

**CITY OF CHARLEVOIX**  
**DOWNTOWN DEVELOPMENT AUTHORITY (DDA) MINUTES**  
**Monday, March 23, 2015 — 5:30 p. m.**  
210 State Street, City Hall, Second Floor Council Chambers, Charlevoix, MI

**A. Call to Order**

The meeting was called to order at 5:30 p.m. by Chair Dan Barron.

**B. Invocation or Pledge of Allegiance**

**C. Roll Call of Members Present**

Chair: Dan Barron

Members Present: Mayor Gabe Campbell, Fred DiMartino, Kirby Dipert, Tami Gillespie, John Kurtz, Hugh Mason, Jeannine Wallace, John Yaroch

Members Absent: None

City Staff: Annie Doyle, Community Economic Development Director (CEDD); Mike Spencer, City Planner

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

Member Kurtz stated it was his understanding that if he had a conflict of interest he could participate in discussion, but once a motion was made he would have to remove himself from the discussion and he questioned if his understanding was accurate. Chair Barron stated that protocol is that the member steps down from discussing the matter at the dais, but the member could discuss from the audience. Member Kurtz disclosed that he was on the Board of Directors of the Beaver Island Boat Company.

**E. Approval of Minutes**

1. January 26, 2015 and February 23, 2015.

Chair Barron indicated that the January 26<sup>th</sup> minutes were previously approved subject to revision on page 2, 2<sup>nd</sup> paragraph. Motion by Member Mason, second by Member Wallace to approve the January 26, 2015 amended minutes as presented. Motion passed by unanimous voice vote.

Motion by Mayor Campbell, second by Member Mason to approve the February 23, 2015 meeting minutes as presented. Motion passed by unanimous voice vote.

**F. Community Economic Development Director's Report**

CEDD Doyle reviewed the items contained within the Executive Director's Report and Community Partner/City Updates, and responded to questions.

Last week Governor Snyder announced that the City of Charlevoix had been accepted into the Main Street Select Level. CEDD Doyle spoke with Main Street representatives to learn what type of services the City can expect over the next few months and she will forward details to the Board. The most pressing issues were scheduling a date for a public announcement whereby representatives from Lansing will come to Charlevoix for a formal presentation and for the Board to review the Main Street contract and schedule it for discussion and approval at the next DDA meeting.

CEDD Doyle introduced Chris Leese who was hired as the Farmers Market Manager for the 2015 season. She presented a brief overview of plans for the Farmers Market this year. Market days are scheduled for Thursdays, 9:00 a.m. to 1:00 p.m., May 7<sup>th</sup> to October 1<sup>st</sup>. Chair Barron stated he received feedback from the vendors that the Charlevoix Market was not as large as some of the other communities and vendors may have done better because it wasn't as large.

**G. Old Business**

1. Bylaw Amendment – Attendance Policy.

Chair Barron referenced the proposed language change to the bylaws. Discussion followed regarding providing for excused absences, and the number of additional meetings and training sessions that would be needed for the Main Street Program.

Motion by Mayor Campbell, second by Member Mason to adopt the attendance policy as presented by Staff. Motion passed by unanimous voice vote.

**H. New Business****1. Lake Charlevoix Brewing Company Sign Variance Request.**

Phillip Parr, representing Bridge Street Tap Room and Lake Charlevoix Brewing Company, distributed a revised handout related to their signage options for 109 Bridge Park Drive. Mr. Parr stated that their goal is to be open on May 22, 2015. He presented a proposed building canopy (30 sq. ft.) for the Brewing Company to improve aesthetics and maximize their brand to boating traffic.

Member Wallace questioned whether Keweenaw Excursions wanted to make additional changes to their sign and Mr. Parr indicated that Keweenaw did not want to make any further investment in their sign. City Planner Spencer explained that someone could add an awning or building canopy and not affect the sign ordinance, it was just the portion of the canopy that contained signage that is affected (16 sq. ft. requirement).

Mayor Campbell stated that he wanted to keep the 16 sq. ft. requirement. Mr. Parr advised that their revised proposal was for a building canopy which allowed 30 sq. ft. in signage, not an awning. Chair Barron stated in addition to the DDA, the request would have to go through the Zoning Board of Appeals (ZBA).

City Planner Spencer read the Zoning Ordinance definition of an awning: "a permanent shelter constructed of supporting framework projecting from and supported by the exterior wall of the building." Mr. Parr read the definition of a building canopy in the Zoning Ordinance: "a permanent, rigid structure with covered fabric, metal shingles or other materials supported by a building at one or more points. Canopy signs and marquee signs are allowed the same square footage as a wall sign."

Member Dipert stated that the Ordinance differentiates between a canopy and an awning and it is up to interpretation. If interpreted as a canopy, a 30' sign is allowed; if interpreted as an awning, a 16' sign is allowed. Chair Barron indicated that the ZBA makes the interpretation.

City Planner Spencer stated that one of the purposes of the sign ordinance was to discourage visual competition among businesses. Each DDA business using an awning has met the 16 sq. ft. requirement. He believed based on reviewing both of the definitions it could be argued one way or the other. Historically, the 16 sq. ft. requirement has been applied equally across the board. City Planner Spencer said that the unique advantage to this building is having signage on Round Lake and also on Bridge Street. City Planner Spencer indicated that Staff printed a 2' x 8' "Lake Charlevoix Brewery" sign, hung it on the building and it could be seen from the end of A Dock as well as the other two docks on the north side of Round Lake.

The public hearing was opened and closed as there were no public comments.

Member DiMartino stated that the wording in the definitions was an issue. If the City was going to keep the 16 sq. ft. requirement, he felt that the definition for a canopy needs to be clarified. City Planner Spencer stated that the DDA owns the building. The decisions pending are whether the Board approves the signage and whether the applicant is approved for a variance.

Discussion followed regarding a canopy sign vs. a wall sign, whether or not to send the matter to the ZBA, and the 16 sq. ft. vs. the 30 sq. ft. signage restriction.

Member Wallace questioned the size of the lettering on the Keweenaw Excursions wall sign and Mr. Parr replied that it was 30 sq. ft. She did not feel that one sign size should overwhelm an adjacent property's signage.

Rich Bergmann, Round Lake Group, questioned whether a business could put up two 16' sq. ft. signs for a business on Bridge Street (namely the Villager Pub) and City Planner Spencer stated that the Villager was grandfathered in long before the Zoning Ordinance was written.

Chair Barron agreed that the Board should hear from Keweenaw Excursions regarding the proposed signage.

City Planner Spencer stated that the ZBA Chairman was not comfortable allowing greater signage than other businesses. Chair Barron stated he was not sure it was a variance at this point or an interpretation of the allowable signage under the Zoning Ordinance definition of an awning vs. a canopy.

Motion by Member Kurtz, second by Member Dipert to approve the construction of the awning/canopy and to reserve the DDA's decision as to size of the signage lettering. Motion passed by unanimous roll call vote.

Mr. Bergmann requested a back-up plan to be approved by the DDA for a 30' flat wall sign (reference page 8 of the agenda packet) since the protracted process to obtain approval for the canopy sign may go beyond their scheduled opening date.

Motion by Member Dipert, second by Member DiMartino to approve the 30' flat wall sign if the canopy option does not work out. Motion passed by unanimous roll call vote.

Motion by Member Yaroch, second by Member Mason that the DDA is in support of the 30' signage request for an awning/canopy sign if a variance is sought.

Yeas: Yaroch, Mason

Nays: Barron, Wallace, Campbell, Dipert, Gillespie, DiMartino, Kurtz

Motion failed.

2. Resolution to Carry Over Fund Balance.

Motion by Member Dipert, second by Member Wallace to approve the Resolution to carry over funds in the amount of \$667,637 for implementation on the yet to be prioritized projects and to pay future years debt service payments now within their development plan, as funding allows, as follows:

**RESOLUTION  
Carry Over of Funds  
for Projects Within the Development Plan**

**WHEREAS,** the City of Charlevoix Downtown Development Authority is projecting an approximate \$667,537 fund balance as of March 31, 2015; and

**WHEREAS,** the Downtown Development Authority is in the process of prioritization and implementation of future projects; and

**WHEREAS,** the Downtown Development Authority has debt service payments.

**THEREFORE BE IT RESOLVED, THAT THE DOWNTOWN DEVELOPMENT AUTHORITY,** hereby earmarks its March 31, 2015 fund balance estimated at \$667,537 for implementation on the yet to be prioritized projects and to pay future years debt service payments now within their development plan, as funding allows.

RESOLVED, this 23<sup>rd</sup> day of March, 2015 A.D.

Resolution was adopted by the following yea and nay vote:

Yeas: Campbell, DiMartino, Dipert, Gillespie, Kurtz, Mason, Wallace, Yaroch, Barron

Nays: None

Absent: None

I. **Audience – Non-Agenda Input**

None.

**J. Miscellaneous Business of the Board**

CEDD Doyle displayed a drawing of a proposed bike rack donated by the LaBlanc family to be located in Bridge Park near the pavilion. The Board liked the concept with the placement being sensitive to other activities within the Park.

Member Kurtz recommended acknowledging Tim Fore for his efforts with the Groundhog Day Festival plans and CEDD Doyle volunteered to present a draft for approval at the April meeting.

**K. Future Agenda Items**

Chair Barron stated that it would more be productive to have a joint meeting with City Council after the new City Manager was hired and CEDD Doyle had more time in the position. General discussion followed regarding the DDA's Development Plan, budget, goals, and objectives.

Member Wallace questioned maintenance of the DDA owned building at Bridge Park. CEDD Doyle will report back at the next meeting regarding what maintenance has been funded by the DDA.

CEDD Doyle reported that Council appointed Diane Dupont effective April 2015 to replace one of two expiring seats on the DDA Board. She stated that Rick Wertz was nominated as well, but his nomination was not approved.

**L. Adjournment**

Motion by Member Mason, second by Mayor Campbell to adjourn. Motion passed by unanimous voice vote.

Meeting adjourned at 7:49 p.m.

---

Joyce Golding/fgm

City Clerk

---

Dan Barron

Chair