



Scan QR code or go to
www.boynecity.com
Click on minutes and agendas

BOARD MEETING

March 5, 2015 – 8:30 A.M. Commission Chambers – City Hall
319 North Lake Street, Boyne City, MI

1. CALL MEETING TO ORDER AND ROLL CALL
 - Excused Absences
2. READING AND APPROVAL OF MINUTES
 - February 8, 2015 regular meeting minutes
 - February 23, 2015 Board Retreat meeting minutes
3. HEARING CITIZENS PRESENT (ON NON-AGENDA ITEMS)
4. CORRESPONDENCE
5. MAIN STREET COMMITTEE REPORTS
6. MAIN STREET MANAGER’S REPORT
7. UNFINISHED BUSINESS
 - a. DDA Development and TIF Plan Amendment and Brownfield Plan timeline
 - b. Walkabout Sculpture Contract
 - c. Other
8. NEW BUSINESS
 - a. City Millage Discussion
 - b. Other
9. GOOD OF THE ORDER
10. ANNOUNCEMENTS
 - Next Boyne City Main Street board meeting is scheduled for April 2, 2015
11. ADJOURNMENT

Mission Statement: *through community partnerships and a shared vision for the future, work to keep downtown Boyne City vibrant and successful while preserving its historic heritage and supporting sustainable projects.*

Individuals with disabilities requiring auxiliary aids or services in order to participate in municipal meetings may contact Boyne City Hall for assistance: Cindy Grice, Clerk/Treasurer, 319 North Lake St., Boyne City, MI 49712; 231-582-0334



Approved: _____

**Meeting of
February 5, 2015**

MINUTES OF THE BOYNE CITY MAIN STREET BOARD REGULAR MEETING HELD ON THURSDAY FEBRUARY 5, 2015 AT 8:30 A.M. CITY HALL, 319 NORTH LAKE STREET

Call to Order

Chair Swartz called the meeting to order at 8:32 a.m.

Roll Call

Present: Michael Cain, Michelle Cortright, Jim Jenson, Larry Lenhart, Rob Swartz, Pat O'Brien, Robin Berry Williams and Ben Van Dam

**Meeting
Attendance**

Absent: Jodie Adams
City Staff: Annie Doyle, Barb Brooks, Scott McPherson, Cindy Grice and recording Secretary Karen Seeley

**Excused Absences
MOTION**

Cain moved Cortright second PASSED UNANIMOUSLY to excuse Jodie Adams from today's meeting.

**Approval of Minutes
MOTION**

O'Brien moved Cortright second PASSED UNANIMOUSLY to approve the January 8, 2015 regular minutes and January 30, 2015 special minutes as presented.

**7A
Boyne City Projects

****Chair Swartz asked that 7A be moved to the beginning of the meeting.**
Glenn Catt and Bob Grove Boyne City Projects:
Within the last year we have two projects happening in town. Bob Grove renovating the Dilworth and Glenn Catt with the South Lake Street project. They have both contacted Guy Bazzani & Associates for their design work. Mac McClelland of Otwell Maltby explained how both of these projects could fall under "Brownfield" projects. The board asked if there is a complete financing plan for both projects. Peter Skorina of Bazzani & Associates said that neither project has been finalized yet, the Dilworth is further along than the Lake Street Project. Glenn explained that he is tweaking his final plan, the Historical part is complicated. There is funding available for the historical aspect, mostly construction cost. Planning/Zoning Administrator McPherson informed the board that there is a public hearing on February 16 to review the plans on Catt's Lake Street project as well as some changes to the One Water Street project. It will then be taken to the City Commission for a first and second reading which would take us into April. Mac added that the Brownfield could be done concurrently. If the cost is less than \$500,000 it can be done administratively through the state. The Brownfield plan will also need to be amended through the County. The DDA/TIF plan will need to be amended and expand the scope of the plan to include façade, barrier free and fire suppression. Swartz asked how we justify putting public money into private facilities. The vast majority of all public infrastructure is in the DDA. We could help with public improvements not part of the plan. Cortright inquired how we navigate through this process? First we need the plans, and then approach the two as two separate projects, except for the TIF amendment. When should the environmental review process begin? It can be done concurrent.
Board discussion: Very supportive. How do we move forward together? The Dilworth is a high priority project. This will be a huge economical boost. Board

questioned the uncertainty of the TIF at the state level. We shouldn't stop and wait for the State. If this is already done will it get grandfathered in? We need a time table, all the pieces and elements in place.

Citizens Comments

None

Main Street Committee Reports

Team Boyne: One of our priorities is the vacancies in the DDA. It was the consensus to get the Main Street director involved also. We also talked about having a stronger event on Thursday of the Mushroom Festival with something downtown.
Organization: Have been working through Election of Officers, the OR committee struggled with a four year commitment. Two years as Vice Chair and Two years as Chair.

Design: In addition to the minutes included in the agenda packet, Doyle reported that bids have gone out for a new kiosk. The Committee is working on a Walkabout Sculpture Show Lease Agreement.

Promotions: Moving full steam ahead with Chocolate Covered Boyne and the Irish Festival. Summer planning is ramping up.

Unfinished Business MOTION

Election of Officers: The Organization Committee recommends Pat O'Brien as Chair and Jodie Adams as Vice Chair. **Cain moved, Jensen seconded, PASSED UNANIMOUSLY** to elect Pat O'Brien as Chair and Jodie Adams as Vice Chair for a one year term effective March 2015.

Board Retreat: The dates for the Main Street Retreat will be on Monday, February 23rd at 5:00 pm with the place to be determined, providing it works with the facilitator's schedule.

New Business

Pavilion Funding: Barb Brooks of the Veterans Park Pavilion committee updated the board on the progress to determine the feasibility of renovating the current pavilion, further refine plans for "Concept 2" and investigate ways to cover the cost. Concept 2 utilizes the base foundation of the current pavilion and expands it to provide for additional amenities and accommodate a larger number of people. After reviewing all of the public input and researching grant opportunity specifications, we have asked the Architect to incorporate a lower roof line and commercial kitchen components. Construction should take about 4-6 months. Professional services should commence at least 4 months prior to the start of construction. (It is possible this could start in 2015). The current estimate for the project is approximately which would include final design, engineering, bid documents, and construction. She presented the board with a spread sheet showing sources of potential funding, estimated financial contributions and budget shortfalls/excesses. O'Brien stated he was very disappointed that the pavilion funding was not part of the new facilities.

MOTION

O'Brien moved Cortright seconded PASSED UNANIMOUSLY to support the committee to continue to refine plans for the pavilion to keep the project moving forward, recommend the City Commission hire a consultant and start construction as soon as it is financially feasible and earmark at least \$15,000 in the upcoming budget if those funds are available to be used to match potential grants. O'Brien out at 10:00a.m.

MOTION

Boyne Thunder Resolution of Support: Boyne Thunder 2015 is scheduled for July 10 and 11 and planning for the event is well underway. As in the past, the Main Street Board and City Commission are being asked for their support. **VanDam moved Cortright seconded PASSED UNANIMOUSLY** to support and endorse the Boyne thunder event; and approve a resolution to make application to the Liquor Control Commission for a Special License for the sale of beer, wine and spirits for the consumption on the premises, to be in effect on July 9 through 12 in Veteran's Park.

Other: SOBO Arts Festival Charlevoix County Community Foundation Grant Application: Becky Harris, a member of the SOBO Arts Festival Committee stated the SOBO Arts Festival is interested in applying to the Charlevoix County Community Foundation for a grant to support the 2015 event. The foundation recommends the grant request be specific to the music, (in the past we have gotten the “Big Band”) for no more than \$1900. In addition to the Main Street board’s support, the foundation also requires support of the City Commission.

MOTION

Cain moved Cortright seconded PASSED UNANIMOUSLY that the Main Street Board support and recommends to the City Commission the SOBO Arts Festival grant application to the Charlevoix County Community Foundation.

MOTION

Pavilion Funding: The board discussion the grant funding available that the Committee had listed on their projected project. Should we give them a letter of support for all the grants they hope to apply for? **Cain moved Van Dam seconded PASSED UNANIMOUSLY** a motion for a letter of support for the Pavilion Project up to the amount of the project and exhaust all sources of funding.

Good of the Order

We have four incredible projects going on in 2015/16, this will be our year. Van Dan said the Mission Statement included on the agenda looked great. Friday is the last day for early signup for the Atlanta Conference. We were selected as one of the seven communities across the State to receive a Place Plan services grant. The board received a flyer of frequently asked questions for the DPW and City facilities. The City facilities will be on the May 2015 ballot. The DPW project will go out for bid this month. The facilities will be a 2016 project. Welcome to Lori on March 1st.

**ADJOURNMENT
MOTION**

Cortright moved Williams seconded PASSED UNANIMOUSLY to adjourn the February 5, 2015 meeting of the Boyne City Main Street Board at 10:31 am.

Karen Seeley, Recording Secretary



Approved: _____

**Meeting of
January 30, 2015**

MINUTES OF THE BOYNE CITY MAIN STREET BOARD WORK SESSION
HELD ON MONDAY FEBRUARY 23, 2015 AT 4:00 P.M. BOYNE DISTRICT
LIBRARY – COMMUNITY ROOM

Call to Order

Chair Swartz called the meeting to order at 4:10 p.m.

Roll Call

Present: Michael Cain, Jim Jenson, Larry Lenhart, Rob Swartz, Pat O’Brien
Ben VanDam, Robin Berry-Williams, Jodie Adams and Michelle
Cortright

Absent: None

**Meeting
Attendance**

City Staff: Barb Brooks, Executive Assistant

Public: Seven

Work Session

The strategic planning work session was led by facilitator Jen Booher

ADJOURNMENT

The February 23, 2015 work session meeting of the Boyne City Main Street Board
was adjourned at 7:07 p.m.

Barb Brooks, Executive Assistant



Otwell Mawby, P.C.
Consulting Engineers

MEMORANDUM

DATE: March 3, 2015

TO: Michael Cain, City Manager
City of Boyne City

FROM: Mac McClelland

SUBJECT: Tax Increment Financing Implementation Process – Boyne City Projects

At the February meeting, the Boyne City Main Street Board reviewed a request to consider an amendment to the Boyne City DDA Development and Tax Increment Financing Plan to provide for additional eligible activities for reimbursement, including Façade Improvements, Barrier Free Access, and Fire Suppression, for the Dilworth Hotel and Lake Street Development.

The Main Street Board indicated general concurrence with the concept and requested additional information relating the process to amend the DDA Development/TIF Plan and any special considerations for the availability of DDA TIF for these improvements. In addition, the projects also requested consideration of Brownfield TIF reimbursement for certain Eligible Activities, including lead and asbestos abatement and demolition, and support for Community Development Block Grant (CDBG) funding for other components of the projects.

The following is a summary of the process and considerations for positioning these incentives for the proposed projects.

An excerpt of Act 197 relating to the Development and TIF Plan amendment process is attached. Also attached is a more detailed schedule for Brownfield Plans and/or Amendments, DDA Development and TIF Plan Amendment, and CDBG grant applications.

DDA Development and TIF Plan Amendment

Amendment Process – DDA Development/TIF Plan

Act 197, PA 1975 outlines the process to amend the Development and TIF Plan. The process to amend the Development and TIF Plan for additional eligible activities or projects is relatively straightforward. If the proposed amendment changes the boundaries of the TIF District, taxing jurisdictions subject to capture may opt out from the additional properties.

To initiate the process, the Main Street Board and the City Commission should review the proposal and authorize the preparation of the DDA Development/TIF Plan

amendment. The Plan amendment would be prepared, which can be an appendix to the current Plan, would be considered by the Main Street Board and recommended for approval to the City Commission. An accompany ordinance already has been drafted and would be considered by the City Commission, after notifications and a public hearing.

The following is a summary of the tasks, completion dates, and responsibility:

Task	Completion	Responsibility
Authorize DDA Development/TIF Plan Amendment	Early March	Main Street Board City Commission
Develop Plan Amendment/Ordinance	Mid April	City Staff/Consultants
Approve/Recommend Plan and Ordinance	Early May	Main Street Board
Establish Public Hearing/Issue Notices	Early May	City Commission/Staff
Hold Public Hearing	Early June	City Commission
Approve Plan and Ordinance	Early June	City Commission

Policy Considerations – Additional Eligible Activities

There are considerations of precedent for the authorization of such expenditures, and the Main Street Board may wish to consider certain criteria for which authorization would be made. The application of these criteria should be noted in the Development Plan (but not specifically included so the criteria can be altered without a Development Plan amendment). The following are suggested considerations for determining which projects may be considered for these additional eligible activities:

- Historic Renovation – the projects includes restoration of historic buildings that either have local, state, or federal historic designation or are eligible for state and/or federal historic tax credits.
- Public Improvements – the project includes public improvements or amenities
- Affordable Housing – the project provides for affordable housing in the downtown
- Property TIF Generation – the allocation of DDA TIF will be limited to the revenues generated by only those parcels that are part of the specific project.

The Main Street Board may consider the costs of the DDA Development and TIF Plan amendment to be covered by the Developers, and included as a reimbursable expense.

Brownfield TIF

Act 381 provides for the capture of all local taxes and, with state approval, school operating and State Education Taxes to reimburse environmental, lead and asbestos abatement, and demolition costs on contaminated, blighted, functionally obsolete, and/or historically designated properties.

The Boyne City DDA TIF Plan calls for the capture of all local taxes, except for Intermediate School District taxes, which has precedent to Brownfield projects, since the DDA was established first.

The State requires an equivalent contribution of local taxes in two forms: 1) the DDA forgoes their TIF capture which is transferred to the Brownfield Authority to reimburse Brownfield Eligible Activities; or 2) an equivalent investment by the DDA to the project.

In discussions with Dan Leonard, MEDC Community Assistance Team member, the State would accept equivalent investment by the DDA, which in this case, would be the eligible expenses proposed under the DDA TIF Plan amendment.

This structure would maximize State funds for Brownfield Eligible Activities the leveraging of DDA TIF investment.

The original Dilworth Brownfield Plan included DDA TIF funds for reimbursement of Brownfield Eligible Activities and will need to be amended to provide for the second option for local match. A new Brownfield Plan will need to be developed and approved for the Lake Street Project. The Brownfield Plan must be approved by the Charlevoix County Brownfield Redevelopment Authority and the Charlevoix County Board of Commissioner, with the concurrence of the Boyne City Commission. An Act 381 Work Plan will need to be developed and approved by the CCBRA and by the State of Michigan for State tax capture approval.

The CCBRA has established a policy that Developers provide the up front funds for the development and approval of the Brownfield Plan and Act 381 Work Plan.

Community Development Block Grant

Another key component of the proposed project is accessing Community Development Block Grants through the State of Michigan and administered by the City of Boyne City.

Because of the State approval process and Environmental Review requirements, the CDBG process is the critical path with the longest timeframe between the three incentive approaches.

The Developer would be responsible to prepare the draft application materials, with review by City staff and approval by the City Commission.

If the approach to the projects is approved by the Main Street Board and City Commission, the Environmental Review process is recommended to begin as soon as practical to meet the project timeline requirements. The Environmental Review process must be completed before consideration of grant award by the Michigan Strategic Fund.

I hope this provides a reasonable summary to foster discussion on the role of Main Street/DDA and City Commission in support of these projects.

Please contact me at 231.633.6303 or mac@otwellmawby.com if you have questions or would like additional information.

Boyer City Downtown Projects DDA Development and TIF Plan Amendment Brownfield Plan

ID	Task Name	Duration	Start	Finish	Responsible	Timeline																								
						Jan '15	Feb '15	Mar '15	Apr '15	May '15	Jun '15	Jul																		
1	Project Initiation	50 days	Mon 1/5/15	Fri 3/13/15	Project Team	28	4	11	18	25	1	8	15	22	29	5	12	19	26	3	10	17	24	31	7	14	21	28	5	
2	Project Exploration	20 days	Mon 1/5/15	Fri 1/30/15	Project Team																									
3	Project Discussion - DDA	5 days	Mon 2/2/15	Fri 2/6/15	McClelland																									
4	Project Discussion - CCBRA	1 day	Mon 2/9/15	Mon 2/9/15	McClelland/Project Team																									
5	Concept Summary and Timeline Development	15 days	Tue 2/10/15	Mon 3/2/15	McClelland																									
6	Review and Approval by Main Street/DDA	3 days	Tue 3/3/15	Thu 3/5/15	Mainstreet/DDA Board																									
7	Review and Approval by City Commission	9 days	Tue 3/3/15	Fri 3/13/15	City Commission																									
8	Brownfield TIF	59 days	Mon 3/16/15	Thu 6/4/15	McClelland																									
9	Brownfield Plan	28 days	Mon 3/16/15	Wed 4/22/15	McClelland																									
10	Prepare Brownfield Plan	10 days	Mon 3/16/15	Fri 3/27/15	McClelland																									
11	Review Brownfield Plan	3 days	Mon 3/30/15	Wed 4/1/15	Developer																									
12	Revise Brownfield Plan	2 days	Thu 4/2/15	Fri 4/3/15	McClelland																									
13	Submit Brownfield Plan to Brownfield Authority	3 days	Mon 4/6/15	Wed 4/8/15	Developer																									
14	CCBRA Approval	0 days	Wed 4/8/15	Wed 4/8/15	Developer																									
15	Submit Brownfield Plan to City Council/County Commission	4 days	Thu 4/9/15	Tue 4/14/15	McClelland/Developer																									
16	Main Street/DDA TIF Allocation Resolution	0 days	Thu 4/2/15	Thu 4/2/15	Main Street/DDA																									
17	City Council Concurrence	0 days	Tue 4/14/15	Tue 4/14/15	City Council																									
18	Introduction and Set Public Hearing	0 days	Wed 4/8/15	Wed 4/8/15	County Commission																									
19	Notice of Public Hearing	10 days	Thu 4/9/15	Wed 4/22/15	McClelland/CCBRA																									
20	Notice to Taxing Jurisdictions	10 days	Thu 4/9/15	Wed 4/22/15	McClelland/CCBRA																									
21	Hold Public Hearing	0 days	Wed 4/22/15	Wed 4/22/15	County Commission																									
22	County Commission Brownfield Plan Approval	0 days	Wed 4/22/15	Wed 4/22/15	County Commission																									
23	Act 381 Work Plan	59 days	Mon 3/16/15	Thu 6/4/15	McClelland																									
24	Prepare Act 381 Work Plan	10 days	Mon 3/16/15	Fri 3/27/15	McClelland																									
25	Review Act 381 Work Plan	3 days	Mon 3/30/15	Wed 4/1/15	Developer																									
26	Revise Act 381 Work Plan	2 days	Thu 4/2/15	Fri 4/3/15	McClelland																									
27	Submit Act 381 Work Plan to Brownfield Authority	3 days	Mon 4/6/15	Wed 4/8/15	McClelland																									
28	Brownfield Authority Approves Act 381 Work Plan	0 days	Wed 4/8/15	Wed 4/8/15	CCBRA																									
29	Submit Act 381 Work Plan to MDEQ/MEGA	1 day	Thu 4/23/15	Thu 4/23/15	CCBRA																									
30	MDEQ/MEGA Approves Act 381 Work Plan	30 days	Fri 4/24/15	Thu 6/4/15	MDEQ/MEGA																									
31	Reimbursement Agreement	22 days	Mon 3/16/15	Tue 4/14/15	BRA/Developer																									
32	Revise Standard Agreement	5 days	Mon 3/16/15	Fri 3/20/15	McClelland/CCBRA																									
33	Negotiate Agreement	10 days	Mon 3/23/15	Fri 4/3/15	CCBRA/Developer																									
34	Submit Agreement to CCBRA	3 days	Mon 4/6/15	Wed 4/8/15	CCBRA																									
35	Brownfield Authority Approves Agreement	0 days	Wed 4/8/15	Wed 4/8/15	CCBRA																									

Project: Boyer City DDA Amendment T
Date: Tue 3/3/15

Task Milestone

Progress Milestone

Summary Project Summary

External Tasks External Milestone

Deadline

**Excerpt for DDA Development and TIF Plan Amendments
from Act 197, PA 1975, Downtown Development Act**

125.1668 Ordinance approving development plan or tax increment financing plan; public hearing; notice; record.

Sec. 18. (1) The governing body, before adoption of an ordinance approving or amending a development plan or approving or amending a tax increment financing plan, shall hold a public hearing on the development plan. Notice of the time and place of the hearing shall be given by publication twice in a newspaper of general circulation designated by the municipality, the first of which shall be not less than 20 days before the date set for the hearing. Notice of the hearing shall be posted in at least 20 conspicuous and public places in the downtown district not less than 20 days before the hearing. Notice shall also be mailed to all property taxpayers of record in the downtown district not less than 20 days before the hearing. Beginning June 1, 2005, the notice of hearing within the time frame described in this subsection shall be mailed by certified mail to the governing body of each taxing jurisdiction levying taxes that would be subject to capture if the development plan or the tax increment financing plan is approved or amended.

(2) Notice of the time and place of hearing on a development plan shall contain: a description of the proposed development area in relation to highways, streets, streams, or otherwise; a statement that maps, plats, and a description of the development plan, including the method of relocating families and individuals who may be displaced from the area, are available for public inspection at a place designated in the notice, and that all aspects of the development plan will be open for discussion at the public hearing; and other information that the governing body considers appropriate. At the time set for hearing, the governing body shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference to the development plan. The hearing shall provide the fullest opportunity for expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the development plan. The governing body shall make and preserve a record of the public hearing, including all data presented thereat.

125.1669 Development plan or tax increment financing plan as constituting public purpose; determination; ordinance; considerations.

Sec. 19. (1) The governing body after a public hearing on the development plan or the tax increment financing plan, or both, with notice thereof given in accordance with section 18, shall determine whether the development plan or tax increment financing plan constitutes a public purpose. If it determines that the development plan or tax increment financing plan constitutes a public purpose, it shall then approve or reject the plan, or approve it with modification, by ordinance based on the following considerations:

- (a) The findings and recommendations of a development area citizens council, if a development area citizens council was formed.
- (b) The plan meets the requirements set forth in section 17 (2).
- (c) The proposed method of financing the development is feasible and the authority has the ability to arrange the financing.
- (d) The development is reasonable and necessary to carry out the purposes of this act.
- (e) The land included within the development area to be acquired is reasonably necessary to carry out the purposes of the plan and of this act in an efficient and economically satisfactory manner.
- (f) The development plan is in reasonable accord with the master plan of the municipality.
- (g) Public services, such as fire and police protection and utilities, are or will be adequate to service the project area.
- (h) Changes in zoning, streets, street levels, intersections, and utilities are reasonably necessary for the project and for the municipality.

(2) Amendments to an approved development plan or tax increment plan must be submitted by the authority to the governing body for approval or rejection.

Boyer City Downtown Projects DDA Development and TIF Plan Amendment Brownfield Plan

ID	Task Name	Duration	Start	Finish	Responsible	Feb '15					Mar '15					Apr '15					May '15					Jun '15					Jul '15				
						1	8	15	22	29	1	8	15	22	29	5	12	19	26	3	10	17	24	31	7	14	21	28	5						
1	Project Initiation	47 days	Mon 1/5/15	Tue 3/10/15	Project Team	[Gantt bar from 1/5/15 to 3/10/15]																													
2	Project Exploration	20 days	Mon 1/5/15	Fri 1/30/15	Project Team	[Gantt bar from 1/5/15 to 1/30/15]																													
3	Project Discussion - DDA	5 days	Mon 2/2/15	Fri 2/6/15	McClelland	[Gantt bar from 2/2/15 to 2/6/15]																													
4	Project Discussion - CCBRA	1 day	Mon 2/9/15	Mon 2/9/15	McClelland/Project Team	[Gantt bar from 2/9/15 to 2/9/15]																													
5	Concept Summary and Timeline Development	12 days	Tue 2/10/15	Wed 2/25/15	McClelland	[Gantt bar from 2/10/15 to 2/25/15]																													
6	Review and Approval by Main Street/DDA	6 days	Thu 2/26/15	Thu 3/5/15	Mainstreet/DDA Board	[Gantt bar from 2/26/15 to 3/5/15]																													
7	Review and Approval by City Commission	9 days	Thu 2/26/15	Tue 3/10/15	City Commission	[Gantt bar from 2/26/15 to 3/10/15]																													
8	Brownfield TIF	67 days	Wed 3/11/15	Thu 6/11/15	McClelland	[Gantt bar from 3/11/15 to 6/11/15]																													
9	Brownfield Plan	36 days	Wed 3/11/15	Wed 4/29/15	McClelland	[Gantt bar from 3/11/15 to 4/29/15]																													
10	Prepare Brownfield Plan	12 days	Wed 3/11/15	Thu 3/26/15	McClelland	[Gantt bar from 3/11/15 to 3/26/15]																													
11	Review Brownfield Plan	3 days	Fri 3/27/15	Tue 3/31/15	Developer	[Gantt bar from 3/27/15 to 3/31/15]																													
12	Revise Brownfield Plan	2 days	Wed 4/1/15	Thu 4/2/15	McClelland	[Gantt bar from 4/1/15 to 4/2/15]																													
13	Submit Brownfield Plan to Brownfield Authority	4 days	Fri 4/3/15	Wed 4/8/15	Developer	[Gantt bar from 4/3/15 to 4/8/15]																													
14	CCBRA Approval	0 days	Wed 4/8/15	Wed 4/8/15	Developer	[Milestone diamond on 4/8/15]																													
15	Submit Brownfield Plan to City Council/County Commission	4 days	Thu 4/9/15	Tue 4/14/15	McClelland/Developer	[Gantt bar from 4/9/15 to 4/14/15]																													
16	City Council Concurrence	0 days	Tue 4/14/15	Tue 4/14/15	City Council	[Milestone diamond on 4/14/15]																													
17	Introduction and Set Public Hearing	1 day	Wed 4/15/15	Wed 4/15/15	County Commission	[Milestone diamond on 4/15/15]																													
18	Notice of Public Hearing	10 days	Thu 4/16/15	Wed 4/29/15	McClelland/CCBRA	[Gantt bar from 4/16/15 to 4/29/15]																													
19	Notice to Taxing Jurisdictions	10 days	Thu 4/16/15	Wed 4/29/15	McClelland/CCBRA	[Gantt bar from 4/16/15 to 4/29/15]																													
20	Hold Public Hearing	0 days	Wed 4/29/15	Wed 4/29/15	County Commission	[Milestone diamond on 4/29/15]																													
21	County Commission Brownfield Plan Approval	0 days	Wed 4/29/15	Wed 4/29/15	County Commission	[Milestone diamond on 4/29/15]																													
22	Act 381 Work Plan	67 days	Wed 3/11/15	Thu 6/11/15	McClelland	[Gantt bar from 3/11/15 to 6/11/15]																													
23	Prepare Act 381 Work Plan	12 days	Wed 3/11/15	Thu 3/26/15	McClelland	[Gantt bar from 3/11/15 to 3/26/15]																													
24	Review Act 381 Work Plan	3 days	Fri 3/27/15	Tue 3/31/15	Developer	[Gantt bar from 3/27/15 to 3/31/15]																													
25	Revise Act 381 Work Plan	2 days	Wed 4/1/15	Thu 4/2/15	McClelland	[Gantt bar from 4/1/15 to 4/2/15]																													
26	Submit Act 381 Work Plan to Brownfield Authority	4 days	Fri 4/3/15	Wed 4/8/15	McClelland	[Gantt bar from 4/3/15 to 4/8/15]																													
27	Brownfield Authority Approves Act 381 Work Plan	0 days	Wed 4/8/15	Wed 4/8/15	CCBRA	[Milestone diamond on 4/8/15]																													
28	Submit Act 381 Work Plan to MDEQ/MEGA	1 day	Thu 4/30/15	Thu 4/30/15	CCBRA	[Milestone diamond on 4/30/15]																													
29	MDEQ/MEGA Approves Act 381 Work Plan	30 days	Fri 5/1/15	Thu 6/11/15	MDEQ/MEGA	[Gantt bar from 5/1/15 to 6/11/15]																													
30	Reimbursement Agreement	25 days	Wed 3/11/15	Tue 4/14/15	BRA/Developer	[Gantt bar from 3/11/15 to 4/14/15]																													
31	Revise Standard Agreement	5 days	Wed 3/11/15	Tue 3/17/15	McClelland/CCBRA	[Gantt bar from 3/11/15 to 3/17/15]																													
32	Negotiate Agreement	12 days	Wed 3/18/15	Thu 4/2/15	CCBRA/Developer	[Gantt bar from 3/18/15 to 4/2/15]																													
33	Submit Agreement to CCBRA	4 days	Fri 4/3/15	Wed 4/8/15	CCBRA	[Gantt bar from 4/3/15 to 4/8/15]																													
34	Brownfield Authority Approves Agreement	0 days	Wed 4/8/15	Wed 4/8/15	CCBRA	[Milestone diamond on 4/8/15]																													

Project: Boyer City DDA Amendment T
Date: Mon 2/16/15

Task		Milestone		External Tasks	
Split		Summary		External Milestone	
Progress		Project Summary		Deadline	

Boyne City Main Street Program

EXHIBIT CONTRACT AND LEASE AGREEMENT

This Agreement is with the artist, (artist name), (artist address), and hereby leases unto The City of Boyne City, the property of (name of sculpture/description of artwork) upon the following terms and conditions:

1. **Property Leased:** The Artist certifies that the work has a steel mounting plate for welding or bolting to the pedestal or attachment sufficient to securely be placed directly on the ground without concern for it falling over or being removed. The Boyne City Main Street Program may provide pedestals as necessary for the work and is responsible for securely installing the work.
2. **Consideration:** Payment by the Boyne City Main Street Program will be made to Artist in the sum of five hundred dollars (\$500.00) for the above described artwork upon delivery of the piece. Artist acknowledges the consideration of public display of said artwork to possible purchasers. The Boyne City Main Street Program acknowledges that the placement of the artwork in Boyne City, MI is for the Walkabout Sculpture Show and is a benefit to the public by bringing art to public view.
3. **Terms of Lease:** The term of this lease shall commence June 6, 2015 and expire June 4, 2016. Artist agrees that the artwork will remain on site as installed until June 4, 2016. On that date, artist shall remove the artwork from site.
4. **Placement of Works:** Parties agree that artwork shall be displayed on public or private property in Boyne City and that the location shall be determined by the Boyne City Main Street Program. The transport of artwork is the sole expense of the artist. The artwork shall be initially installed by the Boyne City Main Street Program, at the program's expense, with the cooperation of the artist. The Boyne City Main Street Program reserves the right to relocate artwork.
5. **Insurance:** The Boyne City Main Street Program shall insure the artwork against damage or loss up to \$25,000 during the time it remains on exhibit.
6. **Sales:** All artwork will be for sale. The Boyne City Main Street Program will serve as agent for the sale of purchases that are a result of the Walkabout Sculpture Show. The Boyne City Main Street Program will receive a 10% commission of the purchase price. In the case of a sale where the Boyne City Main Street Program is the purchaser or is part of a joint purchase with other entities, the artist will provide a minimum 20% discount off the purchase price.

Artist

Date

Chair, Boyne City Main Street Program

Date

Michael Cain

From: McGow, Patrick F. [mcgow@millercanfield.com]
Sent: Wednesday, February 11, 2015 9:17 AM
To: Michael Cain; Paul Stauder
Cc: Cindy Grice
Subject: RE: Bond Tif Capture [MCPS-ACTIVE.FID1385949]

The DDA is permitted to capture voted debt millage and should automatically capture the millage unless there is something currently in the Plan that says the DDA does not capture voted debt millage. The LDFA (and a Brownfield Redevelopment Authority) are not allowed to capture voted debt millage by law.

The DDA can enter into an Agreement with the City to provide that it will not capture the voted debt millage, or amend the Plan to say that. The simplest way to do that would be for the DDA and City to agree that the DDA will not capture the voted debt millage. The uncaptured millage would be used to pay debt service.

If debt millage is captured by a TIF entity, the City should take that into account in setting the debt millage each year to make sure that sufficient funds are raised after the captured amounts.

Patrick F. McGow | Attorney and Counselor at Law
Miller Canfield
 150 West Jefferson, Suite 2500
 Detroit, Michigan 48226
 T 313.496.7684 | F 313.496.8451
 mcgow@millercanfield.com | [View Profile + VCard](#)

This electronic message and all of its contents and attachments contain information from the law firm of Miller, Canfield, Paddock and Stone, P.L.C. which may be privileged, confidential or otherwise protected from disclosure. The information is intended to be for the addressee only. If you are not the addressee, then any disclosure, copying, distribution or use of this message, or its contents or any of its attachments, is prohibited. If you have received this electronic message in error, please notify us immediately and destroy the original message and all copies.

From: Michael Cain [mailto:mcain@boynecity.com]
Sent: Wednesday, February 11, 2015 8:57 AM
To: Paul Stauder; McGow, Patrick F.
Cc: Cindy Grice
Subject: Bond Tif Capture

Good Morning, At yesterday's City Commission meeting questions were raised about whether our DDA and LDFA TIF districts would capture the 2.7 mill facility levy for their districts if approved. Would they? If yes, can the DDA and LDFA enter into some form of agreement to turn that back to the City for use on the facilities? The facilities are in the DDA district but not in the LDFA's although they will get support from most if not all of the services housed here. Thank you. Mike

Michael Cain
 City Manager
 City of Boyne City
 231.582.0377
mcain@boynecity.com

3/2/2015