

**NOTICE OF PUBLIC MEETING  
COUNCIL CHAMBERS-VILLAGE HALL  
102 South Huron Avenue  
Phone: 231-436-5351**

**7:00 PM**

**July 02, 2015**

**AGENDA-REGULAR MEETING  
MACKINAW CITY VILLAGE COUNCIL**

- I. Roll Call**
- II. Pledge of Allegiance**
- III. Agenda Approval**
- IV. Correction and Approval of Minutes: Regular Minutes of June 18, 2015**
- VI. Communication/Petitions:  
Letter - Mackinaw Memorial Parade Committee**
- VII. Manager Report**
- VIII. President's Report/Department Reports  
Thank You for Service to Tree Board Members Betty Teysen and Nancy Campbell**
- IX. Committee Reports:**
- X. Old Business:  
A. Update-Casino Proposal  
B. Fire Service Contracts**
- XI. New Business:  
A. American Legion/Charter Communication Claim  
B. Discussion to Resolve the Special Committee for Economical Development  
C. Special Event Application-2015-SE-053 Mackinaw Crossings  
D. Special Event Application-2015-SE-054 Salvation Army  
E. Traffic Control Order  
F. Village and Chamber Agreement  
G. Labor Day Policy  
H. Planning Commission Appointment**
- XII. Scheduling of Committee Meetings**
- XIII. Accounts Payable**
- X. Adjourn**                      **FINANCE AND HUMAN RESOURCE SUBCOMMITTEE:  
REVIEW BILLS @ 6:45 PM**

**UNAPPROVED**  
**MINUTES REGULAR COUNCIL MEETING**  
**MACKINAW CITY**

**7:00 P.M.**

**June 18, 2015**

**I. Roll Call**

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

**DEPARTMENT HEADS PRESENT**

**Patrick Wyman-Chief of Police**

**Fred Thompson-Fire Chief/Zoning Administrator**

**Pat Riviera-Superintendent, Water/Sewer**

**Mike Karll-Superintendent, DPW**

**II. Pledge of Allegiance**

**III. Agenda Approval**

**Motion Mollen seconded Chastain to approve the agenda as presented. Voice vote motion carried unanimously.**

**IV. Correction and Approval of Minutes**

**Motion Chastain seconded Glenn to approve the minutes of the regular meeting of June 06, 2015 as presented. Voice vote motion carried unanimously.**

**Motion Chastain seconded Perlick to approve the minutes of the Committee of Whole, Work Session of June 11, 2015 as presented. Voice vote motion carried unanimously.**

**V. Public Comments:**

**Estella Smith-Trails End Beach resident**

**Patrick Holly-Mackinaw Skating Association member**

**VI. Communication/Petitions:**

**Trophy Letter from Citizens**

**Revenue Sharing-Emmet County**

**Thank You from Pageant and Voyageurs Committees**

**VII. Manager Report:**

**Report as submitted with addition-draft letter to MCSA regarding lease.**

**VIII. President's Report/Department Head Reports**

**Department Head Reports as submitted**

**UNAPPROVED**  
**MINUTES REGULAR COUNCIL MEETING**  
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**IX. Committee Reports:**

**Public Safety Subcommittee Report-Trustee Perlick, Chair, presented/submitted Motion Chastain seconded Mollen to extend fire contract's final deadline to Midnight of July 31, 2015.**

**Roll Call: Yeas - Mollen, Newman, Chastain, Heilman, Glenn, Perlick, Michalak. Motion carried.**

**Parks and Rec Subcommittee Report-Trustee Newman, Chair, presented/submitted Motion Newman seconded Chastain to approve draft letter to Mackinaw City Skating Association as presented by Manager White.**

**Roll Call: Yeas - Newman, Chastain, Heilman, Glenn, Perlick, Michalak, Mollen. Motion carried.**

*Trustee Michalak was excused from remainder of meeting.*

**X. Old Business:**

**A. License Agreement -Village and Mackinaw Area Public Library-Conkling Paintings**

**Motion Mollen seconded Glenn to accept the License Agreement between the Village of Mackinaw City and the Mackinaw Area Public Library as presented.**

**Roll Call: Yeas - Chastain, Heilman, Glenn, Perlick, Mollen, Newman. Absent-Michalak. Motion carried.**

**XI. New Business:**

**A. Freedom of Information Act-Procedures & Guidelines**

**Motion Glenn seconded Perlick to approve the Freedom of Information Act Procedures and Guidelines as presented.**

**Roll Call: Yeas - Heilman, Glenn, Perlick, Mollen, Chastain Newman. Absent-Michalak. Motion carried.**

**B. Freedom of Information Act -Itemization Form**

**Motion Mollen seconded Glenn to approve the Freedom of Information Act Itemization Form as presented.**

**Roll Call: Yeas - Glenn, Perlick, Mollen, Chastain Newman, Heilman. Absent-Michalak. Motion carried.**

**C. Freedom of Information Act-Written Summary**

**Motion Heilman seconded Glenn to approve the Freedom of Information Act Written Summary as presented.**

**Roll Call: Yeas - Perlick, Mollen, Chastain Newman, Heilman, Glenn. Absent-Michalak. Motion carried.**

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**Motion Glenn seconded Mollen to reappoint Lana Jaggi, Village Clerk, as the Village FOIA Coordinator. Voice vote motion carried unanimously.**

**D. Special Event Application -2015-SE-047**

**Motion Glenn seconded to a Newman seconded Chastain to approve special event application 2015-SE-047, Shoreline West Bike Tour as presented. Voice vote motion carried unanimously.**

**E. Special Event Application- 2015-SE-050**

**Motion Mollen seconded Chastain to approve special event application 2015-SE-050, Mackinac Bridge Labor Day Run as presented. Voice vote motion carried unanimously.**

**F. Special Event Application-2015-SE-051**

**Motion Perlick seconded Glenn to approve special event application 2015-SE-051, Salvation Army as presented. Voice vote motion carried unanimously.**

**G. Special Event Application-2015-SE-052**

**Motion Chastain seconded Perlick to approve special event application 2015-SE-052, Caroline Sommer Lemonade Stand as presented. Voice vote motion carried unanimously.**

**H. Special Event Application-2016-SE-001**

**Motion Perlick seconded Chastain to approve special event application 2016-SE-001, Voyagers as presented contingent upon proof of insurance. Voice vote motion carried unanimously.**

**I. Letter of Request-Lions Club**

**Motion Newman seconded Glenn to approve Lions Club request for Annual Labor Day Parking. Voice vote motion carried unanimously.**

**J. Tree Board Appointment**

**Motion Chastain seconded Mollen to appoint Katie Kosorski to Tree Board. Voice vote motion carried unanimously.**

**XII Scheduling of Subcommittee meetings:**

**Finance and Human Resource -First Quarter Budget Amendment TBD**

**Public Hearing- Informational-Village Fire Service Contract TBD**

**UNAPPROVED**  
**MINUTES REGULAR COUNCIL MEETING**  
**MACKINAW CITY**

**7:00 P.M.**

**June 18, 2015**

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**XIII. Accounts Payable:**

**Motion Newman seconded Glenn to pay accounts payable for June 18, 2015 in the amount of \$43,300.34. Roll Call: Mollen, Chastain Newman, Heilman, Perlick, Glenn. Absent- Michalak. Motion carried.**

**IX. Adjournment: 8:38 PM**

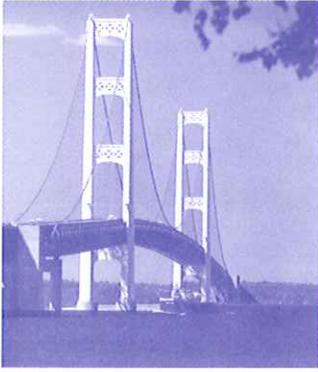
**Respectfully submitted,**

**Robert R. Heilman; President**

**Lana Jaggi; Clerk**

## Special Event Summaries for July 2, 2015

1. 2015-SE-053 Mackinaw Crossings-This application is for multiple dates in July, August and September for the Mackinaw Clearance Store and the Mackinaw Outfitters to hold sidewalk sales. They have 3 banners they would like to hang at entrances to the Crossings. They hold these sales every year.
2. 2015-SE-054 The Salvation Army-this application is for July 4 and July 18, 2015 to ring bells at the American Legion and at the Post Office. They have permission from both sites. I have encouraged Mr. Bock to submit just one application for the season from now on.



# Mackinaw Memorial Parade



P.O. Box 496 • Mackinaw City, MI 49701

Village Mackinaw City  
Board of Trustees  
PO Box 580  
Mackinaw City, MI 49701

The Mackinaw Memorial Parade, now in its 48<sup>th</sup> year, (2016) has become a staple of our community. The events in Mackinaw are many but I think the most prominent would be The Mackinaw Bridge Walk, the Fourth of July fireworks and the Memorial Parade & Pageant

The Parade committee members, since its beginning has been R. J. & Barbara Fisher and Jane Magers. Most recently we have been joined by Jeff Hingston and Lisa Pallagi.

Our funding originally came from the Fort Michilimackinac Pageant Committee but due to financial restraints, that ceased in 2002. The Parade committee then registered Mackinaw Memorial Parade Inc. as a 501c3 non-profit corp. and the event has since been funded by donations from private and civic sources such as the Village of Mackinaw and the MAVB in addition to Fish Dinners over five months. Thanks to these resources the committee is solvent.

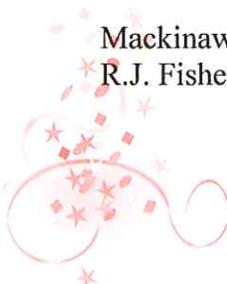
We have explored many new ideas, and surely there are others, that could make the Parade bigger and better but that will require more community involvement. We need more input and more people to deal with funding and logistics.

If the community wishes to keep this event on our calendar, its' going to require the sharing of responsibility for its' further development and production. We need a committee that has the time and ability to direct the development of the Parade in its entirety, when the need arises, as it most assuredly will.

We are asking that a representative from the Village of Mackinaw the MAVB and the Chamber of commerce contact our office to arrange a meeting to further discuss this issue.

Sincerely,

Mackinaw Memorial Parade Comm.  
R.J. Fisher Jane Magers Jeff Hingston 436-5578



RECEIVED  
8/22/15  
Lj

To: Mackinaw City Council  
From: David M. White, Interim Village Manager  
Date: May 15, 2015  
Re: Manager Report for July 2, 2015, Council Meeting

**X Old Business:**

- A. Update-Casino Proposal-** I spoke Friday with the manager of the Petoskey Casino who is spearheading the Mackinaw project. He apologized for not getting in contact with the Village before the Press release went out. As of the writing of this report no plans have been put together yet. I was told that the existing building on the property would be removed and a 5,000 sq. foot butler type building would be built. There would be limited food and no Restaurant. At this time 65 slots are proposed, as I get more information I will share it with the Council.
- B.** The letter the Council requested be sent to each township regarding Fire service was sent. On June 25, 2015 all of you and I received correspondence from Wawatam Township addressing that letter. Many questions have been raised and all types of information are being passed about. To address the 911 issues that have been talked about I have enclosed an e-mail from the Director of 911 which answers some rumors that are out and about. The informational meeting has been set for July 9<sup>th</sup> at 7pm at the School Multi-purpose room.

**XI New Business:**

- A. American Legion/Charter Communication Claim-** In June of 2014 the Sewer to the American Legion building was bored through by Charter Communications who was installing new cable to Village Hall. At the time of the incident, discussion with the Village took place but the issue went no further. In late February early March I was contacted by the Legion through Trustee Chastain, asking for reimbursement for costs incurred repairing the sewer service. I set up a meeting between the Legion, Charter, Miss Dig and Village Representatives. The issue is that the sewer lateral was not

marked by the Village as that was not done for other Utility marking requests. The law was changed but Village employees were not aware that the new law required the marking of all building laterals. As the Legion's lateral was not marked it was bored through by the Charter contractor. In March I turned in a claim to the Village Insurance Company who last month denied the claim under Governmental Immunity. I then forwarded the Legion's request on to Charter who also denied it. I have included with this report the Legion's information they submitted, the responses from the Village Insurance Company and Charter Communication. I have also included a copy of the lease between the Legion and the Village. Should any Trustee have any questions after reviewing the enclosed material I would be happy to address them.

- B.** At the last Council meeting the Special Committee for Economic Development was disbanded. As the Committee was formed by resolution it must be dissolved by resolution. Mr. Lane has prepared the resolution before you and can answer any questions you may have.
  
- C. Special Event Application-2015-SE-053 Mackinaw Crossings-** This application is to allow Sidewalk sales at Mackinaw Crossings. The sales are held every year and staff has no issues with this event as it is held completely on private property.
  
- D. Special Event Application-2015-SE-054 Salvation Army-** The Salvation Army has submitted an application for two additional dates to ring bells in front of the American Legion and Post Office. The staff has no problems with this request.
  
- E. Traffic Control Order-** This request is for the placement of a Stop sign at the corner of Cadotte Street and Farley Street. This request is from Chief Wyman.
  
- F. Labor Day Policy-** Chief Wyman has put together a policy to address issues that have arose in the past regarding the placement of areas for Local and

other non-profits. After review I would be happy to address any question from Council members.

**G. Chamber Agreement for 2015-** For your consideration is an agreement between the Village and the Mackinaw Chamber. This agreement is the same as last year except it is for \$4,000 this year not \$5,000. After review I would be happy to answer any questions Council members may have.

**H. Planning Commission Appointment-** President Heilman will be presenting a Planning Commission Appointment for your consideration.





## Village of Mackinaw City

102 South Huron Avenue, P.O. Box 580, Mackinaw City, Michigan 49701

Telephone: (231) 436-5351 Fax: (231) 436-4166

[www.mackinawcity.org](http://www.mackinawcity.org) [village@mackinawcity.org](mailto:village@mackinawcity.org)

June 23, 2015

Mrs. Betty Teysen  
116 W Sinclair St.  
Mackinaw City, MI 49701

Dear Betty:

On behalf of the Village of Mackinaw City and its' Council, I wish to thank you for your years of dedicated service on the Village Tree Board. Your insight and knowledge on issues brought to the attention of this board during your tenure proved to be invaluable. You kept the best interest of the Village and its' designation as a Tree City first and foremost in your decisions. The Village of Mackinaw City celebrated its' twenty first year as a "Tree City USA" in 2014. It is my hope that the current Tree Board Committee can follow your example and keep this tradition for future generations. Again, thank you for your time and service.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Heilman", written in a cursive style.

Robert Heilman  
Village President





102 South Huron Avenue, P.O. Box 580, Mackinaw City, Michigan 49701

Telephone: (231) 436-5351 Fax: (231) 436-4166

[www.mackinawcity.org](http://www.mackinawcity.org) [village@mackinawcity.org](mailto:village@mackinawcity.org)

June 23, 2015

Mrs. Nancy Campbell  
306 N Huron  
Mackinaw City, MI 49701

Dear Nancy:

On behalf of the Village of Mackinaw City and its' Council, I wish to thank you for your years of dedicated service on the Village Tree Board. Your insight and knowledge on issues brought to the attention of this board during your tenure proved to be invaluable. You kept the best interest of the Village and its' designation as a Tree City first and foremost in your decisions. The Village of Mackinaw City celebrated its' twenty first year as a "Tree City USA" in 2014. It is my hope that the current Tree Board Committee can follow your example and keep this tradition for future generations. Again, thank you for your time and service.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Heilman". The signature is fluid and cursive, written over a light blue horizontal line.

Robert Heilman  
Village President





June 22, 2015

**FOR IMMEDIATE RELEASE**

**Contact:**

Eric McLester  
Odawa Casino Resort General Manager  
(231) 344-4433

**Little Traverse Bay Bands of Odawa Indians  
Announces Plans to Begin Development of Mackinaw Property**

Harbor Springs, Mich. – Residents and visitors of Mackinaw City, Mich. will soon begin seeing signs of development around the abandoned Thunder Falls Water Park.

The Little Traverse Bay Bands (LTBB) of Odawa Indians approved funding for the first phase of a 5-year strategic development plan. The plan includes developing land that the tribe acquired in 2012 into a small casino and RV Park. It also includes construction of 130-room hotel that would be adjacent to their existing casino in Petoskey, Mich.

The Mackinaw City parcel, located at 1028 Nicolet Street, operated as Thunder Falls Water Park until 2012. Odawa tribal leaders have been considering the parcel for development of a casino since they initiated the land purchase.

“We have always intended to develop the land, but the timing and the exact plan for the casino haven’t been right until now,” said Regina Gasco-Bentley, chairperson for the Odawa tribe. Beginning in September, the tribe plans to begin construction on a 5,000 square foot gaming venue that would comprise of 64 slot machines. The venue is slated to open in May of 2016. The following spring, development of a 25-space RV park would commence. Construction would begin on the new hotel for Odawa Casino in 2019.

“We’re taking a very deliberate approach to the development of the Mackinaw casino,” said Eric McLester, general manager for Odawa Casino. “It’s obviously a smaller property and will have more of a boutique feel than Odawa Casino. Completing it in phases will give us an opportunity to fine tune the operation based on the specific needs in Mackinaw City.”

-more-

According to McLester, completing the construction in phases will also allow the tribe to pay for the construction in Mackinaw entirely from its own funds.

On June 18, the Odawa Tribal Council voted to approve using funds that the tribe had previously set aside for economic development purposes to begin construction on the first phase of the casino.

“As we look to ensure the viability and success of the next seven generations of LTBB citizens, we have been setting aside money to develop new business ventures for the tribe. The vote on Thursday earmarked some of those funds to kick off the Mackinaw project,” Gasco-Bentley said. The development of the Mackinaw City property will bring year-round jobs to the area, and steadily create more in the years to come. When the property opens next summer, there will be approximately 20 employees that will grow as demand grows.

The Odawa tribe’s original compact with the state of Michigan allows the tribe to open a second Class III casino. Whether the facility will operate Class II or Class III gaming has yet to be determined. “In order to open as a Class III facility, we will need to reach an agreement with the village of Mackinaw City,” said McLester. “Now that we have approval from the tribe, we’ll be reaching out to Mackinaw to open discussions.”

Based on the tribe’s revenue estimates for the new casino, signing a service agreement with Mackinaw City could result in funds totaling more than \$2 million over the next 10 years that the city could use for improvements or services and an additional \$6 million that would go to the state.

“The tribal citizens of the Little Traverse Bay Bands of Odawa Indians are proud of the world-class entertainment facility we have built in Petoskey, and we look forward to the new facility coming to Mackinaw City. Our business provides jobs for more than 500 of our neighbors and tribal citizens, and we look forward to adding to that number for generations to come,” Gasco-Bentley said.

Owned and operated by the Little Traverse Bay Bands of Odawa Indians, Odawa Casino Resort in Petoskey opened in June, 2007 and features 1,200 slot machines, 25 table games, a four table Poker Room, several restaurants, gift shop, a nightclub and a 137-room hotel.

####

## D White

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**From:** Bob Bradley <bbradley@cce911.com>  
**Sent:** Thursday, June 25, 2015 3:49 PM  
**To:** D White  
**Subject:** RE: 911 Questions

Dave,

I don't know who they talked to here....it wasn't our asst director Greg, or myself. Fred called me about the same issue earlier.

Our mapping which basically drives a lot of the dispatch response templates is still the way it has been for many years for fire coverage by MCFD. We have made no changes for coverage by MCFD at this time, nor do we have any "in the works" at the moment. Those changes would not take place until such time as we receive official notification from the municipality. Once we do receive a notification, there is a "process" we need to go through as the change isn't just as easy as drawing a new line on a map. These include our mapping/MSAG vendor builds all of the news response layers for the maps, the changes get forwarded to Intrado, the company that maintains the E 911 database in Boulder, co. Intrado does their end of the work and then transfers the data on to AT&T in Chicago who is the 911 provider for this region. Once everything on their end is complete, we can push the updates into the training side of our CAD program and test the data by simulating calls from different locations in the affected area. Once we're reasonably satisfied that things look OK, we push the data live.

The whole process to make a change like this usually takes about 3-4 weeks.

There may be changes coming in the future that will affect dispatching the closest fire department, but as things stand now, it's always been a contracted service provided by the townships that don't have their own FD.

As far as mutual aid, if an incident commander requests a resource, we will send that requested resource if at all possible. If that resource is not available we will notify the IC and move on to the next resource available.

I hope this has been helpful.

BB

# The American Legion

CLAYTON MURRAY POST NO. 159

Mackinaw City, Michigan 49701



March 12, 2015

Dave White  
Interim City Manager  
Village of Mackinaw City  
P.O. Box 580  
Mackinaw City, MI 49701

Dear Mr. White:

Enclosed you will find a listing of total expenses that the American Legion Post #159 incurred for repairs for damage to the Legion Post sewer line on June 20, 2014. As you know after many months, a meeting was finally arranged with Charter Group to review this situation and resulting construction problem.

After much discussion, it was clear that the fault was 100% the Village of Mackinaw City for failure to mark construction areas as required by a new law enacted in 2014. Charter performed their work in an area unmarked for construction by the Village of Mackinaw City. The newly hired DPW superintendent was just learning critical aspects of his job at the time of this incident.

Expenses are:

Belonga Plumbing and Heating - **\$5,488.87**

Reith Riley paving - **\$3,520.94**

American Legion Post #159 - **\$2,100.64**

**TOTAL expenses - \$11,110.45**

The American Legion post is under a long-term lease agreement from the Village of Mackinaw City. The area of damage is on Village property, the American Legion owns the building.

I have enclosed pictures of the damaged sewer line and reconstruction of the area. In addition, I have enclosed copies of invoices for the above expenses.

We would like to resolve this issue of expense reimbursement within the next 60 days. The Post Commander has agreed to honor this timeframe before taking other steps for resolution. We certainly do not want any negative press between the Village of Mackinaw City and the American Legion Post.

Payment should be made to the attention of:

Mike Pounovich  
Post Commander  
American Legion Post #159  
P.O. Box 940  
Mackinaw City MI 49701

Regards,  
Mike Pounovich  
American Legion Post #159 Commander

# Belonga Plumbing and Heating

115 Elliott P.O. BOX 95  
 ST. IGNACE, MI 49781  
 PHONE (906) 643-9595

## Invoice

DATE	INVOICE #
8/6/2014	63055

BILL TO
AMERICAN LEGION POST#607 P.O. BOX 940 MACKINAW CITY, MI 49701

**PAID**  
 10/30/2014

TERMS	P.O. NO.
Due on receipt	

ITEM	QTY	DESCRIPTION	PRICE	AMOUNT
M		6/20/2014 PLUGGED SEWER, MORE WORK NEEDED		
GSPS	1.5	GARY PLUMBING SERVICE	57.00	85.50
BGRP	1.5	BILLY G PLUMBING SERVICE	35.00	52.50
SEW MACH	1	SEWER MACHINE	35.00	35.00
BRIDGE FARE	2	BRIDGE FARE	4.00	8.00
M		6/23/2014 VIDEO SEWER - FOUND DUCT RUN THRU SEWER		
SIC	2	SEWER INSPECTION CAMERA	60.00	120.00
GSPS	2	GARY PLUMBING SERVICE	57.00	114.00
BGRP	2	BILLY G PLUMBING SERVICE	35.00	70.00
BRIDGE FARE	2	BRIDGE FARE	4.00	8.00
M		6/23/2014 DIG UP SEWER AND FOUND CONDUIT THRU SEWER, NEEDS TO BE RE-ROUTED		0.00
SPPS	4	STEVEN PLUMBING SERVICE	57.00	228.00
MLP	4	MATT PLUMBING LABOR	52.00	208.00
LBPS	6	LARRY PLUMBING SERVICE	57.00	342.00
BRIDGE FARE	4	BRIDGE FARE	4.00	16.00
M		6/24/2014 DIG UP SEWER AND RE-ROUTE, COULD NOT REPLACE IN SAME PLACE DUE TO EXISTING LOCATION, REROUTE UNDER BLACKOP		
4FWY4	2	4" PVC WYE	15.45	30.90
4F604	2	4" PVC 60 BEND	17.49	34.98
4F224	1	4" 22 BEND	8.50	8.50
4F45S4	1	4" PVC STREET 45	6.76	6.76
4F454	2	4" PVC 45	7.10	14.20
4F90LS4	1	4" PVC LS 90	12.40	12.40
4FCO4	3	4" PVC COUPLING	3.85	11.55
<b>Total</b>				

ALL ACCOUNTS NOT PAID WITHIN 10 DAYS ARE SUBJECT TO 1.5% PER MONTH

# Belonga Plumbing and Heating

115 Elliott P.O. BOX 95  
 ST. IGNACE, MI 49781  
 PHONE (906) 643-9595

## Invoice

DATE	INVOICE #
8/6/2014	63055

BILL TO
AMERICAN LEGION POST#607 P.O. BOX 940 MACKINAW CITY, MI 49701

**PAID**  
 10/30/2014

TERMS	P.O. NO.
Due on receipt	

ITEM	QTY	DESCRIPTION	PRICE	AMOUNT
NFFA6004	1	1056-44 6X4 FERNCO ADPT	17.15	17.15
NFFA4	5	PCX56-44 4X4 FERNCO COUPLING	7.49	37.45
4PPE4	45	4" PVC PIPE	2.65	119.25
SO	2	REDI MIX CONCRETE	4.65	9.30
22ALB	10	22A GRAVEL	15.50	155.00
SO	1	BLACKTOP CUT 3.5" X 61FT	160.43	160.43
BRIDGE FARE	1	BRIDGE FARE TRUCK AND TRAILER	50.00	50.00
BRIDGE FARE	1	BRIDGE FARE PICKUP AND COMPRESSOR	12.00	12.00
SPPS	8	STEVEN PLUMBING SERVICE	57.00	456.00
SPPS	2	STEVEN PLUMBING SERVICE	85.50	171.00
MLP	8	MATT PLUMBING LABOR	52.00	416.00
MLP	2	MATT PLUMBING LABOR	78.00	156.00
JWE	8	JONATHAN W EXCAVATING LABOR	35.00	280.00
JWE	2	JONATHAN W EXCAVATING LABOR	52.50	105.00
LBE	6	LARRY EXCAVATING LABOR	57.00	342.00
BACKHOE	4	BACKHOE W/OPERATOR	80.00	320.00
M		6/26/2014		
SPP	6	STEVEN PLUMBING LABOR	57.00	342.00
MLP	6	MATT PLUMBING LABOR	52.00	312.00
JWE	6	JONATHAN W EXCAVATING LABOR	35.00	210.00
LBE	4	LARRY EXCAVATING LABOR	57.00	228.00
BACKHOE	2	BACKHOE W/OPERATOR	80.00	160.00
BRIDGE FARE	6	BRIDGE FARE (THREE ROUND TRIPS)	4.00	24.00
		SALES TAX	6.00%	0.00
<b>Total</b>				<b>\$5,488.87</b>

ALL ACCOUNTS NOT PAID WITHIN 10 DAYS ARE SUBJECT TO 1.5% PER MONTH

# RIETH-RILEY CONSTRUCTION Co., INC.

"100% Employee Owned"

## STATEMENT OF ACCOUNT

Customer #

AS OF DATE 8/30/14

706273 AMERICAN LEGION POST

Doc Type	Doc Number	Invoice Date	Original Amount	Open Amount	Current	31-60	61-90	90+	Retainage
	JOB #								
	A7901036 AMERICAN LEGION POST 159								
RI	7905748	6/30/14	\$3,473.00	\$3,473.00	0	0	3,473	0	0
RF	170171	8/30/14	\$47.94	\$47.94	48	0	0	0	0
JOB TOTAL			\$3,520.94	\$3,520.94	48	0	3,473	0	0

CUSTOMER TOTAL

\$ 3,520.94      \$ 48      \$ 0      \$ 3,473      \$ 0      \$ 0

\*\* Finance Charges are calculated at 1.5% per month on all past due accounts.

RI = Receivable Invoice  
RM = Credit Memo  
\*\*RF = Finance Charge

Please Remit Payment to:

RIETH-RILEY CONSTRUCTION CO INC  
PETOSKEY  
06795 US 31 NORTH  
CHARLEVOIX MI 49720  
(574) 875-5183

Amount Due: \$ 3,520.94

Amount Remitted: \$ \_\_\_\_\_

Bill to:

\*\*IF PAYING BY CREDIT CARD SEE OTHER SIDE

706273  
AMERICAN LEGION POST  
ATTN:MIKE POUNOVICH  
PO BOX 940  
MACKINAW CITY MI 49701

# The American Legion

CLAYTON MURRAY POST NO. 159

Mackinaw City, Michigan 49701



American Legion Post # 159 expense for damaged sewer line – June 20, 2014

Employee wages - \$680.00  
Loss of bar revenue (5 days) - \$1,420.64  
TOTAL - \$2,100.64

Signed,

Mike Pounovich  
Post Commander  
American Legion Post #159  
Mackinaw City MI 49701

## D White

---

**From:** Tracy Hardy <Tracy.Hardy@Meadowbrook.com>  
**Sent:** Monday, June 22, 2015 2:45 PM  
**To:** D White  
**Cc:** Tom Chastain  
**Subject:** RE: Legion Insurance claim

Sorry for the delay. We have received a preliminary from one of our attorneys, they state the following:  
The City is not liable – it has governmental immunity. The issue of who the laterals belong to is irrelevant. Here is what the statute says about municipal liability:

**MCL 460.732:**

(1) Except as provided in this section, this act does not affect the liability of a governmental agency for damages for tort or the application of 1964 PA 170, MCL 691.1401 to 691.1419.

(2) A facility owner or a facility operator may file a complaint with the commission seeking a civil fine and, if applicable, damages from a governmental agency under this section for any violation of this act.

**Subject:**

The American Legion is not a facility owner or operator. The whole reason this section was put in was to allow the utilities to sue the city when the city cut the utility lines of a "facility owner or operator." There is nothing in the Act that waives governmental immunity in a situation like this. I see no basis the Legion could impose liability on the City in this situation.

We are expecting a more detailed explanation in the future. I hope this information helps in the interim.

Tracy Hardy

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**From:** D White [<mailto:dwhite@mackinawcity.org>]

**Sent:** Monday, June 22, 2015 2:37 PM

**To:** Tracy Hardy

**Cc:** Tom Chastain

**Subject:** Legion Insurance claim

Hi Tracy,

I emailed you last week to check on the Status of the American Legion claim regarding their sewer. This morning the Village President asked that the claim be placed on the next Council agenda for discussion. I would like to have an answer back from you before the next meeting on July 2<sup>nd</sup>, as this issue has been in the process a very long time. Thanks

Dave White, Village Manager  
Village of Mackinaw City

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## D White

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**From:** Gladwell, Don W <don.gladwell@charter.com>  
**Sent:** Thursday, June 25, 2015 2:58 PM  
**To:** D White  
**Cc:** Tom Chastain  
**Subject:** RE: American Legion Post

Thank you for the email Dave,

I have to say that I'm a bit surprised that this issue is still ongoing. It was my impression after our last meeting, with input from the MISS DIG representative, that all parties understood that Charter or our Contractor had no liability here as the lines were not properly marked by the Village DPW.

Because the lines were not marked properly by the village, we believe Charter, or our contractor, has no liability regarding this sewer pipe damage.

I sympathize with the Legion, however please understand that if the lines had been marked properly, no damage would have occurred.

Should you have further questions, please let me know.

Don



**Don Gladwell** | Manager, Government Affairs | 906.401.0616  
359 U.S. Hwy 41 East | Negaunee, MI 49866

---

**From:** D White [<mailto:dwhite@mackinawcity.org>]  
**Sent:** Wednesday, June 24, 2015 3:10 PM  
**To:** Gladwell, Don W  
**Cc:** Tom Chastain  
**Subject:** American Legion Post

Hello Don,

I am writing once again regarding the meeting we had at Village Hall with you and the American Legion. At the meeting it was suggested that the first step should be for the Village to file a claim with our insurance company for the damaged sewer pipe. The Village did file a claim back in March and just received notice that the claim was rejected because of Governmental Immunity. The Legion has incurred many costs which has used money that should be used to assist Veterans who need help. The costs incurred are: Belonga Plumbing and Heating-\$5,488.87, Reith Riley paving \$3,520.94, American Legion Post #159 \$2,100.64 for total costs of \$11,110.45.

As a Charter contractor was doing the work when the sewer pipe was bored through I am passing these costs on to you for your consideration. The Legion in Mackinaw City helps many Veterans in the area and \$11,110.45 is a large dollar

amount not being used for its intended purpose. After review should you have any questions please do not hesitate to contact me.

Dave White, Village Manager  
Village of Mackinaw City

LEASE AGREEMENT

Agreement made this 6th day of August, 1998, by and between the Village of Mackinaw City, Michigan, a municipal corporation, as Lessor, hereafter referred to as Village, and the American Legion, Clayton Murray Post, No. 159 of Mackinaw City, Michigan, as Lessee, hereafter Legion.

Whereas, the Legion currently occupies Village owned real estate consisting of land pursuant to a 99 year lease dated December 7th, 1921, and

Whereas, the parties want to continue the same and more clearly specify certain aspects of the lease, particularly parking area.

Witnesseth, in consideration of the mutual promises and covenants contained herein, the receipt and sufficiency of which is acknowledged by both parties, it is agreed that the Legion will lease from the Village the premises described hereinafter on the following terms and conditions:

1. Price. The lease price shall be \$1.00 per year.
2. Term. The term of this lease shall be 99 years commencing as of the date of this agreement and terminating on the 99th anniversary thereof.
3. Lease Premises. The lease premises shall include the land thereon being described on Parcels A through D of attached Exhibit A being a Certificate of Survey by David J. Grondin dated May 29th, 1998. Provided however, the Legion's use of Parcels B and C is specifically limited to time periods after 5:00 p.m. daily and shall be subordinate to use by the Village at times deemed necessary by the Village.

## Special Event Summaries for July 2, 2015

1. 2015-SE-053 Mackinaw Crossings-This application is for multiple dates in July, August and September for the Mackinaw Clearance Store and the Mackinaw Outfitters to hold sidewalk sales. They have 3 banners they would like to hang at entrances to the Crossings. They hold these sales every year.
2. 2015-SE-054 The Salvation Army-this application is for July 4 and July 18, 2015 to ring bells at the American Legion and at the Post Office. They have permission from both sites. I have encouraged Mr. Bock to submit just one application for the season from now on.

2015-SE-053

To Admin. Staff: \_\_\_\_\_  
To Council: 7-2-15 ??  
Decision:  Approved  Denied  
Minutes to Applicant: \_\_\_\_\_

SPECIAL EVENT APPLICATION  
VILLAGE OF MACKINAW CITY  
102 S. HURON AVENUE, MACKINAW CITY, MI 49701  
(231) 436-5351

Must be filled out in its entirety and returned to the Village Clerk's Office 45 days prior to scheduled event

**SPONSORING ORGANIZATION INFORMATION**

LEGAL BUSINESS NAME: Mackinaw Crossings TELEPHONE: 231-436-5030

MAILING ADDRESS: P.O. Box 370

CONTACT NAME: \_\_\_\_\_ TELEPHONE: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_ CELL PHONE: \_\_\_\_\_

**CONTACT PERSON ON DAY OF EVENT**

CONTACT NAME: \_\_\_\_\_ TELEPHONE: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_ CELL PHONE: \_\_\_\_\_

**EVENT INFORMATION**

NAME OF EVENT: sidewalk sale

PURPOSE OF EVENT: Bring more people in area

Non-Profit  For-Profit  Village Operated/Sponsored  Co-Sponsored

Marathon/Race  Festival/Fair  Arts & Crafts Show  Other \_\_\_\_\_

DATE(S) 7-10-7-19-5 FROM 10:00  A.M.  P.M. TO 1:00  A.M.  P.M.

8-14-8-16 FROM 10:00  A.M.  P.M. TO 1:00  A.M.  P.M.

9-25-9-27 FROM 10:00  A.M.  P.M. TO 10:00  A.M.  P.M.

\_\_\_\_\_ FROM \_\_\_\_\_  A.M.  P.M. TO \_\_\_\_\_  A.M.  P.M.

RAIN DATE(S) \_\_\_\_\_ FROM \_\_\_\_\_  A.M.  P.M. TO \_\_\_\_\_  A.M.  P.M.

\_\_\_\_\_ FROM \_\_\_\_\_  A.M.  P.M. TO \_\_\_\_\_  A.M.  P.M.

EVENT LOCATION: Mackinaw Crossings

ESTIMATED NUMBER OF ATTENDEES: 1,000

WILL YOU UTILIZE SHOWERS:  Yes  No

ESTIMATED NUMBER OF VOLUNTEERS: N/A

ESTIMATE DATE/TIME FOR SET-UP: N/A \_\_\_\_\_  A.M.  P.M.

ESTIMATE DATE/TIME FOR CLEAN-UP: N/A \_\_\_\_\_  A.M.  P.M.

RECEIVED  
6-18-15

**PARADE PERMIT**

Includes runs, walks, and other uses of the Village public right-of-way.

POLICE ESCORT NEEDED:  Yes  No

PARADE ROUTE PROVIDED WITH APPLICATION:  Yes  No

PROPOSED ROUTE: \_\_\_\_\_  
\_\_\_\_\_

Date and time Parade will start: \_\_\_\_\_  A.M.  P.M.

Date and time Parade will end: \_\_\_\_\_  A.M.  P.M.

**EVENT DETAILS**

SITE MAP: All applicants must provide a drawing of the event area and are due at application. Site map must be legible, be pre approved by Village Staff, and include and/or identify the following, if applicable:

- Lot lines
- Fire Hydrants
- Tents
- Table and chair diagram
- Bicycle Routes (including route into and out of town)
- All bicycle events will utilize the Village's Hike and Bike Trail
- Label roads and closest cross roads
- Locate and label buildings
- Portable Restrooms
- Placement of food vendors
- Sidewalks
- Parking lots
- Ingress and egress points
- Parade Route
- All proposed modifications

WILL MUSIC BE PROVIDED DURING THIS EVENT:  Yes  No

TYPE OF MUSIC PROPOSED:  Live  Amplification  Recorded  Loudspeakers

PROPOSED TIME MUSIC WILL BEGIN: N/A END: \_\_\_\_\_ (NO LATER THAN 10 P.M.)

FOOD VENDORS/CONCESSIONS: (Contact Emmet or Cheboygan County Health Department)  
 Yes  No  Provide Copy of Health Department Food Service License

WILL ALCOHOL BE SERVED AT THIS EVENT:  Yes  No

- Provide Copy of Liquor Liability Insurance
- Provide Copy of Michigan Liquor Control License

If yes, describe measures to be taken to prohibit the sale of alcohol to minors: \_\_\_\_\_

COPY OF LIABILITY INSURANCE PROVIDED WITH APPLICATION:  Yes  No

Date Insurance binder provided: \_\_\_\_\_  
See page 4 for required language naming the Village as an additional insured

WILL FIREWORKS BE A PART OF EVENT:  Yes  No

- Provide Copy of Liability Insurance
  - Provide Copy of Fireworks Permit
- See page 4 for required language naming the Village as an additional insured

EVENT SIGNAGE: Village Council approval is required for any temporary signing in the public right-of-way, across a street or on Village property. Which of the following signs are requested for this event:

"YARD" SIGNS - Number requested: \_\_\_\_ (Maximum size is 2' x2'. Cannot be displayed no more than 15 days prior to first day of event and must be removed 24 hours after end of event.)

SIGNAGE AT EVENT SITE - Location(s): \_\_\_\_\_

Description of signs: 3 BANNERS "Annual Sidewalk Sale" at each entrance  
(Signs at event site cannot be displayed prior to day of the event and must at the end of the event.)

VENDOR PARKING: Have you made arrangement for vendor parking?  Yes  No

If yes, where do you propose your vendors park? \_\_\_\_\_

EVENT LONG TERM PARKING: Will there be long term parking?  Yes  No

If yes, from date \_\_\_\_\_ to ending date: \_\_\_\_\_

Long term parking identified on the site map?  Yes  No

OVERNIGHT CAMPING: Will there be camping over night?  Yes  No

Name of Facility where camping: \_\_\_\_\_

If yes, from date: \_\_\_\_\_ to ending date: \_\_\_\_\_

Camp sites identified on the site map?  Yes  No

TENTS/CANOPIES/MISC: The Village of Mackinaw City does have tables and/or chairs available for rental. You will need to provide a diagram of the area for set up. Will the following be constructed or located in the event area?:

BOOTHS - QUANTITY \_\_\_\_\_  TENTS - QUANTITY \_\_\_\_\_

Size \_\_\_\_\_  CHAIRS - QUANTITY \_\_\_\_\_

AWNINGS - QUANTITY \_\_\_\_\_  TABLES - QUANTITY \_\_\_\_\_

Seating diagram for booths, awnings, tables and chairs provided with application:  Yes  No

PORTABLE RESTROOMS/TOILETS N/A

Have you made arrangements to provide portable restroom facilities at your event?  Yes  No

If yes, total number of portable toilets: \_\_\_\_\_ Number of ADA accessible portable toilets: \_\_\_\_\_

If no, explain: \_\_\_\_\_

Restroom Company Name: \_\_\_\_\_

Address Street: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone Day: \_\_\_\_\_ Evening: \_\_\_\_\_ Fax: \_\_\_\_\_ Cell: \_\_\_\_\_

Equipment set up: Date: \_\_\_\_\_ Time: \_\_\_\_\_

Equipment pick up: Date: \_\_\_\_\_ Time: \_\_\_\_\_

Portable restrooms identified on the site map?  Yes  No

Including death, sustained by any person whomsoever and which damage, injury or death arises out of or is incident to or in any way connected with the performance of this contract, and regardless of which claim, demand, damage, loss cost of expense is caused in whole or in part by the negligence of the Village of Mackinaw City or by third parties, or by the agents, servants, employees or factors of any of them.

As the duly authorized agent of the sponsoring organization, I hereby apply for approval of this Special Event and affirm the above understandings. The information provided on this application is true and complete to the best of my knowledge.

The Village of Mackinaw City expressly reserves the right in its sole discretion to cancel a private event for Village purposes and the Site user agrees, as a term of its use of a site, to release and waive all claims of any kind (including a claim for consequential damages), against the Village, its officers or employees arising out of cancellation of the user's event.

Is this an annual event?  Yes  No

Is this event expected to occur next year?  Yes  No

How many years has this event occurred? 5

Lorna McHugh, Managing Agent 6/18/15  
Applicant Signature Date  
Print name of applicant: Lorna McHugh, Managing Agent  
Mackinaw Crossings

VILLAGE USE ONLY - Department representative please initial if approved

MM DPW GV FACILITY SERVICES  
RS POLICE JK FIRE [ ] AMBULANCE  
CD RECREATION

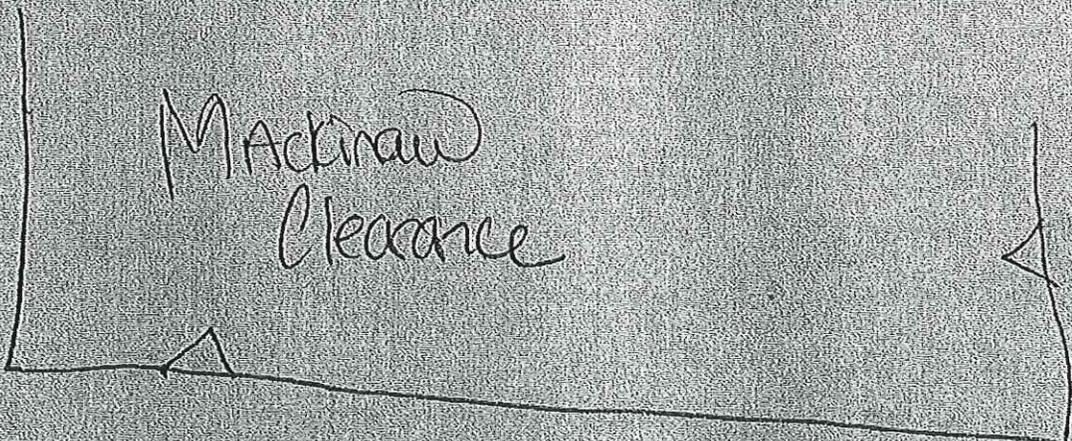
VILLAGE COUNCIL COUNCIL APPROVAL DATE: \_\_\_\_\_

CONDITIONS, IF ANY: \_\_\_\_\_

AUTHORIZED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

VILLAGE MANAGER

Mackinaw  
Clearance

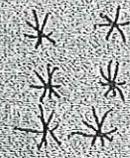
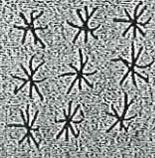
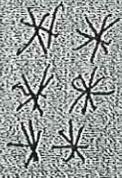
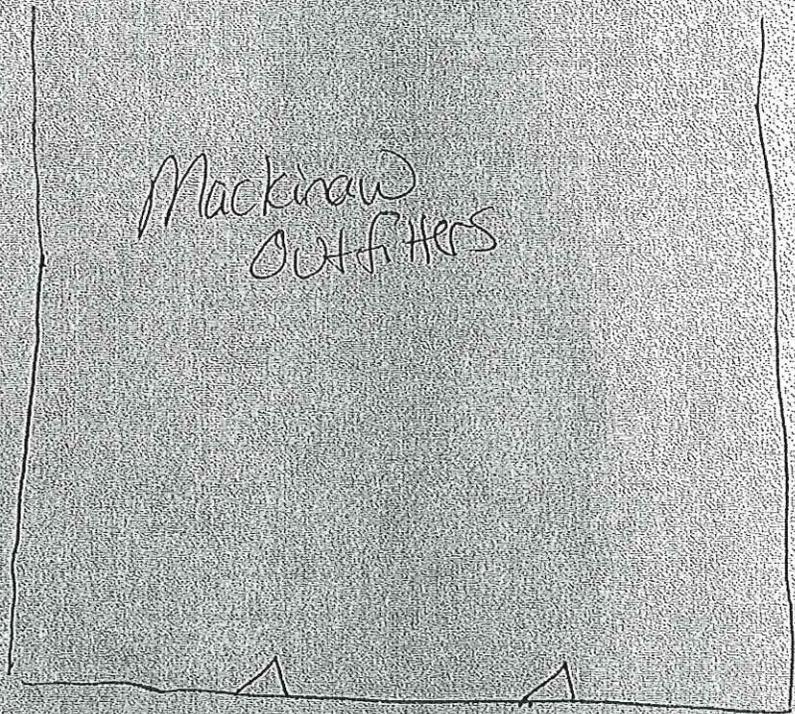


\* \* \*      \* \* \* \* \*

\* = RACKS

Parking lot

Mackinaw  
Outfilters



MAU  
Entrance

\* - racks

**reception**

---

**From:** Fred Thompson  
**Sent:** Thursday, June 18, 2015 4:06 PM  
**To:** reception  
**Cc:** Fred Thompson  
**Subject:** Fwd: Special Event Permit  
**Attachments:** sidewalksale.pdf; sidewalksale2.pdf; sidewalksale3.pdf

*Sent from my Verizon Wireless 4G LTE DROID*

----- Original Message -----

**Subject:** Special Event Permit  
**From:** Christopher Lee <[christopher.lee@cbre-martin.com](mailto:christopher.lee@cbre-martin.com)>  
**To:** Fred Thompson <[ftompson@mackinawcity.org](mailto:ftompson@mackinawcity.org)>  
**CC:** Lorna McHugh <[lorna.mchugh@cbre-martin.com](mailto:lorna.mchugh@cbre-martin.com)>

Fred,

Please see the attached PDF's for upcoming sidewalk sale dates. If you could make sure we get the permits for these dates I would appreciate it.

Thanks.

**Please note our new suite number.**

Christopher R. Lee | Assistant Real Estate Manager  
CBRE|Martin | Asset Services  
1111 Michigan Avenue, Suite 300 | East Lansing, MI 48823  
T +1 517 319 9249 | F +1 517 351 2989  
[christopher.lee@cbre-martin.com](mailto:christopher.lee@cbre-martin.com) | [www.cbrelansing.com](http://www.cbrelansing.com)

Follow CBRE|Martin: [@CBREMartin](https://twitter.com/CBREMartin)

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2015-SE-054

To Admin. Staff: 6-26-15  
To Council: 7-2-15 ???  
Decision:  Approved  Denied  
Minutes to Applicant: \_\_\_\_\_

**SPECIAL EVENT APPLICATION**  
**VILLAGE OF MACKINAW CITY**  
102 S. HURON AVENUE, MACKINAW CITY, MI 49701  
(231) 436-5351

Must be filled out in its entirety and returned to the Village Clerk's Office 45 days prior to scheduled event

**SPONSORING ORGANIZATION INFORMATION**

LEGAL BUSINESS NAME: The Salvation Army TELEPHONE: 231-627-9003  
MAILING ADDRESS: 444 S. Main Street - Cheboygan MI 49721  
CONTACT NAME: Gregory Bock TELEPHONE: 231-627-9003  
E-MAIL ADDRESS: gregory\_bock@usc.salvationarmy.org CELL PHONE: 618-610-8647

**CONTACT PERSON ON DAY OF EVENT**

CONTACT NAME: Gregory Bock TELEPHONE: 618-610-8647  
E-MAIL ADDRESS: gregory\_bock@usc.salvationarmy.org CELL PHONE: 618-610-8647

**EVENT INFORMATION**

NAME OF EVENT: Christmas In July - Bell Ringing  
PURPOSE OF EVENT: raise funds for the social services center.

- Non-Profit     For-Profit     Village Operated/Sponsored     Co-Sponsored  
 Marathon/Race     Festival/Fair     Arts & Crafts Show     Other \_\_\_\_\_

DATE(S): July 4th, 2015 FROM 9:00  A.M.  P.M. TO 5:00  A.M.  P.M.  
July 18th, 2015 FROM 9:00  A.M.  P.M. TO 5:00  A.M.  P.M.  
\_\_\_\_\_ FROM \_\_\_\_\_  A.M.  P.M. TO \_\_\_\_\_  A.M.  P.M.  
\_\_\_\_\_ FROM \_\_\_\_\_  A.M.  P.M. TO \_\_\_\_\_  A.M.  P.M.

RAIN DATE(S): \_\_\_\_\_ FROM \_\_\_\_\_  A.M.  P.M. TO \_\_\_\_\_  A.M.  P.M.  
\_\_\_\_\_ FROM \_\_\_\_\_  A.M.  P.M. TO \_\_\_\_\_  A.M.  P.M.

EVENT LOCATION: United States Post Office & The American Legion

ESTIMATED NUMBER OF ATTENDEES: \_\_\_\_\_

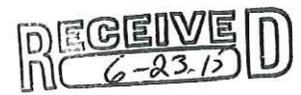
WILL YOU UTILIZE SHOWERS:     Yes     No

ESTIMATED NUMBER OF VOLUNTEERS: 12 each day

ESTIMATE DATE/TIME FOR SET-UP: July 4th, 18th    8:30  A.M.  P.M.

ESTIMATE DATE/TIME FOR CLEAN-UP: July 4th, 18th    5:15  A.M.  P.M.

Cert of Ins - on file  
American Legion OK - on file  
Post office ~



**PARADE PERMIT**

Includes runs, walks, and other uses of the Village public right-of-way.

POLICE ESCORT NEEDED:  Yes  No

PARADE ROUTE PROVIDED WITH APPLICATION:  Yes  No

PROPOSED ROUTE: \_\_\_\_\_  
\_\_\_\_\_

Date and time Parade will start: \_\_\_\_\_  A.M.  P.M.

Date and time Parade will end: \_\_\_\_\_  A.M.  P.M.

**EVENT DETAILS**

**SITE MAP:** All applicants must provide a drawing of the event area and are due at application. Site map must be legible, be pre approved by Village Staff, and include and/or identify the following, if applicable:

- Lot lines
- Fire Hydrants
- Tents
- Table and chair diagram
- Bicycle Routes (including route into and out of town)
- All bicycle events will utilize the Village's Hike and Bike Trail
- Label roads and closest cross roads
- Locate and label buildings
- Portable Restrooms
- Placement of food vendors
- Sidewalks
- Parking lots
- Ingress and egress points
- Parade Route
- All proposed modifications

WILL MUSIC BE PROVIDED DURING THIS EVENT:  Yes  No

TYPE OF MUSIC PROPOSED:  Live  Amplification  Recorded  Loudspeakers

PROPOSED TIME MUSIC WILL BEGIN: \_\_\_\_\_ END: \_\_\_\_\_  
(NO LATER THAN 10 P.M.)

**FOOD VENDORS/CONCESSIONS:** (Contact Emmet or Cheboygan County Health Department)

Yes  No  Provide Copy of Health Department Food Service License

WILL ALCOHOL BE SERVED AT THIS EVENT:  Yes  No

Provide Copy of Liquor Liability Insurance  
See page 4 for required language naming the Village as an additional insured

Provide Copy of Michigan Liquor Control License

If yes, describe measures to be taken to prohibit the sale of alcohol to minors: \_\_\_\_\_

COPY OF LIABILITY INSURANCE PROVIDED WITH APPLICATION:  Yes  No

Date insurance binder provided: \_\_\_\_\_  
See page 4 for required language naming the Village as an additional insured

WILL FIREWORKS BE APART OF EVENT:  Yes  No

Provide Copy of Liability Insurance  
 Provide Copy of Fireworks Permit  
See page 4 for required language naming the Village as an additional insured

**EVENT SIGNAGE:** Village Council approval is required for any temporary signing in the public right-of-way, across a street or on Village property. Which of the following signs are requested for this event:

- "YARD" SIGNS** - Number requested: \_\_\_ (Maximum size is 2' x2'. Cannot be displayed no more than 15 days prior to first day of event and must be removed 24 hours after end of event.)
- SIGNAGE AT EVENT SITE** - Location(s): American Legion & United States Post Office

Description of signs: On top of the kettles will be a small sign that says "The Salvation Army - Need knows no season"  
(Signs at event site cannot be displayed prior to day of the event and must at the end of the event.)

**VENDOR PARKING:** Have you made arrangement for vendor parking?  Yes  No

If yes, where do you propose your vendors park? Volunteers will park in public parking.

**EVENT LONG TERM PARKING:** Will there be long term parking?  Yes  No

If yes, from date \_\_\_\_\_ to ending date: \_\_\_\_\_

Long term parking identified on the site map?  Yes  No

**OVERNIGHT CAMPING:** Will there be camping over night?  Yes  No

Name of Facility where camping: \_\_\_\_\_

If yes, from date: \_\_\_\_\_ to ending date: \_\_\_\_\_

Camp sites identified on the site map?  Yes  No

**TENTS/CANOPIES/MISC:** The Village of Mackinaw City does have tables and/or chairs available for rental. You will need to provide a diagram of the area for set up. Will the following be constructed or located in the event area?:

**BOOTHS – QUANTITY** \_\_\_\_\_

Size \_\_\_\_\_

**TENTS – QUANTITY** \_\_\_\_\_

**CHAIRS – QUANTITY** \_\_\_\_\_

**AWNINGS – QUANTITY** \_\_\_\_\_

**TABLES – QUANTITY** \_\_\_\_\_

Seating diagram for booths, awnings, tables and chairs provided with application:  Yes  No

**PORTABLE RESTROOMS/TOILETS**

Have you made arrangements to provide portable restroom facilities at your event?  Yes  No

If yes, total number of portable toilets: \_\_\_\_\_ Number of ADA accessible portable toilets: \_\_\_\_\_

If no, explain: \_\_\_\_\_

Restroom Company Name: \_\_\_\_\_

Address Street: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone Day: \_\_\_\_\_ Evening: \_\_\_\_\_ Fax: \_\_\_\_\_ Cell: \_\_\_\_\_

Equipment set up: Date: \_\_\_\_\_ Time: \_\_\_\_\_

Equipment pick up: Date: \_\_\_\_\_ Time: \_\_\_\_\_

Portable restrooms identified on the site map?  Yes  No

# **APPLICATION CHECK LIST**

**A = Applicant      V = Village**

- |                          |   |
|--------------------------|---|
| <b><u>A</u></b>          | <b><u>V</u></b>   |
| <input type="checkbox"/> | <input type="checkbox"/> <b>Completed Application</b>   |
| <input type="checkbox"/> | <input type="checkbox"/> <b>Special Event Fee received on _____, receipt no _____<br/>amount: \$ _____</b>  |
| <input type="checkbox"/> | <input type="checkbox"/> <b>Event Map Received (includes detailed event layout for vendors, booths, portable restrooms, fire hydrants, parking, ingress, egress, roads, sidewalks, table and chair diagram, etc.)</b>                               |
| <input type="checkbox"/> | <input type="checkbox"/> <b>Bicycle Route Map (use of the Mackinaw City Bike Trail is required)</b>   |
| <input type="checkbox"/> | <input type="checkbox"/> <b>Certificate of Insurance (listing the Village of Mackinaw City, its Village Council, Boards and Commissions, Citizens, Employees and Agents, 102 S. Huron Avenue, Mackinaw City, MI 49701 as an additional insured)</b> |
| <input type="checkbox"/> | <input type="checkbox"/> <b>Ambulance Standby included with Application paid on _____, receipt no. _____<br/>amount \$ _____</b>  |
| <input type="checkbox"/> | <input type="checkbox"/> <b>Fireworks Permit (if applicable)</b>  |
| <input type="checkbox"/> | <input type="checkbox"/> <b>Michigan Liquor Control Commission Special Event License (if applicable)</b>  |
| <input type="checkbox"/> | <input type="checkbox"/> <b>Health Department Food Service License (if applicable)</b>  |

**If document is missing, please explain:** The Village of Mackinaw City has our insurance information.

The applicant and sponsoring organization understand and agrees to:

Provide a certificate of insurance with all coverage deemed necessary for the event, naming the Village of Mackinaw City, its Village Council, Boards and Commissions, Citizens, Employees and Agents, 102 S. Huron Avenue, Mackinaw City, MI 49701, as an additional insured on all applicable policies and submit the certificate to the Village Clerk's Office no later than thirty (30) days prior to the event.

Comply with all Village Ordinances and Policies and applicable State laws, and acknowledges that the special event permit does not relieve the applicant or organization from meeting any application requirements of law or other public bodies or agencies.

Applicant and sponsoring organization further understands the approval of this special event may include additional requirements and/or limitations based on the Village's review of this application. The applicant and sponsoring organization understand that it may be necessary to meet with Village staff during, as well as after the event, for the review of this application and that Village Council approval is necessary.

Applicant understands that he/she is responsible for contacting the Michigan Liquor Control Commission and/or Cheboygan or Emmet County Health Department to secure all permits required for this event.

Applicant further agrees to defend, indemnify and hold harmless the Village of Mackinaw City, Michigan from any claim, demand, suit, loss, cost of expense or any damage which may be asserted, claimed or recovered against or from this Special Event by reason of any damage to property, personal injury or bodily injury,

including death, sustained by any person whomsoever and which damage, injury or death arises out of or is incident to or in any way connected with the performance of this contract, and regardless of which claim, demand, damage, loss cost of expense is caused in whole or in part by the negligence of the Village of Mackinaw City or by third parties, or by the agents, servants, employees or factors of any of them.

As the duly authorized agent of the sponsoring organization, I hereby apply for approval of this Special Event and affirm the above understandings. The information provided on this application is true and complete to the best of my knowledge.

The Village of Mackinaw City expressly reserves the right in its sole discretion to cancel a private event for Village purposes and the Site user agrees, as a term of its use of a site, to release and waive all claims of any kind (including a claim for consequential damages), against the Village, its officers or employees arising out of cancellation of the user's event.

Is this an annual event?  Yes  No  
Is this event expected to occur next year?  Yes  No  
How many years has this event occurred? NA

Greg Boeck  
Applicant Signature  
Print name of applicant: Greg Boeck

6/23/15  
Date

**VILLAGE USE ONLY – Department representative please initial if approved**

[ MM ] DPW    [ GB ] FACILITY SERVICES  
[ PB ] POLICE    [ WR ] FIRE    [    ] AMBULANCE  
[ CW ] RECREATION

VILLAGE COUNCIL COUNCIL APPROVAL DATE: \_\_\_\_\_

CONDITIONS, IF ANY: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

AUTHORIZED BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
VILLAGE MANAGER

**VILLAGE OF MACKINAW CITY**

**TRAFFIC CONTROL ORDER**

ORDER NUMBER: TCO 01-15

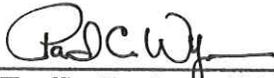
DATE OF FILING: June 25, 2015

In accordance with Village of Mackinaw City Ordinance Number 141 as amended,

The following Traffic Control Order is hereby rescinded: None.

**TRAFFIC CONTROL ORDER:** A STOP SIGN to be placed at the southeast corner of Cadotte Street where it intersects with Farley Street. This is to direct all traffic to stop while travelling eastbound on Cadotte Street before entering the intersection of Farley Street within the Village of Mackinaw City, County of Emmet, State of Michigan.

This order shall expire ninety (90) days from the date of filing except that upon its approval by the Village of Mackinaw City Village Council, it shall not so expire.



\_\_\_\_\_  
Traffic Engineer/Chief of Police

June 25, 2015

\_\_\_\_\_  
Date of Filing with Village Clerk



\_\_\_\_\_  
Village Clerk

June 25, 2015

\_\_\_\_\_  
Date Received for Filing

\_\_\_\_\_  
Village President

\_\_\_\_\_  
Date Approved by Village Council

**Village of Mackinaw City**  
Emmet and Cheboygan Counties, Michigan

**AGREEMENT**

For

Advertising and publicity to encourage the commercial, educational and recreational  
Advantages of the Village of Mackinaw City (Act 359 of 1925)

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
By the VILLAGE OF MACKINAW CITY, Michigan hereinafter referred to as "Mackinaw  
City" and the GREATER MACKINAW CITY CHAMBER OF COMMERCE., hereinafter  
referred to as "CHAMBER", PO Box 856, Mackinaw City, MI 49701.

WHEREAS, Mackinaw City is empowered to contract for advertising and publicity support  
services, and

WHEREAS, CHAMBER has express interest in providing said services to Mackinaw City,

NOW, THEREFORE, in consideration of the foregoing and of the mutual agreement hereinafter  
set forth, the parties hereto legally intending to be bound hereby, do agree for themselves and  
their respective successors and assigns as follows:

**SECTION I.** CHAMBER, for its part, hereby agrees to provide advertising and publicity to  
encourage the commercial, educational and recreational advantages of the Village of Mackinaw  
City in accordance with the following outline:

- A. Co-ordinate Memorial Day weekend, Fourth of July, and Labor Day special events
- B. Provide communication and media relations with special event stakeholders
- C. Act as the local liaison with special event stakeholders
- D. Provide marketing and advertising to support special events and area parks and  
recreation

**SECTION II.** It is understood that this contract is for one (1) year concurring with the Village  
fiscal year commencing March 1<sup>st</sup> and is renewable by mutual agreement only by both parties.

**SECTION III.** Mackinaw City agrees to reimburse CHAMBER in the amount of \$4,000.

IN WITNESS WHEREOF, we have set our hands and seals this day of year first set forth in this  
Agreement.

**WITNESSES:**

\_\_\_\_\_

\_\_\_\_\_

**VILLAGE OF MACKINAW CITY**

\_\_\_\_\_

**GREATER MACKINAW CITY C OF C**

\_\_\_\_\_

**VILLAGE OF MACKINAW CITY**  
**LABOR DAY NONPROFIT ACTIVITY POLICY**

**1. Statement of Policy.**

The Village Council of the Village of Mackinaw City establishes the following policy to provide reasonable rules and procedures for nonprofit activities within Indian Pathways Park during Labor Day each calendar year.

For purposes of this Policy, "nonprofit activity" shall mean an individual or nonprofit entity engaging in the hawking, peddling, soliciting or vending of any goods, wares, merchandise, politics, policies, beliefs, views, opinions or philosophies.

**2. Location.**

Nonprofit activity shall be permitted on Labor Day each calendar year exclusively within a designated portion of Indian Pathways Park located from Central Avenue to Jamet Street on the west side of the public roadway. Use of the designated area shall be divided as follows: (1) 75% of the area shall be allocated for use by individuals or nonprofit entities located within the Village of Mackinaw City (*i.e.*, permanent residence or principal business address located within the Village limits) ("Local Nonprofits"); and (2) 25% of the area shall be allocated for use by individuals or nonprofit entities that are not located within the Village of Mackinaw City ("External Nonprofits"). This allocation is designed to promote opportunities for Local Nonprofits. In the event that there is available space in the 75% area designated for Local Nonprofits, as determined on August 1 of each year, those spaces may be offered to External Nonprofits on a first come first serve basis.

**3. Application Procedure.**

Requests to conduct a nonprofit activity under this Policy shall be made in writing to the Village Clerk, on a form provided for that purpose, on or before the last day in July each calendar year. All such applications shall include the following information:

- (a) Name, address and cellular telephone number of the applicant;
- (b) If an entity, verification of IRS nonprofit designation;
- (c) An accurate description of the proposed nonprofit activity;
- (d) A drawing depicting the location of a proposed nonprofit activity.

Upon receipt of a complete application, and the payment of a nonrefundable fee set from time to time by resolution of the Village Council, the Village Clerk shall forward it to the Village Manager who shall initiate a review by the Village Police Chief and Fire Chief.

**4. Approval/Denial.**

In accordance with the review required by section three above, the Village Manager may approve, deny or approve with conditions an application, which conditions may be imposed to further the purposes of this Policy.

An application submitted under this Policy may be denied by the Village Manager for any of the following reasons:

- (a) Noncompliance with any of the conditions or requirements of this Policy.
- (b) An incomplete application (including failure to pay nonrefundable fee) and/or false information or a false statement in the application.
- (c) Noncompliance with the Village Code of Ordinances.
- (d) An applicant's prior poor performance in conducting a nonprofit activity.

Written notice of a denial, stating the reason(s), shall be mailed to the applicant's address as shown in the application.

**5. Conditions/Requirements.**

Any nonprofit activity under this Policy shall comply with the following conditions and requirements:

- (a) A nonprofit activity shall not encroach upon any roadway or sidewalk or otherwise impede vehicular or pedestrian traffic.
- (b) A nonprofit activity shall comply with applicable sections of the Village Code of Ordinances, including, but not limited to, the Village noise control and disorderly conduct ordinances.
- (c) After coordination with the Village Facilities Manager, set-up of approved nonprofit activities may occur on the afternoon of the Sunday immediately preceding Labor Day up until 6:15 a.m. on Labor Day. Any vehicle used in conjunction with set-up must be removed from the designated area prior to 6:15 a.m. on Labor Day. Removal shall occur only after 2 p.m. on Labor Day.
- (d) No tents, tables, signs or stakes are permitted in the southern end of the designated area.
- (e) A nonprofit activity shall not occur within two feet of any person solicited, unless that person has indicated that he/she wishes to be solicited.
- (f) No more than 5 Local Nonprofits and 5 External Nonprofits will be permitted to conduct nonprofit activities under this Policy each Labor Day.

Nothing contained within this Policy, or within any approval issued by the Village, shall be construed to relieve a person of any duties and obligations imposed under any Village ordinance, or any state or federal law or regulation.

**6. Revocation.**

Approval granted under this Policy may be revoked by the Village Manager for any of the following reasons:

- (a) A violation of any of the conditions or requirements set forth in this Policy.
- (b) A violation of any applicable provision of the Village Code of Ordinances and/or applicable state or federal laws or regulations.

Upon revocation, a nonprofit activity shall immediately cease.

**7. Exemption.**

Activity conducted by or on behalf of the Village shall be exempt from the requirements of this Policy.

Policy adopted: May 7, 2015