

**SEPTEMBER 23, 2019  
REGULAR MEETING**

RECORD OF THE PROCEEDINGS OF THE REGULAR BOYNE CITY COMMISSION MEETING DULY CALLED AND HELD AT BOYNE CITY HALL, 319 NORTH LAKE STREET, ON MONDAY SEPTEMBER 23, 2019

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**CALL TO ORDER**

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

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

Absent: None

Staff: Cindy Grice, Michael Cain, Scott McPherson, Mark Fowler, Tim Faas, Kevin Spate and Jeff Gaither

Others: There were 4 citizens in attendance.

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**CONSENT AGENDA  
MOTION**

2019-09-118  
Moved by Conklin  
Second by Page

Approval of the September 10, 2019 City Commission regular meeting minutes as presented

Approval to reappoint Bob Carlile to the Compensation Commission for a five year term expiring 10/1/2024

Approval to appoint George Ellwanger to the Compensation Commission for a four year term expiring 10/1/2023

Ayes: 5  
Nays: 0  
Absent: 0  
Motion carried

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**CITIZENS COMMENTS**

Mike Sheean presented a check to the City of Boyne City from the Top of Michigan Trails Council in the amount of \$30,000 to help fund the Boyne City to Boyne Falls bike trail. The Commissioners expressed their appreciation for the generosity.

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**CORRESPONDENCE**

None

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**CITY MANAGERS  
REPORT**

City Manager Cain reported:

- The cleaning and repainting of the marina lighthouse is now complete.
  - Construction project updates were provided.
  - Chief of Police applications are due the end of this week.
  - Four members of the Leadership Charlevoix County class are in the audience
  - The road salt has been delivered
  - Lofts on Lake plan to tear down the existing buildings in early spring of 2020
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**REPORTS OF  
OFFICERS, BOARDS  
AND STANDING  
COMMITTEES**

The August, 2019 Financial Statement was received and filed.

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**Tree Planting Contract**

Consideration to approve a purchase order contract with Robinson's Landscaping and Nursery, Inc. in an amount not to exceed \$38,070 and authorize the City Manager to execute the documents

Director of Public Works Tim Faas discussed the bids for the annual tree planting along the right of ways. 87 trees are going to be planted. Two bids were received. Robinson's Landscaping and Nursery was the lowest bidder.

Staff Comments: None

Citizens Comments: None

Board Discussion: All are in agreement with the request.

**MOTION**

2019-09-119  
Moved by Conklin  
Second by Solomon

To approve a purchase order contract with Robinson's Landscaping and Nursery, Inc. in an amount not to exceed \$38,070 and authorize the City Manager to execute the documents

Ayes: 5  
Nays: 0  
Absent: 0  
Motion carried

**Dog Park Agility Area  
Fence Purchase  
Recommendation**

Consideration to approve a purchase order contract with the Harbor Fence Company of Petoskey MI in an amount not-to-exceed \$10,912 for the Ridge Run Dog Park agility area and authorize the City Manager to execute the documents.

Director of Public Works Tim Faas discussed the successful fundraising for the agility area of the dog park planned to be installed on the south side of Ridge Road, west of the small dog area. The cost for the supply and installation of fence is \$10,912.

Staff Comments: None

Citizens Comments: None

Board Discussion: All are in agreement with the request.

**MOTION**

2019-09-120  
Moved by Conklin  
Second by Solomon

To approve a purchase order contract with the Harbor Fence Company of Petoskey MI in an amount not-to-exceed \$10,912 for the Ridge Run Dog Park agility area and authorize the City Manager to execute the documents

Ayes: 5

Nays: 0  
Absent: 0  
Motion carried

**Community Foundation  
Grant Application – Dog  
Park Storage Shed**

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Consideration to allow City staff to submit a grant application in the amount of \$3,000 to the Charlevoix County Community Foundation and authorize the City Manager to accept and sign the grant agreement if we are approved for funding.

Barb Brooks discussed the request for approval to submit a grant application to the Charlevoix County Community Foundation to provide funds for construction of a storage shed for the Ridge Run Dog Park

Staff Comments: None

Citizens Comments: None

Board Discussion: All are in agreement with the request.

**MOTION**

2019-09-121  
Moved by Conklin  
Second by Grunch

To allow City staff to submit a grant application in the amount of \$3,000 to the Charlevoix County Community Foundation and authorize the City Manager to accept and sign the grant agreement if we are approved for funding

Ayes: 5  
Nays: 0  
Absent: 0  
Motion carried

**Match on Main Street**

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Consideration to approve the Match on Main grant application to benefit the Outdoor Beerdsman shop at 118 Water Street in an amount of up to \$15,924 and authorize the City Manager to execute the documents

City Manager Michael Cain discussed the Michigan Main Street grant program called Match on Main. The grant program provides new or expanding businesses funds toward the new business or expansion when it is activating vacant space. Ivette Lopez of Outdoor Beerdsman worked with Boyne City to apply for her expansion of 118 Water Street for the Hoppy Hound Coffee Company Business. The grant award is for \$15,294 and is actually awarded to Boyne City Main Street as we are the pass thru from the MEDC to the business. The grant agreement needs to be approved for this transaction to take place. No grant funds will remain with Boyne City Main Street but will be passed thru to Ivette and Hoppy Hound. This is a great way for us to partner with Michigan Main Street to support small businesses in our downtown.

Staff Comments: None

Citizens Comments: None

Board Discussion: All are in agreement with the grant request.

**MOTION**

2019-09-122

Moved by Grunch

Second by Solomon

To approve the Match on Main grant application to benefit the Outdoor Beerdsman shop at 118 Water Street in an amount of up to \$15,924 and authorize the City Manager to execute the documents

Ayes: 5

Nays: 0

Absent: 0

Motion carried

**Back to the Bricks 2020  
Promo Tour**

Consideration to approve the invitation to become a host city for the Back to the Bricks 2020 Promo Tour on Sunday, June 7<sup>th</sup>, 2020 for an estimated 350 vehicles and accept the Memorandum of Understanding.

City Manager Michael Cain discussed the Back to the Bricks Promo Tour. The tour takes place each summer and stops in five cities in Michigan for a large car show and to promote the Back to the Bricks car show that takes place in Flint. The tour is expected to bring 350 cars with 700 people to downtown on Sunday June 7<sup>th</sup>. A street closure will be submitted prior to the event. This tour stopped in Boyne City in 2018 and is a very high quality event. This event has support from Boyne City Main Street.

Staff Comments: None

Citizens Comments: None

Board Discussion: All are in agreement with the request

**MOTION**

2019-09-123

Moved by Solomon

Second by Page

To approve the invitation to become a host city for the Back to the Bricks 2020 Promo Tour on Sunday, June 7<sup>th</sup>, 2020 for an estimated 350 vehicles and accept the Memorandum of Understanding.

Ayes: 5

Nays: 0

Absent: 0

Motion carried

**Police Department  
Computer Security**

Consideration to approve a contract with Common Angle to provide a Monthly Vertex Network Support Agreement and a Monthly vigilant Security-as-a-Service Threat Analysis Agreement for \$598 per month along with a new Firewall for \$697 and a one-time Vertex

Network Management setup charge of \$810 and authorize the City Manager to execute the documents.

Police Chief Jeff Gaither said the police department keeps a high volume of confidential records and is required by the FBI to provide a high level of protection to those records. After our recent LEIN audit, we were told we did not have sufficient protections and monitoring capabilities. Since then, we met with two new IT providers as well as our current one. Common Angle, an IT support company from Petoskey provided a comprehensive proposal that included the CJIS (FBI Criminal Justice Information System) protections as well as IT support. This is definitely something that should be considered for the future but we do not have the funds budgeted this year. They will, however provide the services that will get us compliant with the LEIN audit and therefore, not lose our access to LEIN which is critical to police operations.

The cost of the services to monitor and detect problems will be a monthly charge of \$599 and was not budgeted. Common Angle's proposal includes a one time set up fee of \$810 and a new firewall for \$679. It then begins billing the \$598 per month for the Security-as-a-Service Agreement and Vertex Network Support Agreement which is required by CJIS and LEIN. Common Angle will also provide any other IT support at \$115 per hour. If we contract with them for these items, they will install programs on our computer so that most of the issues can be resolved by them remoting in on our computers so they don't have to be on site which could save money. The first month billing will be \$2,087 and then \$598 per month after.

Staff Comments: None

Citizens Comments: Scott VanHuis asked if this company is prepared for when the next shoe drops and was informed yes, they will stay ahead of issues. Scott also said this is a very reasonable cost for this protection.

Board Discussion: All are in agreement with the proposal.

## **MOTION**

2019-09-124

Moved by Conklin

Second by Page

To approve a contract with Common Angle to provide a Monthly Vertex Network Support Agreement and a Monthly vigilant Security-as-a-Service Threat Analysis Agreement for \$598 per month along with a new Firewall for \$697 and a one-time Vertex Network Management setup charge of \$810 and authorize the City Manager to execute the documents

Ayes: 5

Nays: 0

Absent: 0

Motion carried

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**Marina Expansion Permit**

Consideration to authorize the City Manager to sign and submit the required documents to accept the USACE marina expansion permit agreement.

Harbormaster Barb Brooks stated that in January of 2019 the City submitted a joint permit application to the United States Army Corp of Engineers (USACE) and Environment, Great Lakes and Energy (EGLE) for a proposed marina expansion project. A similar application was submitted and approved approximately five years ago and has since expired. Renewal of the permit on file was not an option and a new application was required.

EGLE approved the project and issued their permit earlier this summer and USACE provided a permit agreement for us to review in late July. Staff and the City's engineering firm reviewed the proposed agreement and there have not been any concessions proposed by the agency that would change our original project proposal. There was only one section that we felt could use some additional language and our engineer provided that language.

A permit is required in order to make any additional to dock structures within the marina. The new section of floating wave attenuator that was installed during the fall of 2018 was completed under the old permit before it expired. No additional work to it can take place until the new permit is issued. If we accept this permit at this time, a new application would have to be submitted at a later date to start the process over.

**MOTION**

Staff Comments: None

Citizens Comments: None

Board Discussion: All are in agreement with the proposal

2019-09-125  
Moved by Page  
Second by Grunch

To authorize the City Manager to sign and submit the required documents to accept the USACE marina expansion permit agreement.

Ayes: 5  
Nays: 0  
Absent: 0  
Motion carried

**Marina Rates 2020 Season**

Consideration to adopt the DNR marina rates using "Rate 2" for seasonal and "Rate F" for transient, effective immediately for use during the 2020 Boating Season

Harbormaster Barb Brooks The marina rate discussion and request would normally come to you for discussion during budget discussions and adoption shortly after, prior to our season starting on May 15. Due to the fact we are now on the State's central

reservation system (CRS), customers may make their reservations 6 months prior to the arrival date; which means they will be booking in December for May, January for June, etc. Lead time is required by the CRS team to input information for all of the State and "grant-in-aid" harbors across the State so they are requesting that we supply them with our seasonal and transient rates before the end of September.

The rate schedule for both transient and seasonal have been tweaked by DNR staff. While they opted to not increase their rates since 2014, they have made some adjustments for 2020 to add some additional tiers so there were not drastic jumps from one tier to another. "Rate 3" for seasonal and "Rate E" for transient are very close to what we charged in 2019. The main differences are a discount for our seasonal customers who paid with cash or check instead of credit card as we are currently set up that we have to absorb the processing fees and we also had a slightly lower rate for boats 23'. Considering our increasing operational costs, the need to address some larger maintenance items and upgrades and our proposed expansion plans; an increase in rates should be considered. Moving from transient "Rate E" up to "Rate F" and seasonal "Rate 3" up to "Rate 2" would be just under a 9% increase. Seasonal boater cash/check payment discounts and a lower rate for smaller boats can still be offered if we choose. Charlevoix has traditionally charged the same transient rate as us but a much higher seasonal rate. East Jordan has always been a tier below us in both seasonal and transient and Petoskey has used similar transient rates but lower seasonal rates. Communities all base their rates by the amount of demand and revenue needs. Boaters base their choice of marinas on the location, condition of the facility and the service they receive more so than the price. DNR rate schedules from 2018 thru 2020 were provided.

Staff Comments: None

Citizens Comments: None

Board Discussion: All are in agreement with the Harbormaster's request

## **MOTION**

2019-09-126

Moved by Grunch

Second by Page

To adopt the DNR marina rates using "Rate 2" for seasonal and "Rate F" for transient, effective immediately for use during the 2020 Boating Season.

Ayes: 5

Nays: 0

Absent: 0

Motion carried

## **GLOCK PISTOL PURCHASE**

Consideration to purchase new Glock pistols by the Police Department for a total cost of \$2,106 including the trade-in from

CMP Distributing, using donated funds and authorize the City Manager to execute the documents.

Police Chief Jeff Gaither recently conducted inspections of his department's duty pistols and determined that we need to replace springs and the 3 magazines for each gun. After looking into the costs of these updates, we obtained a price for new guns to see if it made sense economically to replace the guns instead. The new guns come with 3 magazines each. The total amount paid after the trade-ins is \$2,106 and will be paid by money raised and donated to the department.

Staff Comments: None

Citizens Comments: None

Board Discussion: Commissioner Conklin inquired if the pistols should have been a normal budgeted item rather than using donated funds for this purchase

**MOTION**

2019-09-127

Moved by Grunch

Second by Page

To purchase new Glock pistols by the Police Department for a total cost of \$2,106 including the trade-in from CMP Distributing, using donated funds and authorize the City Manager to execute the documents

Ayes: 5

Nays: 0

Absent: 0

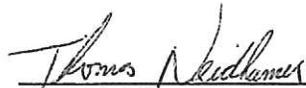
Motion carried

**Good Of The Order**

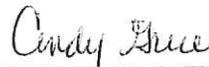
Commissioner Solomon said it is fun to be able to work thru an agenda for positive things.

**ADJOURNMENT**

Motion by Mayor Neidhamer, second by Commissioner Solomon to adjourn the Regular City Commission meeting of Monday, September 23, 2019 at 1:38 p.m.



Tom Neidhamer  
Mayor



Cindy Grice  
Clerk/Treasurer