Village of Mackinaw City

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VILLAGE OF MACKINAW CITY
COUNCIL AGENDA
DECEMBER 18, 2014 - 7:00 P.M.
VILLAGE HALL

I. CALL TO ORDER/TAKING OF ROLL/PLEDGE OF ALLEGIANCE

II. PRESENTATIONS AND RECOGNITIONS

III. APPROVAL OF AGENDA

IV. COUNCIL MINUTES

A. Approval of the regular council meeting minutes from December 04, 2014
B. Approval of the special council meeting minutes from December 09, 2014

V. PUBLIC COMMENTS

Citizens wanting to address the Council can do so at this time. Persons addressing the Council are requested to give their name and address for the record when called on by the President.

VI. PUBLIC HEARING AND SUBSEQUENT COUNCIL ACTION

VII. COMMITTEE/DEPARTMENT REPORTS

A. SCHEDULING OF SUB COMMITTEE MEETINGS
B. Ordinance and Policy Subcommittee Report-Trustee Michalak, Chair
C. Public Safety Subcommittee Report-Trustee Perlick, Chair
D. Department Reports

VIII. BUSINESS REPORTS AND RECOMMENDATION

A. MANAGER REPORT
B. Village-Emmet EMS Agreements [ACTION ITEM]
C. Trustee Request-Leave of Absence [ACTION ITEM]
D. 2015 Village Council Meeting Schedule [ACTION ITEM]
E. Rezoning Request, 2014-ZP-004 Richard Barth [ACTION ITEM]

IX. ACCOUNTS PAYABLE

A. Accounts Payable for December 18, 2014 [ACTION ITEM]

CLOSED SESSION AND SUBSEQUENT COUNCIL ACTION

X. ADJOURNMENT

UNAPPROVED

MINUTES REGULAR COUNCIL MEETING
MACKINAW CITY

7:00 P.M. **December 04, 2014**

I. CALL TO ORDER/TAKING OF ROLL/PLEDGE OF ALLEGIANCE

President Robert R. Heilman called the meeting to order and with the following Trustees present – Tom Chastain (sworn in at Agenda Item VII. F.), Scott Newman, Belinda Mollen, Robert Glenn, Richard Perlick, and Paul Michalak. Also present, Interim Manager David White and Clerk Lana Jaggi.

Visitors – List Attached.

Pledge of Allegiance

II PRESENTATIONS AND RECOGNITIONS

III. APPROVAL OF AGENDA

Motion Michalak seconded Glenn to approve the agenda adding VII. G. Police Department Equipment Grant. Voice vote-motion carried unanimously.

IV. COUNCIL MINUTES

A. Motion Newman seconded Glenn to approve the regular meeting minutes of November 20, 2014 as presented. Voice vote-motion carried unanimously.

V. PUBLIC COMMENTS Agenda or Non Agenda

Stephanie Macleod-Roller Derby Director, Cheboygan, MI

VI. PUBLIC HEARING AND SUBSEQUENT ACTION

VII. BUSINESS REPORTS AND RECOMMENDATIONS

A. Managers Report

Motion Mollen seconded Glenn to direct staff to send letters (2) to the MI DNR Referencing support for the Invasive Species Grant. Voice vote-motion carried unanimously.

Motion Michalak seconded Perlick to amend the agenda format and permanently move IX. Committee and Department Reports to the VII. position allowing the number sequence to continue from there. Voice vote-motion carried unanimously.

B. Resolution-Village Cafeteria Plan Amendment

Motion Mollen seconded Newman to waive the reading of the Resolution for Village Cafeteria Plan Amendment. Voice vote-motion carried unanimously.

Motion Heilman seconded Mollen to adopt Resolution for Village Cafeteria Plan Amendment as presented. Roll Call: Yeas-Newman, Mollen, Heilman, Glenn, Perlick, Michalak. One trustee vacancy. Motion carried.

UNAPPROVED

MINUTES SPECIAL COUNCIL MEETING
MACKINAW CITY

3:30 P.M. **December 09, 2014**

I. CALL TO ORDER/TAKING OF ROLL

President Robert Heilman called the meeting to order and with the following Trustees present –Tom Chastain, Scott Newman, Belinda Mollen, and Robert Glenn Absent-Trustees Paul Michalak and Richard Perlick. Also present, Clerk Lana Jaggi.

II. PLEDGE OF ALLEGIANCE

III. PUBLIC COMMENTS

None

IV. BUSINESS REPORTS AND RECOMMENDATIONS

A. Manager Salary/Wage Range for Manager Search Brochure

Motion Newman seconded Mollen to set salary range at $60,000.00-$75,000.00 to be advertised in the manager search brochure. Voice vote, motion carried.

V. ADJOURNMENT: 3:37 PM

Respectfully submitted;

Robert R. Heilman; President

Lana Jaggi; Clerk

C. Resolution-Requesting Emergency Assistance
Motion Perlick seconded Mollen to waive the reading of the Resolution Requesting Emergency Assistance. Voice vote-motion carried unanimously.
Motion Glenn seconded Mollen to adopt the Resolution Requesting Emergency Assistance as presented. Roll Call: Yeas-Mollen, Heilman, Glenn, Perlick, Michalak, Newman. One trustee vacancy. Motion carried.

D. Change of Regular Council Meeting for January 01, 2015
Motion Mollen seconded Newman to change the regular scheduled council meeting on Thursday, January 01, 2015 to Monday, January 05, 2015. Voice vote-motion carried unanimously.

E. Council Vacancy-Trustee Vacancy
Pres. Heilman opened the nomination and polled each trustee's choice. Tom Chastain was chosen three times.
Motion Mollen seconded Glenn to close nominations to fill council trustee vacancy. Voice vote-motion carried unanimously.
Motion Heilman seconded Mollen to appoint Tom Chastain to fill council trustee vacancy. Roll Call: Yeas-Heilman, Glenn, Perlick, Michalak, Newman, Mollen. One trustee vacancy. Motion carried.
Mr. Chastain was sworn into office.

F. Permanent Council Subcommittee Appointments
Motion Chastain seconded Mollen to approve the permanent subcommittee appointments as presented (attached). Voice vote-motion carried unanimously.

G. Special Event Application-MAVB 2015-SE-018
Motion Michalak seconded Mollen to approve special event application 2015-SE-018 MAVB Roller Derby Tournament as presented. Voice vote-motion carried unanimously.

H. Police Department Equipment Grant
Public Safety Subcommittee Report given by Trustee Perlick, Chair and placed on file.
Motion Perlick seconded Mollen to accept the DNR Grant to pay $9910.15 for a 2015 Arctic Cat snowmobile for the Village Police Department. Roll Call: Yeas-Glenn, Perlick, Michalak, Chastain, Newman, Mollen, Heilman. Motion carried.

VIII. Accounts Payable
Motion Glenn seconded Newman to pay accounts payable for 12-04-14 in the amount of $37,045.31. Roll Call: Yeas- Perlick, Michalak, Chastain, Newman, Mollen, Heilman, Glenn. Motion carried.

IX. COMMITTEE/DEPARTMENT REPORTS
Scheduled Ordinance and Policy Subcommittee Meeting for:
Monday December 15, 2014 at 2:00 PM
Agenda:
Right of Way Ordinance

X. CLOSED SESSION AND SUBSEQUENT COUNCIL ACTION

XI. ADJOURNMENT: 7:46 PM

Respectfully Submitted;

Robert R. Heilman, President

Lana Jaggi, Clerk

TREASURER REPORT
3/14/14 TO 12/10/14

	REVENUE	%OF BUDGET	EXPENSE	% OF BUDGET	CASH BALANCE
GENERAL	$1,564,655.49	87%	$1,197,277.95	65%	$723,670.06
ADVERTISING/PROMOTION	$47,709.20	96%	$60,526.27	61%	THIS IS PART OF GENERAL FUND
STREETS	$740,138.64	74%	$604,632.84	67%	$429,537.18
RECREATION CENTER	$22,896.00	25%	$46,457.40	50%	-$33,198.99
CEMETERY	$89,273.64	77%	$54,969.13	47%	$135,902.76
DDA	$31,864.45	86%	$24,092.87	65%	$101,690.20
AMBULANCE	$326,030.54	64%	$346,734.65	68%	$132,025.05
SEWER FUND	$524,362.84	39%	$390,430.96	29%	$431,627.42
WATER FUND	$303,617.11	68%	$271,322.16	60%	$161,145.35
MARINA FUND	$405,781.50	126%	$271,779.16	79%	$142,560.12

THE CASH BALANCE IS WHAT IS ON HAND AT THE MOMENT. THIS BALANCE CHANGES CONSTANTLY.

ARRESTS MADE BY THE MACKINAW CITY POLICE DEPARTMENT
YEAR TO DATE THROUGH NOVEMBER 30

CRIME TYPE	2009	2010	2011	2012	2013	2014
CRIMES AGAINST PERSON	9	10	16	6	4	12
PROPERTY CRIMES	16	23	15	17	11	30
MORALS/DECENCY CRIMES	20	29	20	10	11	24
PUBLIC ORDER CRIMES	79	108	72	93	129	70
TOTAL	**124**	**170**	**123**	**126**	**155**	**136**

Citations Issued Year To Date 2014: **176**
Citations Issued Year To Date 2013: **180**
Citations Issued Year To Date 2012: **199**

COMPLAINTS RECEIVED BY THE MACKINAW CITY POLICE DEPARTMENT
YEAR TO DATE THROUGH NOVEMBER 30

	2009	2010	2011	2012	2013	2014
Traffic Crash:						
Public Roadway	57	48	54	40	55	54
Private Property	42	41	33	49	40	45
Personal Injury Crash:	2	1	7	4	4	3
TOTAL	**101**	**90**	**94**	**93**	**99**	**102**
Breaking and Entering:						
Business	4	5	0	2	2	1
Residence	0	0	2	0	1	3
Other	0	2	2	0	0	0
TOTAL	**4**	**7**	**4**	**2**	**3**	**4**
Larceny:						
From Bldg./Veh./Pub. Place	55	60	42	46	23	38
Fail to Pay for Services	14	5	5	5	17	6
Bad Check/Fraud	4	3	0	2	3	1
TOTAL	**73**	**68**	**52**	**53**	**43**	**45**
Malicious Destruction of Property:	15	9	11	11	7	17
Domestic/Civil:	46	51	52	76	70	55
Assault:	16	16	26	26	10	11
Stolen Vehicle:	3	0	0	1	0	4
Reports Taken to Date:	954	966	940	1171	1063	1196

Village of Mackinaw City
Monthly Report – Water & Wastewater For October 2014

Routine Maintenance and Usage: Date Submitted 10-28-14

WATER FLOW		WASTEWATER FLOW	
MAXIMUM	.206 MG	MAXIMUM	.434 MG
MINIMUM	.083 MG	MINIMUM	.196 MG
AVERAGE	.149 MG	AVERAGE	.262 MG
TOTAL	4.449 MG	TOTAL	7.878 MG

- Number of water shutoffs during the month: 80
- Number of water turn-ons during the month: 0
- Number of new water service connections during the month 0
- Number of new sewer service connections during the month: 0
- Continue to maintain plant operation to efficiently treat wastewater
- Submit wastewater report to the state of Michigan DEQ & EPA
- Continue to conduct operation to meet the village's national pollution discharge permit
- Continue lab operations that efficiently and accurately measure wastewater operation parameters
- Conduct daily monitoring of the village's eight wastewater lift stations to maintain efficiency and reliable pumping operations
- Continue to operate our water system to meet state and federal drinking water standards
- Perform daily monitoring of the village's four municipal water wells
- Coordinate and perform water analysis for quality and to maintain safety of drinking water
- Conduct routine maintenance to our water system
- Continue performing monthly checks and required testing of necessary safety equipment
- Exercise emergency backup equipment to ensure reliability

New and Continued Projects:

- The Water and DPW departments completed a water main repair, which required a boil water notice until testing was completed.
- The Water and Sewer department received a new 2014 truck during the month.
- The Water department continue work on commercial and residential water service shut offs
- Continue working on budgets as well as capital improvements for the upcoming fiscal year.
- AT&T is in the process of reinstall their communication equipment on the water tower.
- Mackinaw City village council approved well ordinance no. 127.
- Install new electronic control system at the Dujaunay lift station
- The Water and Sewer department, DPW, and C2AE conducted a meeting on the upcoming SAW program. Work continues on locating and marking water main valves, sewer manholes and storm drain manholes.

Notable Events Affecting Water & Wastewater Department:

Callouts: The village experienced one commercial froze line. And two additional system alarm call outs.

DPW/Facilities Progress for November 2014

The DPW has been working on many things over the month of November. The work completed is as follows but not limited to.

Roads

- Cold patching of roads has been done on an as needed basis.
- The wraps for the light poles located downtown have been installed.
- Snow removal and salting/sanding has been done as needed.

Sidewalks

- Snow removal has been done as needed.

Parks

- Some of the park signs have been removed and are being repaired/refinished.

Equipment

- Routine maintenance continues to be done on vehicles and equipment.
- The new pickup trucks are now in service.
- 3 trucks have been taken out of service and will be sold as soon as I can find a viable option to get top dollar on the sales.

Water/Sewer

- Miss Dig locating has been done as locate tickets come in for work being done in the area.
- We continue to do work associated with the SAW grant the village was awarded. This has been done as time and weather permits.

Marina

- Bubblers are working and being monitored
- Building in winterized and being checked periodically.

I have started working on the 2015/2016 budget as well.

Speaking on behalf of the entire DPW staff, have a Merry Christmas and a Happy New Year!!!

MACKINAW CITY EMERGENCY MEDICAL SERVICE
MACKINAW CITY FIRE DEPARTMENT
Activity Report

EMS	2011	2013	2013	2014	2015	2016
Runs						
January	29	21	17	38		
February	18	26	26	23		
March	28	18	22	30		
April	28	33	26	26		
May	31	36	40	36		
June	28	51	43	47		
July	66	50	67	64		
August	66	69	59	68		
September	42	37	47	55		
October	25	23	39	47		
November	24	23	25	24		
December	25	19	25			
TOTAL RUNS FOR YEAR	**410**	**406**	**436**	**458**	**0**	**0**

MCFD	2011	2012	2013	2014	2015	2016
Runs						
January	7	5	3	9		
February	4	3	4	5		
March	3	5	3	2		
April	3	4	2	5		
May	7	7	6	8		
June	3	8	14	7		
July	9	10	8	5		
August	12	10	11	5		
September	9	9	7	6		
October	11	3	9	7		
November	7	6	5	6		
December	4	2	2			
TOTAL RUNS FOR YEAR	**79**	**72**	**74**	**65**	**0**	**0**
Training						
January	2	1	2	2		
February	3	2	2	2		
March	2	2	2	4		
April	1	2	2	2		
May	2	2	2	2		
June	2	2	2	2		
July	2	3	2	2		
August	2	3	2	2		
September	1	1	2	1		
October	3	2	4	2		
November	2	2	2	2		
December	1	0	1			
TOTAL TRAININGS FOR YEAR	**23**	**22**	**25**	**23**	**0**	**0**

To: Mackinaw City Council
From: David M. White, Interim Village Manager
Date: December 11, 2014
Re: Manager Report for December 18, Council Meeting

VII. Business Reports and Recommendations

B. The Public Safety Subcommittee will be reporting on the Village- Emmet County agreements to authorize the sale of the two Ambulances and equipment as well as leasing of buildings for County EMS services and the termination of the funding agreement between the Village and Cheboygan County.

Other Items not on the Agenda:

1. I am in the process of reviewing the Recreation Center budget and preparing for 2015. As no Ice will be put in place for the 2014-14 skating season the costs at the Center have been reduced substantially thus allowing time for longtime organizations to reinvent themselves and new possible Center users to come forward. I have a meeting scheduled with the Roller Derby group next week and am waiting to review the plans they propose for the Complex.

   The Village has had interest from persons wanting Recreation Center memberships for 2015. In 2014 there were 65 memberships which was budgeted income at $2,455.00.

   One area of concern was the use of the machines in the exercise room without supervision. I have been in contact with our Insurance Company and as long as we post signs on the door and inside the room saying "that use of the equipment is at your own risk" and a waiver is signed, which is done now, the Village is covered.

   I would recommend to the Council that Memberships for the Recreation Center be accepted for the 2015 calendar year.

   As all the utilities are still in service and the facility is open I do not expect additional costs by the offering of Memberships for 2015. I would be happy to address any questions or concerns the Council may have.

2. Larry Fox from C2AE will be at the January 5th meeting to give an update on the SAW Grant.

3. As part of the budget preparation for the 2015-16 budget I have asked two Engineering Companies to provide estimates for engineering services for the reconstruction of North Huron Street and the addition of Storm sewer. I expect to receive those proposals early January.

VILLAGE OF MACKINAW CITY
RULES AND PROCEDURES
VILLAGE COUNCIL

A. REGULAR AND SPECIAL MEETINGS

All meetings of the Village Council will be held in compliance with state statutes, including the Open Meetings Act, Public Act 267 of 1976 as amended, and with these rules.

B. CONDUCT OF MEETINGS

1. Meetings to be Public

All regular and special meetings of the Village Council shall be open to the public, and citizens shall have a reasonable opportunity to be heard in accordance with such rules and regulations as the Council may determine.

All official meetings of the Council and its committees shall be open to the media, freely subject to recording by radio, television, and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings.

2. Agenda Preparation-updated 12/04/2014 via council vote

An agenda for each regular Council meeting shall be prepared by the Village Clerk and/or Village President with the following order of business:

I. Call to Order/Taking of Roll/Pledge of Allegiance
II. Presentations and Recognitions
III. Approval of Agenda
IV. Council Minutes
V. Public Comments
VI. Public Hearing and Subsequent Council Action
VII. Committee and Department Reports
VIII. Business Reports and Recommendations
IX. Accounts Payable
X. Closed Session and Subsequent Council Action
XI. Adjournnment

All communication, petitions, etc., must be in the office of the Village Clerk by 12 noon on the Thursday prior to a Council meeting to be considered for the agenda. Agenda packet distributions to generally be on the Friday prior to a scheduled Council meeting.
All rules and procedures in conflict with the provision of this update are hereby repealed insofar as the conflicting portions thereof are concerned.

FINANCE COMMITTEE – MUST MEET AT 6:45 P.M. BEFORE EVERY REGULAR SCHEDULED COUNCIL MEETING TO REVIEW BILLS.

Any council member shall have the right to add items to the regular agenda with council's consent, before it is approved.

3. Agenda Distribution

Meeting packets will be delivered to all council members on Tuesday before the Thursday meeting.

4. Attendance at Council Meetings

The council may excuse absences for cause. If a council member has more than three unexcused successive absences from regular or special meetings of the council, the council shall enact a resolution of reprimand. If the member's absences continue subsequent to the reprimand, the council may enact a resolution of censure, or proceed to remove the member from the council. A member may also be removed for other causes. The procedure to remove a council member shall require the following: (A) The council shall provide the member with a written description of the cause for removal; (B) The member shall be given an opportunity to appear before the council to present evidence, including witnesses; and (C) After providing the member with an opportunity to be heard, a vote of the council shall be taken excluding the member proposed for removal. Removal or non-removal shall be determined by a majority of those voting.

5. Presiding Officer

The presiding officer shall be responsible for enforcing these rules of procedure and for enforcing orderly conduct at meetings. The village president is ordinarily the presiding officer. The Village Council shall appoint one of its member's president pro tem, who shall preside in the absence of the president. In the absence of both the president and the President- pro tem, the Council shall appoint one of its members to preside.

6. Disorderly Conduct

The presiding officer may call to order any person who is being disorderly by speaking or otherwise disrupting the proceedings, failing to be germane, speaking longer than the allotted time, speaking vulgarities, **or disobeying the no cell phone policy (all cell phones must be turned off)**. Such person shall be thereupon seated until the chair determines whether the person is in order.

If the person shall continue to be disorderly and disrupt the meeting, the chair may order the sergeant at arms (Chief of Police or Police Officer on duty) to remove the person from the meeting. No person shall be removed from a public meeting except for an actual breach of the peace committed at the meeting.

C. CLOSED MEETINGS

1. Purpose

Closed meetings may be held only for the reasons provided in the Michigan Open Meetings Act.

D. ORDER, DISCUSSION AND VOTING

1. Rules of Parliamentary Procedure

The rules of parliamentary practice as contained in the latest edition of Roberts Rules of Order shall govern the Council in all cases to which they are applicable, provided that

they are not in conflict with these rules, the ordinances of the Village of Mackinaw City, or state statutes applicable to the Village of Mackinaw City. The Village President may appoint a parliamentarian

The Chair shall preserve order and decorum and may speak to points of order in preference to other council members. The Chair shall decide all questions arising under this parliamentary authority and shall be subject to appeal, which shall be determined by a majority of the council members present.

Any member may appeal to the council from a ruling of the presiding officer. If the appeal is seconded, the member making the appeal may briefly state the reason for the appeal and presiding officer may briefly state the ruling. There shall be no debate on the appeal and no other member shall participate in the discussion. The question shall be "Shall the decision of the Chair be sustained?" If the majority of the members present vote "aye", the ruling of the Chair is sustained; otherwise it is overruled.

2. Order of Discussion and Voting

The following order shall prevail:

a. Agenda item is read
b. Review by staff, sub-committee, or by the person(s) causing the item to be before council
c. Motion
d. Second
e. Public Comment (if requested) limited to three (3) minutes
f. Discussion-each member shall have equal time
g. Vote (if roll call vote is required, voting shall start in rotation)
h. President shall announce result of vote.

3. Conduct of Discussion

During the council discussion and debate, no member shall speak until recognized for that purpose by the Chair. After such recognition, the member shall confine discussion to the question at hand and to its merits and shall not be interrupted except by a point of order raised by another member. Speakers should address their remarks to the chair, maintain a courteous tone, and avoid interjecting a personal note into the debate. No member shall speak more than once on the same question unless every member desiring to speak to that question shall have had the opportunity to do so. The Chair, at his or her discretion and subject to the appeal process mentioned in Section D.1, may permit any person to address the council during its deliberations.

4. Ordinances and Resolutions

No ordinance except an appropriation ordinance, an ordinance adopting or embodying an administrative or governmental code; or an ordinance adopting a code of ordinances, shall relate to more than one subject, which shall be clearly stated in its title.

A vote on all ordinances and resolutions shall be taken by a roll call vote and entered in the minutes unless it is a unanimous vote. If the vote is unanimous, it shall be necessary only to so state in the minutes, unless a roll call vote is required by law or Village Ordinance.

5. Roll Call

In all roll call votes, the last names of the members of the Council shall be called.

6. Duty to Vote

Election to a deliberative body carries with it the obligation to be a voting member. Council members present at a council meeting are expected to vote on every matter before the body. Unless otherwise provided by law or excused by the council, a member of the village council who is recorded as present shall vote on all questions decided by the council.

Conflict of interest, as defined by statute (Public Act 317 of 1968 as amended) shall be the sole reason for a member to abstain from voting. No member shall abstain from voting unless that member states his or her conflict of interest. If a question of conflict of interest arises, the council shall by a simple majority vote of those present determine whether a conflict exists.

The right to vote is limited to the members of council present at the time the vote is taken. Voting by proxy or by telephone is not permitted.

7. Results of Voting

a. In all cases where a vote is taken, the Chair shall declare the result.
b. It shall be in order for any council member voting in the majority to move for a reconsideration of the vote on any question at that meeting or at the next succeeding meeting of the council. When a motion to reconsider fails, it cannot be renewed.

E. CITIZEN PARTICIPATION

1. General

Each council meeting agenda shall provide for time for general audience participation. If requested by a member of the council, the presiding officer shall have discretion to allow a member of the audience to speak.

2. Length of Presentation

Any person who addresses the Village Council during a council meeting or public hearing shall be limited to three (3) minutes in length per individual presentation. The Clerk will maintain the official time and notify the speakers when their time is up. **The presiding officer at his/her discretion may allow more time for citizen presentation.**

3. Addressing the Council

When persons address the village council, they shall state their name and home address. They should confine discussion to the question at hand and to its merits. Speakers should address their remarks to the Chair, maintain a courteous tone, and avoid interjecting a personal note into debate. No person shall have the right to speak more than once on any particular subject until all other persons wishing to be heard on that subject have the opportunity to speak. Minutes shall be kept from public forum and recorded with council minutes.

F. MISCELLANEOUS

1. Adoption and Amendment of Rules and Procedure

These rules of procedure of the Village Council will be reviewed and adopted by a majority vote. A copy of the rules adopted shall be distributed to each council member.

The council may alter or amend its rules at any time by a majority vote of its members after notice has been given of the proposed alteration or amendment.

2. Bid Awards

Bids will be awarded by the Village Council during regular meetings. A bid award may be made at a special meeting of the Council if that action is announced in the notice of the special meeting.

3. Committees/Task Force

a. Standing Committees: The Village Council shall have the following standing committees.
   - Facilities
   - Finance
   - Marina/Recreation
   - Ordinance
   - Safety
   - Utilities

- Tree BoardSub-committee chairmen will keep minutes, file copies with the clerk, and report them at the next council meeting. Sub-committee members will serve terms of one year and will be appointed by the Village President. They shall be members of the council with the exception of the Tree Board. The President shall fill any committee vacancies.

b. Special Committees: Special committees may be established for a specific period of time by the Village President in writing or by a resolution of the council which specifies the task of the special committee and the date of its dissolution.

c. Citizen Task Forces: Citizens task forces may be established by a resolution of the council which specifies the task to be accomplished and the date of its dissolution. Members of such committees will be appointed by a majority vote of the Village Council and must be citizens of the village. Vacancies will be filled by majority vote of the Village Council present at the meeting.

4. Authorization for Contacting Village Attorney

The Village Manager, President or President Pro Tem has the authority to contact said attorney unless otherwise directed to do so.

5. Agenda for Public

The Village Clerk will make copies of agenda, communications, manager report, police report and president report available to public before regular and special meetings.

6/21/2012 Council Unanimously voted to amend B. Conduct of Meeting,6. Disorderly Conduct

10880 WEST US 23 MACKINAW CITY, MICHIGAN

THE CURRENT OWNER, OWNER SINCE 2002, WAS UNDER THE IMPRESSION THAT THIS PROPERTY WAS ALWAYS ZONED COMMERCIAL.

In the 1990's, his first notice of the building was it being used as an Arnold Line Ticket office. COMMERCIAL

LLC Corporation of TMR, which stands for Tom, Mike, and Rich, brothers, bought the building from Lakeshore Development coompany when The Shores Condominiums were built and was used as a Sales Office. COMMERCIAL

The building was then used as a Rental Office for The Shores. COMMERCIAL

For 3 years the building was a Real Estate office. Mackinaw Real Estate.com and Prudential. 2008, 2009, and 2010 Gill Chamberlain COMMERCIAL

2011, 2012, and 2013, the building was used as a rental office for The Shores Condominiums. COMMERCIAL

To ask for the zoning to be registered as Commercial is a conforming use as it has been used for Commercial purposes for at least the last 18 years.

***See attached zoning map to learn this building is bordering commercial zoning on both sides and across US 23.

Thank you for your consideration.

Gill Chamberlain, representative for Rich Barth, owner.

MINUTES REGULAR PLANNING COMMISSION MEETING
MACKINAW CITY

7:00 P.M. **October 23, 2014**

I. CALL TO ORDER/WELCOME

Planning Commission Chair Rosada Mann was present and called the meeting to order.

II ROLL CALL

Commissioners Present: Ronald Dye, Earl Taylor, Matt Cooley.
Absent-Mary Clark, Robert Heilman. At this time there is one commissioner vacancy.

Also present-Interim Zoning Director Fred Thompson, Jr., Attorney Ken Lane and Recording Secretary Lana Jaggi

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF MINUTES

Motion Taylor support Cooley to approve the minutes of the regular meeting held September 25, 2014 as presented . Voice Vote, motion carried unanimously.

Attorney Ken Lane gave brief summary of history regarding rezoning request 2014-ZP-004 by Richard Barth and the concluding Zoning Board of Appeal "reverse and remand" motion on 09/18/2014.

V. PUBLIC COMMENTS

None

VI. NEW BUSINESS:

1. Election of Planning Commission Officers
Motion Taylor support Dye to nominate Mann for Chairperson.
Ayes-Dye, Taylor, Cooley, Mann. Absent-Clark, Heilman. One vacancy.
Motion carried.
Motion Mann support Dye to nominate Dye for Vice Chairperson.
Ayes-Mann. Nays-Dye, Taylor, Cooley. Absent-Clark, Heilman. One vacancy.
Motion failed.
Motion Mann support Dye to nominate Clark for Vice Chairperson.
Ayes Mann, Dye, Taylor, Cooley. Absent-Clark, Heilman. One vacancy.
Motion carried.
Motion Mann seconded Taylor to nominate Cooley for Secretary.
Ayes Mann, Dye, Taylor, Cooley. Absent-Clark, Heilman. One vacancy.
Motion carried.

MINUTES REGULAR PLANNING COMMISSION MEETING
MACKINAW CITY

7:00 P.M. **October 23, 2014**

ELECTED OFFICERS:
Chairperson-Mann
Vice Chairperson-Clark
Secretary-Cooley

2. Discussion of 911 Tower
Informational topic included in packet.

3. Attorney Information on Amended Zoning Ordinance
Per Attorney Lane recent projects have exposed needed modifications on special use permits and PUD sections of Zoning Ordinance No. 138. Draft amendments will be brought back to the regular meeting in November, 2014.

VII. OLD BUSINESS:
1. Rezoning Request, 2014-ZP-004, Richard Barth
Motion Mann support Dye to recommend denial of rezone request #2014-AP-004 by Richard Barth for parcel #014-020-100-004-00, property address 10888 US 23, Mackinaw City, MI 49701 for the following reasons:
-Rezone request does not meet the standards set forth in Mackinaw City Zoning Ordinance No. 138 for dimensional requirements in the B1 District, therefore creating a non-conforming structure.
-Rezone request is inconsistent with the Village of Mackinaw City Master Plan.
Yeas-Dye, Taylor, Cooley, Mann. Absent-Clark, Heilman. One vacancy.
Motion carried.

VIII. COMMISSIONER COMMENTS
Chair. Mann made public that Planning Commissioner Robert Heilman resigned due to his candidacy race for Village Council President and thanked him for his dedication while serving.

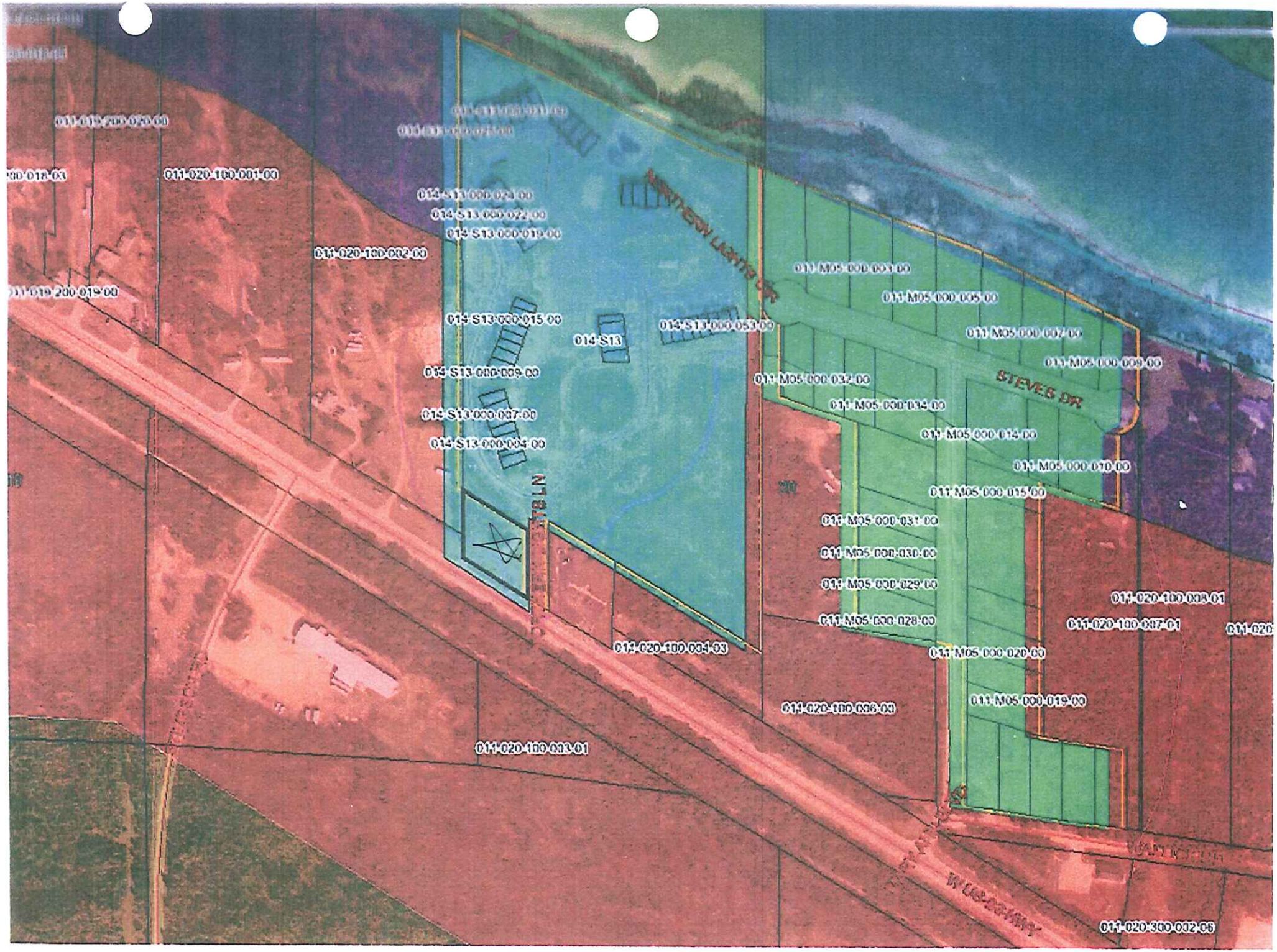
IX. COMMISSIONER CALENDAR
November 13, 2014

X. ADJOURNMENT: 7:45 PM

Respectfully submitted;

Rosada Mann; Chairperson

Matt Cooley; Secretary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011-020-300-002-06

MINUTES ZONING BOARD OF APPEALS
MACKINAW CITY

7:00 P.M. **September 18, 2014**

I. CALL TO ORDER/TAKING OF ROLL/PLEDGE OF ALLEGIANCE

President Jeff Hingston called the Zoning Board of Appeals to order and with the following Trustees present – Robert Glenn, Matt Yoder Belinda Mollen, Sandy Planisek, Richard Perlick, and Paul Michalak. Also present, Manager Adam Smith, Interim Zoning Director Fred Thompson Jr and Clerk Lana Jaggi.

Pledge of Allegiance

II PUBLIC COMMENTS

Tom Wall-Shores of Mackinaw Resident
Renee De Nicola-Shores of Mackinaw Resident
Sue Austin-Shores of Mackinaw Resident
Melissa Wacbal-Shores of Mackinaw Resident

III. BUSINESS REPORTS AND RECOMMENDATIONS

A. Rezoning of Parcel #014-020-100-004-00 from RM to B1 Appeal
Richard Barth/TMR Investments-10888 West US 23

Motion Yoder seconded Glenn to "reverse and remand" the Council decision and the Planning Commission recommendation on which it was based back to the Planning Commission with the directive that the Commission review the decision and provide specific finding of fact that are based on adopted zoning ordinance provisions and/or applicable state law in support of their recommendation. Staff and legal will correspond and move forward. Voice vote. Motion carried unanimously.

VI. ADJOURNMENT: 7:11 PM

Respectfully submitted;

Jeff Hingston; President

Lana Jaggi; Clerk

Village of Mackinaw City
Richard Barth TMR Investments
10888 US 23
Rezoning Request Analysis
June 12, 2014

Richard Barth, TMR Investments, 5889 Vintage Garden Court, Las Vegas, NV 89148, would like to have Parcel # 014-020-100-004-00 rezoned from (RM) Multiple Family to (B1) Business District. The property is located at 10888 US 23, Mackinaw City, MI 49701.

Rezoning Permit: 2014-ZP-004

Requirements: Sec. 24-101 Changes and Amendments in accordance with Sec. 24-105 of the Village Zoning Ordinance #138.

Requested Action:

The applicant has requested to change the zoning of the parcel from RM to B1 Zoning.

Finding of Facts: Staff offers the following for consideration:

- This parcel is in a P.U.D. Development that is a 425 Project between the Village of Mackinaw City and Mackinaw Township.
- The surrounding parcels on US 23 are Cheboygan County zoning-Commercial.
- The Village's B1 District is similar to Cheboygan Counties Commercial District.
- On recent correspondence the address has been incorrect, The correct address is 10888 US 23.

ARTICLE IX. RM - MULTIPLE FAMILY DISTRICT

Sec. 9-101 PRINCIPLE PERMITTED USES.

In the RM District, no use shall be permitted unless otherwise provided in this Ordinance, except for the following:

A. Multiple Dwelling Class 1
B. Apartments.
C. Townhouses.
D. Churches.
E. Accessory buildings and uses customarily incidental to the above Principal Permitted Uses.
F. Off-street parking and landing requirements in accordance with Section 4-109.

Sec. 9-102 PERMITTED USES SUBJECT TO SPECIAL USE PERMIT.

A. Nursery Schools subject to Section 23-107.
B. Public utility buildings.
C. Private clubs and lodges subject to Section 23-121.
D. Convalescent and nursing homes subject to Section 23-122.
E. Housing for the elderly in accordance with Section 23-111.

Sec. 9-103 SITE PLAN APPROVAL.

For permitted use and use subject to a special use permit, a site plan shall be submitted in accordance with Section 4-117.

Sec. 9-104 AREA, HEIGHT, BULK AND PLACEMENT REQUIREMENTS.

A. Lot Dimensions		
1. Minimum Lot width:	200 ft.	
2. Minimum Lot Area:	-	(See Sec. 22-102C)
3. Maximum Lot Coverage:	40%	
B. Maximum Building Height		
1. Stories:	3.5	
2. Height:	35 ft.	
C. Yard Setbacks		
1. Front:	40 ft.	(See Sec. 22-102A)
2. Sides:	20 ft.	
a. Total of 2:	40 ft.	
3. Rear:	20 ft.	
4. Distance between buildings	30 ft. all sides	
5. Parking lots: (bldgs >3 families)	25 ft. all sides	

D. **Minimum Building Dimensions**

1. Dwelling Unit Floor Area: 800 sq. ft.

E. **Accessory Buildings, Detached Garages**

1. Maximum height: 21 ft.
2. Side Yard setback: 25 ft.
3. Side setback: (bldgs >3 families) 25 ft.
4. Rear Yard setback: 25 ft.
5. Side setback: (bldgs >3 families) 25 ft.
6. Front Yard setback: Must be no closer to front property line than an allowable or existing primary structure, whichever is the greater distance.
7. Maximum floor area: 864 ft.
8. Minimum distance from main bldg.: 20 ft.

ARTICLE XI. B1 - BUSINESS DISTRICT

Sec. 11-101 PRINCIPAL PERMITTED USES.

In the B1 District, no uses shall be permitted unless otherwise provided in this Ordinance except the following:

A. Grocery store, including beer, wine and liquor, fruit, vegetable, meat, dairy products, and baked goods.
B. Confectioneries, delicatessens, restaurants and taverns.
C. Museums.
D. Financial institutions.
E. Laundromat & dry cleaning.
F. Offices for plumbing, roofing, heating contractors, decorators, upholsterers, and similar establishments.
G. Funeral parlors and mortuaries.
H. Shoe repair shop.
I. Watch, television, and radio repair shops.
J. Barber and beauty shop.
K. Professional office, except medical or dental clinics.
L. Retail shops.
M. Theaters, assembly halls, concert halls and similar places of assembly.
N. Public utilities.
O. Single and two-family dwellings.
P. Mixed uses i.e., commercial and residential uses combined in one (1) building.
Q. New and used car sales including outdoor displays of vehicles.
R. Accessory buildings and uses customarily incidental to the above Permitted Principal Uses.
S. Off-street parking in accordance with the requirements of Section 4-109.
T. Car Wash.
U. Health Spa.

Sec. 11-102 PERMITTED USES SUBJECT TO SPECIAL USE PERMIT.

A. Hotels, motels, and motor court in accordance with Section 23-105.
B. Medical or Dental Clinics in accordance with Section 23-114.
C. Office Developments in accordance with Section 23-115.
D. Hospitals in accordance with Section 23-124.
E. Bowling Alleys, skating rinks and indoor recreation facilities subject to 23-108.
F. Gasoline filling stations as defined in Section 2-102 subject to Section 23-125.
G. Employee/Boarding Housing in accordance with Section 23-130.
H. Assisted Living Facility in accordance with Section 23-133. (Amended 9/04)
I. Temporary and Seasonal Unpaved Boat Line Parking. (Amended 4/10)
J. All open air businesses in accordance with Section 23-109. (Amended 6/16/11)

Sec. 11-103 SITE PLAN APPROVAL.

For permitted uses and uses subject to a special use permit, a site plan shall be submitted in accordance with Section 4-117.

Sec. 11-104 AREA, HEIGHT, BULK AND PLACEMENT REQUIREMENTS.

A. **Lot Dimensions**

1. Minimum Lot width:	50 ft.
2. Minimum Lot Area:	6,500 sq. ft.
3. Max. Lot Coverage:	-

B. **Maximum Building Height**

1. Stories:	4
2. Height:	45 feet (maximum 30 feet for all structures between I-75 and Nicolet Street, which are also north of the I-75 exit #338 to protect viewshed from highway towards the downtown and the water)

(Amended 9/05)

C. **Yard Setbacks**

1. Front:	10 ft.	(See Sec. 22-102E)
2. Sides:	10 ft.	(See Sec. 22-102G)
a. Total of 2:	20 ft.	
3. Rear:	10 ft.	(See Sec. 22-102F)

D. **Minimum Building Dimensions**

1. 1st Floor Area (single family):	800 sq. ft.
2. 1st Floor Area (two family):	1,200 sq. ft.
3. Principle Use 1st Floor Area:	500 sq. ft. (Amended 6/03)

E. **Accessory Buildings, Detached Garages**

1. Maximum height:	30 ft.	
2. Side Yard setback:	10 ft.	(See Sec. 22-102G)
3. Rear Yard setback:	10 ft.	(See Sec. 22-102F)
4. Front Yard setback:	Must be no closer to front property line than an allowable or existing primary structure, whichever is the greater distance.	
5. Maximum floor area:	864 ft.	
6. Minimum distance from main bldg.:	6 ft.	

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014-S13
011-020-100-001-02
011-020-100-004-04
011-020-100-001-01

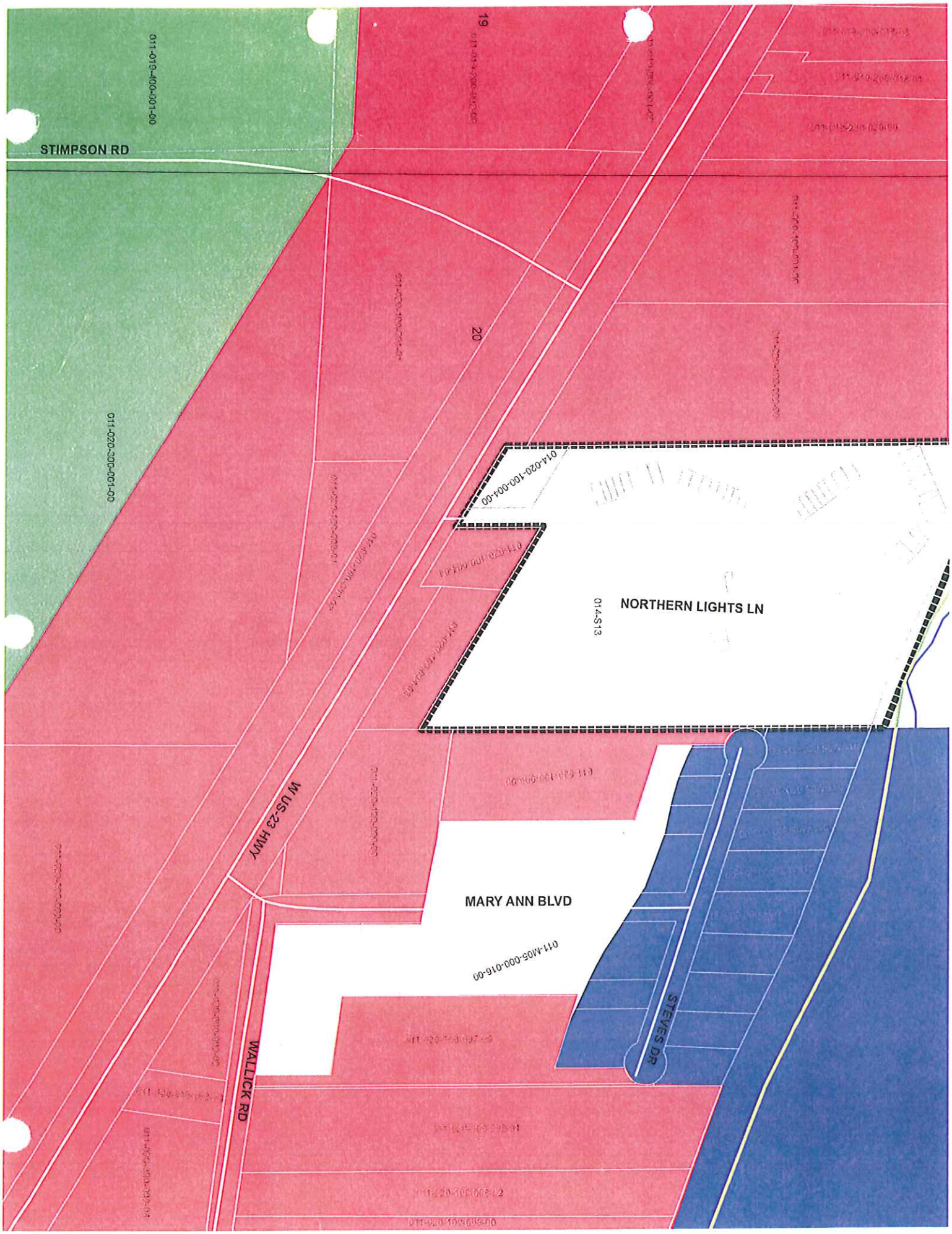
Fred Thompson

From: Steve Schnell [steve@cheboygancounty.net]
Sent: Tuesday, February 18, 2014 3:08 PM
To: Fred Thompson
Subject: zoning map around the shores
Attachments: Shores_zoning.pdf

Fred,
This is the zoning around the parcel. The red is Commercial, blue is Lake & Stream, green is Ag/Forest, yellow is Residential.

Let me know if you have any questions.
Steve

Steve Schnell, AICP
Community Development Director
Cheboygan County
870 S. Main St., PO BOX 70
Cheboygan, MI 49721
steve@cheboygancounty.net
www.cheboygancounty.net/planning
Phone: 231-627-8485
Fax: 231-627-3646
Cell: 231-445-2599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MARY ANN BLVD
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STEVES DR
WALLICK RD

~~UN~~APPROVED
MACKINAW CITY PLANNING COMISSION MINUTES
COUNCIL CHAMBERS-VILLAGE HALL

102 S. Huron Ave.
Mackinaw City, MI 49701

PUBLIC HEARING
JUNE 12, 2014

1. Call to order:

Chairperson Mann called the meeting to order at 7:00 p.m.

2. Roll Call:

All commissioners were present

Staff:
Fred Thompson Jr.

Guests:
See attached

3. Request to rezone parcel # 014-020-100-004-00, located at 10888 W. US 23, from RM to B1.

4. **Public Comment:**

Guests present voiced concerns regarding the proposed lot split.

5. Adjournment:
Commissioner Mann adjourned the public hearing at 7:20 p.m.

M.J. Cooley, Secretary

Rosada Mann , Chairperson

~~UN~~APPROVED
MACKINAW CITY PLANNING COMISSION MINUTES
COUNCIL CHAMBERS-VILLAGE HALL

102 S. Huron Ave.
Mackinaw City, MI 49701

AGENDA-SPECIAL MEETING
JUNE 12, 2014

1. Call to order:

Chairperson Mann called the meeting to order at 7:23 p.m.

2. Roll Call:

All commissioners were present

Staff:
Fred Thompson Jr.

Guests:
See attached

3. Pledge of Allegiance

4. Approval of minutes for regular meeting held on April 24, 2014:

A motion was made to approve amended minutes by Heilman, seconded by Gustafson, all were in favor, motion carried.

5. Public Comment:

6. New Business:

I. Request to rezone parcel #014-020-100-004-00, located at 10888 W. US 23, from RM to B1. Commissioner Heilman made a recommendation for a motion to deny a rezoning change at the proposed location, seconded by Gustafson, all were in favor, motion carried to deny the lot split.

II. General review of PUD

7. Old Business

8. Commissioners Comments

9. Commissioner Calendar

10. Adjournment: A motion was made by Clark to adjourn the meeting, seconded by Dye, all were in favor, meeting was adjourned at 8:30 p.m.

M.J. Cooley, Secretary

Rosada Mann , Chairperson

MINUTES REGULAR COUNCIL MEETING
MACKINAW CITY

7:00 P.M. June 19, 2014

I. CALL TO ORDER/TAKING OF ROLL/PLEDGE OF ALLEGIANCE

President Jeff Hingston called the meeting to order and with the following Trustees present – Robert Glenn, Matt Yoder, Belinda Mollen, Sandy Planisek Richard Perlick, and Paul Michalak. Also present, Villager Manager Adam Smith, Zoning Interim Fred Thompson, Jr., and Clerk Lana Jaggi.

Visitors – List Attached.

Pledge of Allegiance

II PRESENTATIONS AND RECOGNITIONS

III. APPROVAL OF AGENDA

Motion Glenn seconded Planisek to approve the agenda as presented. Voice vote – motion carried unanimously.

Manager Smith noted Humbard P.U.D. applicant submitted letter of communication regarding reconsideration of vote that council took at regular meeting June 05, 2014 regarding the development.

IV. COUNCIL MINUTES

A. Motion Mollen seconded Glenn to approve the special meeting minutes of June 05, 2014 as presented. Voice vote-motion carried unanimously.

B. Motion Planisek seconded Perlick to approve the regular meeting minutes of June 05, 2014 as presented. Voice vote-motion carried unanimously.

C. Motion Perlick seconded Mollen to approve the closed session meeting minutes of June 05, 2014 as presented. Voice vote-motion carried unanimously.

V. PUBLIC COMMENTS Agenda or Non Agenda

Joanne Leal-Village Resident

Matthew Vermetten-Attorney, Humbard P.U.D,-went on record to state on behalf of his clients he submitted a letter for reconsideration of council vote of June 05, 2014.

Pres. Hingston polled council asking if there was any further interest of adding the reconsideration of vote from the June 05, 2014 Humbard P.U. D to the agenda. No one spoke.

VI. PUBLIC HEARING AND SUBSEQUENT ACTION

VII. BUSINESS REPORTS AND RECOMMENDATIONS

A. Motion Yoder seconded Mollen to reschedule the regular July 03, 2014 council meeting to July 01, 2014. Voice vote-motion carried unanimously.

B. Motion Mollen seconded Michalak to approve the Resolution for Designation of Street Administrator, Mike Karll-DPW Superintendent. Voice vote-motion carried unanimously.
C. Motion Planisek seconded Yoder to approve Resolution commemorating the USCGC Mackinaw Crew Reunion. Roll call: Ayes-Yoder, Mollen, Hingston, Planisek, Perlick, Michalak, Glenn. Motion carried.
D. Motion Planisek seconded Perlick to approve Village of Mackinaw City Proclamation for Arbor Day as presented. Voice vote-motion carried unanimously.
E. 2014-2015 Budget Amendment, First Quarter March 1-May 31, 2014
Finance Sub Committee report submitted by Trustee Planisek
Motion Planisek seconded Glenn to approve the 2014-2015 Budget Amendments as submitted. Voice vote-motion carried unanimously.
F. Committee of the Whole will meet Monday, June 23, 2014 at 5:00 PM, Agenda-Special Event Fees and Municipal Finance
G. Motion Planisek seconded Perlick to deny the rezoning of the Parcel # 014-020-100-004-00 from MR to B1 for the reasons given by Planning Commission. Voice vote-motion carried unanimously.

VIII. Accounts Payable
Motion Planisek seconded Glenn to pay accounts payable for June 19, 2014 in the amount of $52, 710.70. Voice vote-motion carried unanimously.

IX. Committee/Department Reports
A. Marina Sub Committee Report-Trustee Yoder, submitted/placed on file.

XI. Adjournment at 7:45 PM

Respectfully submitted;

Jeff Hingston; President

Lana Jaggi; Clerk