

CITY OF CHARLEVOIX  
REGULAR CITY COUNCIL MEETING MINUTES  
Monday, February 20, 2012 — 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 Norman L. Carlson, Jr.

**I. Pledge of Allegiance**

**II. Roll Call of Members Present**

Mayor: Norman L. Carlson, Jr.  
City Attorney: Bryan Graham  
City Manager: Rob Straebel  
City Clerk: Carol A. Ochs  
Members Present: Council members Shane Cole, Dennis Kusina, Jill Picha, Greg Stevens, Bryan Vollmer  
Absent: Councilmember Lyle Gennett

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

Councilmember Greg Stevens questioned if he had a conflict of interest on the check register, regarding a check to his brother and his status as Vice President of the Third Day Fellowship Outreach. The Attorney stated that, as there is no direct personal financial gain, there is not a conflict with Mr. Stevens' approval of the registry.

**IV. Consent Agenda**

The following items were approved and filed:

- A. Approval of Minutes – February 6, 2012 Regular Meeting Minutes
- B. Accounts Payable Check Register – February 21, 2012
- C. Tax Disbursement – February 21, 2012
- D. ACH Payments – January 31, 2012 – February 17, 2012
- E. Payroll Check Register – February 17, 2012
- F. Payroll Transmittal – February 17, 2012

**V. Motion to Revise Order of Business**

The Clerk explained that some of the resolutions are dependent upon the approval of some of the ordinances on tonight's agenda, so the ordinances need to be acted upon before the resolutions. In order to do this, Council must suspend one of their *Rules of Procedure* by motion.

Motion by Councilmember Jill Picha, seconded by Councilmember Bryan Vollmer, to suspend Rule 4: The Order of Business of *Rules of Procedure for City Council*.

Yeas: Cole, Kusina, Picha, Stevens, Vollmer  
Nays: None  
Absent: Gennett

**VI. Public Hearings**

**A. Budget Amendment for the 2011-12 Budget Ordinance**

City Treasurer Rick Brandi reviewed the amendment. The Mayor opened the public hearing at 7:07 p.m. There were no comments. The Mayor closed the public hearing at 7:08 p.m.

**B. Budget Ordinance for the 2012-13 Budget**

City Treasurer Rick Brandi reviewed some changes and corrections to this version that varied from what Council had seen at the work session. This public hearing serves as the required Truth in Taxation Hearing for the 2012-13 Budget. The Mayor opened the public hearing at 7:13 p.m.

Bob Timms asked Council to reconsider the parking ticket fine increase. The Mayor stated that could be considered with the Rates & Fees resolution.

The Mayor closed the public hearing at 7:14 p.m.

**C. Proposed Ordinance to Approve an Amendment to Title II, Chapter 26: Charlevoix Municipal Airport of the City Code**

Airport Manager Matt Bailey was available to address the item and answer questions from Council. The Mayor opened the public hearing at 7:17 p.m. There were no comments. The Mayor closed the public hearing at 7:17 p.m.

**VII. Reports**

The Manager presented the proposed design for the Welcome to Charlevoix sign for the Pine River Channel, which is part of an Eagle Scout project. The design is consistent with other entryway signs. Council had no objections to the sign design.

The Manager reported that the owner of the Charlevoix Hotel has a contract with Swanson's for the clean up of the property after the fire. Staff will be maintaining contact with the owner to see that the property is cleaned up.

The Manager discussed the new street signs. The color scheme will be white with black letters, as opposed to the black with white letters Council originally had picked, which is not an option. The new color scheme complies with the new Federal regulations. Council did not object to the color change.

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

**A. Wastewater Plant Biosolids Contract Update**

Water – Wastewater Superintendent Jim Caldwell was available to review the item and answer questions from Council. Biotech Agronomics, the current provider, has offered to extend a hold on the current price per gallon [\$0.0545/gal] for the budget year of 2012-13 and 2013-14. There is some price fluctuation due to periodic fuel costs adjustments.

Motion by Councilmember Dennis Kusina, seconded by Councilmember Shane Cole, to allow the City Manager to sign the purchase order [with Biotech Agronomics] for the year of 2012-13 and 2013-14 for the hauling and management of the biosolids at the Wastewater Treatment plant per contract.

Yeas: Cole, Kusina, Picha, Stevens, Vollmer  
Nays: None

Absent: Gennett

- B. Consideration of Resolution to Adopt Minimum Standards at Charlevoix Municipal Airport  
 Airport Manager Matt Bailey was available to address the item and answer questions from Council. Action by resolution.

- C. Airport Part-time/Seasonal Job Descriptions  
 Airport Manager Matt Bailey was available to address the item and answer questions from Council.

Motion by Councilmember Bryan Vollmer, seconded by Councilmember Greg Stevens, to approve the Airport seasonal job descriptions for counter and ramp staff as outlined on pp. 68-71 of the packet.

Yeas: Cole, Kusina, Picha, Stevens, Vollmer  
 Nays: None  
 Absent: Gennett

- D. Appointments  
 Motion by Councilmember Dennis Kusina, seconded by Councilmember Greg Stevens, to reappoint Greg Withrow as full member to the Zoning Board of Appeals.

Yeas: Cole, Kusina, Picha, Stevens, Vollmer  
 Nays: None  
 Absent: Gennett

Motion by Councilmember Jill Picha, seconded by Councilmember Dennis Kusina, to reappoint Mary Eveleigh as full member to the Zoning Board of Appeals.

Yeas: Picha, Vollmer  
 Nays: Cole, Kusina, Stevens  
 Absent: Gennett  
 MOTION FAILS

Motion by Councilmember Dennis Kusina, seconded by Councilmember Jill Picha, to reappoint Larry Sullivan as alternate to the Zoning Board of Appeals.

Yeas: Cole, Kusina, Picha, Stevens, Vollmer  
 Nays: None  
 Absent: Gennett

- E. Resolution to Adopt Rates & Fees Associated with the 2012-13 Budget  
 City Treasurer Rick Brandi was available to address the item and answer questions from Council.

During audience comment, Bob Timms stated that the parking ticket increase to ten dollars is exorbitant and he thinks it will alienate shoppers and visitors.

Action by resolution.

- F. Resolution Designating Office of City Clerk as Clerk to ZBA, PC, and DDA  
 The City Clerk was available to address the item and answer questions from Council. The Clerk's Office has been asked to help redistribute the workload of minutes from the Manager's Office. Due to the Clerk being an elected position, tasks must be legislated by Council or State statute, not assigned by the Manager. Action by resolution.

**IX. Introduction and Initial Actions Relating to Ordinances or to Resolutions That Require Publication or Hearings Prior to Final or Further Action**

- A. Resolution Amending the Industrial Development District for DCL  
 Motion by Councilmember Dennis Kusina, seconded by Councilmember Bryan Vollmer, to set a public hearing for March 5, 2012 at 7:00 p.m. in Council Chambers of City Hall, on a proposed resolution to amend the DCL Industrial Development District.

Yeas: Cole, Kusina, Picha, Stevens, Vollmer  
 Nays: None  
 Absent: Gennett

**X. Ordinances**

- A. Budget Amendment for the 2011-12 Budget Ordinance

**ORDINANCE NO. 753 OF 2012**  
 2011-2012 BUDGET AMENDMENT #1

The Budget for the fiscal year beginning April 1, 2011 shall be amended for operating the City of Charlevoix. Ordinance #748-2011, the Budget Appropriation Act of 2011-2012 is hereby amended as follows:

		Original Budget	Amended Budget	Net Change
General Fund				
	EX Legislative	44,200	40,200	(4,000)
	EX General Government	570,600	524,926	(45,674)
	EX Public Safety	1,098,700	1,099,976	1,276
	EX Public Works	217,500	221,515	4,015
	EX Health & Welfare	330,300	348,876	18,576

	Original Budget	Amended Budget	Net Change
EX Recreation & Culture	817,700	844,857	27,157
EX Other	45,000	27,884	(17,116)
EX Fund Transfers	95,000	119,700	24,700
<b>Total Change in Expenses - General Fund:</b>	<b>3,219,000</b>	<b>3,227,934</b>	<b>8,934</b>

Major Street	RV Total	246,300	222,461	(23,839)
Local Street	EX Total	448,800	471,102	22,302
DDA Fund	EX Total	667,000	673,539	6,539
Airport Fund	RV Total	454,900	2,439,308	1,984,408
	EX Total	455,900	2,452,789	1,996,889
PI#2 - Sewer Capital Improv	RV Total	13,000	3,000	(10,000)
PI#5 - Northside Sewer	RV Total	600	400	(200)
PI#6 - Infrastructure Fund	EX Total	585,900	787,019	201,119
PI#7 - County Road Millage	EX Total	223,000	258,359	35,359
PI#9 - Industrial Park Fund	RV Total	1,000	400	(600)
PI#16 - Downtown Parking Fund	EX Total	0	9,000	9,000
Electric Fund	RV Total	6,292,200	5,973,424	(318,776)
Sewer Fund	RV Total	1,182,300	1,165,796	(16,504)
Water Fund	EX Total	1,534,300	1,598,122	63,822
Marina Fund	RV Total	472,200	466,604	(5,596)
	EX Total	1,273,200	1,292,041	18,841
Employee Fringe Benefit Fund	EX Total	1,937,300	1,991,030	53,730
Motor Pool	EX Total	981,300	987,582	6,282
DPW Site	RV Total	208,500	205,700	(2,800)
DPW Site	EX Total	58,100	66,593	8,493
Perpetual Care Trust Fund	RV Total	8,700	7,525	(1,175)

Bad Debt Write Offs

General Fund	19,492	5.50%	ambulance
General Fund	-		personal property taxes
Marina Fund	-		docking
Electric Fund	17,311	0.32%	
Water Fund	1,705	0.21%	
Sewer Fund	3,024	0.28%	
<b>Total:</b>	<b>41,532</b>		
		2010-11:	\$ 31,720
		2009-10:	\$ 36,536

Ordinance No. 753-2012 was enacted on the 20<sup>th</sup> day of February, A.D. 2012, by the Charlevoix City Council as follows:

Motion by: Councilmember Jill Picha  
 Seconded by: Councilmember Greg Stevens

Yeas: Cole, Kusina, Picha, Stevens, Vollmer  
 Nays: None  
 Absent: Gennett

B. 2012-2013 Budget Appropriation Ordinance

**CITY OF CHARLEVOIX  
 ORDINANCE NO. 754 OF 2012  
 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, 2012 and ending March 31, 2013 are hereby appropriated on an activity level basis (a detailed breakdown by detail level can be found in the Budget Details document) as summarized by the following:

**GENERAL FUND**

REVENUE:	Taxes	\$ 2,018,900
	Licenses & Permits	4,700
	State Grants	235,500
	Charges for Services	710,400
	Fines & Forfeits	17,500
	Interest & Rents	122,500
	Other	17,700
	Fund Transfers (In)	2,500
	Appropriation from Surplus	158,400
		-----
	TOTAL REVENUES:	\$3,288,100
		=====
EXPENSE:	Legislative	\$ 42,000
	General Government	542,000
	Public Safety/Health & Welfare	1,501,300
	Public Works	216,200
	Recreation & Culture	837,200
	Other	30,000
	Fund Transfers (Out)	119,400
		-----
	TOTAL EXPENSE:	\$3,288,100
		=====

BE IT FURTHER RESOLVED, That the City Council of the City of Charlevoix does hereby levy a tax of 11.1528 mills (9.05 mills operating and 2.0593 mills infrastructure) for the period of April 1, 2012 through March 31, 2013 on all real and 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, 2012 through March 31, 2013 on all real and 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 .9 mills for the period April 1, 2012 through March 31, 2013 on all real and 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, 2012 through March 31, 2013 in the amounts set forth below by fund:

<u>FUND</u>	<u>REVENUE</u>	<u>EXPENSE</u>
Major Street Fund	\$290,300	\$ 290,300
Local Street Fund	588,600	588,600
Electric Fund	6,962,700	6,962,700
Sewer Fund	1,415,900	1,415,900
Water Fund	1,276,400	1,276,400
Marina Fund	1,285,000	1,285,000
Motor Vehicle Fund	948,400	948,400
Downtown Development Auth	743,300	704,800
Airport Fund	2,416,500	2,416,000
Employee Fringe Benefit	2,106,800	2,033,300
Perpetual Care Trust Fund	8,700	0
Fire/Ambulance Fund	72,100	0
Sewer Tap-in Fund*	3,000	0
Northside/Southside Sewer Fund*	400	0
Infrastructure Improvement	447,300	447,300
Road Improvements	357,300	357,300
<u>FUND</u>	<u>REVENUE</u>	<u>EXPENSE</u>
Public Works Site Fund	207,000	13,100
Industrial Park Fund	5,000	5,000
Mt. McSauba Recreation Fund	15,000	15,000
Downtown Parking Fund	116,880	116,880

\* These funds are part of the Sewer Fund.

Ordinance No. 754-2012 was enacted on the 20th day of February, A.D. 2012, by the Charlevoix City Council as follows:

Motion by: Councilmember Dennis Kusina  
 Seconded by: Councilmember Shane Cole

Yeas: Cole, Kusina, Picha, Stevens, Vollmer  
 Nays: None  
 Absent: Gennett

C. Amendment to Title II, Chapter 26: Charlevoix Municipal Airport of the City Code

CITY OF CHARLEVOIX  
ORDINANCE NO. 755 OF 2012  
AN ORDINANCE TO AMEND TITLE II, CHAPTER 26, OF THE CHARLEVOIX CITY CODE

THE CITY OF CHARLEVOIX ORDAINS:

**Section 1. Amendment of Title II, Chapter 26.**

Title II, Chapter 26 of the Charlevoix City Code is hereby amended to read in its entirety as follows:

CHAPTER 26  
CHARLEVOIX MUNICIPAL AIRPORT

ARTICLE I. IN GENERAL

**2.181. Definitions.**

**Aeronautical Commercial Activity** means any operation of an aircraft for compensation or hire, or any services performed incidental to the operation of any aircraft for which a fee is charged or compensation received while basing aircraft, advertising, or performing such services at the Charlevoix Municipal Airport. This includes, but is not limited to, the servicing, fueling, maintaining and repairing of Third Party Aircraft, the rental or charter of aircraft under an Federal Aviation Regulations (F.A.R.) Part 135 certificate (scheduled or unscheduled), the operation of flight schools, the operation of aircraft for the application of chemicals or other substances, aerial photography, or aerial surveys. An Aeronautical Commercial Activity is one type of Commercial Activity.

**Airport** means Charlevoix Municipal Airport.

**Airport Manager** means the individual tasked with oversight and management of all activities at Charlevoix Municipal Airport, and includes designees of the Airport Manager. The Airport Manager shall be appointed by the City Manager.

**Based Aircraft** means an aircraft stationed at the Airport on a long-term or permanent basis, through an arrangement for the storage of the aircraft in either a hangar or an outdoor tie-down area.

**City** means the City of Charlevoix.

**City Manager** means the City Manager of the City or a designee of the City Manager.

**Commercial Activity** means the sale or rental of any commodities, supplies, or services and includes, but is not limited to, an Aeronautical Commercial Activity.

**Contract** means any contract, lease, covenants, or other written agreement.

**Fuel** means any liquid which is used to power an airplane. Fuel includes, but is not limited to, 100LL and JetA.

**License** means a written document issued by the City, pursuant to this Chapter, that grants permission to engage in a specified Commercial Activity at the Airport. A license may also be called a permit.

**Minimum Standards** means the minimum requirements for the conducting of any Commercial Activity at the Airport as adopted by the City Council by resolution and as amended from time to time.

**Person** means any individual, firm, partnership, corporation, company, or association, including any trustee or receiver.

**Schedule of Insurances** means the list of types of insurance, limits of coverage, and other insurance-related requirements for the conducting of an Aeronautical Commercial Activity or any other type of activity as adopted by the City Council by resolution and as amended from time to time.

**Schedule of Rates and Charges** means the fees or charges for the conducting of an Aeronautical Commercial Activity or any other type of activity at the Airport as adopted by the City Council by resolution and as amended from time to time.

**Third Party Aircraft** shall mean aircraft that are not owned or leased by a self-fueling operator.

**Transient Aircraft** means an aircraft that is not a Based Aircraft.

**Through the Fence** means an agreement whereby a landowner whose property abuts the Airport is given permission to taxi aircraft between the privately owned land and the publicly owned Airport.

**2.182. Existing Contracts.**

It is not intended for this Chapter to interfere with existing contracts. However, where this Chapter or compliance with federal grant assurance imposes a greater duty on a person than does an existing contract and where this Chapter does not directly and irreconcilably conflict with that contract, then the greater duty imposed by this Chapter shall apply. All future contracts shall be made consistent with this Chapter.

**2.183. Licenses Non-Exclusive.**

All licenses for a Commercial Activity at the Airport shall be granted on a non-exclusive basis, conforming to all federal statutes, orders, guidelines, and regulations.

**2.184. Agreement with U.S. Government.**

During time of war or national emergency, the City shall have the right to enter into an agreement with the U.S. Government for military use of part or all of the Airport and/or its facilities. Any contracts to persons other than the U.S. Government shall be subject to and subordinate to any such agreement with the U.S. Government.

**2.185. Nondiscrimination.**

No person shall, in the use of the Airport or any of the facilities located thereon, discriminate or permit discrimination against any other person or group of persons on the grounds of race, color, creed, national origin, sex, or age, or in any other manner prohibited by federal statutes, federal regulations, or City anti-discrimination policies. In addition, there shall be no discrimination in the pricing of services offered by Airport Licensees.

**2.186. Federal and State Regulations.**

All rules and regulations enacted by the Michigan Aeronautics Commission and/or the Federal Aviation Administration relative to pilots, aircraft, air traffic, and airports now in effect, or any amendments adopted in the future are hereby adopted by reference and made a part of these regulations as fully as if the same and each of all of them were completely set forth herein. In addition, all contracts, leases and licenses shall be subordinate to the City's commitment to comply with federal grant assurances and other obligations to the federal government.

**2.187. Airport Manager's Authority.**

The Airport Manager shall have authority to do the following: enforce all laws, ordinances, standards, resolutions, rules, and regulations governing pilots, aircraft, air traffic, and the general public using the Airport; suspend flying operations when, in the Airport Manager's judgment, the condition of the Airport or weather is such as to make flying operations unsafe; issue notices to airmen (NOTAMS) as are appropriate for conditions at the Airport; and take such lawful action as may be necessary for the proper handling, conduct, and management of the public in attendance at the Airport. The Airport Manager may delegate responsibilities which are assigned to the Airport Manager under this Chapter to such persons as have been designated by the City Manager to assist the Airport Manager. The City Manager may delegate to the Airport Manager any duty or authority of the City Manager contained in this Chapter.

**2.188. Suspension or Revocation of License & Alternate Remedy.**

- A. A violations of this Chapter by agents or employees of a licensee shall be deemed to be a violation by the licensee. As used in this Chapter, a violation of this Chapter includes not only a violation of this Chapter of the City Code, but also a violation of any provision of the applicable license.
- B. The City may suspend or revoke any license that has been issued pursuant to this Chapter for a violation of this Chapter.
- C. If the City Manager has reason to believe that a licensee has violated or is violating this Chapter, the City Manager may, but is not required to, prepare or cause to be prepared a written notice specifying the factual basis for the alleged violations of this Chapter. The notice shall also state the date, time, and place of a hearing before the City Council concerning whether the license or permit should be suspended or revoked. The written notice shall be served on the licensee either personally or by certified mail, restricted delivery and return receipt requested, no less than twenty-one (21) days before the hearing.
- D. As an alternate remedy to license suspension or revocation by the City, the City may commence legal action in a court of competent jurisdiction to force compliance with the license as well as any applicable Minimum Standards and/or written plan related to a license and for such other relief as the Court shall deem equitable.

**2.189. Hearing.**

- A. If a hearing is held before the City Council, the licensee shall be given an opportunity to confront adverse witnesses and present evidence and legal arguments to the City Council, and may be represented by an attorney. Following the hearing, the City Council shall decide whether any portion of this Chapter has been or is being violated. If the City Council finds that any portion of this Chapter or any other provision of the City Code has been or is being violated, then the City Council shall decide whether the license should be suspended or revoked by evaluating the severity of the violation, whether more than one violation has been established, whether the licensee ignored warnings that a violation was occurring, the time period that the violation or violations were in existence and whether there have been prior violations. The City Council's decision shall be based on substantial, material, and competent evidence. The decision shall be in writing and shall specify the factual evidence upon which the decision is based. A copy of the City Council's written decision shall be given to the licensee once it is approved by the City Council.

**2.190. Fees/permits.**

The City Council may set fees for usage of the Airport and Airport property. These fees shall be listed on a *Schedule of Rates and Charges*.

**2.191. Insurance.**

Each person seeking a license for a Commercial Activity at the Airport shall, prior to the issuance of the license, furnish the City with copies of certificates of insurance providing insurance coverage against loss occasioned by bodily injury or property damage pursuant to the Airport's *Schedule of Insurances* and shall execute an indemnification agreement with the City against any loss occasioned by bodily injury or property damage associated with the proposed licensee's use of the Airport. The indemnification agreement shall be in such form as shall be prescribed by the City.

**2.192. Inspections.**

City personnel, including but not limited to the City Manager, Airport Manager, City fire personnel, and/or City police officers, shall have the authority and the duty to make such inspections of a person's use of the Airport, as well as buildings and facilities at the Airport used by any person, to determine compliance with the provisions of this Chapter.

## ARTICLE II. VEHICLES

### 2.193 Operation and Parking.

- A. A person who operates a motor vehicle within the boundaries of the Airport shall comply with all of the following requirements:
- (1) A person shall only operate a motor vehicle in locations designated by the Airport Manager and such operation of a motor vehicle shall not interfere with aircraft movement and shall not create hazardous conditions to persons, property, or Airport operations.
  - (2) A person shall not operate a snowmobile and/or a recreational or off-road vehicle within the Airport boundaries without the written approval of the Airport Manager.
- B. A person who parks a motor vehicle within the boundaries of the Airport shall comply with all of the following requirements:
- (1) The motor vehicle shall only be parked in locations designated by the Airport Manager.
  - (2) A parking permit for that motor vehicle shall be issued under subsection D below and shall not be transferred to any other motor vehicle, except as authorized in subsection E below.
  - (3) An annual parking permit shall be affixed to the motor vehicle to which it was issued in the bottom right hand corner of the front windshield of that motor vehicle. A six (6) month, monthly, weekly, overnight and daily (non-overnight) parking permit shall be hung from the rearview mirror of the motor vehicle in such a manner that the permit information is visible from the outside of the motor vehicle. Provided, however, any parking permit issued for a motor vehicle prior to the effective date of this amendatory ordinance may remain displayed or affixed to that motor vehicle in the location designated at the time the permit was issued. Any subsequent parking permit shall comply with the display and location requirements of this subsection.
  - (4) The motor vehicle shall only be parked in the parking area authorized by the parking permit issued pursuant to this Chapter. Parking in any other area shall be a violation of this Chapter.
  - (5) A motor vehicle shall not be parked in the parking area authorized by the parking permit beyond the time period authorized by such parking permit.
  - (6) A motor vehicle shall not be parked in the designated loading/unloading zone located adjacent to the south side of the terminal building. Provided, however, a motor vehicle may be temporarily stopped for no more than ten (10) minutes in the loading/unloading zone for the purpose of picking up or dropping off passengers or for the purpose of loading or unloading passenger luggage, if the driver of the motor vehicle remains at all times with the motor vehicle.
- C. A person who desires to park a motor vehicle within the boundaries of the Airport shall apply for and obtain a parking permit for the motor vehicle prior to the motor vehicle being parked within the boundaries of the Airport and shall pay the fee established pursuant to the *Schedule of Rates and Charges*. The application shall be on a form provided by the Airport Manager and shall contain the following information:
- (1) Name and address of the registered owner of the motor vehicle and contact phone number of the registered owner when applying for an annual permit or a six (6) month permit. The name and address of the registered owner of the motor vehicle shall not be required when applying for a monthly, weekly, overnight, or daily (non-overnight) parking permit.
  - (2) Make, model, model year, color, and license plate number of the motor vehicle.
  - (3) Parking area desired, which shall be one of the following:
    - a. Premium parking area.
    - b. Daily parking area.
    - c. Multi-day/overnight/annual permit parking area.
    - d. Employee parking area.
    - e. Overflow/oversized vehicle parking area.
  - (4) The type of parking permit desired, which shall be one of the following:
    - a. An annual permit, which shall be valid from April 1 to March 31 of the succeeding year.
    - b. A six (6) month permit, which shall be valid for a period of six (6) months from the date of issuance.
    - c. A monthly permit, which shall be valid for a period of thirty (30) days from the date of issuance.
    - d. A weekly permit, which shall be valid for a period of seven (7) days from the date of issuance.
    - e. An overnight permit, which shall be valid until 11:59 p.m. of the day following the date of issuance.
    - f. A daily (non-overnight) permit, which shall be valid until 11:59 p.m. of the day of issuance.
- D. After receiving an administratively complete application, the Airport Manager or Airport Manager's designee shall issue the requested parking permit if he or she determines that the applicable fee has been paid and that there is a parking space available within the parking area desired by the applicant. No parking permit shall be issued until all information required under subsection C above is provided.
- E. An annual parking permit may be transferred to another motor vehicle only if all of the following requirements are met:
- (1) The parking permit that was previously issued shall be surrendered to the Airport Manager, or his or her designee, prior to a new parking permit being issued under this subsection.
  - (2) The motor vehicle to which the parking permit will be transferred shall be registered to a parent, spouse, or sibling of the person to whom the original parking permit was issued, or to a legal dependent of the person to whom the original parking permit was issued who has a valid driver's license and who is claimed as a dependent on the federal income tax return filed by the person to whom the original parking permit was issued. The person requesting the transfer shall establish the required relationship of this subsection.

- (3) The parking permit being transferred shall not have been transferred more than three (3) previous times.
  - (4) The transferred parking permit shall be affixed to the windshield of the motor vehicle to which it was transferred as required by subsection B(3) above.
- F. Any parking permit used in violation of this Section or obtained through any fraud or misrepresentation, in addition to the penalty provisions of Section 2.200F of this Chapter, shall be subject to revocation by the Airport Manager, with no refund of any parking permit fee paid. Any such revocation may be appealed to the City Manager, who shall review the matter anew.

### ARTICLE III. BUILDINGS AND PROPERTY

#### 2.194. Buildings and Property.

Building size and building amenities for a Commercial Activity, which is allowed on Airport property, are stipulated in the *Minimum Standards*. The City shall own all buildings or structures constructed or placed on Airport property. A person may construct a building or structure on Airport property with permission of the City and as provided in this Chapter; provided, however, the City shall own the building or structure upon the completion of its construction. In addition, the following shall apply to all buildings or structures on Airport property:

- A. The use of all buildings and property on the Airport shall be subject to a lease between the user of the building or building amenities and the City. The lease shall stipulate the allowable uses, require compliance with the Airport's *Minimum Standards*, and contain such other terms and conditions as the parties shall agree. The lease shall be approved by the City Manager and approved as to form by the City Attorney.
- B. Except as provided herein, the use of private hangars on the Airport shall be limited to storage of aircraft and/or aircraft parts, or other aeronautical purposes as approved by the City Manager. Storage of other personal property may be approved by the written consent of the Airport Manager or City Manager. In its sole discretion, the City may require the lessee to provide additional taxiways and/or ramp space in front of or adjacent to a private hangar.
- C. Authorization to construct a building on the Airport may be issued after:
  - (1) Detailed building plans and a written plan outlining the intended use of any associated structure or building have been approved by the Airport Manager and all such plans shall comply with the *Minimum Standards* and generally accepted design and construction practices.
  - (2) Execution of a written lease agreement between the proposed lessee and the City.
  - (3) Compliance with the City's *Schedule of Insurances*.
  - (4) Payment of appropriate fees pursuant to the *Schedule of Rates and Charges*.
  - (5) Issuance of building permits when so required by the County.
- D. The construction of any building or structure shall:
  - (1) Comply with all applicable ordinances of the City if such ordinances are intended to apply to the Airport property.
  - (2) Be located according to the Airport's development plan and approved by the City Manager.
  - (3) Comply with rules for the construction of buildings or structures at the Airport which have been prepared by the City Manager.
  - (4) Be inspected and approved by the county building inspector and Airport Manager with respect to applicable building codes and to ensure that the building complies with the Airport's rules and plans for the building which were approved by the City.
- E. Alterations or additions to existing structures, whether internal or external, will be considered the same as new construction and, in addition, shall be owned by the City.
- F. All improvements to the property, such as utilities, approaches, paving, drain tiling, and fill dirt will be provided at the lessee's expense.

### ARTICLE IV. COMMERCIAL USES

#### 2.195. Commercial Uses & Licenses.

- A. No person shall engage in a Commercial Activity at the Airport without first obtaining a license from the City Clerk pursuant to the requirements of this Section. Provided, however, a person may continue a Commercial Activity previously authorized by a written contract with the City until such contract expires or is terminated pursuant to its terms. Thereafter, the person shall be required to obtain a license pursuant to the requirements of this Section. The City Council shall establish applicable fees through the Airport's *Schedule of Rates and Charges* and such fees shall be imposed on an annual basis, on or about April 1 of each year.
- B. The City Council shall have the right to adopt and amend *Minimum Standards* for any Commercial Activity. A Commercial Activity shall comply with all applicable *Minimum Standards* during the time that the license is in effect. *Minimum Standards* may be adopted or amended by resolution or motion of the City Council.
- C. When this Chapter requires that a written plan be submitted to the City as part of an application for a license for a Commercial Activity and a license is issued pursuant to that application, the Commercial Activity shall comply with the written plan during the time that the license is in effect.

- D. A person seeking a license under this Section shall submit a complete application to the Airport Manager on a form provided by the Airport Manager and pay the required fee. The application shall include all of the following:
- (1) Name and address of the individual or entity that will be conducting the Commercial Activity.
  - (2) The proposed location on the Airport where the Commercial Activity will be conducted.
  - (3) The proposed route for motor vehicle traffic within the Airport for accessing the Commercial Activity, including information that the proposed route will not interfere with the Airport's gate security and safety.
  - (4) Information that establishes that the nature and location of the proposed Commercial Activity will not interfere with Airport operations.
  - (5) Information that establishes compliance with the *Minimum Standards* applicable to the proposed Commercial Activity and all other requirements of this Chapter applicable to the proposed Commercial Activity.
  - (6) If the proposed Commercial Activity involves the operation of a scheduled or unscheduled commercial airline and ticket-purchasing passengers, a written plan documenting how the applicant will comply with the following reporting requirements:
    - a. Filing on a timely, annual basis Form 1800-31 with the Federal Aviation Administration (FAA).
    - b. Filing on a timely basis any other form or document with the FAA regarding the enplanement of passengers, take-offs and landings, or any other aspect of the applicant's proposed Commercial Activity which is conducted in whole or in part at the Airport and which is required by the FAA to be filed.
    - c. Filing on a timely basis any other form or document with the FAA regarding the enplanement of passengers, take-offs and landings, or any other aspect of the applicant's proposed Commercial Activity which is conducted in whole or in part at the Airport and which is not required by the FAA to be filed, but which the City requests in writing to be filed with the FAA.
    - d. Filing on a timely basis any forms, reports, or documents with the Transportation Security Administration, the Department of Homeland Security, the FAA, and any other local, state, or federal agency having jurisdiction over the applicant or over the applicant's proposed Commercial Activity.
- E. After receiving an administratively complete application, the Airport Manager shall review the application and determine whether the applicable fee has been paid and whether all of the following applicable licensing requirements are met for the proposed Commercial Activity:
- (1) The Commercial Activity complies with all of the *Minimum Standards* applicable to that Commercial Activity and complies with all other requirements of this Chapter applicable to the proposed Commercial Activity.
  - (2) The nature and location of the Commercial Activity will not interfere with Airport operations.
  - (3) The route for motor vehicle traffic within the Airport for accessing the Commercial Activity will not interfere with the Airport's gate security and safety.
  - (4) If the application is a license renewal, that there are no current violations of this Chapter related to the proposed license.
  - (5) If this Chapter requires the submission of a written plan for any aspect of the Commercial Activity, the applicant has reasonably established in the written plan that there will be compliance with the applicable requirements of this Chapter.
- F. If the Airport Manager determines that the applicable fee has been paid and that all of the applicable licensing requirements contained in this Chapter have been met for the proposed Commercial Activity, then the Airport Manager shall forward the application to the City Clerk, who shall issue the license for the Commercial Activity sought within a reasonable time after receiving the application from the Airport Manager. The City Clerk shall either mail the issued license to the applicant, the applicant may pick up the issued license from the City Clerk's Office, or the City Clerk shall forward the issued license to the Airport Manager, who shall then personally deliver the issued license to the applicant. Following the issuance of any license under this Section, the City Clerk shall maintain a copy of the issued license as part of the City's records.
- G. Any license issued prior to March 31 in a calendar year shall remain in effect until March 31 of that same calendar year. Thereafter, any license issued shall remain in effect until March 31 of the year following the date of issuance. A license may be renewed by submitting a renewal application on a form supplied by the Airport Manager and, if renewal is approved, the payment of the applicable renewal fee established through the Airport's *Schedule of Rates and Charges*. A renewal license shall meet all standards and requirements that are applicable to the initial issuance of a similar license.
- H. A person to whom a license has been issued pursuant to this Chapter shall display that license to the Airport Manager upon request of the Airport Manager. However, the issued license shall not be required to be displayed at the site of the Commercial Activity.
- I. A licensee shall at all times conduct the Commercial Activity authorized by the license in full compliance with all of the requirements of this Chapter and shall not violate any provision of this Chapter. Failure of the licensee to comply with this subsection shall subject the licensee to suspension or revocation of the license.
- J. A copy of any form, report, or document filed by the licensee with the Federal Aviation Administration, the Transportation Security Administration, the Department of Homeland Security, and any other local, state, or federal agency having jurisdiction over the licensee or over the licensee's Commercial Activity shall be provided to the Airport Manager within seven (7) days after it has been filed with the applicable agency. The failure of the licensee to comply with this subsection shall be a violation of license requirements for which the license may be suspended or revoked.

## ARTICLE V. ON-AIRPORT RESIDENCES

### 2.196. Residences - Airport Access.

- A. Residential dwellings are prohibited on Airport property, and Through-the-Fence access agreements shall not be granted to adjacent property owners of residential dwellings. An existing Through-the-Fence access agreement shall be allowed to remain until title to the property which benefits from the access agreement is conveyed to a new owner.

## ARTICLE VI. AIRCRAFT OPERATIONS

### 2.197. Aircraft.

- A. All Based Aircraft shall be registered with the Airport Manager.
- B. Transient Aircraft using the terminal parking area may park only in designated areas. The terminal parking area directly in front of the terminal building is closed to overnight parking except by prior arrangement with the Airport Manager.
- C. A person who places an aircraft on the ramp at the Airport outside of a private hanger shall comply with all of the following requirements:
  - (1) The person shall locate the aircraft only on the Airport ramp and only in locations designated by the Airport Manager.
  - (2) The person shall chock and/or tie down the aircraft when the aircraft is located on the ramp and shall maintain such chocking and/or tie down of the aircraft at all times when the aircraft is located on the ramp.
  - (3) If an aircraft is placed on the ramp at the Airport outside of a private hanger, the person shall obtain a ramp permit for the aircraft, which shall be one of the following:
    - a. An annual permit, which shall be valid from April 1 to March 31 of the succeeding year.
    - b. A monthly permit, which shall be valid for a period of thirty (30) days from the date of issuance.
    - c. A weekly permit, which shall be valid for a period of seven (7) days from the date of issuance.
    - d. An overnight permit, which shall be valid until 11:59 p.m. of the day following the date of issuance.
  - (4) The person shall not keep the aircraft on the ramp beyond the time period authorized by the ramp permit obtained pursuant to subsection (3) above.
  - (5) The person shall pay to the City the applicable ramp permit fees as specified by the terms and conditions in the Airport's *Schedule of Rates and Charges*.
- D. Except as may be otherwise provided in a hanger lease or contract with the City, a person who lands an aircraft at the Airport shall pay a landing fee for each landing at the Airport as specified by the terms and conditions in the Airport's *Schedule of Rates and Charges*. Provided, however, if a person lands the same aircraft only once in a twenty-four (24) hour period and obtains a daily ramp permit, then the landing fee and daily ramp permit fee shall be combined into one fee as specified by the terms and conditions in the Airport's *Schedule of Rates and Charges*. Provided further that if the person obtains and pays the applicable fee for an annual ramp permit, all landing fees shall be deemed paid for the year in which the annual ramp permit remains valid.

## ARTICLE VII. FIRE REGULATIONS

### 2.198. Fire Regulations.

- A. All persons shall comply with "No Smoking," "Fire Lane," and other regulatory signs.
- B. No airplane shall be fueled or drained of fuel while the engine is running or while in a hangar or other enclosed space.
- C. The cleaning of engines or other parts of an airplane within an enclosure shall be with nonflammable liquids. If volatile, flammable liquids are employed, cleaning operations shall be carried on in the open air.
- D. Floors shall be kept free and clean from oil at all times. The use of volatile or flammable substances for the cleaning of floors is prohibited.
- E. Owners and tenants of hangars or other structures shall be responsible for prompt removal of oily waste, rags, and other rubbish, such as empty oil, paint and varnish cans, bottles, etc., which shall not be allowed to accumulate.
- F. No rubbish, paper, or debris of any kind shall be permitted to be stored in or about the hangars or other structures.
- G. The storage of gasoline, kerosene, or other flammable liquids including those used in connection with the process of doping shall be in compliance with the regulations of the National Fire Prevention Association and all future amendments of those regulations for containers for flammable liquids and the storage of such containers.
- H. Any person responsible for the spillage or dripping of fuels or flammable liquids which may be unsightly or detrimental to the pavement or to the environment shall insure the immediate removal of the material. The responsibility for removal shall be assumed by the operator of the equipment causing the spillage or by the tenant or licensee responsible for the spillage. Any spillage or dripping of fuels, flammable liquids, acids, or the like shall be reported to the Airport Manager's office immediately.
- I. No fuels, oils, dopes, paints, solvents, or acids shall be disposed of or dumped in drains, on the ramp areas, catch basins, or ditches, or elsewhere on the Airport.
- J. No person shall start an aircraft engine or run an aircraft engine in any hangar or building at the Airport without the permission of the Airport Manager. This includes, but is not limited to, the running of an aircraft engine to enter or exit a hangar.

## ARTICLE VIII. PERSONAL CONDUCT

### 2.199. Conduct.

- A. No person shall impede the operation of aircraft, or any authorized operation or activity at the Airport.
- B. No person shall cause objects to be placed on any runway or taxiway that could cause aircraft engine damage or take any other action that is a danger to aircraft or aircraft engines.
- C. A person shall obey all posted signs, fences and barricades prohibiting entry upon restricted areas or governing their activities and demeanor while at the Airport.
- D. No person shall use a closed or secure gate without closing or securing the gate after that person's use.
- E. No person shall enter within the Airport boundaries without good cause. Good cause shall include, but is not limited to: being a passenger of a plane located on the Airport; a pilot of a plane located on the Airport; a visitor of an aircraft owner, tenant, business, or operator of an aircraft; a visitor or invitee of Airport and/or City administration; an owner, operator, or employee of a business at the Airport; the customer or business invitee of a business at the Airport; a person having a contractual relationship with the City involving Airport property and the person's presence is in the performance of that contract; or a person otherwise authorized by laws or regulations of the City, state or federal government.
- F. No person shall hunt or discharge a firearm on Airport property without written permission from the Airport Manager except for law enforcement personnel in the performance of their duties.
- G. No person shall dispose of garbage, papers, refuse or other forms of trash on the premises of the Airport except in receptacles provided for such purposes, nor use a restroom other than in a clean and sanitary manner.
- H. No person shall operate or release any model aircraft, rocket, kite, balloon, or other similar contrivance at or upon the Airport without the prior approval of the Airport Manager. Approval shall be granted only if the proposed activity will not create a risk of harm to persons or property at the Airport or will disrupt Airport operations. Upon approval of the Airport Manager, a *Notice to Airmen* shall be issued prior to commencement of the approved activity.
- I. No person shall enter the terminal building or field area of the Airport with a pet or other animal unless the animal is caged or on a leash and under an authorized person's control.
- J. No person may smoke on any Airport apron or ramp, in any hangar or in any aircraft on Airport property, on any observation deck, or in any other place on Airport property where smoking is prohibited by means of posted signs indicating such prohibition.
- K. No person shall travel upon the premises of the Airport other than on roads or walkways except when authorized by the Airport Manager for a purpose related to the operation, maintenance or use of the Airport.
- L. No person shall solicit money or anything of value on the Airport for any non-Aeronautical Commercial Activity, unless otherwise approved by the Airport Manager, City Manager or City Council.
- M. Except as provided in this provision, air camping and camping within the Airport is prohibited. The Airport Manager may authorize air camping at certain times within specific areas and under rules established by the Airport Manager. A fee for air camping may be charged pursuant to the Airport's *Schedule of Rates and Charges*. The Airport Manager is authorized to revoke permission for a person to air camp for a violation of this Chapter, the failure to pay a required fee or for a violation of Air Camping rules. Sections 2.188 and 2.189 of this Chapter shall not apply to the revocation of permission for air camping.
- N. No person shall parachute at or upon the Airport without prior notice to the Airport Manager.
- O. No person shall parachute at a time which creates an unreasonable risk of harm to persons or property. A *Notice to Airmen* shall be issued prior to the commencement of the parachuting.
- P. No person shall obtain fuel for his, her, or its aircraft from any person or entity other than the City, except when the fuel is dispensed by a self-fueling operator in full compliance with all regulations of this Chapter applicable to that self-fueling operator.
- Q. A pilot shall escort all passengers to and from the pilot's aircraft. This requirement shall not apply to a licensee who has a written plan that has been approved by the City and which provides for a different method of implementing passenger safety.

## ARTICLE IX. PENALTY

### 2.200. Penalty.

- A. Except as provided in subsections E, F, and G below, any person who violates any provision of this Chapter, including a person who engages in a Commercial Activity without a license for the Commercial Activity from the City, shall be responsible for a municipal civil infraction as defined in Public Act 126 of 1994, amending Public Act 236 of 1961, being Sections 600.101 - 600.9939 of the Michigan Compiled Laws and shall be subject to a fine of not more than Five Hundred and 00/100 (\$500.00) Dollars. In addition to the fine, the City may in a municipal civil infraction proceeding seek from the Court an order imposing costs of prosecution, not to exceed Five Hundred and 00/100 (\$500.00) Dollars, and an enforcement order revoking the license and expelling the Commercial Activity from the Airport. Each day this Chapter is violated shall be considered as a separate violation.
- B. Officers of the City of Charlevoix Police Department are hereby designated as the authorized City officials to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.
- C. A violation of this Chapter is hereby declared to be a public nuisance or a nuisance per se and is declared to be detrimental to the public health, safety and welfare.

- D. In addition to enforcing this Chapter through the use of a municipal civil infraction proceeding, the City may initiate proceedings in the Circuit Court to abate or eliminate the nuisance per se or any other violation of this Chapter, or may suspend or revoke a Commercial Activity License as provided in this Chapter.
- E. Any person who violates Section 2.199E of this Chapter shall be guilty of a misdemeanor punishable by a fine of not more than Five Hundred and 00/100 Dollars (\$500) and/or by imprisonment in the county jail for not more than ninety (90) days.
- F. Any person who violates Section 2.193 of this Chapter shall be responsible for a civil infraction, shall be issued notice of violation pursuant to Section 10.55 of the City Code, and shall be subject to all procedures, including the evidentiary presumption, related to parking violations contained in the Michigan Motor Vehicle Code, adopted by reference in Title X, Chapter 145, Section 10.1(2) of the City Code.
- G. A person who has a Commercial Activity license and who fails to comply with a written plan that was submitted as part of the license application process or the applicable *Minimum Standards* shall not be subject to a municipal civil infraction or misdemeanor penalty pursuant to this Section for a violation of the written plan or the applicable *Minimum Standards*, but shall be subject to any other remedy provided in this Chapter.

**2.201–2.299. Reserved.**

**ARTICLE X. SELF-FUELING OPERATIONS**

**2.300. Self-Fueling.**

The City of Charlevoix requires that all aviation fuels at Charlevoix Municipal Airport be stored within a common fuel farm for environmental, safety and quality control reasons. Self-fueling operators shall store all aviation fuels in the City's Fuel storage system, and pay applicable fees under the *Schedule of Rates and Charges*.

**2.301. Self-Fueling Dispensing License.**

- A. No person shall dispense fuel at the Airport without first obtaining a self-fueling license from the City Manager.
- B. Dispensing of aviation fuel under a fuel dispensing license shall be consistent with the *Minimum Standards* for Charlevoix Municipal Airport.
- C. No person shall dispense fuel at the Airport unless and until financial assurances have been provided as contained in the Airport's *Minimum Standards*.

**2.302. License Requirements.**

The City Manager or a designee of the City Manager shall issue the self-fueling license after the City Manager has determined that there will be compliance with the applicable *Minimum Standards* and that the financial assurances as described in the *Minimum Standards* have been met.

**2.303. Non-City Fuel Sales and Fueling Third Party Aircraft Prohibited.**

The City of Charlevoix is the exclusive and proprietary provider of retail aviation fuels at the Airport. The sale of retail fuel by any person, including but not limited to a self-fueling operator, is prohibited. The fueling of Third Party Aircraft by any person, including but not limited to a self-fueling operator, is prohibited.

**2.304. Fees.**

The fee for the self-fueling license shall be contained in the *Schedule of Rates and Charges*. The fee shall be of an amount sufficient to reimburse the City for all administrative costs associated with the issuance of the license. Administrative costs include, but are not limited to, legal fees and consultant fees relating to the review of documents and the issuance of the license. Licensee shall also pay Fuel Flowage fees and Fuel System Use fees contained in the *Schedule of Rates and Charges* and must be current on the payment of all fees to maintain a self-fueling license.

**2.305. Self-fueling License - Term.**

The self-fueling license shall be valid for one (1) year from the date of issuance.

**Section 2. Severability.**

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any remaining portions or application of this Ordinance which can be given effect without the invalid portion or application.

**Section 3. Effective Date.**

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

Ordinance No. 755-2012 was enacted on the 20<sup>th</sup> day of February, A.D. 2012, by the Charlevoix City Council as follows:

Motion by: Councilmember Shane Cole  
Seconded by: Councilmember Dennis Kusina

Yeas: Cole, Kusina, Picha, Stevens, Vollmer  
Nays: None  
Absent: Gennett

**XI. Resolutions**

- A. Consideration of Resolution to Adopt Minimum Standards at Charlevoix Municipal Airport

Motion by Councilmember Greg Stevens, seconded by Councilmember Jill Picha, to adopt Resolution 2012-02-03 as follows:

**CITY OF CHARLEVOIX  
RESOLUTION 2012-02-03  
RESOLUTION REVISING AND ADOPTING AIRPORT MINIMUM STANDARDS**

WHEREAS, the Federal Aviation Administration encourages the adoption of Minimum Standards that apply to commercial activities at an airport; and

WHEREAS, the proposed Minimum Standards are in the best interests of the City and its airport;

NOW, THEREFORE, BE IT RESOLVED that the Minimum Standards, which are attached, are hereby adopted and shall be effective immediately and, further, that all existing commercial activities at the Charlevoix Municipal Airport shall be brought into compliance with these Minimum Standards as soon as permitted by law.

RESOLVED, this 20<sup>th</sup> day of February, A.D. 2012

Resolution was adopted by the following yeas and nays vote:

Yeas: Cole, Kusina, Picha, Stevens, Vollmer  
Nays: None  
Absent: Gennett

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**Minimum Standards  
Charlevoix Municipal Airport (KCVX)  
Charlevoix, Michigan  
(Revised 02/2012)**

1. **Per-Seat Federal Aviation Regulations (FAR) Part 135 and Scheduled FAR Part 121 Operators.** Businesses in this category shall, at a minimum:
  - (a) Subject to the provisions at the end of this standard, rent counter space and airline operating space if available in the City-owned passenger terminal building at Charlevoix Municipal Airport, and pay expenses associated with shared public spaces in the passenger terminal building. The City acknowledges that, at the time these Minimum Standards are adopted, an existing operator within this category may have real estate interests outside of City-owned facilities. In circumstances where pre-existing non-leasehold real estate interests exist, the City will work with such existing operators to either purchase their real estate interests or otherwise make the operator financially whole before requiring rental of spaces within the City-owned passenger terminal building; provided, however, when such an operator merely has a leasehold interest in premises which serve the purpose of counter space and airline operating space which otherwise would be required to be located in the City-owned passenger terminal building, then the operator shall comply with this standard upon the termination of the operator's existing lease. The terms of such a real estate transition plan will be addressed in the contract between the City and the operator for this commercial activity or by an amendment to that contract subject to reaching mutually agreeable economic terms.
  - (b) Provide, at a minimum, the following services to the general public:
    - (1) Uniformed personnel on duty to meet the seasonal demands of the traveling public. Uniform to be approved by the Airport Manager.
    - (2) Aircraft that are well maintained and kept in good service, clearly displaying air taxi or airline markings to FAA standards.
    - (3) Ground support equipment, either owned by the operator or provided through a service/equipment provider, to include ground power unit(s), aircraft tug(s), and compressed air dispenser(s) necessary to properly operate the aircraft per applicable FAA certificate(s).
    - (4) A reliable communication system, whereby the flying public can access pricing and aviation flight services offered.
  - (c) Maintain all required FAA certifications for all operator certificates, airworthiness certificates and flight crew certificates.
  - (d) Make regular and timely payments to the City as defined by the lease(s) and any operating agreement(s), in addition to applicable rates and charges imposed by the City, which may be updated and revised from time to time.
  - (e) Carry comprehensive general liability insurance per the Schedule of Insurances approved and updated by the City Council from time to time or as required in applicable lease(s) and/or operating agreement(s), if any.
  - (f) Provide a fidelity bond or other acceptable security instrument to the City, consistent with applicable licenses, lease(s) and/or operating agreement(s).
  - (g) Develop a Ramp Safety Plan that provides for the protection of the traveling public against dangers associated with an operating aircraft within the ramp and/or movement areas, sets out security practices to insure unauthorized access to aeronautical areas is prevented, and sets operating practices for escorted access to aircraft and aircraft parking areas. The plan should include protocols for properly ramping parked aircraft and for positioning safety cones, signs, markings, striping, and/or other visual guidance that facilitates the safe passage of passengers across the aircraft parking ramp. The plan shall also address manning of gates and doors that would be locked and secured except for those times when passengers are boarding and deplaning aircraft. The plan should also address the operator's use, placement and parking of all automobile support vehicles, fueling equipment and any other apparatus used by the operator on the ramp or movement areas. The Ramp Safety Plan shall be reviewed and approved by the Airport Manager before being scheduled for implementation.
2. **Specialized Aviation Services.**
  - (a) Aircraft Charter. Businesses in this category shall, at a minimum:

- (1) Provide, by renting, leasing, or constructing, indoor space with public lounge and restrooms. All buildings or structures to be constructed or modified must be approved by the City as to location, design, and type of construction, and comply with Chapter 26 of the Charlevoix City Ordinance regarding Charlevoix Municipal Airport Rules and Regulations.
  - (2) Provide, full time, at least one FAA-certified and instrument rated pilot with appropriate ratings for the type of services being offered, and be open and/or available during advertised business hours, as may seasonally change, to meet the needs of the aviation public.
  - (3) Provide, and at all times maintain, at least one FAA-certified and airworthy aircraft or other aircraft approved by the City. Aircraft may be owned or leased but must be under absolute control of the specialized aviation service provider and listed on the FAA Part 135 Air Taxi certificate. The intent of this section is not to exceed FAA requirements, but to ensure that aircraft charter operators comply will all applicable FAA certification standards applicable to aircraft charter. Specialized aviation services provider must maintain a current FAA air taxi certificate and meet all FAA requirements.
  - (4) Develop a Ramp Safety Plan that provides for the protection of the traveling public against dangers associated with an operating aircraft within the ramp and/or movement areas, sets out security practices to insure unauthorized access to aeronautical areas is prevented, and sets operating practices for escorted access to aircraft and aircraft parking areas. The plan should include protocols for properly ramping parked aircraft and for positioning safety cones, signs, markings, striping, and/or other visual guidance that facilitates the safe passage of passengers across the aircraft parking ramp. The plan shall also address manning of gates and doors that would be locked and secured except for those times when passengers are boarding and deplaning aircraft. The plan should also address the operator's use, placement and parking of all automobile support vehicles, fueling equipment and any other apparatus used by the operator on the ramp or movement areas. The Ramp Safety Plan shall be reviewed and approved by the Airport Manager before being scheduled for implementation.
  - (5) Make regular and timely payments to the City as defined by the lease(s) and any operating agreement(s), in addition to applicable rates and charges imposed by the City, which may be updated and revised from time to time.
  - (6) Pay to the City, in addition to any land, building, and percentage rentals, a landing fee in accordance with the schedule of rates and charges in effect, or by direct negotiation between City and the specialized aviation services provider.
  - (7) Carry comprehensive general liability insurance per the Schedule of Insurances approved and updated by the City Council from time to time or as required in applicable lease(s) and/or operating agreement(s), if any.
  - (8) Provide a fidelity bond or other acceptable security instrument to the City, consistent with applicable licenses, lease(s) and/or operating agreement(s).
- (b) Aircraft Painting and Interior Fitting. Businesses in this category shall, at a minimum:
- (1) Provide, by renting, leasing, or constructing, a building with floor area of not less than 2,000 square feet with public restrooms. All buildings or structures to be constructed or modified must be approved by the City as to location, design, and type of construction, and comply with Chapter 26 of the Charlevoix City Ordinance regarding Charlevoix Municipal Airport Rules and Regulations.
  - (2) Provide facilities, tools, and equipment for painting and aircraft interior fitting, and do all that is necessary to satisfy FAA requirements for an approved certificate.
  - (3) Employ at least one FAA-certified technician to conduct complete aircraft painting and interior fitting and installation that meets all FAA requirements to make repairs and alterations to certificated aircraft, and be open during advertised business hours, as may seasonally change, to meet the needs of the aviation public.
  - (4) Make regular and timely payments to the City as defined by the lease(s) and any operating agreement(s), in addition to applicable rates and charges imposed by the City, which may be updated and revised from time to time.
  - (5) Carry comprehensive general liability insurance per the Schedule of Insurances approved and updated by the City Council from time to time or as required in applicable lease(s) and/or operating agreement(s), if any.
  - (6) Provide a fidelity bond or other acceptable security instrument to the City, consistent with applicable licenses, lease(s) and/or operating agreement(s).
- (c) Aircraft Rental and Leasing. Businesses in this category shall, at a minimum:
- (1) Provide, at all times, a minimum of one aircraft properly licensed and FAA-certified, for rental and flight instruction, and employ personnel sufficient to be responsive during published business hours, as may seasonally change, to meet the needs of the aviation public.
  - (2) Make regular and timely payments to the City as defined by the lease(s) and any operating agreement(s), in addition to applicable rates and charges imposed by the City, which may be updated and revised from time to time.
  - (3) Carry comprehensive general liability insurance per the Schedule of Insurances approved and updated by the City Council from time to time or as required in applicable lease(s) and/or operating agreement(s), if any.
- (d) Aircraft Sales. Businesses in this category shall, at a minimum:
- (1) Provide, by renting, leasing, or constructing, adequate office space for operations. All buildings or structures to be constructed or modified must be approved by the City as to location, design, and type of construction, and comply with Chapter 26 of the Charlevoix City Ordinance regarding Charlevoix Municipal Airport Rules and Regulations.
  - (2) Provide at least one FAA-certified pilot with appropriate ratings for any aircraft being demonstrated, and be open during advertised business hours, as may seasonally change, to meet the needs of the aviation public.
  - (3) Make regular and timely payments to the City as defined by the lease(s) and any operating agreement(s), in addition to applicable rates and charges imposed by the City, which may be updated and revised from time to time.

- (4) Carry comprehensive general liability insurance per the Schedule of Insurances approved and updated by the City Council from time to time or as required in applicable lease(s) and/or operating agreement(s), if any.
- (e) Authorized Repair Station for Avionics. Businesses in this category shall, at a minimum:
- (1) Provide, by renting, leasing, or constructing, a building with floor area of not less than 2,000 square feet with public restrooms. All buildings or structures to be constructed or modified must be approved by the City as to location, design, and type of construction, and comply with Chapter 26 of the Charlevoix City Ordinance regarding Charlevoix Municipal Airport Rules and Regulations.
  - (2) Provide facilities, tools, and equipment for avionics repairs and do all that is necessary to satisfy FAA requirements for an approved shop certificate.
  - (3) Employ at least one FAA-certified technician to conduct complete avionics repair and installation, and maintain a FAA-approved repair station certificate, and be open during advertised business hours, as may seasonally change, to meet the needs of the aviation public.
  - (4) Make regular and timely payments to the City as defined by the lease(s) and any operating agreement(s), in addition to applicable rates and charges imposed by the City, which may be updated and revised from time to time.
  - (5) Carry comprehensive general liability insurance per the Schedule of Insurances approved and updated by the City Council from time to time or as required in applicable lease(s) and/or operating agreement(s), if any.
  - (6) Provide a fidelity bond or other acceptable security instrument to the City, consistent with applicable licenses, lease(s) and/or operating agreement(s).
- (f) Flight Instruction. Businesses in this category shall, at a minimum:
- (1) Be a FAR Part 141/Pilot School and/or a FAR Part 142/Training Center. These Minimum Standards, however, shall not apply to FAR Part 61/Flight Instruction.
  - (2) Provide a minimum of one FAA-certified instructor pilot.
  - (3) Maintain FAA and state approvals for schools, services and flight operations offered to the public.
  - (4) Provide, at all times, a minimum of one aircraft properly licensed and FAA-certified, available for flight instruction.
  - (5) Employ at least one FAA-certified flight instructor accessible to the aviation public through advertised business hours and/or other approved means.
  - (6) Make regular and timely payments to the City as defined by the lease(s) and any operating agreement(s), in addition to applicable rates and charges imposed by the City, which may be updated and revised from time to time.
  - (7) Carry comprehensive general liability insurance per the Schedule of Insurances approved and updated by the City Council from time to time or as required in applicable lease(s) and/or operating agreement(s), if any.
- (g) Flying Club. Businesses in this category shall, at a minimum:
- (1) Organize and operate as a not-for-profit venture in concurrence with the Michigan Aeronautics Commission Rules and Regulations pertaining to flying clubs. Flying Clubs shall not collect fees in excess of their expenses, engage in charter or air taxi activities, or provide the ability to rent aircraft to persons that are not members of the Flying Club. Officers shall register with the Airport Manager, furnish membership lists upon request, and be responsible for the club's activities.
  - (2) Ensure that all persons belonging to the flying club and acting as either flight or ground school instructors are licensed by the FAA as same, and maintain current registrations with the Michigan Department of Aeronautics.
  - (3) Make regular and timely payments to the City as defined by the lease(s) and any operating agreement(s), in addition to applicable rates and charges imposed by the City, which may be updated and revised from time to time.
  - (4) Carry comprehensive general liability insurance per the Schedule of Insurances approved and updated by the City Council from time to time or as required in applicable lease(s) and/or operating agreement(s), if any.
- (h) Aircraft Maintenance Facility – Businesses in this category shall, at a minimum:
- (1) Be available to service aircraft at the Charlevoix Municipal Airport. All activities shall fully comply with Chapter 26 of the Charlevoix City Ordinance regarding Charlevoix Municipal Airport Rules and Regulations.
  - (2) Provide customary tools and equipment necessary for the servicing of aircraft.
  - (3) Have at least one FAA-certified mechanic for all types of work to be performed and who is able to mobilize personnel and equipment to the site of the aircraft, during hours adequate to meeting the needs of the aviation public.
  - (4) Be accessible to provide maintenance services within a reasonable period of time.
  - (5) Make regular and timely payments to the City as defined by the lease(s) and any operating agreement(s), in addition to applicable rates and charges imposed by the City, which may be updated and revised from time to time.
  - (6) Carry comprehensive general liability insurance per the Schedule of Insurances approved and updated by the City Council from time to time or as required in applicable lease(s) and/or operating agreement(s), if any.

- (i) Parachuting and Jump Schools. Businesses in this category shall, at a minimum:
- (1) Provide, at all times, a minimum of one aircraft properly licensed and FAA-certified, for parachuting activities, and employ personnel sufficient to be responsive during published business hours, as may seasonally change, to meet the needs of the aviation public.
  - (2) Provide a minimum of one FAA-certified pilot during advertised hours of business.
  - (3) Maintain FAA and state approvals for schools, services and flight operations offered to the public.
  - (4) Make regular and timely payments to the City as defined by the lease(s) and any operating agreement(s), in addition to applicable rates and charges imposed by the City, which may be updated and revised from time to time.
  - (5) Carry comprehensive general liability insurance per the Schedule of Insurances approved and updated by the City Council from time to time or as required in applicable lease(s) and/or operating agreement(s), if any.
- (j) Repair Station for Aircraft, Engines, Propellers and Accessories. Businesses in this category shall, at a minimum:
- (1) Provide, by renting, leasing, or constructing, a hangar with floor space of not less than 2,000 square feet, including public restrooms and office space. All buildings or structures to be constructed or modified must be approved by the City as to location, design, and type of construction, and comply with Chapter 26 of the Charlevoix City Ordinance regarding Charlevoix Municipal Airport Rules and Regulations.
  - (2) Provide facilities, tools, and equipment for aircraft, engine, and propeller repairs, and do all that is necessary to satisfy FAA requirements for an approved shop certificate.
  - (3) Employ, full time, at least one FAA-certified mechanic for all types of work to be performed, and be open during advertised business hours, as may seasonally change, to meet the needs of the aviation public.
  - (4) Provide minor repairs on a standby basis during daylight hours that the repair station is closed.
  - (5) Make regular and timely payments to the City as defined by the lease(s) and any operating agreement(s), in addition to applicable rates and charges imposed by the City, which may be updated and revised from time to time.
  - (6) Carry comprehensive general liability insurance per the Schedule of Insurances approved and updated by the City Council from time to time or as required in applicable lease(s) and/or operating agreement(s), if any.
  - (7) Provide a fidelity bond or other acceptable security instrument to the City, consistent with applicable lease(s) and/or operating agreement(s).
- (k) Self-Fueling. Businesses in this category shall, at a minimum:
- (1) Store all aviation fuels in the City's fuel storage tanks.
  - (2) Utilize fuel dispensing vehicles/equipment of no less than 250 gallons to refill aircraft. All such vehicles/equipment and their fuel dispensing systems shall comply with and be maintained according to aviation industry safety regulations and protocols.
  - (3) Permit the Airport Manager or another designee of the City Manager to periodically inspect all motor vehicles, and all associated fuel delivery systems, to ensure that adequate safety, regulatory compliance has been met with these Minimum Standards.
  - (4) Provide a fidelity bond or other acceptable security instrument to the City, consistent with applicable lease(s) and/or operating agreement(s).
  - (5) Make regular and timely payments to the City as defined by the Self-Fueling Dispensing License, in addition to applicable rates and charges imposed by the City, which may be updated and revised from time to time.
  - (6) Carry comprehensive general liability insurance and environmental impairment liability insurance to protect against spills or releases associated with motor vehicles used by the self-fueling operator, as defined by the Self-Fueling Dispensing License and quantified in the City's Schedule of Insurances approved by City Council, which may be updated and revised from time to time. The City shall be named as an additional insured on all insurance policies, and policies shall be issued by an insurance company with at least an "A" rating by the AM BEST Insurance rating system.
- (l) Through-the-Fence (TTF) Operations. Businesses in this category shall, at a minimum:
- (1) Own and hold fee simple title to property contiguous with the Charlevoix Municipal Airport of not less than 20,000 square feet. All buildings or structures must be for commercial aeronautical use. All construction or modification must be approved by the City as to location, design, and type of construction, and comply with Chapter 26 of the Charlevoix City Ordinance regarding Charlevoix Municipal Airport Rules and Regulations.
  - (2) Provide approved connectivity to aeronautical infrastructure, at the TTF operator's expense, in a manner consistent with industry standards and the City of Charlevoix's standards for construction. Airfield security shall be maintained at all times by the TTF operator.
  - (3) Make regular and timely payments to the City as defined by the lease(s) and any operating agreement(s), in addition to applicable rates and charges imposed by the City, which may be updated and revised from time to time.
  - (4) Carry comprehensive general liability insurance per the Schedule of Insurances approved and updated by the City Council from time to time or as required in applicable lease(s) and/or operating agreement(s), if any.

- (5) Provide a fidelity bond or other acceptable security instrument to the City, consistent with applicable lease(s) and/or operating agreement(s).

3. **Airport Passenger Services.**

- (a) On-Airport Car Rental. Businesses in this category shall, at a minimum:

- (1) Rent counter space and/or operating space in the City-owned passenger terminal building at Charlevoix Municipal Airport, and pay applicable expenses associated with shared public spaces in the passenger terminal building.
- (2) Provide, at a minimum, the following services to the general public:
  - a. Uniformed personnel on duty to meet the seasonal demands of the traveling public. Uniform will be approved by the Airport Manager.
  - b. Late model rental vehicles that are well maintained, regularly inspected, serviced and kept in overall good condition.
  - c. Service personnel that either work for the operator or a service provider under contract to the operator, to clean, refuel and move vehicles as required.
  - d. Reliable reservation system or other mechanism whereby the general public can access pricing, check rental car availability, and obtain a confirmation.
- (3) Make regular and timely payments to the City as defined by the lease(s) and any operating agreement(s), in addition to applicable rates and charges imposed by the City, which may be updated and revised from time to time.
- (4) Carry comprehensive general liability insurance per the Schedule of Insurances approved and updated by the City Council from time to time or as required in applicable lease(s) and/or operating agreement(s), if any.
- (5) Provide a fidelity bond or other acceptable security instrument to the City, consistent with applicable licenses, lease(s) and/or operating agreement(s).

B. Resolution to Adopt Rates & Fees Associated with the 2012-13 Budget

Motion by Councilmember Jill Picha, seconded by Councilmember Dennis Kusina, to adopt Resolution 2012-02-04 as follows:

**CITY OF CHARLEVOIX  
RESOLUTION NO. 2012-02-04  
RESOLUTION TO ADOPT RATES & FEES ASSOCIATED WITH THE 2012-13 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 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 charges and rates in the rate section of the proposed budget; and

WHEREAS, the City of Charlevoix proposes to make these rates effective on April 1, 2012; and

NOW, THEREFORE, IT IS RESOLVED that the City of Charlevoix adopts all rates included in the 2012-13 Proposed Budget with changes to the rates for the following areas: Utility rates for electric, sewer and water, ambulance mileage charges and fees for the following services: marina docking, cemetery, golf, recreation, ski hill, planning and additional miscellaneous fees (mileage rates etc.).

RESOLVED, this 20<sup>th</sup> day of February, A.D. 2012

Resolution was adopted by the following yea and nay vote:

Yeas: Cole, Kusina, Picha, Stevens, Vollmer  
Nays: None  
Absent: Gennett

C. Resolution Designating Office of City Clerk as Clerk to ZBA, PC, and DDA

Motion by Councilmember Shane Cole, seconded by Councilmember Bryan Vollmer, to adopt resolution 2012-02-05 as follows:

**CITY OF CHARLEVOIX  
RESOLUTION 2012-02-05  
RESOLUTION DESIGNATING OFFICE OF CITY CLERK AS CLERK TO CITY ZONING BOARD OF APPEALS,  
PLANNING COMMISSION, AND DOWNTOWN DEVELOPMENT AUTHORITY**

WHEREAS, the Charlevoix City Council determines that it is in the City's best interests to:

- A. promote accurate minutes, well organized public records, and consistency of record-making and record-keeping among City boards and commissions issues; and
- B. promote parliamentary uniformity and accurate guidance on parliamentary issues among City boards and commissions; and
- C. avoid citizen misunderstandings or complaints due to improper Parliamentary Procedure, inaccurate minutes, or minutes that do not comply with applicable law, including the Open Meetings Act; and

- D. avoid the likelihood of litigation due to failure to comply with legal requirements related to the items described above.

NOW THEREFORE, BE IT RESOLVED that the Charlevoix City Council hereby designates the Office of the City Clerk as the official entity to take, prepare, organize, and maintain minutes and also to serve as Parliamentarian for the following boards and commissions of the City of Charlevoix: the Planning Commission, the Zoning Board of Appeals and the Downtown Development Authority. This resolution shall be effective immediately and shall be applicable to the boards and commissions listed above unless State Law requires otherwise.

RESOLVED, this 20<sup>th</sup> day of February, A.D. 2012

Resolution was adopted by the following yeas and nays vote:

Yeas: Cole, Kusina, Picha, Stevens, Vollmer  
 Nays: None  
 Absent: Gennett

**XI. Miscellaneous Business**

None.

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

None.

**XIII. Adjourn**

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

There were no objections.

Meeting adjourned at 7:43 p.m.

Carol A. Ochs	City Clerk	Norman L. Carlson, Jr.	Mayor
<b>Accounts Payable – 02/21/2012</b>			
ACE HARDWARE	1,444.89	HOLIDAY COMPANIES	7,732.12
AIRGAS USA LLC	108.80	HYDRO DESIGNS INC.	900.00
ALL-PHASE ELECTRIC SUPPLY CO.	679.40	INDEPENDENT DRAFTING SERVICES	2,176.00
ALTA CONSTRUCTION EQUIP LLC	119.73	INDUSTRIAL MARKETING	214.85
AMERICAN WASTE INC.	241.40	J & S PORTABLE RESTROOMS	333.30
ANYBATTERY INC.	65.45	JBR GRAPHICS INC.	360.00
APWA - NORTHERN BRANCH	10.00	JEMS	44.00
ARGUS/HAZCO	22.80	KENNEDY INDUSTRIES INC	700.00
ARROW UNIFORM-TAYLOR L.L.C.	950.16	KMart	53.83
ASSOC OF PUBLIC TREASURERS	95.00	KSS ENTERPRISES	107.19
AT&T	3,275.97	LAND INFORMATION ACCESS ASSN	350.00
AUTO VALUE	1,186.50	LAVOIE, RICHARD	11.13
AVFUEL CORPORATION	18,801.19	MCMaster-CARR	143.40
BAILEY, MATTHEW L.	52.38	MICHIGAN MUNICIPAL LEAGUE	10,508.00
BEAVER RESEARCH COMPANY	368.11	MICHIGAN OFFICEWAYS INC	1,234.79
BERGMANN MARINE	1,040.00	MID STATES BOLT & SCREW CO	30.50
BIG BRAND WATER FILTER INC.	727.96	MISS DIG SYSTEM INC	78.57
BLARNEY CASTLE OIL CO	1,347.99	MUDROCH, JEFF	1,500.00
BOB MATHERS FORD	60.00	NATIONAL CRIME PREVENTION	347.00
BOSS JR, DALE	315.90	NORTHERN CREDIT BUREAU	220.91
BULBS.COM	249.50	NORTHERN FIRE & SAFETY INC.	231.00
CARESOURCE MICHIGAN	147.83	NORTHERN MICHIGAN JANITORIAL	87.75
CARQUEST OF CHARLEVOIX	1,280.09	NORTHERN MICHIGAN REVIEW INC.	1,209.69
CENTRAL DRUG STORE	35.74	OCHS, CAROL	238.65
CERTIFIED LABORATORIES	586.81	OLESON'S FOOD STORES	241.18
CHAMPION CHARTER	498.00	OLESON'S FOOD STORES	919.08
CHARLEVOIX CAR WASH	54.00	OVERHEAD DOOR COMPANY	215.00
Information Only Check	0.00 Void	PARASTAR INC.	893.33
CHARLEVOIX STATE BANK	3,811.68	PERFORMANCE ENGINEERS INC	13,007.00
CHARTER COMMUNICATIONS	908.05	PETOSKEY NEWS-REVIEW	161.45
CHEMSEARCH	446.84	PHONE GUIDE	186.00
CINTAS FAS LOCKBOX 636525	70.72	POLYDYNE INC	379.50
CITY OF CHARLEVOIX - UTILITIES	38,907.68	POWER LINE SUPPLY	4,104.91
COLORADO CHALLENGE	2,218.45	PRESTON FEATHER	80.99
COMPLETE MUFFLER	98.00	RHINO MARKING & PROTECTION SYS	256.19
COPPOCK, TIMOTHY M.	236.43	SCANLON, MICHAEL	93.28
CRYSTAL FLASH ENERGY	1,485.32	SCHMUCKAL OIL CO	674.95
DELL MARKETING L P	1,814.00	SEARS COMMERCIAL ONE	341.10
DESIGN ASSOCIATES	3,120.00	SEELEY'S PRINTING SERVICE	32.71
DETROIT AIR COMPRESSOR	947.86	SMAFC	35.00
DORNBOS SIGN & SAFETY INC.	169.14	SPENCLEY, DEAN	131.07
ELLSWORTH FARMER'S EXCHANGE	1,878.90	STATE OF MICHIGAN	723.62
FAMILY FARM & HOME	706.65	STATE OF MICHIGAN	32.00
FASTENAL COMPANY	4.53	STEVENS, JEFF	600.00
FIRESERVICE MANAGEMENT	97.41	STRAEBEL, ROBERT J.	222.74
FOX CHARLEVOIX	42.78	SUNRISE ELECTRONICS & SECURITY	299.40
FOX CHARLEVOIX FORD	3,605.04	SUPERIOR MECHANICAL	168.75
GALLAGHER, EDNA	44.98	SWANSON K & D INC	85.00
GALLS AN ARAMARK COMPANY	919.79	SYSTEMS SPECIALISTS INC	498.75
GINOP SALES INC	697.10	T & R ELECTRIC	3,722.00
GRAND TRAVERSE GARAGE DOOR	211.50	T & R SERVICE INC	3,348.00
GREAT LAKES ELEVATOR LLC	276.00	TERMINAL SUPPLY CO	131.23
GREAT LAKES PIPE & SUPPLY	612.29	THERMO FISHER SCIENTIFIC	1,941.57
HART, TERESA	61.37	THIRD DAY FELLOWSHIP-OUTREACH	3,400.00
HI-LINE UTILITY SUPPLY	103.58	THOMPSON, JULIE	120.00
HILTON, BOB	95.00	TRAVERSE CITY RECORD EAGLE	348.50

UNITED BUILDING CENTERS	2,909.75	WELLS JR., DONALD E.	253.98
UNIVERSAL PUMP	309.70	WHITE PINE CARPET CLEANING	250.00
USA BLUE BOOK	161.99	WINTER EQUIPMENT COMPANY INC.	557.15
VILLAGE GRAPHICS INC.	327.50	WORK & PLAY SHOP	62.78
WARNER, JANINE	12.13	<b>TOTAL</b>	<b>168,408.65</b>

**Accounts Payable – 02/21/2012**

**Tax Disbursements**

BONDY, ROBERT & DENISE	1,995.09	CHARLEVOIX PUBLIC SCHOOLS	1,251.02
CHARLEVOIX COUNTY TREASURER	242,214.78	CHARLEVOIX PUBLIC SCHOOLS	463.08
CHARLEVOIX COUNTY TREASURER	43.44	CITY OF CHARLEVOIX - TAXES DUE	63,565.31
CHARLEVOIX DISTRICT LIBRARY	95,144.32	DAVIS, ANN & HAROLD	2.00
CHARLEVOIX INN & SUITES LLC	8,537.62	RECREATIONAL AUTHORITY	17,118.42
CHARLEVOIX PUBLIC SCHOOLS	2,646.69	<b>TOTAL</b>	<b>432,981.77</b>

**ACH Payments – 01/31/2012 – 02/17/2012**

AVFUEL CORPORATION	4.04	AVFUEL CORPORATION	17.76
AVFUEL CORPORATION	6.72	MI PUBLIC POWER AGENCY	18,685.71
WIRE TO BAY WINDS: CD	250,000.00	STATE OF MICHIGAN	34,089.04
MI PUBLIC POWER AGENCY	16,803.73	IRS – EFTPS PAYROOLL TAXES	25,111.62
MERS OF MICHIGAN	36,326.70	<b>TOTAL</b>	<b>381,045.32</b>

**PAYROLL: NET PAY**

**Pay Period Ending 02/11/2012 – Paid 02/17/2012**

WELLER, LINDA JO	1,257.42	STEVENS, WILLIAM J.	226.81
STRAEBEL, ROBERT J.	2,010.82	BAILEY, MATTHEW L.	1,718.05
BRANDI, RICHARD M.	1,741.58	DVORACEK, DANA J.	1,218.81
LOY, EVELYN R.	983.98	SCHERPING, CHARLES L.	401.47
KLOOSTER, ALIDA K.	1,127.14	STEIN, DONNA E.	256.80
BROWN, STEPHANIE C.	1,191.54	TOUGH, KENDALL J.	342.92
OCHS, CAROL A.	892.67	CESARO, JASON M.	144.00
CAREY, KEITH V.	1,156.19	RAMSEY, KYLE J.	266.26
SPENCER, MICHAEL D.	1,505.93	TRAVERS, MANUEL J.	466.13
SPENCLEY, PATRICIA L.	1,036.41	SILVA, JESSE L.	559.84
CUNNINGHAM, BEVERLY S.	267.47	RILEY, DANIEL	595.85
SCHLAPPI, JAMES L.	987.49	WHITLEY, ADAM	348.87
UMULIS, MATTHEW T.	1,276.79	SCHOOOF, WILLIAM R.	773.57
ORBAN, BARBARA K.	1,405.68	DOAN, GERARD P.	1,142.92
TRAEGER, JASON A.	1,108.27	SHRIFT, PETER R.	1,144.19
WARNER, JANINE M.	989.25	HANKINS, SCOTT A.	1,390.62
IVAN, PAUL M.	1,682.35	COPPOCK, TIMOTHY M.	1,299.15
SCHWARTZFISHER, JOSEPH	1,194.90	BLANCHARD, SCOTT W.	1,627.86
ROLOFF, ROBERT P.	2,203.06	SWEM, DONALD L.	1,647.95
BRODIN, WILLIAM C.	1,456.50	MORRISON, KEVIN P.	1,122.16
RILEY, DENISE M.	349.86	HODGE, MICHAEL J.	1,096.17
CALDWELL, JAMES P.	1,439.83	JOHNSON, STEVEN P.	1,209.58
WURST, RANDALL W.	1,293.63	ZIPP, DONALD R.	1,210.13
MAYER, SHELLEY L.	1,301.18	BOSS JR, DALE E.	1,115.78
HILLING, NICHOLAS A.	1,187.07	BOSS, JAMES W.	919.35
MEIER III, CHARLES A.	1,862.89	STEBE JR, JOHN M.	573.50
NISWANDER, JOSEPH F.	1,242.00	BOSS, SHERRY M.	335.62
FRYE, EDWARD J.	1,001.88	WITTHOEFT, CHARLES F.	252.00
WELLS JR., DONALD E.	1,341.45	BEHAN, DEAN T.	333.07
JONES, TERRI L.	955.78	STEVENS, JEFFREY W.	206.53
BRADLEY, KELLY R.	1,265.81	SOBLESKI, AUTUMN R.	28.30
EATON, BRAD A.	1,640.92	BEHAN, KELBY A.	15.20
WILSON, TIMOTHY J.	1,979.17	HOLM, ARTHUR R.	551.36
LAVOIE, RICHARD L.	1,256.12	HEID, THOMAS J	1,323.63
STEVENS, BRANDON C.	1,071.43	SARASIN, CHRISTIAN M.	327.46
ELLIOTT, PATRICK M.	1,452.09	ROLOFF, AUDREY M.	442.64
WILSON, RICHARD J.	1,097.96	MATTER, DAWSON K.	536.72
JONES, ROBERT F.	1,202.14	BRODIN, DORETTA M.	23.40
HART, TERESA M.	703.49	MARSH JR., JAMES D.	96.24
WASHBURNE, MICHAEL J.	258.19	RILEY, TIMOTHY	80.99
GILLESPIE, MURPHY L.	281.43	MACMILLAN, RACHEL A.	227.51
MURPHY IV, MICHAEL J.	152.27	MCCRANEY, RUSS R.	26.99
BEHAN, HALEY C.	248.27	SCOTT JR., WINFIELD	162.00
HOPKINS, ZACHARY D.	412.17	BERGMANN, DOUGLAS M.	141.75
BROWN, MELINA M.	28.30	MACDONALD, BRIAN K.	561.39
WITTHOEFT, MARVIN J.	264.18	<b>TOTAL</b>	<b>79,256.49</b>

**PAYROLL: TRANSMITTAL**

**02/17/2012**

AMERICAN FAMILY LIFE	402.61	MERS	390.00
CHAR EM UNITED WAY	88.00	MI STATE DISBURSEMENT	692.28
CHARLEVOIX STATE BANK	743.47	NORTHWESTERN BANK	252.00
COMMUNICATION WORKERS	490.47	PRIORITY HEALTH	745.71
ICMA RETIREMENT TRUST 401	699.79		
ICMA RETIREMENT TRUST 457	7,159.43	<b>TOTAL</b>	<b>11,663.76</b>