

**JUNE 25, 2019
REGULAR MEETING**

RECORD OF THE PROCEEDINGS OF THE REGULAR BOYNE CITY COMMISSION MEETING DULY CALLED AND HELD AT BOYNE CITY HALL, 319 NORTH LAKE STREET, ON TUESDAY JUNE 25, 2019

CALL TO ORDER

Mayor Neidhamer called the meeting to order at noon followed by the Pledge of Allegiance.

Present: Mayor Tom Neidhamer, Mayor Pro-Tem Ron Grunch, Commissioners Hugh Conklin, Sally Page and Dean Solomon

Absent: None

Staff: Cindy Grice, Michael Cain, Scott McPherson, John Lamont and Tim Faas

Others: There were seven citizens in attendance.

**CONSENT AGENDA
MOTION**

2019-06-075
Moved by Solomon
Second by Page

Approval of the June 11, 2019 City Commission special meeting minutes as presented

Approval of the June 11, 2019 City Commission regular meeting minutes as presented

Approval to purchase a ThinkCentre M710s Workstation from Marcor Technologies LLC in the amount of \$925 plus installation and delivery fees of approximately \$150 and authorize the City Manager to execute the documents

Approval to appoint Skylar MacNaughton to the Planning Commission to fill a vacancy with the term to expire on May 31, 2022

Approval to appoint Larry Chute to the Planning Commission to fill a vacancy with the term to expire on May 31, 2020

Approval to reappoint Aaron Place to the Planning Commission for a three year term to expire on May 31, 2022

Approval to reappoint Joe St. Dennis to the Planning Commission for a three year term to expire on May 31, 2022

Ayes: 5
Nays: 0
Absent: 0
Motion carried

CITIZENS COMMENTS

None

CORRESPONDENCE

Correspondence from Valentino Trabucchi from Spring Harbor Apartments regarding rubbish pick-up at a multi-family unit properties was received and filed. Staff will look into this matter.

**CITY MANAGERS
REPORT**

City Manager Cain reported:

- The major road projects have been mainly finished.
- Cedar and Terrace Streets roads and utility reconstruction projects are scheduled to begin on July 22.

- According to the National Weather Service in Chicago May was the wettest in recorded history. They also report during May that Lake Michigan rose 6 inches in the last month, coming within one foot of its all-time record height in 1987. That 6" increase in Lake Michigan equates to roughly 2.335 trillion gallons of water. And as Lake Michigan goes so goes Lake Charlevoix and the Boyne River.
- The submerged fixed pier at our marina has been raised to its maximum height and now has its deck out of the water.
- The old Van Dam office building is being prepared for its move to its new location at 113 Trent.

REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

The May, 2019 Financial Statement was received and filed.

River Jumping Ordinance

Consideration to hold a second reading and adopt the proposed ordinance to prohibit jumping into the Boyne River under certain circumstances.

City Manager Cain discussed the proposed ordinance that would prohibit jumping from bodies of water from man-made structures. If this ordinance is adopted, it would become effective in 15 days.

Staff Comments: None

Citizens Comments: None

Board Discussion: After further discussion the Commissioners would like to bring this proposed ordinance back at a future date, adding language that would be specific as to what you can't jump off of.

MOTION

2019-06-076
 Moved by Neidhamer
 Second by Grunch

To postpone the adoption of this ordinance, bringing it back to the Commission incorporating revised language for the July 8, 2019 meeting

Ayes: 5
 Nays: 0
 Absent: 0
 Motion carried

Dust Control Application Contract

Consideration to approve a Purchase Order contract with Northern Michigan Dust Control for the 2019 Gravel Road Dust Control Program in an amount not-to-exceed \$18,900 and authorize the City Manager to execute the documents.

Public Works Superintendent Tim Faas stated that each year the Public Works Department contracts for the application of liquid dust suppressant to control dust on local gravel roads, alleys and the parking area at Avalanche Preserve. An invitation to bid was publicly advertised. The sole bidder (Northern Michigan Dust Control) has provided this service for many years to the City of Boyne City.

For the purposes of the bid specifications, quantities from the 2009 bid document which stated a total of 20,000 gallons of liquid calcium chloride. Prior to submitting a bid, the owner of Northern Michigan Dust Control advised me that the quantity requested was low in comparison to the amount currently being used. I indicated that I would recommend the correct volume of 30,000 gallons when the request for an award of contract would be made to the City Commission. The bid form is a unit price bid which gives the Commission the flexibility to award more than what was requested, provided the bidder is agreeable (which he has indicated so). As such, I would recommend the 30,000 gallon quantity at the 63 cents per gallon rate bid which produces a total cost of \$18,900 for the service.

Staff Comments: None

Citizens Comments: None

Board Discussion: All are in agreement with the recommendation

MOTION

2019-06-077

Moved by Conklin

Second by Page

To approve a Purchase Order contract with Northern Michigan Dust Control for the 2019 Gravel Road Dust Control Program in an amount not-to-exceed \$18,900 and authorize the City Manager to execute the documents

Ayes: 5

Nays: 0

Absent: 0

Motion carried

Veteran's Park Playground Wood Chips

Consideration to approve a Purchase Order Contract with PENCHURA for the additional engineered wood chips at the Veteran's Park playground structure in an amount not-to-exceed \$9,870 and authorize the City Manager to execute the documents.

Public Works Superintendent Tim Faas stated that per his request, PENCHURA, the playground equipment supplier who was awarded the contract for the Peninsula Beach playground cozy dome and saddle spinner evaluated the mulch levels in our playground at Veteran's Park on May 30, 2019. It is recommended that an additional 210 cubic yards of engineered wood fiber (i.e. chips) be added to the current base material. By combining this extra amount with the volume already on order for the Peninsula Beach project, we can save some cost. The cost per cubic yard placed would drop from \$87 per cubic yard to just under \$60 per cubic yard based on the volume.

The total cost to bring the playground structure into compliance with industry standards would be \$9,870 which can be funded from the Parks & Recreation capital budget for miscellaneous capital of \$62,000.

Staff Comments: None

Citizens Comments: None

Board Discussion: All are in agreement with the recommendation

MOTION

2019-06-078

Moved by Solomon

Second by Conklin

To approve a Purchase Order Contract with Penchura for the additional engineered wood chips at the Veteran's Park playground structure in an amount not-to-exceed \$9,870 and authorize the City Manager to execute the documents

Ayes: 5

Nays: 0

Absent: 0

Motion carried

**Pirate Fest Special
Event**

Consideration to approve the request of the Boyne City Pirate Fest to hold a Highlander Games special event in the Open Space property on August 10, 2019 subject to working out details acceptable to City staff

Public Works Superintendent Tim Faas said that the Boyne City Pirate Fest filed a second special event application with the City Clerk. This "new" event would be conducted on August 10th during the Pirate Festival previously approved in Veteran's Park. The request is for use of the Open Space to conduct a Highlander Games competition by the pirates. It is estimated that about 80 pirates would participate. Water and electric is available for the event from the City Boat Launch adjacent to the Open Space.

Staff has reviewed and conditionally approved the request. However, since this is a new event request at a recently acquired parcel by the City of Boyne City, the City Manager recommended it come before the City Commission for approval. The application would normally be reviewed in advance by the Parks & Recreation Commission; however, it was submitted after the last meeting and there is not another meeting scheduled until August 8, 2019 which is too late for consideration.

Staff Comments: None

Citizens Comments: Pirate Fest representatives Roger Coates and Cindy Malin were present to answer any questions regarding the event.

Board Discussion: All are in favor of supporting the event.

2019-06-079

Moved by Page

Second by Solomon

MOTION

To approve the request of the Boyne City Pirate Fest to hold a Highlander Games special event in the Open Space property on August 10, 2019 subject to working out details acceptable to City staff

Ayes: 5
 Nays: 0
 Absent: 0
 Motion carried

Third Party Payment Processing Partner

Consideration to approve to enter into an agreement with Point & Pay to provide credit card, debit card, e-check or other electronic means for tax bills, utility bills and other miscellaneous payments to the City of Boyne City and authorize the City Manager to execute the documents.

Clerk/Treasurer Cindy Grice said we have been utilizing a company called Official Payments as our payment processing partner for payments received at the counter at City Hall, over the phone and online for tax and utility payments since October, 2015. Official Payments was one of the two companies that partner with our accounting software provider BS&A and provided us with the best rate for our customers as they are paying the fees, not the City. We have been informed by BS&A that they would no longer be partnering with Official Payments and recommended either Point & Pay or Invoice Cloud. These companies would provide the same services as Official Payments, but the convenience fees charged to the individuals paying their taxes or utilities or other fees would be different.

Contact with representatives from both Invoice Cloud and Official Payments was made. The following costs proposed to the biller are as follows.

Point & Pay:

- Credit or Debit Cards 3% with a \$2.00 minimum for all utility, taxes and misc. payments
- E-Checks \$3.00 up to \$10,000 and \$10.00 over \$10,000

Invoice Cloud:

- Credit or Debit Cards 3.5% of amount due for property taxes
- Credit or Debit Cards \$3.95 for utility and miscellaneous bills
- E-Checks \$2.95 for all payments
- \$1.00 per pay by phone transaction in addition to above fees on the day before a bill is due
- \$100.00 per month paid by the City

After reviewing both proposals and presentations, we feel the best option is to contract with Point & Pay. Invoice Cloud offered many additional options that were very nice, but at a cost of \$125.00 per month to the City, we didn't feel it was worth the cost because many of them were duplications of current services, such as emailed utility bills and past due notices. Nothing would change for those who use

our online payment system for paying their taxes or utility bills. Other fees not available on line could still be paid at the counter or over the phone.

Staff Comments: None

Citizens Comments: None

Board Discussion: All are in agreement with the recommendation

MOTION

2019-06-080

Moved by Grunch

Second by Conklin

To approve to enter into an agreement with Point & Pay to provide credit card, debit card, e-check or other electronic means for tax bills, utility bills and other miscellaneous payments to the City of Boyne City and authorize the City Manager to execute the documents.

Ayes: 5

Nays: 0

Absent: 0

Motion carried

Lofts on Lake Street PA 210 Application Presentation

Review and Discussion of the PA 210 application received from Michigan Community Capital regarding their proposed Lofts on Lake Street project and provide any direction to staff necessary in preparation for the July 9th 7:00 p.m. Public Hearing on this matter.

City Manager Cain discussed the mixed use redevelopment project that is being proposed for three properties at the intersection of North Lake and State Streets. The project is being proposed and would be developed by Michigan Community Capital (MCC). The project was approved by the Planning Commission at their May 20th meeting. Over the last couple of months the City Commission has been considering the possibility of granting tax relief as requested by MCC a State of Michigan authorized Commercial Rehabilitation Exemption Certificate under Public Act 210 of 2005. Under this act the City could freeze the taxes on the property for up to ten years at their current levels. At the April 23rd meeting the City Commission approved moving the establishment of a PA 210 district for the three properties involved in the Lofts on Lake Street project.

On Tuesday, May 21st a public information meeting regarding Public Act 210 was held. About 18 people attended and we were thanked for our efforts to get the word out about this matter.

At the City Commission's May 28th meeting, rescheduled for 7:00 p.m., a public hearing was held on establishing the district and it was approved by the City Commission.

Following up on the City Commission's approval of the District notice was given to Charlevoix County, as required by law, to give them the required 28 days to consider the matter and determine if they wanted

to weigh in on the matter. We were invited to the Charlevoix County Board of Commissioner's meeting of June 12th to review the matter with them. Four of the five City Commissioner's attended that meeting, as did a member of the Main Street Board, our consultant Mac McClelland and me. We had a good discussion with the Commissioners. Their primary concern was that the project provided the housing proposed at the moderate pricing proposed for the length of any relief and if that changed that the relief should be withdrawn.

On June 7th MCC submitted the State required application and related materials as noted on pages 1 thru 5. We are bringing all these items before you this evening, along with our consultant, so we can begin to review them and plan for the Public Hearing on this application at our July 9th 7:00 p.m. City Commission meeting. Mr. McClelland is scheduled to attend that meeting with us to address any questions or comments the Commission may have.

I have also reached out the Michigan Economic Development Corporation to determine where they are regarding their consideration of support for MCC's Lofts on Lake Street project and if that may impact us in any way.

Staff Comments: None

Citizens Comments: Larry Chute said it may beneficial to have strength in the development agreement with MCC.

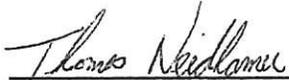
Board Discussion: Mac McClelland was available to answer any further questions the Commissioners had regarding the project.

Good Of The Order

Commissioner Conklin discussed the potential community land bank with potential property we have in Boyne City as part of a solution to attainable housing. Commissioner Solomon commented that we could possibly schedule a work session on how to create public input regarding the recreation marijuana, possible using a survey to receive public input.

ADJOURNMENT

Motion by Mayor Neidhamer, second by Commissioner Conklin to adjourn the Regular City Commission meeting of Tuesday, June 25, 2019 at 1:32 p.m.


 Tom Neidhamer
 Mayor


 Cindy Grice
 Clerk/Treasurer