

CHARTER TOWNSHIP OF WATERFORD
5200 CIVIC CENTER DRIVE
WATERFORD, MICHIGAN 48329

JUNE 10, 2021
7:30 AM

SPECIAL BOARD MEETING
-AGENDA-

NOTICE OF A SPECIAL TOWNSHIP BOARD MEETING TO BE HELD ELECTRONICALLY

Please take notice that a special meeting of the Waterford Township Board will be held on June 10, 2021, at 7:30 a.m. by electronic remote access.

Based on the COVID-19 Local State of Emergency declared and confirmed as continuing by Resolution of the Board of Trustees on December 9, 2020, this meeting will be held by electronic remote access that provides 2-way telephone or video conferencing as permitted by the Open Meetings Act as amended by Public Act No. 254 of 2020, and the Electronic Remote Meeting Procedures approved by Resolution of the Board of Trustees on December 9, 2020.

The public may participate in each meeting through GoToMeeting by computer, tablet or smart phone using the following link: <https://global.gotomeeting.com/join/689137765>. New to GoToMeeting? Get the app now and be ready when your first meeting starts <https://global.gotomeeting.com/install/689137765>.

You may also dial in using your phone:
United States (Toll Free): 1 866-899-4679
United States: +1 (571) 317-3116
Access Code: 689-137-765

Members of the public will only be able to speak during the public comment period at the end of the meeting and such comments will be limited to three minutes per person. To provide for orderly public participation, a person wishing to speak must first state their name and request to be recognized by the Chairperson of the meeting. The Chairperson will recognize all persons wishing to speak during the public comment period. Prior to the meeting, members of the public may contact the members of the Township Board to provide input or ask questions by email or mail to the Township employee/official and at the addresses listed below. Persons with disabilities in need of accommodations to be able to participate in the meeting should provide at least 24-hour advance notice to the listed Township employee by phone, email, or mail and an attempt will be made to provide reasonable accommodations.

Kim Markee, Township Clerk
Charter Township of Waterford
5200 Civic Center Drive, Waterford, Michigan 48329
Phone (248) 674-6266 or Email: publiccomments@waterfordmi.gov

1. Approve Agenda
2. Approval of Park Alcohol Sales License Agreement
3. Public Comments Limited to Three (3) Minutes Per Speaker



Kimberly F. Markee, Township Clerk

In conformance with the Americans with disabilities Act, large-print agenda and minutes are available upon request. Barrier-free parking and access are also available at Town Hall. For the hearing impaired, there are four available headsets on a first come basis. Minutes are available upon request at the Clerk's department, and on the Township's web-site.

Posted June 9, 2021, at 9:00 a.m.

PARK ALCOHOL SALES LICENSE AGREEMENT

This License Agreement ("License"), made and entered into on the date it has been fully signed, is between the Charter Township of Waterford ("Township"), whose address is 5200 Civic Center Drive, Waterford, MI 48329, and the Waterford Area Chamber of Commerce ("Licensee"), whose address is 2309 Airport Road, Waterford, MI 48327, for the use by Licensee of the portion of the Township's Hess-Hathaway Park with an address of 825 S. Williams Lake Road, Waterford, MI 48327, as shown on the attached plan and referred to as the "Premises".

RECITALS:

A. Licensee requested Township Board approval to allow use of the Premises for the sale, service and consumption of alcohol at the Concert-in-the-Park scheduled to be held on June 10, 2021, June 17, 2021 and June 24, 2021 (the "Events"):

B. Section 12-002 of the Township Code of Ordinances provides an exception from the prohibition on possessing, dispensing and use of alcoholic beverages in Township parks, for specially approved events in conjunction with a service club or other established entity or group that will supervise the possession, dispensing and consumption of alcoholic beverages in compliance with a Michigan Liquor Control Commission ("MLCC") liquor license.

C. On June 10, 2021, the Township Board approved Licensee's request subject to this License being signed and complied with.

IT IS THEREFORE AGREED AS FOLLOWS:

1. Grant of License. For and in consideration of the benefits to the Township of the Events, the Township grants permission by this revocable license for Licensee to use the Premises for alcohol sales, service and consumption at the Events, subject to and in accordance with all of the terms and conditions of this License.

2. Alcohol Use Location, Costs and Expenses. The licensed use shall be limited to the Premises, with Licensee solely responsible for all costs and expenses incurred in the licensed use and in complying with terms and conditions of this License.

3. Use of Premises. The use rights granted in this License are subject to the Township's rights to protect the public health, safety and welfare, and may be suspended or terminated at any time by the Township Parks Superintendent, Police Department, or Fire Department for those purposes, or if the use is creating a nuisance or threatening condition. Licensee assumes all risk of damages from any such suspension or termination and waives and releases the Township from any claims for such damages.

4. Maintenance. Licensee agrees to use and maintain the Premises in a clean, safe and good condition and as required by the Township Parks Superintendent, Police Department, or Fire Department, and to promptly clean up and restore the Premises to the pre-Event conditions after the Events.

5. MLCC License. Licensee's rights to use the Premises for alcohol sales at the Events are conditioned on Licensee obtaining and providing a copy of the required MLCC license and all related MLCC documents to the Township Park Director no later than the day before the Event. The sale of alcohol by Licensee at the Premises shall be in strict compliance with the required MLLC license, with a violation of any condition or requirement of the MLCC license being grounds for the immediate revocation of this License by the Township Park Superintendent or Police Department. Licensee shall provide copies of the MLLC license, bond and other documents related to such alcohol sales to the Township Parks Superintendent.

6. Indemnification. Licensee shall defend, pay on behalf of, indemnify, and hold harmless the Township, its elected and appointed officials, employees, volunteers, and other persons working on behalf of the Township, from and against any and all claims, demands, suits, or loss, including all costs and attorneys fees connected therewith, and from any and all damages which may be asserted, claimed, or recovered for personal injury, including bodily injury or death and/or property damage, including loss of use thereof, arising out of or in any way connected or associated with this License and the use of the Premises for the Events. The Township shall provide notice to Licensee within a reasonable time of the receipt of any claim arising under this License.

7. Insurance. Licensee shall secure and maintain general liability and liquor liability insurance for the Premises in the minimum amount of \$1,000,000.00, and naming the Township and its officials and employees as an additional insured and certificate holder on those policies with proof of such insurance being provided to the Township prior to the Events.

CHARTER TOWNSHIP OF WATERFORD

Date

Gary Wall, Supervisor

Date

Kim Markee, Clerk

WATERFORD AREA CHAMBER OF COMMERCE

Date

Nikki Tippett, Assistant Director



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Select Underwriters 100 N. Williams Lake Road, Ste A Waterford MI 48327	CONTACT NAME: Natalie Hein	FAX (A/C, No): 248-698-7634
	PHONE (A/C, No, Ext): 248-698-7600	
INSURED Billy's Inn, LLC DBA Billy's Tip'n Inn 6707 Highland Rd White Lake MI 48383-2844	E-MAIL ADDRESS: Natalie@Selectunderwriters.com	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A : Secura Insurance, A Mutual Company	
	INSURER B : Accident Fund National Insurance Company	
	INSURER C :	
	INSURER D :	
	INSURER E :	
INSURER F :		
	NAIC #	
	22543	
	12305	
BILLINN-01		

COVERAGES

CERTIFICATE NUMBER: 975774820

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

EXCLUSIONS AND CONDITIONS OF COVER (SELECTED LIMITS SHOWN MAY HAVE BEEN REDUCED BY RISK LIMITS)															
INSR LTR	TYPE OF INSURANCE			ADDL/SUBR INSD WVD	POLICY NUMBER		POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS						
A	COMMERCIAL GENERAL LIABILITY			Y	CP3290210		7/16/2020	7/16/2021	EACH OCCURRENCE						
	CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR								\$ 1,000,000						
									DAMAGE TO RENTED PREMISES (Ea occurrence)						
									\$ 100,000						
									MED EXP (Any one person)						
									\$ Excluded						
	GEN'L AGGREGATE LIMIT APPLIES PER:								PERSONAL & ADV INJURY						
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC								\$ 1,000,000						
OTHER:									\$ 2,000,000						
									\$ 2,000,000						
									\$						
A	AUTOMOBILE LIABILITY			Y	CP3290210		7/16/2020	7/16/2021	COMBINED SINGLE LIMIT (Ea accident)						
	ANY AUTO								\$ 1,000,000						
	OWNED AUTOS ONLY								BODILY INJURY (Per person)						
	HIRED AUTOS ONLY								\$						
	<input checked="" type="checkbox"/> SCHEDULED AUTOS								BODILY INJURY (Per accident)						
	<input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY								\$						
									PROPERTY DAMAGE (Per accident)						
									\$						
									\$						
									EACH OCCURRENCE						
									\$						
							AGGREGATE		\$						
									\$						
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			Y/N	WCV8016052		7/16/2020	7/16/2021	X PER STATUTE						
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/>								OTH-ER						
	(Mandatory in NH)								E.L. EACH ACCIDENT						
	If yes, describe under DESCRIPTION OF OPERATIONS below								\$ 500,000						
									E.L. DISEASE - EA EMPLOYEE						
							\$ 500,000		E.L. DISEASE - POLICY LIMIT						
									\$ 500,000						

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Waterford Township is named additional insured with regard to Summer Concerts in the Park 2021 to be held at Hess Hathaway Park, 825 S Williams Lake Road, Waterford, MI 48327; June 10, 2021, June 17, 2021, and June 24, 2021.

CERTIFICATE HOLDER

CANCELLATION

Waterford Township
5200 Civic Center Drive
Waterford MI 48329

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Carolyn M. Faun



STATE OF MICHIGAN - LIQUOR CONTROL COMMISSION

This is to certify that a License is hereby granted to the person(s) named with the stipulation that the licensee is in compliance with Commission Rule R 436.1003, which states that a 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 enforcement officials who have jurisdiction over the licensee. Issuance of this license by the Michigan Liquor Control Commission does not waive this requirement. 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.

Department of Licensing and Regulatory Affairs

This License is granted in accordance with the provisions of Act 58 of the Public Acts of 1998 and shall continue in force for the period designated unless suspended, revoked, or declared null and void by the Michigan Liquor Control Commission. Failure to comply with all laws and rules may result in the revocation of this license.

Under administrative rule R 436.1433, the licensee shall ensure that all profits derived from the sale of alcoholic beverages are retained by the licensee. All alcoholic beverages purchased by the licensee for the event must be purchased from authorized sellers under administrative rule R 436.582. The Commission orders the licensee to take all necessary actions to ensure the health, safety, and welfare of all guests.

BUSINESS ID: 10661547

WATERFORD AREA CHAMBER OF COMMERCE

LICENSE SUBTYPE
Beer & Wine Only

LICENSE NUMBER
L-000440531

PERMITS

EVENT INFORMATION

HESS-HATHAWAY PARK
WILLIAMS LAKE

WATERFORD, MI 48328
OAKLAND County

CONDITIONS / PROVOS

SALES & CONSUMPTION TO BE CONTAINED IN 77' x 62' AREA ENCLOSED BY FENCING.

THE LICENSEE MUST COMPLY WITH ALL REQUIREMENTS, INCLUDING BUT NOT LIMITED TO, REDUCED OCCUPANCY AND SOCIAL DISTANCING REQUIREMENTS UNDER ANY CURRENT EXECUTIVE ORDER, ANY LOCAL HEALTH DEPARTMENT ORDERS, AND ANY LOCAL ORDINANCES RELATED TO THE CORONAVIRUS (COVID-19) PANDEMIC.

IN WITNESS WHEREOF,
this License has been duly signed
and sealed by both the Michigan
Liquor Control Commission and the
Licensee(s).

LIQUOR CONTROL COMMISSION

Pat Englehardt
Devin O'hare
Geralyn A. Hasher
Ed Clement
B. C. Johnson

LICENSEE(S) SIGNATURE(S)

Valid: Jun 10, 2021 to Jun 10, 2021 - 6:00 PM to 9:00 PM

SPECIAL LICENSE



STATE OF MICHIGAN - LIQUOR CONTROL COMMISSION

This is to certify that a License is hereby granted to the person(s) named with the stipulation that the licensee is in compliance with Commission Rule R 436.1003, which states that a 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 enforcement officials who have jurisdiction over the licensee. Issuance of this license by the Michigan Liquor Control Commission does not waive this requirement. 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.

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WATERFORD AREA CHAMBER OF COMMERCE

LICENSE SUBTYPE
Beer & Wine Only

LICENSE NUMBER
L-000440532

PERMITS

EVENT INFORMATION

HESS-HATHAWAY PARK
WILLIAMS LAKE

WATERFORD, MI 48328
OAKLAND County

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LIQUOR CONTROL COMMISSION

Pat Englehardt

Devin O'hare

Geralyn A. Hasher

El Clinton

B. C. Johnson

LICENSEE(S) SIGNATURE(S)

Valid: Jun 17, 2021 to Jun 17, 2021 - 6:00 PM to 9:00 PM

SPECIAL LICENSE



STATE OF MICHIGAN - LIQUOR CONTROL COMMISSION

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WATERFORD AREA CHAMBER OF COMMERCE

LICENSE SUBTYPE
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LICENSE NUMBER
L-000440533

PERMITS

EVENT INFORMATION

HESS-HATHAWAY PARK
WILLIAMS LAKE

WATERFORD, MI 48328
OAKLAND County

CONDITIONS / PROVOS

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IN WITNESS WHEREOF,
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and sealed by both the Michigan
Liquor Control Commission and the
Licensee(s).

LIQUOR CONTROL COMMISSION

Pat Englehardt

Devin O'hare

Geralyn A. Hasher

Ed Clement

B. C. Johnson

LICENSEE(S) SIGNATURE(S)

Valid: Jun 24, 2021 to Jun 24, 2021 - 6:00 PM to 9:00 PM

SPECIAL LICENSE