



VILLAGE OF SUTTONS BAY  
Village Council Meeting  
420 N. Front Street, Suttons Bay, MI 49682  
REGULAR MEETING  
Monday March 21, 2022 5:30 p.m.  
Agenda

Due to continuing concerns about COVID-19 transmission, there will also be a Zoom link (which can be found on our website at [www.suttonsbayvillage.org](http://www.suttonsbayvillage.org)) for remote attendance for those members of the public wishing to participate. Members of the public participating in person will be required to wear a mask.

1. Regular Meeting Called to Order
2. Roll Call
3. Consent Agenda
  - a. Approval of Minutes -February 22, 2022
  - b. VSB Report 2022-18 Tasting Room License Resolution
4. Agenda Approval
5. Public Comment / Communication and Reports (please limit to no more than three (3) minutes)
6. Unfinished Business
  - None
7. New Business
  - a. VSB Report 2022-19 Cherryland Electric Franchise Agreement-Public Hearing
  - b. Managers Update
8. Special Committee Reports/Staff Reports (Verbal)
9. Good of the Order (Council Member Comments)
10. Public Comment (please limit to no more than three (3) minutes)
11. Adjournment

If you are planning on attending this meeting and are disabled requiring any special assistance, please notify the Village Clerk by calling 231.271.3051 or by email [suttonsbay@suttonsbayvillage.org](mailto:suttonsbay@suttonsbayvillage.org) as soon as possible.



VILLAGE OF SUTTONS BAY  
420 N FRONT ST  
SUTTONS BAY, MI 49682  
VILLAGE COUNCIL REGULAR MEETING  
MINUTES OF FEBRUARY 22, 2022

The meeting was called to order at 5:33 p.m. by President Lutke.

Present: Case, Christensen, Long, Lutke and Smith

Absent: Bahle and Suppes

Staff present: DeVol, Fay, Larrea and Miller

#### Consent Agenda

Case moved, Christensen seconded, CARRIED, to approve the Consent agenda as presented. The Village Council regular meeting minutes of January 18, 2022, are approved. The payment of invoices is approved. Ayes: 5, No: 0.

#### Agenda Approval

Smith moved, Long seconded, CARRIED, to approve the agenda as presented.  
Ayes: 5, No: 0.

#### MLC Transfer of License – Roux 9, LLC

Provided for information only.

#### Report VSB 2022-10 Zoning Ordinance Amendment – Tasting Room Language

Long moved, Case seconded, CARRIED, that the Village Council upon recommendation by the Planning Commission adopt the Amendment to the Village of Suttons Bay Zoning Ordinance to allow tasting rooms as described in Report VSB-2022-10 and being made a part of this motion by an affirmative unanimous roll call vote. Ayes: 5, No: 0.

#### Cherryland Electric Franchise Agreement

Christensen moved, Case seconded, CARRIED, to set a public hearing for March 21, 2022, at 5:30 p.m., to approve the Cherryland Electric Cooperative Franchise Ordinance. Ayes: 5, No: 0.

Report VSB 2022-11 John Deere Loader purchase

Case moved, Smith seconded, CARRIED, to authorize the Manager to enter into a contract with AIS for the purchase of a new John Deere Loader as described in the attached documents found in the packet. Ayes: 5, No: 0.

Report VSB 2022-12 Water Sewer Ordinance Review

Long moved, Smith seconded, CARRIED, to direct the Manager to enter into a contract to have the Water and Sewer ordinances reviewed. Ayes: 5, No: 0.

Meeting Room Acoustics update

Smith updated Council members on the search for solutions of the acoustics in the meeting room at the Village Hall. Steps taken have been to rearrange tables in a U shape with speakers placed toward the audience, both which have helped. The issue of echoing still exists, and following discussions, Case moved, Christensen seconded, CARRIED, to allow management to secure and install acoustic panels on the ceiling and walls in the meeting room for an amount not to exceed \$3,000.00. Ayes: 5, No: 0.

Good of the Order

Smith asked if there was an ending for masks at council meetings? It was noted that the Health Department just lifted the mask mandate in schools. Following discussion, it was the consensus of Council to remove the Village Hall mask mandate. Council requested board members be notified that the mask mandate has been lifted. Remote attendance via Zoom will continue to be offered to the public.

Public Comment

Perkins believes that keeping the remote attendance option for the public is a good idea.

Carlson too, believes that offering remote attendance is a good idea.

Karin Andrews also supports offering remote attendance to the public.

The meeting adjourned at 6:16 p.m.

Meeting minutes submitted by Shar Fay, Village Clerk.

Thank you for taking the time to listen to our request today.

The street light in front of our homes has not been turned on for 4+ years. We originally requested that this light bulb not be replaced when it burned out. Which is the way it has been for many years. And then, a few weeks ago it was turned back on.

All of the neighbors who are affected by this light are not happy about it for several reasons:  
It's disturbing our sleep.

It blares in our windows at night, reflecting off of our houses and garages, both in the front and back of our homes.

We can't see the night sky

We are no longer able to walk out and see the stars. This is one of our favorite things to do with our children and grandchildren.

Negative effects

We believe that continuous light has adverse effects on us, our gardens, trees and the animals who live here.

A few weeks ago, we noticed a Consumers Energy lift truck out front and went out to talk with him about our options. He informed us that the best solution would be to just remove the light fixture from the telephone pole. This would be an easy fix as it is only attached by 2 bolts and a guide wire. He also said that he would be happy to come back and remove it. They just need to get an ok from the village.

This street light is located close to the end of the Village limits on Broadway.

We feel it is unnecessary for the reasons mentioned above.

And we would like to formally request that it be eliminated.


Thank you for your time and for listening to our concerns.

Lee & Gary Cheadle

Haley & Jake Fox

Kathy Egan & Mike Sheldon

Cynthia Goodrick

		<b>VILLAGE OF SUTTONS BAY</b> REPORT VSB -2022- 18	
Prepared:	March 14, 2022	Pages:	1 of 1
Meeting:	March 21, 2022	Attachments:	<input checked="" type="checkbox"/>
Subject:	Off Premise Tasting Room Request		

**PURPOSE**

To review and consider a request made by Northern Latitudes Distillery, LLC, 310 St. Joseph St., Suite E for an Off-Premise Tasting Room Permit.

**OVERVIEW**

A request has been made by Northern Latitudes Distillery, LLC, to review and consider the attached Resolution. The State of Michigan requires government agencies to adopt a resolution for a recommendation from the local legislative body on applications associated with a premise requesting to serve alcohol. The applicant is requesting consideration of an **off-premise tasting room license** at the above-mentioned property location.

The process requires any municipality **to first determine if the use is permitted**, which is the step before you. The Applicant will then be required to apply to the State before moving forward. Once that step has been exhausted, the Applicant will then be required to apply to the Village and all permitting agencies with jurisdiction.

As you can see, this is not an efficient process but one determined by the State to protect the businesses, residents and municipalities. Staff has reviewed the zoning ordinance and has determined that the use itself is permitted. For clarification purposes, this approval is a recommendation to the State and not an approval of the project or business itself.

**REQUESTED ACTION**

**MOTION TO ADOPT RESOLUTION 2 of 2022 PROVIDED BY THE LIQUOR CONTROL COMMISSION.**





**Local Government Approval For Off-Premises Tasting Room License**  
(Authorized by MCL 436.1536)

**Instructions for Applicants:**

- You must obtain a recommendation from the local legislative body for a new Off-Premises Tasting Room License application.

**Instructions for Local Legislative Body:**

- Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting at which this request was considered.

At a \_\_\_\_\_ meeting of the \_\_\_\_\_ council/board  
(regular or special) (township, city, village)  
called to order by \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_  
(date) (time)

the following resolution was offered:

Moved by \_\_\_\_\_ and supported by \_\_\_\_\_  
that the application from Northern Latitudes Distillery, LLC  
(name of applicant - if a corporation or limited liability company, please state the company name)

for a **NEW OFF-PREMISES TASTING ROOM LICENSE**

to be located at: 310 St Joseph St., Suite E, Suttons Bay, MI 49682

It is the consensus of this body that it \_\_\_\_\_ this application be considered for  
(recommends/does not recommend)  
approval by the Michigan Liquor Control Commission.

If disapproved, the reasons for disapproval are \_\_\_\_\_

**Vote**

Yeas: \_\_\_\_\_  
Nays: \_\_\_\_\_  
Absent: \_\_\_\_\_

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the \_\_\_\_\_  
council/board at a \_\_\_\_\_ meeting held on \_\_\_\_\_ (township, city, village)  
(regular or special) (date)

\_\_\_\_\_  
Print Name of Clerk

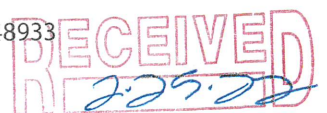
\_\_\_\_\_  
Signature of Clerk

\_\_\_\_\_  
Date

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.

Please return this completed form along with any corresponding documents to:

Michigan Liquor Control Commission  
Mailing address: P.O. Box 30005, Lansing, MI 48909  
Hand deliveries or overnight packages: Constitution Hall - 525 W. Allegan, Lansing, MI 48933  
Fax to: 517-763-0059





## Off-Premises Tasting Room License & Permit Application

For more information on manufacturer and wholesaler licenses and permits, please visit the Liquor Control Commission's frequently asked questions website [by clicking this link](#).

**Before you begin filling out the attached application, please review this checklist for the forms and documents you will need to submit with your completed application form.**

**The attached LCC-150a form will automatically calculate fees when opened using Adobe Acrobat Reader. The form's functionality may not work with third-party PDF readers. You may download a free copy of Adobe Acrobat Reader on the Adobe website: <https://get.adobe.com/reader/>**

- Completed Off-Premises Tasting Room License & Permit Application (attached)
- Inspection, License, and Permit Fees
- Local Government Authorization (Form LCC-106b) (attached) - **For a new Off-Premises Tasting Room License only**
- Property document (lease, deed, land contract, etc.)

### Important Information Regarding Off-Premises Tasting Room Licenses

- An Off-Premises Tasting Room License is issued to a manufacturer licensee that operates a tasting room that is not located on the licensed manufacturing premises of the manufacturer licensee. If you will be operating a tasting room jointly with other manufacturer licensees at the same location, you must apply for a Joint Off-Premises Tasting Room License using the [Joint Off-Premises Tasting Room License & Permit Application \(LCC-150b\)](#).

Only the following manufacturer license types may be issued an Off-Premises Tasting Room License:

- Wine Maker
  - Small Wine Maker
  - Brandy Manufacturer
  - Distiller (Manufacturer of Spirits)
  - Small Distiller
- A manufacturer licensee may be issued no more than five (5) Off-Premises Tasting Room Licenses where it may sell and serve full drinks. Any Joint Off-Premises Tasting Room Licenses held by the manufacturer licensee with other manufacturers at other locations that are designated for the sale and service of full drinks also count toward the limit of five (5) locations. The applicant must designate the type of license at the time of application and the designation may not be changed once the license is approved and issued.
  - A manufacturer licensee may have an unlimited number of Off-Premises Tasting Room Licenses that sell or give away samples only (3 ounces of wine or 1/2 ounce of spirits or brandy per sample). The applicant must designate the type of license at the time of application and the designation may not be changed once the license is approved and issued.
  - An applicant for an Off-Premises Tasting Room Licenses must obtain approval from the legislative body of the local governmental unit where the licensed premises will be located. Locations in the City of Detroit do not require local governmental approval.
  - The wine, spirits, or brandy sold, served, or given away as samples at a Joint Off-Premises Tasting Room License location must be manufactured by the licensee at its manufacturing premises.
  - A Distiller or Small Distiller licensee that also holds a Mixed Spirit Drink Manufacturer license may sell mixed spirit drink products it manufactures at an Off-Premises Tasting Room License location.





## Off-Premises Tasting Room License & Permit Application

For information on manufacturer and wholesaler licenses and permits, including a checklist of required documents for a completed application, please visit the Liquor Control Commission's frequently asked questions website [by clicking this link](#).

### Part 1 - Applicant Information

Individuals, please state your legal name. Corporations or Limited Liability Companies, please state your name as it is filed with the State of Michigan Corporation Division.

Applicant name(s): Northern Latitudes Distillery, LLC		
Address to be licensed: 310 St Joseph St., Suite E		
City: Suttons Bay	Zip Code: 49682	
City/township/village where license will be issued: Village of Suttons Bay		County: Leelanau
Contact name: Mark Moseler	Contact phone: 231-383-1834	Contact email: mark@nldistillery.com
Check all applicable license types that you hold at your licensed manufacturing premises:		
<input type="checkbox"/> Small Wine Maker license	<input checked="" type="checkbox"/> Small Distiller license	You may only sell, give away, and serve wine or spirits at an Off-Premises Tasting Room Licensed location that you manufacture under the licenses you hold at your licensed manufacturing premises.
<input type="checkbox"/> Wine Maker license	<input type="checkbox"/> Distiller license	
<input type="checkbox"/> Brandy Manufacturer license		

### Part 2 - License, Permit, and Permissions & Fees

License, Permits, Permissions:	Base Fee:	Fee Code MLCC Use Only
<input type="checkbox"/> Off-Premises Tasting Room License	\$100.00	4038
<input type="checkbox"/> Sunday Sales Permit (AM)*	\$160.00	4033
<input checked="" type="checkbox"/> Sunday Sales Permit (PM) **	\$15.00	4032
<input type="checkbox"/> Catering Permit	\$100.00	4031
<input type="checkbox"/> Dance Permit	No Charge	
<input type="checkbox"/> Entertainment Permit	No Charge	
<input type="checkbox"/> Specific Purpose Permit (list activity below):		
Days/Hours requested: _____		
<input type="checkbox"/> Extended Hours Permit	No Charge	
Check type(s): <input type="radio"/> Dance <input type="radio"/> Entertainment		
Days/Hours requested: _____		
<input type="checkbox"/> Outdoor Service	No Charge	
<input type="checkbox"/> Direct Connection(s)	No Charge	

\*Sunday Sales Permit (AM) allows the sale of spirits and wine on Sunday mornings between 7:00am and 12:00 noon, if allowed by the local unit of government.

\*\*Sunday Sales Permit (PM) allows the sale of spirits on Sunday afternoons and evenings between 12:00 noon and 2:00am (Monday morning), if allowed by the local unit of government. No Sunday Sales Permit (PM) is required for the sale of wine on Sunday after 12:00 noon.

A \$70.00 inspection fee is required for a new Off-Premises Tasting Room license.

Inspection Fee: <small>(MLCC Fee Code 4036)</small>	\$70.00
License & Permit Fees:	\$115.00
<b>TOTAL FEES:</b>	<b>\$185.00</b>

**Make Checks Payable to State of Michigan**

### Part 3 - Off-Premises Tasting Room License Designation

Pursuant to MLC 436.1536, a licensee may have no more than five (5) Off-Premises Tasting Room Licenses where it may sell and serve full drinks. Any Joint Tasting Room Licenses held by the licensee at other locations that are designated for the sale and service of full drinks also count toward the limit of five (5) locations. A licensee may have an unlimited number of Off-Premises Tasting Room Licenses that sell or give away samples only (3 ounces of wine or 1/2 ounce of spirits or brandy per sample).

You must designate the type of Off-Premises Tasting Room License for which you are applying at this location. Please note that this designation cannot be changed once the license is approved and issued.

Off-Premises Tasting Room License Designation (Select One):  **Full Drinks**     **Samples Only**



**Part 3 - Signature of Applicant**


Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. Approval of this application by the Michigan Liquor Control Commission does not waive any of these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals for this business before using this license for the sale of alcoholic liquor on the licensed premises.

I certify that the information contained in this form is true and accurate to the best of my knowledge and belief. I agree to comply with all requirements of the Michigan Liquor Control Code and Administrative Rules. I also understand that providing **false** or **fraudulent** information is a violation of the Liquor Control Code pursuant to MCL 436.2003.

Mark Moseler/Managing Memeber

Print Name of Applicant & Title	Signature of Applicant	Date
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Please return this completed form along with any corresponding documents to:  
 Michigan Liquor Control Commission  
 Mailing address: P.O. Box 30005, Lansing, MI 48909  
 Hand deliveries: Constitution Hall - 525 W. Allegan Street, Lansing, MI 48933  
 Overnight deliveries: 2407 N. Grand River Avenue, Lansing, MI 48906  
 Fax to: 517-763-0059

		<b>VILLAGE OF SUTTONS BAY</b>	
		<b>REPORT VSB -2022-19</b>	
Prepared:	March 15, 2022	Pages:	1 of 1
Meeting:	March 21,2022	Attachments:	<input checked="" type="checkbox"/>
Subject:	Cherryland Franchise Agreement		

**PURPOSE**

To hold a public hearing to consider adoption of the Cherryland Non-Exclusive Franchise Agreement.

**STAFF COMMENT**

Attached please find a copy of the proposed non-exclusive franchise agreement for Cherryland Electric. This is a renewal of the agreement. Our Attorney reviewed the document and following several discussions and modifications, the Village is comfortable moving this forward. This is a common request made by utilities and an agreement that will essentially streamline the process when upgrades, modifications or replacements are made to utilities in the road right of way.

**ACTION REQUESTED**

**THAT ORDINANCE # \_\_\_\_\_ OF 2022 GRANTING A NON-EXCLUSIVE FRANCHISE TO CHERRYLAND ELECTRIC AS DESCRIBED IN THE ATTACHED ORDINANCE BE ADOPTED.**

VILLAGE OF SUTTONS BAY  
LEELANAU COUNTY, MICHIGAN

NOTICE OF PUBLIC HEARING

TO: THE RESIDENTS AND PROPERTY OWNERS OF THE VILLAGE OF SUTTONS BAY LEELANAU COUNTY, MICHIGAN, AND ANY OTHER INTERESTED PERSONS:

Public notice is hereby given that the Suttons Bay Village Council will hold a public hearing on Monday, March 21th, 2022 at 5:30p.m., at the Village Hall located at 420 N. Front Street, Suttons Bay, Michigan, 49682. The purpose of the public hearing is for consideration of adopting Ordinance No. 23, being an Ordinance Granting a Non-Exclusive Franchise (Cherryland Electric Cooperative) to use Local Public Ways and Transact Local Electric Business in the Village of Suttons Bay.

A copy of the proposed Ordinance is available for review on the Village Web site at [www.suttonsbayvillage.org](http://www.suttonsbayvillage.org).

All interested persons are invited to attend this meeting either in person or VIA Remote Access. A link can be found on our website. If you are unable to attend, written comment may be submitted to the Village Clerk at the Suttons Bay Village Hall located at 420 N. Front Street, 49682, up to the date of the hearing and may be further received by the Village Council at said hearing.

The Village of Suttons Bay will provide necessary reasonable auxiliary aids and services, such as signers for hearing impaired and audio tapes of printed materials being considered at the meeting to individuals with disabilities upon the provision of reasonable advance notice to the Village. Individuals with disabilities requiring auxiliary aids or services should contact the Village of Suttons Bay by writing or calling Shar Fay, Clerk, Ph: (231) 271-3051.

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Leelanau Enterprise:

Please publish one (1) time:

Send affidavit and bill to: Village of Suttons Bay

Sent VIA E-MAIL

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



VILLAGE OF SUTTONS BAY

REPORT VSB -2022-16

Prepared:	March 16, 2022	Pages:	1 of 1
Meeting:	March 21, 2022	Attachments:	<input type="checkbox"/>
Subject:	Manager Update		

**M-22 DOWNTOWN IMPROVEMENT PROJECT**

A pre-con meeting was held on March 10th with MDOT, Reith Reilly and others to discuss the M-22 resurfacing project. As mentioned in December, the two-phase project will include the **milling and paving** of M-22, beginning in the vicinity of Broadway Road, through our downtown, and ending at M-204. Preliminary discussions focused on the work, strategies to increase efficiency, such as, a downtown **closure with detour** that would cut the project time essentially in ½, versus keeping traffic moving downtown. **Decisions were not made**, rather, a site visit was agreed upon to strategize and fact find before making a final plan. Additional meetings and discussions are forthcoming.

**ELM STREET 3-WAY STOP**

We are in the process of gathering information for the **implementation of a 3-way stop** at the Elm Street & 4th Street intersection. Essentially, two stop signs would be added to Elm Street stopping vehicular traffic traveling both eastward and westward. The implementation of a 3-way stop will immediately result in a **safer pedestrian experience for students** who walk and ride their bicycles to school. Discussions with Suttons Bay School leadership have been positive and they are supportive of implementing measures that will increase student safety.

**SOUTH SHORE DRAINAGE**

The **engineered plan has been completed** and reviewed with the engineer. You may recall we are looking to address various areas of concern regarding waterflow on S. Shore Drive. To clarify, only the **Richter Road/ S. Shore intersection** was identified as a roadway waterflow issue. The other two areas could benefit from driveway culverts and ditching to mitigate future wetland release but will require a public/private partnership to complete. Cost estimates are currently being obtained to fix the Richter Road intersection in 2022.

**FIRE DEPARTMENT TRAINING & BOAT LAUNCH CLOSURE MAY 14<sup>th</sup>**

The village will once again partner with the Traverse City Fire Department to host the second annual "Drain the Bay" firefighter training event. The event will be held at the N. Park boat launch on Saturday, **May 14th**. Due to the training, the **boat launch will be closed** on that date. Although the closure will inconvenience fisherman, the benefit of training mostly volunteer fireman from this region far at weighs the inconvenience.

**FEMA**

The **review period** for the new FEMA Flood Insurance Rate Maps (FIRM) **ends on March 30th**. Waterfront property owners should review the map and see if/how it affects their property. According to representatives, the 90-day review period was advertised in both the Record Eagle and Leelanau



## VILLAGE COUNCIL

Enterprise. Following the review period, the FIRM will automatically be considered adopted and in full affect.

### **WATERSHED VILLAGE SHORELINE CLEANUP**

The Village will partner with the Watershed Center and Inland Seas Education Association, who will co-host a **shoreline cleanup**. The clean-up is believed to include the shoreline areas of the Inland Seas property and the **Coal Dock Park**. The Village is very appreciative to have been selected by the Watershed Center and look forward to teaming up with them on this project. More to come...

### **CHERRY CAPITAL CYCLING REQUEST**

A **grant** has been submitted for consideration to fund a new water bottle filler, and cycling repair station to be placed at **N. Park**. The Village would absorb the cost of extending a water service line, pouring a concrete slab, etc. to accommodate the new **cycling rest stop**. More to come.....