boyne city

City of Boyne City
Founded 1856

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BOYNE CITY
CITY COMMISSION REGULAR MEETING
Boyne City Hall
319 North Lake Street
Tuesday, August 14, 2012 at 7:00 p.m.

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. CONSENT AGENDA
The purpose of the consent agenda is to expedite business by grouping non-controversial items together to be dealt with by one Commission motion without discussion. Any member of the Commission, staff, or the public may ask that any item(s) on the consent agenda be removed and placed as the last item under new business to receive full discussion. Such requests will be automatically respected.
   A. Approval of the corrected July 10, 2012 regular City Commission meeting minutes as presented
   B. Approval of the June 24, 2012 City Commission Work Session minutes as presented
   C. Approval of the July 24, 2012 regular City Commission meeting minutes as presented
   D. Approval to authorize City Manager Michael Cain to vote the ballot for the Michigan Municipal League's Workers Compensation Fund Board of Trustees Election
   E. Approval to re-appoint John McClorey to the Zoning Board of Appeals as a regular member with a three year term ending September 1, 2015
   F. Approval to re-appoint Lynn Murray to the Zoning Board of Appeals as a regular member with a three year term ending September 1, 2015

4. HEARING CITIZENS COMMENTS (on non-agenda items; 5 minute limit)

5. CORRESPONDENCE

6. CITY MANAGER'S REPORT

7. REPORTS OF OFFICERS, BOARDS, AND STANDING COMMITTEES

   A. Draft Minutes of the July 9, 2012 EDC Meeting
   B. Draft Minutes of the July 9, 2012 LDFA Meeting
   C. Draft Minutes of the July 11, 2012 Historical District Commission Meeting
   D. Draft Minutes of the July 12, 2012 Parks and Recreation Commission Meeting
   E. Draft Minutes of the June 20, 2012 Special Main Street Meeting
   F. Draft Minutes of the July 30, 2012 LDFA Special Meeting
   G. Draft Minutes of the July 30, 2012 Planning Commission Meeting

8. UNFINISHED BUSINESS

   A. Kirtland Update

9. NEW BUSINESS

A. GAG Sim / Tech Tax Exemption Extension

Considerations to hear oral and written comments from the public regarding the tax abatement extension for GAG Sim / Tech, to approve the tax abatement extension request from GAG Sim / Tech for a period of 4 years as recommended by the EDC Board, and authorize the City Manager and City Clerk/Treasurer to sign and submit the documents necessary to execute the abatement extension

B. Assessors Contract

Consideration that the City Commission award a three year agreement for $54,160; $54,160 and $55,110 to DC Assessing of Traverse City for assessing services with the City of Boyne City contingent upon approval of final agreement of the City attorney and similar approvals from the cities of East Jordan and Charlevoix, and authorize the City Manager and City Clerk/Treasurer to sign the required documents.

C. BS & A Software

Consideration of the City Commission to authorize the purchase of Assessing Software and to upgrade the Tax Administration Software to the .NET version from B S & A Software in the amount of $11,000 including training and installation and to purchase server upgrades and installation from Marcor Technologies, LLC at a cost of $757.90 and authorize the City Manager to execute the documents

D. Hannah Street Bid Awards

Consideration that the City Commission approve awarding the bid for the Hannah Street Reconstruction to the low bidder Tri-County Excavating for the amount of $405,960.30 and authorize the City Manager to sign the required documents.

E. Lumec Light Purchase

Consideration that the City Commission approves the purchase of 15 Lumec Streetscape Lights from the Dynamic Group for the amount of $42,775 and authorize the City Manager to sign the required documents.

10. GOOD OF THE ORDER

11. ANNOUNCEMENTS

- The Airport Authority Board would like to invite all the commissioners and their spouses to their annual picnic at 6:00 pm, August 23, 2012 at the airport terminal.
- The next regular City Commission meeting is scheduled for Tuesday, August 28, 2012 at noon

12. ADJOURNMENT

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

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City Commission Agendas/Agenda Packet

JULY 10, 2012
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 JULY 10, 2012

CALL TO ORDER

Mayor Ron Grunch called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance.

Present: Mayor Ron Grunch, Mayor Pro-Tem Gene Towne, Commissioners Derek Gaylord, Laura Sansom and Tom Neidhamer

Staff: Andy Kovolski, Scott McPherson, Dennis Amesbury, Barb Brooks, Craig Remsberg, John LaMont, Michael Cain, Hugh Conklin, Michele Hewitt, Kevin Spate, Syrina Dawson, Craig Remsberg, Tavis Tannehill, Todd McGuire, Shannon McMaster and Cindy Grice

Others: There were 13 citizens in attendance, including representatives from the Petoskey News Review and Charlevoix County News

CONSENT AGENDA
MOTION

2012-07-099
Moved by Neidhamer
Second by Towne

2012-07-099A
Approval of the corrected June 12, 2012 regular City Commission meeting minutes as presented
2012-07-099B
Approval of the June 26, 2012 regular City Commission meeting minutes as presented

Ayes: 5
Nays: 0
Absent: 0
Motion carried

CITIZENS COMMENTS

CORRESPONDENCE

None

CITY MANAGERS REPORT

None

City Manager Cain reported:

- The first use of the child is missing system was used this past week for a missing adult. The system worked beautifully with volunteers coming out to help in the search.
- The Fourth of July Committee did another wonderful job this year.
- 10 additional picnic tables have been purchased and placed throughout the parks.
- EMS Director filed for an EMS grant. Possible projects include the replacement of the oldest ambulance, the lifepak 12 and an upgrade stretcher.
- Boyne Thunder is this coming weekend, with the largest event ever planned.
- The Boyne City Municipal Airport has a new official GPS approach which will make it easier and safer to fly into our airport.
- The Absentee ballots are now available for the August 7 primary.

REPORTS OF OFFICERS, BOARDS, AND STANDING COMMITTEES

Draft Minutes of the June 7, 2012 Main Street Meeting; of the June 7, 2012 Parks and Recreation Commission Meeting; of the June 18, 2012 Planning Commission Meeting; the June 18, 2012 Historical Commission Meeting; of the June 28, 2012 Election Commission Meeting; and the June 28, 2012 Airport Advisory Board Meeting were received and filed.

Kirtland Update

Consideration to schedule a work session for the purpose of reviewing the Community Noise Assessment & Mitigation of the Kirtland Products Plant report from RSG, Inc. on Tuesday, July 17th at 6:00 p.m. subject to the report actually being received in a reasonable timeframe and staff securing an appropriate meeting location.

Staff Comments: Planning Director Scott McPherson stated the Citizens committee will meet this coming Thursday to go over the Kirtland Noise Assessment report received from RSG.

Citizens Comments: None

Board Deliberation: All are in agreement.

MOTION

2012-07-100
Moved by Sansom
Second by Gaylord

Approved to schedule a work session for the purpose of reviewing the Community Noise Assessment & Mitigation of the Kirtland Products Plant report from RSG, Inc. on Tuesday, July 17th at 6:00 p.m. subject to the report actually being received in a reasonable timeframe and staff securing an appropriate meeting location

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Fireworks Ordinance Discussion

Review and discussion what, if any, regulations to be considered in a revised City Fireworks Ordinance for staff to work with and bring back in ordinance form for further consideration at upcoming meetings

City Manager Cain discussed that since the last meeting when the fireworks ordinance were discussed, he received some concerns that were expressed by some residents that some late night fireworks were excessive. There are certainly more and larger fireworks than there were in the past under the old law.

Staff Comments: Interim Police Chief Remsberg stated that he still recommends his suggestions that he presented earlier. City Manager Cain added that there is nothing requiring us to do anything with this right now.

Citizens Comments: Correspondence from Jim Baumann was read by Mayor Grunch encouraging the Commission to take action on this. Charlevoix County Commissioner Joel Evans said that most of the noise is in the townships and suggested we get something together county – wide. City Manager Cain said that is an interesting concept. It may be different in rural areas than in cities. Bob Taylor added that you would

expect a little noise from the fireworks and didn't think it was too bad. Chris Christensen said you may want to take hard look at the time, if you try to limit, consider times.

Board Deliberation: Commissioner Neidhamer said all of the comments made make sense. Have staff study but not jump into it right away. It is not a priority. Commissioner Gaylord said the experience in his neighborhood is that he didn't detect any after about ½ hour after the City fireworks. He agrees there should be some time restraints and stated he is opposed to banning it other than national holidays. With freedom comes responsibility and there needs to be a nice balance. There is a short time window for enjoyment. Commissioner Sansom said her experience is that it has been every night of the week for several weeks. She doesn't want to hear fireworks every night. It is aggravating, annoying and frustrating. She added that she thinks it needs to be restricted and it waters down the 4th of July. It is way over done and what she witnessed with the fireworks was upsetting. Commissioner Sansom said this is also upsetting to veterans who have PTSD and the fines could be increased. We also may want to reconsider a fire department reimbursement of incurred costs.

Mayor Grunch said we need to find parameters to enforce and find unity with law enforcement. We need to work with different entities to make it safe. Commissioner Sansom said she has read where lawmakers may be revisiting this legislation. Joel Evans added that we need to focus on the noise ordinance, not banning fireworks. John McCahan said Boyne City does not have a sound ordinance and state law trumps any community ordinance.

2012-07-101
Moved by Neidhamer
Second by Towne

Approved to postpone discussion of the fireworks laws and ordinance and refer to staff to report within 90 days.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Police Chief Confirmation

Consideration to confirm the appointment of Jeffrey D. Gaither as Chief of Police for the City of Boyne City

City Manager Cain introduced Jeffrey D. Gaither to the City Commission for confirmation as Boyne City's next Chief of Police. Mr. Gaither was selected out of a pool of 23 applicants for this position, and his extensive law enforcement and leadership service with the Michigan Department of Natural Resources should serve him well as Boyne City's Police Chief. His experience as a part time Police Officer for Boyne City since 2007 will help him hit the town running. City manager Cain added that Mr. Gaither will make a fine Chief of Police and will build on the strong foundation our department has.

Citizens Comments: None

Staff Comments: Interim Chief Craig Remsberg spoke on behalf of the staff who wholeheartedly back the City Manager's recommendation. The City is in good hands with a bright future.

Board Deliberation: Mayor Pro-Tem Towne said Mr. Gaither has a very impressive work record and he highly supports the recommendation. Commissioner Gaylord asked Mr. Gaither if he is comfortable with operating within the City's budget parameters and asked what his short term goals are. Mr. Gaither said he understands budgeting and his strong point is community involvement. Commissioner Sansom said City Manager Cain's recommendation is a good choice. Commissioner Neidhamer said he supports the nomination and the process the City Manager went through. Mayor Grunch said he supports the recommendation and looks forward to the future.

MOTION

2012-07-102
Moved by Towne
Second by Sansom

Approved to confirm the appointment of Jeffrey D. Gaither as Chief of Police for the City of Boyne City.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

City Manager Cain invited everyone to an official ceremony to have Jeff Gaither sworn in as Chief of Police of Boyne City to be held on Monday, July 16 at 10:00 a.m.

RECOGNITION OF SERVICE OF CRAIG REMSBERG AND KEVIN SPATE

Mayor Grunch presented Interim Police Chief Craig Remsberg and Interim Assistant Kevin Spate with certificates of appreciation for their dedicated service since December of 2011.

National Register for Historic Places project update

National Register for Historic Places project update

Main Street Program Director Hugh Conklin discussed the $35,000 grant that Main Street received from the State Historic Preservation Office to hire a contractor to prepare an application to list a portion of downtown Boyne City as a district on the National Register of Historic Places. There is no local match component to the grant. After working with SHPO to prepare and solicit proposals from qualified consultants, William Rutter, an historic architect from Trout Lake, Michigan was hired to complete the nomination process.

Working since last October, Mr. Rutter completed a final draft of the nomination and submitted it to SHPO for final review and critique. The next step in the process is for a public meeting to explain the work involved with preparing the nomination and what, if approved, the historic district nomination will mean to the community. This meeting is scheduled for July 30 at 7:00 pm in the Boyne District Library Community Room. Tonight's presentation is an update on what has transpired since last fall and the process from this point forward.

Mr. Rutter presented the nomination application. We have a lot of history here and historical architecture will allow for financial incentives. Not all of the significant buildings are obvious. A slide show was presented of significant buildings and streetscapes that are contributing. A proposed district map was presented. Historic Preservation tax credits were discussed.

Citizens Comments: Ron Crozier inquired about the True Value Coop building and was informed that their recent façade improvements were approved at the SHPO level, so it is part of the district.

Board Deliberation: Commissioner Sansom said a lot was included, but she feels bad that the Library didn't qualify, along with the little church next to the Library. Commissioner Gaylord said he is hopeful that we are accepted, it is on more positive for Boyne City. Commissioner Neidhamer said if this is recognized, this is more tool and Mr. Rutter agreed. The tax incentive is very attractive to developers.

Fire Department equipment purchase

Consideration to approve the purchase of an ISG HRXR-Elite Thermal Imager Camera for the Fire Department from Douglas Safety Systems in the amount of $10,250 and authorize the City Manager to execute the documents.

Fire Chief Dennis Amesbury discussed his request to purchase a new thermal image camera for the fire department. Two models were considered and his recommendation is superior and with the included extras, a better value. This purchase has been budgeted for.

Citizens Comments: None

Staff Comments: None

Board Deliberation: Commissioner Gaylord said it is an electronic gadget with a useful purpose and inquired if the old unit will be kept in service and was informed, yes, as a backup. All other Commissioners agreed with the purchase of the life saving equipment.

MOTION

2012-07-103
Moved by Towne
Second by Gaylord

Approved the purchase of an ISG HRXR-Elite Thermal Imager Camera for the Fire Department from Douglas Safety Systems in the amount of $10,250 and authorize the City Manager to execute the documents.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Good of the Order

Mayor Pro-Tem Towne said he has received complaints of high speed on North Park Street, north of Vogel Street. He has also heard citizens concerns of dogs in the park on July 4th.

ADJOURNMENT
MOTION

Moved by Mayor Grunch, seconded by Mayor Pro-Tem Towne to adjourn the regular City Commission meeting of Tuesday, July 10, 2012 at 8:39 p.m.

Ron Grunch
Mayor

Cindy Grice
Clerk / Treasurer

JULY 24, 2012
WORK SESSION

RECORD OF THE PROCEEDINGS OF THE BOYNE CITY COMMISSION WORK SESSION DULY CALLED AND HELD AT THE CORNER OF S PARK AND WATER STREETS, ON TUESDAY JULY 24, 2012

CALL TO ORDER

Mayor Ron Grunch called the meeting to order at 7:00 am.

Present: Mayor Ron Grunch, Mayor Pro-Tem Gene Towne, Commissioners Derek Gaylord, Laura Sansom and Tom Neidhamer

Staff: Andy Kovolski, Scott McPherson, Dennis Amesbury, Barb Brooks, Craig Remsberg, Jeff Gaither, Tavis Tannehill, Keith Hausler, Darcy Kotalik, Doug Leist, Jeff Dobrowalski, Michael Cain, Hugh Conklin, and Cindy Grice

Others: Larry Fox of C2AE, Jim White

City Manager Cain discussed the reason for this work session is that after marking out the adopted plan for the South Park Street Reconstruction, it may not work. The goal is to make sure we are all happy with this decision.

Construction plans were provided based upon the adopted plans, along with other options. A demonstration of a possible traffic safety issue at the intersection was provided.

Discussion of sidewalk width took place, along with demonstrations of a larger vehicle, including an attached plow.

Measurements were taken to show the difference of adopted sidewalk widths versus different widths.

This item is currently on the agenda of the regular City Commission of today, July 24, 2012 for further discussion.

ADJOURNMENT
MOTION

Moved by Mayor Grunch, seconded by Mayor Pro-Tem Towne to adjourn the City Commission Work Session of Tuesday, July 24, 2012 at 8:16 a.m.

Ron Grunch
Mayor

Cindy Grice
Clerk / Treasurer

JULY 24, 2012
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 JULY 24, 2012

CALL TO ORDER

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

Present: Mayor Ron Grunch, Mayor Pro-Tem Gene Towne, Commissioners Derek Gaylord, Laura Sansom and Tom Neidhamer

Staff: Andy Kovolski, Scott McPherson, Dennis Amesbury, Barb Brooks, Craig Remsberg, John LaMont, Michael Cain, Hugh Conklin, Jeff Gaither and Cindy Grice

Others: There were 18 citizens in attendance, including representatives from the Petoskey News Review and Charlevoix County News

CONSENT AGENDA
MOTION

2012-07-104
Moved by Gaylord
Second by Towne

Approved the June 17, 2012 City Commission Kirtland Products Noise Assessment Work Session minutes as presented

Ayes: 5
Nays: 0
Absent: 0
Motion carried

REVISE JULY 10, 2012 MINUTES

The July 10, 2012 City Commission minutes will be revised and re-presented.

CITIZENS COMMENTS

Ron Crozier announced the upcoming dedication of the new memorial at Veteran's Park this Sunday at 2 pm.

CORRESPONDENCE

None

CITY MANAGERS REPORT

City Manager Cain reported:

- This year's Boyne Thunder was the biggest one yet. All went well.
- We have been working with Consumers Energy regarding the resolution of the frequent, brief power outages. This has also been affecting the water/wastewater operations.
- We recently held the first ever visit from the MEDC CAT team who were all quite impressed after touring the community.
- Assessor interviews took place this past week, with four firms being interviewed.
- It was nearly one year ago that Precision Edge announced their decision to build in Boyne City.

REPORTS OF OFFICERS, BOARDS, AND STANDING COMMITTEES

The June, 2012 Financial Statement was received and filed.

Kirtland Update

Since our last meeting, the City has received additional complaints regarding Kirtland.

Tom Monley of Kirtland said they have contacted RSG, and other consultants for engineering proposals. City Manager Cain added that he has contacted the Northern Lakes Economic Alliance to advise them the RSG report is available. He also added Kirtland is focused on the #1 mitigation issues that RSG reported on. Mayor Grunch asked if the operational time could be shortened. Commissioner Samson said she has received a lot of comments, some saying it is worse than it was before. People are having a difficult time sleeping. Tom Monley said they are focusing on what is most annoying. Commissioner Neidhamer sai at the end of the work session it was discussed where do we go from here. At what point do we say you have to start getting the mitigation in place. At what point to send it back to the Planning Commission. Also it's not fair to put a lot of money in sound mitigation if the smokestack fails.

Mayor Grunch read correspondence from Ryan and Mindy Giem encouraging the Commission to limit Kirtland's operation time and addressing the emissions question. An email from Emily Roland Jones filing another complaint regarding Kirtland was also read.

Citizens Comments: Bill Kuhn said it is going into 10 months, he has been patient. It's time to act.

Tim Arner said he didn't notice the noise until this spring. The last couple of months have been a problem. There are days and nights when you can't sit outside, it's intolerable. He hears other intermittent sounds but not a pulsating, constant drone. By his own observations, the City has been very patient. Kirtland put themselves into this situation. He would encourage the Commission to keep on track, it could end up with multiple lawsuits if something isn't done. He understands the sympathy for Kirtland. The City has gone to great lengths. Some action needs to be taken.

Hugh Conklin, said there are no easy answers. Its' complicated. He understands the disruption but also feels the need to support Kirtland. They put all their chips on the table. The plan has obviously not gone as expected, from financing to finally starting up, and to the noise.

City Manager Cain said he agrees with everything that's been said. There are clear actions the City can take. We have taken the more difficult path.

Mayor Grunch asked if the Commission has the right to ask Kirtland to cease and desist. City Manager Cain said he feels the Commission has the right to enforce hours.

Commissioner Neidhamer said he agrees with what has been said. Can we limit the hours from 8 am to 6 pm. At the same time, we have asked Kirtland when the MDEQ can test for emissions, that particular week, can we allow 24 hour production. I don't know if those are allowable or doable.

Commissioner Gaylord said he is going to recommend that we are going to follow the process. Kirtland is operating under a conditional use permit. The planner has the oversight of that conditional permit. He added that when he indicated that the Planner should be involved, he was not abdicating City Commission responsibility. He thinks that Scott McPherson, under the direction of the City Manager needs to take information that has been received from reports and the citizens and make a decision, how long they run, how many hours, when, and do they not run until they show a clear plan with recommended abatements and a financial ability to carry them out. We have extended and given opportunities for this. Anything else is further muddying the waters. There is clear frustration and he is not sure why it seems like he is the only one who understands this but that is what it is. That is his position under the supervisory of the City Manager.

Mayor Pro Tem Towne agrees to an extent but believes he still wants to see a plan, definitely a time limit. We have done the first step. Our last option is to refer it back to the planning commission.

Commissioner Sansom said she wants to see a real definite plan. Is Kirtland going to be prepared to follow thru under the recommendations? She doesn't feel its going to happen. It feels iffy to her. They are looking at $250,000 to $400,000 of fixes adding that she thinks Kirtland would want to work with the City and citizens of this community and limit times as much as they can and would like to see that by August 14 and not have the citizens endure the noise level. Would suggest maybe operation hours of 8 am to 6 pm would be more acceptable.

Scott McPherson said with all due respect to Commissioner Gaylord, he believes his ability to do this is being overestimated. In the ordinance it is his job to make sure the permit is in compliance If it is beyond what he can do. He can't amend, add to or adjust the permit. His responsibility is to monitor and his opinion is that they are not in compliance. It is beyond the scope of what he can do and well beyond the requirements. We went down the path to help find a solution to solve the problem. Boyne City went beyond what is required and should be applauded. It is beyond what he can do. He cannot amend but he can refer back to the Planning Commission who is the body who can amend and rescind and determine if it is in compliance and if a request is made to amend, they can consider those. They can review and determine compliance and can consider any amendment requests.

Mr. Gaylord stated to clarify he wasn't asking Scott to amend the permit, but if they are not in compliance that he can make the decision how much to run until they get into compliance. Scott said he can refer it back to the Planning Commission who has not changed the initial approval.

City manager Cain said it might be more appropriate that he mediate with Kirtland but needs guidance from the City Commission. It was then determined that City Manager Cain be given clear direction to be the mediator.

BRIEF RECESS
MOTION

2012-07-105
Moved by Grunch
Second by Towne

Approved to take a brief recess at 1:16 p.m.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

RECONVENE MEETING
MOTION

2012-07-106
Moved by Grunch
Second by Towne

To reconvene at 1:22 p.m.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Second Reading
Conditional Rezoning

Consideration of second reading of an amendment and approval to allow conditional rezoning of a parcel located at 1 Water Street subject to review and approval of the final development plan by the Planning Commission

Planning Director Scott McPherson discussed the application that was received for the 1 Water Street conditional rezoning and development plan. The parcel is 83,200 square feet and is a wedge shaped corner lot with 299 feet of frontage on Front Street and 383 feet of frontage at the end of Water Street. The parcel has approximately 200 feet of frontage on Lake Charlevoix. The parcel is located in the Waterfront Marina District and is adjacent to Central Business District on the East, Community Service District on the north and the Multi family Residential District on the South.

The proposed plan is to replace the approved 37 unit hotel and construct 13 detached resort cottage structures. The ground floor of the structures would primarily consist of motel units designed for short term transient occupancy and would have only a bedroom and bathroom. It is anticipated that 3 of the ground floor units will be used for commercial uses however, this could fluctuate depending on market demand. One unit would be dedicated as a bathroom and shower facility for marina users. The second and third floors would contain 15 two bedroom units intended to be used as vacation rentals that could be used for short term or long term occupancy. The applicant is applying for approvals of the uses as principal permitted uses in the Central Business District as per section 1.20(J) and 10.20(M).

Doug Mansfield representing 1 Water Street said this proposal meets market demand, and is financially fiscal. City Manager Cain said the community has received the first two phases well. This will become another great asset.

Staff Comments: Hugh Conklin reiterated the support of Boyne City Main Street that the project is a great addition to downtown and the Community.

Citizens Comments: None

Board Deliberation: Commissioner Neidhamer said he is in total support, it is the right plan and piece of property. Commissioner Gaylord stated he has talked to citizens and they are vastly more in favor of the individual units. Commissioner Sansom, Mayor Grunch and Mayor Pro-Tem Towne are also in support.

2012-07-107
Moved by Towne
Second by Sansom

MOTION

To approve the second reading of an amendment and approval to allow conditional rezoning of a parcel located at 1 Water Street subject to review and approval of the final development plan by the Planning Commission

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Park Street Intersection Alignment

Consideration to rescind the June 12, 2012 City Commission vote on the Park Street construction project as it relates to the Water Street intersection south to the alley and approve the plan with parallel parking on both sides of Park Street between the intersection south to the alley

City Manager Cain discussed the concerns staff has regarding the intersection alignment. A grant has been awarded for this project. The road was marked out showing the proposed plan and it appeared different than anticipated. Since then, the Main Street Board met at the sight also. A City Commission work session was held this morning at the intersection. The project is currently out for bid right now and bids are due August 1st. Main Street Director Hugh Conklin discussed the special Main Street Board meeting held on Friday July 20 to review issues related to the approved plan. A memo was provided to the Commission stating that the most pressing concern is how the approved plan, which maintained the current parking configuration of angle parking on the Ace Hardware side and parallel on the Pat O'Brien side, creating severe safety issues with the lane alignment. The Main Street Board recommended that the previous Commission decision be rescinded, and approve a plan with parallel parking on both sides of Park Street between the intersection and the Alley, realizing that the number of parking spaces may be reduced by two, but accepted.

Larry Fox of C2AE discussed and displayed various options to the Commissioner, showing shortened sidewalk widths, no left turn lane and angle parking on both sides.

Staff Comments: Andy Kovolski supported going with the option of limiting ourselves from eliminating the left turn lane. Police Chief Gaither stated the 3 lane option is the safer one. Water Wastewater Superintendent Dan Meads said that the left turn lane was installed 30 years ago. Barb Brooks also supported maintaining the 3 lanes, along with better alignment of the intersection. Scott McPherson said the concerns of the first parking spot closest to the intersection can be addressed.

Citizens Comments: Jim White, owner of Ace Hardware said the plan is a net zero gain, both sides with angle parking is a net gain of two parking spots/ Cindy Grice, speaking as a citizen, encouraged the Commission to

maintain the left turn lane.

City Manager Cain discussed the public information meetings that were held where there was no press for additional parking spaces. We are trying to find a balance for pedestrians and commercial. He would like to see the left lane kept with the possibility of flexibility. Dan Meads added that there used to be a 12 foot sidewalk requirement in the downtown area per ordinance.

Board Deliberation: Commissioner Neidhamer said he is in favor of maintaining maximum sidewalk and keeping a left turn lane. You want to create walkability in downtowns. We always have to plan for long term range. Design for maximum width and flexibility while keeping the left turn lane. Mayor Pro Tem Towne said he likes the plan, originally he wasn't exactly for it. He would like to keep the left turn lane also. Commissioner Gaylord said the first issues of this topic was the process issues where he believes only one commissioner was notified of the Main Street meeting, he knows he didn't get a call. Mayor Pro-Tem Towne said he was not notified of the meeting, he went downtown and met with Hugh Conklin. Commissioner Gaylord stated the City Manager's direction should have gone to the City Commission first. Regarding the parking, there will be a lot of work trucks parking on the side of the Ace Hardware. An 8 foot sidewalk is plenty of room if a truck with a plow parks there as shown at this morning's work session. He added he doesn't have data on the comments he has heard on the three versus two. With two lanes you may have to wait a short time, but he thinks it is being presented in a far more negative light than it will probably be. Commissioner Sansom said she knows a lot of people would like to keep a left turn lane and a lot of people who don't like parallel parking. She did a brief study today at that intersection and didn't see where not having a left turn lane would present an issue. She would like to see more studying of that area.

Larry Fox said he doesn't have a clear cut preference the two options presented and respects the police chief's statement that no left turn lane could present safety issues.

Commissioner Neidhamer said maximum width sidewalks are better for pedestrian traffic. Commissioner Gaylord said if two designs could work, it would be foolish to use a design that didn't offer more parking. Commissioner Neidhamer said we should go on staff recommendation. Mayor Grunch agrees with Commissioner Neidhamer and said the number one thing is safety and keeping 3 lanes provides that.

Another Citizen commented that locals know shortcuts, tourists do not. Don't let your tourists get stuck.

2012-07-108
Moved by Gaylord
Second by Sansom

That the Park Street project be modified from the last vote to reflect angle at 45 degrees parking on the east and west side initial striping, two lanes, 8 foot sidewalk on the east side and 10 foot sidewalk on the west side

Ayes: 3
Nays: 2, Mayor Grunch and Commissioner Neidhamer

Absent: 0
Motion carried

Marina Fueling Request

Consideration to deny the request of Boyne Parasail for a permit for fueling in the F. Grant Moore Municipal Marina.

City Manager Cain discussed the request he recently received from Parasail Adventure in Boyne City to permit private fueling of their commercial boat at the small boat launch. Section 74-28 of the Boyne City Code of Ordinances allows the City to grant a permit for fueling at the marina. To his knowledge, this section has never been used and a permit has never been requested or granted. The City of Charlevoix has similar ordinance language and does not grant such permits. We contacted our attorney and insurance and both were very cautious regarding this matter and said we are not required to issue any permit and that if we did it should only be done under strict conditions to protect the public, the environment and the City if something went wrong. The specific request is to allow their boat only to come to the small boat launch to refuel with diesel fuel from a transfer truck in the back of a shore based pickup truck that will be in the ramp. He has seen the equipment in question and it all looks new and in very good condition. Fuel would be pumped into the boat while it is still in the lake. Harbormaster Brooks provided Boyne Parasail the option of trailering their boat into shore and filling it there and it was indicated by Boyne Parasail that the extra work in that option negated the benefits of the self fueling they are proposing.

While the risk of a negative occurrence may be small, the results of one could be very unfortunate and expensive to deal with.

Josh Grove of Boyne Parasail said it is a small operation, all brand new equipment and an auto stop is in place if it would overfill. Money is a big thing, this could present a huge savings for a small business that wants to expand. They chose Boyne City over Petoskey or Charlevoix. They are asking to find solutions instead of reasons not to. They are looking at protecting fuel quality, and don't want an engine failure because they put additive in their fuel. Gary Koteskey reiterated that the equipment is new, has a shut off nozzle and would be fully attended. Chances of a spill are minimal. He doesn't think it's a huge liability for the City. They like the idea of controlling their fuel. It's a nice convenience and a money saver.

Staff Comments: Harbormaster Barb Brooks said the City Marina is considered a Clean Marina. The best defense is to minimize the potential of a hazard. It is not allowed for personal use vessels in the marina to fuel because of safety hazards. Police Chief Gaither said he commends Boyne Parasail, thinks it is great. We have to look at the worst case scenario. 90 gallons of diesel fuel washed up on the shore of Boyne City wouldn't be nice.

Board Deliberation: Commissioner Sansom inquired of the boat size and was informed 28 feet. She also inquired of fueling at the Harborage and was informed the biggest possible issue is quality of fuel. As of now, there are no issues. They want to make sure they have full control. Commissioner Gaylord said he applauds the new business but has mixed feelings. Pulling the boat out on the trailer is a viable options, maybe slightly inconvenient. Mayor Pro Tem Towne said he understands cost issues, but believes environmental issue potentials are there. Commissioner Neidhamer asked if it is something we have to do and City Manager Cain

said according to our Attorney, we can allow it, but its not something we have to do. Mayor Grunch said he is not in favor of granting this permit. It would set precedence, unintended consequences do happen. He would hate to see the City have to clean this up.

MOTION

2012-07-109
Moved by Towne
Second by Grunch

to deny the request of Boyne Parasail for a permit for fueling in the F. Grant Moore Municipal Marina.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Backhoe Purchase

Consideration to approve the purchase of a JCB 4CX15 Backhoe from AIS Equipment in the amount of $93,818 and authorize the City Manager to execute the necessary documents

Water Wastewater Superintendent Dan Meads discussed the proposed replacement of our 1998 JCB Backhoe. This has been a very good piece of equipment and served us well, but is beyond its scheduled replacement time. It has needed two major repairs in the last three years and is coming in need of more. He believes that the cost to do repairs that are needed at this time could well exceed its present trade in value.

Dan Nowak from AIS Equipment said the proposed new model matches what we have. He believes the JCB model is a proven piece of equipment.

Citizens Comments: None

Staff Comments: None

Board Deliberation: Commissioner Sansom discussed the two year warranty and Mr. Nowak said it is industry standard and with the way our City staff maintains equipment, we wouldn't need extended warranty. Commissioner Gaylord asked Dan Meads to reiterate the Backhoe uses which are water main installs, repairing leaks, setting manholes. Dan also added that this is the best fit we could have in our price range.

MOTION

2012-07-110
Moved by Towne
Second by Grunch

To approve the purchase of a JCB 4CX15 Backhoe from AIS Equipment in the amount of $93,818 and authorize the City Manager to execute the necessary documents

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Good of the Order

Commissioner Sansom said congratulations to Boyne Thunder, it was busier than the Fourth. Commissioner Gaylord said good job to Hugh Conklin and the Main Street. Kudos also to Classic Instruments for an awesome job. Mayor Grunch said he has had several calls regarding fireworks.

ADJOURNMENT
MOTION

Moved by Mayor Grunch, seconded by Mayor Pro-Tem Towne to adjourn the regular City Commission meeting of Tuesday, July 24, 2012 at 3:55 p.m.

Ron Grunch
Mayor

Cindy Grice
Clerk / Treasurer

michigan municipal league

Workers' Compensation Fund

► 1675 Green Road
PO Box 1487
Ann Arbor, MI 48106-1487

TEL 734.662.3246 800.653.2483
FAX 734.741.1774
WEB www.mml.org

to	Members of the MML Workers' Compensation Fund	from	Michael J. Forster, Fund Administrator
cc		date	June 25, 2012
		subject	2012 Fund Trustee Election

Dear Fund Member:

Enclosed is your ballot for this year's Board of Trustees election. Five (5) incumbent Trustees have agreed to seek re-election. You also may write in one or more candidates if you wish.

A brief biographical sketch of each candidate is provided for your review.

I hope you will affirm the work of the Nominating Committee by returning your completed ballot in the enclosed return envelope, no later than August 15. You may also submit your ballot online by going to www.mml.org. Click on *Insurance*, then *Workers' Compensation Fund;* the official ballot is located in the left navigation bar under *Online Forms.*

Thank you for your membership in the Worker's Compensation Fund, and for participating in the election of your governing board.

Sincerely,

Michael J. Forster

Fund Administrator

THE CANDIDATES
Two-year terms beginning October 1, 2012

George Bosanic , City Manager, City of Greenville

George has more than 19 years of experience as a municipal official, serving as the city manager of Greenville for the last 14. He is a past president of the Greenville Rotary, winner of the Community Spirit Collaboration Award and a founding board member of the Montcalm County Big Brothers/Big Sisters Organization. He is a member of the Michigan Local Government Management Association and International City Management Association. George is seeking re-election to his fourth term as Trustee.

Christine Burns, Village Manager, Village of Spring Lake

Christine has more than 21 years of experience as a municipal official. Christine is the Village Manager of Spring Lake after serving the City of Cedar Springs for more than 5 years and the Village of Oxford for nearly 2 years. She also served the City of Clare for more than 14 years. Chris graduated from Central Michigan University with the BS in BA majoring in Management (1990) and earned her MSA in Public Administration from CMU in 2006. Fire Up Chips! Chris is a member of the Michigan Local Government Management Association (MLGMA), International City/County Management Association (ICMA) and holds a Certified Master Municipal Clerk designation; she also serves as the President for the West MI Local Government Management Association and is on the Board of Directors for MLGMA. Christine is seeking re-election to her second term as Trustee.

Ken Hibl, City Manager, City of Clare

Ken has more than nine years of Michigan municipal government experience, serving as the city manager of Clare. Prior to this appointment, he served as an officer in the U.S. Armed Forces for thirty years in leadership positions in armor, aviation, law enforcement, installation management, and the diplomatic service in Europe, the Far East, the Middle East, Africa, the Caribbean, and various locations within the U.S. He is a Rotarian and member of the Michigan Local Government Management Association and International City Management Association. Ken is seeking re-election to his fourth term as Trustee.

Elva Mills, Village President, Village of Lexington

Elva has more than 20 years experience as a municipal official, having served twelve years on the Madison Heights city council, and since 2000, on the Lexington Village council. Elva has also served on the boards of the Madison District Public Schools, the Sanilac County Community Mental Health Board and the Thumb Mental Health Alliance. In addition, she is currently active in a number of civic organizations, including the Greater Lexington Chamber of Commerce, the Lexington Business Association, the League of Women Voters, the American Association of University Women, and others. Elva is seeking re-election to her second term as Trustee.

James Rynberg, Mayor, City of Fremont

Jim has more than 26 years experience as a municipal official, serving as mayor of Fremont for the last 7 years. He has been a member of the Fremont City Commission since 1985 and previously served on the planning commission. Jim is a MML Region 3 officer, serving as chair in 2012. He also serves on various local and regional civic organizations. Jim is seeking election to his first term.

Michigan Municipal League
Workers' Compensation Fund

OFFICIAL BALLOT - 2012

Vote for five Trustees by marking the line to the left of the name for two year terms beginning October 1, 2012.

___ George Bosanic, Incumbent
Manager, City of Greenville

___ Christine Burns, Incumbent
Manager, Village of Spring Lake

___ Ken Hibl, Incumbent
Manager, City of Clare

___ Elva Mills, Incumbent
President, Village of Lexington

___ James Rynberg, Incumbent
Mayor, City of Fremont

_____
Write-in Candidate

I hereby certify that:

_____
(Municipality/Agency)

by action of its governing body, has authorized its vote to be cast for the above persons to serve as Trustees of the Michigan Municipal League Workers' Compensation Fund.

_____
Official Signature
Date:

319 N. Lake Street
Boyne City, MI 49712
231-582-0337 (phone)
231-582-6506 (fax)

**PLANNING DEPT
CITY OF BOYNE
CITY, MICHIGAN**

Memo

To: Michael Cain, City Manager

From: Shannon McMaster, Assistant Planner/Zoning Administrator

Date: August 8, 2012

Re: ZBA regular member reappointments

Background

This memo addresses the re-appointment of two regular member of the Zoning Board of Appeals.

Regular members John McClorey and Lynn Murray three year appointments end Sept. 1, 2008.

Discussion

Terms of service on the Zoning Board of Appeals are three-years, and each year at least one term expires. The Zoning Ordinance authorizes the City Commission to make appointments to the Zoning Board of Appeals.

Both members have offered to serve the Zoning Board of Appeals for three year terms to end on September 1, 2015. The Zoning Board of Appeals considered the reappointments, and voted to recommend that the City Commission appoint both members to new terms.

Recommendation

The ZBA recommends that the City Commission re-appoint John McClorey and Lynn Murray to the ZBA as regular members with a three-year terms ending September 1, 2015.

Approved_____

MEETING OF
July 9, 2012

MINUTES OF THE **BOYNE CITY ECONOMIC DEVELOPMENT CORPORATION** MEETING DULY CALLED AND HELD ON MONDAY, JULY 9, 2012, AT 12:00 NOON.

CALL TO ORDER

Vice Chair Copeland called the meeting to order at 12:02 p.m.

ROLL CALL

Present: Kelly Bellant, Michael Cain, Richard Copeland, Michelle Cortright, and Pete Friedrich
Absent: Pat Anzell, Ralph Gillett, Josette Lory and Marilea Grom
Staff: Planner/Zoning Administrator Scott McPherson
Recording Secretary Karen Seeley
Public: One

EXCUSED ABSENCE MOTION

Cain moved Cortright seconded PASSED UNANIMOUSLY to excuse Pat Anzell, Ralph Gillett and Josette Lory.

APPROVAL OF MINUTES MOTION

Cortright moved Friedrich seconded PASSED UNANIMOUSLY to approve the minutes of May 14, 2012 as presented.

HEARING CITIZENS COMMENTS

None

CORRESPONDENCE

None

UNFINISHED BUSINESS

IFEC Extension:

- Gary Koteskey owner of GAG Sim-Tech explained to the board why he is before them requesting an extension. When he was given the first IFEC in January, 2003, he was initially awarded eight years based on the five point criteria. He is before the board asking for a four year extension to the state maximum of twelve years. He explained to the board that he will not be adding any new equipment or employees, but this year could possibly be a record year with sales up approximately 49%. He also said that the first three to four years his sales were stifled by inadequate internet service. He would appreciate the extension so that he may retain his current employees and build his sales. Upon board review of the point scale for the IFEC extension, the scoring was within the four year abatement. City Manager Michael Cain explained that an extension is allowed under the state. **Friedrich moved Cortright seconded PASSED UNAMINOUSLY** to recommend the City Commission award a four year extension of the Industrial Facilities Exemption Certificate to GAG Sim-

MOTION

Tech Filter, Inc.

Park Business update:

- Precision Edge: Have installed a couple retention ponds, in hopes to ease some of the drainage issues.
- Kirtland Products: Still waiting for draft report from RSG, hopefully it will arrive today. The mitigation solution wasn't part of the contract. City Manager Cain stated that when the report is received, the city will hold a joint public meeting including the City Commission, Planning Commission, EDC/LDFA boards and the citizens committee to decide where the community wants to go from here. Board discussion regarding if Kirtland will be able to afford the suggested standards and even if they can will it be agreeable to the community?
- Addition of Kelly Bellant to the March 19, 2012 minutes. Kelly was inadvertently left off the roll call for the March 19, 2012 minutes. **Cain moved Cortright seconded PASSED UNAMINOUSLY** to include the addition of Kelly Bellant to the March 19, 2012 meeting minutes.

MOTION

NEW BUSINESS None

GOOD OF THE ORDER None

ADJOURNMENT The July 9, 2012 Economic Development Corporation meeting was adjourned at 12:51 p.m.

Karen Seeley, Recording Secretary

Approved: _____

MEETING OF JULY 9, 2012

MINUTES OF THE **BOYNE CITY LOCAL DEVELOPMENT FINANCE AUTHORITY** MEETING DULY CALLED AND HELD ON MONDAY, JULY 9, 2012

CALL TO ORDER

Vice Chair Copeland called the meeting to order at 12:35 p.m.

ROLL CALL

Present: Kelly Bellant, Michael Cain, Richard Copeland, Michelle Cortright, and Pete Friedrich
Absent: Pat Anzell, Ralph Gillett and Josette Lory

EXCUSED ABSENSES MOTION

Cain moved Friedrich seconded PASSED UNANIMOUSLY to excuse Pat Anzell, Ralph Gillett and Josette Lory

MEETING ATTENDANCE

Staff: Planning/Zoning Administrator Scott McPherson and Recording Secretary Karen Seeley
Public: One

APPROVAL OF MINUTES MOTION

Friedrich moved, Cortright seconded, PASSED UNAMINOUSLY to approve the May 14, 2012 minutes as presented.

UNFINISHED BUSINESS

- Manufacturing Technology Program Update: This joint program with the schools is going well and is getting good feedback. There are twenty nine students interested and there is only space for twenty at this time. The Boyne City Middle School is renovating a space and local businesses are donating equipment. There will be a ribbon cutting when school starts.
- Road/Intersection Improvements: The roadway improvements have gone out for bids, bid opening July 18th.
- Sign updates: City Manager Cain shared a copy of a sign rendering of the business names. This seems to be big enough and visible enough and ties into the original signage. The letters will be changed on the M-75 entrance sign by the end of next week.
- Addition of Kelly Bellant to the March 19, 2012 minutes. Kelly was inadvertently left off the roll call for the March 19, 2012 minutes. **Cain moved Cortright seconded PASSED UNAMINOUSLY** to make the addition of Kelly Bellant to the March 19, 2012 meeting minutes.

MOTION

NEW BUSINESS

None

GOOD OF THE ORDER	Ribbon Cutting for Classic Instruments is July 14, 2012, 11:00 a.m. Precision Edge open house, September 8, 2012; time TBD
NEXT MEETING	The next meeting of the Local Development Finance Authority is scheduled for Monday, September 10, 2012 at Precision Edge, 1448 LexaMar Drive.
ADJOURNMENT	The July 9, 2012 Local Development Finance Authority meeting was adjourned at 1:03p.m.

Pete Friedrich, LDFA Secretary

Karen Seeley, Recording Secretary

SPECIAL MEETING
BOYNE CITY
HISTORICAL DISTRICT COMMISSION
July 11, 2012

Call to Order: 10:07 am

Present: Wellman, Hewitt, Bandy, Dunn.

Not Present: Sheets

Guests: Lisa Beeman, Giles Litzener and Dale Jacobs.

Approval of Minutes: Minutes of the May 22, 2012 meeting, Wellman motioned to accept, Dunn second, all ayes.

Public Comment: None

Old Business: None

New Business: Review certificate of appropriateness for 429 Pearl St., refer back to Dan Chapp-property owner to include both properties, need application for both not just one.

Consumers Power review of plans to relocate utility poles. Jacobs informs those present that the plan is to do improvements with little impact to street.

Discussion continued on location of current poles and a review of proposed sites for new poles. Discussion regarding having service placed underground. Litzener will get back to us with an estimate on underground service, further discussion we would still need poles for the other utility services such as cable, and phone. We would need price from these other utility company on going underground. Cost was a big concern and it was mentioned that perhaps we see if any money would be available from Main Street. Costs for cable and phone would also need to be sought out to get true overall cost.

Use current poles and upgrade them and remove pole with service coming across river.

Tree trimming concerns, make sure they only remove what is necessary to help maintain look.

447 Pearl is planning to put service underground.

Restoration on river bank location will be done once the pole is removed. Consumers to notify homeowner in advance.

Tree trimming debri to be removed by Consumers.

Litzener will contact Hewitt when he has new information on prices for underground and updated proposal of pole locations.

Announcements: Dunn presented letter of resignation

Adjournment: Bandy motioned to adjourn at 10:55 am, second by Wellman, all ayes.

Next Meeting: October 16, 2012

Approved: _____

MEETING OF July 12, 2012	RECORD OF THE PROCEEDINGS OF THE **REGULAR BOYNE CITY PARKS AND RECREATION COMMISSION MEETING** HELD AT 6:00 P.M. AT ROTARY PARK PAVILION ON THURSDAY, JULY 12, 2012.
CALL TO ORDER	Meeting was called to order by Chair Sheets at 6:00 p.m.
ROLL CALL	Present: Bill Kuhn, Heath Meeder, Mike Sheean, Marie Sheets, Jerry Swift, Gail VanHorn, and Carl Wehner Absent: Lou Awodey Welcome to the newest board member: Heath Meeder
MEETING ATTENDANCE	City Staff: Streets/Parks & Recreation Superintendent Andy Kovolski Recording Secretary Pat Haver Public Present: one (1)
****MOTION**	**Wehner moved, Sheean seconded PASSED UNANIMOUSLY** to excuse the absence of Awodey.
APPROVAL OF MINUTES **MOTION	**Sheean moved, Wehner seconded, PASSED UNANIMOUSLY,** a motion to approve the June 7, 2012 meeting minutes as presented.
CITIZENS COMMENTS	None
DIRECTOR'S REPORT	• 4th of July festival and activities were successful with all the parks looking good. • Boyne Thunder is this weekend, things are going well • Circus was in town, had some issues with damage to the irrigation system, normal wear on the grass. Possible re-location to Peninsula Beach for future events. • Ten new picnic tables have been purchased, and are in the park system • Riverside Park is slated to be mowed and weeds trimmed within the next week or so, to enable continued use.

CORRESPONDENCE

None

REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

Park Inspections

- Kuhn reported that there are approximately 10 targets that are usable at the archery ranges at Avalanche. Additional help is needed for upkeep. There are also shootable targets on the trails.
- Awodey (via email) noticed that the Peninsula beach areas need some attention. Kovolski stated that beach clean-up is ongoing weekly.

UNFINISHED BUSINESS

Boyne City/Charlevoix Rd. Trail Update

Sheean reported the Citizens' fund-raising group has reached their initial goal; however, they are continuing to raise funds for the project. The county has assigned the Road Commission as the grant applicant. Carl's famous fish fry is at the Eagles Hall on Friday June 20th. Limited tickets are still available for this next fund raising activity.

Boyne City to Boyne Falls Trail Update

Sheean stated that the group is still working on one other piece of property. They are looking at a possible name for the trail *"Boyne Valley Trailway"*

Avalanche Trail Signage update

Nothing to report, due to summer activities, this to be placed on the agenda for September.

Avalanche Archery target replacement

Kuhn reported that he has a price quote of approximately $ 2,200.00 to fund targets. If you purchase early in the year can get great deals. Also trade show exhibit targets can be purchased at a cost savings. Will report additional information at the September meeting.

NEW BUSINESS

Boyne Valley Garden Club

Charlotte Wehner representing the Garden Club is asking for help and support from the city. They really appreciate everything that has been done, however would like to request additional manpower and hardscape for several places/gardens.

- They would like to remain in the loop for garden discussions at Park St. and Ray St during construction,
- Daffodil Hill is becoming more difficult to maintain and upkeep in the spring and fall with leaf removal, would like manpower for upkeep. The handicap accessible area, each side, only grows native Michigan weeds. Possible irrigation problem, Kovolski will check into.
- River mouth planter boxes. They need to be replaced all the way around the building due to deterioration. It has been asked that the new boxes be built a little higher if possible utilizing 2 x 10 and/or 2 x 12 boards.

Tree removal at Avalanche

Discussion revolved around the dead, dying, and diseased trees that are a hazard in the park. Several trees are very near the walking and bike trails and for safety reasons must be removed. Several years ago there were concerns about commercial logging in Avalanche. Huge public support against that was heard, however, due to safety something must be done to remove the hazards of the dying trees. Forest management is key to successful growth, and it is time to get a registered forester in to look at the situation. This item to be placed on future agendas for continued discussions.

Good of the Order

None

NEXT MEETING

The next regular meeting of the Parks and Recreation Board is scheduled for Thursday, August 2, 2012 at 6:00 p.m. at Old City Park

ADJOURNMENT

The July 12, 2012 meeting of the Parks and Recreation board was adjourned at 6:44 p.m.

Pat Haver, Recording Secretary

DRAFT

Michigan BOYNE CITY Main Street
Where Life meets Lake.®

Agenda Item 7E

Scan QR code or go to
www.gov.boynecity.com
click on minutes & agendas

Approved: _____

Meeting of July 20, 2012

MINUTES OF THE BOYNE CITY MAIN STREET BOARD SPECIAL MEETING HELD ON FRIDAY, JULY 20 2012 AT 7:00 A.M. AT THE INTERSECTION OF SOUTH PARK AND WATER STREETS.

Call to Order

Chair Lenhart called the meeting to order at 7:00 a.m.

Roll Call

Present: Kathy Anderson, Bob Carlile, Michelle Cortright, Larry Lenhart, Pat O'Brien and Rob Swartz

Absent: Jodie Adams, Robin Berry Williams, and Michael Cain

Meeting Attendance

City Staff: Main Street Manager Hugh Conklin, Streets Superintendent Andy Kovolski, members of the DPW staff, Chief Jeff Gaither and Craig Remsberg

Public: There were three people in attendance

Park Street project

Review of Roadway design & configuration

The board reviewed issues related to the approved plan for the Park Street project, specifically the segment between the Water Street intersection and the alley between Ray and Water streets. The most pressing concern is that the approved plan, which maintains the current parking configuration of angle parking on the Ace Hardware side and parallel on the Pat O'Brien and Associates side, creates severe safety issues with the lane alignment.

The issue became obvious last week when the outline of the new layout was marked on the street. While the plan looked acceptable on paper, it was obvious looking at the markings and actually standing in the street, that the issues created by the uneven lane alignment were too severe and would create a hazardous situation at the intersection. To get a full understanding of the layout, Main Street board met t with Larry Fox of C2AE, Andy Kovalski, DPW director, police chief Jeff Gaither, officer Craig Remsberg, and members of the DPW staff, for the purpose of understanding "in the field" the issues involved. After seeing a demonstration on traffic movement under the new alignment, it was agreed by all Main Street board members that the plan needed to be revised.

MOTION

Anderson moved, Cortright seconded, PASSED UNAMINOUSLY to recommend to the city commission that it rescind its vote approving the Park Street project which maintains the parking alignment as it currently is, and approves the plan with parallel parking on both sides of Park Street between the intersection and alley.

The board feels this will address most of the safety concerns that have been raised and it will meet the streetscape goals of the project: curb and gutter along the east side of Park Street between Water and Ray streets; wider sidewalks along the east side of Park; and parking spaces that meet city standards. The board realizes this will reduce the number of parking spaces by two, but accepts that tradeoff.

Adjournment

The July 20, 2012 meeting of the Boyne City Main Street Board adjourned at 7:40 a.m.

Hugh Conklin, Recording Secretary

Approved: _____

MEETING OF JULY 30, 2012

MINUTES OF THE **BOYNE CITY LOCAL DEVELOPMENT FINANCE AUTHORITY** MEETING DULY CALLED AND HELD ON MONDAY, JULY 30, 2012

CALL TO ORDER

Chair Gillette called the meeting to order at 12:01 a.m.

ROLL CALL

Present: Pat Anzell, Kelly Ballant, Michael Cain, Richard Copeland, Pete Friedrich, Ralph Gillett and Josette Lory
Absent: Michelle Cortright,

MEETING ATTENDANCE

Staff: DPW Supervisor Andy Kovolski and Recording Secretary Karen Seeley
Public: Two

EXCUSED ABSENCE MOTION

Cain moved, Friedrich seconded PASSED UNAMINOUSLY to excuse the absence of Michelle Cortright.

NEW BUSINESS Review and accept the bids for the Air Industrial Park Roadway Improvements

Larry Fox of C2AE stated there were two bids received for this project. The low bid was submitted by Rieth-Riley Construction of Charlevoix in the amount of $131,543.00. The second bid from MDC Contracting of Charlevoix was $840.00 higher. The estimated cost of the project was $143,000 which is 8% higher than the lowest bid. Based on the bid price and contactor's qualifications in completing the work, C2AE recommended the LDFA award the project to Rieth-Riley Construction. He also added that the project completion date is September 1st.

MOTION

Friedrich moved, Lory seconded PASSED UNAMINOUSLY to award the Air Industrial Park roadway improvements to Rieth-Riley Construction of Charlevoix in the amount of $131,543.00

GOOD OF THE ORDER

City Manager Cain reported on:

- Precision Edge now has twenty seven employees and will hire five more before year end. August 6th is their open house and the owners of the company will be flying in from Sault Ste Marie.
- Manufacturing tech program is being well received. Twenty nine students signed up, with a cap of twenty.
- He will be meeting with Kirtland Products to discuss the mitigation of the noise assessment that was completed by RSG Inc. They will meet with Northern Lakes Economic Development on Tuesday to discuss any financial help that may be available.

NEXT MEETING The next meeting of the Local Development Finance Authority is scheduled for Monday, September 10, 2012 at Precision Edge, 1448 LexaMar Dr.

ADJOURNMENT MOTION The July 30, 2012 Local Development Finance Authority meeting was adjourned at 12:13 p.m.

Pete Friedrich, LDFA Secretary

Karen Seeley, Recording Secretary

Approved: _____

Meeting of July 30, 2012	Record of the proceedings of the Boyne City Planning Commission meeting held at Boyne City Hall, 319 North Lake Street, on Monday, July 30, 2012 at 5:00 P.M.
Call to Order	Chair MacKenzie called the meeting to order at 5:00 p.m.
Roll Call	Present: Chris Frasz, Jim Kozlowski, Jane MacKenzie, Lori Meeder, Tom Neidhamer and Joe St, Dennis Absent: Gretchen Crum, George Ellwanger, and John McCahan
Excused Absence(s) MOTION	**2012-07-30-2** **Meeder moved, Kozlowski seconded, PASSED UNANIMOUSLY** a motion to excuse the absence of Ellwanger and McCahan.
Meeting Attendance	City Officials/Staff: Planning Director Scott McPherson, Main Street Manager Hugh Conklin and Recording Secretary Pat Haver Public Present: Six
Consent Agenda MOTION	**2012-07-30-3** **Neidhamer moved, Kozlowski seconded, PASSED UNANIMOUSLY** a motion to approve the consent agenda. Approval of the June 18, 2012 Planning Commission minutes as presented.
Comments on Non-Agenda Items	Main Street Manager Hugh Conklin extended an invitation to attend a meeting with William Rutter who will be presenting an application of the downtown to be placed on the National Register of Historic Places. The meeting will be held tonight in the library at 7:00 pm.
Reports of Officers, Boards and Standing Committees	None
Unfinished Business	None
New Business **One Water Street submitted review of Final Development Plan**	Planning Director Scott McPherson stated this is the final site plan approval for the One Water Street development. The second reading for the conditional rezoning was before the City Commission on July 24th, it was approved, however, needs to be published and will be effective 15 days after. As a part of the approval by the City Commission, the final plan was recommended to come back before this board for final approval. Staff has been looking at the previous development agreement, and because of some changes, need to clarify the timing of some of the items. One is the installation/construction of the fishing pier during Phase II in the previous plan. How does it translate into this development's three phases? **Glen Catt – Developer –** Would like to see it done all at one time, putting in the sidewalks and fishing pier. Phase I is the extension down Water Street and the wrap around on the lake side of the first building, Phase II will be the last 4 buildings, and pool on the lake side, Phase III is the interior buildings. However, we can see that Phase I & II could run together with a construction completion time frame of 2 to 3 years. Hope to start foundation work this fall.

McPherson – What about the interior road? Done during phases or all at once?
Catt – If done during phases, you have additional construction traffic using and abusing them. We see that there is more interest in Phase II of the project at the onset, so Phase I & II could be built at the same time, so the road would then be done all at once.
McPherson – Tonight is final development plan approval, the check list was distributed for review. You should go through it and make sure everything has been met. During my review, it was. If during construction there is possible lack of activity for an extended period of time with the site being secured by fencing, can you speak to that and what activity you would do to make the site presentable?
Catt – It is a Brownfield, so must be secured. Fencing will move around as building starts. As parts are completed and surface areas are encapsulated, the fence will come down, and as construction areas begin, fencing will be extended.
McPherson – With the area being torn up, if there are long periods of time that there is inactivity, we would like to see it stabilized.
Catt – The area is looking tired from the past couple years. It is important to us to plant grass and stabilize if we don't begin construction right away. Our commercial tenants do not need to have dust blowing around, and the neighbors to the south, we would like to continue the good relationship we have with them.
St. Dennis – What is your definition of long open space exposure for phases; what do you consider long term?
McPherson – Construction season without anything going on is long term to me.
St. Dennis – Domestic season?
McPherson – Yes, if no activity or plans for the following season, stabilization is to be done.
Meeder – Fishing pier is due to be built when?
McPherson – We need to clarify that, but what I'm hearing is at the completion of Phase I, which is the four buildings on Water St, and the wrap around building.
Catt – Yes.
McPherson – The sidewalk and improvements on city property will be installed at that time also.
Doug Mansfield – Soil Erosion permits/ordinance must be followed. Once construction starts, we will be bound by DEQ & Soil Erosion, so after 60 days, if we don't do anything, we must stabilize.
Frasz – Is there a construction bond? How is that established?
McPherson – There was a previous bond for this site for lighting, landscaping, and paving improvements. Some of it has changed a bit. Previous development agreement will be reviewed tonight and updated, so that will be included.
Neidhamer – If you do Phase I & II, will you drive all the pilings at once?
Ed Hunt – We would do them in groups of four or five, depending on sales. We won't come in and do just one building.

Board reviewed and went through the Findings of Fact, Section 19.40 Development Plan Approval Criteria, attached as Appendix A.

****MOTION**

After review and board discussion, **motion by St. Dennis, seconded by Meeder** to approve the final development plan submitted by Catt Land Development, LLC for One Water Street based on the submitted Construction Plan sheets 1 through 9 dated 6-8-2012, in addition to the site lighting plan, site lighting fixtures plan, construction phasing plan, Resort Cottage pattern book, and Findings of Fact as determined on 7-30-12.

2012-07-30-7A
Roll Call:
Aye: Frasz, Kozlowski, MacKenzie, Meeder, Neidhamer and St. Dennis
Nay: None
Absent: Crum, Ellwanger, and McCahan
Motion Carries

Development Agreement will be updated to reflect the findings of this meeting and motion made.

Planning Commission reappointments

This item was completed at the April 16, 2012 meeting.

Planners Moments review

DVD presentation of Planners Moments – Shoreline Setback & Buffer requirements. A meeting has been scheduled on this topic for Tuesday, July 31st from 7:00 to 9:00 pm at the library. All are welcome to attend.

Staff Report

- Kirtland – Review of the noise assessment was done last week by the citizen committee. The City Manger and Kirtland will be identifying the targeted equipment areas of concern and mitigation suggestions. Areas identified were: 1) back pressure on the equipment, which is making the low pitch humming sounds, 2) enclosing a number of pieces of equipment, and 3) identifying "best practices" or low cost immediate solutions, which some have already being implemented by Kirtland.
- Staff attended a Downtown City conference held in Muskegon. A session on alcohol served in public venues was well attended. The liquor commission was at this seminar to answer questions. On July 1, 2012 the municipalities no longer have to approve the transfer of licenses at the same location from one business to another. For outdoor service the areas must be clearly defined and marked. This item may come back to the city commission for consideration, as we have had interest expressed from restaurants in Boyne City to allow alcohol service outside.

Good of the Order

Meeder – Leadership Charlevoix applications are being accepted for the second 9 month program which will begin in September. If you know of any young professionals who you think could be the future leaders of the county let her or Jim Baumann at the chamber know.

The next meeting of the Boyne City Planning Commission is scheduled for August 20, 2012 at 5:00 pm in the Commission chambers.

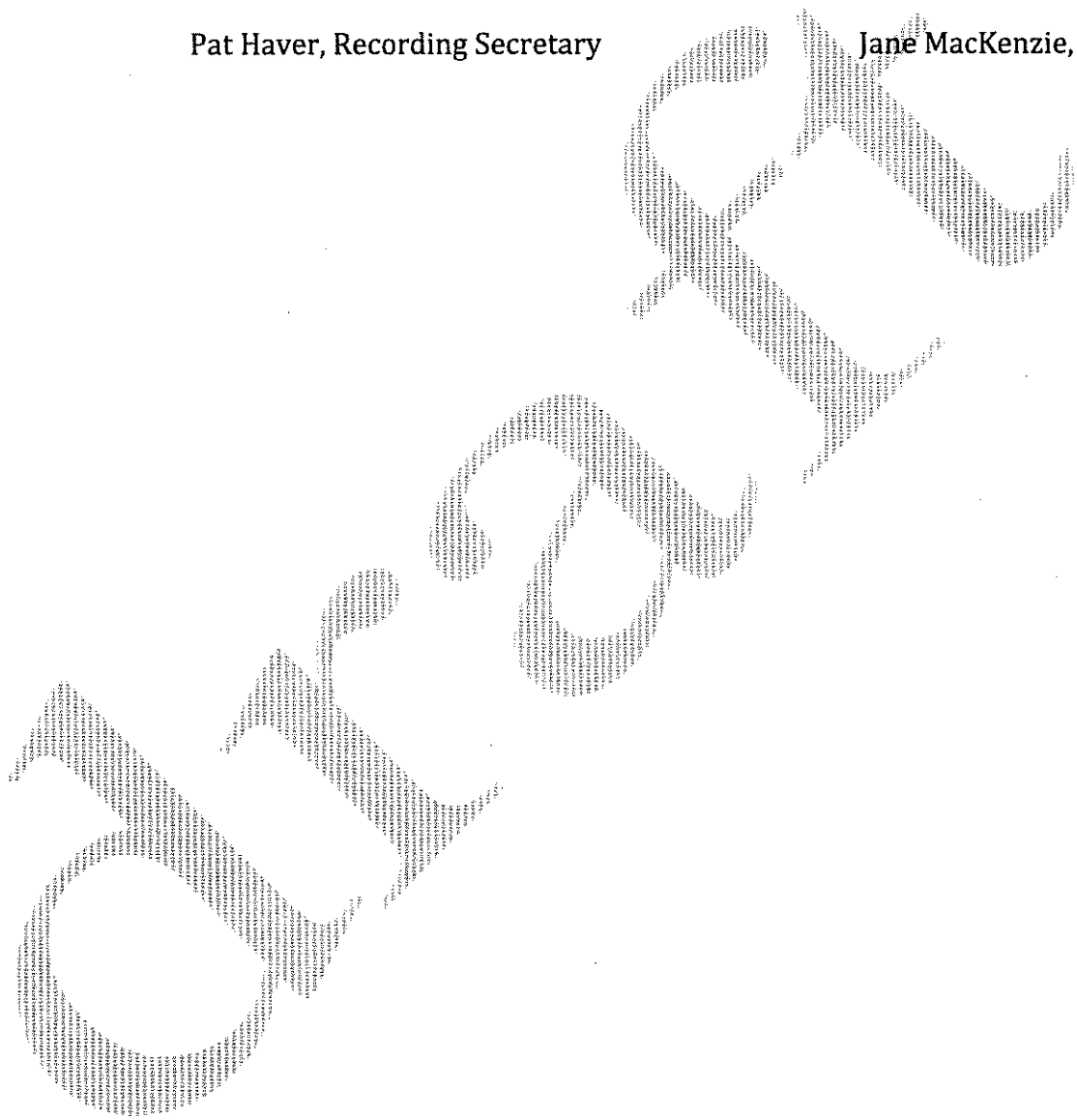
Adjournment

****MOTION**

2012-07-30-10
St. Dennis moved, Kozlowski seconded, PASSED UNANIMOUSLY a motion to adjourn the meeting at 6:28 p.m.

Pat Haver, Recording Secretary

Jane MacKenzie, Chair



DEVELOPMENT PLAN FINDINGS OF FACT
ONE WATER STREET

Appendix A

Section 19.40 Development Plan Approval Criteria.
In order that buildings, open space and landscaping will be in harmony with other structures and improvements in the area, and to ensure that no undesirable health, safety, noise and traffic conditions will result from the development, the Planning Commission shall determine whether or not the development plan meets the following criteria, unless the Planning Commission determines that one or more of such criteria are inapplicable:

ORDINANCE REQUIREMENT	PLANNING COMMISSION DETERMINATION	RELEVANT FACTS
A. General. All elements of the development plan shall be designed to take into account the site's topography, the size and type of plot, the character of adjoining property, and the traffic operations of adjacent streets. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance. The development plan shall conform with all requirements of this Ordinance zoning district(s).	***Complies***	In 2009 approval was obtained for a mixed use development that included commercial, restaurant, office, a 37 unit hotel that would be comprised of 20 single bedroom units and 17 units with kitchen and dining facilities. Since the approval the commercial, restaurant and office portion of the building has been constructed. The applicant is requesting a conditional rezoning for the parcel from WMD to CBD. The proposed uses for the parcel is a motel and mixed use development. The proposed plan would replace the 37 room hotel with 13 resort cottage structures that would contain short term and extended stay units, commercial uses and a bathroom\shower facility dedicated for the marina users. All the proposed uses are principal permitted uses in the CBD as per BCZO sections 10.20(J) and (M). The proposed 3 story buildings would have heights of 33' and 35' and do not exceed the maximum building height allowed for the CBD district of 3.5 stories or 45 feet. The proposed buildings would meet the setback and lot coverage requirements for the CBD. The parcel is in the Waterfront Marina District and is adjacent to the Multifamily Residential District on the south, Central Business District to the east and Community Service District on the north. Existing Land Uses around the property include residential, retail, marina and commercial.
B. Building Design. The building design shall relate to the surrounding environment in regard to texture, scale, mass, proportion, and color. High standards of construction and quality materials will be incorporated into the new development. In addition to following design guidelines adopted in specific district or sub-area plans, the building design shall meet the architectural and building material requirements of this Ordinance.	***Complies***	The proposed buildings located are similar in style and mass, to existing surrounding development at the Water Street Inn and Harborside condominiums. The provided pattern book for the proposed structures are in compliance with design criteria provided in Article 22 and the proposed designs have been reviewed by the main street design committee.
C. Preservation of Significant Natural Features. Judicious effort shall be used to preserve the integrity of the land, existing topography, and natural, historical, and architectural features as defined in this Ordinance, in particular wetlands designated /regulated by the Michigan Department of Environmental Quality, and, to a lesser extent, wetlands which are not regulated by the Department. Parcels along the City's lakefront shall be developed as to minimize disruption of visual access to the lakefront from adjacent roadways and to maintain view sheds of the lakefront	***Complies*** ***Improve and cleanup shoreline, keeping as natural as possible, removing scrub trees and brushes***	The location of the buildings on the property line is permitted and is encouraged by the BCZO. A side yard setback of 33.3 feet from the south property line is proposed which would equal 16% of the corresponding lot width and will provide unobstructed views from Front Street for 102 feet. The buildings on the proposed plan will have 8ft spacing between the walls of structures which will provide two other lake views from Front Street. One view would have a total of 35ft of view from Front Street, of which 15ft would be somewhat obstructed by the dumpster enclosure. The other view would have 35 feet of view from Front Street with 7 feet obstructed. Because the applicant is proposing a conditional rezoning to CBD, the 30% side yard requirement of BCZO 20.20 note(o) does not apply.
D. Streets. All streets shall be developed in accordance with the City of Boyne City Subdivision Control Ordinance and City Municipal Standards, unless developed as a private road in accordance with the requirements of the City.	***Complies***	Existing streets will be used to access the parcel and no new streets are being developed with this proposal.

E. Access, Driveways and Circulation. Safe, convenient, uncongested, and well defined vehicular and pedestrian circulation within and to the site shall be provided. Drives, streets, parking and other elements shall be designed to discourage through traffic, while promoting safe and efficient traffic operations within the site and at its access points. All driveways shall meet the design and construction standards of the City. Access to the site shall be designed to minimize conflicts with traffic on adjacent streets, particularly left turns into and from the site. For uses having frontage and/or access on a major traffic route, as defined in the City of Boyne City Comprehensive Plan, the number, design, and location of access driveways and other provisions for vehicular circulation shall comply with the access management provisions of this Ordinance.	***Complies***	Existing curb cuts on Front street will be used to access the site. Curb cuts were installed in conjunction with the City during the reconstruction of Front street in 2007. The two vehicle ingress/egress access points to the parking lot are the only vehicle access points onto the parcel. The design and configuration of the parking lot is for destination traffic and it does not promote through or drive by traffic. The site will also be accessed by pedestrians from on street parking spaces located on Water Street and Front street. Due to its location, short length, orientation and 90 degree on street parking, Front street functions at low volumes and speeds. Marked pedestrian crossings are at located at midblock and the corner of Front and Water Street. While it is a street, the dead end portion of Water Street, west of Front Street functions like a parking lot and operates at low volumes and speeds. A 10' sidewalk will be around the perimeter of Water Street and a marked cross walk is located at the Water Street and Front Street intersection.
F. Emergency Vehicle Access. All buildings or groups of buildings shall be arranged so as to permit necessary emergency vehicle access as required by the Fire Department, Ambulance Department and Police Department.	***Complies***	Building can be accessed from Front street and Water Street. Relocation of fire hydrant on Water Street is required as it is too close to building. Fire hydrant should be relocated farther north and an additional fire hydrant added on the east side of Front street. Boyne City fire chief and police chief have reviewed the proposed plan and stated no concerns in regards to emergency vehicle access.
G. Sidewalks, Pedestrian and Bicycle Circulation. The arrangement of public or common ways for vehicular and pedestrian circulation shall be connected to existing or planned streets and sidewalks/pedestrian or bicycle pathways in the area. There shall be provided a pedestrian circulation system which is separated from the vehicular circulation system. In order to ensure public safety, special pedestrian measures, such as crosswalks, crossing signals and other such facilities may be required in the vicinity of primary and secondary schools, playgrounds, local shopping areas, fast food/service restaurants and other uses which generate a considerable amount of pedestrian or bicycle traffic.	***Complies***	As part of the previous approval there has been an extension of sidewalk to the west down to the marina dock. The main dock of the marina is open to the public. A proposed fishing dock that would be located in the public ROW. All improvements on public property must be approved by City Commission. A 7' sidewalk has been installed along Front Street and a 10' sidewalk has been installed along Water Street.
H. Barrier-Free Access. The site has been designed to provide barrier-free parking and pedestrian circulation.	***Complies***	The applicant has provided 4 barrier free parking spaces on the property. 1 barrier free space has been installed at the end of Water St.
I. Parking. The number and dimensions of off-street parking [spaces] shall be sufficient to meet the minimum required by this Ordinance. However, where warranted by overlapping or shared parking arrangements, the Planning Commission may reduce the required number of parking spaces, as provided in this Ordinance.	***Complies***	A total of 132 total parking spaces is calculated for all the proposed uses. A 20% reduction has been approved by the planning commission for collective uses as per 24.20(F). With the 20% reduction the applicant is required to provide 106 parking spaces. The submitted site plan shows 92 spaces located on site and The onsite spaces will be consist 16 paved spaces located on Front Street, 30 paved spaces in a parking lot, 7 spaces that will be reinforced turf parking and 39 paved spaces that will be located in the access drive, driveways and garages of the resort cottages. In accordance with the provisions of section 10.50 and based on a finding that patrons will either walk to the site from nearby neighborhoods or will park at other sites and visit several uses, and the availability of on-street parking spaces, off-site parking lots and municipal parking lots the remaining required 14 spaces have been waived by the planning commission.

J. Loading. All loading and unloading areas and outside storage areas, including refuse storage stations, shall be screened in accordance with this Ordinance.	***Complies***	Loading area provided meets the ordinance criteria.
K. Landscaping, Screening, and Open Space. The landscape shall be preserved in its natural state, insofar as practical, by removing only those areas of vegetation or making those alterations to the topography which are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. Landscaping shall be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property. Landscaping, landscape buffers, greenbelts, fencing, walls and other protective barriers shall be provided and designed in accordance with the landscaping provisions of this Ordinance. Recreation and open space areas shall be provided in all multiple-family residential and educational developments.	***Complies***	Site is flat and has no existing natural vegetation. Existing landscaping elements on the property will be removed. Proposed landscaping plan does meet minimum ordinance requirements.
L. Soil Erosion Control. The site shall have adequate lateral support so as to ensure that there will be no erosion of soil or other material. The final determination as to adequacy of, or need for, lateral support shall be made by the Planning Director or City Engineer, and have a valid Charlevoix County Soil Erosion permit	***Compliance will be obtained by getting required permits***	Soil Erosion permit is required and must be obtained prior to construction.
M. Stormwater Management. Appropriate measures shall be taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions shall be made to accommodate stormwater which complements the natural drainage patterns and wetlands, prevent erosion and the formation of dust. Sharing of stormwater facilities with adjacent properties shall be encouraged. The use of detention/retention ponds may be required. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic or create standing water.	***Complies***	Storm water will be collected and routed into City storm water filtration system located in Sunset park. Applicant must pay hook up fee prior to construction.
N. Utilities. Public water and sewer facilities shall be available or shall be provided for by the developer as part of the site development, where such systems are available.	***Complies***	Utility plan has been reviewed by the Street Department and Water Departments. Will work with the departments to make sure the construction meets our requirements.
O. Lighting. Exterior lighting shall be arranged so that it is directed preferably downward onto the subject site and deflected away from adjacent properties. Lighting shall not impede the vision of traffic along adjacent streets. Flashing or intermittent lights shall not be permitted.	***Complies with Dark Sky standards***	Detailed lighting plan for the entire site has been submitted for final plan review. Residential fixtures to be used for interior site lighting, street lights match existing City street lights.
P. Noise. The site has been designed, buildings so arranged, and activities/equipment programmed to minimize the emission of noise, particularly for sites adjacent to residential districts.	***N/A***	Uses and activities on site will be similar to those of the surrounding area and noise levels are not anticipated to exceed existing uses.

Q. Mechanical Equipment. Mechanical equipment, both roof and ground mounted, shall be screened in accordance with the requirements of this Ordinance.	***Complies*** ***Small residential units will be next to the buildings***	Mechanical equipment will be screened. Roof top mechanical equipment will be screened by roof parapet and roof structures. Ground mechanical equipment will be screened with fencing and landscaping.
R. Signs. The standards of the City of Boyne City's Sign Ordinance are met.	***Compliance will be obtained by getting required permits***	The location of a proposed sign is shown on the provided plans with a sign meeting ordinance standards to be permitted at a later date.
S Hazardous Materials or Waste. For businesses utilizing, storing or handling hazardous material such as automobile service and automobile repair stations, dry cleaning plants, metal plating industries, and other industrial uses, documentation of compliance with state and federal requirements shall be provided.	***N/A***	Proposed uses do not use or store hazardous materials.
T. Other Agency Reviews. The applicant has provided documentation of compliance with other appropriate agency review standards, including, but not limited to, the Michigan Department of Natural Resources, Michigan Department of Environmental Quality, Michigan Department of Transportation, Charlevoix County Drain Commissioner, Northwest Michigan Community Health Agency, Charlevoix County Building Department, and other federal and state agencies, as applicable.	***Compliance will be obtained by getting required permits***	All required permits must be obtained prior to construction.
U. Approval Process. The development plan shall be reviewed by the Planning Commission. If disapproval is recommended, the Planning Commission shall cite reasons for such disapproval. If the Planning Commission finds a development plan not in conformity with this section, it may, at its discretion, return the development plan to the applicant with a written statement of the modifications necessary to obtain approval. Upon resubmission of the modified development plan, the Planning Commission shall review the plan. The Commission may approve, disapprove or approve subject to compliance with such modifications and conditions as may be deemed necessary to carry out the purpose of this Ordinance and other ordinances and resolutions of the City. If disapproved, the Planning Commission shall cite reasons for such disapproval.		Plan is approved with the following conditions: 1. Following Construction Plans dated 6-8-2012; sheets 1 - 9 2. Site lighting plan – submitted 6-8-2012 3. Site lighting fixtures plan – submitted 6-8-2012 4. Construction Phasing Plan – submitted 6-8-2012 5. Resort Cottages Pattern Book of Architectural Guidelines

After review and board discussion, **motion by St. Dennis, seconded by Meeder** to approve the final development plan submitted by Catt Land Development, LLC for 1 Water Street based on the submitted Construction Plan sheets 1 through 9 dated 6-8-2012, in addition to the site lighting plan, site lighting fixtures plan, construction phasing plan, Resort Cottage pattern book, and Findings of Fact as determined on 7-30-12.

Roll Call:

Aye: Frasz, Kozlowski, MacKenzie, Meeder, Neidhamer and St. Dennis
Nay: None
Abstain: None
Absent: Crum, Ellwanger, and McCahan

Motion Carries

Date: July 30, 2012

Signature: _____
Planning Commission Chairperson

Kirtland Products, LLC

1 Altair Drive
Boyne City, MI 49712

August 9, 2012

City Commissioners
Boyne City, Michigan
319 North Lake Street
Boyne City, MI 49712

Subject: Kirtland Products Noise Remediation

Dear Commissioners:

I would like to use this occasion to report to you on the actions undertaken by Kirtland Products as a result of the information provided in the RSG **Community Noise Assessment & Mitigation of the Kirtland Products Plant study**, and your request, during your meeting of July 24th, to submit a report on Kirtland Products action plan with timeline.

Kirtland Products appreciate the assistance of Boyne City in providing the services of RSG in identifying equipment noise sources. The information has been helpful and we have contracted the Kodiak Group LLC to assist us in evaluating the plant air pressure and design of our air conveyance system which is identified in the RSG Report as the potential cause of the tonal pulsation condition. We have been committed to addressing the objectionable tonal pulsation noise since first recognizing the condition when we started operations in December. During the ensuring period, we engaged the community to assist in identifying the source of the noise and installed mufflers and sound reduction enclosures. We voluntarily reduced operating hours and workdays to minimize the noise impact. This was done with significant financial consequences to the company. The Citizens Committee initiative proved instrumental in ultimately finding and contracting the services of the RSG Group. The Kodiak Group arrived at the plant on Wednesday, August 8 to begin their analysis. We anticipate that they will report their findings and recommendations the week of August 13th. We plan to provide further updates at the next city commission meeting on Tuesday, August 28th.

We are not operating this week or the week of August 13th. However, once we identify and remediate to the recommendations of the Kodiak Group, we will need to resume production to prepare for MDEQ stack testing as well as customer product orders. The MDEQ is scheduled to conduct stack testing the week of September 10.

We believe that armed with the RSG study and the engineering expertise of the Kodiak Group that we can successfully address the tonal pulsation noise.

Respectfully,

Leon Tupper,
CEO

Karen Seeley
319 N. Lake Street
Boyne City, MI 49712
Phone 231-582-0341 fax 231-582-6506
karen@boynecity.com

City of Boyne City

Memo

To: Mayor Grunch and Boyne City City Commission

From: Karen Seeley

Date: July 17, 2012

Re: Industrial Facilities Exemption Certificate (IFEC) Extension
GAG Sim/Tech

On April 18, 2012, Gary Koteskey owner of GAG Sim-Tech filed for an extension of his IFEC that had expired January 2012. At the July 9, 2012 meeting, the EDC considered the request.

When he was given the first IFEC in January, 2003, he was initially awarded eight years based on the five point criteria. He came to the board requesting a four year extension to the state maximum of twelve years. He explained to the board that he will not be adding any new equipment or employees, but this year could possibly be a record year with sales up approximately 49%. He also said that the first three to four years his sales were stifled by inadequate internet service. He would appreciate the extension so that he may retain his current employees and build his sales. Upon board review of the point scale for the IFEC extension, the scoring was within the four year abatement. City Manager Michael Cain explained that an extension is allowed under the state. **Friedrich moved Cortright seconded PASSED UNAMINOUSLY** to recommend the City Commission award a four year extension of the Industrial Facilities Exemption Certificate to GAG Sim-Tech Filter, Inc.

CITY OF BOYNE CITY
COUNTY OF CHARLEVOIX
Resolution 2012-08-XXX

APPROVING APPLICATION OF A FOUR YEAR EXTENSION OF THE GAG SIM / TECH FILTER, INC TO THE ORIGINAL 2003 INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR NEW MACHINERY AND EQUIPMENT INSTALLATION

WHEREAS, pursuant to P.A. 198 of 1974, M.CL 207.551 et seq., after a duly noticed public hearing held on July 23, 1985, the Boyne City Commission by resolution established Boyne City Industrial Development District No. 2, as requested by LexaMar Corporation; and

WHEREAS, GAG Sim / Tech Filter, Inc. has filed an application for an extension to their 2003 Industrial Facilities Exemption Certificate with respect to new facilities, new machinery and equipment to be acquired and installed within the Industrial Development No. 2; and

WHEREAS, before acting on August 14, 2012, Boyne City Hall, 319 North Lake Street, Boyne City, Michigan at noon. at which hearing the applicant, the Assessor and representatives of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, installation of new machinery and equipment had not begun earlier than six (6) months before December 16, 2002, the date of the acceptance of the original application for the Industrial Facilities Exemption Certificate; and

WHEREAS, completion of the proposed equipment installation is calculated to and will at the time of issuance of the certificate have the reasonable likelihood to retain, create or prevent the loss of employment in the City of Boyne City; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Boyne City, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED BY the City Commission of the City of Boyne City that:

1. The Boyne City Commission finds and determines that the granting of the FOUR YEAR extension to the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974 and Act No. 255 of the Public Acts of 1978, shall not have the effect of substantially impeding the operation of the City of Boyne City, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Boyne City.

2. The application of GAG Sim / Tech Filter, Inc for an extension to their 2003 Industrial Facilities Exemption Certificate with respect to new equipment and machinery to be acquired and installed on the following described parcel of real property situated within the Boyne City Industrial Development District No. 2, to wit:

   Refer to attached legal description
   Exhibit A

   be and the same is hereby approved.

3. The extension to the 2003 Industrial Facilities Exemption Certificate when issued shall be and remain in force and effect for a period of four years after.

ROLL CALL
Aye:
Nay:
Abstain:
Absent:
RESOLUTION DECLARED _____.

_____
Cindy Grice, Boyne City Clerk/Treasurer

I, Cindy Grice, City Clerk/Treasurer of the City of Boyne City, County of Charlevoix and State of Michigan, hereby certify that the above is a true and complete copy of a resolution adopted by the City of Boyne City at its regular meeting held Tuesday, August 14, 2012, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act 267 of the Public Acts of Michigan of 1976, and the minutes of said meeting were kept and will be or have been made available as required by said Act.

_____
Cindy Grice, Boyne City Clerk/Treasurer

_____
Date

1455 Lexamar Drive, Boyne City, Michigan 49712
Phone 231-582-1020 Fax 231-582-7324 Email gary@gag-simtech.com Web www.gag-simtech.com

April 18th, 2012

City Manager
City of Boyne City
319 North Lake Street
Boyne City, MI 49712

SUBJECT: Agreement with the City of Boyne City

Dear City Manager:

GAG Sim/Tech Filter (the "Company") has submitted an application to you for the granting of an extension to our existing industrial facilities exemption certificate (IFEC) pursuant to Michigan Public Acts of 1974, as amended.

To encourage the granting of the IFEC and in recognition of the investment of the City of Boyne City (the "City"), I hereby agree on behalf of the company to the following:

1. No later than the 10th day of January immediately following the second year after the issuance date of the IFEC extension, the company shall submit a letter to the City stating:

   a. The number of employees at the time of the application and the current number of employees.
   b. If the retention of the jobs was not accomplished, give an explanation.

2. The company further agrees to submit a report regarding the status of employment every two years beginning two years after submission of the letter required in Item 1, on or before December 31. If employment has not remained or exceeded the number given in the application, an explanation for this shall be included. This report shall be submitted the fourth year after the issuance of the IEFC extension.

   In the event Company fails to meet either of the filing deadlines in Items 1 or 2, such failure shall not constitute a fatal exception provided however that Company submits a letter with the required information within 30 days of written request of the City of Boyne City, notifying Company of such failure.

   The Company understands that if employment has not been retained as stated in the application for reasons within the Company's control, and despite good faith effort on the Company's part to meet said obligation, the governing body has the right to reduce the term or revoke the IFEC.

Michigan Department of Treasury
1012 (Rev. 5-07)

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form or would like to request an informational packet, call (517) 373-3272.

Signature of Clerk	Date received by Local Unit
Cindy Price	4-18-12
Application Number	**Date Received by STC**

APPLICANT INFORMATION

All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility)	1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code)	
GAG Sim/Tech Filter, Inc.	339999	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location)	1d. City/Township/Village (indicate which)	1e. County
1455 Lexamar Drive, Boyne City, MI, 49712	Boyne City	Charlevoix
2. Type of Approval Requested	3a. School District where facility is located	3b. School Code
[X] New (Sec. 2(4)) [ ] Transfer (1 copy only) [ ] Speculative Building (Sec. 3(8)) [ ] Rehabilitation (Sec. 3(1)) [ ] Research and Development (Sec. 2(9))	Boyne Falls	15030
	4. Amount of years requested for exemption (1-12 Years)	
	an extension of 4 years	

5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed.

Manufacturing and assembly of performance products for the on-site septic industry. This includes pressure filters, passice filters, orifice shields, risers, covers, valve boxes, clean-out sweeps, pressure switches, pump screens, pump filters, sludge samplers, float tree accesories, pipe stands, safety nets, filter vaults, and cut-off saws.

6a. Cost of land and building improvements (excluding cost of land) ▸ _____ Real Property Costs
- * Attach list of improvements and associated costs.
- * Also attach a copy of building permit if project has already begun.

6b. Cost of machinery, equipment, furniture and fixtures ▸ _____ Personal Property Costs
- * Attach itemized listing with month, day and year of beginning of installation, plus total

6c. Total Project Costs ▸ _____ Total of Real & Personal Costs
- * Round Costs to Nearest Dollar

7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.

	Begin Date (M/D/Y)	End Date (M/D/Y)	
Real Property Improvements ▸	_____	_____	▸ [ ] Owned [ ] Leased
Personal Property Improvements ▸	_____	_____	▸ [ ] Owned [ ] Leased

8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. [ ] Yes [ ] No

9. No. of existing jobs at this facility that will be retained as a result of this project.	10. No. of new jobs at this facility expected to create within 2 years of completion.
equivalent of 6 full time jobs	

11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.

a. TV of Real Property (excluding land) _____
b. TV of Personal Property (excluding inventory) _____
c. Total TV _____

12a. Check the type of District the facility is located in:

[X] Industrial Development District [ ] Plant Rehabilitation District

12b. Date district was established by local government unit (contact local unit)	12c. Is this application for a speculative building (Sec. 3(8))?
8/29/00	[ ] Yes [X] No

APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name	13b. Telephone Number	13c. Fax Number	13d. E-mail Address
Gary Koteskey	(231) 582-1020	(231) 582-7324	gary@gag-simtech.com
14a. Name of Contact Person	**14b. Telephone Number**	**14c. Fax Number**	**14d. E-mail Address**
Gary Koteskey	(231) 582-1020	(231) 582-7324	gary@gag-simtech.com
▶ 15a. Name of Company Officer (No Authorized Agents)			
Gary Koteskey			
15b. Signature of Company Officer (No Authorized Agents)		15c. Fax Number	15d. Date
Gary Koteskey		(231) 582-7324	4/16/12
▶ 15e. Mailing Address (Street, City, State, ZIP Code)		15f. Telephone Number	15g. E-mail Address
1455 Lexamar Drive, Boyne City, MI 49712		(231) 582-1020	gary@gag-simtech.com

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit

☐ Abatement Approved for _____ Yrs Real (1-12), _____ Yrs Pers (1-12)

After Completion ☐ Yes ☐ No

☐ Denied (Include Resolution Denying)

16a. Documents Required to be on file with the Local Unit

Check or Indicate N/A if Not Applicable

☐ 1. Notice to the public prior to hearing establishing a district.
☐ 2. Notice to taxing authorities of opportunity for a hearing.
☐ 3. List of taxing authorities notified for district and application action.
☐ 4. Lease Agreement showing applicants tax liability.

16b. The State Tax Commission Requires the following documents be filed for an administratively complete application:

Check or Indicate N/A if Not Applicable

☐ 1. Original Application plus attachments, and one complete copy
☐ 2. Resolution establishing district
☐ 3. Resolution approving/denying application.
☐ 4. Letter of Agreement (Signed by local unit and applicant)
☐ 5. Affidavit of Fees (Signed by local unit and applicant)
☐ 6. Building Permit for real improvements if project has already begun
☐ 7. Equipment List with dates of beginning of installation
☐ 8. Form 3222 (if applicable)
☐ 9. Speculative building resolution and affidavits (if applicable)

16c. LUCI Code	16d. School Code
17. Name of Local Government Body	▶ 18. Date of Resolution Approving/Denying this Application

Attached hereto is an original and one copy of the application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time.

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e. Telephone Number	19f. Fax Number	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

State Tax Commission
Michigan Department of Treasury
P.O. Box 30471
Lansing, MI 48909-7971

For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

STC USE ONLY

▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

Instruction for Completing Form 1012,
Industrial Facilities Tax Exemption (IFT) Application

The completed original application form 1012 and all required attachments, plus two additional copies, **MUST** be filed with the clerk of the local unit of government where the facility is or will be located. Complete applications must be received by the State Tax Commission by October 31 to ensure processing and certification for the following tax year. Applications received after the October 31 deadline will be processed as expeditiously as possible.

Please note that attachments listed on the application in number 16a are to be retained by the local unit of government, and attachments listed in number 16b are to be included with the application when forwarding to the State Tax Commission (STC).

(Before commencement of a project the local unit of government must establish a district, or the applicant must request in writing a district be established, in order to qualify for an IFT abatement. Applications and attachments must be received by the local unit of government within six months of commencement of project.)

The following information is required on separate documents attached to form 1012 by the applicant and provided to the local unit of government (city, township or village) in triplicate. (Providing an accurate school district where the facility is located is vital.):

1. Legal description of the real property on which the facility is or will be located. Also provide property identification number if available.
2. Personal Property Requirements: Complete list of new machinery, equipment, furniture and fixtures which will be used in the facility. The list should include description, beginning date of installation or expected installation by month/day/year, and costs or expected costs (see sample). Detail listing of machinery and equipment must match amount shown on question 6b of the application. Personal property applications must have attached a certified statement/affidavit as proof of the beginning date of installation (see sample).
3. Real Property Requirements: Proof of date the construction started (groundbreaking). Applicant must include one of the following if the project has already begun; building permit, footings inspection report, or certified statement/affidavit from contractor indicating exact date of commencement.
4. Complete copy of lease agreement as executed, if applicable, verifying lessee (applicant) has direct ad valorem real and/or personal property tax liability. The applicant must have real and/or personal property tax liability to qualify for an IFT abatement on leased property. If applying for a real property tax exemption on leased property, the lease must run the full length of time the abatement is granted by the local unit of government.

The following information is required of the local unit of government: [Please note that only items 2, 4, 5, 6, & 7 below are forwarded to the State Tax Commission with the application, along with items 2 & 3 from above. The original and one complete copy are required by the STC. The remaining items are to be retained at the local unit of government for future reference. **(The local unit must verify that the school district listed on all IFT applications is correct.)**]

1. A copy of the notice to the general public and the certified notice to the property owners concerning the establishment of the district.
2. Certified copy of the resolution establishing the Industrial Development District (IDD) or Plant Rehabilitation District (PRD), which includes a legal description of the district (see sample). If the district was not established prior to the commencement of construction, the local unit shall include a certified copy or date stamped copy of the written request to establish the district.
3. Copy of the notice and the certified letters to the taxing authorities regarding the hearing to approve the application.
4. Certified copy of the resolution approving the application. The resolution must include the number of years the local unit is granting the abatement and the statement "the granting of the Industrial Facilities Exemption Certificate shall not have the effect of substantially impeding the operation of (governmental unit), or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in (governmental unit – see sample).
5. Letter of Agreement (signed by the local unit of government and the applicant per P.A. 334 of 1993 (see sample).

6. Affidavit of Fees (signed by the local unit of government and the applicant), (Bulletin 3, January 16, 1998). This statement may be incorporated into the Letter of Agreement (see sample).

7. Treasury Form 3222 (if applicable) - Fiscal Statement for Tax Abatement Request.

The following information is required for rehabilitation applications in addition to the above requirements:

1. A listing of existing machinery, equipment, furniture and fixtures which will be replaced or renovated. This listing should include description, beginning date of installation or expected installation by month/day/year, and costs or expected costs.

2. A rehabilitation application must include a statement from the Assessor showing the taxable valuation of the plant rehabilitation district, separately stated for real property (EXCLUDING LAND) and personal property. Attach a statement from the assessor indicating the obsolescence of the property being rehabilitated.

The following information is required for speculative building applications in addition to the above requirements:

1. A certified copy of the resolution to establish a speculative building.

2. A statement of non-occupancy from the owner and the assessor.

Please refer to the following Web site for P.A. 198 of 1974: http://www.legislature.mi.gov/.

For guaranteed receipt by the State Tax Commission, it is recommended that applications and attachments are sent by certified mail.

INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE APPLICATION
AFFIDAVIT OF FEES

In accordance with State Tax Commission Bulletin No. 3 dated January 1998. the Local Unit of Government and Applicant for Industrial Facilities Exemption Certificate do hereby swear and affirm by our signatures below that "no payment of any kind in excess of the fee allowed, as amended by Public Act 323 of 1996, has been made or promised in exchange for favorable consideration of an exemption certificate application.

Such payments are contrary to the legislative intent of Act 198 that exemption certificates have the effect of abating all ad valorem property taxes levied by taxing units with the unit of local government which approves the certificate.

Local Unit of Government:

Signed: _____
Print name: _____
Title: _____
Date: _____

Applicant Company: G.A.G. Sim/Tech Filters Inc.

Signed: Gary L. Kotes Key
Print Name: Gary L. Kotes Key
Title: President
Date: 4/16/12

Jan 2003

Approved 4-7-03

MEETING OF JANUARY 6, 2003

MINUTES OF THE BOYNE CITY ECONOMIC DEVELOPMENT CORPORATION MEETING DULY CALLED AND HELD ON MONDAY, JANUARY 6, 2003, IN THE CITY COMMISSION CHAMBERS AT CITY HALL, 319 NORTH LAKE STREET.

CALL TO ORDER

Acting Chair LaPointe called the meeting to order at 12:05 p.m.

ROLL CALL

Present: Michael Cain, Michelle Cortright, Pete Friedrich, Tom LaPointe and Ralph Stowe.

Absent: Pat Anzell, Richard Copeland, Ralph Gillett and Jim Howell (arrived 12:10p.m.).

MEETING ATTENDANCE

Staff: Recording Secretary Karen Seeley, Deputy Clerk Josette Lory and City Planner Tim O'Leary.

Public: There were two people in attendance.

APPROVAL OF MINUTES

Stowe moved Cortright seconded approval of the August 5, 2002 and November 4, 2002 minutes as presented.

GAG SIM/TECH FILTER, INC. IFEC 1455 LEXAMAR DR.

Considerations to recommend the City Commission approve an IFEC (Industrial Facilities Exemption Certificate) application from GAG Sim/Tech Filter, Inc.

Upon board review of the five criteria presented with the IFEC application, LaPointe moved, Friedrich seconded, PASSED UNANIMOUSLY, to recommend the City Commission award an 8 year Industrial Facilities Exemption Certificate to GAG Sim/Tech Filter, Inc. 1455 Lexamar Drive, Boyne City, MI. 49712

DEVELOPMENT PLANS LOT 7, EAST AIR INDUSTRIAL PARK

The board reviewed the site plans from Christopher Furness for Great Lakes Golf & Site Development. After discussion, Stowe moved, LaPointe seconded, PASSED UNANIMOUSLY, to recommend the Planning Commission proceed with the site plan reviewed.

BOARD APPOINTMENT

Stowe moved, Friedrich seconded, PASSED UNANIMOUSLY, to recommend the City Commission reappoint Richard Copeland to the Boyne City Economic Development Committee for a six year term expiring March 11, 2008.

MEETING SCHEDULE

After some discussion, Cain moved, LaPointe seconded, PASSED UNANIMOUSLY, a motion that this the Boyne City Economic Development Corporation meet quarterly,

but reserve the first Monday of each month for special meetings if needed, beginning with the January 2003 meeting.

NEXT MEETING The next, regular meeting of the Economic Development Corporation is scheduled for Monday, April 7, 2003.

ADJOURNMENT The January 6, 2003, Economic Development Corporation meeting was adjourned at 12:47 p.m.

Karen Seeley, Recording Secretary

Clerk\boards-commissions\edc\2003\1-6 minutes

MEMORANDUM

Agenda Item 7.C.

Jan 2003

To: Mayor Stackus and City Commissioners

From: Michael Cain, City Manager MC
Sue Hobbs, City Clerk SH

Subject: Industrial Facilities Exemption Certificate for GAG Sim/Tech Filter, Inc.

Date: January 7, 2003

On December 18, Gary Koteskey, of Sim/Tech, filed a request for an Industrial Facilities Exemption Certificate for the new construction and equipment on lot 13, Phase II of the Industrial Park. At the January 6, 2003 meeting, the EDC/LDFA, based on the attached Criteria for IFEC Applications, unanimously recommended approval of an eight year IFEC for Sim/Tech to the City Commission. This certificate would abate 50% of the taxes for Sim/Tech during the eight year period. Because of the Act 425 Agreement with Boyne Valley Township, all taxing units connected with the Township were given notice of the hearing also. There has been no opposition received from any taxing unit.

The building previously received site plan approval from the Planning Board, as well as approval of the landscaping plan.

A very positive aspect to Sim/Tech is that this industry is not tied to the automobile manufacturing, as a lot of local industries are. This variety in product will help to stabilize the local economy, if one element of the economy is experiencing a downturn. The filters and septic systems manufactured by Sim/Tech are a new product. This business has a lot of potential for growth and additional job creation. It is through programs such as the IFECs that small, startup industries have the chance to invest in our community.

The jobs created will not count toward forgiving of the CDBG Loan for construction of the Industrial Park. The provisions of the CDBG Loan included $10,000 forgiven for each new job created in the Park, up to a maximum of $100,000 for 100 new jobs. Currently there have been 140 new jobs in the Park since September, 2000; therefore we have already met the maximum of $100,000. However, the 16 new jobs in the Park will have a positive impact on the local economy, which was a goal when the Park was expanded.

Boyne City currently has ten Certificates in effect; six were issued to Lexamar, Inc., two to Control Engineering, and two to Federal Screw Works. Of these ten, three will expire in 2006.

As you can see by the attached list of jobs created since the beginning of 2001, the City's Industrial Park has been very successful. I believe the Commissioner's willingness to give industries incentive to locate in Boyne City, in part by approval of Exemption Certificates, is a big part of this success. The EDC/LDFA Board was very supportive of this business, as well as the IFEC. It is my recommendation that the City Commission act on their recommendation and approve the Exemption Certificate for Sim/Tech.

City of Boyne City MEMO

Date: August 14, 2012

To: Mayor Grunch and the Boyne City City Commission

From: Michael Cain, City Manager

Subject: Assessing Services Bids

As the City Commission may recall, earlier this year Charlevoix County advised us that they would be ending the decades old arrangement they had with the three cities in the County, Charlevoix, East Jordan and Boyne City to stop providing assessing services to them. From the cities perspective this arrangement, which we paid them a fee for, had worked very well and we were very disappointed to see it end. It seemed contrary to the State efforts to encourage governments to work together and share services.

Be that as it may, the three cities have worked since then in a unified effort to obtain replacement assessing services. The Charlevoix County Equalization Department was very helpful and generous with their time throughout this process as they helped with everything from preparing the requests for proposals to conducting interviews with various firms. A joint request for proposals (copy attached) was prepared and advertised. Six proposals were received by the June 25th due date from:

		Boyne City Costs		
		1st year	2nd year	3rd year
1.	Berg Assessing and Consulting Inc of Rogers City	$57,500	57,500	57,500
2.	DC Assessing Services of Traverse City	$54,160	54,160	55,100
3.	D & D Assessing of Alanson	$55,500	55,500	55,500
4.	Great Lakes Assessing of Cadillac	$57,900	57,900	57,900
5.	Quantum Valuation Services of Twin Lake	$32,000	32,960	33,949
6.	Robert Goodenough of East Jordan	Not Provided		

Copies of the responses were provided to each of the cities and the equalization department for their review and consideration. That was followed by a joint meeting with representatives of the three cities and the Equalization Department at which after reviewing all the proposals received firms 1-4 above were invited in for interviews. At the interviews the City Managers and City Treasures' from each of the three cities, plus a representative from the Equalization Department participated. At the end of that half day session two firms, Great Lakes Assessing and DC Assessing emerged as the two leading contenders. After references were checked and a second interview by the three City Managers was held with the team from DC Assessing it was agreed that they would be the best firm for the job and the recommended firm.

Reasons for recommending this firm include:

-Experience: The lead person for DC Assessing is Debra Chavez and her experience in Traverse City as the

head of their Assessing Department has prepared her well for all the issues that might come up in any of our three communities. She is also a State license Level III assessor on an I to IV scale with IV being the highest level, necessary for mainly large scale counties or cities equalization directors

-Recommendation: Traverse City City Manager Ben Bifoss, who is well known to many of us in the City for his work on our marina plans several years ago and also Debra's ultimate supervisor gave her a glowing recommendation.

-Location: Debra and her staff, after her retirement from Traverse City to take this position, seeks to relocate to Charlevoix County.

-Exclusivity: For the foreseeable future our three cities would be DC Assessing's exclusive clients

-Compatibility: Although we had a number of good firms to interview with from my perspective Debra and her team were the ones I would most want to having working on our behalf with the public, the City Commission, our City staff, the Equalization Department, our Board of Review, our attorneys, myself, or anyone else I missed. She is knowledgeable, easy to talk to, comes across well with a real passion for her profession.

-Vision: Debra told us upfront that she picked us to apply to because of the opportunity we present for building a multi-jurisdiction team effort that can be the best in the state. I was, and am, excited to have the opportunity to work with an Assessor, or any member of our City team, that shoots for that as their goal. I think we have a real opportunity here and she appears to be the best one to take us there.

-Costs: Their costs were in line with the firms we interviewed. We have budgeted $75,000 for assessing services this year. This price is well within that framework. Due to the various start up and operating costs we will be experiencing for the first time this year it is difficult to know if we will be saving much, or any, money right out of the gate. Over the years it appears that that we will, but we will have a firmer grasp on that with some experience.

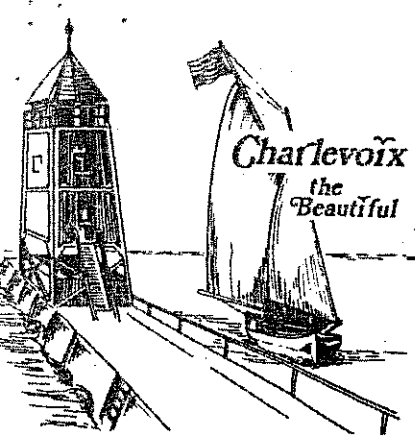
DC Assessing will be holding regular office hours at the three city halls. We hope that a customer from any city can stop in at any of the office hours at any city hall to be able to meet with the Assessor. This should be a convenience for all of our customers.

We look to establish an office for the Assessor in the current Planning Dept Conference room. Deputy City Clerk Karen Seeley will be providing direct clerical support for assessing services. We will need to purchase computer hardware, software and office supplies to support this operation. We anticipate being able to due so within budgeted amounts.

Ms. Chavez and her team are expected to be present at tonight's City Commission meeting.

RECOMMENDATION: That the City Commission confirm the City Manager's appointment of Debra Chavez as the City's contractual Assessor, award a three year agreement to DC Assessing Services of Traverse City at not to exceed annual amounts of $54,160, $54,160 and $55,110 contingent of the final agreement by the City Attorney, and the receipt of similar approvals from the Cities of East Jordan and Charlevoix and authorize the City Manager and City Clerk/Treasurer to sign the required documents.

OPTIONS:
A. -Postpone the request for additional information or review
B. -Approve a modified version of the request.
C. –Deny the request.
D. -Some other action as determined as appropriate by the City Commission.



CITY OF CHARLEVOIX
210 STATE ST. CHARLEVOIX, MICH. 49720

Request for Proposals
Cities of Boyne City, Charlevoix and East Jordan

The cities of Boyne City, Charlevoix and East Jordan, located in Charlevoix County, are seeking bid proposals for assessing services. The Cities will consider proposals from a Level II or higher Assessor to work on a contractual basis. Bid packages with full detail of services desired may be obtained at www.cityofcharlevoix.org. If you have further questions, contact City Manager Rob Straebel at 231-547-3270 or mgr@cityofcharlevoix.org. Proposals must be submitted by 4:00 p.m. on Monday, June 25, 2012.

100% Recycled

CITIES OF BOYNE CITY, CHARLEVOIX AND EAST JORDAN, MICHIGAN REQUEST FOR PROPOSALS-ASSESSING SERVICES

Introduction

The Cities of Boyne City, Charlevoix and East Jordan, Michigan (collectively the "Cities") are all Municipal Corporations providing general municipal services to their respective communities. Each community is located in Charlevoix County in northwestern, lower Michigan. Below is more specific information regarding each community:

2011 Community Information

	Boyne City	Charlevoix	East Jordan
2010 Population	3735	2513	2351
Size in Square Miles	3.91	2.04	3.06
SEV	208,576,916	306,356,100	71,725,550
TV	184,630,417	237,392,417	65,447,985
Number of Parcels	3190	2831	1421
# of Residential [401]	2751	2300	1148
# of Commercial[201]	210	220	119
# of Industrial [301]	18	20	17
# of Agricultural [101]	0	0	0
# of Personal Property Files	205	288	134
Utilities [551]	6	3	3
IFT	14	13	8

Assessing services for the three Cities were contracted through the Charlevoix County Equalization Department. Recent retirements in the Equalization Department have led to a decision by the Charlevoix County Commissioners to discontinue assessing services for the three municipalities as of September 1, 2012. Boyne City, Charlevoix and East Jordan are exploring the possibility of contracting with an Assessor(s) or a firm specializing in assessing services. A decision on this is expected to occur in June or July of 2012. The Cities will consider proposals from a Level II or higher Assessor to work on a contractual basis. Based on the proposals, it is possible that the three cities would enter into a three-year contract with the candidate who is awarded a contract under this Request for Proposals. Specific information regarding tax tribunal cases is available upon request.

Right of Refusal

The Cities of Boyne City, Charlevoix and East Jordan reserve the right to accept or reject any or all proposals in whole or in part, and to waive any informality, irregularity or defect in this process or in any proposal should it be deemed in the best interest of the three Cities.

Specific Services Required

1. Level II certification or higher.
2. Proficient in BS&A/Equalizer software.
3. Minimum of eight (8) office working hours in each of the three municipalities per week. Days of the week to be negotiated with successful assessor. Assessor will also be available for appointments at a time convenient to property owner and Assessor.
4. Plans, supervises, and participates in the appraisal, re-appraisal, and assessment of all real and personal properties in the Cities in accordance with State law and their respective City Charters.
5. Perform onsite inspections in order to annually re-appraise 20% of the real properties of each class (residential, commercial, industrial) and in order to determine the value of any new construction.
6. Maintains assessment rolls for each individual City, including ad valorem, specific tax rolls (IFTs, OPRAs, PILTs, TIFs, DDA's, etc.), and special assessments in order to ensure compliance with State law and the City Charters. Keep the property record field cards up-to-date.
7. Assessor will also provide a local phone number for City officials and residents to contact Assessor during regular business hours, Monday through Friday, and shall return phone calls within forty-eight (48) hours.
8. In consultation with the appropriate City Staff in each municipality, perform land division and combinations as necessary, complying with the State's Land Division Act and County/City procedures for land divisions.
9. Prepare the winter and summer assessment rolls for the City Treasurer in each municipality.
10. Analyze property sales of all property classes within the three Cities to determine property values and appropriate assessment adjustments, including vacant land values.
11. Process all Principal Residence Exemptions (PREs), rescissions, and Property Transfer Affidavits and Transfer Deeds for each municipality.
12. Process all poverty exemption applications for each municipality.
13. Verifies millage rates for each City Council or City Commission. Obtain millage rates from other taxing jurisdictions.
14. Files all necessary State and County reports pertaining to the Assessment and Tax Rolls for each municipality.
15. Annually prepare a report for each municipality regarding the status of the Assessing Department and the Assessment Roll(s) and present it to the City Council or City Commission. Attend City Council and/or committee meetings on

an as-needed basis (anticipated to be about two City Council/City Commission meetings per year) for each municipality.

16. Complete Apex land and building footprint sketches for all real properties in each City.
17. Update each City Treasurer's Department personnel with pertinent information on all name and address changes made to the database(s). All assessment files will be the property of and kept at the respective City Halls.
18. Maintain the link between assessment and the Charlevoix County Building Department's databases to ensure (1) that the assessor can re-assess all construction activity requiring a building permit; and (2) that the Charlevoix County Building Department's database is up-to-date.
19. Maintain parcel and tax maps for each municipality, including any future GIS component to this.
20. Process Personal Property Statements, including conducting an annual inspection to ensure an up-to-date list of personal property for each municipality. Comply with all Personal Property Tax reporting requirements to the State of Michigan, tracking any required reductions.
21. Upon request, meet with taxpayers of each municipality regarding assessment determinations and to explain appeal procedures.
22. Respond to complaints for each municipality pertaining to assessing property.
23. Act as the liaison in communicating with the public, media, and other governmental agencies on assessing issues for each municipality.
24. Provide assessment information to the public similar to how the City currently provides this information on its website. Send out printed assessment notices to all property owner in accordance with State laws.
25. Represent each individual City in defense of existing and future assessment appeals to the Board of Review, the Small Claims division of the Michigan Tax Tribunal, and the full Michigan Tax Tribunal.
26. Coordinate with the respective City attorneys in the defense of appeals.
27. Prepare changes to the roll based on decisions of the Board of Review and/or Michigan Tax Tribunal for each municipality.
28. Assessor will coordinate with Charlevoix County Equalization Department office to facilitate the digital and manual transfer of data and values.
29. The Assessor shall communicate openly and in a timely fashion with the proper City personnel and the public in handling all the appeals to ensure Board of Review has all available information to render their decisions. The Assessor is expected to present a positive professional image in both dress and conduct while interfacing with City Staff and the public.
30. The Assessor shall update market values for land and buildings owned by each specific municipality. Said information obtained shall be used for insurance purposes, depreciation and to establish lease values.
31. Assessor will also perform all other duties incidental to the normal duties of an Assessor.
32. The Assessor will make timely taxable value estimates for each municipality. Timing of the taxable value estimates will need to be negotiated with each individual municipality.

City Clerical/Administrative Assistance Services Offered

Boyne City, Charlevoix and East Jordan will provided limited clerical services to assist the Assessor(s). The limited support will include answering routine telephone calls and walk-in requests for assessment data, provide the Assessor's telephone number to residents as necessary, assist in scheduling assessment related appointments, provide copies of all assessment open records as requested and assist in stuffing envelopes and mailing all notices. The Cities will be responsible for printing assessment notices and tax bills and payment of postage. The Cities will continue to schedule the Board of Review meetings at their respective City Halls and post the public notices. Each City will provide office space to include a desk, chair, filing cabinets and either a lap top or desk top computer. Each municipality will also supply BS& A/Equalizer Software.

Proposal Requirements

The selection process will be focused upon quality-based selection criteria. Those interested in submitting sealed proposals must submit one (1) original and five (5) copies. The proposals shall include a list of current clients and projects along with a list of references (minimum of three). The respondent should provide a copy of his/her Level II or higher Certification document, documentation of any other related certifications, the annual dollar cost per municipality (fee for these services), and any other pertinent information, which the candidate may wish to provide. The proposal shall include the total annual compensation rate to provide the assessment services in the above Specific Services Required and in accordance with the applicable laws of the State of Michigan for the years 9/1/2012-8/31/2013, 9/1/2013-8/31/2014, 9/1/2014-8/31/2015. The Cities will pay the annual compensation rate based upon progress of the work that has been completed. Bidders shall express their fees for each year of the three-year contract for each individual municipality in a not-to-exceed sum to include all of the Assessor's costs, including but not limited to: labor, materials, transportation costs, meals, lodging, Board of Review, Small Claims divisions of the Michigan Tax Tribunal and the full Michigan Tax Tribunal expenses. All incidental expenses will be the responsibility of the Assessor(s) or Assessing Firm.

Other information

The successful Assessor(s) or Assessing Firm will be selected and hired by each individual municipality that is most advantageous to the Cities. The Request for Proposals will serve as the basis of the initial services contract with the Assessor or Assessing Firm.

Evaluation Criteria

The following evaluation criteria will be used to review the Assessing Services Proposals that are received and which meet the general quotation requirements.

1. Demonstration of successful experience in providing general assessment services to municipalities of a similar or larger size.

2. Past experience with providing assessment and revaluation services. Demonstration of a high level of accuracy in assessment work for municipal clients.

3. Cost of assessment services.

4. Evidence of positive customer interaction.

Response Date

Sealed proposals are due on or before Monday, June 25, 2012 at 4:00 p.m. and should be mailed or otherwise delivered to: Rob Straebel, City Manager, City of Charlevoix, 210 State Street Charlevoix, Michigan 49720 (231) 547-3270.

Thank you for your interest in this project.

DCAssessing Services
Debra L. Chavez
50 N Rusch Rd
Traverse City, MI 49696
231 649-5365
dcassess@yahoo.com

June 12, 2012

Rob Staebel, City Manager
City of Charlevoix
210 State Street
Charlevoix, MI 49720

Dear Mr. Staebel:

Thank you for the opportunity to provide a proposal for services for the City of Charlevoix, City of Boyne City and the City of East Jordon. I am very intrigued by the concept of three cities collaborating for assessment services and have tried to structure my proposal to qualify for the Michigan Department of Treasury Economic Vitality Incentive Program (EVIP) consideration.

As you can see from my resume I have been in government service for over thirty years with the last twenty years primarily performing assessment administration. This experience has proven to be extremely valuable in enhancing my ability to serve the public as well as staff's assessing and information needs. As I am currently planning my retirement from the City of Traverse City, I would like to continue to utilize my experience by providing professional accurate assessment administration for smaller jurisdictions.

It is my plan that the City of Charlevoix, City of Boyne City and the City of East Jordon would be the sole clients of DCAssessing Services for the foreseeable future. As such these municipalities would be mine and my staff's sole focus for assessment services. It is my goal to have these three municipalities feel that DCAssessing Services provides a level of performance and service equivalent to having an assessor on staff.

I would be happy to discuss this proposal with you in further detail at your convenience.

Sincerely,

Debra L. Chavez, MAAO (3)

RECEIVED
JUN 20 2012
CITY OF CHARLEVOIX

DCAssessing Services

Debra L. Chavez, MAAO (3)

Proposal for Assessing Services, City of Charlevoix, City of Boyne City, City of East Jordon

Abstract: It is my objective to provide assessing services that will satisfy the assessing needs for the Cities of Charlevoix, Boyne City and East Jordon, Charlevoix County, MI.

This proposal is for a beneficial and cost effective relationship with these cities that serves to maintain and improve the understanding of assessment administration, collect and share useful information relative to the property tax system, and promote equity in the application of existing property tax law.

Plan: In response to the City of Charlevoix, Boyne City and East Jordon's need for assessment services, I propose to meet their statutory requirements for assessment administration by annually establishing the fair market value of real and personal property located within each city's jurisdictional boundaries. Accordingly, the fair market value will be used to establish each taxable parcel's assessed value, capped value and taxable value in accordance with the laws, rules and policies of the State Tax Commission and the State of Michigan. I shall additionally assume responsibility for maintaining each city's assessment rolls, including ad valorem, specific tax and special assessment rolls in the manner prescribed by state law including all reporting requirements. In addition property record cards, including name and address changes, transfer affidavits, homestead exemptions, and parcel descriptions shall be maintained for each city in compliance with State law and each City's individual Charter.

Basic Services: The services rendered will provide these additional benefits:

- Prepare the winter and summer assessment rolls for the City Treasurer in each municipality.
- Annually prepare a report for each municipality regarding the status for the Assessing Department.
- Annually prepare a statistical report estimating net projected revenue for budgeting purposes.
- Support March, July and December Board of Reviews.
- Attend City Council and/or committee meetings on an as need basis for each municipality.
- Conduct annual personal property audit for each municipality.
- Maintain parcel and tax maps for each municipality.
- Represent and defend all appeals to the Small Claims Division of the Michigan Tax Tribunal.
- Assist the respective City attorney in the defense of appeals to the full Michigan Tribunal.
- Coordinate with the Charlevoix County Building Department and the Charlevoix County Equalization Department to insure the maintenance of records and accurate transfer of data between each municipality and Charlevoix County.

- Coordinate with City Officials and the staff of each municipality to insure the maintenance and accurate transfer of any needed data.
- Visit and review all new construction permits, photograph property improvements, post to record card, update apex and BS&A
- Consult with appropriate City Staff in each municipality to perform land division and combinations in accordance with the State's Land Division Act and County/City procedures

Additional Services:

- Attempt to meet the State Tax Commission recommendation to annually re-appraise 20% of the real properties of each class including new photography and apex drawings of land and buildings.

Provided by Assessor:

The methods and management of assessment will include the following:

- Provide one local phone number for assessing services to be utilized by the three municipalities' residents and city officials.
- If the three municipalities each contract with DCAssessing Services and with the approval of the municipalities, provide twenty four (24) hours of weekly assessing service to residents of the three municipalities by rotating the assessor's location between the three jurisdictions so that the assessor(s) will be physically present for eight (8) hours in the designated assessing office of each city but service the residents of each of the three municipalities.
- Upon request, meet with the residents of each municipality during normal business hours
- Respond to phone messages within two business days.
- Act as the liaison between each municipality and the public, media, and other governmental agencies concerning property tax and assessment issues.

Provided by Municipalities:

- Limited clerical services to assist Assessor(s) including answering routine telephone calls and walk-in requests for assessment data, provide the assessor's telephone number to residents, assist in scheduling assessment related appointments, provide copies of all assessment open records as requested and assist in stuffing envelopes and mailing all notices.
- Printing assessment notices, personal property statements, tax bills and payment of postage.
- Schedule Board of Review meetings at their respective City Halls and post the public notices.
- Provide office space to include a desk, chair, filing cabinets and either a lap top or desk top computer and printer
- Provide BS&A.net Equalizer Software and Apex Medina Software

Cost for Services:

Basic Services:

The cost to City of Charlevoix, City of Boyne City and the City of East Jordan for DCAssessing Services to provide basic assessing services is as follows:

	City of Boyne City	City of Charlevoix	City of East Jordan
9/1/2012-8/31/2013	$50,800	$49,400	$24,900
9/1/2013-8/31/2014	$50,800	$49,400	$24,900
9/1/2014-8/31/2015	$51,800	$50,400	$25,400

A 5% discount would be applied to the above figures if all three municipalities choose to contract with DCAssessing Services to provide basic assessing services. Payments would be in twelve monthly installments with first installment due at the time contract was signed.

Additional Services:

The cost to the City of Charlevoix, City of Boyne City and the City of East Jordan for Additional Assessing services is as follows:

	Price per parcel	Boyne City	Charlevoix	East Jordan
Total 20% Reappraisal		$6,210	$5,340	$2,740
Residential	$10.00	$5,500	$4,600	$2,300
Commercial	$15.00	$ 630	$ 660	$ 360
Industrial	$20.00	$ 80	$ 80	$ 80

Payments would be billed quarterly for work completed.

Not to Exceed Cost:

The total not to exceed cost to the City of Charlevoix, City of Boyne City and the City of East Jordan would be:

	City of Boyne City	City of Charlevoix	City of East Jordan
9/1/2012-8/31/2013	$57,010	$54,740	$27,640
9/1/2013-8/31/2014	$57,010	$54,740	$27,640
9/1/2014-8/31/2015	$58,010	$55,740	$28,140

The not to exceed costs would be reduced by the 5% discount for basic services if all three municipalities contract with DCAssessing Services.

Qualifications:

- See resume
- Traverse City Planning Commission
- Traverse City Master Plan Committee

Recommendations:

- **Robert Vandermark, Grand Traverse County Equalization Director, former Oakland County Equalization Director, former chief of the Michigan State Tax Commission and former member of the State Assessors Board**
  400 Boardman Ave
  Traverse City, Michigan 49684
  231 922-4774

- **William Twietmeyer, City of Traverse City Treasurer and Financial Director**
  400 Boardman Ave
  Traverse City, Michigan 49684
  231 922-4436

- **Makayla Vitous, City of Traverse City Assistant City Manager**
  400 Boardman Ave
  Traverse City, Michigan 49684
  231 922-4444

50 N Rusch Rd *Traverse City, MI 49696* *231 649-5365* *dcassess@yahoo.com*

Debra Chavez

Objective

To provide professional friendly assessment services to local communities

Technical Skills/Proficiencies

- MAAO (Level III)
- Personal Property Examiners License
- Experience administering Brownfields, Industrial Facility Tax (IFT), Neighborhood Enterprise Zones, Renaissance Zones, Tax Increment Financing (TIF)
- Special Assessments
- Contaminated Property

Experience

1996-Current **City of Traverse City** **Traverse City, MI**

- Assessor
- All facets of assessment administration more specifically the preparation, administration and defense of assessment roll, specialty rolls, and special assessment rolls.

1993-1996 **City of Springfield** **Springfield, MI**

- Assessor
- All facets of assessment administration, supervised building, electrical and mechanical inspectors, reviewed residential site plans and code enforcement officer

1980-1993 **City of Potterville** **Potterville, MI**

- City Clerk, Deputy Treasurer, Assessor
- Maintain records of the City, conduct elections, accounts receivable, accounts payable, payroll, all reporting requirements and all facets of assessment administration.

Education

Lansing Community College ***Lansing, MI*** ***Certificate of Assessment Administration***

- *Assessment Administration*

Michigan State University ***East Lansing, MI***

- *General Studies*

Affiliated Organizations

Michigan Assessors Association (MAA)
International Association of Assessing Officers (IAAO)

STATE OF MICHIGAN

STATE TAX COMMISSION

This is to certify that

Debra L. Chavez

is a

Michigan Advanced Assessing Officer (3)

Issued under the provisions of Act 206, Public Acts of 1893,
Being Section 211.10d of the Michigan Compiled Laws.

CERTIFICATE NO. R-6185 MAAO (3)

EXPIRATION DATE 12/31/12

Executive Secretary, State Tax Commission

Void Void Void Void Void Void Void Void Void Void Void Void

STATE OF MICHIGAN

STATE TAX COMMISSION

This is to certify that

Debra L. Chavez

is a

Michigan Certified Personal Property Examiner

Issued under the provisions of Act 40, Public Acts of 1969, being Section 211.22a of the Michigan Compiled Laws.

CERTIFICATE NO.	EXPIRATION DATE	
0878 MCPPE	December 31, 2012	Executive Secretary, State Tax Commission

CITY OF BOYNE CITY

To: **Michael Cain, City Manager**

From: **Cindy Grice, City Clerk/Treasurer**

Date: **August 8, 2012**

Subject: **BS&A Assessing software and .NET upgrade proposal**

As our contract end date for assessing services provided by the Charlevoix County Equalization Department is quickly approaching and a new Assessor will be in place by September 1, there is now be a need to purchase Assessing Software. Charlevoix County has utilized BS & A's Assessing .NET software for our assessing for the past few years. The City has used BS & A's Tax Administrative software since 1995 which has been running on a Pervasive operating system. In 2010, the City Commission authorized the purchase of General Ledger, Accounts Payable, Payroll and Utility Billing Software from BS&A which we have been using since December of 2010 under the .NET operating system. Although, our current Tax Admin software has served us well and interfaces with the accounting software, the .NET version upgrade will provide us with further reliability and continuity since the Assessing software we are recommending is a .NET version.

With the addition of the Assessing Software, we will also need to make server upgrades. After discussion with Mark Corbiser of Marcor Technologies, our IT provider, Barb Brooks received a quote of $757.90 to make the server upgrades to support the Assessing and .NET software.

BS & A Software has provided a quote of $4,860 for Assessing .NET software and $4,140 for Tax .NET software. Those costs include a 10% discount if the software is purchased together. Setup and training cost are estimated at $2,000 for a total of $11,000 to BS&A Software. Along with the quote of $757.90 from Marcor Technologies, our total software upgrade costs are anticipated to be $11,757.90. Funds for these items will be available in the Assessing / Taxes Department in the General Fund. $75,000 has already been budgeted for Contracted Services which will include the Assessor contract costs and we can adjust the difference to a new line item for Software / Equipment costs. Annual maintenance fees of $1,100 for Assessing and $970 for Tax administration software quotes are also provided.

We are still awaiting quotes for Apex Sketch software purchase and annual maintenance update costs. This is the software that the Charlevoix County Equalization Department currently utilizes. It is anticipated that our new assessor, who also uses an Apex Software will need the software as well. I am hopefully to have those quotes soon.

Recommendation:
I am recommending that the City Commission authorize us purchase Assessing Software and the software to upgrade the Tax Administration Software to the .NET Version from B S & A Software in the amount of $11,000 including training and installation and to purchase server upgrades and installation from Marcor Technologies, LLC at a cost of $757.90 and authorize the City Manager to execute the documents

Proposal for Software and Services, Presented to...

City of Boyne City, Charlevoix County MI

July 25, 2012

Quoted by: Tricia Hoeffs

BS&A SOFTWARE

Thank you for the opportunity to quote our software and services.

At BS&A, we are focused on delivering unparalleled service, solutions, support, and customer satisfaction. You'll see this in our literature, but it's not just a marketing strategy... it's a mindset deeply embedded in our DNA. Our goal is to provide such remarkable customer service that our customers feel compelled to remark about it.

We are extremely proud of the many long-term customer relationships we have built. Our success is directly correlated with putting the customer first and consistently choosing to ***listen****. Delivering unparalleled customer service is the foundation of our company.*

BS&A Software
14965 Abbey Lane Bath MI 48808
(855) BSA-SOFT / fax (517) 641-8960
bsasoftware.com

Contents

Please return all pages, retaining a copy for your records.

Cost Summary; Totals.....	3, 4
Annual Service Fees.....	5
Optional Items.....	6
Acceptance.....	7
Contact Information.....	8

Attachments

Please retain for your records.

Hardware Requirements
SQL Server Pricing

Cost Summary

Application and Annual Service Fee prices based on an approximate parcel count of 3,190.

Prices subject to change if the actual count is significantly different than the estimated count.

Applications, Upgrade

Assessing .NET *Discounted 10% if Assessing and Tax are purchase together ($5,400-$540)*		**$4,860**
Tax .NET *Discounted 10% if Assessing and Tax are purchase together ($4,600-$460)*		**$4,140**
	Subtotal	**$9,000**

Installation

BS&A makes every attempt to perform installations remotely. This requires a high-speed internet connection. If you are unable to accommodate a remote installation, and require a BS&A representative to come on-site, installation is a separate charge of $1,000/day.

Remote installation		**$0**

Software Setup and Training

- *The first day of training will be focused on initial software setup. This includes:*
  - *setting up user and user security rights for each application*
  - *modifying the custom settings in each application to fit the needs of the customer*
  - *setting up application integration and workflow methods*
  - *onsite verification of converted data for balancing and auditing purposes*
- *$1,000/day; travel expenses included*
- *Days quoted are estimates; you are billed for actual days used*

Combined training for all quoted apps	Days: 2	**$2,000**

Cost Totals

Not including Annual Service Fees

Applications, Upgrade	$9,000
Installation	$0
Software Setup and Training	$2,000
Total Proposed	**$11,000**

Annual Service Fees, Upgrades

Annual Service Fees for .NET Upgrades are effective at your next renewal period. BS&A Software reserves the right to increase the Annual Service Fee by no more than the yearly Consumers Price Index (CPI).

Assessing .NET	$1,100	To be billed at your next renewal period: 4th quarter, 2012
Tax .NET	$970	To be billed at your next renewal period: 3rd quarter, 2013
Total Annual Service, Upgrades	**$2,070**	

Apex Sketching Software for Use with Assessing/Equalization

Assessing/Equalization is compatible with Apex 3 Pro and Apex Medina. Please visit http://www.apexwin.com/us/ or call (800) 858-9958 to order the software.

Acceptance

Signature constitutes...

1. An order for products and services as quoted
   Quoted prices do not include Program Customization or training beyond the estimated number of days
2. Agreement with the proposed Annual Service Fees
3. Acceptance of BS&A's hardware recommendations required to efficiently run the .NET applications

Signature **Date**

BS&A PLEDGE. We offer a one-year, risk-reversal pledge on our software. If, up to a year after installation, you are not happy with our software and service, you can return our software for a full refund.

Returning Accepted Proposal to BS&A

Please return the entire proposal, with signature/date (this page) and contact information (next page) filled out, by any of these methods:

Mail: BS&A Software
14965 Abbey Lane
Bath, MI 48808

Fax: (517) 641-8960

Email: thoeffs@bsasoftware.com

Once your proposal is received, a BS&A representative will contact you to begin the scheduling process.

Contact Information

If any mailing addresses are PO Boxes, please also provide a Street Address for UPS/Overnight mail.

If additional contacts need to be submitted, please make a copy of this page.

Support Contact

Name_____ Title_____

Phone/Fax_____ Email_____

Mailing Address_____

City, State, Zip_____

Program Update Contact

Name_____ Title_____

Phone/Fax_____ Email_____

Mailing Address_____

City, State, Zip_____

IT Contact

Name_____ Title_____

Phone/Fax_____ Email_____

Mailing Address_____

City, State, Zip_____

SQL Server Pricing

Servers running SQL Standard or Workgroup assume that the server is largely dedicated to BS&A Software. Servers running other database engines (including but not limited to, Microsoft Exchange, other Microsoft SQL, or Pervasive SQL) will need greater resources to achieve desired results. Environments running the SQL Standard or Workgroup should strongly consider a dedicated MSSQL Server.

Edition	Pricing per Processor	Client Access Licensing
	Retail*	Retail*
Express Edition An easy-to-use, lightweight, and embeddable version of SQL Server. Free to download, redistribute, and embed	FREE	FREE
Workgroup Edition Designed for small organizations that need a database with no limits on size or number of users	$3,899	$739 with 5 CALs
Standard Edition Data management and analysis platform for small and medium-sized organizations	$5,999	$1,849 with 5 CALs

*Purchasing Microsoft SQL Server through a Government reseller is highly recommended.

Microsoft® United States Government Resellers

ASAP	(800) 248-2727
CDW-G	(800) 581-4239
CompuCom	(800) 225-1475
Dell	(888) 375-9857
EnPointe	(800) 800-4214, ext 5777
GovConnection	(800) 800-0019
Insight	(800) 467-4448
PC Mail	(800) 625-5468
SHI	(888) 764-8888
Zones	(800) 372-9663

Hardware Requirements for BS&A .NET Applications

The recommended requirements are subject to change.

Personal Computer Specifications

WORKSTATION

Recommended	*Minimum*
2.8 I3 (or faster)	*2.4 Core2Duo*
4 GB RAM	*2 GB RAM*
40 GB free disk space	*20 GB free disk space*
Windows 7 (Professional 64/32Bit)	*Windows XP Professional*

TABLET PC *(Community Development Field Inspection App)*

Recommended	*Minimum*
I5 520 UM (or faster)	*2.8 GHz I3*
8 GB RAM	*4 GB RAM*
40 GB free disk space	*20 GB free disk space*
Windows 7 (Professional or above)	*Windows XP Professional*

Server Specifications *(Defined as a computer running a Windows Server Operating System)*

DATABASE SERVER *(fewer than 15 users)*

Recommended	*Minimum*
1 Xeon E5 series Quad-Core 2.4 GHz (or faster)	*2 GHz Multi-Core Xeon Processor*
8 GB RAM	*4 GB RAM*
6x SATA 7.5K RPM 1TB (3x RAID 1)	*250 GB free disk space*
Separate RAID for Operating System	*Windows 2003 Server (32Bit)*
Windows 2008 Server Standard (64Bit)	

DATABASE SERVER *(15 to 30 users)*

Recommended	*Minimum*
1 Xeon 2.3 GHz E5 Six-Core Xeon Processor (or faster)	*2 GHz Multi-Core Xeon Processor*
24 GB RAM	*16 GB RAM*
4x SATA 7.5K RPM 1TB (2x RAID 1)	
2x SATA (SandForce) Solid State Drive (SSD)	
Separate RAID for Operating System	*500 GB free disk space*
Windows 2008 Server (64Bit)	*Windows 2008 Server (64Bit)*

DATABASE SERVER *(30 to 50 users)*

Recommended	*Minimum*
(2) Xeon 2.5 GHz E5 Six-Core Xeon Processors (or faster)	*2.8 GHz Quad-Core Xeon Processor*
48 GB RAM (DDR3 1333 or faster)	*24 GB RAM*
4x 10K RPM SAS 1TB Hard Disks (2x RAID 1)	*1 TB free disk space*
2x SATA (SandForce) Solid State Drive (SSD) *Separate RAID for Operating System*	*Windows 2008 Server (64Bit)*
Windows 2008 Server (64Bit)	

DATABASE SERVER *(50 to 100 users)*

Recommended	*Minimum*
(2) Xeon 2.5 GHz E5 Eight-Core Xeon Processors (or faster)	*2x 2.8 GHz Quad-Core Xeon Processor*
64 GB RAM (DDR3 1600 or faster)	*48 GB RAM*
8x SATA 15K RPM 1TB (2x RAID 10)	*1 TB free disk space*
2x SATA (SandForce) Solid State Drive (SSD) *Separate RAID for Operating System*	*Windows 2008 Server (64Bit)*
Windows 2008 Server (64Bit)	

SERVER *(over 100 users)*

Please email our IT Department at tech@bsasoftware.com

VIRTUAL SERVERS

Please see the help doc entitled "BS&A Software and Best Practices in Virtual Environments".

TERMINAL SERVICES/CITRIX ENVIRONMENTS

Recommended Application Server Specifications

Dual Quad-Core Xeon Processor
4096 MB RAM plus an additional 1028 MB RAM per user, per application
500 GB free disk space
Windows 2008 Server (64Bit)
Limit of 50 total users

Please see the help doc entitled "BS&A Software and Best Practices in Terminal Server/RDP Environments".

SQL SOFTWARE VERSION RECOMMENDATIONS

Less than 15 users and less than 15,000 parcels -> SQL Express

Greater than 15,000 parcels or greater than 15 users and less than 25 users -> SQL Workgroup

Greater than 25 users -> SQL Workgroup CPU License

Greater than 50 users -> SQL Standard CPU License

NOTEEnvironments running the SQL Standard or Workgroup should strongly consider a dedicated MSSQL Server.

I.T. RECOMMENDATION

BS&A has worked with IT Right for network services and implementation for well over 10 years. If you are in need of IT services, please visit their site:

http://www.itright.com

PRINTER RECOMMENDATIONS

All printers used with BS&A .NET applications must be on the Microsoft Hardware Compatibility List. Visit the following link for a complete list. You will need to click the **Hardware** tab, then **Printers and Scanners**.

http://www.microsoft.com/windows/compatibility/windows-7/en-us/default.aspx

RECEIPT PRINTER RECOMMENDATIONS

Receipt printers must be at least Microsoft OPOS.NET compatible.

Recommended: Epson TM-H6000IV with Validation

BS&A has only tested and confirmed the above printer works with our .NET products. If you are considering purchasing a model other than the recommended one, we cannot guarantee its success with our applications. We will, however, make our best effort to assist you.

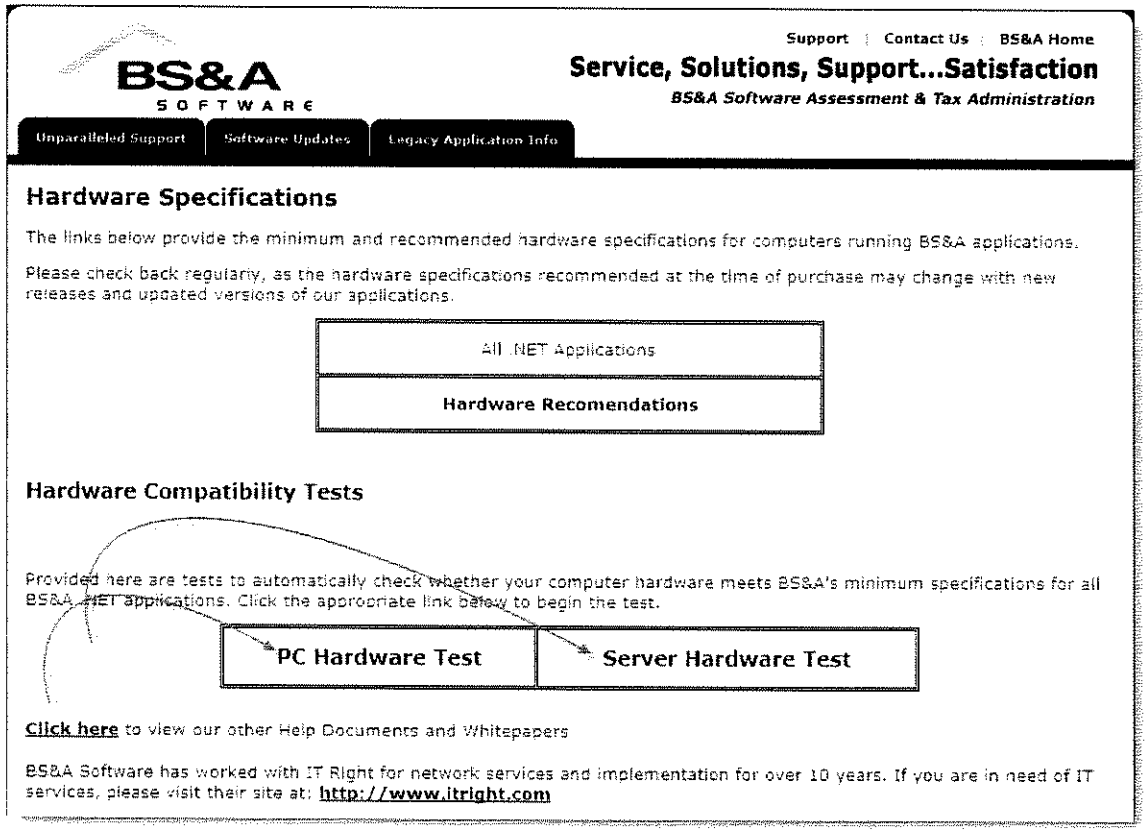
Visit the following link for a list:

http://www.microsoft.com/dynamics/rms/product/hardwarecompatibility.mspx?category=Printer

please note: the Ithaca Series 90/150 printers are compatible with Windows XP, but will not work on Windows Vista or Windows 7

Servers running Microsoft SQL need to pass the BS&A Software .NET Hardware compatibility test.

1. Go to our website (www.bsasoftware.com).
2. Click *Support* in the upper right.
3. Click *Hardware Requirements* under "Quick Links".
4. Click the appropriate link: *PC Hardware Test* or *Server Hardware Test*.



5. Follow the prompts. When the test is complete, a page appears from I.T. Right with the specs detected.

SQL Edition Recommendations

Microsoft SQL is available in different editions. Below are BS&A's recommendations on which SQL edition is best suited for a municipality based on parcel and user count.

Express. An easy-to-use, lightweight, and embeddable version of SQL Server. Free to download, redistribute, and embed.

Recommendations:

- less than 15 users
- less than 15,000 parcels (or 3,000 Accounts in Utility Billing)

Workgroup. Designed for small organizations that need a database with no limits on size or number of users.

Recommendations:

- Greater than 15 users, but less than 50 users
- Greater than 15,000 parcels

Standard Edition. Data management and analysis platform for small and medium-sized organizations.

Recommendations:

- 50 users or more

Server Upgrade Options

August 8, 2012

PREPARED BY:

Mark Corbiser
Marcor Technologies, LLC
P.O. Box 1671
Gaylord, MI
989-731-2646
mwcorbiser@marcortech.com

PREPARED FOR:

Barb Brooks
City of Boyne City
319 North Lake St.
Boyne City, MI 49712
231-582-6597
bbrooks@boynecity.com

ITEMS IN QUOTE

Option 1				
Kingston memory - 8 GB : 2 x 4 GB for ThinkServer TD100X Server	1	$ 265.00	$	265.00
146GB 3.5" Hot-swap SAS 3.0Gb/s Disk (15000 rpm) configured as RAID1	2	$ 200.00	$	400.00
Estimated labor to install memory and additional hard drives	0.5	$ 100.00	$	50.00
Subtotal			$	715.00
Tax			$	42.90
Total			$	757.90

MEMORANDUM

TO: MICHAEL CAIN; CITY MANAGER

FROM: ANDREW KOVOLSKI; PUBLIC WORKS SUPERINTENDENT

DATE: 8/10/2012

RE: HANNAH STREET RECONSTRUCTION

Bids were advertised and received for the Hannah Street reconstruction Project. The bids were opened at 2:00 pm on August 8, 2012. Bids were received from Team Elmer's of Gaylord in the amount of $446,850.00; and Tri-County Excavating of Harbor Springs in the amount of $405,960.30. Attached to this memorandum is a copy of the bid tabulation for this project.

This project was originally estimated to cost, with contingency $396,500.00. Attached to this memorandum you will find a letter from Larry Fox from C2AE addressing what he feels are the reasons for the difference in cost. He also addresses the built in contingencies within the estimated quantities of the bid. Both Water/Wastewater Superintendent Meads and I agree with these. If we do not realize enough savings there will still be sufficient funds in the budget to complete the project

Both of the Contractors have completed projects for the City in the past. Also attached to this memorandum you will find correspondence from Larry Fox of C2AE recommending award of the project to Tri-County Excavating. I am in full support of this recommendation also.

RECOMENDATION:
It is my recommendation that the City Commission approves awarding the bid for the Hannah Street Reconstruction to the low bidder Tri-County Excavating for the amount of $405,960.30 and authorizes the City Manager to Sign the required documents. Funds for this project are available in the Street and Water/Wastewater funds.

OPTIONS:

1. That this matter be postponed for additional information or consideration
2. That this matter be approved subject to some revision
3. Reject the bids and direct staff to re-bid the project for spring construction
4. Other options as determined by the City Commission

Unit Price Bid Tabulation for
Hannah Street Reconstruction
Boyne City, Michigan

c2ae

#	Item Description	Estimated Quantity		Tri County Excavating Harbor Springs, MI Unit Price	Tri County Excavating Harbor Springs, MI Total Price	Team Elmer's Gaylord, MI Unit Price	Team Elmer's Gaylord, MI Total Price
1	Adjust Drainage Structure or Water Valve	5	EACH	$300.00	$1,500.00	$300.00	$1,500.00
2	Remove Drainage Structure, Manhole or Valve	7	EACH	$350.00	$2,450.00	$225.00	$1,575.00
3	Remove Concrete Curb & Gutter	150	LFT	$4.00	$600.00	$7.50	$1,125.00
4	Remove Concrete Sidewalk & Driveways	650	SYD	$4.00	$2,600.00	$5.00	$3,250.00
5	Subgrade Undercutting, Type II (includes sand backfill)	1,200	CYD	$13.00	$15,600.00	$13.00	$15,600.00
6	Subgrade Excavation & Recompaction	900	CYD	$8.00	$7,200.00	$5.00	$4,500.00
7	Geotextile Stabilization	1,200	SYD	$1.20	$1,440.00	$1.50	$1,800.00
8	Underdrain, Subgrade, 6 inch	2,200	LFT	$3.50	$7,700.00	$7.00	$15,400.00
9	Water Main, 6" PVC DR 18	1,110	LFT	$32.00	$35,520.00	$45.00	$49,950.00
10	Water Valve, 6"	4	EACH	$1,350.00	$5,400.00	$1,000.00	$4,000.00
11	Water Service, 1" Copper	840	LFT	$25.00	$21,000.00	$30.00	$25,200.00
12	Curb Stop & Box, 1 inch	23	EACH	$330.00	$7,590.00	$600.00	$13,800.00
13	Connect To Existing Water Main	3	EACH	$1,000.00	$3,000.00	$1,250.00	$3,750.00
14	Connect to Existing Sanitary Sewer	11	EACH	$200.00	$2,200.00	$250.00	$2,750.00
15	6" Dia. PVC SDR-35 Sanitary Sewer Lead	440	LFT	$22.00	$9,680.00	$30.00	$13,200.00
16	2' Dia. Catch Basin including Casting	8	EACH	$1,500.00	$12,000.00	$1,750.00	$14,000.00
17	4' Dia. Storm Manhole including Casting	8	EACH	$2,000.00	$16,000.00	$2,000.00	$16,000.00
18	12" Dia. Storm Sewer	1,260	LFT	$24.00	$30,240.00	$30.00	$37,800.00
19	4" Dia. Storm Sewer	800	LFT	$6.00	$4,800.00	$12.50	$10,000.00
20	12" x 4" Storm Wye (ADS N-12)	24	EACH	$200.00	$4,800.00	$225.00	$5,400.00
21	Machine Grading Modified	11.5	STA	$3,000.00	$34,500.00	$3,000.00	$34,500.00
22	6" 22A Aggregate Base	3,760	SYD	$5.25	$19,740.00	$5.00	$18,800.00
23	HMA Pavement (330#/syd)	565	TON	$76.62	$43,290.30	$70.00	$39,550.00
24	HMA Approach	60	TON	$105.00	$6,300.00	$105.00	$6,300.00
25	6" Concrete Drive Approach	2,850	SFT	$3.40	$9,690.00	$3.50	$9,975.00
26	6" Concrete Sidewalk	1,150	SFT	$3.40	$3,910.00	$3.50	$4,025.00
27	4" Concrete Sidewalk	4,450	SFT	$2.90	$12,905.00	$3.00	$13,350.00
28	Sidewalk Ramp, ADA (incl. detectable warning surface)	500	SFT	$6.80	$3,400.00	$8.00	$4,000.00
29	Concrete Curb & Gutter, Modified Detail F-4	2,380	LFT	$12.25	$29,155.00	$12.50	$29,750.00
30	Traffic Control and Minor Traf Devices	1	LSUM	$24,000.00	$24,000.00	$9,500.00	$9,500.00
31	Erosion Control Measures	1	LSUM	$3,000.00	$3,000.00	$5,000.00	$5,000.00
32	Irrigation Systems, Protect	1	LSUM	$2,500.00	$2,500.00	$1,000.00	$1,000.00
33	Relocate Existing Bush	1	EACH	$400.00	$400.00	$250.00	$250.00
34	Tree, Remove	1	EACH	$750.00	$750.00	$750.00	$750.00
35	Restoration 3" Topsoil , Hydro-seed and Mulch Adhesive	3,500	SYD	$5.00	$17,500.00	$5.00	$17,500.00
36	Imported Trench Backfill for Water Mains and Services	400	LFT	$4.00	$1,600.00	$15.00	$6,000.00
37	Imported Trench Backfill for Storm Sewers	400	LFT	$5.00	$2,000.00	$15.00	$6,000.00
				Bid Total	$405,960.30		$446,850.00

I certify that this is a true and correct tabulation of bids received by the City of Boyne City on Wednesday, August 8, 2012.

Larry M. Fox, P.E.

8-9-12
Date

c2ae

Lansing • Grand Rapids
Gaylord • Kalamazoo

123 West Main Street
Suite 200
Gaylord, MI 49735

P: 989.732.8151
F: 989.732.2714
info@c2ae.com
www.c2ae.com

August 9, 2012

City of Boyne City
c/o Mr. Michael Cain, Manager
319 N. Lake Street
Gaylord, MI 49712

Re: Hannah Street Reconstruction

Dear Mike and City Commissioners:

Two (2) bids for the above project were opened on August 8, 2012; attached is a tabulation of the bids for your information. The low bid was submitted by Tri County Excavating of Harbor Springs in the amount of $405,960.30. The second bid was by Team Elmer's of Gaylord in the amount of $446,850.00.

We were somewhat disappointed that there were only two bidders, but based on phone conversations with other contractors that would normally bid these projects, we found that many of them already booked through this fall. There is the option of rebidding this work for spring construction. We believe that we would get some increased competition, however we are not confident that we would get lower bid prices. Tri County has indicated that they bid this work aggressively due to a hole in this fall's construction schedule, and with spring construction we would have the possibility of the continued increase of asphalt prices, which currently accounts for approximately 12% of the project cost.

We feel that the low bid is a reasonable bid based on the requirements of this project. The low bid is somewhat above the engineer's budget estimate provided in February. The estimate was for a total of $396,500 (construction and contingency). However, since that time asphalt prices have risen. We also included some contingency items in the project design and bid for sewer and water service replacement and imported trench backfill that we hope will not be needed.

We have previously worked with Tri County Excavating on several projects. Based on our previous experience we believe that Tri County Excavating is qualified and capable of completing this project. We were somewhat concerned about their ability to provide the construction dewatering necessary to construct the underground utilities, however Tri County has indicated that they plan on hiring a professional dewatering company to accomplish this.

Based on the bid price and contractor's qualifications in completing the work, we recommend the award of this project to Tri County Excavating, the low responsive, responsible bidder, in the amount of $405,960.30.

Please call if you have any questions.

Very Truly Yours,

C2AE

Larry M. Fox, P.E.
Director, Gaylord Operations

LMF/kb

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Enclosures

MEMORANDUM

TO: MICHAEL CAIN; CITY MANAGER

FROM: ANDREW KOVOLSKI; PUBLIC WORKS SUPERINTENDENT

DATE: 8/9/12

RE: STREET LIGHTING PURCHASE

Attached to this memorandum is a quotation from The Dynamic Group for the purchase of 15 of our Lumec Streetscape Lights for the Park Street project; as well as for the planned additions to street lighting on N. Lake Street by the Bay Winds Credit Union and on Front Street by Main and Pine. Also included in the proposal are 3 fixtures to have for spares in our inventory. I should also note that Bay Winds will be reimbursing the City for the 3 fixtures at their site.

As you are aware The Dynamic Group is the only company authorized by Lumec to sell their products in the State of Michigan. The fixtures will have 70 watt Metal Halide lights and a 120 volt plug on the pole for a decorative circuit. They will also match the color of our existing fixtures thru-out the downtown district. The total cost of these fixtures is $42,775.00.

RECOMMENDATION:
It is my recommendation the City Commission approves the purchase of 15 Lumec Streetscape Lights from The Dynamic Group for the amount of $42,775.00 and authorize the City Manager to sign the required documents. Funds for this purchase are available in this years budget.

OPTIONS:

- That this matter be postponed for additional information or consideration
- That this matter be approved subject to some revision
- Other options as determined by the City Commission

QUOTE # BOYNE 14 DATE: 08-08-12 PAGE 1

The DYNAMIC Group

Metro Corporate Office
P.O. Box 3200
Farmington Hills, MI 48333-3200
Phone: (248) 476-7676 Fax: (248) 476-0100
Manufacturers Representative of Lighting and Control Equipment

To: CITY OF BOYNE CITY ANDY KOVOLSKI	Proj: BOYNE DOWNTOWN STREETSCAPE DOWNTOWN ENHANCEMENT BOYNE, MI Bid Date: 07/31/12
Arch:	Engr: CITY ENGR/ANDY KOVOLSKI
Spec:	Cont:

Remarks: LAMPS NOT INCLUDED.

Qty	Type	Mfg	Description	Unit Price	Extd.Price
		LUME	REVISED FOR 70W METAL HALIDE.		
		LUME	LUMEC TO MATCH EXISTING.		
		LUME	FRT ALLOWED, NET 30		
		LUME	8-10WKS ARO		
		LUME	SIGNED APPROVED DRAWINGS RE-		
		LUME	QUIRED WITH PURCHASE ORDER.		
15		LUME	L50-70MH-PC-FC-SE5-QTA-/208-SFS-	2785.00	$41775.00
		LUME	RA40-12-GFII-3/4X20-G-10 1/2DEC-SC		
		LUME	SC=IVY METAL POLYESTER POWDERCOAT		
		LUME	FINISH PER LANDSCAPE FORMS		
		LUME	#122250.		
1		LUME	SET UP CHARGE FOR SC COLOR	1000.00	$1000.00
		LUME	1/70W PULSE START METAL HALIDE		
		LUME	BD17 MED.BASE NOT INCLD.		
			Total ====		$42775.00

F.O.B. FRT ALLOWED	Terms: NET 30	Lead time: 8-10WKS ARO
Prices firm for entry by: 08-31-12	Shipment by: IMMED	

1. All pricing subject to each MANUFACTURER'S Terms & Conditions of Sale.
2. The above represents COSTS based on the above Type's and Quantities.
3. Any changes MAY result in an item being REQUOTED.
4. Our Lead Time is based on the factories CURRENT manufacturing times.
5. Delays in Order Entry, Return of Approvals, Release by either Contractor or Distributor in an untimely manner; that results in a order cancellation MAY be subject to a Cancellation Charge.

Printed 08/08/12 13:23:23 Per: DORIS ROBBINS

August 2012

August 2012

S	M	T	W	T	F	S
			1	**2**	**3**	4
5	6	**7**	8	9	**10**	11
12	13	14	15	**16**	**17**	18
19	20	**21**	22	**23**	**24**	25
26	27	28	29	30	**31**	

September 2012

S	M	T	W	T	F	S
						1
2	3	4	5	**6**	7	8
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16	17	18	19	20	21	22
23	24	25	26	**27**	28	29
30						

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
		August 1 Evenings @ the Gazebo 8:00am Farmers Market	2 8:30am Main Street Board mtg. 6:00pm Parks & Rec	3 Polish Festival 6:00pm Stroll the Streets	4 Ride the Charx 8:00am Farmers Market 5 Polish Festival
6	7 Primary Election 5:00pm ZBA	8 Evenings @ the Gazebo 8:00am Farmers Market	9	10 Antique Auto Show/Flea Market 6:00pm Stroll the Streets	11 Summer Celebration 8:00am Farmers Market 12
13	14 7:00pm City Commission	15 Evenings @ the Gazebo 8:00am Farmers Market	16 9:30am Park St. Pre-con Mtg (Boyne District Library)	17 6:00pm Stroll the Streets	18 8:00am Farmers Market 19
20 5:00pm Planning Commission	21 7:00pm Historic District	22 Evenings @ the Gazebo 8:00am Farmers Market	23 5:30pm Airport Advisory Board 6:00pm Airport annual picnic 6:30pm Dancin in the Streets 6:30pm Housing Commission	24 6:00pm Stroll the Streets	25 8:00am Farmers Market 26
27	28 12:00pm City Commission	29 Evenings @ the Gazebo 8:00am Farmers Market	30	31 6:00pm Stroll the Streets	

September 2012

September 2012

S	M	T	W	T	F	S
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2	3	4	5	**6**	7	8
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16	17	18	19	20	21	22
23	24	25	26	**27**	28	29
30						

October 2012

S	M	T	W	T	F	S
	1	2	3	**4**	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	**25**	26	27
28	29	30	**31**			

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
					September 1 Airport Closed Red Fox Regatta More Items...
					2 Airport Closed Red Fox Regatta Drag Race
3 Labor Day (United States)	4 5:00pm ZBA	5 8:00am Farmers Market	6 8:30am Main Street Board mtg. 6:00pm Parks & Rec	7	8 8:00am Farmers Market
					9 Community Picnic
10 12:00pm EDC/LDFA	11 7:00pm City Commission	12 8:00am Farmers Market	13	14	15 8:00am Farmers Market
					16
17 5:00pm Planning Commission 7:00pm Historical Commission	18	19 8:00am Farmers Market	20	21	22 8:00am Farmers Market
					23
24	25 12:00pm City Commission	26 8:00am Farmers Market	27 5:30pm Airport Advisory Board 6:30pm Housing Commission	28	29 8:00am Farmers Market
					30