.	1,790.16
LOPER II, GARY D.	660.12	WHITLEY, ANDREW T.	1,528.50
TEUNIS, STEVEN L.	1,664.99	MORRISON, KEVIN P.	1,464.45
WURST, RANDALL W.	1,227.86	HODGE, MICHAEL J.	1,590.19
MAYER, SHELLEY L.	1,420.93	JOHNSON, STEVEN P.	1,440.34
HILLING, NICHOLAS A.	1,394.64	BOSS JR, DALE E.	1,116.49
MEIER III, CHARLES A.	779.12	STEBE JR, JOHN M.	387.18
ZACHARIAS, STEVEN B.	1,207.51	BOSS, SHERRY M.	392.37
NISWANDER, JOSEPH F.	1,396.02	BEHAN, DEAN T.	280.69
EATON, BRAD A.	1,889.34	STEBE, CATHERINE M.	262.10
WILSON, TIMOTHY J.	2,073.79	HOLM, ARTHUR R.	783.44
LAVOIE, RICHARD L.	1,693.52	STEVENS, JEFFREY W.	282.71
STEVENS, BRANDON C.	2,059.50	MATTER, DAWSON K.	123.34
DRAVES, MARTIN J.	1,688.41	<b>TOTAL</b>	<b>76,131.27</b>

**PAYROLL: TRANSMITTAL – 01/29/2016**

4FRONT CREDIT UNION	248.46	CHEMICAL BANK	150.00
AMERICAN FAMILY LIFE	166.74	MI STATE DISBURSEMENT UNIT	323.45
AMERICAN FAMILY LIFE	311.88	PRIORITY HEALTH	2,073.09
CHAR EM UNITED WAY	54.00		
CHARLEVOIX STATE BANK	2,286.16	<b>TOTAL</b>	<b>5,813.78</b>

Check Number	Payee	Amount
<b>02/02/2016</b>		
115872	DCASSESSING SERVICES	4,371.08
Total 02/02/2016:		4,371.08
Grand Totals:		4,371.08

### Summary of Check Registers & ACH Payments

#### FIRSTMERIT BANK - CHECKS ISSUED

02/02/16	Special Accounts Payable Run	\$	4,371.08
02/12/16	Payroll	\$	82,025.06
02/12/16	Payroll Transmittal Checks	\$	6,248.80
02/16/16	Regular Accounts Payable	\$	194,676.80
Checks Sub-Total:		\$	287,321.74

#### FIRSTMERIT BANK - ACH PAYMENTS

01/29/16	DeVere Construction Company	\$	240,834.90
02/01/16	MI Public Power Agency	\$	14,747.35
02/04/16	Payment Service Network	\$	216.10
02/08/16	MI Public Power Agency	\$	14,276.55
02/08/16	State of MI (Sales Tax)	\$	22,665.15
02/12/16	IRS (Payroll Tax Deposit)	\$	33,189.45
02/12/16	Alerus Financial (HCSP)	\$	420.00
02/12/16	State of MI (Withholding Tax)	\$	4,546.98
02/12/16	Vantagepoint (401 ICMA Plan)	\$	686.22
02/12/16	Vantagepoint (457 ICMA Plan)	\$	13,317.09
ACH Sub-Total:		\$	344,899.79

First Merit Bank Total: \$ 632,221.53

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

02/16/16	Tax Disbursement	\$	272,506.85
Charlevoix State Bank Total:		\$	272,506.85
Grand Total:		\$	904,728.38

APPROVED:

  
CITY MANAGER

  
CITY TREASURER

  
CITY CLERK

M = Manual Check, V = Void Check

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
02/06/2016	PC	02/12/2016	20836	WELLER, LINDA JO	101		1,648.61
02/06/2016	PC	02/12/2016	20837	HEYDLAUFF, MARK L.	102		2,363.72
02/06/2016	PC	02/12/2016	20838	GOLDING, JOYCE M.	106		1,062.95
02/06/2016	PC	02/12/2016	20839	DEROSIA, PATRICIA E.	107		878.25
02/06/2016	PC	02/12/2016	20840	DOYLE, ANNE E.	108		1,362.36
02/06/2016	PC	02/12/2016	20841	LOY, EVELYN R.	117		1,029.16
02/06/2016	PC	02/12/2016	20842	KLOOSTER, ALIDA K.	121		1,628.11
02/06/2016	PC	02/12/2016	20843	GOLOVICH, KAREN J.	122		973.50
02/06/2016	PC	02/12/2016	20844	SPENCLEY, PATRICIA L.	136		1,255.30
02/06/2016	PC	02/12/2016	20845	PANOFF, ZACHARY R.	141		1,027.00
02/06/2016	PC	02/12/2016	20846	MILLER, FAITH G.	142		88.18
02/06/2016	PC	02/12/2016	20847	MCGINN, KELLY A.	146		1,456.33
02/06/2016	PC	02/12/2016	20848	DOAN, GERARD P.	201		1,514.92
02/06/2016	PC	02/12/2016	20849	SHRIFT, PETER R.	203		6,938.75
02/06/2016	PC	02/12/2016	20850	SCHLAPPI, JAMES L.	204		878.17
02/06/2016	PC	02/12/2016	20851	UMULIS, MATTHEW T.	205		1,301.85
02/06/2016	PC	02/12/2016	20852	HANKINS, SCOTT A.	208		1,952.04
02/06/2016	PC	02/12/2016	20853	ORBAN, BARBARA K.	209		1,392.03
02/06/2016	PC	02/12/2016	20854	TRAEGER, JASON A.	210		1,092.69
02/06/2016	PC	02/12/2016	20855	MATELSKI, KIMBERLY A.	212		1,134.50
02/06/2016	PC	02/12/2016	20856	ROLOFF, ROBERT P.	304		1,643.48
02/06/2016	PC	02/12/2016	20857	RILEY, DENISE M.	306		410.66
02/06/2016	PC	02/12/2016	20858	LOPER II, GARY D.	308		660.12
02/06/2016	PC	02/12/2016	20859	TEUNIS, STEVEN L.	402		1,664.99
02/06/2016	PC	02/12/2016	20860	WURST, RANDALL W.	411		1,365.69
02/06/2016	PC	02/12/2016	20861	MAYER, SHELLEY L.	412		1,272.84
02/06/2016	PC	02/12/2016	20862	HILLING, NICHOLAS A.	413		1,070.33
02/06/2016	PC	02/12/2016	20863	MEIER III, CHARLES A.	421		843.73
02/06/2016	PC	02/12/2016	20864	ZACHARIAS, STEVEN B.	422		1,429.53
02/06/2016	PC	02/12/2016	20865	NISWANDER, JOSEPH F.	504		1,373.17
02/06/2016	PC	02/12/2016	20866	EATON, BRAD A.	515		1,793.84
02/06/2016	PC	02/12/2016	20867	WILSON, TIMOTHY J.	516		2,213.61
02/06/2016	PC	02/12/2016	20868	LAVOIE, RICHARD L.	519		1,662.97
02/06/2016	PC	02/12/2016	20869	STEVENS, BRANDON C.	521		1,828.49
02/06/2016	PC	02/12/2016	20870	DRAVES, MARTIN J.	523		1,558.65
02/06/2016	PC	02/12/2016	20871	BROWN, STEPHANIE C.	524		1,020.24
02/06/2016	PC	02/12/2016	20872	ELLIOTT, PATRICK M.	600		1,738.95
02/06/2016	PC	02/12/2016	20873	SCHWARTZFISHER, JOS	603		958.85
02/06/2016	PC	02/12/2016	20874	WELLS JR., DONALD E.	609		1,451.61
02/06/2016	PC	02/12/2016	20875	BRADLEY, KELLY R.	614		1,257.04
02/06/2016	PC	02/12/2016	20876	JONES, ROBERT F.	618		1,364.70
02/06/2016	PC	02/12/2016	20877	DORAN, JUSTIN J.	621		1,563.24
02/06/2016	PC	02/12/2016	20878	KIRINOVIC, THOMAS F.	700		604.48
02/06/2016	PC	02/12/2016	20879	BITELY, KATHERINE A.	704		399.90
02/06/2016	PC	02/12/2016	20880	GREGORY, CHRISTOPH	727		135.41
02/06/2016	PC	02/12/2016	20881	BOSS, SHERRY M.	730		484.54
02/06/2016	PC	02/12/2016	20882	MURPHY IV, MICHAEL J.	732		350.12
02/06/2016	PC	02/12/2016	20883	RAMSEY, MADISON L.	752		274.19
02/06/2016	PC	02/12/2016	20884	BERTINELLI, DAVID P.	764		870.74
02/06/2016	PC	02/12/2016	20885	BOSS, BEAU J.	788		396.32
02/06/2016	PC	02/12/2016	20886	BARNEVELD, VLADIMIR	789		194.52
02/06/2016	PC	02/12/2016	20887	FICHTNER, KRISTIE S.	792		272.43
02/06/2016	PC	02/12/2016	20888	HEID, THOMAS J	802		1,244.10
02/06/2016	PC	02/12/2016	20889	MYER, ELIZABETH A.	900		1,851.28
02/06/2016	PC	02/12/2016	20890	VANLOO, JOSEPH G.	902		474.05
02/06/2016	PC	02/12/2016	20891	WYMAN, MATTHEW A.	927		930.30
02/06/2016	PC	02/12/2016	20892	SCHRADER, LOU ANN	929		422.81

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
02/06/2016	PC	02/12/2016	20893	BOSS, RYDER S.	932		266.33
02/06/2016	PC	02/12/2016	20894	MILLER, WILLIAM S.	933		1,171.91
02/06/2016	PC	02/12/2016	115873	SWEM, DONALD L.	512		1,790.16
02/06/2016	PC	02/12/2016	115874	WHITLEY, ANDREW T.	522		1,666.36
02/06/2016	PC	02/12/2016	115875	MORRISON, KEVIN P.	601		1,225.21
02/06/2016	PC	02/12/2016	115876	HODGE, MICHAEL J.	606		1,356.12
02/06/2016	PC	02/12/2016	115877	JOHNSON, STEVEN P.	617		1,328.72
02/06/2016	PC	02/12/2016	115878	BOSS JR, DALE E.	701		1,116.49
02/06/2016	PC	02/12/2016	115879	STEBE JR, JOHN M.	729		362.46
02/06/2016	PC	02/12/2016	115880	BEHAN, DEAN T.	733		358.79
02/06/2016	PC	02/12/2016	115881	STEBE, CATHERINE M.	765		298.42
02/06/2016	PC	02/12/2016	115882	HOLM, ARTHUR R.	791		676.27
02/06/2016	PC	02/12/2016	115883	STEVENS, JEFFREY W.	1028		254.14
02/06/2016	PC	02/12/2016	115884	MATTER, DAWSON K.	1038		123.34
Grand Totals:			71				82,025.06

dm

## 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
02/06/2016	02/12/2016	115885	4FRONT CREDIT UNION	9024	HSA-EMPLOYEE CONTRIB-4FR	248.46
02/06/2016	02/12/2016	115886	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-POST	166.74
02/06/2016	02/12/2016	115886	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-PRETA	311.88
02/06/2016	02/12/2016	115887	CHAR EM UNITED WAY	9009	UNITED WAY Pay Period: 2/6/20	55.00
02/06/2016	02/12/2016	115888	CHARLEVOIX STATE BA	9017	HSA - EMPLOYEE CONTRIB - C	2,286.16
02/06/2016	02/12/2016	115889	CHEMICAL BANK	9018	HSA - EMPLOYEE CONTRIB - C	150.00
02/06/2016	02/12/2016	115890	COMMUNICATION WORK	9004	CWA UNION DUES Pay Period:	525.02
02/06/2016	02/12/2016	115891	MI STATE DISBURSEME	9012	FRIEND OF THE COURT Pay P	323.45
02/06/2016	02/12/2016	115892	POLICE OFFICERS LABO	9003	POL UNION DUES Pay Period: 2	201.00
02/06/2016	02/12/2016	115893	PRIORITY HEALTH	392358	PRIORITY HEALTH Pay Period:	1,981.09
Grand Totals:		10				6,248.80

Check Number	Payee	Amount
<b>02/16/2016</b>		
115894	ACE HARDWARE	1,174.44
115895	AIRGAS USA LLC	789.02
115896	ALL AREA TOWING	65.00
115897	AMERICAN TOTAL SECURITY INC	598.77
115898	AUTO VALUE	466.57
115899	AVFUEL CORPORATION	1,520.00
115900	BIOMEDICAL SOLUTIONS	995.00
115901	BRADFORD'S	42.25
115902	BRADLEY, KELLY R.	317.77
115903	BREWER, JOHN	1,300.00
115904	BROWN, LESTON	47.61
115905	CARQUEST OF CHARLEVOIX	565.01
115906	CENTRAL DRUG STORE	93.92
115907	CHARLEVOIX AREA CHAMBER OF CO	490.00
115908	CHARLEVOIX DISTRICT LIBRARY	45.00
115909	CHARLEVOIX TOWNSHIP	15.23
115910	CHARTER COMMUNICATIONS	1,035.56
115911	CHEMTRADE CHEMICALS US LLC	6,158.85
115912	CITY OF CHARLEVOIX - UTILITIES	21,051.80
115913	CLEAN HARBORS ENV. SERVICES	1,152.81
115914	CRYSTAL FLASH ENERGY	582.91
115915	DeROSIA, PATTY	41.00
115916	DOAN, GERARD	41.00
115917	DOYLE, ANNIE	41.00
115918	EAST JORDAN FAMILY HEALTH CTR	126.00
115919	EJ EQUIPMENT INC	4,347.16
115920	ELHORN ENGINEERING COMPANY	1,131.00
115921	ELLIOTT, PATRICK M.	127.00
115922	ELLSWORTH FARMER'S EXCHANGE	726.38
115923	ENMET CORP	130.11
115924	EVANS, HAL	41.00
115925	FAMILY FARM & HOME	638.60
115926	FASTENAL COMPANY	93.59
115927	FERGUSON & CHAMBERLAIN	647.00
115928	FISHER SCIENTIFIC	1,728.27
115929	FREEDOM MAILING SERVICES INC.	2,263.43
115930	GOLDING, JOYCE	41.00
115931	GREAT LAKES PIPE & SUPPLY	137.79
115932	HACH COMPANY	1,526.32
115933	HANKINS, SCOTT	41.00
115934	HEID, THOMAS J.	41.00
115935	HEYDLAUFF, MARK L	41.00
115936	HILLING, NICHOLAS A.	86.00
115937	HYDRO CORP	515.00
115938	J & B MEDICAL SUPPLY INC.	700.94
115939	JACKLIN STEEL SUPPLY CO	158.43
115940	JAMES, WILLIAM	36.02
115941	KIRINOVIC, THOMAS	41.00

Check Number	Payee	Amount
115942	KLOOSTER, ALIDA K.	41.00
115943	KORTHASE FLINN	317.50
115944	KSS ENTERPRISES	316.60
115945	MCCARDEL CULLIGAN-PETOSKEY	50.00
115946	McGINN, KELLY	41.00
115947	MEIER III, CHARLES A.	86.00
115948	METEER, MELISSA	30.00
115949	MICHIGAN OFFICEWAYS INC	2,464.82
115950	MICHIGAN POLICE EQUIPMENT	862.00
115951	MYER, ELIZABETH A.	199.19
115952	NORTHERN CREDIT BUREAU	570.45
115953	NORTHERN MICHIGAN REVIEW INC.	1,230.26
115954	NORTHERN PUMP SERVICE INC.	2,384.70
115955	NORTHERN SAFETY CO INC	328.05
115956	OLESON'S FOOD STORES	53.16
115957	OLSON BZDOK & HOWARD	1,631.10
115958	OLSTROM EXCAVATING AND PAVING	4,980.00
115959	PANOFF, ZACH	41.00
115960	PARDEE, W.W.	280.00
115961	PERFORMANCE ENGINEERS INC	65,318.00
115962	PHILLIPS, OWEN	27.26
115963	PHYSICIAN'S CLINIC OF CHARLEVOIX	102.00
115964	PINE RIVER BOOKS LLC	9.29
115965	POWER LINE SUPPLY	1,766.58
115966	PREIN & NEWHOF	47,648.88
115967	PRO WEB MARKETING LLC	40.00
115968	QUICK CARE MEDICAL CENTER	80.00
115969	RANGE TELECOMMUNICATIONS	140.40
115970	RICK-BIDDICK, MICHELLE	764.93
115971	ROLOFF, ROBERT	41.00
115972	SCHMUCKAL OIL CO	947.63
115973	SPARTAN DISTRIBUTORS INC	91.75
115974	SPOK INC	21.39
115975	studioMI LLC	100.00
115976	SUPERIOR MECHANICAL	1,615.89
115977	SWEM, DONALD L.	41.00
115978	SYSTEMS SPECIALISTS INC	100.00
115979	TERMINAL SUPPLY CO	126.90
115980	TEUNIS, STEVEN	41.00
115981	TRUCK & TRAILER SPECIALTIES	131.55
115982	UMULIS, MATTHEW	19.39
115983	UNITED STATES PLASTIC CORP.	21.11
115984	USA BLUE BOOK	339.09
115985	VILLAGE GRAPHICS INC.	155.60
115986	VOSS LIGHTING	954.00
115987	WELLER, LINDA	41.00
115988	WELLS JR., DONALD E.	357.77
115989	WILMOT ELECTRIC INC	3,690.00
115990	WYMAN, MATTHEW A.	41.00

Check Number	Payee	Amount
	Total 02/16/2016:	194,676.80
	Grand Totals:	194,676.80

Check Number	Payee	Amount
<b>01/29/2016</b>		
12916007	DEVERE CONSTRUCTION COMPANY	240,834.90
Total 01/29/2016:		240,834.90
Grand Totals:		240,834.90

Check Number	Payee	Amount
<b>02/01/2016</b>		
20116001	MICHIGAN PUBLIC POWER AGENCY	14,747.35
Total 02/01/2016:		14,747.35
Grand Totals:		14,747.35

Check Number	Payee	Amount
<b>02/04/2016</b>		
20416001	PAYMENT SERVICE NETWORK INC.	216.10
Total 02/04/2016:		216.10
Grand Totals:		216.10

Check Number	Payee	Amount
<b>02/08/2016</b>		
20816001	MICHIGAN PUBLIC POWER AGENCY	14,276.55
20816002	STATE OF MICHIGAN	22,665.15
Total 02/08/2016:		36,941.70
Grand Totals:		36,941.70

Check Issue Date	Check Number	Payee	Amount
<b>21216001</b>			
02/12/2016	21216001	**EFTPS* Payroll Taxes	7,888.76
02/12/2016	21216001	**EFTPS* Payroll Taxes	7,888.76
02/12/2016	21216001	**EFTPS* Payroll Taxes	1,844.93
02/12/2016	21216001	**EFTPS* Payroll Taxes	1,844.93
02/12/2016	21216001	**EFTPS* Payroll Taxes	13,722.07
Total 21216001:			
	5		33,189.45
<b>21216002</b>			
02/12/2016	21216002	Alerus Financial	420.00
Total 21216002:			
	1		420.00
<b>21216003</b>			
02/12/2016	21216003	STATE OF MICHIGAN	4,546.98
Total 21216003:			
	1		4,546.98
<b>21216004</b>			
02/12/2016	21216004	Vantagepoint - 401 Plan 109153	686.22
Total 21216004:			
	1		686.22
<b>21216005</b>			
02/12/2016	21216005	Vantagepoint - 457 Plan 300959	5,396.58
02/12/2016	21216005	Vantagepoint - 457 Plan 300959	477.88
02/12/2016	21216005	Vantagepoint - 457 Plan 300959	1,808.08
02/12/2016	21216005	Vantagepoint - 457 Plan 300959	5,634.55
Total 21216005:			
	4		13,317.09
Grand Totals:			
	12		52,159.74

Check Number	Payee	Amount
<b>02/16/2016</b>		
2688	CHARLEVOIX COUNTY TREASURER	158,472.66
2689	CHARLEVOIX DISTRICT LIBRARY	57,994.68
2690	CHARLEVOIX PUBLIC SCHOOLS	3,223.43
2691	CHARLEVOIX PUBLIC SCHOOLS	921.40
2692	CHARLEVOIX PUBLIC SCHOOLS	43.61
2693	CHARLEVOIX PUBLIC SCHOOLS	448.56
2694	CHARLEVOIX PUBLIC SCHOOLS	96.96
2695	CITY OF CHARLEVOIX - TAXES DUE	40,254.20
2696	KOJAIAN, MIKE & SHIRLEY	477.24
2697	RECREATIONAL AUTHORITY	10,574.11
Total 02/16/2016:		272,506.85
Grand Totals:		272,506.85

**CHECKS DRAWN ON CHARLEVOIX STATE BANK ACCOUNT**

**CHARLEVOIX CITY COUNCIL  
AGENDA ITEM**

**AGENDA ITEM TITLE:** Conservation Easement Public Hearing

**DATE:** February 15, 2016

**PRESENTED BY:** City Council

**ATTACHMENTS:** Maps of potential easement areas

**BACKGROUND INFORMATION:**

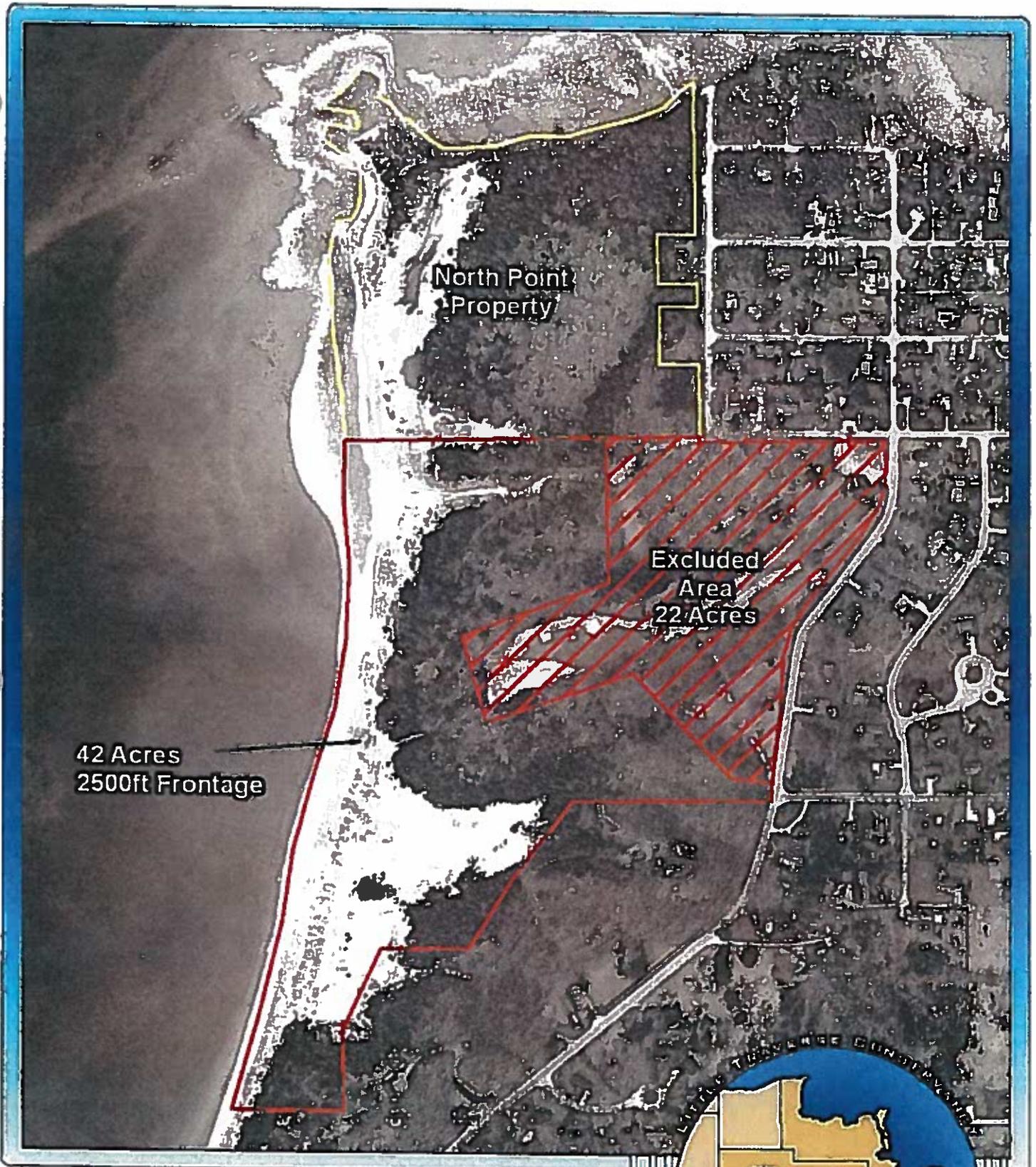
Last fall, Council discussed the concept of creating a conservation easement for the Mt. McSauba Recreation Area and Lake Michigan Beach Park. At both locations, an easement would exclude portions of the land currently in use for other activities (the Water Treatment Plant, the beach parking area, ski areas, lifts, etc).

The City Attorney has determined implementing an easement will require a vote of the people of Charlevoix. If Council so chose, it could place this question before voters and if they support the easement, Council would finalize negotiations on the terms of the easement. An easement can permit the construction or re-construction of certain types of structures so long as they are included from the beginning. The easement is held by a third party who is responsible for ensuring the landowner, in this case the City, follows the terms of the restrictions.

As Council directed in November, a Public Hearing has been scheduled with public notices having been listed in accord with standard practice.

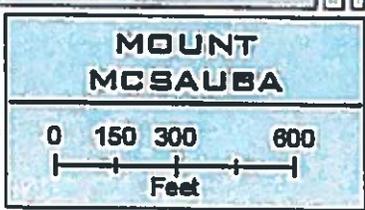
**RECOMMENDATION:** If Council chooses to place this question on the ballot, we would need a motion from Council directing staff to draft the required language. Staff would bring this proposal back to Council for final approval. To place an item on the ballot, it must be approved by Council and received by the County Clerk at least 14 weeks before the election date. For 2016, it would need to be approved by April 26 to appear on the August ballot or approved by August 2 to appear on the November ballot.

If Council wishes to take no action, nothing further will be done with this proposal.



Acres: 42  
Perimeter:

Map Data Source: 2005  
Center for Geographic Information  
Department of Information Technology  
[www.michigan.gov/CGI/](http://www.michigan.gov/CGI/)





**Excluded Area  
8.85 Acres**

**8.9 Acres  
770ft Frontage**

**PALMER**

**VAN FELT FL**

**GRANT ST**

**CLINTON ST**

**PARKWAY**

**SHERMAN ST**

**MASON ST**

**ANTRIM ST**



**CHARLEVOIX CITY COUNCIL  
AGENDA ITEM**

**AGENDA ITEM TITLE:** Budget Amendment for 2015-2016

**DATE:** February 15, 2016

**PRESENTED BY:** Mark L. Heydlauff, City Manager  
Kelly McGinn, City Treasurer

**ATTACHMENTS:** 2015-2016 Budget Amendment

**BACKGROUND INFORMATION:**

The 2015-2016 Budget Amendment aligns our action spending from the last year with our budget. In general, spending was at or below expectations with revenue up in some key areas. Tax revenue beat expectations with General Fund revenue exceeding expectations by just over \$91,000; overall General Fund expenditures were even and came in about \$1,000 below budget.

The Electric Department came in a half million dollars below budgeted expenses - largely due to the delayed purchase of a new pole truck. The Sewer Fund showed a large increase in revenue and expenses - attributable to ongoing construction at the Wastewater Treatment Plant. The Airport also saw a large decrease in revenue and accompanying expenses - largely because of lower fuel costs. Finally, the Water Fund saw significant changes in revenue and expenses because of the water line freezing this past winter; the loan made to the Water Fund to offset these losses also caused a large increase in expenses for the DPW Site Fund.

**RECOMMENDATION:** Approve the Budget Amendment Ordinance for the 2015-2016 Budget.

**ORDINANCE #**

The Budget for the fiscal year beginning April 1, 2015 shall be amended for operating the City of Charlevoix.  
 Ordinance # \_\_\_\_\_ the Budget Appropriation Act of 2015-2016 is hereby amended as follows:

		Original Budget	Amended Budget	Net Change
General Fund	RV Total	3,879,600	3,971,129	91,529
- Legislative	EX Total	41,700	71,866	30,166
- General Government	EX Total	588,900	577,213	(11,687)
- Public Safety	EX Total	1,115,900	1,117,005	1,105
- Public Works	EX Total	233,600	240,627	7,027
- Health and Welfare	EX Total	387,600	387,841	241
- Recreation & Culture	EX Total	1,519,600	1,501,550	(18,050)
- Other	EX Total	50,800	40,966	(9,834)
Major Street Fund	RV Total	1,179,605	1,180,157	552
	EX Total	1,178,600	1,178,340	(260)
Local Street Fund	RV Total	118,693	118,702	9
	EX Total	115,300	115,218	(82)
DDA Fund	RV Total	584,100	570,579	(13,521)
	EX Total	563,500	560,026	(3,474)
Airport Fund	RV Total	3,158,300	2,866,500	(291,800)
	EX Total	1,753,500	1,480,160	(273,340)
PI#5 - Sewer Capital Fund	RV Total	100	6,100	6,000
PI#6 - Infrastructure Improvements Fund	RV Total	451,000	500,134	49,134
	EX Total	703,600	712,628	9,028
PI#7 - Street Improvements	RV Total	220,700	233,610	12,910
PI#9 - Industrial Park Fund	RV Total	38,030	30	(38,000)
	EX Total	81,500	5,000	(76,500)
PI#12 - Mt. McSaubia Recreation Improvement Fund	RV Total	5,700	30	(5,670)
	EX Total	1,700	0	(1,700)
Electric Fund	RV Total	7,233,537	7,130,905	(102,632)
	EX Total	8,049,200	7,501,702	(547,498)
Sewer Fund	RV Total	9,586,100	11,452,095	1,865,995
	EX Total	9,942,700	11,510,586	1,567,886
Water Fund	RV Total	1,253,700	1,614,150	360,450
	EX Total	1,636,400	1,778,818	142,418
Manna Fund	RV Total	720,010	771,651	51,641
	EX Total	1,354,295	1,360,614	6,319
DPW Site Fund	EX Total	4,000	404,000	400,000
Employee Fringe Benefit Fund	RV Total	2,283,400	2,317,800	34,400
	EX Total	2,242,300	2,271,507	29,207
Motor Pool Fund	RV Total	778,500	705,811	(72,689)
Motor Pool Fund	EX Total	1,084,500	941,477	(143,023)

Bad Debt Write-Offs

General Fund	24,777	ambulance
Motor Pool Fund	-	
Electric Fund	7,094	
Water Fund	1,470	
Sewer Fund	2,383	
<b>2014-2015 TOTAL:</b>	<b>\$35,724</b>	
2014-15	\$55,724	
2013-14	\$45,663	
2012-13	\$78,613	
2011-12	\$31,720	

State of Michigan )  
 ) ss  
 City of Charlevoix )

\_\_\_\_\_  
 Joyce Golding, Clerk

\_\_\_\_\_  
 Gabriel Campbell, Mayor

I hereby certify that Ordinance #2015-2015 was adopted by the City Council of the City of Charlevoix on February 15, 2016 and was published in the Charlevoix Courier on February 22, 2016.

\_\_\_\_\_  
 Joyce Golding, Clerk

**CHARLEVOIX CITY COUNCIL  
AGENDA ITEM**

**AGENDA ITEM TITLE:** 2016-2017 Budget Ordinance

**DATE:** February 15, 2016

**PRESENTED BY:** Mark L. Heydlauff, City Manager  
Kelly McGinn, City Treasurer

**ATTACHMENTS:**

**BACKGROUND INFORMATION:**

At your last meeting, I submitted to you the final budget recommendation from staff and the ordinance to approve it. In accord with the Charter, an ordinance takes 30 days to be effective and our fiscal year begins April 1.

**RECOMMENDATION:** Receive public comment during the Public Hearing and approve the ordinance as presented.

**CITY OF CHARLEVOIX  
ORDINANCE NO.  
BUDGET APPROPRIATION ACT**

THE CITY OF CHARLEVOIX ORDAINS:

WHEREAS, The City Council of the City of Charlevoix did give notice of the time and place when a public hearing would be held in conformity with provisions of Section 7.8, Article VII of the City Charter, which Public Hearing was duly held pursuant to said notice and in conformity therewith;

THEREFORE, BE IT RESOLVED, That the revenues and expenditures for the fiscal year commencing on April 1, 2016 and ending March 31, 2017 are hereby appropriated on a fund level basis (a detailed breakdown by activity level can be found in the Budget Details document) as summarized by the following:

**GENERAL FUND**

REVENUE:

TOTAL REVENUES:	\$3,692,600 =====
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EXPENSE:

TOTAL EXPENSE:	\$3,692,600 =====
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BE IT FURTHER RESOLVED, That the City Council of the City of Charlevoix does hereby levy a tax of 11.1093 mills (9.05 mills operating and 2.0593 mills infrastructure) for the period of April 1, 2016 through March 31, 2017 on all real and eligible personal property in the City of Charlevoix according to the valuation of the same. This tax is levied for the purpose of defraying the general expense and liability of the City of Charlevoix and for infrastructure improvements, and is levied pursuant to Section 8.1, Article VIII of the City Charter; and

BE IT FURTHER RESOLVED, That the City Council does hereby levy a tax not to exceed 1.3631 mills for the period April 1, 2016 through March 31, 2017 on all real and eligible personal property in the Downtown Development District, according to the valuation of the same within the district; and

BE IT FURTHER RESOLVED, That the City Council does hereby levy a tax not to exceed 1 mill for the period April 1, 2016 through March 31, 2017 on all real and eligible personal property in the City of Charlevoix, according to the valuation of the same. This tax is levied for the purpose of defraying the cost of rubbish collection and other related services provided citizens allowed by the act, and is levied pursuant to Michigan Public Act 213 of 1969; and

BE IT FURTHER RESOLVED, That the City Council does hereby approve the following budgets for the period April 1, 2016 through March 31, 2017 in the amounts set forth below by fund:

<u>FUND</u>	<u>REVENUE</u>	<u>EXPENSE</u>
Major Street Fund	\$ 287,766	\$ 260,900
Local Street Fund	159,814	159,600
Electric Fund	8,379,400	8,379,400
Sewer Fund	3,775,100	3,775,100
Water Fund	1,953,500	1,953,500
Marina Fund	1,377,700	1,377,700
Airport Fund	2,525,600	1,618,900
Downtown Development Auth.	543,700	543,700
Employee Fringe Benefit	2,326,500	2,326,500
Motor Vehicle Fund	1,279,700	1,279,700
Perpetual Care Trust Fund	4,750	0
Fire/Ambulance Fund	78,030	0
Sewer Tap-in Fund*	8,100	0
Northside/Southside Sewer Fund*	6,100	0
General Debt Services Fund	206,800	206,800
Infrastructure Improvement	3,487,700	3,471,200
Road Improvements	233,600	207,955
Public Works Site Fund	187,500	79,000
Industrial Park Fund	5,000	5,000
Mt. McSauba Recreation Fund	7,000	4,000

\* These funds are part of the Sewer Fund.



**CHARLEVOIX CITY COUNCIL  
AGENDA ITEM**

**AGENDA ITEM TITLE:** Food Truck Committee Report and Proposal

**DATE:** February 15, 2016

**PRESENTED BY:** Maureen Owens, Food Truck Committee Member

**ATTACHMENTS:** none

**BACKGROUND INFORMATION:**

Last fall Council created a Food Truck Committee to study the issue of food trucks in Charlevoix and offer recommendations to Council on how best to proceed. After three meetings, the following proposal was approved by the Committee on February 9:

“We propose a pilot program for food trucks, not during a scheduled festival, from May 15- November 15, 2016. Up to three food trucks would be permitted and scheduled in advance with the City Clerk’s office for designated locations. Locations would rotate daily and would be set in advance. An application shall be developed and fee(s) charged for the use of these locations.”

Among the locations the committee is considering: East Park (Clinton Street parking area); McSauba parking area; golf course club house area; Depot Beach; Library (Marina lot); Michigan Beach; and, Ferry Beach.

The Committee wishes to gain Council’s input and direction before drafting a license and application form, proposed fees, and a set schedule.

**RECOMMENDATION:** Council discussion and further direction or guidance to the Food Truck Committee.

**CHARLEVOIX CITY COUNCIL**

**AGENDA ITEM**

**AGENDA ITEM TITLE:** Resolution to Adopt Rates & Fees Associated with the 2016-17 Budget

**DATE:** February 15, 2016

**PRESENTED BY:** Mark L. Heydlauff, City Treasurer  
Kelly McGinn, City Treasurer

**ATTACHMENTS:** Proposed 2016-17 Budget Resolution to Adopt Rates & Fees  
Proposed Rates & Fees

**BACKGROUND INFORMATION:**

The City annually approves a comprehensive fee and rate schedule for all services we provide. In most cases, there is no change in rates or fees. This year, we have added some fees reflecting changes in policy, removed some fees based on lack of use, and increased fees based on our expenses to provide the charge or Council's wish. Notable rate changes this year include:

- Seasonal Marina slips move up to Tier C
- Water rates move up by 15% (or \$3-5 per month for a family)
- Sewer rates move up by 18% (or \$10-12 per month for a family)
- Acacia Lot parking spaces increase to \$750 per year

**RECOMMENDATION:** Adopt Resolution 2016-02-xx Rates and Fees Associated with the 2016-17 Budget

**CITY OF CHARLEVOIX  
RESOLUTION NO. 2016-02-xx  
RATES & FEES ASSOCIATED WITH THE 2016-17 BUDGET**

**WHEREAS,** the City of Charlevoix annually must adopt a balanced budget to comply with the City Charter; and

**WHEREAS,** the City of Charlevoix in preparing the budget, assumes the adoption of rates and fees for various services they provide in order to pay for those services in whole or in part as proposed in their annual budget; and

**WHEREAS,** the City of Charlevoix defines all of their rates and fees in the rate section of the proposed budget; and

**WHEREAS,** the City of Charlevoix proposes to make these rates and fees effective on April 1, 2016.

**NOW THEREFORE BE IT RESOLVED** that the City of Charlevoix adopts all rates and fees included in the 2016-17 Proposed Budget with changes to the rates and fees for the following areas: utility rates for electric, sewer and water and fees for the following services: airport, golf, parking fines, fees and spaces, Ferry Beach boat launch ramp parking fees, miscellaneous fees, FOIA requests, golf, planning and zoning and recreation.

RESOLVED, this 15th day of February, 2016 A.D.

Resolution adopted by the following yea and nay votes:

Yeas:

Nays:

Absent:

# Charlevoix Municipal Airport

## Schedule of Rates and Charges



		Current		Proposed	
Aircraft Landing & Ramp Fees			Minimum Fuel Purchase		Minimum Fuel Purchase
<b>Single Engine</b>					
	Landing Fee	\$0.00	N/A	\$0.00	N/A
	Ramp Fee (overnight)	8.00		8.00	
	Weekly Pass	25.00		25.00	
	Monthly Pass	60.00		60.00	
	Yearly Pass	260.00		260.00	
<b>Piston Twin</b>					
	Landing Fee	20.00	50 gallons	20.00	50 gallons
	Ramp Fee (overnight)	15.00		15.00	
	Weekly Pass	50.00		50.00	
	Monthly Pass	150.00		150.00	
	Yearly Pass	450.00		450.00	
<b>Single Turbo Prop (including Meridan, TBM &amp; Eclipse Jet)</b>					
	Landing Fee	45.00	75 gallons	45.00	75 gallons
	Ramp Fee (overnight)	30.00		30.00	
	Weekly Pass	130.00		130.00	
	Monthly Pass	300.00		300.00	
	Yearly Pass	600.00		600.00	
<b>Twin Turbo Prop (including Pilatus &amp; Caravan singles)</b>					
	Landing Fee	60.00	100 gallons	60.00	100 gallons
	Ramp Fee (overnight)	40.00		40.00	
	Weekly Pass	150.00		150.00	
	Monthly Pass	400.00		400.00	
	Yearly Pass	800.00		800.00	

# Charlevoix Municipal Airport

## Schedule of Rates and Charges



Aircraft Landing & Ramp Fees	Current		Proposed	
		Minimum Fuel Purchase		Minimum Fuel Purchase
Type I Jet (up to 20,000 lbs)				
Landing Fee	\$80.00	150 gallons	\$80.00	150 gallons
Ramp Fee (overnight)	40.00		40.00	
Weekly Pass	150.00		150.00	
Monthly Pass	400.00		400.00	
Yearly Pass	900.00		900.00	
Type II Jet (20,000 - 40,000 lbs)				
Landing Fee	110.00	200 gallons	110.00	200 gallons
Ramp Fee (overnight)	50.00		50.00	
Weekly Pass	200.00		200.00	
Monthly Pass	500.00		500.00	
Yearly Pass	1,000.00		1,000.00	
Type III Jet (over 40,000 lbs)				
Landing Fee	135.00	250 gallons	135.00	250 gallons
Ramp Fee (overnight)	70.00		70.00	
Weekly Pass	250.00		250.00	
Monthly Pass	700.00		700.00	
Yearly Pass	1,200.00		1,200.00	
Hangar Rental Rates (per month)				
Units 1, 2, 3, 8, 9 & 10	155.00		155.00	
Units 4, 5 & 7	160.00		160.00	
Unit 6	215.00		215.00	
Box B	230.00		230.00	
Box C	415.00		415.00	
Box D	180.00		180.00	

NOTES: 1) Landing fee or ramp fee waived for one day with a qualifying minimum purchase of fuel.

2) Only one fee to be charged per day, either ramp or landing fee.

3) Yearly pass covers all landing and ramp fees for one year.

4) Landing fees are waived for aircraft that land as a result of an in-flight emergency, doing touch-and-goes, are based at Charlevoix Airport, or are owned by the military, state or federal government. Medical flights are not exempt from landing fees.

\* Proposed rates are not effective until current leases expire.

Proposed rates are effective through March 31, 2016.

# Charlevoix Municipal Airport

## Schedule of Rates and Charges



	Current	Proposed
Land Lease Rates (per month, per square foot)	\$0.30	\$0.30
Access Rate for Through-the-Fence Operations (per square foot)	0.35	0.35
100LL Contract Fuel into Plane Fee (per gallon)	0.35	0.35
100LL Fuel Delivery Surcharge (Fuel Truck) (per gallon)	0.25	0.25
After Hours Call Out Fee (1st hour) - May-September	120.00	120.00
After Hours Call Out Fee (1st hour) - October-April	150.00	150.00
Additional Hours	100.00	100.00
Ground Power Unit (GPU) Connection (1 hour maximum)	75.00	75.00
Vehicle Parking Fees		
Daily	3.00	3.00
Overnight	5.00	5.00
Weekly	20.00	20.00
Monthly	60.00	60.00
6 Months	110.00	110.00
6 Months - Premium	200.00	200.00
Annual	200.00	200.00
Annual - Premium	365.00	365.00
Commercial Operations		
On-Airport Rental Car Service (per year)	Set By Contract	Set By Contract
Aircraft Servicing, Maintaining & Repairing (per year)	500.00	500.00
Catering Service	100.00	100.00
On-Airport Part 135 Operator (per year)	3,600.00	3,600.00
Off-Airport Part 135 Operator (per year)	-	-
Parachuting & Jump Schools (per year)	2,500.00	2,500.00

# City of Charlevoix, Michigan

## Ambulance Rates



	Current		Proposed	
	Resident	Non-Resident	Resident	Non-Resident
Base Rate - Basic Life Support (BLS)	\$525.00	\$525.00	\$525.00	\$525.00
Base Rate - Advanced Life Support (ALS)	600.00	600.00	600.00	600.00
Note: Additional unit time may be added to base rate	55.00	75.00	75.00	75.00
Intercepts (ALS)	600.00	700.00	700.00	700.00
Mileage Rate / Loaded Mile	11.50	11.50	11.50	11.50
Transfers - Basic Life Support (BLS)	425.00	525.00	525.00	525.00
Transfers - Advanced Life Support (ALS)	500.00	600.00	600.00	600.00
Response Fee: Treatment / No Transport	400.00	450.00	450.00	450.00
JAWS Charge	500.00	750.00	750.00	750.00
Lift Assist Only	100.00	150.00	150.00	150.00

# City of Charlevoix, Michigan

## Cemetery Rates



	Current		Proposed	
	Resident	Non-Resident	Resident	Non-Resident
Adult Lots	\$400.00	\$600.00	\$400.00	\$600.00
Baby Lots	200.00	300.00	200.00	300.00
Adult Opening	300.00	450.00	300.00	450.00
Baby Opening	150.00	225.00	150.00	225.00
Winter Opening	600.00	900.00	600.00	900.00
Adult Exhumation	600.00	900.00	600.00	900.00
Cremation Opening	175.00	275.00	175.00	275.00
Cremation Exhumation	200.00	300.00	200.00	300.00
Winter Storage: City Cemetery	100.00	100.00	100.00	100.00
Winter Storage: Other Cemetery	150.00	150.00	150.00	150.00
Monument Foundation: Single or Double (price per square inch)	0.25	0.25	0.25	0.25
Replacement Deed	10.00	10.00	10.00	10.00
Deed Transfers: One to Four (1-4) (price each)	20.00	20.00	20.00	20.00
Deed Transfers: More than Four (4+)	At Cost	At Cost	At Cost	At Cost
Perpetual Care	175.00	275.00	175.00	275.00
Seeding / Topseeding / Leveling	Cost	Cost	Cost	Cost
Full Setup	100.00	100.00	100.00	100.00
Partial Setup	50.00	50.00	50.00	50.00
Saturday / Sunday / Holiday	Double	Double	Double	Double

# Charlevoix Municipal Marina

## Dock Rates



	Current		Proposed	
	May Tier D Rate / Night	June - Oct. 12th Tier E Rate / Night	May Tier D Rate / Night	June - Oct. 15th Tier E Rate / Night
<b>Daily Fee Schedule - Transient Boaters</b>				
Slip Size Per Waterways				
28'	36.00	45.00	36.00	45.00
29'	37.00	46.00	37.00	46.00
33'	43.00	53.00	43.00	53.00
38'	52.00	61.00	52.00	61.00
40'	59.00	64.00	59.00	64.00
44'	65.00	70.00	65.00	70.00
45'	67.00	72.00	67.00	72.00
50'	74.00	80.00	74.00	80.00
65'	96.00	104.00	96.00	104.00
80'	118.40	128.00	118.40	128.00
Per Foot	1.48	1.60	1.48	1.60
Daily Dingy Fee	5.00	5.00	5.00	5.00

**Proposed**

**Current**

**Seasonal Fee Schedule**

Waterways daily transient slip rate tier "C" multiplied by 154 days.

Dingy - Individuals (price per year)	500.00
Dingy - Commercial (price per year)	600.00
Burns Street Dockage (price per foot)	37.94

# City of Charlevoix, Michigan

## Parking Fees & Fines



### Parking Fines & Fees

	Current	Proposed
<b>Non-Metered</b>		
All Violations: Paid Within 72 Hours	\$15.00	\$15.00
All Violations: Paid After 72 Hours	30.00	30.00
<b>Metered Parking, Signed 10 Minute or 2 Hour Limit Parking</b>		
Expired Meter: Paid Within 24 Hours	10.00	10.00
Expired Meter: Paid After 24	30.00	30.00
Expired Meter: Paid Within 24 to 72 Hours	N/A	N/A
Expired Meter: Paid After 72 Hours	N/A	N/A
<b>Reserved Parking - Acacia Lot</b>		
(14 spaces May 1st through October 15th)	500.00	750.00

### Ferry Boat Launch Ramp Parking Fees

	Current Resident	Current Non-Resident	Proposed Resident	Proposed Non-Resident
<b>Seasonal</b>				
Daily: Car and/or Car with Trailer	20.00	40.00	20.00	40.00
Commercial	5.00	8.00	5.00	8.00
10-punch (any commercial, limit one)	1,000.00	1,000.00	1,000.00	1,000.00
	100.00	100.00	100.00	100.00

# City of Charlevoix, Michigan

## Planning & Zoning Fee Schedule



	<u>Current</u>	<u>Proposed</u>
Level A Site Plan Review	\$100.00	\$100.00
Level B Site Plan Review	275.00	275.00
Rezoning Application	325.00	325.00
Variance - Zoning Board of Appeals	350.00	350.00
Zoning Permit	40.00	40.00
Zoning Appeals	300.00	300.00
Special Use Permit	300.00	300.00
Parcel Division	125.00	125.00
Sign Permit	25.00	25.00
Sign Variance	300.00	300.00
Alley Abandonment	250.00	250.00
Sidewalk Café (Annual Fee)	50.00	50.00

NOTE: If City's cost exceeds fee by more than 20%, an additional fee will be charged.



	Current	Proposed
Copies (per page)	\$0.10	\$0.10
Blueprints (each)	Minimum \$3 or Cost	Minimum \$3 or Cost
CDs (each)	3.00	3.00
Videos (each)	3.00	3.00
Flash Drives (each)		Actual Cost
Election Reports (per page)	0.10	0.10
Election Report - Labels (per page) (labels provided by customer)	0.10	0.10
Mailing Containers	Actual Cost	Actual Cost
Postage	Actual Cost	Actual Cost
Cost of labor incurred in duplication & mailing	Hourly Wage of Deputy Clerk	Hourly Wage of Deputy Clerk
Cost of labor incurred in searching for, examining, and reviewing a requested public record and for the deletion and separation of exempt from nonexempt information as requested by the FOIA	Hourly Wage of Deputy Clerk When Time Spent Exceeds 30 Minutes	Hourly Wage of Deputy Clerk When Time Spent Exceeds 30 Minutes
Cost of labor to locate, examine, redact, copy and/or transfer records (Cost is calculated by rounding down to the nearest quarter hour)	Request to remove this item	Hourly Wage plus 50% fringe benefit Factor of the least paid employee capable of performing the work

# City of Charlevoix, Michigan

## Recreation Rates - Other



	Current		Proposed	
	Resident	Non-Resident	Resident	Non-Resident
<b>Pavilion Reservation</b>				
Picnic Pavilion Rental - Weekday	\$30.00	\$55.00	\$30.00	\$55.00
Picnic Pavilion Rental - Weekend or Holiday	50.00	80.00	50.00	80.00
Picnic Pavilion Rental - Non-Profit	-	-	-	-
Performance Pavilion Rental (case by case)	50.00	100.00	50.00	100.00
Use of Public Property (case by case basis) (must be approved)	50.00	100.00	50.00	100.00
Wedding on Public Property (must by approved)	150.00	250.00	150.00	250.00
<b>Sports Fees</b>				
Team Fees (Basketball, Volleyball, Softball) (per team)	125.00	125.00	150.00	150.00
Youth Sport (per person)	20.00	25.00	25.00	25.00
<b>Skate Park (Carpenter Avenue)</b>				
Daily Pass	5.00	5.00	1.00	1.00
Seven Day Punch Card	25.00	25.00	5.00	5.00

# City of Charlevoix, Michigan

## Recreation Rates - Mt. McSauba



	Current Resident	Current Non-Resident	Proposed City & Charlevoix Township Resident	Proposed Non-Resident
<b>Day Camp</b>				
Mt. McSauba Day Camp (per person per week)	95.00	110.00	95.00	110.00
<b>Northern Kids Club (Remove this section)</b>				
Mt. McSauba - Mornings Mon-Fri Inclusive (per person)	15.00	15.00	n/a	n/a
Mt. McSauba - Afternoons Mon-Wed Inclusive (per person)	25.00	25.00	n/a	n/a
Mt. McSauba - Friday Afternoon	30.00	30.00	n/a	n/a
<b>Mt. McSauba Ski Hill</b>				
Weeknight Daily	\$10.00	\$15.00	\$10.00	\$15.00
Weekend Daily	13.00	18.00	13.00	18.00
Season Pass: 1 Person	130.00	199.00	130.00	199.00
Each Additional Family Member	70.00	80.00	70.00	80.00
Ski Team Pass (Remove this line)	50.00	60.00	n/a	n/a
<b>Equipment Rental</b>				
Downhill Skis or Snowboard	10.00	12.00	10.00	12.00
Cross Country Skis or Snowshoes (8 hour rental)	5.00	8.00	5.00	8.00
Cross Country Skis or Snowshoes (24 hour rental)	10.00	12.00	10.00	12.00
<b>Lessons</b>				
Group Ski or Snowboard Lessons (per person)	45.00	50.00	45.00	50.00
Group Ski or Snowboard Lessons with Rental (per person)	55.00	60.00	55.00	60.00
Individual Ski or Snowboard Lessons with Rental (1/2 hour)	25.00	30.00	25.00	30.00
Individual Ski or Snowboard Lessons with Rental (1 hour)	35.00	40.00	35.00	40.00
<b>Skating Rink</b>				
Daily Fee	1.00	1.00	1.00	1.00
Season Pass	50.00	50.00	50.00	50.00
Ice Stakes Rental	1.00	1.00	1.00	1.00
<b>Mt. McSauba Area Rental Fee NEW</b>				
Initial Rate (Two hours)			150.00	250.00
Additional rate per hour			100.00	100.00
Supervisor fee per hour (Required)			25.00	25.00

Resident: Must meet one of the following criteria: 1) Taxpayer in the City of Charlevoix or Charlevoix Township (including business or personal property), 2) Renter in the City of Charlevoix or Charlevoix Township and registered to vote in the City of Charlevoix or Charlevoix Township or 3) a dependent of an adult resident, claimed by the adult on their income taxes as a legal dependent and under the age of 18.

# City of Charlevoix, Michigan

## Golf Course Rates



	Current		Proposed	
	Prior To Memorial Day	Summer	Prior To Memorial Day	Summer
<b>Daily Rates</b>				
9 Holes Monday-Friday	\$14.00	\$15.00	\$14.00	\$15.00
9 Holes Monday-Thursday				
9 Holes Saturday-Sunday / Holiday	14.00	16.00	14.00	16.00
9 Holes Friday-Sunday / Holiday				
18 Holes Monday-Friday	19.00	23.00	19.00	23.00
18 Holes Monday-Thursday				
18 Holes Saturday-Sunday / Holiday	19.00	25.00	19.00	25.00
18 Holes Friday-Sunday / Holiday				
Resident: 5 Play Punch Card	60.00	60.00	60.00	60.00
Non-Resident: 5 Play Punch Card	60.00	60.00	60.00	60.00

\* No proposed changes in daily fees for 2016. Suggestion to combine Resident/Non-Resident 5 Play Punch Card into one line item.

	Current	Proposed
Pull Cart Rental	3.00	3.00
Club Rental	12.00	12.00
Locker Rental - Upper / Lower	30.00 / 40.00	30.00 / 40.00

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	Current		Proposed	
	Resident	Non-Resident	Resident	Non-Resident
<b>Season Pass</b>				
Single	320.00	465.00	320.00	465.00
Double	(*)	(*)	(*)	(*)
Family	495.00	625.00	495.00	625.00
Student	185.00	200.00	185.00	200.00
Senior Citizen - Single	255.00	400.00	255.00	400.00
Senior Citizen - Double	385.00	535.00	385.00	535.00
Senior Citizen - Blended	(*)	(*)	(*)	(*)

\* Eliminate Pass Holder Category

	Current		Proposed	
	Per Hour	Per 1/2 Hour	Per Hour	Per 1/2 Hour
<b>To Be Removed</b>				
<b>Golf Lessons</b>				
Adult	30.00	20.00	30.00	20.00
Two Adults	40.00	30.00	40.00	30.00
Junior (17 & Under)	20.00	15.00	20.00	15.00
				Playing Lesson
				60.00
				90.00
				40.00

\* Green fees waived for playing lesson.

Resident: Must meet one of the following criteria: 1) Taxpayer in the City of Charlevoix (including business or personal property), 2) Renter in the City of Charlevoix and registered to vote in the City of Charlevoix or 3) a dependent of an adult resident, claimed by the adult on their income taxes as a legal dependent and under the age of 18.  
 Senior Citizen: Age 55 and over.  
 Student: Under age 18 and parent's homestead address is in the Charlevoix School District.

# City of Charlevoix, Michigan

## Miscellaneous Fees



	Current	Proposed
Temporary / Seasonal Business Fees		
Solicitor's License: 1st Day, One Person	\$50.00	\$50.00
Additional Days (per day)	\$5.00	\$5.00
Additional Person on License (per person)	25.00	25.00
Auctioneer License (per auction)	no charge	no charge
Roadside Stand / Temporary Business (per application)	100.00	100.00
Transient Merchant	50.00	50.00
Street Performer	no charge	no charge
Mass Gathering Permit	100.00	100.00
Public safety services for events (applies to for-profit organizations only)	1,000.00	1,000.00
Standby for Fireworks (Equipment & Personnel) (per hour)	500.00	500.00
Police Escort Fee (per occurrence)	100.00	100.00
Liquor License Transfer Fee	100.00	100.00
IFT Tax Reduction Request	500.00	500.00
Trash License (annual fee)	10.00	10.00
Garden Plots (per plot)	25.00	35.00
City Flag	35.00	35.00
Outdoor Dining Fee	50.00	50.00
Facsimile (send or receive a fax) (per page)	1.00	1.00
NSF / Returned Check Charge (per occurrence)	45.00	45.00
ACH NSF Charge (per occurrence)	35.00	35.00
Police Bad Check Processing Fee (per request)	45.00	45.00
Copies		
City Charter (free on city website)	10.00	10.00
City Zoning Code (free on city website)	10.00	10.00
Code Book (free on city website)	30.00	30.00
City Budget (loose leaf)	15.00	15.00
City Budget (in binder with tabs) (3 documents)	50.00	50.00
City Council Rules & Procedures	2.00	2.00
General Copies (per copy)	0.25	0.25
Accident Report (per report)	2.00	2.00
Election Inspectors (per hour)	10.00	10.00
Election chairperson (per hour)	10.50	10.50
Election Receiving Board Member (per hour)	11.50	11.50
Board of Review Member (per day)	50.00	50.00
Mileage		
Per Diem - Council / Mayor (per day)	IRS Rate / Mile	IRS Rate / Mile
More Than 25 Miles (set by Compensation Commission)	50.00	50.00
	75.00	75.00

# City of Charlevoix, Michigan

## Water & Sewer Rates



### WATER RATES

	IN CITY		RURAL	
	Current	Proposed	Current	Proposed
<b>Service Charge - Meter Size</b>				
3/4" or Smaller	\$14.60	\$17.80	\$29.20	\$35.60
1"	18.50	22.75	37.00	45.50
1 1/2"	29.80	36.00	59.60	72.00
2"	42.00	51.00	84.00	102.00
3"	74.00	87.50	148.00	175.00
4"	140.00	168.00	280.00	336.00
6"	263.00	315.00	N/A	N/A
Sprinkling Meter	2.00	3.00	4.00	6.00
<b>Commodity Charge</b>				
1st 2,000 Gallons	3.45	3.10	6.90	6.20
3rd-50th 1,000 Gallons	2.70	3.10	5.40	6.20
51st 1,000 Gallons and Over	2.70	3.10	5.40	6.20
Water Usage Minimum (Gallons)	2,000	2,000	2,000	2,000
Water Minimum Charge	18.05	20.90	36.10	41.80
<b>Privilege Fees</b>				
New User Cost per REU, Prepaid	1,000.00	1,000.00	1,500.00	1,500.00
Turn On Fee - Water	150.00	175.00	250.00	300.00
Turn On / Off Fee - Water (Seasonal)	25.00	25.00	35.00	35.00
Turn On Fee - Sprinkler	25.00	25.00	35.00	35.00

Water = Increased by 15%  
Per UFS Study

Water Tap Fees	Current	Proposed
3/4" Line	\$250.00	\$250.00
1" Line	320.00	320.00
Larger Than 1" Line	cost	cost
<b>Other Fees</b>		
Service Upgrade (remove old galvanized pipe)	500.00	500.00
Bacteriological Tests	20.00 / sample	20.00 / sample

### SEWER RATES

	IN CITY		RURAL	
	Current	Proposed	Current	Proposed
<b>Service Charge - Meter Size</b>				
3/4" or Smaller	\$29.50	\$37.00	\$44.25	\$55.50
1"	41.50	\$52.00	62.25	\$78.00
1 1/2"	67.50	\$85.00	101.25	\$127.50
2"	97.50	\$123.00	146.25	\$184.50
3"	188.00	\$235.00	282.00	\$352.50
4"	318.00	\$398.00	477.00	\$597.00
6"	N/A	N/A	485.00	\$600.00
<b>Commodity Charge</b>				
Commodity Rate per 1,000 Gallons	5.60	6.25	8.40	9.38
Sewer Minimum Charge	40.70	49.50	61.05	74.26
Summer Sprinkling Rate	N/A	N/A	N/A	N/A
<b>Privilege Fees</b>				
New User Cost per REU, Prepaid	2,000.00	2,000.00	3,000.00	3,000.00
Turn On Fee - Water & Sewer	420.00	500.00	630.00	750.00

Sewer = Increased by 18.0%  
Per UFS Study

# City of Charlevoix, Michigan

## Electric Rates



	Current		Proposed	
	Rate / kWh	Customer Charge	Rate / kWh	Customer Charge
Residential - In City	\$0.0817	\$5.25	\$0.0817	\$5.25
Residential - In Senior	0.0744	5.25	0.0744	5.25
Residential - Rural	0.0946	6.00	0.0946	6.00
Residential - Rural Senior	0.0921	6.00	0.0921	6.00
Commercial - In City (GS-C)	0.0917	12.00	0.0917	12.00
Commercial - Out (GS-R)	0.1048	12.00	0.1048	12.00
Commercial - Demand	0.0505	42.00	0.0505	42.00
Industrial & Charity Demand	0.0400	235.70	0.0400	235.70
Demand KW	10.90 / KW		10.90 / KW	

\* PCA changes twice a year (in April & October) (PCA = Power Cost Adjustment)

### Renewable Credits:

These credits are available for approved renewable generation:

- Solar
- Wind

NEW

Proposed Credit Rate/kWh	Current Credit Rate/kWh
\$0.0844	N/A
\$0.0504	N/A

- Disconnect / Reconnect - Regular
- Disconnect / Reconnect - After Hours
- Disconnect / Reconnect - Regular Without 24 Hour Notice
- Disconnect / Reconnect - Seasonal\*
- Disconnect / Reconnect - Seasonal After Hours\*\*

\*\* Disconnected from the system for longer than one billing cycle

- Reconnect - Non Payment
- Reconnect - Non Payment After Hours

Trenching for All Underground Residential Services 200 amps & Under

NEW

Meter Test - Additional meter test at the same location

### Security Lights (Per Month)

	Current In City	Current Rural	Proposed In City	Proposed Rural
32 Watt LED	4.66	4.80	4.66	4.80
70 Watt	5.28	5.60	5.28	5.60
100 Watt	6.60	7.08	6.60	7.08
150 Watt	8.92	9.23	8.92	9.23
250 Watt	14.11	15.24	14.11	15.24
400 Watt	20.79	22.60	20.79	22.60
105 Watt LED (400 W equivalent)			9.70	10.23
1000 Watt	47.37	51.90	47.37	51.90

**CITY OF CHARLEVOIX**  
Millage Rates

<b>SUMMER</b>	2008	2009	2010	2011	2012	2013	2014	2015
<b>County of Charlevoix</b>								
County Allocated	4.5288	4.7000	4.7000	4.7000	4.7000	4.7000	4.7000	4.7000
<b>City of Charlevoix</b>								
City Operating	9.0500	9.0500	9.0500	9.0500	9.0500	9.0500	9.0500	9.0500
Infrastructure	2.1028	2.1028	2.1028	2.0593	2.0593	2.0593	2.0593	2.0593
Refuse PA 213	1.0000	1.0000	1.0000	0.9000	0.9000	0.9000	1.0000	1.0000
	12.1528	12.1528	12.1528	12.0093	12.0093	12.0093	12.1093	12.1093
<b>Charlevoix Public Schools</b>								
Local School Tax	18.0000	18.0000	18.0000	18.0000	18.0000	18.0000	18.0000	18.0000
Sinking Fund								
School Bond 2011	1.2800	1.4500	1.9000	2.0800	1.9000	1.9000	1.9000	1.9000
School Bond 2008	1.5700	1.4000	0.9500	0.7700	1.0200	0.9250	0.8750	0.9250
School Bond 2012						0.0900	0.1400	0.0900
School Bond 2015								0.2000
	20.8500	20.8500	20.8500	20.8500	20.9200	20.9150	20.9150	21.1150
<b>State of Michigan</b>								
State Education Tax (SE1)	6.0000	6.0000	6.0000	6.0000	6.0000	6.0000	6.0000	6.0000
<b>SUMMER TOTALS</b>								
Homestead	25.5316	25.7028	25.7028	25.5593	25.6293	25.6243	25.7243	25.9243
Non-Homestead	43.5316	43.7028	43.7028	43.5593	43.6293	43.6243	43.7243	43.9243
<b>WINTER</b>								
<b>County of Charlevoix</b>								
County Allocated								
Transit	0.2408	0.2500	0.2500	0.2500	0.2500	0.2500	0.2500	0.2500
Recycle	0.1500	0.1500	0.1500	0.1500	0.1500	0.1500	0.1500	0.1500
Senior Citizen	0.4000	0.4000	0.4000	0.4000	0.4000	0.6500	0.6500	0.6500
Grandvue	0.7464	0.7464	0.7464	0.7500	0.7500	0.7500	0.7500	0.7500
Grandvue Bond	0.5400	0.5400	0.5400	0.1750	0.1750			
County Roads		1.0000	1.0000	1.0000	1.0000	1.0000	1.0000	1.0000
County Parks							0.1500	0.1500
County Veterans							0.1000	0.1000
	2.0772	3.0864	3.0864	2.7250	2.7250	2.8000	3.0500	3.0500
<b>Charlevoix District Library</b>								
Operating 97	1.0779	0.4440	0.4440	0.4440	0.4440	0.4440	0.4440	0.4440
Operating 04		0.6339	0.6339	0.6339	0.6339	0.6339	0.6339	0.6339
Debt - Bond	0.4000	0.6200	0.7900	0.7400	0.7400	0.7600	0.7600	0.7500
	1.4779	1.6979	1.8679	1.8179	1.8179	1.8379	1.8379	1.8279
<b>Recreational Authority</b>	0.3271	0.3271	0.3271	0.3271	0.3271	0.3271	0.3333	0.3333
<b>Charlevoix-Emmet ISD</b>								
Allocated 2004	0.1842	0.2000	0.2000	0.2000	0.2000	0.2000	0.2000	0.2000
Spec Ed 1964	0.6713	0.6713	0.6713	0.6713	0.6713	0.6713	0.6713	0.6713
Spec Ed 2004	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600	1.1600
Voc Ed 2006	0.7468	0.7468	0.7500	0.7500	0.7500	0.7500	0.7500	0.7500
	2.7723	2.7781	2.7813	2.7813	2.7813	2.7813	2.7813	2.7813
<b>WINTER TOTALS</b>	6.6545	7.8895	8.0827	7.6513	7.6513	7.7463	8.0025	7.9925
<b>ANNUAL TOTALS</b>								
Homestead	32.1861	33.5923	33.7855	33.2106	33.2806	33.3706	33.7268	33.9168
Non-Homestead	50.1861	51.5923	51.7655	51.2106	51.2806	51.3706	51.7268	51.9168
<b>DDA</b>	1.3631	1.3631	1.3631	1.3631	1.3631	1.3631	1.3631	1.3631
Homestead w/DDA	33.5492	34.9554	35.1286	34.5737	34.6437	34.7337	35.0899	35.2799
Non-Homestead w/DDA	51.5492	52.9554	53.1286	52.5737	52.6437	52.7337	53.0899	53.2799
<b>TAXABLE VALUES</b>								
Homestead	73,116,686	77,190,792	77,190,792	79,044,516	79,044,516	79,044,516	78,120,115	80,728,851
Non-Homestead	165,913,611	172,155,301	172,155,301	158,347,901	158,347,901	158,347,901	160,352,104	162,511,769
	239,030,297	249,346,093	249,346,093	237,392,417	237,392,417	237,392,417	238,472,219	243,240,620
IFT Taxable Value	4,557,524	4,477,650	4,477,650	3,081,784	3,081,784	3,081,784	3,081,784	1,061,175
	243,587,821	253,823,743	253,823,743	240,474,201	240,474,201	240,474,201	241,554,003	244,301,795
<b>DDA TAXABLE VALUES</b>								
Homestead	839,842	732,526	732,526	1,853,017	2,005,343	2,551,237	2,163,935	2,045,483
Non-Homestead	30,750,652	31,262,892	31,262,892	26,159,347	25,741,012	25,349,423	25,163,219	25,698,488
	31,590,494	31,995,418	31,995,418	28,012,364	27,746,355	27,900,660	27,327,154	27,743,971
DDA Capture TV	21,877,056	22,270,867	18,773,135	18,287,813	18,021,804	18,176,109	17,488,235	17,850,921
DDA Capture \$\$ SUMME	622,145	104,673	575,567	564,603	558,981	561,127	293,965	300,061
DDA Capture \$\$ WINTER	109,554	115,427	124,020	121,867	110,312	116,326	85,481	93,024
DDA Capture \$\$ TOTAL	731,699	220,100	699,587	686,470	669,293	677,453	379,446	393,085
<b>STATE EQUALIZED VALUE (SEV)</b>								
City of Charlevoix	339,342,200	334,882,350	277,742,000	306,356,100	306,356,100	306,356,100	306,356,100	248,408,966
DDA	42,084,600	40,078,100	32,210,700	32,474,900	32,474,900	32,474,900	32,474,900	30,859,300

**CHARLEVOIX CITY COUNCIL  
AGENDA ITEM**

**AGENDA ITEM TITLE:** Consideration to Approve the Mt. McSauba Camp Director Job Description

**DATE:** February 15, 2016

**PRESENTED BY:** Mark L. Heydlauff, City Manager

**ATTACHMENT(S):** Mt. McSauba Camp Director Job Description

**BACKGROUND INFORMATION:** We are proposing a revision to the Mt. McSauba Camp Director job description. The previous Camp Director, Linda Amstutz, has advised us that she will not be returning this summer. In preparation to begin recruitment efforts, the job description was evaluated and determined to need an update due to State of Michigan licensing requirements for Camp Directors.

**RECOMMENDATION:** Approve the Mt. McSauba Camp Director Job Description.

## CITY OF CHARLEVOIX

**Title:** Mt. McSauba Camp Director

**FLSA:** Exempt, Salaried  
**STATUS:** Seasonal Summer

**Department:** Recreation

**Reports To:** Recreation Director

**Date:** February 15, 2016

### **Position Purpose and Objectives**

Oversee all aspects of the Mt. McSauba Camp to ensure that it is operational and safe for all campers. Create, coordinate, and implement 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 Recreation Director and exercises day-to-day supervision over approximately seven camp counselors and custodial staff. Directs weekly summer camp activities that include swimming, field sports, and arts and crafts on lakefront property. Works in all types of summer weather.

### **Essential Job Functions**

- Direct day-to-day operations of camp.
- Coordinate and implement 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.
- Implement and enforce safety standards.
- Supervise personnel on day-to-day basis and schedule day camp counselors, adjusting staffing levels based on demand and weather.
- Participate in budget preparation and monitor approved budget for adherence.
- Resolve problems and keep superiors apprised of incidents, etc.

### **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.
- Working familiarity with budget preparation and accounting.
- 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:

**CHARLEVOIX CITY COUNCIL**

**AGENDA ITEM**

**AGENDA ITEM TITLE:** Internal Loan Policy

**DATE:** February 15, 2016

**PRESENTED BY:** Mark L. Heydlauff, City Manager  
Kelly McGinn, City Treasurer

**ATTACHMENTS:** Internal Loan Policy

**BACKGROUND INFORMATION:** There have been several questions about loans made between funds within the City. The attached policy would outline the terms and conditions necessary for Council to approve a loan from one fund to another. Internal lending is certainly permissible under Michigan law and we account for those loans. This policy will make all loans consistent going forward.

**RECOMMENDATION:** Approve the City of Charlevoix Internal Loan Policy as proposed.

# **CITY OF CHARLEVOIX INTERNAL LOAN POLICY**

## **I. PURPOSE**

To provide an internal loan policy for the City of Charlevoix when borrowing from one internal fund to another fund for a specific public purpose.

## **II. CITY OF CHARLEVOIX CHARTER – SECTION 7.13**

As noted in Section 7.13 Expenditures of Funds section of the City of Charlevoix Charter: “The Council shall provide by resolution appropriate methods and safeguards for the expenditure of funds and the payment of obligations so as to insure that no payment shall be made or obligation incurred without an appropriation having been first approved by the Council, without a sufficient unencumbered balance in the appropriation, or without insuring that sufficient funds are or will be available to cover the claim or meet the obligation when it becomes due and payable...”

## **III. INTEREST RATE**

The interest rate for internal loans will be the most recent Statutory Judgment rate as established by the State of Michigan.

## **IV. FUND BALANCE**

The City Council will ensure that an adequate fund balance is maintained in the lending fund. In addition, loans will not exceed the expected life of the capital improvement, project, etc.

## **V. PROPOSED BORROWING**

The proposed borrowing shall be presented in the form of a resolution to the Charlevoix City Council or approved during the annual budget process. The resolution shall contain the following information:

- Purpose of the loan
- Amount to be loaned
- Fund(s) making the loan
- Fund(s) receiving the loan
- Rate of interest to be paid
- Loan repayment terms (including start date).

Accepted

February 15, 2016

**CHARLEVOIX CITY COUNCIL**

**AGENDA ITEM**

**AGENDA ITEM TITLE:** ICMA Retirement Corporation Governmental Money Purchase Plan & Trust Adoption Agreement

**DATE:** February 15, 2016

**PRESENTED BY:** Kelly McGinn, City Treasurer

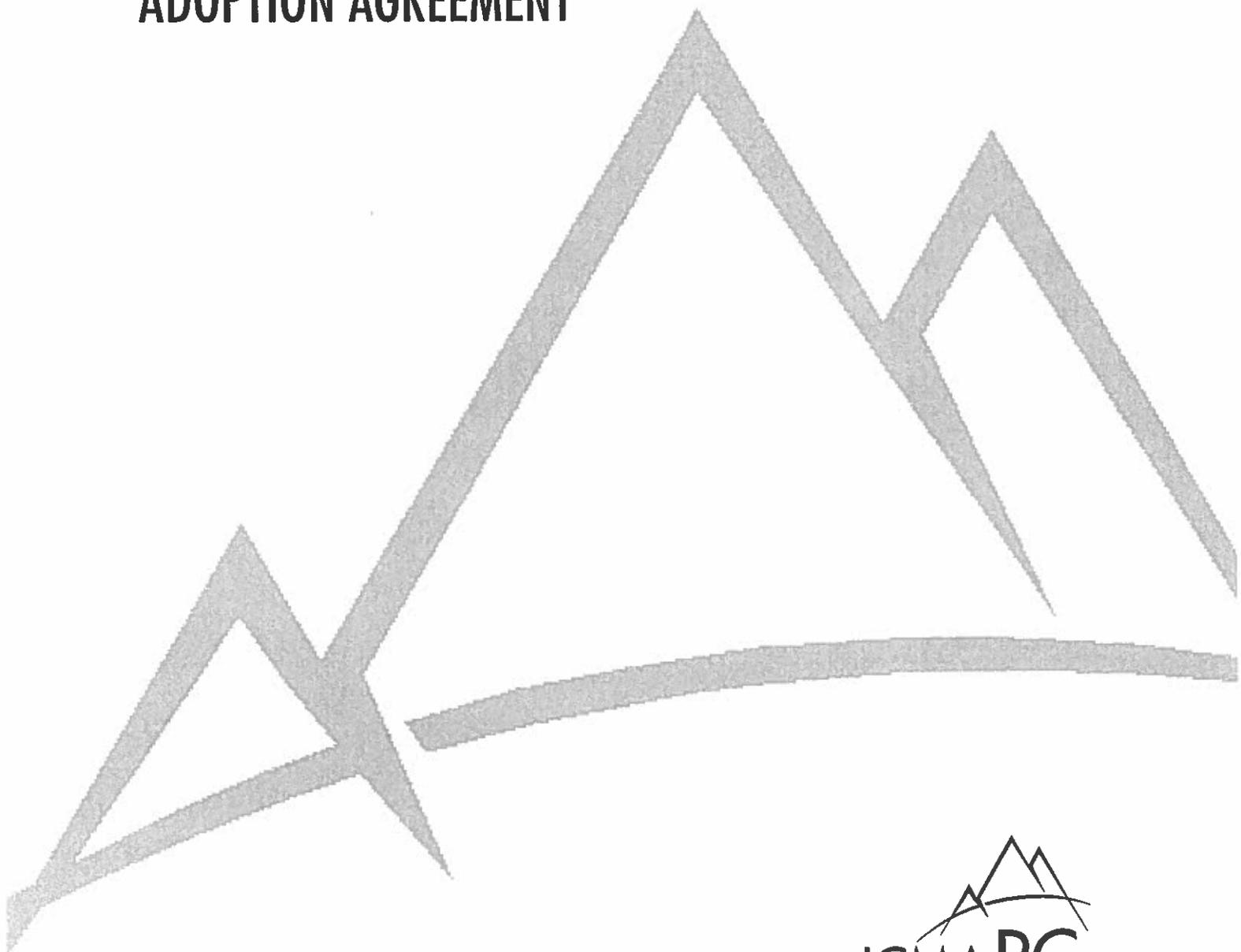
**ATTACHMENTS:** ICMA Retirement Corporation Governmental Money Purchase Plan & Trust Adoption Agreement

**BACKGROUND INFORMATION:** The City of Charlevoix originally adopted the ICMA Retirement Corporation Prototype Money Purchase Plan & Trust Adoption Agreement on June 5, 1992. Since this time, the agreement has had no changes. ICMA is requiring the City of Charlevoix to update the Adoption Agreement as required by the IRS. The name of the form has slightly changed with additional options throughout the form. The attached new agreement was completed without any modification from the agreement set forth on June 5, 1992.

**RECOMMENDATION:** Approve the City of Charlevoix ICMA Retirement Corporation Governmental Money Purchase Plan & Trust Adoption Agreement as proposed.

ICMA RETIREMENT CORPORATION

# GOVERNMENTAL MONEY PURCHASE PLAN & TRUST ADOPTION AGREEMENT



**ICMA RETIREMENT CORPORATION  
GOVERNMENTAL MONEY PURCHASE PLAN & TRUST  
ADOPTION AGREEMENT**

Plan Number 109153

The Employer hereby establishes a Money Purchase Plan and Trust to be known as CITY OF CHARLEVOIX CITY MGR MPP (the "Plan") in the form of the ICMA Retirement Corporation Governmental Money Purchase Plan and Trust.

This Plan is an amendment and restatement of an existing defined contribution money purchase plan.

Yes                       No

If yes, please specify the name of the defined contribution money purchase plan which this Plan hereby amends and restates:

CITY OF CHARLEVOIX

I. Employer: CITY OF CHARLEVOIX

**II. Effective Dates**

1. **Effective Date of Restatement.** If this document is a restatement of an existing plan, the effective date of the Plan shall be January 1, 2007 unless an alternate effective date is hereby specified: \_\_\_\_\_

(Note: An alternate effective date can be no earlier than January 1, 2007.)

2. **Effective Date of New Plan.** If this is a new Plan, the effective date of the Plan shall be the first day of the Plan Year during which the Employer adopts the Plan, unless an alternate Effective Date is hereby specified:  
\_\_\_\_\_

3. **Special Effective Dates.** Please note here any elections in the Adoption Agreement with an effective date that is different from that noted in 1. or 2. above.

(Note provision and effective date.)

**III. Plan Year will mean:**

The twelve (12) consecutive month period which coincides with the limitation year. (See Section 5.03(f) of the Plan.)

The twelve (12) consecutive month period commencing on \_\_\_\_\_ and each anniversary thereof.

**IV. Normal Retirement Age shall be age 59.5 (not to exceed age 65).**

*Important Note to Employers:* Normal Retirement Age is significant for determining the earliest date at which the Plan may allow for in-service distributions. Normal Retirement Age also defines the latest date at which a Participant must have a fully vested right to his/her Account. There are IRS rules that limit the age that may be specified as the Plan's Normal Retirement Age. The Normal Retirement Age cannot be earlier than what is reasonably representative of the typical retirement age for the industry in which the covered workforce is employed. An age under 55 is presumed not to satisfy this requirement, unless the Commissioner of Internal Revenue determines that the facts and circumstances show otherwise.

Whether an age between 55 and 62 satisfies this requirement depends on the facts and circumstances, but an Employer's good

Whether an age between 55 and 62 satisfies this requirement depends on the facts and circumstances, but an Employer's good faith, reasonable determination will generally be given deference. A special rule, however, applies in the case of a plan where substantially all of the participants in the plan are qualified public safety employees within the meaning of section 72(t)(10)(B) of the Code, in which case an age of 50 or later is deemed not to be earlier than the earliest age that is reasonably representative of the typical retirement age for the industry in which the covered workforce is employed.

## V. ELIGIBILITY REQUIREMENTS

1. The following group or groups of Employees are eligible to participate in the Plan:

- All Employees
- All Full Time Employees
- Salaried Employees
- Non union Employees
- Management Employees
- Public Safety Employees
- General Employees
- Other Employees (Specify the group(s) of eligible employees below. Do not specify employees by name. Specific positions are acceptable.) CITY MANAGER

The group specified must correspond to a group of the same designation that is defined in the statutes, ordinances, rules, regulations, personnel manuals or other material in effect in the state or locality of the Employer. The eligibility requirements cannot be such that an Employee becomes eligible only in the Plan Year in which the Employee terminates employment. **Note:** As stated in Sections 4.07 and 4.08, the Plan may, however, provide that Final Pay Contributions or Accrued Leave Contributions are the only contributions made under the Plan.

2. The Employer hereby waives or reduces the requirement of a twelve (12) month Period of Service for participation. The required Period of Service shall be (write N/A if an Employee is eligible to participate upon employment) N/A.

If this waiver or reduction is elected, it shall apply to all Employees within the Covered Employment Classification.

3. A minimum age requirement is hereby specified for eligibility to participate. The minimum age requirement is N/A (not to exceed age 21. Write N/A if no minimum age is declared.)

## VI. CONTRIBUTION PROVISIONS

1. **The Employer shall contribute as follows:** (Choose all that apply, but at least one of Options A or B. If Option A is not selected, Employer must pick up Participant Contributions under Option B.)

**Fixed Employer Contributions With or Without Mandatory Participant Contributions.** (If Option B is chosen, please complete section C.)

A. Employer Contributions. The Employer shall contribute on behalf of each Participant 6 % of Earnings or \$ \_\_\_\_\_ for the Plan Year (subject to the limitations of Article V of the Plan).  
Mandatory Participant Contributions

are required     are not required

to be eligible for this Employer Contribution.

B. Mandatory Participant Contributions for Plan Participation.

Required Mandatory Contributions. A Participant is required to contribute (subject to the limitations of Article V of the Plan) the specified amounts designated in items (i) through (iii) of the Contribution Schedule below:

Yes     No

Employee Opt-In Mandatory Contributions. Each Employee eligible to participate in the Plan shall be given the opportunity to irrevocably elect to participate in the Mandatory Participant Contribution portion of the Plan by electing to contribute the specified amounts designated in items (i) through (iii) of the Contribution Schedule below for each Plan Year (subject to the limitations of Article V of the Plan):

Yes       No

Contribution Schedule.

- (i) 10 % of Earnings,  
(ii) \$ \_\_\_\_\_, or  
(iii) a whole percentage of Earnings between the range of \_\_\_\_\_ (insert range of percentages between 1% and 20% inclusive (e.g., 3%, 6%, or 20%; 5% to 7%)), as designated by the Employee in accordance with guidelines and procedures established by the Employer for the Plan Year as a condition of participation in the Plan. A Participant must pick a single percentage and shall not have the right to discontinue or vary the rate of such contributions after becoming a Plan Participant.

Employer "Pick up". The Employer hereby elects to "pick up" the Mandatory Participant Contributions<sup>1</sup> (pick up is required if Option A is not selected).

Yes       No ("Yes" is the default provision under the Plan if no selection is made.)

- C. Election Window (Complete if Option B is selected):  
Newly eligible Employees shall be provided an election window of \_\_\_\_\_ days (no more than 60 calendar days) from the date of initial eligibility during which they may make the election to participate in the Mandatory Participant Contribution portion of the Plan. Participation in the Mandatory Participant Contribution portion of the Plan shall begin the first of the month following the end of the election window.

An Employee's election is irrevocable and shall remain in force until the Employee terminates employment or ceases to be eligible to participate in the Plan. In the event of re-employment to an eligible position, the Employee's original election will resume. In no event does the Employee have the option of receiving the pick-up contribution amount directly.

2. The Employer may also elect to contribute as follows:

- A. Fixed Employer Match of Voluntary After-Tax Participant Contributions. The Employer shall contribute on behalf of each Participant \_\_\_% of Earnings for the Plan Year (subject to the limitations of Article V of the Plan) for each Plan Year that such Participant has contributed \_\_\_% of Earnings or \$ \_\_\_\_\_. Under this option, there is a single, fixed rate of Employer contributions, but a Participant may decline to make the required Participant contributions in any Plan Year, in which case no Employer contribution will be made on the Participant's behalf in that Plan Year.
- B. Variable Employer Match of Voluntary After-Tax Participant Contributions. The Employer shall contribute on behalf of each Participant an amount determined as follows (subject to the limitations of Article V of the Plan):  
\_\_\_\_ % of the Voluntary Participant Contributions made by the Participant for the Plan Year (not including Participant contributions exceeding \_\_\_% of Earnings or \$ \_\_\_\_\_);

---

<sup>1</sup> Neither an IRS advisory letter nor a determination letter issued to an adopting Employer is a ruling by the Internal Revenue Service that Participant contributions that are "picked up" by the Employer are not includable in the Participant's gross income for federal income tax purposes. Pick-up contributions are not mandated to receive private letter rulings; however, if an adopting employer wishes to receive a ruling on pick-up contributions they may request one in accordance with Revenue Procedure 2012-4 (or subsequent guidance).

PLUS \_\_\_\_\_% of the contributions made by the Participant for the Plan Year in excess of those included in the above paragraph (but not including Voluntary Participant Contributions exceeding in the aggregate \_\_\_\_\_% of Earnings or \$ \_\_\_\_\_).

Employer Matching Contributions on behalf of a Participant for a Plan Year shall not exceed \$ \_\_\_\_\_ or \_\_\_\_\_% of Earnings, whichever is \_\_\_\_\_ more or \_\_\_\_\_ less.

3. Each Participant may make a voluntary (unmatched), after tax contribution, subject to the limitations of Section 4.05 and Article V of the Plan:

Yes       No (*"No" is the default provision under the Plan if no selection is made.*)

4. Employer contributions for a Plan Year shall be contributed to the Trust in accordance with the following payment schedule (no later than the 15th day of the tenth calendar month following the end of the calendar year or fiscal year (as applicable depending on the basis on which the Employer keeps its books) with or within which the particular Limitation year ends, or in accordance with applicable law):

BI-WEEKLY

5. Participant contributions for a Plan Year shall be contributed to the Trust in accordance with the following payment schedule (no later than the 15th day of the tenth calendar month following the end of the calendar year or fiscal year (as applicable depending on the basis on which the Employer keeps its books) with or within which the particular Limitation year ends, or in accordance with applicable law):

BI-WEEKLY

6. In the case of a Participant performing qualified military service (as defined in Code section 414(u)) with respect to the Employer:

- A. Plan contributions will be made based on differential wage payments:

Yes       No (*"Yes" is the default provision under the Plan if no selection is made.*)

If yes is selected, this is effective beginning January 1, 2009 unless another later effective date is filled in here:

\_\_\_\_\_

- B. Participants who die or become disabled will receive Plan contributions with respect to such service:

Yes       No (*"No" is the default provision under the Plan if no selection is made.*)

If yes is selected, this is effective for participants who died or became disabled while performing qualified military service on or after January 1, 2007, unless another later effective date is filled in here:

\_\_\_\_\_

**VII. EARNINGS**

Earnings, as defined under Section 2.09 of the Plan, shall include:

- 1. Overtime  
 Yes                       No
- 2. Bonuses  
 Yes                       No
- 3. Other Pay (specifically describe any other types of pay to be included below)

**VIII. ROLLOVER PROVISIONS**

- 1. The Employer will permit rollover contributions in accordance with Section 4.12 of the Plan:  
 Yes                       No (*"Yes" is the default provision under the Plan if no selection is made.*)
- 2. Direct rollovers by non-spouse beneficiaries are effective for distributions after 2006 unless the Plan delayed making them available. If the Plan delayed making such rollovers available, check the box below and indicate the later effective date in the space provided.  
 Effective Date is \_\_\_\_\_  
*(Note: Plans must offer direct rollovers by non-spouse beneficiaries no later than plan years beginning after December 31, 2009.)*

**IX. LIMITATION ON ALLOCATIONS**

If the Employer maintains or ever maintained another qualified plan in which any Participant in this Plan is (or was) a participant or could possibly become a participant, the Employer hereby agrees to limit contributions to all such plans as provided herein, if necessary in order to avoid excess contributions (as described in Section 5.02 of the Plan).

- 1. If the Participant is covered under another qualified defined contribution plan maintained by the Employer, the provisions of Section 5.02(a) through (e) of the Plan will apply unless another method has been indicated below.  
 Other Method. (Provide the method under which the plans will limit total Annual Additions to the Maximum Permissible Amount, and will properly reduce any excess amounts, in a manner that precludes Employer discretion.)
- 2. The Limitation Year is the following 12 consecutive month period: \_\_\_\_\_
- 3. Unless the Employer elects a delayed effective date below, Article 5 of the Plan will apply to limitations years beginning on or after July 1, 2007. \_\_\_\_\_  
*(The effective date listed cannot be later than 90 days after the close of the first regular legislative session of the legislative body with authority to amend the plan that begins on or after July 1, 2007.)*

## X. VESTING PROVISIONS

The Employer hereby specifies the following vesting schedule, subject to (1) the minimum vesting requirements and (2) the concurrence of the Plan Administrator. (For the blanks below, enter the applicable percent – from 0 to 100 (with no entry after the year in which 100% is entered), in ascending order.)

Period of Service Completed	Percent Vested
Zero	100 %
One	<del>X100 %</del>
Two	<del>X100 %</del>
Three	<del>X100 %</del>
Four	<del>X100 %</del>
Five	<del>X100 %</del>
Six	<del>X100 %</del>
Seven	<del>X100 %</del>
Eight	<del>X100 %</del>
Nine	<del>X100 %</del>
Ten	<del>X100 %</del>

## XI. WITHDRAWALS AND LOANS

- In-service distributions are permitted under the Plan after a participant attains (select one of the below options):
  - Normal Retirement Age
  - Age 70½ (*"70½" is the default provision under the Plan if no selection is made.*)
  - Alternate age (after Normal Retirement Age): \_\_\_\_\_
  - Not permitted at any age
- A Participant shall be deemed to have a severance from employment solely for purposes of eligibility to receive distributions from the Plan during any period the individual is performing service in the uniformed services for more than 30 days.
  - Yes
  - No (*"Yes" is the default provision under the plan if no selection is made.*)
- Tax-free distributions of up to \$3,000 for the direct payment of qualifying insurance premiums for eligible retired public safety officers are available under the Plan.
  - Yes
  - No (*"No" is the default provision under the Plan if no selection is made.*)
- In-service distributions of the Rollover Account are permitted under the Plan, as provided in Section 9.07.
  - Yes
  - No (*"No" is the default provision under the Plan if no selection is made.*)
- Loans are permitted under the Plan, as provided in Article XIII of the Plan:
  - Yes
  - No (*"No" is the default provision under the Plan if no selection is made.*)

**XII. SPOUSAL PROTECTION**

The Plan will provide the following level of spousal protection (select one):

- 1. Participant Directed Election. The normal form of payment of benefits under the Plan is a lump sum. The Participant can name any person(s) as the Beneficiary of the Plan, with no spousal consent required.
- 2. Beneficiary Spousal Consent Election (Article XII). The normal form of payment of benefits under the Plan is a lump sum. Upon death, the surviving spouse is the Beneficiary, unless he or she consents to the Participant's naming another Beneficiary. (*"Beneficiary Spousal Consent Election" is the default provision under the Plan if no selection is made.*)
- 3. QJSA Election (Article XVII). The normal form of payment of benefits under the Plan is a 50% qualified joint and survivor annuity with the spouse (or life annuity, if single). In the event of the Participant's death prior to commencing payments, the spouse will receive an annuity for his or her lifetime. (If C is selected, the spousal consent requirements in Article XII also will apply.)

**XIII. FINAL PAY CONTRIBUTIONS**

The Plan will provide for Final Pay Contributions if either 1 or 2 below is selected.

The following group of Employees shall be eligible for Final Pay Contributions:

- All Eligible Employees
- Other: \_\_\_\_\_

Final Pay shall be defined as (select one):

- A. Accrued unpaid vacation
- B. Accrued unpaid sick leave
- C. Accrued unpaid vacation and sick leave
- D. Other (*insert definition of Final Pay – must be leave that Employee would have been able to use if employment had continued and must be bona fide vacation and/or sick leave*):  
\_\_\_\_\_

- 1. **Employer Final Pay Contribution.** The Employer shall contribute on behalf of each Participant \_\_\_\_\_ % of Final Pay to the Plan (subject to the limitations of Article V of the Plan).
- 2. **Employee Designated Final Pay Contribution.** Each Employee eligible to participate in the Plan shall be given the opportunity at enrollment to irrevocably elect to contribute \_\_\_\_ % (insert fixed percentage of final pay to be contributed) or up to \_\_\_\_\_% (insert maximum percentage of final pay to be contributed) of Final Pay to the Plan (subject to the limitations of Article V of the Plan).

Once elected, an Employee's election shall remain in force and may not be revised or revoked.

**XIV. ACCRUED LEAVE CONTRIBUTIONS**

The Plan will provide for accrued unpaid leave contributions annually if either 1 or 2 is selected below.

The following group of Employees shall be eligible for Accrued Leave Contributions:

- All Eligible Employees
- Other: \_\_\_\_\_

**Accrued Leave shall be defined as (select one):**

- A. Accrued unpaid vacation
- B. Accrued unpaid sick leave
- C. Accrued unpaid vacation and sick leave
- D. Other (insert definition of accrued leave that is bona fide vacation and/or sick leave):  
\_\_\_\_\_

1. **Employer Accrued Leave Contribution.** The Employer shall contribute as follows (choose one of the following options):

For each Plan Year, the Employer shall contribute on behalf of each Eligible Participant the unused Accrued Leave in excess of \_\_\_\_\_ (insert number of hours/days/weeks (circle one)) to the Plan (subject to the limitations of Article V of the Plan).

For each Plan Year, the Employer shall contribute on behalf of each Eligible Participant \_\_\_\_\_% of unused Accrued Leave to the Plan (subject to the limitations of Article V of the Plan).

2. **Employee Designated Accrued Leave Contribution.**

Each eligible Participant shall be given the opportunity at enrollment to irrevocably elect to contribute \_\_\_\_\_% (insert fixed percentage of accrued unpaid leave to be contributed) or up to \_\_\_\_\_% (insert maximum percentage of accrued unpaid leave to be contributed) of Accrued Leave to the Plan (subject to the limitations of Article V of the Plan). Once elected, an Employee's election shall remain in force and may not be revised or revoked.

XV. The Employer hereby attests that it is a unit of state or local government or an agency or instrumentality of one or more units of state or local government.

XVI. The Employer understands that this Adoption Agreement is to be used with only the ICMA Retirement Corporation Governmental Money Purchase Plan and Trust. This ICMA Retirement Corporation Governmental Money Purchase Plan and Trust is a restatement of a previous plan, which was submitted to the Internal Revenue Service for approval on April 2, 2012, and received approval on March 31, 2014.

The Plan Administrator hereby agrees to inform the Employer of any amendments to the Plan made pursuant to Section 14.05 of the Plan or of the discontinuance or abandonment of the Plan. The Employer understands that an amendment(s) made pursuant to Section 14.05 of the Plan will become effective within 30 days of notice of the amendment(s) unless the Employer notifies the Plan Administrator, in writing, that it disapproves of the amendment(s). If the Employer so disapproves, the Plan Administrator will be under no obligation to act as Administrator under the Plan.

XVII. The Employer hereby appoints the ICMA Retirement Corporation as the Plan Administrator pursuant to the terms and conditions of the ICMA RETIREMENT CORPORATION GOVERNMENTAL MONEY PURCHASE PLAN & TRUST.

The Employer hereby agrees to the provisions of the Plan and Trust.

XVIII. The Employer hereby acknowledges it understands that failure to properly fill out this Adoption Agreement may result in disqualification of the Plan.

XIX. An adopting Employer may rely on an advisory letter issued by the Internal Revenue Service as evidence that the Plan is qualified under section 401 of the Internal Revenue Code to the extent provided in applicable IRS revenue procedures and other official guidance.

In Witness Whereof, the Employer hereby causes this Agreement to be executed on this 15th day of February, 2016.

EMPLOYER

ICMA RETIREMENT CORPORATION  
777 North Capitol St., NE Suite 600  
Washington, DC 20002  
800-326-7272

By: \_\_\_\_\_

By: \_\_\_\_\_

Print Name: Gabe Campbell

Print Name: \_\_\_\_\_

Title: Mayor

Title: \_\_\_\_\_

Attest: \_\_\_\_\_

Attest: \_\_\_\_\_



**CHARLEVOIX CITY COUNCIL  
AGENDA ITEM**

**AGENDA ITEM TITLE:** Resolution Opposing Line 5

**DATE:** February 15, 2016

**PRESENTED BY:** Councilmembers Gibson, Hagen, and Perron

**ATTACHMENTS:** Resolution  
Q & A about Line 5

**BACKGROUND INFORMATION:**

Councilmembers Gibson, Hagen, and Perron asked this item be added to the agenda. Line 5 is a pipeline running under the Straits of Mackinac connecting the Upper and Lower Peninsulas. Were there to be a rupture in this pipeline, contamination could quickly spread in the Great Lakes including to our area where we derive our drinking water from Lake Michigan.

This resolution is non-binding and merely expresses the sentiment of Council. Traverse City, Mackinaw City, and Emmet County have recently passed similar resolutions.

**RECOMMENDATION:** Council discussion and motion to approve if desired.

## **Line 5 – Frequently Asked Questions**

### **Q: *What is Line 5?***

**A:** Line 5 is a set of 63-year-old pipelines that carry light crude oil and natural gas liquids beneath the Straits of Mackinac. Line 5 originates in Superior, Wisconsin (where it connects with the Alberta Clipper) and runs through Michigan to Sarnia, Ontario, Canada.

### **Q: *What flows through Line 5?***

**A:** At full capacity, over twenty million gallons a day of light crude oil and natural gas liquids flow through Line 5.

### **Q: *What are the risks from Line 5 to our communities, the environment and the economy?***

**A:** A 2014 University of Michigan study determined that the Straits of Mackinac is the “worst possible place” in the Great Lakes for an oil spill because of how far and how fast the oil would spread into Lake Michigan and Lake Huron. The currents in the Straits are difficult to predict and typically switch direction from east to west every few days and flow up to a meter per second. A spill near any of the many rivers and streams that flow into Lake Michigan from the Upper Peninsula could also prove devastating.

Agriculture and fisheries as well as the shipping and transportation industries depend on the Great Lakes, which deliver over 50 billion gallons of water daily for industrial, agricultural and municipal uses. In 2009, the Lakes were linked to over 1.5 million jobs, with 35 percent of them Michigan.

Tourism is one of Michigan’s largest industries and creates almost 150,000 jobs. Our “up north” communities depend heavily on tourism dollars and would suffer tremendously from an oil spill in the Straits.

### **Q: *What is Enbridge, and what is its track record?***

**A:** Enbridge Inc. is a Canadian energy company. Enbridge operates across the United States and Canada and is sinking \$30 billion into expanding its pipeline systems for transporting oil, natural gas liquids and natural gas.

Enbridge’s track record on oil spills has worsened over recent years, going from an average of 46 spills per year from 1999 to 2002, to an average of 66 liquids spills from 2003 to 2007, to over 90 spills per year from 2008 to 2014. These counts include only the spills that Enbridge has reported, and do not include leaks and releases of methane and other hydrocarbons, including volatile organic compounds and carcinogens such as benzene and toluene, which are in natural gas. Such leaks are notoriously underreported throughout the industry.

We will never forget Enbridge’s spill near Kalamazoo in 2010, when almost a million gallons of tar sands crude spilled for 17 hours before the pipeline was shut down. The tar sands oil sank and traveled along the bottom of the Kalamazoo River, devastating sensitive ecosystems, while toxic vapors affected people living in nearby communities. The

Kalamazoo spill was one of the largest inland oil spills in U.S. history and clean up efforts have cost \$1.2 billion.

In the summer of 2014, Enbridge's Line 5 was found in violation of the spacing requirements outlined in its 1953 easement because it was missing support structures. Months later, a "pinhole" leak was detected in a section of Line 5 in the Upper Peninsula. Now the pipeline is 60 years old, so there's concern over how much it may have corroded.

**Q: *How is Line 5 regulated?***

**A:** The Pipeline Hazardous Materials Safety Administration (PHMSA), within the U.S. Department of Transportation (DOT), is responsible for conducting compliance inspections, enforcing pipeline safety regulations and evaluating spill response plans. Under weak PHMSA regulations, Enbridge conducts its own "in-line inspections."

Michigan controls the public trust waters and bottomlands of the Great Lakes within its boundary. The state's Department of Natural Resources (DNR) holds the pipeline's 1953 easement and the Department of Environmental Quality (DEQ) is responsible for handling permitting.

**Q: *What is the current condition of Line 5 at the Straits?***

**A:** There is little public information available about the condition of Line 5, and the information that does exist is conflicting. Enbridge's operational reliability plan says there is "no observed corrosion" on Line 5. Enbridge's June 27, 2014 letter to the State of Michigan states that there are "shallow corrosion features" in the pipeline, yet it dismisses any concern about these features.

The State of Michigan has not released Enbridge's data about the condition of Line 5, but a July 2015 report from a state task force on pipeline safety found that "the submerged Pipelines are now encrusted with invasive mussels that may place stresses on the Pipelines and promote corrosion" and that "[T]he welding techniques used for the pipelines in 1953 are out-of-date."

**Q: *Who is liable if Line 5 ruptures?***

**A:** Under the 1953 easement, Enbridge would be liable for all damages to public and private property in the event of a rupture. However, conflicting information about its insurance coverage raises questions about the company's capacity to pay for such damages. The state's July 2015 task force report found: "Enbridge appears to have offered conflicting, incomplete, and inadequately supported estimates of its total liability." To date, Enbridge has not provided evidence that it is in compliance with the 1953 easement's insurance liability requirement.

**Q: *What is the plan for recovering oil in the event of a spill in the Straits? What if a spill occurs when there is ice cover?***

**A:** On September 24, 2015, Enbridge conducted an oil spill drill at the Straits of Mackinac, but brought in the equipment ahead of time. If or when a spill occurs, local first responders would be the first people on the scene and the first in harm's way. It would take almost 72

hours for all the needed cleanup equipment to arrive from different parts of the county.

In a best-case scenario, only 30 percent of the oil spilled would likely be recovered, according to Marine Pollution Control of Detroit. In reality, it would probably be even less. If severe weather conditions were present in the Straits, or if the Straits were covered in ice, much more oil would be left in the Great Lakes because beginning cleanup would likely be impossible until weather conditions improved. In addition, to protect worker safety, cleanup efforts would be limited to daylight hours, allowing oil to spread into Lake Michigan and Lake Huron overnight.

**Q: *Does Michigan need the oil from from Line 5?***

**A:** No. There's no shortage of oil in the Midwest and our needs could be met through other, existing, pipeline infrastructure. Ultimately, however, we need to keep fossil fuels in the ground, reduce our dependence on fossil fuels and invest in clean energy solutions like energy efficiency technologies and proven conservation policies, such as public transportation that works for people and electricity from clean energy sources like wind and solar.

**Q: *How would people in the Upper Peninsula get propane for heat?***

**A:** Residents of Michigan's Upper Peninsula (U.P.) use natural gas liquids from Line 5 as propane for heating their homes. Approximately 85 percent of this propane comes from natural gas liquids in Line 5. Since propane for the U.P. is removed and purified in the U.P. in Rapid River, shutting down Line 5 at the Straits wouldn't have an immediate impact on the Upper Peninsula's propane supply. However, as a state, we need to invest heavily in retrofitting homes to make them energy efficient and using wind and solar power to heat homes without burning propane or other fuels.

**Q: *Does Michigan get any money from Enbridge?***

**A:** According to Enbridge, it paid about \$22.5 million in property and sales tax to the State of Michigan in 2014. This amount, which is tiny next to what a spill in the Straits would cost the state's economy, must not be held up as justification for continuing to risk a spill along Line 5. The Great Lakes brought in \$1.2 billion in visitor spending in 2013, which far surpasses tax revenues from Enbridge.

**Q: *What authority does the State have to shut down Line 5?***

**A:** Public Trust Doctrine and Act 10 of 1953 provide the state with the authority, when faced with uncertainty of devastating or serious harm, to take precautionary action and altogether avoid the risk. Given the threat posed to the Great Lakes by Line 5, Governor Rick Snyder and Attorney General Bill Schuette have the immediate authority to shut down Line 5 under the Straits of Mackinac.

***Q: Has there been state or federal legislation introduced to shut down Line 5?***

**A:** In November 2015, State Representatives Sarah Roberts and Jeff Irwin introduced companion resolutions into the state legislature (H.R. 182 and C.R. 15) calling on Governor Snyder and Attorney General Schuette to shut down Line 5.

Michigan's U.S. Senators Debbie Stabenow and Gary Peters introduced The Pipeline Improvement and Preventing Spills Act (S. 2080) on September 24, 2015. This legislation would require basic steps be taken to improve pipeline safety and it would provide communities with more information on pipeline facilities, but it would protect the Great Lakes by shutting down Line 5.

***Q: What can local governments do to help shut down Line 5?***

**A:** Local governments (cities, townships, counties, etc.) can pass local resolutions calling on the Governor Snyder and Attorney General Schuette to shut down Line 5. This pressure is critical to push these officials to act in the best interests of the state and ensure there is never a spill from Line 5 into the Great Lakes.

***Q: What alternatives to Line 5 is Food & Water Watch proposing?***

**A:** Science is clear that we must keep the vast majority of fossil fuels in the ground if we are to maintain the stability of our climate. Food & Water Watch calls for a rapid transformation of how we meet our energy needs, by prioritizing investments in proven energy efficiency and conservation solutions, from weatherizing homes and businesses to building out public transportation that works for everyone. With political will, we can build a 100 percent clean energy system in the United States by 2035. This won't happen overnight, but it can happen without an oil spill at the Straits if we act now to shut down Line 5.

**CITY OF CHARLEVOIX  
RESOLUTION NO. 2016-02-XX  
STOPPING THE TRANSPORTATION OF OIL UNDER THE GREAT LAKES (SHUT DOWN LINE 5)**

- WHEREAS,** Line 5 is a set of twin, 62-year-old pipelines owned by Enbridge that carry light crude oil and natural gas under the Straits of Mackinac; and
- WHEREAS,** the currents in the Straits of Mackinac at peak volumetric transport can be more than 10 times greater than the flow of Niagara Falls and switch bi-directionally from east to west every few days, and according to a 2014 University of Michigan study are the “worst possible place” for an oil spill in the Great Lakes; and
- WHEREAS,** the Great Lakes contain 20 percent of the world’s fresh, available, surface water and are a drinking water source for over 35 million people; and
- WHEREAS,** one out of every five jobs in Michigan is linked to the high quality and quantity of fresh water in the Great Lakes; and
- WHEREAS,** tourism is one of Michigan’s largest income industries bringing in billions of travelers dollars spent each year; and
- WHEREAS,** agriculture, fisheries, shipping and industry depend on the health of the Great Lakes; and
- WHEREAS,** in 2009 the Great Lakes were linked to over 1.5 million jobs, with Michigan accounting for 35 percent of those jobs; and
- WHEREAS,** Enbridge has a shaky track record that includes 1,244 reportable spills, leaks and releases from 1996 to 2013; and
- WHEREAS,** Enbridge was in violation for their spacing requirements of its 1953 easement for Line 5 in 2014 and were responsible for a pinhole leak in a section of the pipeline north of the Straits in December 2014; and
- WHEREAS,** Enbridge was responsible for one of the worst and most expensive oils spills in U.S. history when Line 6b ruptured near Kalamazoo in 2010 allowing almost 1 million gallons of tar sands oil to leak for 17 hours before shutting down the line; and
- WHEREAS,** corrosion is the number one reason that pipelines fail; and
- WHEREAS,** Line 5 was built before the Great Lakes Submerged Lands Act was adopted so it didn’t have to obtain a permit and ensure that the pipeline wouldn’t pose a threat to the waters or the public’s use of the waters; and
- WHEREAS,** Michigan’s Attorney General Bill Schuette has stated (in regards to Line 5) that the “pipeline wouldn’t be built today” and that “the pipeline’s days are numbered”; and
- WHEREAS,** the Coast Guard Commandant testified before Congress in 2015 that the Coast Guard would be unable to respond effectively to an open water oil spill in the heart of the Great Lakes; and
- WHEREAS,** there is no plan for how to recover oil if there was a leak during the winter when the lakes are covered with ice; and
- WHEREAS,** as Michiganders we have a responsibility to be wise stewards of the waters of our state for generations to come; and
- WHEREAS,** the City of Charlevoix relies solely on the clean waters of Lake Michigan to provide drinking water to our residents and visitors; and

**WHEREAS,** protection of Michigan's water supplies and resources is better accomplished by prevention of contamination and environmental degradation, rather than attempting to clean up contamination and restore degraded environments after the fact.

**NOW, THEREFORE, BE IT RESOLVED,** that on February 15, 2016, the City of Charlevoix supports stopping the transportation of oil under the Great Lakes; and

**BE IT FURTHER RESOLVED,** that the City of Charlevoix supports shutting down Line 5 and the flow of oil under the Great Lakes, and

**BE IT FURTHER RESOLVED,** that the City of Charlevoix supports H.R. 182 and C.R. 15 introduced by State Representatives Sarah Roberts and Jeff Irwin calling on Governor Rick Snyder and Attorney Bill Schuette to shut down Line 5, and

**BE IT FURTHER RESOLVED** that the City of Charlevoix will send a letter to Governor Rick Snyder, Attorney General Bill Schuette, our State Representatives, State Senators and U.S. Senators calling on them to take swift action to shut down Line 5.

**RESOLVED** this 15th day of February, 2016 A.D.

Resolution was adopted by the following yea and nay vote:

Yeas:

Nays:

Absent: