

Mark Meadows - Fwd: Re: The Country Mill

From: Eilis Seide
To: Mark Meadows
Date: 3/8/17 10:20 AM
Subject: Fwd: Re: The Country Mill

Eilis A. Seide
Assistant to the City Manager
City of East Lansing
410 Abbot Road
East Lansing, MI 48823
phone: [\(517\) 319-6920](tel:5173196920)

>>>

From: Tim McCaffrey
To: Eilis Seide
Date: 3/8/2017 10:18 AM
Subject: Fwd: Re: The Country Mill
Eilis:

They filled out an application so we are responding to their application.

Tim.

>>> Eilis Seide 3/8/2017 10:13 AM >>>
Do you want to answer this?

Eilis A. Seide
Assistant to the City Manager
City of East Lansing
410 Abbot Road
East Lansing, MI 48823
phone: [\(517\) 319-6920](tel:5173196920)

>>>

From: Mark Meadows
To: Eilis Seide

Date: 3/8/2017 10:10 AM

Subject: Re: The Country Mill

Why send a letter then?

>>> Eilis Seide 03/08/17 10:03 AM >>>

Council,

Tim McCaffrey and Heather Surface will be sending a letter to the Country Mill this week. They will not be invited back as a vendor for the Farmer's Market this year. Please let me know if you have concerns.

Eilis

Eilis A. Seide
Assistant to the City Manager
City of East Lansing
410 Abbot Road
East Lansing, MI 48823
phone: (517) 319-6920

Ruth Beier - Re: vendor agreements

From: Ruth Beier
To: city council; Dalton Mast
Date: 6/2/17 12:46 PM
Subject: Re: vendor agreements

East Lansing was the first city in the country to pass a law to protect people from discrimination based on sexual orientation (more than 40 years ago). The city also has an ordinance that disallows vendors that discriminate based on sexual orientation. The vendor in question practices discrimination based on sexual orientation, which is why that vendor is no longer a part of the East Lansing farmer's market.

Ruth Beier
East Lansing City Council

>>> Dalton Mast <daltmast5@gmail.com> 06/02/17 2:22 AM >>>

Dear City counsel members, I am writing this to express my concern over the grievous policy created by the city to punish Steve Tennes and his Country Mill farm. Everyone has the right to have their opinions and beliefs. Tennes is not out to hurt anyone. Will you force a muslim restaurant or café to serve pork? Will you force Jehovah's Witnesses to celebrate Christmas? Will you force muslims to make a wedding cake for same-sex couples? There are many places and venues couples can choose to be married at. Don't get the idea that you can force people or punish them to do certain things with your ability to make laws. That's just heavy-handed and displays an immaturity that you should be beyond, as fitting your role in city government. Please rethink your policy concerning vendors and allow Tennes to sell at the Farmers Market again. As is the right thing to do.

~Grace Mast

Ruth Beier - Re:

From: Ruth Beier
To: Dalton Mast
Date: 6/2/17 12:45 PM
Subject: Re:

East Lansing was the first city in the country to pass a law to protect people from discrimination based on sexual orientation (more than 40 years ago). The city also has an ordinance that disallows vendors that discriminate based on sexual orientation. The vendor in question practices discrimination based on sexual orientation, which is why that vendor is no longer a part of the East Lansing farmer's market.

Ruth Beier
East Lansing City Council

>>> Dalton Mast <dgmast5@yahoo.com> 06/02/17 1:56 AM >>>

Dear Ruth Beier, I am writing this to express my concern over the grievous policy created by the city to punish Steve Tennes and his Country Mill farm. Everyone has the right to have their opinions and beliefs. Tennes is not out to hurt anyone. Will you force a muslim restaurant or café to serve pork? Will you force Jehovah's Witnesses to celebrate Christmas? Will you force muslims to make a wedding cake for same-sex couples? There are many places and venues couples can choose to be married at. Don't get the idea that you can force people or punish them to do certain things with your ability to make laws. That's just heavy-handed and displays an immaturity that you should be beyond, as fitting your role in city government. Please rethink your policy concerning vendors and allow Tennes to sell at the Farmers Market again. As is the right thing to do.

~Grace Mast

Ruth Beier - Re: Banning of Country Mill

From: Ruth Beier
To: city council; Molly Beckwith
Date: 6/2/17 12:43 PM
Subject: Re: Banning of Country Mill

East Lansing was the first city in the country to pass a law to protect people from discrimination based on sexual orientation (more than 40 years ago). The city also has an ordinance that disallows vendors that discriminate based on sexual orientation. The vendor in question practices discrimination based on sexual orientation, which is why that vendor is no longer a part of the East Lansing farmer's market.

Ruth Beier
East Lansing City Council

>>> "Molly Beckwith" <mollyjobeck@comcast.net> 06/01/17 10:02 PM >>>

I was absolutely appalled to hear on the news that you have banned the County Mill from your farmer's market. When in the realm of common sense do you have the right to decide who or what an individual will do on his own property - more so since the property is not even in the City of East Lansing?

This man brings his wares to market for ALL to buy or not - that is the only thing within your realm of control. Anything else is none of your business. It is so interesting that the deviants of the world are clanging the loudest bell while moral, upstanding individuals are being harassed at all levels.

Shame on you East Lansing council members. Yours will be a market I would not frequent if it was the only one within a hundred miles.

Molly Beckwith

Tim McCaffrey - Questions regarding Country Mill

From: Stephen Olschanski <stephen.olschanski@statenews.com>
To: <tmccaff@cityofeastlansing.com>
Date: 6/2/2017 11:55 AM
Subject: Questions regarding Country Mill

Mr. McCaffery,

First, thank you for returning my call. I was in a meeting that didn't end until 4:00 so I was not able to get back to you in time. Here are my questions below.

I was told that the guidelines for the EL Farmer's Market were amended for 2017. I was wondering when the change occurred and how exactly those changes came to be? Are there any meetings, letters, minutes or communications I can see regarding this?

I have an email communication between you and George Lahanas from 8/27/2016 regarding Dr. Sara Dupuis' request to see if the Country Mill was violating the city's human relations ordinance. In the email you said she said she was fine with Country Mill continuing to be in the Market after they decided to stop doing weddings altogether. You wrote "With your concurrence, I intend to withdraw our request of the Country Mill regarding this weekend's Market." However I have an email from George to Council that reads "After further discussion with Tim McCaffery and Tom Yeadon we decided to maintain our request that Country Mill voluntarily elect not to attend the market tomorrow." I was wondering what happened to cause you to keep the original request of Country Mill to not come to the market?

Was the decision to not invite back Country Mill made before they applied again in January? In their lawsuit they claim they had been invited back every year since they attended for the first time in 2010.

Thank you and best regards,

--

Stephen Olschanski
The State News
East Lansing Reporter
stephen.olschanski@statenews.com
[248-996-4700](tel:248-996-4700)

The City of East Lansing has had a long standing civil rights ordinance addressing discrimination. The Farmer's Market Guidelines were clarified in 2017 to include compliance of the East Lansing City Code as a general business practice.

With the complaints we had received, it was thought that the Country Mill's attendance may cause undue problems for the Market on that Sunday. Further conversation with the City Manager and the City Attorney led us to not withdraw the request. The Country Mill elected to vend on Sunday and we did not experience any problems on that Sunday.

The decision was not made before they applied in February 2017. In a letter on March 7, 2017 we advised that it was brought to our attention that The Country Mill's general business practices do not comply with East Lansing's Civil Rights Ordinance and that if we misinterpreted or misunderstood the Country Mill's general business practices and the Country Mill does in fact comply with the City Code than we certainly are willing to discuss the Country Mill's participation in the City of East Lansing's Farmer's Market.

Tim McCaffrey - Fwd: EL Farmer's Market Concern

From: George Lahanas
To: McCaffrey, Tim; Yeadon, Tom
Date: 5/31/2017 10:47 AM
Subject: Fwd: EL Farmer's Market Concern

>>> George Lahanas 8/27/2016 9:54 AM >>>
Council,

Please see Mr. McCaffrey's email below regarding the EL Farmer's Market vendor, The Country Mill. We intend to withdraw our request that they refrain from participating in the market tomorrow unless I hear otherwise from Council (please contact me individually by phone or email if you would like to discuss this further).

George

>>> Tim McCaffrey 08/27/16 8:59 AM >>>
George:

As you are aware, on Thursday afternoon we received an email concern from Dr. Sara Dupuis regarding the "Country Mill" vending at our EL Farmer's Market. The Country Mill had not allowed a same sex couple to book a wedding at their venue in Charlotte, Michigan. Dr. Dupuis was concerned that we would permit a business that discriminates against the LGBT community at our Market and this would conflict with our Human Relations Ordinance.

We had contacted the Country Mill and requested that they voluntarily agree to not vend this coming Sunday, August 28th at our Market. This would provide us the opportunity to involve our appropriate city officials in any longer term determinations regarding the Country Market's status as a vendor. As of last evening, the Country Mill had not let us know whether or not they would voluntarily agree to our request.

This morning, WILX reported that the Country Mill will no longer host any weddings at their Charlotte venue (see the WILX website). I contacted Dr. Sara Dupuis and advised her of what WILX had reported. Dr. Dupuis agreed that the Country Mill's new position was acceptable and that her concern was resolved.

With your concurrence, I intend to withdraw our request of the Country Mill regarding this weekend's Market.

Please advise if you prefer a different course of action.

Thank You.

Tim

Mikell Frey - Reporter inquiry

From: Jane Stone
To: Seide, Eilis
Date: 5/31/17 1:55 PM
Subject: Reporter inquiry

Fred Lucas from the Daily Signal in Washington DC called regarding the Country Mill situation. He can be reached at [\(703\) 859-1836](tel:7038591836). He can also be reached at fred.lucas@dailysignal.com.

Mikell Frey - Country Mill Farms vs East Lansing, MI

From: "Green, Lauren" <Lauren.Green@FOXNEWS.COM>
To: "mfrey@cityofeastlansing.com" <mfrey@cityofeastlansing.com>
Date: 5/31/17 10:35 AM
Subject: Country Mill Farms vs East Lansing, MI
Cc: "Green, Lauren" <Lauren.Green@FOXNEWS.COM>

Hi Mikell,

I received the press release below about a lawsuit filed against the city of East Lansing by Country Mill Farms. The owner, Steve Tennes, says he was kept from the Farmer's Market because of his views supporting biblical marriage. The lawsuit also contends that the 'Sexual orientation' policy was created by the city for the sole purpose of ousting him.

Can you either give me a call to discuss what the city's position is? If not, can we get a statement from the city of East Lansing regarding the lawsuit?

Can you answer these questions:

1. What is the specific policy the lawsuit is referring to?
2. When was the policy created?
3. What's the city's reaction to the lawsuit?

Best regards,

Lauren Green
 Chief Religion Correspondent
 Fox News Channel
1-212-301-3065
Lauren.green@foxnews.com

IMMEDIATE RELEASE

****MEDIA ADVISORY****

Farmer wants to sell food to all people, but East Lansing won't let him

ADF attorneys represent Michigan family farmer in challenge to city policy that ousted him from farmers' market for his beliefs

LANSING, Mich. – Alliance Defending Freedom attorneys representing an organic farmer in Michigan filed a federal [lawsuit](#) Wednesday against the city of East Lansing after officials ousted his family business from the local farmer's market, where he has done business since 2010, because city officials learned he believes marriage is the union of one man and one woman. The farmer wants to be able to sell food to all people, but the city is preventing him from doing so at the farmer's market.

At issue is an unconstitutional, unlawful, and complex "sexual orientation" policy that city officials adopted specifically to shut out Steve Tennes and Country Mills Farms—his family's fruit orchard—purely because he posted on Facebook his belief in biblical marriage. The city did this even though Tennes, his family, and the orchard are in Charlotte, 22 miles from East Lansing, well outside the city's boundaries and beyond its jurisdiction.

“All Steve wants to do is sell his food to anyone who wants to buy it, but the city isn’t letting him,” said ADF Legal Counsel Kate Anderson. “People of faith, like the Tennes family, should be free to live and work according to their deeply held beliefs without fear of losing their livelihood. If the government can shut down a family farmer just because of the religious views he expresses on Facebook—by denying him a license to do business and serve fresh produce to all people—then no American is free.”

This message and its attachments may contain legally privileged or confidential information. It is intended solely for the named addressee. If you are not the addressee indicated in this message (or responsible for delivery of the message to the addressee), you may not copy or deliver this message or its attachments to anyone. Rather, you should permanently delete this message and its attachments and kindly notify the sender by reply e-mail. Any content of this message and its attachments that does not relate to the official business of Fox News or Fox Business must not be taken to have been sent or endorsed by either of them. No representation is made that this email or its attachments are without defect.

Mikell Frey - news media request for comment

From: Stephen Carmody <sgcarmod@umich.edu>
To: <hsurfac@cityofeastlansing.com>
Date: 5/31/17 9:36 AM
Subject: news media request for comment

Hello,

I'm a reporter with Michigan Radio/NPR.

I'll be attending a news conference pertaining to a lawsuit against the Farmers Market:

NEW EVENT: Wednesday, May. 31 12:30 PM ADF discuss lawsuit against City of East Lansing for stopping farmer from selling food - Alliance Defending Freedom Legal Counsel Kate Anderson holds news conference regarding a new federal lawsuit against the City of East Lansing for 'excluding a farmer from farmer's market because of his religious beliefs, barring him from participating after six straight years of exceptional service at the market'

Location: Rm 252, State Capitol Bldg, Lansing, MI Lansing www.adfmedia.org

I would be interested in getting the farmers market view of the situation, though I would understand if your attorney advises you not to comment on pending litigation.

Steve Carmody
Michigan Radio
[734-904-8465](tel:734-904-8465)

Mikell Frey - Additional paperwork for Market

From: Heather Surface
To: George Lahanas
Date: 5/30/17 12:26 PM
Subject: Additional paperwork for Market
Attachments: 2017 Guidelines (2).doc; 2017 Vendor License Agreement 125.docx

See attached for Market Agreement and Guidelines

Sundays from 10 a.m. - 2 p.m.
June 4 to Oct. 29, 2017
280 Valley Court Park

East Lansing Farmer's Market 2017 Vendor Guidelines

1) PURPOSE

The East Lansing Farmer's Market (ELFM) is an open-air, outdoor market that enhances community life by bringing residents, local growers and producers together. The market provides residents the opportunity to purchase a variety of fresh, farm-grown Michigan produce and products.

The ELFM features only Michigan growers and Michigan producers. Wholesale, farmer direct, manufactured products, arts and crafts and non-Michigan produce and products are prohibited.

2) OPERATIONS

- a. **Days of Operation:** The East Lansing Farmer's Market will operate on Sundays from June 4 to Oct. 29, 2017.
- b. **Hours of operation:** The market will be open to the public from 10 a.m.-2 p.m.
- c. **Location:** The market will be located in Valley Court Park, 280 Valley Court, East Lansing, MI 48823.

3) APPLICATION AND REVIEW PROCESS

- a. Submission of a vendor application is required to participate in the ELFM. Applications are reviewed by the ELFM Market Planning Committee, which is comprised of vendors, residents and City staff.

Applications are reviewed on an annual basis and open stalls will be offered to applicants based on 1) the type of produce and products sold and 2) the date of application. Prior participation does not guarantee a spot in the market, with the exception of Invitational Vendors (see #4d)

4) TYPES OF VENDORS

- a. **Annual Vendors** are selected by the ELFM Planning Committee and will attend each of the 22 market days.
- b. **Part-time Annual Vendors** are selected by the ELFM Planning Committee and commit to attend a limited number of market days (i.e. every other Sunday).
- c. **Daily Vendors** are selected by the ELFM Planning Committee and participate on a limited basis. Vendors who sell seasonal products or items not already offered at the market will be given preference. Daily vendors will be contacted by the market manager the Wednesday prior to market day.
- d. **Invitational Vendors** are selected by the ELFM Planning Committee on an annual basis. These vendors have consistently adhered to the ELFM Vendor Guidelines and embodied the spirit of the market. An invitation does not guarantee selection for participation in the following year's market.

5) PRODUCE AND PRODUCTS

- a. The following products are permitted for sale in the market.
 - a. Michigan Growers-Only Produce: grown by the vendor in Michigan.
 - b. Michigan Value-Added / Producer-Only Products: created or produced by the vendor in Michigan, with as many Michigan ingredients/products as possible.
 1. Value-Added products are defined by the USDA as having:
 - a. A change in the physical state or form of the product (such as milling wheat into flour or making strawberries into jam).
 - b. The production of a product in a manner that enhances its value (such as organically produced products).
 - c. The physical segregation of an agricultural commodity or product in a manner that results in the enhancement of the value of that commodity or product (such as an identity preserved marketing system).
- b. The following produce and products are NOT permitted for sale in the market.
 - wholesale
 - farmer direct
 - manufactured
 - arts and crafts
 - non-Michigan
- c. Product Additions: Vendors are not permitted to add additional product lines (outside the produce or products described on their annual market application) without approval. Any subsequent additions to an initial product line need to be reviewed and approved by the market manager and/or ELFM Planning Committee.
- d. Organic Produce: Organic produce must be registered with the USDA. Growers should label organic produce in accordance to FDA regulations and display their updated "Certified Organic" certificate.
- e. State Law: Vendors are required to comply with all Michigan Department of Agriculture, Cottage Food Law and Ingham County Health Department rules and regulations.
- f. Dairy: The sale of non-pasteurized milk is prohibited.
- g. Alcohol: The sale of alcohol is prohibited.

6) VENDORS WILL EMBODY THE SPIRIT OF THE MARKET BY:

Multiple factors that affect the success of every vendor are considered.

- a. Merit high quality produce and presentation
- b. Convincing amount of produce
- c. Attending the market each and every week.
- d. Offering a diversity of fresh products.
- e. Creating an inviting atmosphere for customers.
- f. Displaying products in a thoughtful and creative way (i.e. use of table clothes, unique signage, three-dimensional displays).
- g. Pricing products fairly
- h. Being friendly and courteous to, and interacting with customers.
- i. Building relationships with customers.
- j. Participating in marketing initiatives and special events.
- k. Adhering to market guidelines including attendance, parking, safe food handling, signage, etc.

- l. Following the *MDA Guidelines for Providing Safe Food Samples* (Appendix A).
- m. Complying with the City of East Lansing's Civil Rights ordinances and the public policy against discrimination contained in Chapter 22 of the East Lansing City Code while at the ELMF and as a general business practice. (Appendix B)
- n. Having fun!

7) INSPECTIONS

ELFM officials or their designee may conduct one or more random on-site visits of any farm or business. The purpose of an inspection is to assure adherence to the ELMF growers-only philosophy. Failure to allow an inspection is grounds for immediate revocation. ELMF's ability to inspect any farm or business shall not be considered the City's approval of any particular farming or business method. The ELMF makes no warranty as to the fitness of any particular procedures or products.

8) ATTENDANCE AND PENALTY FEES

- a. Vendors are expected to attend each market day that they have committed. If the vendor is not present by 9:30 a.m., the market manager may fill the stall with another vendor or activity.

If there are extenuating circumstances, vendors are required to contact the market manager by the Wednesday prior to market day if they will not be attending the market for any reason. This will allow the market manager time to fill the vendor stall.

- b. Vendors will be required to provide a \$50 stall deposit, which will accompany the vendor registration fees and forms. Vendors who are absent, without prior notification, will forfeit the \$50 stall deposit. Vendors will be required to pay an additional \$50 stall deposit before returning to the market and will be charged \$50 for each subsequent absence during the current season. If the vendor has more than three absences at the end of the current season they will not be invited to participate in future markets. The forfeited \$50 stall deposit will be added to the general operating fund of the market. The \$50 stall deposit fee will be returned to each vendor, who has attended each market day, at the end of the current season.

9) VENDOR FEES

- a. Annual Fee: The cost of the market is \$275 per stall for nonresidents and \$265 for residents (22 market days). Fees must be paid in full by May 12, 2017.
- b. Daily Fee: The cost of a daily stall rental is \$25 per market day, regardless of sales. Daily stalls will be assigned by the Market Manager the Wednesday prior to the specific market day.
- c. Stall Deposit Fee: A stall deposit fee of \$50 will be collected, if accepted into the market, at the start of the season and will be returned at the end of the season if vendor has not violated the Attendance Policy (See #8b).

10) REQUIRED LICENSES AND INSURANCE

- a. Vendors must provide a certificate of insurance naming the City of East Lansing as additionally insured (\$500,000.00).
- b. If selling produce or products that require a license, the vendor must submit a copy of the license with the market contract.

- c. All vendors must follow Michigan Department of Agriculture and Ingham County Health Department food handling and sanitation rules.
- d. Organic growers must label produce in accordance to FDA regulations and display their updated "Certified Organic" certificate in their stall.
- e. Products falling under the Cottage Food Law must adhere to *all labeling requirements* and practices. More information may be found at www.michigan.gov/cottagefood.

11) DISPLAY AND SIGNAGE

- a. Products: All produce/products must be displayed within the assigned stall space.
- b. Pricing: The vendor is responsible for pricing goods sold at a reasonable market value. Pricing needs to be clearly visible.
- c. Organic growers: Organic produce/products must be labeled in accordance to FDA regulations and display their updated "Certified Organic" certificate.
- d. Cottage Food Law: Products that are made under the Cottage Food Law must adhere to labeling guidelines.
- e. Booth Signage: Vendors are required to display a sign that states the vendor's name and location of their farm on the front of the booth/tent.
- f. Product Signage: Signage should be clear, appealing and keeping in character of the market.

12) STALLS

- a. Annual assignment: Vendors who participate as an annual vendor will be assigned to a specific stall. Permission to move out of a designated stall must be made in writing to the Market Manager. The vendor can not sublet its space. If vendor is absent on any given market day the market manager may place either a seasonal or daily vendor in that assigned stall.
- b. Part-time Annual assignment: Vendors who participate, on a limited basis, may or may not be assigned a specific stall. Permission to move out of designated stall must be made in writing to the Market Manager. The vendor cannot sublet its space. If vendor is absent on any given market day the market manager may place either a seasonal or daily vendor in that assigned stall.
- c. Daily Vendor stall assignment: There will be daily stalls available to encourage availability of seasonal produce and products (i.e. berries, perennials) to participate in the market. Daily vendors will be contacted by the Market Manager the Wednesday prior to market day. Daily vendors must submit an application and all required paper work, licenses and proof of insurance prior to participation. Preference will be given to vendors who sell seasonal products or items not already offered at the market.
- d. Size of Stall: The size of a vendor stall is 11 feet wide and includes space for one vehicle.
- e. Tents, tables, chairs: Due to Ingham County Health Department guidelines, tents must be used at all times during the market. Vendors must provide their own tents (maximum size 10 X 10), tables, chairs and other equipment as needed. Tents or coverings must be anchored by heavy weights to ensure safety during windy conditions.
- f. Cleanliness: Each vendor is expected to keep their vendor stall clean and attractive during the duration of the market and clean their stall at the end of each day. *No garbage, boxes and other items should be left behind.*

- g. **Set-up and take-down:** Vendors will be allowed to set up their stall between 8 a.m. and 9:30 a.m. Vendors arriving later than 9:30 a.m. may be assigned to another stall space or may lose their stall space. Vendors must be ready to sell by 10 a.m. Vendors arriving after 9:30 a.m. are not guaranteed the ability to drive into their stall.
- h. Vendors must remain in their stall until the close of the market.

13. SITE

- a. **Parking for Vendors:** One vendor parking spot will be located within the stall space. Additional parking is prohibited in the parking spaces reserved for or commonly used by customers. Free vendor parking is available in downtown parking ramps. A vendor's second vehicle must be parked as far away as possible from the market to allow for customer parking.
- b. **Dogs:** Vendors will not be allowed to bring dogs to the market.
- c. **Smoking:** The market and the East Lansing City Code prohibit smoking in the market area.
- d. **Restrooms:** Restrooms will be available to vendors only.
- e. **Electricity:** Electricity is available to all vendors *if needs are previously discussed* with the Market Manager.
- f. **Trash:** Dumping of produce and/or trash in garbage cans is prohibited (vendors are required to take away everything they brought with them).
- g. **Cash:** Vendors are responsible for bringing their own cash box to the market and providing change to customers.
- h. **Other forms of Payment:** The ELFM uses a token system for SNAP benefit customers and participates in the Double Up Food Bucks program.
- i. **Sales Tax:** Sales tax is the responsibility of the vendor.
- j. **Marketing:** Marketing for this event is a joint effort between the City of East Lansing and vendors. The City of East Lansing will market the event using available resources. Vendors are encouraged to help promote the market by word-of-mouth, distribution of flyers, creating links to the ELFM from their website, etc.

Vendors are also encouraged to help promote the market by helping to create a charming market by setting up attractive stall displays and selling quality items, as well as, being respectful and engaging with customers.

14. GRIEVANCES

Grievances should be directed to the Market Manager in writing. If the Market Manager cannot settle the grievance, it will be brought to the Planning Committee for discussion and a vote.

15. MARKET MANAGER RESPONSIBILITIES

- a. Recommending seasonal vendors to Farmer's Market Committee and registering daily vendors
- b. Assigning stalls at market
- c. Collecting seasonal and daily fees
- d. Handling day-to-day administrative duties
- e. Enforcing market regulations
- f. Answering customer and vendor inquiries
- g. Promoting the market
- h. Ensuring the market complies with applicable local, state and federal regulations

- i. Administering the financial and business affairs of the market
- j. Authority to deny or remove vendors from the market
- k. Authority to impose disciplinary action
- l. Authority to grant exceptions and accommodations on an individual basis

16. CONTACT

East Lansing Farmer's Market

410 Abbot Road

East Lansing, MI 48823

Office: (517) 319-6888

Email: hsurfac@cityofeastlansing.com

Web page: <http://www.cityofeastlansing.com/FarmersMarket>



2017 East Lansing Farmer's Market Vendor License Agreement

Contact Name: _____

Farm, Business or Name: _____

Business Address: _____

Mailing Address: _____

Cell: _____ Phone: _____

E-Mail _____ Website: _____

Emergency Contact Name & Number: _____

What type of vehicle will you have at the ELFM?

car standard size truck/van oversized truck standard size truck and trailer

Will you require the use of electricity? Yes No

If yes, how many watts? _____

License Requirements

Each vendor must furnish the City of East Lansing a current and valid copy of any and all licenses and permits necessary for operation during the 2017 season from June 4-Oct. 29. All food shall be from sources approved or considered satisfactory by the local health officials and the Department of Agriculture, and shall be clean, wholesome, free from spoilage, free from adulteration and misbranding, and safe for human consumption.

Vendors are required to comply with all Michigan Department of Agriculture (MDA) Rules and Regulations. Contact the MDA for questions at (800) 292-3939 (processed food) or (517) 373-1087 (plants). A copy of the appropriate State license must accompany the vendor application for items such as perennial plants, baked goods, meat, poultry, fish, shellfish, dairy products, lettuce and leafy greens, sauces that contain

potentially hazardous foods and maple syrup, as well as other potentially hazardous and/or processed foods.

Are you required by the State of Michigan to be licensed? Yes No
If so, please attach copies of current licenses.

If you are a grower, are you certified organic? Yes No
If so, please attach a copy of your certification.

Do your value-added, producer-only products fall under the Cottage Food Law? Yes No

If you have value-added products please describe your process of adding value.

Vendor License Agreement

The East Lansing Farmer’s Market (hereafter ELFM), as coordinated through the City of East Lansing, (hereafter City), 410 Abbot Road, East Lansing, MI 48823 and Licensee agree as follows:

1. GRANT OF LICENSE. Subject to the terms and conditions of this Agreement and the ELFM 2017 Vendor Guidelines (hereafter “Guidelines”), the City grants Licensee a license to use a designated stall at the designated location for the ELFM in the City.

2. TERM OF AGREEMENT. A seasonal license is valid for all the remaining dates and times set forth in the guidelines. A daily license is valid for the dates herein specified.

___ Annual Vendor License - \$265 for residents \$275 for non-residents (all market days below)

___ Part-Time Vendor License - \$25 per day (check dates that apply)

___ Daily Vendor License - \$25 per day (check dates that apply)

- | | | | | |
|----------------------------------|----------------------------------|------------------------------------|-----------------------------------|-------------------------------------|
| <input type="checkbox"/> June 4 | <input type="checkbox"/> July 2 | <input type="checkbox"/> August 6 | <input type="checkbox"/> Sept. 3 | <input type="checkbox"/> October 1 |
| <input type="checkbox"/> June 11 | <input type="checkbox"/> July 9 | <input type="checkbox"/> August 13 | <input type="checkbox"/> Sept. 10 | <input type="checkbox"/> October 8 |
| <input type="checkbox"/> June 18 | <input type="checkbox"/> July 16 | <input type="checkbox"/> August 20 | <input type="checkbox"/> Sept. 17 | <input type="checkbox"/> October 15 |
| <input type="checkbox"/> June 25 | <input type="checkbox"/> July 23 | <input type="checkbox"/> August 27 | <input type="checkbox"/> Sept. 24 | <input type="checkbox"/> October 22 |
| | <input type="checkbox"/> July 30 | | | <input type="checkbox"/> October 29 |

3. APPLICATION AND LICENSE FEE. Licensee shall pay the City a non-refundable application fee of \$265 for residents, \$275 for non-residents (Annual Vendor License) or \$25 per market day (Part-Time Vendor or Daily Vendor License).

4. USE OF SPACE. Licensee may use the Space only to sell Goods in compliance with the Guidelines.

5. EXPENSES. The license is for space only. Licensee is responsible for any and all other expenses incurred by licensee in using the designated stall.
6. ALTERATIONS. No alterations may be made to the Space or the Location by Licensee without the prior consent of ELMF officials.
7. INSPECTION. The City and/or ELMF officials may, at their option, conduct an on-site visit of the farm, business or organization at reasonable times. Failure to allow an inspection is grounds for immediate revocation of the license. ELMF's ability to inspect and or inspection of any farm, business or organization shall not be considered the City's approval of any particular farming or business method. The City and ELMF make no warranty as to the fitness of any particular procedures or products.
8. NON-ASSIGNABILITY. This license is personal to the licensee and the licensee's agents and employees and may not be assigned or transferred to any other person or business entity.
9. RELEASE OF LIABILITY. Licensee, on behalf of itself and its employees, volunteers and agents, releases all rights of recovery against the City and its officers, employees, volunteers and insurers from any claims, liability and costs (including for personal injury or property damage) arising out of the this Agreement of the License.
10. TAXES. Licensee remains responsible for any and all taxes from the sales of products resulting from this license.
11. HOLD HARMLESS/INDEMNITY AGREEMENT. The City and the ELMF is not responsible for product liability or the paying of sales taxes by individual licensees. Licensee agrees to indemnify and hold harmless the City of East Lansing its agents employees and insurers from and against all liability, claims, demands, losses, damages, levies and causes of action of suits of any nature whatsoever, arising out of or related to Licensees activities at the ELMF. The City and ELMF is not responsible for any loss or damage of licensee property or products. Licensee operates at their own risk.
12. REVOCATION. In addition to immediate revocation for failure to allow an inspection, any license may be revoked by the City for failure to comply with the guidelines or any other term of this license agreement. The City reserves the right to discontinue the ELMF program in which case all licenses are automatically revoked.
13. INSURANCE. Vendors are required to obtain general liability insurance. All vendors must provide proof of liability insurance for \$500,000, naming the City of East Lansing as an additionally insured.

Insurance Agent: _____ Phone: _____
Attach copies of insurance that is valid June 4-Oct. 29, 2017

By signing this agreement, I agree that:

- 1) I have read, understood and agree to the ELFM 2017 Vendor Guidelines and the 2017 East Lansing Farmer's Market Vendor License Agreement.
- 2) I have obtained or will obtain all applicable permits and licenses from local, state and federal regulatory agencies by May 31, 2017.
- 3) The City of East Lansing reserves the right to discontinue participation in the market.
- 4) All produce and/or products sold at the ELFM are grown and/or produced by me in Michigan.

Signed: _____ Date: _____
Vendor Signature

Signed: _____ Date: _____
City Manager

Signed: _____ Date: _____
Market Manager

ELFM REGISTRATION CHECKLIST

The following materials must be returned in conjunction with this agreement.
Please make checks payable to the City of East Lansing.

- ELFM Application enclosed
- Signed EBT Form..... enclosed
- 2017 Vendor License Agreement..... enclosed
- Annual Vendor stall fee (\$265 for residents, \$275 for non-residents) enclosed

OR

- Daily or Part-Time stall fee (\$25 X ___#of market days = \$____)..... enclosed
- Stall Deposit Fee (\$50)..... enclosed
- Proof of Liability Insurance (\$500,000), naming the City of East Lansing as additionally insured, valid June 4-Oct. 29, 2017..... enclosed
 not available at this time
- All required licenses valid June 4-Oct. 29, 2017..... enclosed
 not available at this time
- Vendor Biography for Promotional Use..... enclosed emailed
- Digital Vendor Photo for Promotional Use..... emailed
- Any other required licenses..... enclosed

* The DUFB form will be provided at the beginning of the market season.

Heather Surface / East Lansing Farmer's Market / 410 Abbot Road, East Lansing, MI 48823
(517) 319-6888 / hsurfac@cityofeastlansing.com / www.cityofeastlansing.com/213/Farmers-Market

Tim McCaffrey - Fwd: East Lansing Farmer's Market: Response proposal

From: Heather Surface
To: Tim McCaffrey
Date: 3/13/2017 2:08 PM
Subject: Fwd: East Lansing Farmer's Market: Response proposal
Attachments: Country Mill comment 2.docx; 2017 Guidelines (2).doc; Appendix B_Chapter 22.docx

What do you think about this Tim?

Hi Steve,

We appreciate your inquiries. It was brought to our attention this winter that your facebook post on December 12, 2016 violates East Lansing's Civil Rights ordinances and the public policy against discrimination contained in Chapter 22 of the East Lansing City Code. I've attached a time stamped copy of this facebook post. I've also attached the Farmer's Market Guidelines in which the Civil Rights requirements are outlined under 6.m. Finally, I've attached Chapter 22 of the Civil Rights ordinance (otherwise referred to as "Appendix B" in the Market Guidelines).

Heather Surface

City of East Lansing
 Stewardship & Community Events Specialist
 410 Abbot Rd East Lansing MI, 48823
[517-319-6888](tel:517-319-6888)

Be brave and be kind

>>> Steve Tennes <steve.tennes@gmail.com> 3/13/2017 1:12 PM >>>

Heather,

My sister-in-law, Diana, and I received your letter regarding our attendance at the ELFM. I am hoping to clarify whatever misunderstanding may have happened. I reviewed our application that we sent you and was not able to see what you might be referring to regarding our general business practices. Could you be more specific on why we are prohibited from continuing to attend the ELFM? We are not aware of any complaints from our ELFM booth or customers there. Have you received any?

We have always enjoyed coming to the ELFM and look forward to doing so in the future.

Thank You,

Steve Tennes
 Owner
 Country Mill
 4648 Otto Road
 Charlotte, MI 48813
[517-543-1019](tel:517-543-1019)
www.CountryMill.com

Mikell Frey - Re: The Country Mill

From: Erik Altmann <erikmaltmann@gmail.com>
To: Eilis Seide <eseide@cityofeastlansing.com>
Date: 3/8/17 10:15 AM
Subject: Re: The Country Mill

No concerns. I think this is the right move.

On Mar 8, 2017, at 10:03 AM, Eilis Seide <eseide@cityofeastlansing.com> wrote:

Council,

Tim McCaffrey and Heather Surface will be sending a letter to the Country Mill this week. They will not be invited back as a vendor for the Farmer's Market this year. Please let me know if you have concerns.

Eilis

Eilis A. Seide
Assistant to the City Manager
City of East Lansing
410 Abbot Road
East Lansing, MI 48823
phone: [\(517\) 319-6920](tel:(517)319-6920)

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Mikell Frey - Re: Fwd: Re: The Country Mill

From: Mark Meadows <mmeadows@cityofeastlansing.com>
To: "Seide, Eilis"
Date: 3/8/17 10:45 AM
Subject: Re: Fwd: Re: The Country Mill

OK.

Sent from my Verizon 4G LTE Droid

On Mar 8, 2017 10:20 AM, Eilis Seide <eseide@cityofeastlansing.com> wrote:

Eilis A. Seide
Assistant to the City Manager
City of East Lansing
410 Abbot Road
East Lansing, MI 48823
phone: (517) 319-6920

>>>

From: Tim McCaffrey
To: Eilis Seide
Date: 3/8/2017 10:18 AM
Subject: Fwd: Re: The Country Mill
Eilis:

They filled out an application so we are responding to their application.

Tim.

>>> Eilis Seide 3/8/2017 10:13 AM >>>
Do you want to answer this?

Eilis A. Seide
Assistant to the City Manager
City of East Lansing
410 Abbot Road
East Lansing, MI 48823
phone: (517) 319-6920

>>>

From: Mark Meadows
To: Eilis Seide
Date: 3/8/2017 10:10 AM
Subject: Re: The Country Mill
Why send a letter then?

>>> Eilis Seide 03/08/17 10:03 AM >>>

Council,

Tim McCaffrey and Heather Surface will be sending a letter to the Country Mill this week. They will not be invited back as a vendor for the Farmer's Market this year. Please let me know if you have concerns.

Eilis

Eilis A. Seide
Assistant to the City Manager
City of East Lansing
410 Abbot Road
East Lansing, MI 48823
phone: (517) 319-6920

Ruth Beier - The Country Mill

From: Eilis Seide
To: Council Group
Date: 3/8/17 10:03 AM
Subject: The Country Mill

Council,

Tim McCaffrey and Heather Surface will be sending a letter to the Country Mill this week. They will not be invited back as a vendor for the Farmer's Market this year. Please let me know if you have concerns.

Eilis

Eilis A. Seide
Assistant to the City Manager
City of East Lansing
410 Abbot Road
East Lansing, MI 48823
phone: (517) 319-6920

Tim McCaffrey - country mill letter

From: Tim McCaffrey
To: Heather Surface
Date: 3/7/2017 3:39 PM
Subject: country mill letter
Attachments: countrymillletter030717.docx

Heather:

Revised suggested letter

Mikell Frey - Fwd: Article for East Lansing Info

From: Tim McCaffrey
To: Lahanas, George
Date: 8/30/16 4:53 PM
Subject: Fwd: Article for East Lansing Info

George:

Do you want to respond or would you like me to respond?

Thanks. Tim.

>>> Heather Surface 8/30/2016 4:51 PM >>>

I just received this email from ELinfo. Would you like to respond and/or forward to Mark?

Heather

>>> Casandra Eriksen <casandraswims@gmail.com> 8/30/2016 2:44 PM >>>

Dear Heather,

I wanted to follow up on my previous e-mail. As I said before, my name is Casandra, and I am a reporter for eastlansinginfo.org.

In Chapter 22 of the City Code, the City protects against many forms of discrimination, including discrimination against LGBT people.

The Country Mill from Charlotte has come to the EL Farmers Market quite a few times, however, their words about performing weddings for LGBT people are clearly discriminatory. They refuse to perform same sex marriages at their orchard, even though they have many straight weddings.

I was wondering if I could interview you via email so ELi can write an article on this issue. The questions are:

- 1.) Are you aware of this issue?
- 2.) Does the City plan to respond or take action?

Thank you for your time.

Casandra Eriksen

Mikell Frey - Re: Fwd: Charlotte orchard

From: Tim McCaffrey
To: Lahanas, George
Date: 8/29/16 10:26 AM
Subject: Re: Fwd: Charlotte orchard

George:

Yes, they have assured us that they will serve all customers regardless of sexual orientation. To our knowledge, they have always served any customer at our farmer's market.

In my conversation with Diana Tennes the above answer also applies to the Orchard Barn Event Venue, where they will continue to host special events but not weddings.

Thanks, Tim.

>>> George Lahanas <glahana@cityofeastlansing.com> 8/29/2016 10:01 AM >>>

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Mark Meadows <mmeadows@cityofeastlansing.com>
Date: 8/29/16 7:59 AM (GMT-05:00)
To: George Lahanas <glahana@cityofeastlansing.com>
Subject: Fwd: Charlotte orchard

>>> "Mark Meadows" 08/29/2016 08:05 >>>

I haven't answered this yet. Did they assure us that they will service every customer, regardless of sexual orientation?

Mark

>>> Danielle Marie Salisbury <DQUISEN8@mlive.com> 08/29/16 6:49 AM >>>

Hello Mayor Meadows,

I am a reporter for MLive and I wrote a story over the weekend about The Country Mill in Charlotte refusing to host a same-sex wedding. There was some subsequent talk on Facebook about whether the orchard should be allowed or would be allowed to do business at the East Lansing farmer's market because if you could please contact me here or by calling the cell phone number below, I would appreciate it.

Thank you.

Danielle

Danielle Salisbury
MLive Media Group
Reporter

mobile [517.262.0026](tel:517.262.0026)
email danielle_salisbury@mlive.com
address 100 E. Michigan Ave., Suite 100, Jackson, MI, 49201

George Lahanas - Farmer's Market

From: George Lahanas
To: council
Date: 8/27/2016 10:58 PM
Subject: Farmer's Market

Council,

After further discussions with Tim McCaffrey and Tom Yeadon we decided to maintain our request that Country Mill voluntarily elect not to attend the market tomorrow. We heard from their attorney that they plan on attending. We have spoken with ELPD and will have officers available in the event that they are needed. Tim McCaffrey will communicate with the other vendors about the possibility of protesters.

George

Mikell Frey - RE: EL Farmer's Market Concern

From: Mark Meadows <mmeadows@cityofeastlansing.com>
To: George Lahanas; Ruth Beier; Shanna Draheim; Erik Altmann; Susan Woods
Date: 8/27/16 10:14 AM
Subject: RE: EL Farmer's Market Concern

As Tim knows, DuPuis was not the only inquiry about this. I am not sure whether not hosting any weddings actually addresses the issue which is a public statement that their religion does not permit them to allow same sex couples to be married at their farm. Do their religious beliefs permit them to sell apples to a same sex couple at the farmers market? Can they sign an assurance that they will provide service to all persons, regardless of sexual orientation? I think we can expect a demonstration at the farmers market and we should get some guidance from Tom on what our options are.

Sent from my Galaxy Tab® A

----- Original message -----

From: George Lahanas <glahana@cityofeastlansing.com>
Date: 8/27/16 9:54 AM (GMT-05:00)
To: Mark Meadows <mmeadows@cityofeastlansing.com>, Ruth Beier <rbeier@cityofeastlansing.com>, Shanna Draheim <sdraheim@cityofeastlansing.com>, Erik Altmann <Erik.M.Altmann@gmail.com>, Susan Woods <susanw.woods@gmail.com>
Subject: Fwd: EL Farmer's Market Concern

>>> "George Lahanas" 08/27/2016 09:55 >>>

Council,

Please see Mr. McCaffrey's email below regarding the EL Farmer's Market vendor, The Country Mill. We intend to withdraw our request that they refrain from participating in the market tomorrow unless I hear otherwise from Council (please contact me individually by phone or email if you would like to discuss this further).

George

>>> Tim McCaffrey 08/27/16 8:59 AM >>>
 George:

As you are aware, on Thursday afternoon we received an email concern from Dr. Sara Dupuis regarding the "Country Mill" vending at our EL Farmer's Market. The Country Mill had not allowed a same sex couple to book a wedding at their venue in Charlotte, Michigan. Dr. Dupuis was concerned that we would permit a business that discriminates against the LGBT community at our Market and this would conflict with our Human Relations Ordinance.

We had contacted the Country Mill and requested that they voluntarily agree to not vend this coming Sunday, August 28th at our Market. This would provide us the opportunity to involve our appropriate city officials in any longer term determinations regarding the Country Market's status as a vendor. As of last evening, the Country Mill had not let us know whether or not they would voluntarily agree to our request.

This morning, WILX reported that the Country Mill will no longer host any weddings at their Charlotte venue (see the WILX website). I contacted Dr. Sara Dupuis and advised her of what WILX had reported. Dr. Dupuis agreed that the Country Mill's new position was acceptable and that her concern was resolved.

With your concurrence, I intend to withdraw our request of the Country Mill regarding this weekend's Market.

Please advise if you prefer a different course of action.

Thank You.

Tim

From: Shanna Draheim
To: George Lahanas
Date: 8/27/16 10:04 AM
Subject: Re: Fwd: EL Farmer's Market Concern

Yes I concur.

>>> George Lahanas 08/27/16 9:54 AM >>>
Council,

Please see Mr. McCaffrey's email below regarding the EL Farmer's Market vendor, The Country Mill. We intend to withdraw our request that they refrain from participating in the market tomorrow unless I hear otherwise from Council (please contact me individually by phone or email if you would like to discuss this further).

George

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Please advise if you prefer a different course of action.

Thank You.

Tim

Mikell Frey - Re: EL Farmer's Market Concern

From: Erik Altmann <erikmaltmann@gmail.com>
To: George Lahanas <glahana@cityofeastlansing.com>
Date: 8/27/16 10:48 AM
Subject: Re: EL Farmer's Market Concern

If this vendor was in fact recently discriminating, and we've just discovered this, then I'd prefer maintaining the request not to vend until we get more direct assurances.

On Aug 27, 2016, at 9:54 AM, George Lahanas <glahana@cityofeastlansing.com> wrote:

Council,

Please see Mr. McCaffrey's email below regarding the EL Farmer's Market vendor, The Country Mill. We intend to withdraw our request that they refrain from participating in the market tomorrow unless I hear otherwise from Council (please contact me individually by phone or email if you would like to discuss this further).

George

>>> Tim McCaffrey 08/27/16 8:59 AM >>>
George:

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With your concurrence, I intend to withdraw our request of the Country Mill regarding this weekend's Market.

Please advise if you prefer a different course of action.

Thank You.

Tim

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Tim McCaffrey - Fwd: Re: Farmers market

From: Amy Schlusler
To: Stone, Jane
Date: 8/25/2016 4:02 PM
Subject: Fwd: Re: Farmers market

Hi Jane,

In follow-up to our discussion a moment ago, below please find my email correspondence with Mayor Meadows. I will share with the Mayor that I have forwarded this on to you and Tim McCaffrey for further discussion. Please just let me know if I can do anything further.

Thanks,
Amy

Amy Schlusler
City of East Lansing
Community Development & Engagement Manager
410 Abbot Rd.
East Lansing, MI 48823
(517)319-6931-Office Phone
(517)337-1607-Fax

>>> Mark Meadows <mmeadows@cityofeastlansing.com> 8/25/2016 3:49 PM >>>

Well, they host weddings at their orchard and there was just a story on them where they indicate they will not allow same sex couples to marry there because of their religious beliefs. We need to find out if our ordinance is implicated. And we should expect a demonstration in opposition to their participation if they continue to sell at our market. Might be better to have them not come until all this can be straightened out.

Mark

Sent from my Verizon 4G LTE Droid

On Aug 25, 2016 3:40 PM, Amy Schlusler <aschlus@cityofeastlansing.com> wrote:

Hi Mayor Meadows,

Yes! They do.

Let me know if you need any additional information. Heather Surface actually administers the market, but I know that they were a vendor this year. I'm happy to look into anything you may need.

Amy

>>> Mark Meadows <mmeadows@cityofeastlansing.com> 8/25/2016 3:32 PM >>>

Does Country Mill in Charlotte have a space at the farmers market?

Mark

Sent from my Verizon 4G LTE Droid