

cityofnovi.org

CITY of NOVI CITY COUNCIL

Agenda Item G
October 20, 2008

SUBJECT: Approval of resolution recognizing Novi Youth Hockey Association as a non-profit organization for purposes of fundraising.

SUBMITTING DEPARTMENT: City Clerk's Office *m.c.*

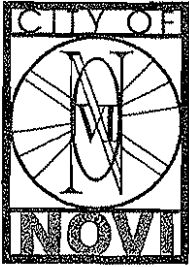
CITY MANAGER APPROVAL *Ch*

BACKGROUND INFORMATION: Novi Youth Hockey Association is a non-profit organization based in Novi. They are requesting a gaming license from the State of Michigan to hold a 50/50 raffle at the Novi Ice Arena on Saturday, November 8, 2008. They are required by the State Act 382 of 1972 to request a resolution recognizing them as a non-profit organization from the jurisdiction where they are based. Such a resolution carries no obligation from or endorsement by the City of Novi. They have submitted IRS and financial documents as requested. The Police Department has reviewed their submission and finds no reason to deny the request.

RECOMMENDED ACTION: Approval of resolution recognizing Novi Youth Hockey Association as a non-profit organization for purposes of fundraising.

	1	2	Y	N
Mayor Landry				
Mayor Pro Tem Capello				
Council Member Crawford				
Council Member Gatt				

	1	2	Y	N
Council Member Margolis				
Council Member Mutch				
Council Member Staudt				



MEMORANDUM

CITY COUNCIL

Mayor
David B. Landry

Mayor Pro Tem
Kim Capello

Bob Gatt

Terry K. Margolis

Andrew Mutch

Kathy Crawford

Dave Staudt

City Manager
Clay J. Pearson

Chief of Police
David E. Molloy

Deputy Chief of Police
Thomas C. Lindberg

TO: Maryanne Cornelius
City Clerk

FROM: David E. Molloy 
Chief of Police

DATE: October 7, 2008

RE: Charitable Gaming License/Novi Youth Hockey
Association

Application for a charitable gaming license for Novi Youth Hockey Association/Wesley B. Colmery for a 50/50 raffle to be held at the Novi Ice Arena in the City of Novi has been reviewed.

With this we find no reason to deny this request.

Novi Police Department
45125 W. Ten Mile Road
Novi, Michigan 48375
248.348.7100
248.347.0590 fax

cityofnovi.org

September 30, 2008

Debra Blashfield, Deputy City Clerk
City of Novi
45175 West 10 Mile Road
Novi, MI 48375

HAND DELIVERED

Re: Local Governing Body Resolution for Charitable Gaming License for the Novi Youth Hockey Association, Inc.

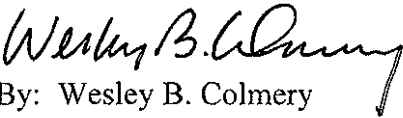
Dear Ms. Blashfield,

Enclosed are the materials relative to the Association's request of the City Council to approve a Resolution for Charitable Gaming License. These materials include:

1. Determination Letter from the Internal Revenue Service dated July 9, 2001.
2. Community Family Credit Union checking account statements for the 12 previous months.
3. The most recent Form 990, Return of Organization Exempt From Income Tax, for the 12 months ending December 31, 2007.
4. A letter addressed to the City Council requesting approval of the Local Governing Body Resolution for Charitable Gaming License. The City Council's approval is a requirement for the Association to receive a Charitable Gaming License, as described in MCL 432-103(9).
5. A blank copy of the Local Governing Body Resolution for Charitable Gaming License form prescribed by the State of Michigan Charitable Gaming Division.

Please feel free to contact me at 248-722-5420 should you have any questions.

Sincerely,
Novi Youth Hockey Association, Inc.


By: Wesley B. Colmery
It's Treasurer

September 30, 2008

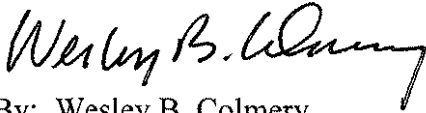
City Council
City of Novi
45175 West 10 Mile Road
Novi, MI 48375

Re: Local Governing Body Resolution for Charitable Gaming Licenses for the Novi Youth Hockey Association, Inc.

The Novi Youth Hockey Association, Inc. respectfully requests the City Council approve a Resolution for Charitable Gaming Licenses. The Resolution recognizes the Association as a nonprofit operating in the community for the purpose of obtaining Charitable Gaming Licenses.

With the Council's approval of the Resolution, and the State of Michigan Charitable Gaming Division's determination that the Association is a Qualified Organization, the Association will obtain a Raffle License. The Raffle License will be used at the Association's 2008 Game Day celebration, where a 50%/50% raffle will be conducted. Proceeds from this raffle are used to defray the cost of the 2008 Game Day celebration scheduled on Saturday, November 8, 2008. For reference, attached is a copy of the Association's newsletter article describing the 2007 Game Day celebration.

Sincerely,
Novi Youth Hockey Association, Inc.



By: Wesley B. Colmery
It's Treasurer

FACTS NOVEMBER NEWS

NYHA



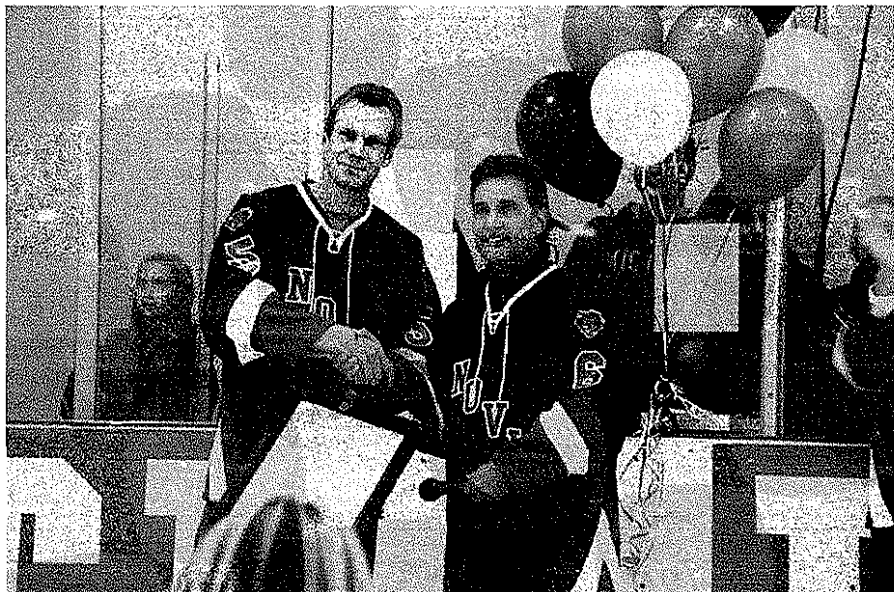
November 2007

Novi Youth Hockey Association – Proudly serving Novi area youth since 1998

GAME DAY 2007!

The 6th Annual Novi Game Day was everything expected and much more. Our unique event which is famous throughout USA Hockey for focusing on the love of hockey included 750 players - competing in 24 games - with their 144 Score-O Moms - cheered on by hundreds of families and friends - in a 14 hour period. More players, more activities, more happy faces - all helping us celebrate our 10th Anniversary Season. The day was capped off with a special recognition presentation from the City of Novi to the Red Wing's Nicklas Lidström. Making the presentation to Nick was Novi Mayor Pro Tem Kim Capello. Also present were: Congressman Thaddeus McCotter from the 11th District of Michigan, Novi City Manager Clay Pearson, Novi Parks and Recreation Manager Randy Auler, and Novi School Board Trustee Bobbie Murphy.

Red Wing Head Coach Mike Babcock, Red Wing Tomas Holmström, local dignitaries, and over 1,000 well wishers filled Novi Ice Arena's Blue rink to the rafters to salute Nick and his efforts with the NYHA and youth hockey since 1999. (See 'Game Day 2007' continued on page 2.)



Red Wings Defenseman Nick Lidstrom and Novi Mayor Pro Tem Kim Capello

Novi Youth Hockey Association
 42400 Arena Drive
 Novi MI 48375

248-735-0393
info@noviyouthhockey.org

Visit our website at
www.noviyouthhockey.org

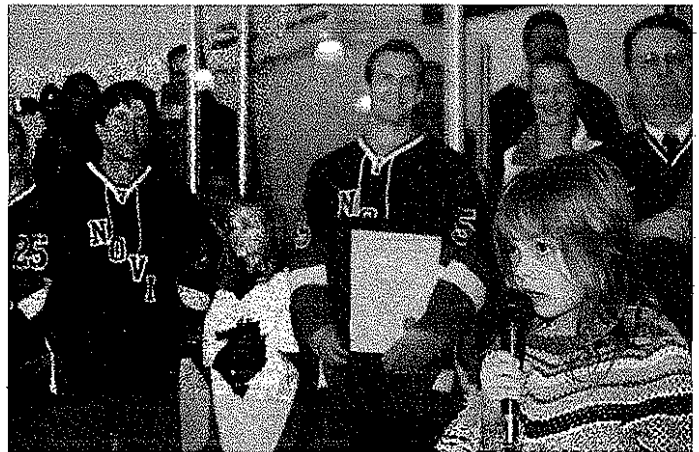
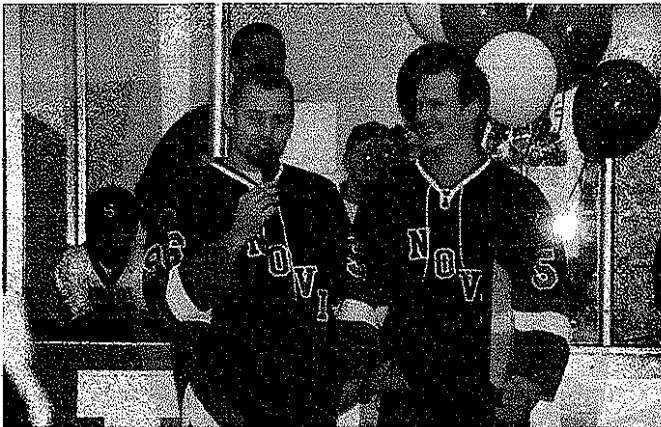
Angela Petty
 Program Administrator

NYHA Office Hours
 Wednesdays: 6:00-9:00pm
 Saturdays: 9:00am -12:00pm

Mailboxes for every team and all NYHA Board members are found on the main level next to the Blue Rink windows

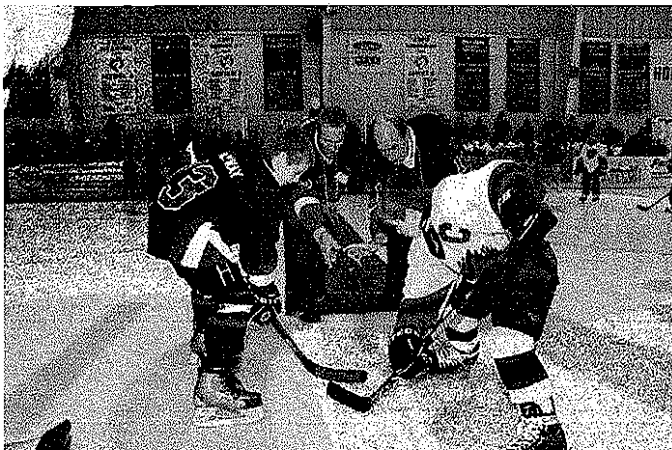
GAME DAY 2007! continued...

Heart-felt congratulations and thank you to Miranda Triolet - our 5-year-old National Anthem singer. Several banners were unveiled on Game Day. The NYHA 10th Anniversary Season banner and two banners congratulating the 2006-2007 Squirt Novi Predators who were District 4 Champions and State Champion runner ups last year. Many thanks need to be extended to our scores of volunteers which make Game Day a huge success. Kudos to Game Day Chair Bernie Crowley, President Bob DeSpirt, Board Member Dan Meyers and Program Coordinator Angela Petty who were the chief architects of Game Day. The list to thank includes the entire NYHA Board, their spouses and children, many high school volunteers, many coaches, managers, and parent volunteers which gave of their time and energy, various vendors, and lastly, the players and families of the NYHA which make it the great Association it is. Next year - more surprises in store!



Top left: Novi Hockey Dads - Nick Lidstrom and Tomas Holmstrom
Above: 5 year old Miranda Triolet sings the National Anthem for a crowd of 1,000+ hockey fans.

Above: Red Wings Head Coach Mike Babcock helps Novi honor Nick Lidstrom. Below: Ceremonial puck drop.



NYHA VIP

Coaches ~ Players ~ Families

Do you have interesting information to share about the NYHA Association? Win a tournament? Do you have an extraordinary player or coach to be recognized for achievements on or off the ice? Have any special hockey event to tell us about? Please send your info to:

factcat@noviyouthhockey.org

All submissions will be reviewed for entry by the Board and published in this monthly newsletter if accepted and space permits.



Charitable Gaming Division
 Box 30023, Lansing, MI 48909
 OVERNIGHT DELIVERY:
 101 E. Hillsdale, Lansing MI 48933
 (517) 335-5780
 www.michigan.gov/cg

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES
 (Required by MCL.432.103(9))

At a _____ meeting of the _____
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by _____ on _____
DATE

at _____ a.m./p.m. the following resolution was offered:
TIME

Moved by _____ and supported by _____

that the request from _____ of _____,
NAME OF ORGANIZATION CITY

county of _____, asking that they be recognized as a
COUNTY NAME

nonprofit organization operating in the community for the purpose of obtaining charitable

gaming licenses, be considered for _____.
APPROVAL/DISAPPROVAL

APPROVAL	DISAPPROVAL
Yeas: _____	Yeas: _____
Nays: _____	Nays: _____
Absent: _____	Absent: _____

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the _____ at a _____
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL

meeting held on _____.
DATE

SIGNED: _____
TOWNSHIP, CITY, OR VILLAGE CLERK

PRINTED NAME AND TITLE

ADDRESS

COMPLETION: Required.
 PENALTY: Possible denial of application.
 BSL-CG-1153(R10/06)

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: JUL 09 2001

NOVI YOUTH HOCKEY ASSOCIATION INC
42400 ARENA DR
NOVI, MI 48375

Employer Identification Number:
38-3421075
DLN:
17053162032001
Contact Person:
JOHN JENNEWEIN ID# 31307
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Form 990 Required:
Yes
Addendum Applies:
No

Dear Applicant:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

We have further determined that you are not a private foundation within the meaning of section 509(a) of the Code, because you are an organization described in section 509(a)(2).

If your sources of support, or your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status and foundation status. In the case of an amendment to your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, you should inform us of all changes in your name or address.

As of January 1, 1984, you are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Since you are not a private foundation, you are not subject to the excise taxes under Chapter 42 of the Code. However, if you are involved in an excess benefit transaction, that transaction might be subject to the excise taxes of section 4958. Additionally, you are not automatically exempt from other federal excise taxes. If you have any questions about excise, employment, or other federal taxes, please contact your key district office.

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(2) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the

Letter 947 (DO/CG)

NOVI YOUTH HOCKEY ASSOCIATION INC

part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(2) organization.

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for federal estate and gift tax purposes if they meet the applicable provisions of Code sections 2055, 2106, and 2522.

Contribution deductions are allowable to donors only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fundraising events may not necessarily qualify as deductible contributions, depending on the circumstances. See Revenue Ruling 67-246, published in Cumulative Bulletin 1967-2, on page 104, which sets forth guidelines regarding the deductibility, as charitable contributions, of payments made by taxpayers for admission to or other participation in fundraising activities for charity.

In the heading of this letter we have indicated whether you must file Form 990, Return of Organization Exempt From Income Tax. If Yes is indicated, you are required to file Form 990 only if your gross receipts each year are normally more than \$25,000. However, if you receive a Form 990 package in the mail, please file the return even if you do not exceed the gross receipts test. If you are not required to file, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally \$25,000 or less, and sign the return.

If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. A penalty of \$20 a day is charged when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty charged cannot exceed \$10,000 or 5 percent of your gross receipts for the year, whichever is less. For organizations with gross receipts exceeding \$1,000,000 in any year, the penalty is \$100 per day per return, unless there is reasonable cause for the delay. The maximum penalty for an organization with gross receipts exceeding \$1,000,000 shall not exceed \$50,000. This penalty may also be charged if a return is not complete, so be sure your return is complete before you file it.

You are required to make your annual information return, Form 990 or Form 990-EZ, available for public inspection for three years after the later of the due date of the return or the date the return is filed. You are also required to make available for public inspection your exemption application, any supporting documents, and your exemption letter. Copies of these documents are also required to be provided to any individual upon written or in person request without charge other than reasonable fees for copying and postage. You may fulfill this requirement by placing these documents on the Internet. Penalties may be imposed for failure to comply with these requirements. Additional information is available in Publication 557, Tax-Exempt Status for Your Organization, or you may call our toll free number shown above.

Letter 947 (DO/CG)

NOVI YOUTH HOCKEY ASSOCIATION INC

You are not required to file federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, a number will be assigned to you and you will be advised of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

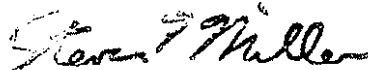
This determination is based on evidence that your funds are dedicated to the purposes listed in section 501(c)(3) of the Code. To assure your continued exemption, you should keep records to show that funds are expended only for those purposes. If you distribute funds to other organizations, your records should show whether they are exempt under section 501(c)(3). In cases where the recipient organization is not exempt under section 501(c)(3), there should be evidence that the funds will remain dedicated to the required purposes and that they will be used for those purposes by the recipient.

If we have indicated in the heading of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

Because this letter could help resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,



Steven T. Miller
Director, Exempt Organizations