



VILLAGE OF SUTTONS BAY
REMOTE Access Village Council Meeting
420 N. Front Street, Suttons Bay, MI 49682
October 18, 2021 5:30 p.m.
Agenda

Electronic Remote Access, in accordance with Public Act 228 of 2020 Article 3(2) and Resolution 1 of 2021 Declaration of State of Emergency will be implemented in response to COVID-19. The public may participate in the meeting through Zoom access by computer and smart phone and can find the link on our website at www.suttonsbayvillage.org

1. Regular Meeting Called to Order
2. Roll Call
3. Consent Agenda
 - a. Approval of Minutes -September 20, 2021
 - b. Payment of Invoices
4. Agenda Approval
5. Public Comment / Communication and Reports (please limit to no more than three (3) minutes)
6. Unfinished Business
7. New Business
 - a. Report VSB- 2021-55 MLCC Local Government Approval-Hop Lot Brewing Company, Inc.
 - b. Report VSB- 2021-56 Grand Traverse Engineering Contract-South Shore Drive
 - c. Discuss Budget Meeting dates
 - d. Set date for Truth and Taxation Hearing and 2022 Budget Approval
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 as soon as possible.

Topic: Village Council Regular Meeting

Time: Oct 18, 2021 05:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/89262049889?pwd=eXlkZEW0WitiQ2pXQVVKVUtBSk5DQT09>

Meeting ID: 892 6204 9889

Passcode: 816752

One tap mobile

+13126266799,,89262049889#,,,,*816752# US (Chicago)

+19294362866,,89262049889#,,,,*816752# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 929 436 2866 US (New York)

+1 301 715 8592 US (Washington DC)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

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Meeting ID: 892 6204 9889

Passcode: 816752

Find your local number: <https://us02web.zoom.us/j/89262049889>



VILLAGE OF SUTTONS BAY
VILLAGE COUNCIL REGULAR
REMOTE MEETING MINUTES OF SEPTEMBER 20, 2021

The meeting was called to order at 5:32 p.m., by President Lutke.

Present: Bahle, Case, Christensen, Long, Lutke, Smith and Suppes
Staff present: Fay, Miller and Larrea

Approval of Agenda

Bahle moved, Case seconded, CARRIED, to approve the agenda as presented, with an affirmative unanimous roll call vote. Ayes: 7, No: 0.

Approval of Consent Agenda

Case moved, Christensen seconded, CARRIED, to approve the Consent Agenda as presented, with an affirmative unanimous roll call vote. The Village Council meeting minutes of August 16, 2021, are approved. The Payment of Invoices are approved. Ayes: 7, No: 0.

Public Comment/Communication and Reports

Lois Bahle asked for clarification in the minutes regarding the pedestrian bridge. Larrea stated the approval was for soil borings. Bahle stated the Housing Summit will be October 19-21, 2021. Bahle inquired about forming a subcommittee for housing noting her interest to be on a committee if one is formed. Written public comments were received from David Gustner and William Klintworth and can be found in this meeting packet.

Library Resignation and Appointment

Suppes moved, Christensen seconded, CARRIED, to appoint Debbie Wawrzyniak to the Suttons Bay Bingham District Library Board of Trustees, with an affirmative unanimous roll call vote. Lutke thanked Sue Gentges for her representation on the board. Ayes: 7, No: 0.

Manager Update

In addition to the Manager update found in this meeting packet, Larrea states the trees on West Street have now been taken down. Stump grinding will take place.

Good of the Order

Suppes updated Council on Short Term Rental legislation stating the Michigan legislation adjourned on August 16th without taking a vote, further noting a vote may not take place this year. Information can be found at Michigan.gov – HB 4732, as well as MML.org, Short Term Rentals. You can also call Mary Charles at the MML, 734-662-3246, or contact Suppes at suppesroger@att.net for further information. Suppes stated the Michigan Restaurant and Lodging Association conducted a survey of the voters and found that 89% of the voters preferred local control of Short-Term Rentals.

Long stated the several people have expressed appreciation for the paving of Elm Street in front of the school and thanked Larrea and Miller for moving forward.

Smith asked if there has been any feedback since the recycling was moved to Herman Road. She further asked if there has been anything done about forming a Housing Action Committee or has a survey been conducted of the housing inventory in the Village. Larrea stated the inventory mentioned was only for Short Term rentals which is on hold until the State makes a decision on STR's.

Case supports and is a big fan of the sand piles at Marina and Sutton Park. He states he talked with Trudy Galla regarding a possible location for recycling bins at Elm Street and 633.

The meeting adjourned at 5:46 p.m.

Meeting minutes submitted by Shar Fay, Village Clerk.

Amount

Description

Vendor Name

Check

Check Date


Bank GEN FIFTH THIRD CHECKING

Check Date	Check	Vendor Name	Description	Amount
09/17/2021	18487 (E)	STATE OF MICHIGAN -DEQ	MI-WATERS PERMIT APP PROCESSING FEE	2.00
09/22/2021	18488 (E)	CHARTER COMMUNICATIONS	ACCT# 8245121220017471 326 FRONT STREET	127.98
09/22/2021	18489 (E)	STATE OF MICHIGAN - TREASURY	SALES TAX AUGUST PAID SEPTEMBER 2021	360.63
09/22/2021	18490 (E)	US BANK BOND CONTROL	ABA 091-000-022 A/C 170225065979	126,012.50
09/22/2021	18491 (E)	HARBOR FREIGHT TOOLS	CUST#888019681262 MULTIPLE TOOLS	747.12
10/12/2021	18492 (E)	CERRYLAND ELECTRIC	1522 RICHTER ROAD SEPTEMBER 2021	124.71
10/12/2021	18493 (E)	AT&T MOBILITY	ACCT# 287304252169 SEPT 2021	511.01
10/12/2021	18494 (E)	CHARTER COMMUNICATIONS	ACCT # 8245121220022588 146 S SHORE	137.96
10/12/2021	18495 (E)	GFL ENVIRONMENTAL	ACCOUNT # 002105665 OCTOBER 2021	520.70
09/22/2021	45331	DTE ENERGY	MULTIPLE ACCOUNTS-SEPT 2021	351.81
09/22/2021	45332	BAYSHORE OIL & PROPANE	1193.7 GALS REC 90 @ 2.96	4,266.28
09/22/2021	45333	LOUIS BUFGA	REIMBURSEMENT -TOOL BAGS FOR TRUCKS	315.88
09/22/2021	45334	KSS ENTERPRISES	ITEM # 226266 1.5 MIL LINER	32.00
09/22/2021	45335	MACALLISTER RENTALS	CONTRACT # 4192779 -SEWER PUMP FINAL BILL	425.00
09/22/2021	45336	PRECISION PLUMBING & HEATING	REPAIR A/C CAPACITOR	338.00
09/22/2021	45337	PARSHALL TREE SERVICE	TREE REMOVAL WEST STREET	2,600.00
09/22/2021	45338	PRIORITY HEALTH	GROUP 784340 S0001, OCT 2021 PREMIUM	7,307.37
09/22/2021	45339	PURE WATER WORKS	5 GAL WATER/ DELIVERY CHARGE	9.00
09/22/2021	45340	SOS ANALYTICAL	ROUTINE LAB ANALYSIS	965.00
09/22/2021	45341	STANDARD INSURANCE COMPANY	ACCT#642946 0117, AUGUST 2021 PREMIUM	1,005.34
09/28/2021	45342	SAFELITE AUTO GLASS	REPLACE WINDSHIELD - 2013 GMC SIERRA K35	507.17
10/05/2021	45343	RICHARD BLODGETT	SAND BLASTING HOOD/BLASTER NOZZLE	0.00 V
10/05/2021	45344	DOROTHY PETROSKEY	OFFICE SUPPLIES/COFFEE REIMBURSEMENT	0.00 V
10/05/2021	45345	STANDARD INSURANCE COMPANY	642946 0117 OCTOBER 2021 PREMIUM	0.00 V
10/05/2021	45346			0.00 V
10/05/2021	45347			0.00 V
10/05/2021	45348	RICHARD BLODGETT	SAND BLASTING HOOD/BLASTER NOZZLE	37.08
10/05/2021	45349	DOROTHY PETROSKEY	OFFICE SUPPLIES/COFFEE REIMBURSEMENT	37.76
10/05/2021	45350	STANDARD INSURANCE COMPANY	642946 0117 OCTOBER 2021 PREMIUM	502.67
10/05/2021	45351	BRAMER AUTO SUPPLY	CUST# 8571 FLAP DISCS	61.88
10/05/2021	45352	CONSUMERS ENERGY	MULTIPLE ACCTS SERV THRU SEPT 2021	3,318.25
10/05/2021	45353	CENTURYLINK	ACCT# 300439566 PHONE SERV SEPT 2021	652.58
10/05/2021	45354	CENTURYLINK	ACCT# 405593377 WWTP SERV SEPT 2021	224.34
10/05/2021	45355	GRAINGER	ACCT#871012852 USB CAR CHARGER	126.19
10/05/2021	45356	DC COLLECTIVE GROCER	OFFICE SUPPLIES	10.29
10/05/2021	45357	ART'S AUTO AND TRUCK PARTS INC	CAST #20090 LUBE SPIN ON	93.25
10/05/2021	45358	NORTHERN BUILDING SUPPLY, LLC	CUST # VIL10 MULTIPLE INVOICES SEPT 2021	380.36
10/05/2021	45359	BADGER METER INC	BEACON HOSTING 600 UNITS SEPT 2021	36.00
10/05/2021	45360	FOUR SEASON NURSERY	LANDSCAPING PLANTS-MARINA	352.75
10/05/2021	45361	GFL ENVIRONMENTAL	002134383 - FALL CLEAN UP 2021	6,915.00
10/05/2021	45362	KSS ENTERPRISES	DPW-2 PLY TOILET PAPER	125.95
10/05/2021	45363	KAL EXCAVATING CO	ACCT # VIL8000 60 CY FILL SAND	240.00
10/05/2021	45364	MICHIGAN PIPE & VALVE	MARINA PUMP OUT REPAIR SUPPLIES	41.50
10/05/2021	45365	PERO , KENNETH	UB refund for account: SSH -000386-0000-	62.17
10/05/2021	45366	ORENICK, RAYMOND & COLLEEN	UB refund for account: APPL-000739-0026-	24.76
10/05/2021	45367	NETLINK BUSINESS SOLUTIONS	REPLACEMENT TONER SAMS#650 FAX	39.00
10/05/2021	45368	JACOBS ENGINEERING GROUP, INC	SUTTO-CUST # 3120525 SEPT 2021	13,738.58
10/05/2021	45369	INTEGRITY BUSINESS SOLUTIONS	ACCT#957380 VARIOUS OFFICE SUPPLIES	104.48
10/05/2021	45370	PITNEY BOWES - PURCHASE POWER	ACCT# 8000909002229933 OCTOBER 2021	648.14
10/05/2021	45371	LEELANAU CITY ROAD COMMISSION	UNLEADED/DIESEL SEPTEMBER 2021	918.77
10/05/2021	45372	SECURITY SANITATION, INC	BAHLE PORTA JON RENTAL AUG 2021	200.00
10/05/2021	45373	USABLUBOOK	CUST# 820127 NITRATE GLOVES	443.07
10/05/2021	45374	VALLEY CITY LINEN	SEPTEMBER 2021 -CONTRACT	100.00
10/05/2021	45375	WELLS FARGO FINANCIAL LEASING	CUST# 1000090171 SHARP COPIER	72.92

GEN TOTALS:

(5 Checks Voided)
Total of 49 Disbursements:

176,175.20

		VILLAGE OF SUTTONS BAY REPORT VSB -2021- 55	
Prepared:	October 14, 2021	Pages:	1 of 1
Meeting:	October 18, 2021	Attachments:	<input checked="" type="checkbox"/>
Subject:	Local Government Approval		

PURPOSE

To review and consider a request made by Hop Lot Brewing Company, LLC, for a small Distillery license at 658 S. West Bay Shore Dr.

OVERVIEW

A Local Government Approval request to distill and serve alcohol at the Hop Lot Brewery is before you for consideration. As you are aware, Hop Lot currently holds other licenses that allow for the brewery, serving etc. This request is not associated with brewing beer but distilling alcohol.

The process to obtain such a license is extensive due to the multiple levels of jurisdictional review, which are viewed as checks and balances by the State. The process requires the municipality to first report back to the State on 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 is subject to the zoning standards and outlined procedures followed by a land use permit and review by all agencies within the 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 Village Zoning Ordinance and has determined that the request before the Village Council is permitted, however any applicant will still need to justify the use.

REQUESTED ACTION

MOTION TO: RECOMMEND THAT THE APPLICATION BE CONSIDERED FOR APPROVAL BY THE LIQUOR CONTROL COMMISSION.



Local Government Approval
(Authorized by MCL 436.1501)

Instructions for Applicants:

- You must obtain a recommendation from the local legislative body for a new on-premises license application, certain types of license classification transfers, and/or a new banquet facility permit.

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 Regular Meeting meeting of the Village Council 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 Hop Lot Brewing Company, LLC
(name of applicant - if a corporation or limited liability company, please state the company name)

for the following license(s): Small Distillery
(list specific licenses requested)

to be located at: 658 S West Bay Shore Drive, Suttons Bay, MI 49682

and the following permit, if applied for:

Banquet Facility Permit Address of Banquet Facility: _____

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

		VILLAGE OF SUTTONS BAY	
		REPORT VSB -2021- 56	
Prepared:	October 14, 2021	Pages:	1 of 1
Meeting:	October 18, 2021	Attachments:	<input checked="" type="checkbox"/>
Subject:	S. Shore Drive Engineer Contract		

PURPOSE

To request action on the contract before you to move forward with evaluating various locations of S. Shore Drive.

STAFF COMMENT

As you may recall, Staff has been working with residents of S. Shore Drive regarding the flooding that occurred following a large rain event several weeks ago. As large rain events continue to become more frequent, it is important to study the issue and plan for a solution. We have determined the source of water (wetland overflow) and why it occurred (filling and high volume of rain). Now we need professionals to help us understand how we can mitigate the issue before it occurs again. Following discussions with the VC we contacted the surveyor and engineer we used on Broadway Road to help us determine a solution. The information was provided by the surveyor and we are now looking to move forward with the engineer’s contract. Once a plan has been completed, we will be able to determine a cost estimate and discuss funding options.

REQUESTED ACTION

A consensus to move forward with the contract.

GRAND TRAVERSE ENGINEERING, LLC
AGREEMENT FOR PROFESSIONAL SERVICES

This AGREEMENT is made this 8th day of October 2021, by and between Village of Suttons Bay, hereinafter called "Client", having its' principal place of business at 420 N. Front Street, P.O. Box 395, Suttons Bay, MI 49682 and Grand Traverse Engineering, LLC, hereinafter called "Consultant" having its' principal place of business at PO Box 227, Traverse City, MI. 49685.

SCOPE OF SERVICES:

Assist Client with stormwater improvements on S. Shore Drive. Consultant agrees to perform services on an hourly basis for an estimated fee of \$3,800.

In consideration of Client engaging Consultant to conduct professional services as detailed above, it is agreed as follows:

1. **Billing and Payment:** Invoices will be submitted by Consultant to the Client at least monthly and/or after completion of the project for services performed and expenses incurred according to this Agreement. Invoices will include fees for reimbursable expenses to be invoiced at a rate of cost plus 15%, except that mileage costs will be billed at standard rates. Payment of each such invoice will be due upon receipt and considered past due if not paid within thirty (30) days of the date of the invoice. Any retainers shall be credited on the final invoice. A service charge may be added to delinquent accounts at 1.5% per month (18% per annum) as of the date of an invoice. If the basis for fee determination is on a Time & Materials (T&M) basis, then all invoices will be submitted based on Consultants' current hourly rates for actual time spent working on the project.
2. **Suspension of Services:** If Client fails to make any payment due to the Consultant for services and expenses within sixty (60) days after any invoice date, the Consultant may suspend services under this Agreement until it has been paid in full for all past due amounts owed by Client for services and expenses.
3. **Limitation of Liability:** In performing its professional services hereunder, the Consultant will use that degree of care and skill ordinarily exercised, under similar circumstances, by reputable members of its profession practicing in the same or similar locality. No other warranty, express or implied, is made or intended by the Consultant's undertaking herein or its performance of services hereunder. The Client understands and agrees that the Consultant has not made and is not making any promise, warranty, or representation except the warranties expressly made herein, and the consultant expressly disclaims any warranty of merchantability or fitness for a particular purpose or any other implied warranties. Under no circumstances shall the Consultant be liable for extra costs or other consequences due to changed conditions or for costs related to the failure of the contractor or material men to install work per the plans and specifications. The Consultant shall not be liable for errors in judgment or for any loss or damage, which occurs for any reason beyond the control of the Consultant. No action may be instituted hereunder more than one year after the cause of action accrued or should have been discovered by reasonable diligence. The provisions of this paragraph shall survive the termination of this Agreement.

The Client fully indemnifies and holds harmless Consultant in providing any/all professional services."

IN WITNESS WHEREOF, this Agreement is accepted on the date written above and subject to any attached Exhibit(s) which are incorporated herein by reference.

GRAND TRAVERSE ENGINEERING, LLC

By: Jeff Cockfield
Jeff A. Cockfield, PE
President/Managing Member

Date: 10/8/21

By: _____
Title: Rob Larrea, Village Manager

Date: _____

