



BOYNE CITY
CITY COMMISSION REGULAR MEETING
Tuesday, August 11, 2020 at 7:00 p.m.

Due to the COVID-19 situation and per the Governor's Executive Orders, this meeting will be held electronically. To participate via Zoom, connect to:

<https://us02web.zoom.us/j/84992937685> from your computer

The Zoom meeting id is 849 9293 7685
The password is 614081

One tap mobile

+19292056099,,637299401# US (New York)
+13126266799,,637299401# US (Chicago)

For this and the other meetings below you can dial by your location using the phone numbers below and the highlighted meeting id for that meeting:

+1 929 205 6099 US (New York)
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The public will be allowed to comment during the usual public comment opportunities during the meeting per City Commission policy and practice. All other times the public will be muted.

Written comments will be accepted until 4:30 p.m. Monday, July 13th. They may be mailed to or deposited in the City Hall Drop Box, 319 North Lake Street, Boyne City, MI 49712 to the attention of Cindy Grice, Boyne City Clerk/Treasurer or emailed to cgrice@boynecity.com

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 July 28, 2020 City Commission regular meeting minutes as presented
 - B. Approval of a proposed addition to Airport Hangar B-5, and authorize the City / Airport Manager to extend the lease term for up to ten years as outlined and execute the document
 - C. Approval to award a purchase order contract to Applied Pavement Markings of Harbor Springs, MI for the 2020 Asphalt Crack Sealing Services in an amount not-to-exceed \$13,210 per the bid dated 8/1/2020 and authorize the City Manager to execute the documents
4. HEARING CITIZENS COMMENTS (on non-agenda items; 5 minute limit)

5. CORRESPONDENCE

- A. Correspondence from the Friendship Centers of Emmet County regarding the termination of the Retired Senior Volunteer Program
- B. Tip of the Mitt Watershed Council Report (the report is on file in the City Clerk's office for review)

6. CITY MANAGER'S REPORT

7. REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

- A. Draft minutes of the July 6, 2020 Historical Commission meeting
- B. Draft minutes of the July 13, 2020 EDC meeting
- C. Draft minutes of the July 13, 2020 LDFA meeting
- D. Draft minutes of the July 16, 2020 Airport Board meeting
- E. Draft minutes of the July 20, 2020 Planning Commission meeting

8. OLD BUSINESS

9. NEW BUSINESS

- A. 600 Jefferson Rezoning Request First Reading
Consideration of a first reading of an ordinance to rezone 600 Jefferson Street and schedule a second reading for September 22, 2020
- B. Water Treatment Plant Lagoon Area Hydrogeological Study
Consideration to approve an agreement with Tetra Tech to perform the hydrogeological study in the amount of \$5,303 and authorize the City Manager to execute the documents
- C. City Wide Water System Valve Exercising
Consideration to award an agreement with Wachs Water to perform the valve work for the next three years for an annual amount of \$10,583 and authorize the City Manager to execute the documents
- D. City Goals
Review and discussion of City Goals and high priority actions status

10. GOOD OF THE ORDER

11. ANNOUNCEMENTS

- The next regular City Commission meeting is scheduled for August 25, 2020 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



**JULY 28, 2020
REGULAR MEETING**

RECORD OF THE PROCEEDINGS OF THE REGULAR BOYNE CITY COMMISSION MEETING DULY CALLED AND HELD VIA ZOOM MEETING, ON TUESDAY JULY 28, 2020

CALL TO ORDER

Mayor Neidhamer called the meeting to order at noon followed by the Pledge of Allegiance. Mayor Neidhamer also discussed the rules of the Zoom meeting.

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

Absent: Commissioner Sally Page

Staff: Michael Cain, Cindy Grice, Patrick Kilkenny, Mark Fowler, Tim Faas, Scott McPherson, Barb Brooks, Kevin Spate, Kelsie King-Duff and John Lamont

Others: There were 3 citizens in attendance via the Zoom meeting platform

**Excuse Commissioner
Page
MOTION**

2020-07-081
Moved by Neidhamer
Second by Grunch

To excuse Commissioner Page from attending today's meeting

Ayes: 4
Nays: 0
Absent: 1, Commissioner Page
Motion carried

CONSENT AGENDA

This item was moved to new business

CITIZENS COMMENTS

None

CORRESPONDENCE

None

**CITY MANAGERS
REPORT**

City Manager Cain reported:

- The refurbished tennis/pickleball courts opened Monday.
 - Staff members Mike Peterson and James Farley are changing out all the very tall high-pressure sodium parking lot lights at our main boat launch with energy saving LED ones
 - Our DPW is still working on downed tree removal
 - The Governor has extended the ability to hold public meetings virtually to a floating deadline that is now 28 days past the expiration of the Emergency Declaration.
-

**REPORTS OF
OFFICERS, BOARDS
AND STANDING
COMMITTEES**

The June 2020 Financial Statement was received and filed.

**International Property
Maintenance Code**

Consideration of a first reading of an ordinance to adopt a property maintenance code and schedule a second reading for September 8, 2020

Planning Director Scott McPherson discussed the proposed ordinance adopting the International Property Maintenance Code

(IPMC) by reference. Several concerns were brought up at the meeting two weeks ago including the availability of the complete code for review, the nature and method of enforcement, the expertise and sustainability of current staff to conduct enforcement activities and the treatment of conflicting ordinances. As far as nature and method of enforcement, the IPMC was developed with specific purpose to secure public health safety and welfare by establishing minimum standards for structures and premises. It is with this objective in mind that will be the guiding principle for enforcement. The items addressed by the IPMC are wide ranging and comprehensive, and not all violations could be considered a threat to public health safety and welfare. It will be the intent of enforcement to identify the violations that are threats to public health, safety and welfare and identify the minimum corrective actions needed to abate the problem. Similar to many adopted codes, the application of the ordinance will require the judgement and discretion of the enforcing officials, however, discretion should not be confused with selective enforcement. Selective enforcement is treating people with similar circumstances in different ways. Discretion would be used to determine what violations are a threat to public health, safety and welfare and require the correction of those violations in a similar fashion across the board. In regards to the concern that search warrants would be sought based on a complaint of a suspected violation that is not, and would not be the practice. Over the past 17 years of enforcing the Dangerous Buildings and structure ordinance two administrative search warrants have been obtained for the purpose of inspecting structures. These structures were clearly and obviously dangerous structures and the inspections were for the sole purpose of inspecting the condition of the whole structure to determine if a demolition order was justified. It is anticipated that warrants for inspections of properties under the IPMC would occur with the same frequency and rationale.

With regards to expertise and sustainability, it is anticipated that current City staffing will be sufficient to administer and enforce the majority of the code. Currently, staff spends considerable time and effort administering the Dangerous Building and Structures Ordinance. This time could now be devoted to enforcing the IPMC which includes regulations for unsafe structures. In the event additional expertise is required, it is proposed that a consultant be contracted to perform inspection services on an as needed basis. There are individual consultants and firms that offer this type of service. At this time no additional budget resources would be requested with the adoption of the IPMC. The funds currently allocated to cover the costs of a hearing officer and hearings required by the Dangerous Buildings and Structures Ordinance are anticipated to be sufficient to cover the costs of any contracted inspection services.

The IPMC includes sections that address issues already regulated by City Ordinances. The IPMC includes regulations for unsafe structures and it is recommended that the existing Dangerous Buildings and Structures ordinance be repealed. Other items currently addressed by existing ordinances such as the weed

ordinance, storm drainage and vehicle storage should be reviewed for consistency and amended or repealed as necessary.

City Attorney Ronda Stowers answered questions regarding the proposed ordinance.

Staff Comments: None

Citizens Comments: None

Board Discussion: Mayor Pro-Tem Grunch said this is all encompassing and he is ready to move forward. Commissioner Solomon said he is happy with the direction we are headed. The intent is to prevent structures being torn down as the only option. It is a tool that will help with that. Commissioner Conklin asked to be provided with a policy summary prior to the second reading. Mayor Neidhamer said we are headed in the right direction.

MOTION

2020-07-082

Moved by Conklin

Second by Grunch

To approve the first reading of an ordinance to adopt a property maintenance code and schedule a second reading for September 8, 2020

Ayes: 4

Nays: 0

Absent: 1, Commissioner Page

Motion carried

Boyne Valley EMS Service Contract

Consideration to approve an agreement with Boyne Valley Township to provide EMS services and authorize the City Manager to execute the documents.

EMS Director John Lamont discussed the proposed agreement to continue to provide EMS coverage for Boyne Valley Township and a lease agreement for the continued use of their ambulance station, ambulances and equipment. These agreements are for 18 months with an annual automatic renewal if neither party gives notice to end within the 90 days as stipulated in the agreement. Currently Boyne City EMS licenses the vehicles, staffs the vehicles and provides the billing services rendered by their vehicle. The Township covers the cost of the staff and facility in which they are credited with the revenue generated by the responses of their vehicle. With this agreement, there will no longer be two sets of accounting. Boyne Valley Township now will be a part of the supporting townships and will be assessed based on dwellings and utilization, as the other townships are. With this agreement, the City will recognize the value of their station and equipment and will provide a credit back to the Township in their subsidy support.

John added that this will be tied back to May 1, 2020 which is the beginning of our fiscal year. This agreement solidifies that we are one system.

Staff Comments: None

Citizens Comments: None

Board Discussion: All are in agreement with the recommendation

MOTION

2020-07-083

Moved by Solomon

Second by Conklin

To approve an agreement with Boyne Valley Township to provide EMS services and authorize the City Manager to execute the documents and make any non-substantive changes if necessary

Ayes: 4

Nays: 0

Absent: 1, Commissioner Page

Motion carried

**Electric Vehicle (EV)
Charging Station
Agreement**

Consideration to approve entering into the modified agreement with HAGE Auto to install and operate two two space electric vehicle charging stations as proposed and authorize the City Manager and/or City Clerk/Treasure to execute the agreements subject to resolving any minor details that might arise subject to the City Attorney's final review

City Manager Michael Cain said for the past several months he has been exploring the possibility of providing EV charging stations in the City. During that process Consumers Energy made available a grant to help fund the costs on installing such a station. We were successful in receiving a \$5,000 dollar grant for installing a two-vehicle charging station on River Street towards the east end of Old City Park as was Stiggs for getting a similar charging station located near their facility. The location near Stiggs is proposed to be in the parking lot north of the Library towards the northwest corner of the lot. The locations are shown on the maps on page 12 of the attached agreement. These locations were selected due to the general availability of parking in those spaces, their proximity to downtown and the existing availability of an adequate electric power supply.

Once the grants were secured discussions began with various EV station providers who provided the following quotes after meeting the City Manager at the various locations:

Westside Solutions	\$33,136 plus power cost
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Powerhome Solar	\$32,126 plus power cost
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HAGE Auto – City Purchase	\$13,074 plus power cost
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- They own/operate \$ 0 City also receives small credit based on usage and term

There is no money currently set aside in either the City or Main Street budgets for EV charging stations, although providing them in our community has been favorably discussed several times by the Main Street Board. The costs above include using the Consumers Energy \$5,000 per two space station grant. All three firms are approved by Consumers Energy.

With the HAGE Auto option where they own and operate the stations basically all we are providing are the four parking spaces (two at each location) with normal maintenance during the term of the agreement. That is something we would have to in effect provide under any scenario where we make this service available. If we require them to move out early for other than a default on the agreement we would have to reimburse them for their investment.

While we are not required to provide EV charging stations many communities are beginning to provide them and it provides another reason for people to want or be able to come to our community. Cain also likes HAGE Auto's concept because it would not be another thing for us to do or maintain, while still making the service available to the community.

Although HAGE is a relatively new company we see little to no downside in selecting them to provide the installation. The City Attorney has modified the attached agreement as noted to better meet the City's needs. It has been provided to HAGE Auto for their review.

If approved the charging stations are proposed to be installed this fall.

Staff Comments: None

Citizens Comments: A representative from HAGE Auto answered questions from the Commissioners. Carlin Smith said this is a trend that's happening. We need an infrastructure to support the EV's.

Board Discussion: All are in agreement with the recommendation.

MOTION

2020-07-084

Moved by Conklin

Second by Solomon

To approve entering into the modified agreement with HAGE Auto to install and operate two two space electric vehicle charging stations as proposed and authorize the City Manager and/or City Clerk/Treasure to execute the agreements subject to resolving any minor details that might arise subject to the City Attorney's final review

Ayes: 4

Nays: 0

Absent: 1, Commissioner Page

Motion carried

2020-07-085
Moved by Conklin
Second by Grunch

To approve the draft minutes of the July 14, 2020 City Commission regular meeting with the changes as noted by Commissioner Conklin

Ayes: 4
Nays: 0
Absent: 1, Commissioner Page
Motion carried

Good of The Order

Commissioner Conklin thanked all of those involved with cleaning up the trails and Avalanche after the recent storm.

ADJOURNMENT

Motion by Mayor Neidhamer, second by Commissioner Conklin to adjourn the Regular City Commission meeting of Tuesday, July 28, 2020 at 1:22 p.m.

Tom Neidhamer
Mayor

Cindy Grice
Clerk / Treasurer

DRAFT



City of Boyne City

MEMO

Date: August 6, 2020

To: Mayor Neidhamer and the Boyne City City Commission

From: Michael Cain, City Manager 

Subject: Airport Hangar B-5 Expansion / Lease Extension

The Airport Advisory Board, at their July 16, 2020 regular meeting, considered the request of airport hangar B-5 (old #24) tenant and ex-officio Board member Allen Sturza to add on to the rear (north end) of his hangar to accommodate a second aircraft. The design and materials of the 24' x 24' addition, although smaller, would match that of the existing hangar. The estimated cost of the addition, with concrete floor, would be about \$25,000.

The Commission may recall that last year the tenants of the largest hangar at the airport, the tan colored A-12, installed a new bi-fold door on that hangar at a cost of about \$35,000. Because of that investment the airport Board recommended and the Commission approved a 15-year extension of their lease. The Airport Board, at their most recent meeting, felt that an extension should be considered in this case as well and left it for staff and the applicant to work out the details.

Based on the investment proposed the parties are recommending a 10-year lease extension in this case. The current agreement is set to expire on Jan 1, 2022. If the addition is approved and constructed as proposed the extended agreement would go thru Jan 1, 2032. If Mr. Sturza or his family does not use the full 10-year extension for authorized aircraft storage purposes the unused balance reverts to the City. All other non-conflicting provisions of the existing lease (attached) would continue.

Attachments showing the hangar's location and information regarding the addition are provided.

RECOMMENDATION: That the City Commission approve the proposed addition to Airport Hangar B-5, authorize the City/Airport Manager to extend the lease term for up to ten years as outlined above and execute the document.

Other options:

1. Postpone for further review and/or information.
2. Deny the request.
3. Modify the request.
4. Other options as may be determined by the City Commission.



B1 B3 B5 B7

B11 B13 B15

B19 B21 B23

B27 B29 B31

B35 B37 B39

B43 B45 B47

B51 B53 B55

Taxiway "A"

Taxiway "D"

Taxiway "E"

Taxiway "F"

Taxiway "G"

Taxiway "C"

A12

A11
A13 D12
A15 D14
A17 D16

C13 A14
C15 A16
C17 A18
C19 A20
C21 A22
C23 A24
C25 A26

A19 D18
A21 D20
A23 D22

D19 E18
D21 E20
D23 E22
D25 E24

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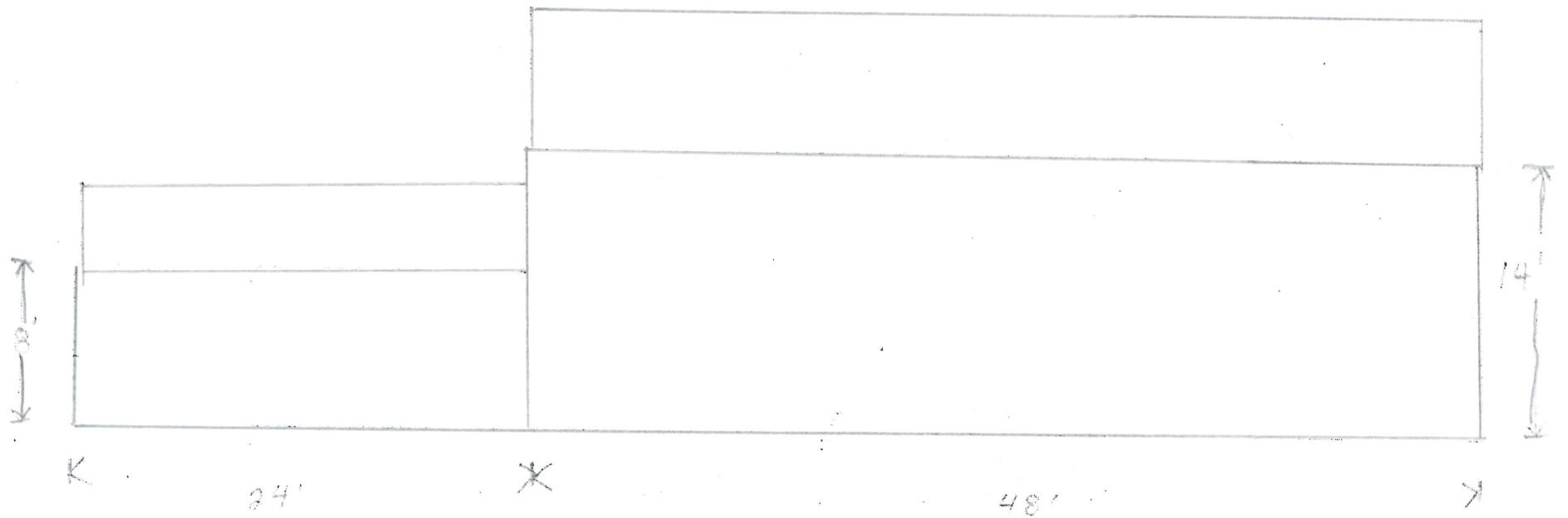
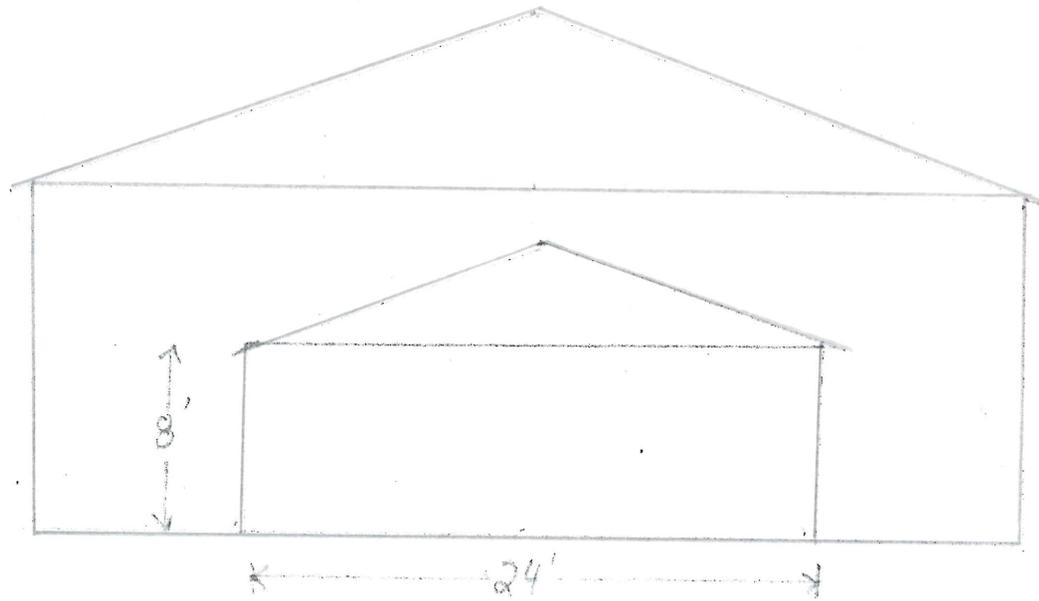
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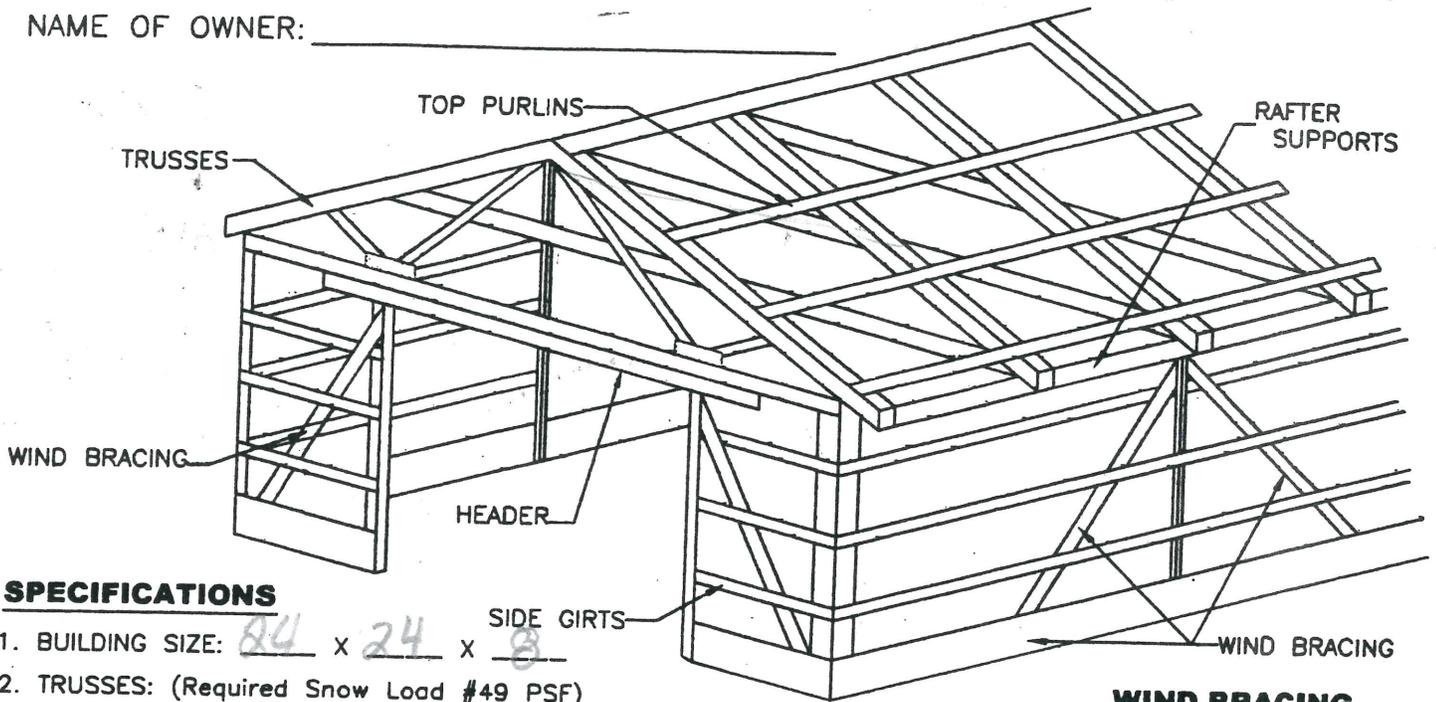
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G2
G4



CHARLEVOIX COUNTY DEPARTMENT OF BUILDING INSPECTION RESIDENTIAL POLE BUILDING PLAN & SPECIFICATIONS (PAGE 1 OF 2)

NAME OF OWNER: _____



SPECIFICATIONS

1. BUILDING SIZE: 24 X 24 X 8 SIDE GIRTS
2. TRUSSES: (Required Snow Load #49 PSF)
3. TRUSSES: YES NO
4. TRUSS SIZE: _____ X _____ @ 4' O.C.
5. RAFTERS: _____ X _____ X _____ O.C.
6. POSTS: 4 X 4 @ 8 O.C.
7. FOOTINGS: 12 x 8"
- (Minimum Depth: 48" or 1/4 of Length of Pole)
8. MAIN DOOR HEADER: _____ X _____ & _____
9. TOP GIRTS: _____ X _____ @ _____ O.C.
10. SIDE GIRTS: 2 X 8 @ 8' O.C.
11. CONCRETE FLOOR: YES NO:

*BRACING IN ROOF: TO PROVIDE FOR LATERAL SUPPORT OF THE TRUSSES - SEE MANUFACTURED TRUSS CERTIFICATION

POLE SPACING INFORMATION (CIRCLE)

POLE SPACE	BLDG WIDTH	PAD DIAMETER
<u>8'</u>	<u>24'</u>	<u>12"</u>
8'	26'	16"
8'	30'	18"
8'	36'	20"
8'	40'	24"

RAFTER SUPPORTS (CIRCLE)

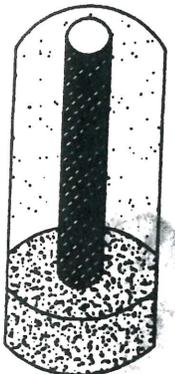
<u>8'</u>	<u>24'</u>	<u>2 - 2" x 8"</u>
8'	26'	2 - 2" x 10"
8'	28'	2 - 2" x 10"
8'	30'	2 - 2" x 12"
8'	40'	3 - 2" x 12"

WIND BRACING

Wind pressure on the walls will cause the pole to bend at the ground line. A WIND BRACE should be provided at the eave line for buildings with a side wall height of over 10', and for buildings 60' long and over. The BRACE should be a 2" x 4" at least 12' long, extending from the pole to the rafter at an angle of 45 deg to the side wall.

CONCRETE PAD

Minimum of 8" inches thick 2500 PSI concrete. NO DRY MIX FOR PADS.



SUPPORTS FOR 8' POLE SPACING ONLY (CIRCLE)

EAVE HEIGHT: 8' - 4" x 4" thru 24' LENGTH
 10' - 4" x 6" thru 40' LENGTH
 10' - 6" x 6" thru 60' LENGTH
 12' - 6" x 6" thru 50' LENGTH

LEASE AGREEMENT

THIS LEASE AGREEMENT, made effective as of the 11 day of August, 1999, between the CITY OF BOYNE CITY, a Michigan Municipal Corporation, whose address is 319 North Lake Street, Boyne City, MI 49712 (the "City") and Allen ~~Starza~~, of 945 Mackenzie, St. Clair, MI 48079, (the "Tenant"), as follows: Starza IV

RECITALS:

WHEREAS, the City is the sole owner of the premises described as the Boyne City Airport, situated in the City of Boyne City, County of Charlevoix, State of Michigan, and desires to lease a portion of the Boyne City Airport for purposes of constructing a hangar at the Boyne City Airport; and

WHEREAS, Tenant desires to lease that portion of the Boyne City Airport described below for the purpose of constructing a hangar; and

WHEREAS, the City is able to lease portions of the Boyne City Airport pursuant to a certain Proposition passed by the citizens of Boyne City at a Special Election held March 19, 1985, in order that newly constructed hangars become the property of the City of Boyne City, without cost to the City, after the expiration of a certain twenty-five year lease; and

WHEREAS, upon execution of this Lease Agreement, Tenant has agreed to convey title to the hangar to the City of Boyne City consistent with the 1985 Proposition; and

WHEREAS, the parties desire to enter into a Lease Agreement defining their rights, duties and liabilities relating to the Boyne City Airport;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

SECTION ONE SUBJECT AND PURPOSE

The City leases the building and land located in the City of Boyne City, County of Charlevoix, State of Michigan, more particularly described as the Boyne City Airport Hanger No. 24, to Tenant, for Tenant's private, non-profit use of the hangar, and for no other use.

SECTION TWO TERM AND RENT

Consistent with the 1985 Proposition, the term of this Lease shall be for twenty-five (25) years, commencing January 1, 1997, being the date Tenant received a building permit from the Charlevoix County Building Department, and terminating January 1, 2022, or sooner as provided herein. Annual rental shall be the sum of One (\$1.00) Dollar, plus the Additional Rent as specified in Section Three below.

SECTION THREE ADDITIONAL RENT

All taxes, charges, costs, and expenses that the Tenant assumes or agrees to pay hereunder, together with all interest and penalties that may accrue thereon in the event of the failure of Tenant to pay those items, and all other damages, costs, expenses, and sums that the City may suffer or incur, or that may become due by reason of any default of Tenant or failure by Tenant to comply with the terms and conditions of this Lease, shall give City all of the rights and remedies as herein provided for failure to pay rent.

SECTION FOUR
ALTERATIONS, ADDITIONS AND IMPROVEMENTS

- (1) Conditions with respect to the initial construction of a hangar are as follows:
 - (a) Before commencement of any work, all plans and specifications shall be filed with and approved in writing by the Boyne City Airport Manager, the Boyne City Airport Advisory Board, and the Charlevoix County Building Inspector. All plans and specifications shall be in form acceptable to the City and Charlevoix County.
 - (b) Tenant shall build the hangar according to the plans and specifications, as approved. Tenant shall build the hangar within the time mandated by the Boyne City Airport Manager and the Boyne City Airport Advisory Board. Any alteration or deviation shall require the written approval from the City and County as provided above.
 - (c) Prior to the commencement of any work, Tenant shall pay the amount of any increase in premiums on insurance policies provided for herein because of endorsements to be made covering the risk during the course of work.
 - (d) Upon completion of the hangar, Tenant hereby agrees that all right, title and interest to the hangar is conveyed to the City, free and clear of any interest of the Tenant, except for Tenant's leasehold interest as provided herein.
- (2) Subject to the limitation that no substantial portion of the hangar shall be demolished or removed by Tenant without the prior written consent of the City's Airport Manager, Tenant may at any time during the lease term, subject to the conditions set forth below and at his own expense, make any alterations, additions or improvements in and to the hangar. Alterations shall be performed in a workmanlike manner and shall not weaken or impair the structural strength, or lessen the value, of the hangar, or change the purposes for which the hangar, or any part thereof, may be used.
- (3) Conditions with respect to any changes to the exterior surface appearance of the hangar (including color, type of siding and roof, and hangar doors) and to alterations, additions, or improvements estimated to cost Two Thousand (\$2,000.00) Dollars or more are as follows:
 - (a) Before commencement of any work, all plans and specifications shall be filed with and approved in writing by the Boyne City Airport Manager, the Boyne City Airport Advisory Board, and the Charlevoix County Building Inspector. All work shall be done in accordance with requirements of the City of Boyne City, the County of Charlevoix, and State and Federal regulations.
 - (b) Prior to the commencement of any work, Tenant shall pay the amount of any increase in premiums on insurance policies provided for herein because of endorsements to be made covering the risk during the course of work.
- (4) All alterations, additions, and improvements on or in the hangar at the commencement of the lease term, and that may be erected or installed during the term, shall become part of the demised premises and the sole property of the City, except that all moveable trade fixtures installed by Tenant shall be and shall remain the property of Tenant.

SECTION FIVE
TITLE TO HANGARS; TAXES

The title to the hangars to be erected by Tenant upon the land described shall attach to the land and be part thereof, owned by and assessable for tax purposes to the City, if any tax is assessable against a governmental body. However, the Tenant shall be solely responsible for the construction and maintenance of the hangars and have an insurable interest therein. In the event of damage or destruction during the term hereof, the Tenant shall reconstruct or repair the

hangars at the Tenant's sole expense. The Tenant, or Sub-Tenants under Tenant, shall have no obligation for any real property tax assessed against said hangars, the same to be charged to the City, if any tax is chargeable to a governmental entity; provided, however, that the hangar shall be used only for the hangaring of private airplanes, and no business of any kind shall be conducted therein except as provided herein under Section Fourteen below, "Use of Hangar For Business". Tenant shall assume and pay for all personal property taxes.

SECTION SIX ASSIGNMENT; SUBLETTING

- (1) Tenant shall not, without the prior written consent of the City's Airport Manager, assign, pledge or mortgage this Lease or any interest hereunder, or permit any assignment hereof by operation of law. In addition, Tenant shall not permit the use of the hangar by any party other than Tenant.
- (2) Tenant shall have the right to sub-let the hangar, provided, however:
 - (a) Tenant is not in default under any term or condition of this Lease Agreement;
 - (b) Tenant shall first provide the City's Airport Manager with written notice of Tenant's intent to sublease, providing the Sub-Tenant's name, address and other critical information, including Sub-Tenant's acknowledgment of this Lease Agreement;
 - (c) Any Sub-Tenant shall agree to the terms and conditions of this Lease Agreement by executing a copy in the name of the Sub-Tenant. The assignment or subletting shall not be effective until this Lease is signed by the Sub-Tenant and the City; and
 - (d) Sub-Tenant shall only use the hangar for the uses that are permitted in this Lease.
- (3) The City shall not discriminate against any person, and rules and charges applicable thereto shall be uniformly applied to all potential Sub-Tenants. All such subleases shall be subordinate and subject to this Lease Agreement.

SECTION SEVEN RIGHT TO RENT UPON EXPIRATION OF LEASE

As between the City and the Tenant herein, the Tenant shall have the first option to rent the hangar from the City, upon terms acceptable to the City, at the termination of this Lease, should the City of Boyne City make the premises available to the public for leasing.

SECTION EIGHT USE OF AIRPORT

- (1) The purpose of this Lease is to afford individual airplane owners the right to occupy airplane hangars and gain access to the Boyne City Airport; however, the use of the Airport shall be subject to rules, regulations and charges applicable to all users of the Airport, and the Tenant, Sub-Tenant, or occupants of the hangars upon this land shall have no special privileges or other rights of use of the Airport not also available to the other users of the Airport.
- (2) The City may also impose additional rules regarding the Boyne City Airport. Tenant shall be subject to all rules, as promulgated by the City, as are now in effect and as they may be adopted from time to time. These rules include, by way of illustration and not limitation, the following:
 - (a) Tenant shall supply the City's Airport Manager and the Boyne City Police Department with a key to Tenant's hangar. Tenant agrees that the City may enter the hangar without further notice in cases of emergency.

- (b) Tenant shall provide the City's Airport Manager with a list of those guests and invitees of Tenant who are authorized to enter into Tenant's hangar.
 - (c) Tenant shall keep the Boyne City Airport building in clean and safe condition.
- (3) Tenant's primary use of the hangar shall be for the storage of aircraft. Tenant may also use the hangar for purposes that are incidental to the storage of aircraft. In the event Tenant's hangar is not primarily used for the storage of aircraft for a period of three (3) years, then this Lease shall automatically terminate. It is the intent of the parties that the Boyne City Airport be used for aviation purposes and that the hangar is not intended to substitute for non-aviation storage.

SECTION NINE
MAINTENANCE OF HANGARS AND GROUNDS

- (1) The Tenant, and any Sub-Tenants, shall be obligated at all times during the term hereof to maintain the hangars to be constructed thereon in a good condition and appearance at all times. No debris or refuse shall be permitted to accumulate in or around said hangars or land, nor shall any hazardous or flammable substance or fuel be permitted to be stored or kept in or around said hangars or land other than the fuel contained within the fuel tanks of airplanes themselves, or in other lawful containers.
- (2) In the event the Tenant, or any Sub-Tenants, shall fail or neglect to keep the hangars or grounds in both good condition and presentable appearance at all times, or if any occupant shall allow debris, refuse or hazardous substances to accumulate or be kept in or around said hangars or grounds, then any such failure or neglect shall entitle the City to terminate this Lease, or any Sub-Lease, following notice of intent to terminate directed to Tenant, or to any Sub-Tenant or occupant of a hangar in which or around which such violation shall occur. The City shall have the right of access to said hangars for the purpose of inspection thereof at all times.
- (3) The City shall have the right to summarily remove and dispose of any hazardous substance, rubbish, or debris without notice or hearing, or to correct any dangerous or hazardous activity in or around the hangars without notice or hearing. Any expenses incurred by the City in such removal or correction, including reasonable charges for use of the City's equipment and personnel, shall be paid by Tenant.

SECTION TEN
VIOLATION OF REVERTER

The use of these premises shall be in compliance at all times with any conditions of the deed to the City from the State of Michigan, and, in the event any such conditions shall be violated at any time during the term hereof, such violation shall be forthwith corrected, or, in the alternative, this Lease shall be terminated, at the option of the City, so that the conditions of such deed are not violated and so that a reverter to the State shall not occur.

SECTION ELEVEN
DISCONTINUANCE OF AIRPORT

In the event the City shall at any time during the term hereof for any reason discontinue the Boyne City Airport facilities, the effect of which is to render the use of the airplane hangars unsuitable for the hangaring of the airplanes at this location, then the City shall be obligated to pay to the Tenant an amount equal to the value of the hangar at its original actual cost, less depreciation, wear and tear, taking into consideration the balance of Tenant's term under this Lease. In no event shall the amount exceed the then current value of Tenant's leasehold interest or Tenant's original actual cost. Any dispute as to this provision shall be submitted to binding arbitration. Upon payment this Lease shall terminate. A transfer of ownership or control of said Airport, or modification of the Airport by the City of Boyne City, which nevertheless enables the continued use of said hangar facilities by Tenant at no greater rental, shall not require the

City to pay Tenant for said hangars. No payment of any kind shall be required by the City to the Tenant at the expiration of the term hereof, or upon default of Tenant.

SECTION TWELVE MAINTENANCE BY TENANT

Tenant shall, at its own expense and during the continuance of this Lease, keep the said premises, and the hangars to be erected thereon, and every part thereof, in good repair; and, at the expiration of the term of this Lease, shall yield and deliver up the same in like condition as and when taken, reasonable use and wear thereof and damage by the elements excepted. Failure to keep the hangars in good repair and presentable appearance at all times up to the end of the term hereof shall entitle the City to terminate this Lease.

SECTION THIRTEEN QUIET ENJOYMENT

City does covenant that the said Tenant, on paying the aforesaid installments and performing all the covenants aforesaid, shall and may peacefully and quietly have, hold and enjoy the said demised premises for the term aforesaid.

SECTION FOURTEEN USE OF HANGAR FOR BUSINESS

It is understood and agreed that the hangars to be rented or leased are solely for private, non-profit use, and are not for any business for-profit. However, if the City and Tenant shall mutually agree to permit the use of a hangar for a purpose of a business for-profit, then the parties may agree thereto, subject to such rules and restrictions as shall be agreeable to all the parties, and provided that real or personal property taxes assessed shall be paid by the Tenant. Tenant shall also indemnify and save City harmless from any such tax. It is understood by all parties that the exemption from real property taxes is applicable only because the hangars are not used for a commercial business purpose, and, if the hangars are so used and as a result thereof are subject to tax, then the Tenant and any Sub-Tenant responsible therefor shall pay the same and save City harmless therefrom. Failure to pay such tax by the Tenant using the hangar for a commercial purpose shall be an event of default and will result in forfeiture of this Lease.

SECTION FIFTEEN INSURANCE

- (1) During the term of the Lease and for any further time that Tenant shall be in possession of the hangar, the City shall obtain and maintain the following types and amounts of insurance:
 - (a) All Risk Property Insurance. The City shall insure the hangar against loss or damage under a policy or policies for "all risk" fire insurance coverage to the full extent of the hangar's replacement cost. The form of the policy shall be "all risk" at least equal to a "special covered" cause of loss form (ISO).
 - (b) Commercial General Liability Aviation Policy. The City shall keep in force a commercial general liability aviation insurance policy against claims for general liability, personal injury or property damage occurring on, in or about the hangar, the Boyne City Airport, or surrounding property owned by the City. The form of policy and amount of coverage shall be determined by the City and may change from time to time over the term of this Lease.
- (2) Tenant shall pay Tenant's pro-rata share of all costs and expenses of the City associated with the All Risk Property Insurance as provided in Subsection (1)(a) above. The Tenant shall pay such costs and expenses as Additional Rent, pursuant to Section Three hereof. The City shall, on an annual basis, calculate the amount of Additional Rent by dividing the actual cost of the All Risk Property Insurance premiums by the number of hangars determining the applicable square footage allocated to each aircraft owner at the Boyne City

Airport. The Tenant shall pay the Additional Rent within thirty (30) days after the City mails notice of the Additional Rent to Tenant via first class mail.

- (3) In the event of a loss covered by the "all risk" property insurance referred to in subsection (1)(a) above, the proceeds shall be paid to the City. In the event the hangar is destroyed in an amount equal to less than eighty (80%) percent of the full replacement cost value of the hangar (excluding the cost of excavation of the foundation), then the City shall use the proceeds of insurance to rebuild the hangar. If the hangar is destroyed in an amount greater than eighty (80%) percent of the full replacement cost value of the hangar, the City has no duty to rebuild. In that event, the proceeds of insurance shall be divided between the City and Tenant, as their interests appear.
- (4) Tenant shall bring to or keep property, including Tenant's aircraft, in or about the hangar, solely at Tenant's own risk. Under no circumstances shall the City be liable for any damages to Tenant's aircraft or personal property, or any destruction or theft thereof. Tenant shall maintain a policy of insurance against risk of loss to the Tenant's aircraft, personal property, and any liability, aviation or otherwise, from any cause whatsoever, including to the full extent of replacement cost of Tenant's aircraft. Tenant waives any recovery against the City. The City may request, at its own option, proof of insurance, including but not limited to certificates of insurance and copies of Tenant's aircraft liability policies.
- (5) The City shall pay all costs and expenses associated with the Commercial General Liability Aviation Policy as provided for in Subsection (1)(b) above.

SECTION SIXTEEN INDEMNITY

Tenant shall indemnify the City, its Airport Manager, its employees, agents and assigns against all expenses, liabilities, and claims of every kind, including reasonable counsel fees, by or on behalf of any person or entity arising out of either (1) a failure by Tenant to perform any of the terms or conditions of this Lease, (2) failure of Tenant to comply with any law of any governmental authority, or (3) any mechanic's lien or security interest filed against the demised premises or equipment, materials, or alterations of buildings or improvements thereon caused by Tenant.

SECTION SEVENTEEN DEFAULT OR BREACH

Each of the following events shall constitute a default or breach of this Lease by Tenant:

- (1) If Tenant, or any successor or assignee of Tenant while in possession, shall file a petition in bankruptcy or insolvency or for reorganization under any bankruptcy act, or shall voluntarily take advantage of any such act by answer or otherwise, or shall make an assignment for the benefit of creditors.
- (2) If involuntary proceedings under any bankruptcy law or insolvency act shall be instituted against Tenant, or if a receiver or trustee shall be appointed for all or substantially all of the property of Tenant, and such proceedings shall not be dismissed or the receivership or trusteeship vacated within sixty (60) days after the institution or appointment.
- (3) If Tenant shall fail to pay City any rent or additional rent when the rent shall become due and shall not make the payment within thirty (30) days after notice thereof by City to Tenant.
- (4) If Tenant shall fail to perform or comply with any of the conditions of this Lease and if the nonperformance shall continue for a period of thirty (30) days after notice thereof by City to Tenant or, if the performance cannot be reasonably had within the thirty (30) day period,

Tenant shall not in good faith have commenced performance within the thirty (30) day period and shall not diligently proceed to completion of performance.

- (5) If Tenant shall vacate or abandon the hangar.
- (6) If this Lease or the estate of Tenant hereunder shall be transferred to or shall pass to or devolve on any other person or party, except in the manner herein permitted.

SECTION EIGHTEEN EFFECT OF DEFAULT

In the event of any default hereunder, the rights of the City shall be as follows:

- (1) The City shall have the right to cancel and terminate this Lease, as well as all of the right, title, and interest of Tenant hereunder, by giving to Tenant not less than thirty (30) days' notice of the cancellation and termination. On expiration of the time fixed in the notice, this Lease and the right, title and interest of Tenant hereunder, shall terminate in the same manner and with the same force and effect, except as to Tenant's liability, as if the date fixed in the notice of cancellation and termination were the end of the term herein originally determined.
- (2) The City may elect, but shall not be obligated, to make any payment required of Tenant herein or comply with any agreement, term, or condition required hereby to be performed by Tenant, and City shall have the right to enter the demised premises for the purpose of correcting or remedying any such default and to remain until the default has been corrected or remedied, but any expenditure for the correction by City shall not be deemed to waive or release the default of Tenant or the right of City to take any action as may be otherwise permissible hereunder in the case of any default.
- (3) After re-entry, the City may relet the hangar or any part thereof for any term without terminating the lease, at the rent and on the terms as City may choose. City may make alterations and repairs to the hangar. The duties and liabilities of the parties if the hangar is relet as provided herein shall be such that in addition to Tenant's liability to City for breach of the lease, Tenant shall be liable for all expenses of the reletting, for the alterations and repairs made, and for the difference between the rent received by City under the new Lease Agreement and the rent installments that are due for the same period under this Lease.

SECTION NINETEEN ACCESS TO PREMISES

Tenant shall, upon reasonable notice from the City or the Boyne City Airport Manager, permit the City or its agents to enter the hangar at all reasonable hours to inspect the hangar or make repairs that Tenant may neglect or refuse to make in accordance with the provisions of this Lease. In cases of emergency, no notice is necessary or reasonable, and, accordingly, Tenant hereby waives the notice provision.

SECTION TWENTY EASEMENTS, AGREEMENTS, OR ENCUMBRANCES

The parties shall be bound by all existing easements, agreements, and encumbrances of record relating to the demised premises and the Boyne City Airport, and City shall not be liable to Tenant for any damages resulting from any action taken by a holder of an interest pursuant to the rights of that holder thereunder.

SECTION TWENTY-ONE
LIABILITY OF CITY

Tenant shall be in exclusive control and possession of the hangar, and the City shall not be liable for any injury or damages to any property or to any person on or about the hangar or the Boyne City Airport, nor for any injury or damage to any property of Tenant. The provisions herein permitting City to enter and inspect the hangar are to verify that Tenant is in compliance with the terms and conditions hereof and makes the repairs that Tenant is required to make. City shall not be liable to Tenant for any entry in the hangar for inspection purposes, except in cases where the City is grossly negligent. The parties acknowledge that the City's operation of the Boyne City Airport is a governmental function.

SECTION TWENTY-TWO
WAIVERS

The failure of City to insist on a strict performance of any of the terms and conditions hereof shall be deemed a waiver of the rights or remedies that City may have regarding that specific instance only, and shall not be deemed a waiver of any subsequent breach or default in any terms and conditions.

SECTION TWENTY-THREE
REMEDIES OF CITY

- (1) In the event of a breach or a threatened breach by Tenant of any of the terms or conditions hereof, City shall have the right of injunction to restrain Tenant and the right to invoke any remedy allowed by law or in equity, as if the specific remedies of indemnity or reimbursement were not provided herein.
- (2) The rights and remedies given to City in this Lease are distinct, separate and cumulative, and no one of them, whether or not exercised by City, shall be deemed to be in exclusion of any of the others herein, by law, or by equity provided.
- (3) In all cases hereunder, and in any suit, action, or proceeding of any kind between the parties, it shall be presumptive evidence of the fact of the existence of a charge being due if City shall produce a bill, notice or certificate of any public official entitled to give that notice to the effect that such charge appears of record on the books in his office and has not been paid.

SECTION TWENTY-FOUR
TOTAL AGREEMENT: APPLICABLE TO SUCCESSORS

This Lease contains the entire agreement between the parties and cannot be changed or terminated except by a written instrument subsequently executed by the parties hereto. This Lease and the terms and conditions hereof apply to and are binding on the heirs, legal representatives, successors, and assigns of both parties.

SECTION TWENTY-FIVE
TIME OF THE ESSENCE

Time is of the essence in all provisions of this Lease.

SECTION TWENTY-SIX
APPLICABLE LAW

This agreement shall be governed by and construed in accordance with the laws of the State of Michigan.

CITY OF BOYNE CITY

To: Michael Cain, City Manager *Mc*
 From: Tim Faas, Director of Public Works
 Date: August 6, 2020
 Subject: **2020 Asphalt Crack Sealing Services Recommendation**

**BACKGROUND:**

The Public Works Department solicits pricing each year for providing crack sealing services on our asphalt streets. This light preventative maintenance treatment is part of our ongoing asset management plan to extend the useful life of the pavements. This year's program includes 3.66 miles of streets plus the Library parking lot.

A comprehensive bid specification was prepared and a formal invitation to bid was advertised on in July. Two (2) bids were received by the August 5, 2020 deadline as summarized below:

- | | |
|---|----------|
| 1. Applied Pavement Markings (Harbor Springs) | \$13,210 |
| 2. Scodeller Construction (Wixom) | \$20,855 |

Applied Pavement Markings has provided this service to the City of Boyne City for several years in the past. I would recommend the City Commission award a contract to Applied Pavement Markings for the 2020 services. The work would be charged to the Streets Maintenance accounts #202-463-730.000 and #203-463-730.000 in the Major & Local Streets Budget.

RECOMMENDATION:

It is my recommendation that the City Commission award a purchase order contract to Applied Pavement Markings of Harbor Springs, MI for the 2020 Asphalt Crack Sealing Services in an amount not-to-exceed \$13,210 per the bid dated 8/1/2020. Further, I would recommend the City Manager execute the documents.

OPTIONS:

1. That this matter be postponed for further information or consideration
2. That this matter be approved subject to some revision
3. Other options as determined by the City Commission



July 31, 2020

Dear Volunteer Agency:

We sincerely hope that you all are staying safe and healthy! As you know, many changes have resulted from COVID-19. Our buildings closed and most of our services were suspended on Friday, March 13, 2020. We remain closed to the public and are doing our very best to restore services safely.

Friendship Centers of Emmet County received notice today, Friday, July 31, 2020 that Retired Senior Volunteer Programs (RSVP) across the State of Michigan have been terminated due to State budget shortfalls. Activities related to RSVP must cease immediately. Any and all payments related to RSVP will not occur, including payments for mileage accrued through RSVP by volunteers. We do not know what the future holds for this program. However, Friendship Centers remains committed to doing everything we can to restore RSVP when funding becomes available and it is safe and appropriate.

We are encouraging our RSVP volunteers to remain active in volunteering in our community. We realize that COVID-19 has impacted their ability to do so. We have informed all of our active volunteers via letter regarding the termination of the RSVP Program. We have encouraged volunteers to discuss continued opportunities of volunteerism directly with each agency.

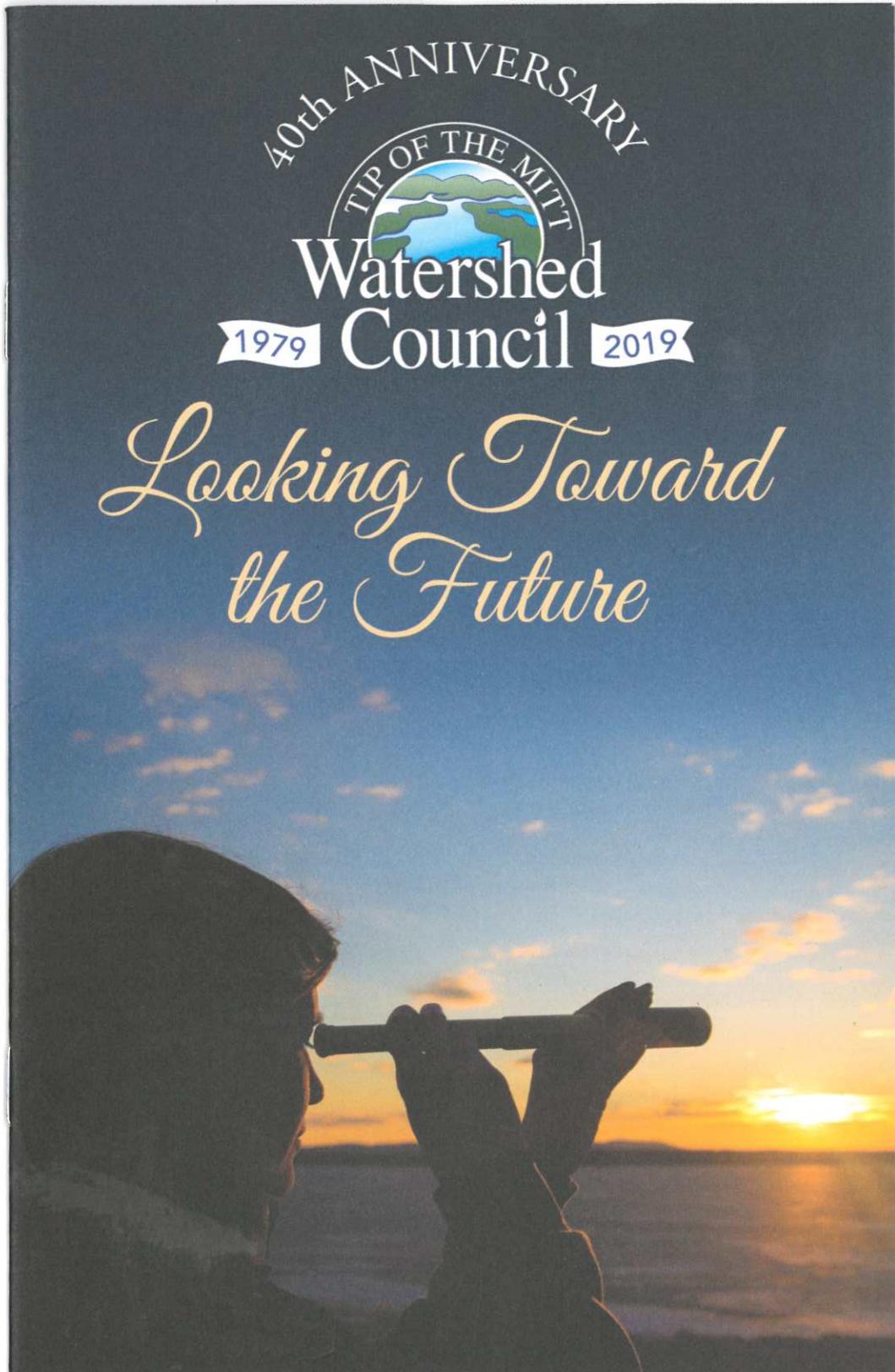
The Michigan Department of Health and Human Services and the Aging and Adult Services Agency continue to urge senior citizens to remain sheltered in place and only venture out when necessary with appropriate safety precautions. The number of COVID-19 cases continues to rise. It is important that we all stay vigilant in this fight of the virus. Stay home if you are sick. Wear your mask. Wash your hands. If you are feeling sick and have COVID-19 related symptoms, contact your health care provider and be tested. If you have had contact with someone with COVID-19, you are required to quarantine for 14 days from last exposure.

RSVP has been a valuable program to Charlevoix and Emmet Counties for many years. Thank you for providing opportunities for our volunteers to give back to the community.

Sincerely,

A handwritten signature in black ink, which appears to read "Denneen Smith", is written over a horizontal line.

Denneen Smith
Executive Director



BOYNE CITY HISTORICAL COMMISSION

Minutes

Special Meeting

Boyne City Historical Commission

Call to Order: 5:10 pm

Present: Sansom, Hewitt, Barden, Dawson, Alexander.

Absent: None

Collections Policy Review:

Board discussed the items to be recommended along with the Collections Policy. The following list was compiled.

Recommendations

- 1). Need to add addendum to Collections policy for the Miller Collection to ensure that it remains with the city, also not to be loaned or deaccessioned.
- 2). Change wording in policy on page 3, section C, item 1 to read as follows; Any policy changes will be recommended to the Board of Directors along with Historical Commission and City Commission for final approval.
- 3). City Commission to establish a specific timeline with the Boyne Heritage Center for completion of Phase III.
- 4). Provide quarterly progress reports to the City Commission and Historical Commission.
- 5). Have City Attorney review Collections Policy.
- 6). Establish regular communication with the public, for example;

Place fundraising board in city lobby showing progress towards goals.

Articles in City Newsletter and City Website.

7). Need to continue having liaison between Boyne Heritage Center and Historical Commission Board.

8). Request a member of the City Commission attend Historical Commission and Boyne Heritage Center meetings.

motioned by Dawson as read to accept list of recommendations, second by Alexander, all ayes.

Adjournment: 6:07pm



Approved _____

**MEETING OF
July 13, 2020**

MINUTES OF THE BOYNE CITY ECONOMIC DEVELOPMENT CORPORATION
MEETING DULY CALLED AND HELD ON MONDAY, July 13, 2020 virtually via Zoom.

CALL TO ORDER

Vice-Chair Bellant called the meeting to order at 12:03 p.m.

ROLL CALL

Present: Pat Anzell, Kelly Bellant, Michael Cain, Michelle Cortright, Pete Friedrich, Drew May
Absent: Ralph Gillett, Josette Lory

**EXCUSED ABSENCES
MOTION**

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

MEETING ATTENDANCE

Staff: Recording Secretary Jane Halstead, Assistant Planner Patrick Kilkenny
Public: Five

**MINUTE APPROVAL
MOTION**

Friedrich moved, Cain seconded, PASSED UNANIMOUSLY to approve the minutes of January 13, 2020.

**HEARING CITIZENS
PRESENT**

None.

CORRESPONDENCE

None.

**UNFINISHED BUSINESS
PARK UPDATES**

GLE/True Stream Site Plan Review

Steve Drake, CFO of Great Lakes Energy, Nick Liebler of White & Liebler Architects and Tim Knutsen of Beckett & Raeder were on hand to provide an overview of GLE's expansion plans. Landscape screening, access drives and elevations were discussed. It was asked if a sidewalk extension was included in the plan and at this time there are no plans to extend the sidewalk in front the building. The timeline for construction was discussed and it is hoped to have the construction closed in prior to winter. The Board is appreciative of the investment GLE is making in our community.

GLE/True Stream Site Plan Review
MOTION

Friedrich moved, Cortright seconded, PASSED UNANIMOUSLY to approve the Great Lakes Energy expansion plans as presented and highly encourage that provisions are made for an extension of the sidewalk in the future. The Board is appreciative of the investment GLE is making in our community and their retention and growth in number of employees.

SurgCenter The SurgCenter is up and running. There was an issue with water on the site but it is believed to be due to an issue with the irrigation system.

Non-Motorized Trail The non-motorized trail from Boyne City to Boyne Falls is open and has been exceedingly well received. There is still a portion where the trail meets the railroad crossing in Boyne Falls that is unfinished. It will be completed when MDOT gets the needed permit from the Railroad division of MDOT.

Impact of Covid-19 on Business Park The impact of Covid-19 on business was discussed. Business is slowly picking back up. Direct sales are impacted as it is difficult to get in to see customers.

Inquires/Future Development There have been some inquiries regarding available lots at the Business Park.

NEW BUSINESS
Election of Officers **Friedrich moved, May seconded, PASSED UNANIMOUSLY** to keep current officer appointments on the EDC Board – Ralph Gillet as Chair and Kelly Bellant as Vice-Chair.

Board Vacancy The Board Vacancy item will be tabled until the next meeting of the EDC Board.

GOOD OF THE ORDER None.

ANNOUNCEMENTS The next regular meeting of the EDC is scheduled for September 14, 2020.

ADJOURNMENT The July 13, 2020 Economic Development Corporation meeting was adjourned at 1:09 p.m.

Jane Halstead, Recording Secretary



Approved: _____

**MEETING OF
July 13, 2020**

MINUTES OF THE **BOYNE CITY LOCAL DEVELOPMENT FINANCE AUTHORITY**
MEETING DULY CALLED AND HELD ON MONDAY, July 13, 2020 held virtually via
Zoom.

CALL TO ORDER

Vice-Chair Bellant Gillett called the meeting to order at 1:09 p.m.

ROLL CALL

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

**EXCUSED ABSENCES
MOTION**

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

MEETING ATTENDANCE

Staff: Recording Secretary Jane Halstead, Assistant Planner Patrick Kilkenny
Public: None

**APPROVAL OF MINUTES
MOTION**

Friedrich moved, Anzell seconded, PASSED UNANIMOUSLY to approve the January
13, 2020 meeting minutes as presented.

**HEARING CITIZENS
PRESENT**

None.

CORRESPONDENCE

None.

**UNFINISHED BUSINESS
Business Park Sign**

Bruce Janssens plans on installing the cement pad for the Business Park sign
towards the end of summer. It is planned to have the sign installed before the
end of the year. The Board still needs to see the cost estimates

**NEW BUSINESS
Election of Officers
MOTION**

Cain moved, Cortright seconded, PASSED UNANIMOUSLY to re-elect the existing
slate of officers on the LDFA – Ralph Gillett as Chair, Kelly Bellant as Vice-Chair and
Pete Friedrich as Secretary.

Board Vacancy

The Board Vacancy agenda item will be tabled until the next meeting of the LDFA.

GOOD OF THE ORDER

None.

ANNOUNCEMENTS

The next meeting of the Local Development Finance Authority is scheduled for September 14, 2020.

ADJOURNMENT

The July 13, 2020 Local Development Finance Authority meeting was adjourned at 1:16 p.m.

Pete Friedrich, LDFA Secretary

Jane Halstead, Recording Secretary



Approved: _____

**MEETING OF
July 16th, 2020**

RECORD OF THE PROCEEDINGS OF THE MEETING OF THE BOYNE CITY AIRPORT ADVISORY BOARD held July 16th, 2020.
(Irregular meeting date due to COVID-19 mitigation efforts and personnel scheduling conflicts)

CALL TO ORDER

Chair Richard Bouters called the meeting to order at 5:28 PM followed by the Pledge of Allegiance.

ROLL CALL

Present: Richard Bouters, Doug Brubaker, Brian Harrington, Richard Wright, Allen Sturza*, John Van Etten*, Leon Jarema*, Rod Cortright* via telephone conference

Excused Absence: Leon Vercruysee

**Ex Officio Members*

Staff: Airport/City Manager Michael Cain

Citizens: Ron Lungren

Guests: Michael Borta, Brian Merk (*Prein & Newhof*, airport services consulting.)

**READING AND
APPROVAL OF
MINUTES**

Motion by Richard Wright, seconded by Doug Brubaker to approve the February 27th, 2020 minutes as written. Unanimously passed.

Note: March, April, May and June 2020 Airport Advisory Board Meetings were cancelled due COVID-19 concerns.

CORRESPONDENCE

FAA Request to Decommission Charlevoix Non-Directional Beacon
The Board agreed unanimously with the FAA's decision to decommission the Charlevoix Non-Directional Beacon. There is no effect from this decommissioning on the Boyne City Airport.

Letter from Spectrum Business

Michael Cain is reviewing cost savings options with Northern Homes.

**CITIZENS COMMENTS
(NON-AGENDA ITEMS)**

Hangar Door Mechanical Failure

Citing a recent incident where Leon Jarema's hangar door opening mechanism failed and serious personal injury was narrowly avoided, Leon suggested all airport hangar doors should be marked, *Stand Clear When Door in Operation*.

The failure occurred when the master link on the door opening chain opened disconnecting the chain which allowed the door to fall shut. Citing this incident as a possible indicator of other like hangar door opener mechanism failures, Richard Wright suggested randomly selected, or all hanger doors, should be safety inspected for wear-and-tear and proper operation. Michael Cain committed to coordinate with the door support service provider regarding hangar door inspections.

**REPORTS OF OFFICERS,
BOARDS AND STANDING
COMMITTEES**

None

UNFINISHED BUSINESS

Michael Borta / Brian Merk, (*Prein & Newhof*) Runway 27 Approach Obstructions

Prior the Board Meeting Richard Wright accompanied Messrs. Borta and Merk while they conducted an informal yet informative survey of vertical obstructions penetrating the approach slope safety zone to approach end of runway 27. The high terrain east of the runway 27 landing threshold is “marginally” under and within the Michigan Department of Transportation/Aviation (MDOT-A) safety limits.

Further Runway 27 discussion centered on Precision Approach Path Indicator (PAPI) lights. Issues regarding the need for the lights and technical installation requirements and constraints lead to Richard Wright taking an action to research the issues and report back to the Board at the August meeting.

When asked if State or Federal monies were available for Boyne City capital improvements/maintenance Borta replied yes, monies are available but standard protocol must be followed. Michael Borta responded:

1. Apply to MDOT-A for the consulting engineering selection process (FAA requirement).
2. Update Boyne City’s Airport, Airport Capital Improvement Plan (ACIP) and Airport Layout Plan (ALP)
3. Request Michigan Airport Meeting with MDOT-A

Trailhead

Bicycles on Taxiway

Leon Jarema commented he has observed numerous bicyclists on the airport taxiways who are apparently looking for the entrance to the Boyne City – Boyne Falls Non-Motorized Trail. Leon cited the need for a larger sign clearly delineating the route to the trail entrance. Brian Harrington and Alan Sturza agreed to research placing warning signs around the terminal indicating unauthorized personnel to keep out.

Fencing

Alan Sturza’s mentioned the absence of airport fencing on the northeast corner of the approach end of runway 27. The very near proximity of the trailhead in that area creates an attractive nuisance where bicyclist/pedestrians may view the runway as an interesting shortcut, depart the trail and continue their travel down the runway. In response Michael Cain reported the City plans to install signs restricting persons from the airport property and or security fencing.

NEW BUSINESS

Addition for Hangar B5

Alan Sturza presented printed building plans formalizing his desire to build an extension on the back side of his hangar (B5). When the building is complete the hangar will accommodate two Boyne City based aircraft. The extension requires minimal soil preparation and other than trimming tree branches no trees need to be removed.

Motion by Doug Brubaker to petition the Boyne City, City Commission to review Sturza's building plans. Upon City Commission approval the airport manager will determine a new lease agreement with Sturza. Motion seconded by Richard Wright and unanimously passed by the board.

Fencing by Airport Terminal Building

Michael Cain, Brian Harrington and Richard Bouters agreed to meet after the meeting to discuss the fence type, location and length.

Other

Leon Jarema recalled his concern for the aviation public perception of the Boyne City Airport. During the July 4th weekend multiple aircraft parked in the airport tiedown area yet the area was unmowed. Michael Cain advised that Boyne City's Department of Public Works has been working with reduced staff due to the COVID-19 crisis.

Michael Cain presented the City's Planning Commission work on a new plan for painted parking place lines enabling better vehicle parking allocation and control.

Michael Cain's also commented that the Labor Day Drag Races will most likely be cancelled. Estimated net effect to the Boyne City Airport is a \$5000 revenue reduction.

GOOD OF THE ORDER

ANNOUNCEMENTS

Boyne City Airport 100 Low Lead aviation fuel price increased to \$3.71 per gallon on July 10th 2020.

ADJOURNMENT

The next regular Airport Advisory Board meeting is scheduled for Thursday, August 27th, 2020 at 5:30 PM at the Boyne City Airport Terminal.

The meeting was adjourned at 7:12 PM by meeting chair, Richard Bouters.

Richard K. Wright
Boyne City Airport Advisory Board Secretary

Approved:

**Meeting of
July 20, 2020**

Record of the proceedings of the Boyne City Planning Commission meeting held via Zoom on Monday July 20, 2020 at 5:00 pm.

Call to Order

Chair Place called the meeting to order at 5:00 p.m. and discussed the rules and procedures for the Zoom meeting.

Roll Call

Present: Larry Chute, Nichole Moblo, Tom Neidhamer, Rose Newton and Aaron Place
Absent: Skylar MacNaughton and Jeff Ross (arrived at 5:30 pm)
Vacancy: Two

**Excused Absences
Motion**

Moblo moved, Newton seconded to excuse the absence of MacNaughton and late arrival for Ross

2020-7-20-2

Roll Call:
Ayes: Chute, Moblo, Neidhamer, Newton and Place
Nays: None
Absent: MacNaughton and Ross
Abstain: None
Vacancy: Two
Motion Carries

Meeting Attendance

City Officials/Staff: Planning and Zoning Director Scott McPherson, Assistant Planning and Zoning Director Patrick Kilkenny, City Attorney Rhonda Stowers and Recording Secretary Pat Haver
Public Present: Twenty nine in attendance via the Zoom platform

**Consent Agenda
Motion**

Neidhamer moved, Chute seconded, a motion to approve the consent agenda, the Planning Commission minutes from June 15, 2020 as presented with the correction on page 2 as noted.

2020-7-20-3

Roll Call:
Ayes: Chute, Moblo, Neidhamer and Place
Nays: None
Absent: MacNaughton and Ross
Abstain: Newton
Vacancy: Two

**Citizen comments on
Non-Agenda Items**

None

**Reports of Officers,
Boards and Standing
Committees**

None

Unfinished Business

None

New Business

Public Hearing zoning change request for 600 Jefferson Street to change zoning district from Conditional Multifamily Residential District to Manufactured Housing Development District by GISA, LLC

Planning Director Scott McPherson reviewed his staff report included in the agenda packet. A rezoning application had been submitted by GISA LLC to rezone parcels 15-051-026-005-00 and 15-051-026-004-15 from Conditional Multiple Family Residential District (MFRD) to Manufactured Housing Development District (MHDD). The parcels are located at 600 Jefferson Street. Parcel 026-005-00 is approximately 20 acres with 660' of frontage on Jefferson Street and measures 1,300 feet deep. Parcel 026-004-15 which is adjacent to the east of 026-005-00 is approximately 10 acres and measure 660 ft. x 660 ft. The properties to the north are in Evangeline Township and are zoned Rural Residential and being used for single family dwellings. The property to the East is in the City of Boyne City and zoned RED and being used for a church. To the South of the property properties are zoned RED being used for single family dwellings and conditionally zoned MFRD being used for group senior and assisted living. The properties to the West are zoned Traditional Residential District (TRD) and are being used for single family dwellings. Public sewer and water are located adjacent to the subject property on Jefferson Street. The subject parcel is currently vacant, with the majority of the parcel covered with mature forest. On the eastern quarter of the property there is a significant slope and an elevation change of over 40 feet. The property was conditionally rezoned for Multi Family Development in 2016, and had also been before the City Commission for a couple of deadline extensions to continue to pursue options. During that timeframe, the previous owner had been trying to make some type of development a reality, but had difficulty citing rising construction costs and labor availability, so the project was determined by the previous developer to be not financially feasible. In February of 2020, the property was sold to GISA, LLC who is before you tonight for a request to rezone the property to Manufactured Housing Development District in order to pursue their development concept of a manufactured housing community. In accordance with the Michigan Zoning Enabling Act and the Boyne City Zoning Ordinance Section 2.40 Amendment Procedures, after receiving the application a public hearing was noticed and scheduled for the Planning Commission for tonight. The Commission should review the proposed amendment and use the amendment criteria as listed in section 2.50(C) of the zoning ordinance as a guide in making their recommendation on the proposed amendment.

Moblo – Just for clarification, we are looking at the rezoning request specifically and not the conceptual plans that were submitted.

McPherson – Correct

Place – This would be a recommendation to the City Commission for the rezoning request only and not the conceptual plans.

Chute – Under the MHDD (Manufactured Housing Development District) they could potentially build up to 10 units per acre?

McPherson – Correct

Chair Place opened the discussion up to Public Hearing at 5:15 pm and discussed how the proceedings would be run via Zoom; each participant must request to be recognized in order to speak and would be placed in a queue at which time, their microphone would be unmuted in order to make their comment or ask their question. Each question would be written down by Chair Place, who would, in turn, ask the development team for the answer.

Steven Bratschie: Owner of GISA LLC - Introduced his team members consisting of Don Westphal Fox Run project architect and Marc McKeller, Attorney. He then gave a brief background of himself and his business. He understands the challenges for affordable/attainable housing that is stick built or in need of renovations, he has done his due diligence and understands why the numbers just don't work for stick built which is very expensive. In his opinion, in the current zoning ordinance MHDD allowing up to 10 homes per acre is impossible to attain, and feels that 4.9 to 5 units is best. During

his presentation for rezoning, his team has put together a conceptual proposal of 145 home sites which is best suited for the topography of the property and the community, allowing them the ability to provide needed housing options.

Don Westphal: Fox Run project architect - Briefly discussed his background. He began to review the power point presentation that he had and discussed the difference in a manufactured home, which must meet HUD codes, and a modular home, which must meet local building codes and how they are placed on lots. He stressed that this would not be governmental subsidized housing, but attainable. During the presentation he discussed sidewalks, retention pond plans, access to community facilities, the plans call for a mix of multi section & single section homes which will be very attractive housing options with attached porches and garages for some units.

Bratschie – I placed a Craig’s list ad about 6 weeks ago, and had very positive responses from 35 to 40 people looking for this type of housing. Lakeview Village is a well-run community, however they are full and Fox Run will be just as appealing, however, better quality units due to manufacturing updates. The community will be pristine and maintained to the highest of standards. There are several lending institutions available for financing and people would be building equity in a home versus renting.

Opened for public comments

Jeff & Ruthann Porter: 620 Jefferson St. – Our property is adjacent to this project, will there be a 50 ft. or 25 ft. buffer? Will these manufactured homes be on foundations or just skirted and tied down? What about a traffic study the road is deteriorating since this project first came up in 2016.

McPherson – A traffic analysis was done in 2016, a traffic study is not required at this time. The traffic will be lighter that what was originally proposed as this proposed unit count is less.

Michelle Cortright: 221 Water St. – This will be a successful project, as it will help to meet our current housing needs. This is adjacent to Evangeline Township and I have some concerns about people going safely down the Jefferson Street hill which is steep.

Steve Schnell: Charlevoix County Housing Ready Program Director, member of the Boyne City Housing Solutions committee and Boyne City resident – The programs that I am involved in are doing everything we can to assist in the housing shortage and to fill the needs. This type of project will reach capacity in no time at all, it is a legitimate use of the land, it is supported in your Master Plan and it is very attainable housing for everyone.

Gordon Prince: 526 N. Lake St. Lot #92 – I live in Lakeview Village and they have just been granted consideration for an expansion project. My question is what monetary figures are you using for affordable housing? Conventional mortgage rates are not available for this housing type.

Vic and Joan Stevens: 649 Vogel St. – This development is adjacent to the rear of our property; I understand that there is an access easement out to Vogel Street. If this is opened up, it will literally run next to our driveway. Lakeview was just granted an extension for additional lots, do we really need another development in Boyne City?

Cheryl Tournaud: Vacant lot owner on JayCee Lane – My concerns are for the mortgage rates for this type of housing; it is currently at 6%; how is that affordable, the roof requirement is a 7/12 pitch, will these houses have that, I am afraid that our property values will decline, will they have to pay the same taxes that I pay, how will this development maintain their property values, and how/when will we get our questions answered?

Place – I am keeping track of all of the questions, and will be asking the development team at the end of public comment to answer them.

John Vousboukis: 636 Jersey St. - To place 145 houses on that small piece of land is like packing them in like rats, that is an awful lot of homes in that area; it is way too

many. Lakeview Village currently has 150 sites with 19 more why do we need another mobile home park? These houses will depreciate every year. The houses in the area are really nice, will their values go down?

Syd Baxter: Hawkrige Condo owner which is my second home – Given the need for service personal in the area, I feel that this development fits the needs of service workers. The density of this proposed project will be lower than previously approved. I feel that it is a good sound thinking and a well-planned project.

Eric Hartlep: 526 Jefferson St. (Rose Newton read an email from him on his behalf as he was not able to get in via Zoom) – He feels that Boyne needs a lot of affordable housing but that location has many drawbacks. I don't feel that this project will fill the need of poor folks from what I have been told. The city should keep a ledger of street and sewer repairs, and check what has been done on Jefferson Street the last 2 years. The road is in severe disrepair.

Ruthann Porter – What are the standards for the homes that will be placed? Will they all be new trailers or will older trailers be allowed in? I'm concerned about our property values going down with this many people coming in.

Gordon Prince - Affordable housing how are they going to be marketed, to workers, young families, second home buyers?

Cheryl Tournaud – Have any studies been done for the increase in law enforcement and fire? Can they handle another 145 houses without an increase in staffing? I have major safety concerns.

With no additional comments, closed public comments at 6:16 pm

Board Discussion

Newton - What is the return on investment for a manufactured housing community and can you substantiate ROI purchases through selling? Concerned about your statement that manufactured homes appreciate in value like stick built homes. Can you name any financial institution of a standard mortgage that allows a mobile home to be financed in a land leased area? What is the rate for Cascade loans currently? Without standard lending options, how can someone without a line of credit obtain a loan of \$ 55,000 and be considered affordable?

Westphal – Financing on manufactured home loans have always been a few points higher. Can't get into one of these houses without a down payment. The homeowner will have to qualify for a mortgage with credit checks to see their ability to pay the mortgage and lot payment in addition. Not everybody can afford everything. What is affordable – it is based on wages earned and wages allotted for loans.

Bratschie – Support in the Kelly School of Business article, citing increase in value is driven by demand. Certain houses depreciate faster than others; this goes for stick built as well. These homes will maintain the quality of value, and only new homes will be allowed in the community.

Westphal – There is a circle of home ownership; it is when someone wishes to downsize and leaves their existing home for something smaller like these manufactured homes, opening up the possibility of someone purchasing their larger home, these types of communities do not depreciate the values of homes in surrounding areas but increases them.

Chute – Are there going to be any other lenders available or just one primary lender of your choice? What is the difference between a modular home and manufactured home? You are requesting a full rezoning to MHDD, as opposed to a conditional rezoning and want to rescind the current zoning. Is there a reason for not asking for a conditional rezoning of this property based upon the density listed?

Westphal – Yes there are going to be other lenders available, there are federal guidelines against us steering buyers to a specific lender. The difference in modular homes is they are built to local codes, and the steel carriages must be removed and set

on a perimeter foundation of either a crawl space or basement. These will be certified in the factory to be built to local code with specific structural supports that must be met in order for the warranty to valid. A HUD house is built in the factory to HUD codes, has a permanent steel chassis that will remain with this house. It is less expensive to build due to HUD code and construction standards and these houses are skirted.

Place – Will there be a 50 ft. or 25 ft. setback?

Westphal – The front buffer on Jefferson St will be 50 ft. the buffer on the North, South and East sides will be 25 ft.

Place – What about the access to Vogel Street through the easement?

Westphal – We will have a boulevard entrance on Jefferson St. and the preliminary plans to the Planning Commission show only one entrance/exit. Fewer housing units will be facing Jefferson. The state mandates that every street must have a second way out; and the easement on Vogel would provide that if necessary in future plans.

Place – What about another traffic study?

McPherson – One is not required due to the amount of decreased units proposed and the decrease in the threshold for the amount of traffic that will occur.

Place – If the zoning reverts back to the original zoning, only 122 units maximum will be allowed. What about the soil analysis?

Bratschie – Exhibit 8 has the soil analysis attached, and we have engineer's certificates that the soils will support foundations for manufactured homes.

Place – How is affordable housing figured?

McPherson – Roughly 30% of your monthly income; this means different things to different people. In Boyne City the average income is in the area of \$55,000; so that would mean roughly 1,200 a month is considered affordable.

Place – What about the roof pitch, is there anything specific?

McPherson – in the TRD and RED district there are specific regulations, in the MHDD district there are not

Place – How do the taxes work?

Westphal – Boyne City assesses the value of the land with improvements which the developer would be responsible for, including the community facilities, club house, offices, etc. The land leased homeowners would be taxed for any additional specific items on their lot including the value of the home, carports, garages, sheds, porches, etc. In most communities, the developer/owner pays the gas, electric for the public areas and, sewer/water for the entire development and then a portion of that is charged in the lot rent based on individual home water meters. We are currently dealing with the land use, and the question is this project a reasonable and acceptable use of the land?

Chute – Currently there has been a conditional rezoning from Rural Estate District to Multi Family District; why are you seeking a full rezoning to MHDD as opposed to writing a new conditional rezoning for this property the same as in place? It would lock in the density as proposed, as opposed to the density in our current ordinance.

Westphal – If you rezone this to MHDD our next step will be to submit a preliminary site plan for your approval, and we bring it to you with 145 lots and you give us plan approval and I send your approved plan to the state with different lot numbers, they will kick it back and not give us a permit to build. That is your safe guard.

Chute – I don't understand how our ordinance can be so out of line with the state requirement and how can this project be locked in to 145 lots by a state approval.

Westphal – This is your ordinance and I don't know how you got to those numbers. In all of my time developing communities, I have never seen 10 units per acre in any other ordinance. In my opinion it is impossible with those numbers. I like to know appropriate separation between houses. The state limits how close houses can be; there are many people that want multi section homes, so those lots are much larger than a single section home. We can't build on the back section of the property that has a 40 foot rise maybe use that as a play or sledding area. We just don't see how a decent manufactured home community can build that many units at 10 per acre on this parcel.

Mark McKeller: Development Team Attorney – The proposal is not out of line with the rezoning; 10 units per acre just doesn't lend itself to a quality project. We can voluntarily condition the project and our plan. Reality the manufacturing housing conditions are inconsistent and automatically address density to preserve sites. Getting into conditional approvals can be messy. Adjustments can be made, this proposal is 1/3 the density of what is currently approved. The developer can build what has been approved with no extra meetings.

Moblo – Can we add year round residence requirements versus vacations or second homes to the conditions?

Westphal - One of our conditions is that they must be owner occupied with no short or long term rentals. I don't know how you would be able to legally regulate or put a 12 month occupied condition on who purchases each unit. In the past you could put families with children in one area, and senior citizens in another area of the development, you are not allowed to do that now, it would be discrimination; the communities are a blend of all types of homeowners blended in together.

McKeller – You cannot regulate types of ownership of 12 month occupancy vs 2nd home or snowbirds; however you can address a certain price range for workforce, senior, young families, people who just want to live there.

Moblo – Who would be responsible to set up the foundations; purchaser or management team?

Westphal – The State of Michigan regulates that a licensed manufactured housing installer is used.

Moblo – Will foundations be a part of the mortgage process or an additional cost?

Westphal – It will be all inclusive, the management team makes the arrangements.

Place – What about the street repairs and water runoff in the area and is there not a grading system for the streets and repairs?

McPherson – The plan must include storm water retention, and permits will be required. The City has an Asset Management System that is used to prioritize what area streets are in the most need of repairs.

Place – Law Enforcement and Fire Department have already looked at the plans?

McPherson – The other departments have looked at the site specific access plans; EMS, Fire & Police have the capacity to handle the increase without any additional personnel. Back in 2016 they indicated their departments were adequate to handle any additional demand, and this proposed plan has less units than what was approved back then.

Place – Tonight we are looking at the request to rezone this area not necessarily at the conceptual project. Is this area best served rezoned from the conditional use MFRD to MHDD?

Moblo – What happens if the previous conditional rezoning expires?

McPherson – It would revert back to the original Residential Estate District zoning an action that must be taken by the City Commission.

Newton – If the property is rezoned to MHDD, what else could be placed here other than a land leased community? As sole landowner, it would pigeon hole us into what they may choose to present?

Place – That is what this district is made for, so yes.

Newton – To re-clarify my questions, this can only be for a land leased community and not just manufactured home as a different situation?

McPherson – MHDD primary use would be a manufactured housing development, so that what this specific zoning would do.

Newton – Strictly the leasing of the real estate piece of land, with not a permanent structure on it?

McPherson - The goal and focus is to create this type of district.

Neidhamer – I would like to state some facts: Our Master Plan supports creating neighborhoods as needed, The Housing Solutions Committee came together 3 or 4 years ago and addressed the shortage of all house units, there are not a lot of any type of

housing left available, as has been stated, the last developer could not make stick built work for under \$ 250,000, the last couple of houses built by the school have been sold between \$ 250,000 and \$ 270,000, this development is half of those rates. The Planning Commission has been tasked with removing barriers, so that housing can be expanded and this plan fits that niche, we previously approved 212 units for this site, and they were not able to make those work, this is a good solution to a piece of the puzzle for the lack of affordable housing, and we have determined that this piece of property has a lot of good characteristics for this type of development. Lakeview Village has low to nonexistent law enforcement runs. We are trying to fill a niche with the lack of housing options, the citywide goals have 500 people stating that there is a housing shortage in our area, and local business owners are asking for help in creating solutions for the lack of housing so that can retain employees. This is not intense density wise, the original zoning would allow up to 300 housing units, the previous developer was granted 212 and this conceptual plan only shows 145 housing units.

Chair Place closed the meeting for questions at 7:22 pm, and now board discussion and deliberation will begin.

Chute – I agree that the need for housing is great, this may not be affordable but additional housing. Personally I am in favor of the proposed project; 145 units as the lot sizes are larger than the 50 ft. x 80 ft. city lots. I believe it needs to be a conditional rezoning as opposed to a full rezoning.

Place – I feel that we need to address and change the zoning ordinance at a future meeting, I agree that 10 units per acre is difficult, we need to look at the ordinance and clean it up and correct the language as a housekeeping issue.

Chute – Once we approve the zoning request, we have zero leverage if they come back with a different plan; legally if they meet all of the zoning ordinance, we cannot disapprove it. If we have a conditional, then the site plan is locked in and cannot be changed. I am concerned that the final site plan will come in different. Because this has conditional zoning on it, why not leave it as conditional now?

Neidhamer – Can staff clarify the difference between the conditional and a change to MHDD?

McPherson – The conditional zoning is an offer by the applicant and you can't require it. The city has the ability to accept their offer or not. Conditional zoning is used for a one specific use only, the MHDD has one use allowed so it doesn't make any sense. The state requirements and their limitations, they limit what you can have developed on a site; having anything close to our 10 per acre is an impossibility. They have put a lot of effort into the conceptual plans and what they would ultimately like to do, that I don't see them making major changes now.

Ross – This is a tract of land that has sat with existing zoning forever, no one has developed it forever, the adjacent zoning is RED and if the conditional rezoning expires, it would go back to the original zoning. The adjacent development has many sites undeveloped, an option is to give the development team the ability to develop this project, or we let it sit for another 50 years untouched.

Newton – I believe there are larger ramifications with what has been shared so far; if this is permitted it will be use by right, I have concerns about what has been presented in what land leased communities look like and what is affordable housing. I'm not seeing how manufactured homes do not decrease in value, and will that be a personal loss by the homeowner and what happens once the home ages out? What are we creating in fair housing by only allowing new homes to be placed, what about someone who may have an older home and won't be allowed to place it here; how affordable is only having new homes. With only owner occupied homes, an individual homeowner is losing some of their rights of not being allowed renting out for financial gain. We already have a land

leased community and I personally feel that Boyne City is not large enough for a second one.

Moblo – My question would be can we place conditions on the starting of the project with a time line of placement for infrastructure and the development of the park sites itself? If that is not met then it defaults and reverts back to the RED, is that a potential?

McPherson – You are making a recommendation today only on zoning

Chute – We are making a recommendation to approve or disapprove today.

Neidhamer – Stick built development has been tried before and can't be done, we should give them an opportunity for the project. A conditional use won't get us any closer than what the MHDD requires. This type of housing has become very popular, they are built using 2x6 construction, have vinyl siding and pitched asphalt shingles. They are not the old tin boxes of yesteryear.

Newton – Being in the industry, I know that HUD homes are built to national guidelines and not based on snow load in Northern Michigan. I have seen a lot of roofs caved in due to not being built to handle the snow loads. I do not see that addressed other than the 5/12 pitch.

Neidhamer – I disagree, they said they would be built to Northern Michigan standards.

Newton – I think that the roof pitch not being addressed to Northern Michigan snow loads is another point of concern.

McPherson – In the TRD minimum pitch is 5/12

Chute – Does the MHDD have a minimum or maximum requirement?

McPherson – No, homes must be to HUD guidelines

Chute – Does HUD have any requirements for a roof pitch?

McPherson – I am not familiar enough with regards to what HUD requires

Chute – I have to disagree with Tom, to reject this and to have them come back with a conditional, we are still giving them a chance to develop their property. If they had come to us with a conditional, we would be able to add our own conditions to it in regards to roof pitch, snow load, and density. I can't approve a request that does not have the density requirements that are shown on this plan.

Place – They are the ones that dictate what conditions they would like to present to the commission, we cannot put any additional conditions on it. We then have the ability to accept or reject their plan, which is then final to the submitted plan.

McPherson – Their application is in front of you tonight with a hearing; so you need to take some type of action and make a determination on this application only.

Newton – For our amendment criteria bullet point #7; can you confirm that the city does not have any other properties like this one?

McPherson – There are no other parcels within the city of this size that has available infrastructure such as paved roads, water and sewer.

Neidhamer – Is it true that we have been trying to get away from the use of conditional zoning?

McPherson – It is a tool that has been used in the past, and in this case there is not much value in conditional rezoning as the proposed zoning is pretty specific, and I don't see how you can make further conditions. You would need a recommendation to the City Commission on the rezoning request before you tonight.

Motion

With no further board discussion, **motion by Newton, seconded by Chute** to not recommend to rezone parcels 15-051-026-005-00 and 15-051-026-004-15 from MFRD to MHDD.

2020-7-20- 7A

Roll Call:

Ayes: Chute Moblo, Newton and Place

Nays: Neidhamer and Ross

Absent: MacNaughton

Abstain: None
Vacancy: Two
Motion Carries

**Development Plan
Review for Great Lakes
Energy 1323 Boyne
Avenue**

Planning Director Scott McPherson reviewed his staff report included in the agenda packet. Great Lakes Energy is requesting a development plan approval to renovate and expand their existing facility location for parcels 051-336-165-30, 051-336-164-30, 051-300-009-10 and 15-336-165-30 located at 1323 Boyne Avenue. This 19.7 acre site is zoned RC/IND and PID and currently serves as the office and storage yard. The proposed project would expand the existing facility with two building additions and freestanding garage and would reconfigure the site parking and storage areas including required associated infrastructure improvements. These proposed additions would be similar in character and architecture of the existing facility and surrounding areas. The easterly access drive on Boyne Avenue will be removed and the westerly access drive will be shifted to the west to line up with the Boyne Summit Drive across the street. The existing access points on Air Industrial Park will remain and a new access will be developed on Altair Drive on the west end of the site. The proposed plan meets zoning ordinance section 20.20 Schedule of Regulations criteria for setback, building area and building height. A landscaping plan has been provided, while the plan does not include the exact amount of trees and shrubs as required in the standards, the existing landscaping in addition to the proposed plan appears to accomplish the ordinance objective of creating the necessary buffers and aesthetics. The development team has requested the planning commission consider modification of the required landscape standards as allowed per BCZO Section 23.60. The proposed 211 parking spaces exceed the required minimum of 99.

Nick Liebler: Architect for the project – Not a lot on our proposal has changed since we were before you in January, we have just outgrown our facilities. We purchased the Carters site to place the expansion and will be the location of the new offices. Beckett & Raeder assisted us with the site plans.

Tim Knutson: Becket and Raeder – Walked the board through the site plans submitted; there will be a realignment of the driveway of the new building D and will utilize the existing access off of Air Industrial Drive and create a new access drive off of Altair Dr. Storm water will be captured on site with 3 ponds; the landscape buffer on Altair and Air Industrial Park will remain, and we have the new landscape with an emphasis on street frontage for the new building to match the landscaping around the existing building. It does not fully meet the requirements of the landscape plan, however, we feel that it is very close and appropriate to match the existing planting around the current buildings.

Chris Degood: - As you can see from the plans the grassy area to the west will be used for staging vehicles that are brought in to assist in an emergency. That is the only time that we will have anything staged in that area.

Knutson – The proposed landscaping offers vehicle shading of some sort, but still allow for vehicle maneuvering; he also discussed the landscape designs around the buildings.

Degood – I believe we have been responsive to the zoning expectations and highlights the appearance of the buildings to passersby and the community.

Knutson – As has been stated, we feel the current landscaping and what has been proposed accomplishes the ordinance objective of creating buffers. We are asking for consideration to the modified plans submitted of the required standards.

Degood – The building all have updated sprinkler systems, the water utility system, sanitary system are all met by the existing services.

Liebler – The site and building materials are of good blend of the existing facilities and the proposed facilities.

Public comment opened at 8:08 pm

Barbara Malpass-Young: 1003 Hull St. – I feel that this project will be beneficial to the community and is a very nice project.

Steve Drake: CFO Great Lakes Energy - Wanted to take this time to thank the commission for allowing us to come back with additional detailed plans. He introduced Shari Culver – VP of Marketing and Shawn Camp CEO of Trustream. We all feel that the new addition to our facilities will benefit the company and Boyne City, we will be hiring additional employees so will grow operationally and our employee base.

With no further public comments, closed at 8:11 pm and continued with board discussion.

Place – I love the fact that there are so many windows, I feel that it fits well into the community.

Chute – I believe it matches the existing building well and will be an asset to the community

Newton – GLE makes a clear rationale from our standards, and I believe they are meeting our objectives, the new facility will continue to serve thousands in our community.

Neidhamer – Job well done

At this time; Planning Director McPherson and Chair Place facilitated discussion of the Finding of Facts, Section 19.40 Development Plan Approval Criteria.

With no further board discussion and after going through the Findings of Fact, **motion by Chute, seconded by Ross** to approve the site plan with the landscaping as shown accepting the variance to our ordinance requirements; Administration to review and approve the Photometric, mechanical and sign requirements.

2020-7-20- 7B

Roll Call:

Ayes: Chute Moblo, Neidhamer, Newton, Place and Ross

Nays: NoneeGoo

Absent: MacNaughton

Abstain: None

Vacancy: Two

Motion Carries

Staff Report

- The city office is open as of July 13th, the Planning Department is working in the office, however, the staff are rotating days of working from home.

Good of the Order

- Will the August meeting be held via Zoom also? Undetermined at this time.
-

The next regular meeting of the Boyne City Planning Commission is scheduled for Monday, August 17, 2020 at 5:00 p.m.

Adjournment

****Motion**

Newton moved, Ross seconded a motion to adjourn the July 20, 2020 meeting at 8:33 pm

2020-7-20-10

Roll Call:

Ayes: Chute Moblo, Neidhamer, Newton, Place and Ross

Nays: None

Absent: MacNaughton
Abstain: None
Vacancy: Two
Motion Carries

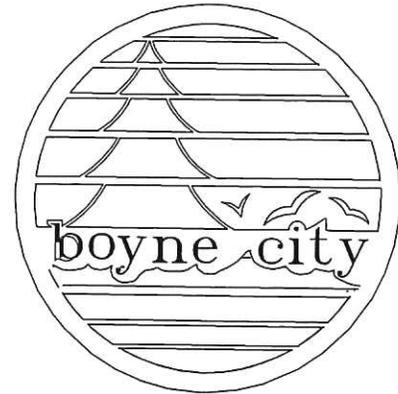
Chair Aaron Place

Recording Secretary Pat Haver

Draft

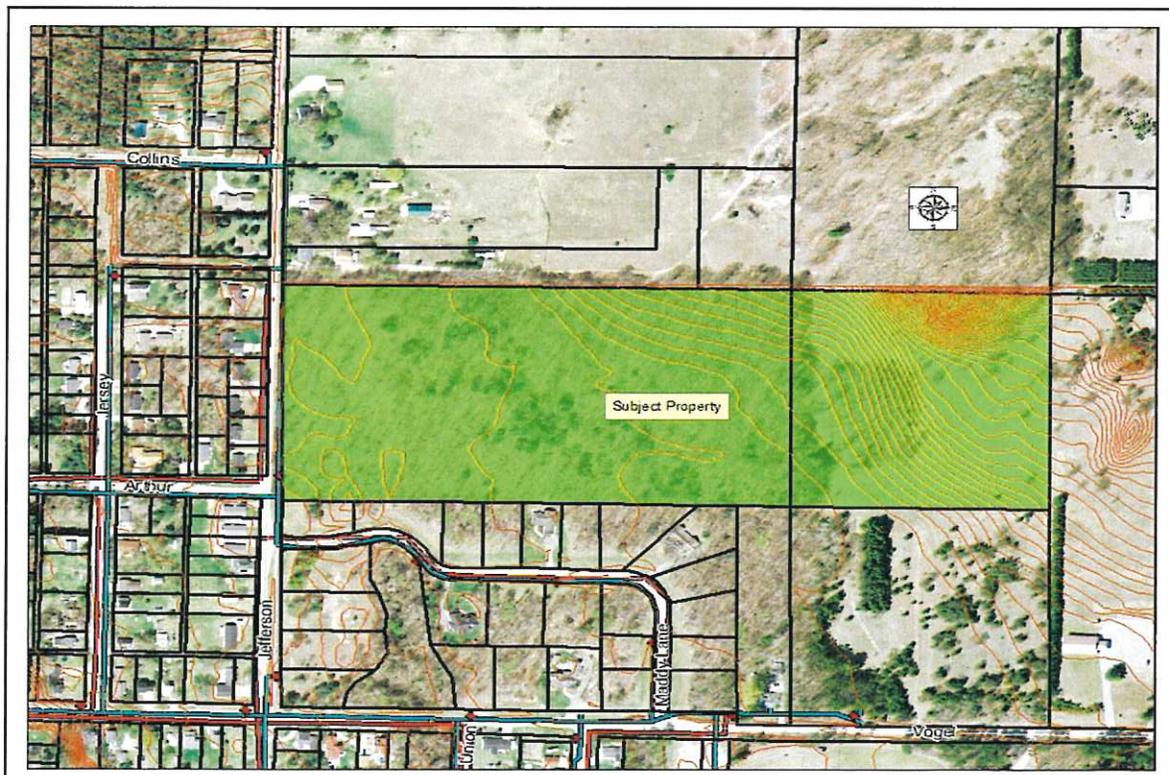
CITY OF BOYNE CITY

To: Michael Cain, City Manager *Mc*
 From: Scott McPherson Planning Director *SM*
 Date: August 11, 2020
 Subject: 600 Jefferson Rezoning Request First Reading



Background

A rezoning application has been submitted by GISA LLC to rezone parcels 15-051-026-005-00 and 15-051-026-004-15 from Conditional Multiple Family Residential District (MFRD) to Manufactured Housing Development District (MHDD). The parcels are located at 600 Jefferson Street. Parcel 026-005-00 is approximately 20 acres with 660' of frontage on Jefferson Street and measures 1,300 feet deep. Parcel 026-004-15 which is adjacent to the east of 026-005-00 is approximately 10 acres and measure 660ft x 660ft. The properties to the north are in Evangeline Township and are zoned Rural Residential and being used for single family dwellings. The property to the East is in the City of Boyne City and zoned Traditional Residential District (RED) and being used for a church. To the South of the property properties are zoned RED being used for single family dwellings and conditionally zoned MFRD being used for group senior and assisted living. The properties to the West are zoned Traditional Residential District (TRD) and is being used for single family dwellings. Public sewer and water are located adjacent to the subject property on Jefferson Street. The subject parcel is currently vacant, with majority of the parcel covered with mature forest. On the eastern quarter of the property there is a significant slope and an elevation change of over 40 feet.



Discussion

The subject property was conditionally zoned for Multi Family Development in 2016. The conditional agreement specified the allowed uses, density, site layout, building styles and timelines. The deadline included in the agreement was extended by the City Commission for one year in April of 2019 and again for one year in January of 2020, the expiration date for the agreement is April 25, 2021. While the master plan future land use map designated the property as Residential Open Space, the plan also notes that "Additional specific locations for future multiple family uses are not designated on the Future Land Use map, but will be considered on a case by case basis, so that the Planning Commission can have the flexibility to review the appropriateness of specific areas when the need arises." At the time of conditional zoning approval in 2016 the need for housing in the City and region were well documented and since that time the need has only increased. Given the size and location of the property, the 30-acre tract is one of the few undeveloped large pieces of land in the city on a paved street with the availability of water and sewer. In 2016 the City recognized the need for housing development and the unique opportunity the site provided to help meet that need and the Planning Commission and City Commission approved the conditional MFRD zoning. As part of the consideration for the proposed zoning change reviews were done by the BCPD, EMS, and the Water/Wastewater department in regards to impacts on City services. Each of these departments confirmed that the existing capacity and personnel were sufficient to handle the increase in demand from the proposed development. As the capacity reviews were completed with the assumption of a total buildout of 212 units, these analyses would still hold true as the total number of units for the proposed change would be significantly less.

In reviewing the proposal, a determination in regards to the requirement of a traffic impact study is required. Section 2.50 (C)(6) stipulates that a traffic impact analysis is required if: *"the proposed rezoning district permits uses that could generate one hundred (100) or more directional trips during the peak hour, or at least one thousand (1,000) trips per day more than the majority of the uses that could be developed under current zoning."* To provide a baseline of existing conditions traffic counts on Jefferson and Vogel streets were completed. While these counts were collected in 2016, there is no evidence to suggest that the number of daily trips on each road has significantly changed since that time. On Jefferson Street traffic counts were collected near the Collins Street intersection for eleven 24-hour periods from September 14-24. During this time the 24-hour traffic counts ranged from 84 to 125 trips heading south with the Average Daily Trips (ADT) of 109 and from 83 to 141 heading north with the ADT of 115. The ADT in both directions over the 11-day period was 224 which represents between 1.87% and 2.24% of the daily carrying capacity of the street. In the Trip Generation Comparison completed by Pete LaMourie PE, PTOE, which was provided with the 2016 conditional zoning proposal, the daily carrying capacity of typical paved two-lane road was indicated to be between 10,000 and 12,000 vehicles. The peak-hour trips for Jefferson Street during this period was at 3pm on September 19th with 39 trips (14 north, 25 south) which is between 3.54% and 4.33% of the peak hour capacity. On Vogel Street traffic counts were collected near the Maddy Lane intersection for eight 24-hour periods from October 2-9. During this time the 24-hour traffic counts ranged from 145 to 191 trips heading east with the ADT of 168 and from 88 to 126 heading west with the ADT of 107. The ADT in both directions for the 8 day period was 275 which would represent between 2.29% and 2.75% of the noted capacity. The peak-hour for Vogel Street during this period was at 5pm on October 5th with 47 trips (17 east, 30 west) which is between 4.27% and 5.22% of the peak hour capacity. At complete buildout as currently zoned (212 multifamily units) the use would utilize less than 20% of the peak hour and daily trip capacity of Jefferson and Vogel. The trip generation rates, as per the Institute of Traffic Engineers Trip Generation 8th edition, for a manufactured home community are less than a multifamily

development. Given the proposal has less units and would generate less trips per unit as currently allowed, a traffic impact analysis is not required as per the parameters listed in section 2.5(C)(6).

Since the original approval the property owner considered numerous design and financing options to initiate the development, however, citing rising construction costs and labor availability, the project was not financially feasible. In February 2020 the property was sold to GISA LLC owned by Steven Bratschie. On June 26, 2020, Mr. Bratschie submitted a zoning change application that would rescind the current conditional agreement and change the zoning designation to MHDD. The only principle permitted use allowed in MHDD district is a Manufactured Housing Development. With the application a conceptual layout of 145 units and information about manufactured homes and manufactured home communities was also submitted. While the submittal of specific site plan or development concepts is not required or approvable with a zoning change application, the provided information is a good representation of what a Manufactured Housing Development on the site would look like. Manufactured Housing Developments must comply with specific zoning and State requirements of the Manufactured Housing General Rules and the layout, design and density of the provided concepts were developed in compliance with those standards. While this specific plan may not be submitted for approval if the zoning is changed, a very similar plan would need to be developed in order to meet the required standards.

Process

In accordance with the Michigan Zoning Enabling Act and the Boyne City Zoning Ordinance Section 2.40 Amendment Procedures, a public hearing was held by the Planning Commission on July 20, 2020. After the public hearing the Planning Commission reviewed the proposal and voted not to recommend approval of the proposed zoning ordinance amendment. The motion passed on a 4-2 vote. The draft minutes of the July 20, 2020 meeting have been attached and audio of the meeting is available on the City website. As required per section 2.40(A)3, following review, the Planning Commission shall submit their recommendation to the City Commission where the City Commission will act upon the request by granting approval, disapproval, or referral back to the Planning Commission for additional study. The proposed amendment is now being presented to the City Commission for a first reading. As required by the Boyne City Charter, ordinances cannot be adopted until at least one month after the meeting it is introduced. The next available City Commission meeting that meets this requirement would be Sept 22, 2020. The City Commission has the following options:

1. Schedule a second reading for September 22, 2020 or later.
2. Send the proposed amendments back to the Planning Commission for further consideration.
3. Take no action.
4. Other action as determined by the City Commission

Recommendation

Review proposed zoning change and schedule a second reading for September 22, 2020 or later.

Approved:

**Meeting of
July 20, 2020**

Record of the proceedings of the Boyne City Planning Commission meeting held via Zoom on Monday July 20, 2020 at 5:00 pm.

Call to Order

Chair Place called the meeting to order at 5:00 p.m. and discussed the rules and procedures for the Zoom meeting.

Roll Call

Present: Larry Chute, Nichole Moblo, Tom Neidhamer, Rose Newton and Aaron Place
Absent: Skylar MacNaughton and Jeff Ross (arrived at 5:30 pm)
Vacancy: Two

**Excused Absences
Motion**

Moblo moved, Newton seconded to excuse the absence of MacNaughton and late arrival for Ross

2020-7-20-2

Roll Call:

Ayes: Chute, Moblo, Neidhamer, Newton and Place

Nays: None

Absent: MacNaughton and Ross

Abstain: None

Vacancy: Two

Motion Carries

Meeting Attendance

City Officials/Staff: Planning and Zoning Director Scott McPherson, Assistant Planning and Zoning Director Patrick Kilkenny, City Attorney Rhonda Stowers and Recording Secretary Pat Haver

Public Present: Twenty nine in attendance via the Zoom platform

**Consent Agenda
Motion**

Neidhamer moved, Chute seconded, a motion to approve the consent agenda, the Planning Commission minutes from June 15, 2020 as presented with the correction on page 2 as noted.

2020-7-20-3

Roll Call:

Ayes: Chute, Moblo, Neidhamer and Place

Nays: None

Absent: MacNaughton and Ross

Abstain: Newton

Vacancy: Two

**Citizen comments on
Non-Agenda Items**

None

**Reports of Officers,
Boards and Standing
Committees**

None

Unfinished Business

None

New Business

Public Hearing zoning change request for 600 Jefferson Street to change zoning district from Conditional Multifamily Residential District to Manufactured Housing Development District by GISA, LLC

Planning Director Scott McPherson reviewed his staff report included in the agenda packet. A rezoning application had been submitted by GISA LLC to rezone parcels 15-051-026-005-00 and 15-051-026-004-15 from Conditional Multiple Family Residential District (MFRD) to Manufactured Housing Development District (MHDD). The parcels are located at 600 Jefferson Street. Parcel 026-005-00 is approximately 20 acres with 660' of frontage on Jefferson Street and measures 1,300 feet deep. Parcel 026-004-15 which is adjacent to the east of 026-005-00 is approximately 10 acres and measure 660 ft. x 660 ft. The properties to the north are in Evangeline Township and are zoned Rural Residential and being used for single family dwellings. The property to the East is in the City of Boyne City and zoned RED and being used for a church. To the South of the property properties are zoned RED being used for single family dwellings and conditionally zoned MFRD being used for group senior and assisted living. The properties to the West are zoned Traditional Residential District (TRD) and are being used for single family dwellings. Public sewer and water are located adjacent to the subject property on Jefferson Street. The subject parcel is currently vacant, with the majority of the parcel covered with mature forest. On the eastern quarter of the property there is a significant slope and an elevation change of over 40 feet. The property was conditionally rezoned for Multi Family Development in 2016, and had also been before the City Commission for a couple of deadline extensions to continue to pursue options. During that timeframe, the previous owner had been trying to make some type of development a reality, but had difficulty citing rising construction costs and labor availability, so the project was determined by the previous developer to be not financially feasible. In February of 2020, the property was sold to GISA, LLC who is before you tonight for a request to rezone the property to Manufactured Housing Development District in order to pursue their development concept of a manufactured housing community. In accordance with the Michigan Zoning Enabling Act and the Boyne City Zoning Ordinance Section 2.40 Amendment Procedures, after receiving the application a public hearing was noticed and scheduled for the Planning Commission for tonight. The Commission should review the proposed amendment and use the amendment criteria as listed in section 2.50(C) of the zoning ordinance as a guide in making their recommendation on the proposed amendment.

Moblo – Just for clarification, we are looking at the rezoning request specifically and not the conceptual plans that were submitted.

McPherson – Correct

Place – This would be a recommendation to the City Commission for the rezoning request only and not the conceptual plans.

Chute – Under the MHDD (Manufactured Housing Development District) they could potentially build up to 10 units per acre?

McPherson – Correct

Chair Place opened the discussion up to Public Hearing at 5:15 pm and discussed how the proceedings would be run via Zoom; each participant must request to be recognized in order to speak and would be placed in a que at which time, their microphone would be unmuted in order to make their comment or ask their question. Each question would be written down by Chair Place, who would, in turn, ask the development team for the answer.

Steven Bratschie: Owner of GISA LLC - Introduced his team members consisting of Don Westphal Fox Run project architect and Marc McKeller, Attorney. He then gave a brief background of himself and his business. He understands the challenges for affordable/attainable housing that is stick built or in need of renovations, he has done his due diligence and understands why the numbers just don't work for stick built which is very expensive. In his opinion, in the current zoning ordinance MHDD allowing up to 10 homes per acre is impossible to attain, and feels that 4.9 to 5 units is best. During

his presentation for rezoning, his team has put together a conceptual proposal of 145 home sites which is best suited for the topography of the property and the community, allowing them the ability to provide needed housing options.

Don Westphal: Fox Run project architect - Briefly discussed his background. He began to review the power point presentation that he had and discussed the difference in a manufactured home, which must meet HUD codes, and a modular home, which must meet local building codes and how they are placed on lots. He stressed that this would not be governmental subsidized housing, but attainable. During the presentation he discussed sidewalks, retention pond plans, access to community facilities, the plans call for a mix of multi section & single section homes which will be very attractive housing options with attached porches and garages for some units.

Bratschie - I placed a Craig's list ad about 6 weeks ago, and had very positive responses from 35 to 40 people looking for this type of housing. Lakeview Village is a well-run community, however they are full and Fox Run will be just as appealing, however, better quality units due to manufacturing updates. The community will be pristine and maintained to the highest of standards. There are several lending institutions available for financing and people would be building equity in a home versus renting.

Opened for public comments

Jeff & Ruthann Porter: 620 Jefferson St. - Our property is adjacent to this project, will there be a 50 ft. or 25 ft. buffer? Will these manufactured homes be on foundations or just skirted and tied down? What about a traffic study the road is deteriorating since this project first came up in 2016.

McPherson - A traffic analysis was done in 2016, a traffic study is not required at this time. The traffic will be lighter that what was originally proposed as this proposed unit count is less.

Michelle Cortright: 221 Water St. - This will be a successful project, as it will help to meet our current housing needs. This is adjacent to Evangeline Township and I have some concerns about people going safely down the Jefferson Street hill which is steep.

Steve Schnell: Charlevoix County Housing Ready Program Director, member of the Boyne City Housing Solutions committee and Boyne City resident - The programs that I am involved in are doing everything we can to assist in the housing shortage and to fill the needs. This type of project will reach capacity in no time at all, it is a legitimate use of the land, it is supported in your Master Plan and it is very attainable housing for everyone.

Gordon Prince: 526 N. Lake St. Lot #92 - I live in Lakeview Village and they have just been granted consideration for an expansion project. My question is what monetary figures are you using for affordable housing? Conventional mortgage rates are not available for this housing type.

Vic and Joan Stevens: 649 Vogel St. - This development is adjacent to the rear of our property; I understand that there is an access easement out to Vogel Street. If this is opened up, it will literally run next to our driveway. Lakeview was just granted an extension for additional lots, do we really need another development in Boyne City?

Cheryl Tournaud: Vacant lot owner on JayCee Lane - My concerns are for the mortgage rates for this type of housing; it is currently at 6%; how is that affordable, the roof requirement is a 7/12 pitch, will these houses have that, I am afraid that our property values will decline, will they have to pay the same taxes that I pay, how will this development maintain their property values, and how/when will we get our questions answered?

Place - I am keeping track of all of the questions, and will be asking the development team at the end of public comment to answer them.

John Vousboukis: 636 Jersey St. - To place 145 houses on that small piece of land is like packing them in like rats, that is an awful lot of homes in that area; it is way too

many. Lakeview Village currently has 150 sites with 19 more why do we need another mobile home park? These houses will depreciate every year. The houses in the area are really nice, will their values go down?

Syd Baxter: Hawkridge Condo owner which is my second home – Given the need for service personal in the area, I feel that this development fits the needs of service workers. The density of this proposed project will be lower than previously approved. I feel that it is a good sound thinking and a well-planned project.

Eric Hartlep: 526 Jefferson St. (Rose Newton read an email from him on his behalf as he was not able to get in via Zoom) – He feels that Boyne needs a lot of affordable housing but that location has many drawbacks. I don't feel that this project will fill the need of poor folks from what I have been told. The city should keep a ledger of street and sewer repairs, and check what has been done on Jefferson Street the last 2 years. The road is in severe disrepair.

Ruthann Porter – What are the standards for the homes that will be placed? Will they all be new trailers or will older trailers be allowed in? I'm concerned about our property values going down with this many people coming in.

Gordon Prince - Affordable housing how are they going to be marketed, to workers, young families, second home buyers?

Cheryl Tournaud – Have any studies been done for the increase in law enforcement and fire? Can they handle another 145 houses without an increase in staffing? I have major safety concerns.

With no additional comments, closed public comments at 6:16 pm

Board Discussion

Newton - What is the return on investment for a manufactured housing community and can you substantiate ROI purchases through selling? Concerned about your statement that manufactured homes appreciate in value like stick built homes. Can you name any financial institution of a standard mortgage that allows a mobile home to be financed in a land leased area? What is the rate for Cascade loans currently? Without standard lending options, how can someone without a line of credit obtain a loan of \$ 55,000 and be considered affordable?

Westphal – Financing on manufactured home loans have always been a few points higher. Can't get into one of these houses without a down payment. The homeowner will have to qualify for a mortgage with credit checks to see their ability to pay the mortgage and lot payment in addition. Not everybody can afford everything. What is affordable – it is based on wages earned and wages allotted for loans.

Bratschie – Support in the Kelly School of Business article, citing increase in value is driven by demand. Certain houses depreciate faster than others; this goes for stick built as well. These homes will maintain the quality of value, and only new homes will be allowed in the community.

Westphal – There is a circle of home ownership; it is when someone wishes to downsize and leaves their existing home for something smaller like these manufactured homes, opening up the possibility of someone purchasing their larger home, these types of communities do not depreciate the values of homes in surrounding areas but increases them.

Chute – Are there going to be any other lenders available or just one primary lender of your choice? What is the difference between a modular home and manufactured home? You are requesting a full rezoning to MHDD, as opposed to a conditional rezoning and want to rescind the current zoning. Is there a reason for not asking for a conditional rezoning of this property based upon the density listed?

Westphal – Yes there are going to be other lenders available, there are federal guidelines against us steering buyers to a specific lender. The difference in modular homes is they are built to local codes, and the steel carriages must be removed and set

on a perimeter foundation of either a crawl space or basement. These will be certified in the factory to be built to local code with specific structural supports that must be met in order for the warranty to valid. A HUD house is built in the factory to HUD codes, has a permanent steel chassis that will remain with this house. It is less expensive to build due to HUD code and construction standards and these houses are skirted.

Place – Will there be a 50 ft. or 25 ft. setback?

Westphal – The front buffer on Jefferson St will be 50 ft. the buffer on the North, South and East sides will be 25 ft.

Place – What about the access to Vogel Street through the easement?

Westphal – We will have a boulevard entrance on Jefferson St. and the preliminary plans to the Planning Commission show only one entrance/exit. Fewer housing units will be facing Jefferson. The state mandates that every street must have a second way out; and the easement on Vogel would provide that if necessary in future plans.

Place – What about another traffic study?

McPherson – One is not required due to the amount of decreased units proposed and the decrease in the threshold for the amount of traffic that will occur.

Place – If the zoning reverts back to the original zoning, only 122 units maximum will be allowed. What about the soil analysis?

Bratschie – Exhibit 8 has the soil analysis attached, and we have engineer's certificates that the soils will support foundations for manufactured homes.

Place – How is affordable housing figured?

McPherson – Roughly 30% of your monthly income; this means different things to different people. In Boyne City the average income is in the area of \$55,000; so that would mean roughly 1,200 a month is considered affordable.

Place – What about the roof pitch, is there anything specific?

McPherson – in the TRD and RED district there are specific regulations, in the MHDD district there are not

Place – How do the taxes work?

Westphal – Boyne City accesses the value of the land with improvements which the developer would be responsible for, including the community facilities, club house, offices, etc. The land leased homeowners would be taxed for any additional specific items on their lot including the value of the home, carports, garages, sheds, porches, etc. In most communities, the developer/owner pays the gas, electric for the public areas and, sewer/water for the entire development and then a portion of that is charged in the lot rent based on individual home water meters. We are currently dealing with the land use, and the question is this project a reasonable and acceptable use of the land?

Chute – Currently there has been a conditional rezoning from Rural Estate District to Multi Family District; why are you seeking a full rezoning to MHDD as opposed to writing a new conditional rezoning for this property the same as in place? It would lock in the density as proposed, as opposed to the density in our current ordinance.

Westphal – If you rezone this to MHDD our next step will be to submit a preliminary site plan for your approval, and we bring it to you with 145 lots and you give us plan approval and I send your approved plan to the state with different lot numbers, they will kick it back and not give us a permit to build. That is your safe guard.

Chute – I don't understand how our ordinance can be so out of line with the state requirement and how can this project be locked in to 145 lots by a state approval.

Westphal – This is your ordinance and I don't know how you got to those numbers. In all of my time developing communities, I have never seen 10 units per acre in any other ordinance. In my opinion it is impossible with those numbers. I like to know appropriate separation between houses. The state limits how close houses can be; there are many people that want multi section homes, so those lots are much larger than a single section home. We can't build on the back section of the property that has a 40 foot rise maybe use that as a play or sledding area. We just don't see how a decent manufactured home community can build that many units at 10 per acre on this parcel.

Mark McKeller: Development Team Attorney – The proposal is not out of line with the rezoning; 10 units per acre just doesn't lend itself to a quality project. We can voluntarily condition the project and our plan. Reality the manufacturing housing conditions are inconsistent and automatically address density to preserve sites. Getting into conditional approvals can be messy. Adjustments can be made, this proposal is 1/3 the density of what is currently approved. The developer can build what has been approved with no extra meetings.

Moblo – Can we add year round residence requirements versus vacations or second homes to the conditions?

Westphal - One of our conditions is that they must be owner occupied with no short or long term rentals. I don't know how you would be able to legally regulate or put a 12 month occupied condition on who purchases each unit. In the past you could put families with children in one area, and senior citizens in another area of the development, you are not allowed to do that now, it would be discrimination; the communities are a blend of all types of homeowners blended in together.

McKeller – You cannot regulate types of ownership of 12 month occupancy vs 2nd home or snowbirds; however you can address a certain price range for workforce, senior, young families, people who just want to live there.

Moblo – Who would be responsible to set up the foundations; purchaser or management team?

Westphal – The State of Michigan regulates that a licensed manufactured housing installer is used.

Moblo – Will foundations be a part of the mortgage process or an additional cost?

Westphal – It will be all inclusive, the management team makes the arrangements.

Place – What about the street repairs and water runoff in the area and is there not a grading system for the streets and repairs?

McPherson – The plan must include storm water retention, and permits will be required. The City has an Asset Management System that is used to prioritize what area streets are in the most need of repairs.

Place – Law Enforcement and Fire Department have already looked at the plans?

McPherson – The other departments have looked at the site specific access plans; EMS, Fire & Police have the capacity to handle the increase without any additional personnel. Back in 2016 they indicated their departments were adequate to handle any additional demand, and this proposed plan has less units than what was approved back then.

Place – Tonight we are looking at the request to rezone this area not necessarily at the conceptual project. Is this area best served rezoned from the conditional use MFRD to MHDD?

Moblo – What happens if the previous conditional rezoning expires?

McPherson – It would revert back to the original Residential Estate District zoning an action that must be taken by the City Commission.

Newton – If the property is rezoned to MHDD, what else could be placed here other than a land leased community? As sole landowner, it would pigeon hole us into what they may choose to present?

Place – That is what this district is made for, so yes.

Newton – To re-clarify my questions, this can only be for a land leased community and not just manufactured home as a different situation?

McPherson – MHDD primary use would be a manufactured housing development, so that what this specific zoning would do.

Newton – Strictly the leasing of the real estate piece of land, with not a permanent structure on it?

McPherson - The goal and focus is to create this type of district.

Neidhamer – I would like to state some facts: Our Master Plan supports creating neighborhoods as needed, The Housing Solutions Committee came together 3 or 4 years ago and addressed the shortage of all house units, there are not a lot of any type of

housing left available, as has been stated, the last developer could not make stick built work for under \$ 250,000, the last couple of houses built by the school have been sold between \$ 250,000 and \$ 270,000, this development is half of those rates. The Planning Commission has been tasked with removing barriers, so that housing can be expanded and this plan fits that niche, we previously approved 212 units for this site, and they were not able to make those work, this is a good solution to a piece of the puzzle for the lack of affordable housing, and we have determined that this piece of property has a lot of good characteristics for this type of development. Lakeview Village has low to nonexistent law enforcement runs. We are trying to fill a niche with the lack of housing options, the citywide goals have 500 people stating that there is a housing shortage in our area, and local business owners are asking for help in creating solutions for the lack of housing so that can retain employees. This is not intense density wise, the original zoning would allow up to 300 housing units, the previous developer was granted 212 and this conceptual plan only shows 145 housing units.

Chair Place closed the meeting for questions at 7:22 pm, and now board discussion and deliberation will begin.

Chute – I agree that the need for housing is great, this may not be affordable but additional housing. Personally I am in favor of the proposed project; 145 units as the lot sizes are larger than the 50 ft. x 80 ft. city lots. I believe it needs to be a conditional rezoning as opposed to a full rezoning.

Place – I feel that we need to address and change the zoning ordinance at a future meeting, I agree that 10 units per acre is difficult, we need to look at the ordinance and clean it up and correct the language as a housekeeping issue.

Chute – Once we approve the zoning request, we have zero leverage if they come back with a different plan; legally if they meet all of the zoning ordinance, we cannot disapprove it. If we have a conditional, then the site plan is locked in and cannot be changed. I am concerned that the final site plan will come in different. Because this has conditional zoning on it, why not leave it as conditional now?

Neidhamer – Can staff clarify the difference between the conditional and a change to MHDD?

McPherson – The conditional zoning is an offer by the applicant and you can't require it. The city has the ability to accept their offer or not. Conditional zoning is used for a one specific use only, the MHDD has one use allowed so it doesn't make any sense. The state requirements and their limitations, they limit what you can have developed on a site; having anything close to our 10 per acre is an impossibility. They have put a lot of effort into the conceptual plans and what they would ultimately like to do, that I don't see them making major changes now.

Ross – This is a tract of land that has sat with existing zoning forever, no one has developed it forever, the adjacent zoning is RED and if the conditional rezoning expires, it would go back to the original zoning. The adjacent development has many sites undeveloped, an option is to give the development team the ability to develop this project, or we let it sit for another 50 years untouched.

Newton – I believe there are larger ramifications with what has been shared so far; if this is permitted it will be use by right, I have concerns about what has been presented in what land leased communities look like and what is affordable housing. I'm not seeing how manufactured homes do not decrease in value, and will that be a personal loss by the homeowner and what happens once the home ages out? What are we creating in fair housing by only allowing new homes to be placed, what about someone who may have an older home and won't be allowed to place it here; how affordable is only having new homes. With only owner occupied homes, an individual homeowner is losing some of their rights of not being allowed renting out for financial gain. We already have a land

leased community and I personally feel that Boyne City is not large enough for a second one.

Moblo – My question would be can we place conditions on the starting of the project with a time line of placement for infrastructure and the development of the park sites itself? If that is not met then it defaults and reverts back to the RED, is that a potential?

McPherson – You are making a recommendation today only on zoning

Chute – We are making a recommendation to approve or disapprove today.

Neidhamer – Stick built development has been tried before and can't be done, we should give them an opportunity for the project. A conditional use won't get us any closer than what the MHDD requires. This type of housing has become very popular, they are built using 2x6 construction, have vinyl siding and pitched asphalt shingles. They are not the old tin boxes of yesteryear.

Newton – Being in the industry, I know that HUD homes are built to national guidelines and not based on snow load in Northern Michigan. I have seen a lot of roofs caved in due to not being built to handle the snow loads. I do not see that addressed other than the 5/12 pitch.

Neidhamer – I disagree, they said they would be built to Northern Michigan standards.

Newton – I think that the roof pitch not being addressed to Northern Michigan snow loads is another point of concern.

McPherson – In the TRD minimum pitch is 5/12

Chute – Does the MHDD have a minimum or maximum requirement?

McPherson – No, homes must be to HUD guidelines

Chute – Does HUD have any requirements for a roof pitch?

McPherson – I am not familiar enough with regards to what HUD requires

Chute – I have to disagree with Tom, to reject this and to have them come back with a conditional, we are still giving them a chance to develop their property. If they had come to us with a conditional, we would be able to add our own conditions to it in regards to roof pitch, snow load, and density. I can't approve a request that does not have the density requirements that are shown on this plan.

Place – They are the ones that dictate what conditions they would like to present to the commission, we cannot put any additional conditions on it. We then have the ability to accept or reject their plan, which is then final to the submitted plan.

McPherson – Their application is in front of you tonight with a hearing; so you need to take some type of action and make a determination on this application only.

Newton – For our amendment criteria bullet point #7; can you confirm that the city does not have any other properties like this one?

McPherson – There are no other parcels within the city of this size that has available infrastructure such as paved roads, water and sewer.

Neidhamer - Is it true that we have been trying to get away from the use of conditional zoning?

McPherson – It is a tool that has been used in the past, and in this case there is not much value in conditional rezoning as the proposed zoning is pretty specific, and I don't see how you can make further conditions. You would need a recommendation to the City Commission on the rezoning request before you tonight.

With no further board discussion, **motion by Newton, seconded by Chute** to not recommend to rezone parcels 15-051-026-005-00 and 15-051-026-004-15 from MFRD to MHDD.

Motion

2020-7-20- 7A

Roll Call:

Ayes: Chute Moblo, Newton and Place

Nays: Neidhamer and Ross

Absent: MacNaughton

Abstain: None
Vacancy: Two
Motion Carries

**Development Plan
Review for Great Lakes
Energy 1323 Boyne
Avenue**

Planning Director Scott McPherson reviewed his staff report included in the agenda packet. Great Lakes Energy is requesting a development plan approval to renovate and expand their existing facility location for parcels 051-336-165-30, 051-336-164-30, 051-300-009-10 and 15-336-165-30 located at 1323 Boyne Avenue. This 19.7 acre site is zoned RC/IND and PID and currently serves as the office and storage yard. The proposed project would expand the existing facility with two building additions and freestanding garage and would reconfigure the site parking and storage areas including required associated infrastructure improvements. These proposed additions would be similar in character and architecture of the existing facility and surrounding areas. The easterly access drive on Boyne Avenue will be removed and the westerly access drive will be shifted to the west to line up with the Boyne Summit Drive across the street. The existing access points on Air Industrial Park will remain and a new access will be developed on Altair Drive on the west end of the site. The proposed plan meets zoning ordinance section 20.20 Schedule of Regulations criteria for setback, building area and building height. A landscaping plan has been provided, while the plan does not include the exact amount of trees and shrubs as required in the standards, the existing landscaping in addition to the proposed plan appears to accomplish the ordinance objective of creating the necessary buffers and aesthetics. The development team has requested the planning commission consider modification of the required landscape standards as allowed per BCZO Section 23.60. The proposed 211 parking spaces exceed the required minimum of 99.

Nick Liebler: Architect for the project – Not a lot on our proposal has changed since we were before you in January, we have just outgrown our facilities. We purchased the Carters site to place the expansion and will be the location of the new offices. Beckett & Raeder assisted us with the site plans.

Tim Knutson: Becket and Raeder – Walked the board through the site plans submitted; there will be a realignment of the driveway of the new building D and will utilize the existing access off of Air Industrial Drive and create a new access drive off of Altair Dr. Storm water will be captured on site with 3 ponds; the landscape buffer on Altair and Air Industrial Park will remain, and we have the new landscape with an emphasis on street frontage for the new building to match the landscaping around the existing building. It does not fully meet the requirements of the landscape plan, however, we feel that it is very close and appropriate to match the existing planting around the current buildings.

Chris Degood: - As you can see from the plans the grassy area to the west will be used for staging vehicles that are brought in to assist in an emergency. That is the only time that we will have anything staged in that area.

Knutson – The proposed landscaping offers vehicle shading of some sort, but still allow for vehicle maneuvering; he also discussed the landscape designs around the buildings.

Degood – I believe we have been responsive to the zoning expectations and highlights the appearance of the buildings to passersby and the community.

Knutson – As has been stated, we feel the current landscaping and what has been proposed accomplishes the ordinance objective of creating buffers. We are asking for consideration to the modified plans submitted of the required standards.

Degood – The building all have updated sprinkler systems, the water utility system, sanitary system are all met by the existing services.

Liebler – The site and building materials are of good blend of the existing facilities and the proposed facilities.

Public comment opened at 8:08 pm

Barbara Malpass-Young: 1003 Hull St. – I feel that this project will be beneficial to the community and is a very nice project.

Steve Drake: CFO Great Lakes Energy - Wanted to take this time to thank the commission for allowing us to come back with additional detailed plans. He introduced Shari Culver – VP of Marketing and Shawn Camp CEO of Truestream. We all feel that the new addition to our facilities will benefit the company and Boyne City, we will be hiring additional employees so will grow operationally and our employee base.

With no further public comments, closed at 8:11 pm and continued with board discussion.

Place – I love the fact that there are so many windows, I feel that it fits well into the community.

Chute – I believe it matches the existing building well and will be an asset to the community

Newton – GLE makes a clear rationale from our standards, and I believe they are meeting our objectives, the new facility will continue to serve thousands in our community.

Neidhamer – Job well done

At this time; Planning Director McPherson and Chair Place facilitated discussion of the Finding of Facts, Section 19.40 Development Plan Approval Criteria.

With no further board discussion and after going through the Findings of Fact, **motion by Chute, seconded by Ross** to approve the site plan with the landscaping as shown accepting the variance to our ordinance requirements; Administration to review and approve the Photometric, mechanical and sign requirements.

2020-7-20- 7B

Roll Call:

Ayes: Chute Moblo, Neidhamer, Newton, Place and Ross

Nays: None

Absent: MacNaughton

Abstain: None

Vacancy: Two

Motion Carries

Staff Report

- The city office is open as of July 13th, the Planning Department is working in the office, however, the staff are rotating days of working from home.

Good of the Order

- Will the August meeting be held via Zoom also? Undetermined at this time.
-

The next regular meeting of the Boyne City Planning Commission is scheduled for Monday, August 17, 2020 at 5:00 p.m.

Adjournment

****Motion**

Newton moved, Ross seconded a motion to adjourn the July 20, 2020 meeting at 8:33 pm

2020-7-20-10

Roll Call:

Ayes: Chute Moblo, Neidhamer, Newton, Place and Ross

Nays: None

Absent: MacNaughton
Abstain: None
Vacancy: Two
Motion Carries

Chair Aaron Place

Recording Secretary Pat Haver

Draft

CITY OF BOYNE CITY

To: Michael Cain, City Manager 
From: Mark Fowler, W/WW Superintendent
Date: 8/6/20
Subject: Hydrogeological Study

Discussion

EGLE renewed the City's NPDES discharge permit effective August 1st, 2020. The new permit had some additional requirements in regards to the lagoon. We are required to complete a Hydrogeological Analysis to determine ground water flow and complete a monitoring well sampling plan. These items need to be complete and submitted to EGLE by October 29th, 2020.

There are 4 monitoring wells around the lagoon area. EGLE has not required them to be sampled for the last 30 years. But due to the age of the lagoon they want us to start sampling the monitoring wells quarterly to determine if there may be any leakage from the lagoons.

I reached out to the City's Engineer C2AE and they do not do Hydrogeological Assessments. So, I contacted Tetra-Tech and due to the short timeline imposed by EGLE to have the work completed I am proposing that the City hire Tetra-Tech to do the hydrogeological study and sampling plan. They will evaluate the wells; perform survey work to get coordinates and elevations of all wells. Develop the monitoring wells to ensure representative groundwater results when the wells are sampled. Then complete the Hydrogeological report and sampling plan when the field work is complete.

We do not have to start sampling the monitoring wells until EGLE approves the Hydrogeological report and sampling plan.

The cost is broken down as follows:

Field work	\$2958.00
Hydrogeological Report and sampling Plan	<u>\$2345.00</u>
Total Project Cost	\$5303.00

Tetra Tech comes highly recommended. They have been doing the Hydrogeological work and sampling for the City of Petoskey at their old landfill for many years.

We have money in the budget to cover this work even though it was an unexpected cost. We did not get to see the draft NPDES permit until after we had completed the budget for the year.

Recommendation

I recommend that the City Commission authorize the City Manager to sign the agreement to have Tetra Tech perform the Hydrogeological Study for \$5,303.00.

Options:

- 1) Deny the request
- 2) Postpone for further consideration
- 3) Other options as determined by the City Commission

CITY OF BOYNE CITY

To: Michael Cain, City Manager 
From: Mark Fowler, W/WW Superintendent
Date: 8/6/20
Subject: Valve Exercising

Discussion

I would like to propose that the City hire Wachs Water services to perform a Valve Exercising Program. They would do one-third of the valves this year and then another third next year and the final third the year after. They came and exercised ½ the valves in September of 2015 and the other half in May of 2016. The original plan had been for them to exercise the valves (because they had not been exercised in the past only turned when needed) and then evaluate them and then for us to start a valve exercise program. However, we have not been able to get to it with all the other work we have. The last two summers I had hoped to have summer help to help with this endeavor but we have not had any applications.

Wachs water has the equipment to turn the valves electrically using the minimum torque on each valve so as not to over torque the valve and damage it. If a valve is frozen up they will work to free it up and they have a historical record of returning 88% of these valves to full operability. They will locate the valves, clean out the valve boxes, exercise the valve, check the torque limits on each valve, perform minor repairs, provide mapping with GPS coordinates of all valves. They will also provide documentation on all valves as to size, type of valve, depth of valve, number of turns to open or close the valve, close direction, torque and any operational discrepancies.

Wachs Water is a specialist in valve asset management and exercising. . They perform work all over the State of Michigan and the Midwest. Locally they service the valves in Petoskey and Traverse City.

The cost to have this service performed is \$ 10,583.00 annually for each of the next 3 years. There will be a reduction in the price by \$750.00 for the mobilization if we schedule it in coordination with the time they will be performing the same type of work for the City of Petoskey. The annual cost would then be \$9833.00. There is money available in the budget to pay for it.

Recommendation

I recommend that the City Commission authorize the City Manager to sign the agreement to have Wachs Water perform the valve work for the next 3 years for an annual amount of \$10,583.00.

Options:

- 1) Deny the request
- 2) Postpone for further consideration
- 3) Other options as determined by the City Commission

**City of Boyne City goals and high priority actions
2018-2020**

As approved - January 22, 2019

Be excellent stewards of taxpayer funds. Develop tools and processes to allocate City funds efficiently and better forecast future City financial needs and challenges.

High priority actions:

- 1A • Create a five-year financial forecast model using internal and external expertise
Lead: City Manager and Clerk/Treasurer
Target Completion: January 2020
- 1B • Improve the City's Capital Improvement Plan process.
Lead: Planning Director, Director of Public Works, Planning Commission
Target Completion: December 2020

Engage our Community. Get residents involved in Boyne City government more often. Make it easy for residents to learn about City policies, operations and actions.

High priority actions:

- 2A • Update and upgrade City's website so that it is streamlined, easy to navigate, responsive on a variety of devices, and meets accessibility standards.
Lead: Executive Assistant
 - Target Completion: July 2020
- 2B • Improve quality of email newsletter and social media communications and develop a publication strategy.
Lead: Executive Assistant
Target Completion: January 2020
- 2C • Improve strategies for recruiting residents to serve on city boards and commissions.
 - *Come up with a common process for filling board/commission vacancies*
 - *Advertise open board positions using newsletters and social media*Lead: City Clerk
Target Completion: September 2019

3

Increase housing availability. Work with all segments of the community to develop and implement a common vision leading to a sustainable mix of housing options in and around Boyne City that maintains our community character. Align our City regulations and plans to support this vision.

High priority actions:

- 3A • Inventory all available City properties for potential housing development.
Lead: City Manager, Planning Director
Target completion: September 2019
- 3B • Develop a property maintenance standards ordinance to provide additional tools for improving substandard housing units.
Lead: Planning Director
Target completion: July 2020
- 3C • Review Zoning Ordinances and the Master Plan with the intention to eliminate unnecessary barriers to providing needed housing options, especially for families and workers.
Lead: Planning Director
Target completion: October 2020
- 3D • Examine issues arising from short term (less than monthly) rentals and their community impacts
 - o *Determine Next Steps*
Lead: Planning Director
Target completion: November 2019
- 3E • Research successful private/public partnerships in housing development.
Lead: Housing Summit Team, Planning Director
Target completion: December 2019

4

Keep Boyne City's economy strong and resilient. Foster a strong local year-round economy that builds upon existing businesses and welcomes compatible ones. Focus efforts and resources to create family sustaining jobs. Enhance City plans and policies to further support business development.

High priority actions:

- 4A • Reaffirm community vision for acceptable uses and building forms on potential redevelopment sites in the downtown area.
Lead: Main Street Executive Director, Planning Director
Target completion: July 2020
- 4B • Review the city Master Plan and Zoning Ordinance to assure that adequate opportunities exist for commercial, office, residential and mixed uses, especially small and home-based businesses.
Lead: Planning Director
Target completion: October 2020
- 4C • Acquire property for business park expansion and work with adjoining townships to develop expansion plans.
Lead: City Manager
Target completion: July 2020

5 **Protect Lake Charlevoix and Boyne River.** Protect and enhance lake and river water quality, especially impacts of storm water runoff.

High priority actions:

- 5A • Engage regional partners and City engineer to :
 1. Review already identified issues and recommended remedies
 2. Evaluate additional areas of concern
 3. Determine estimated costs for improvements and possible timeline
 4. Review City's practices along lakeshore and Boyne River
 5. Review development standards for both public and private propertiesLead: Director of Public Works
Target completion: May 2020
- 5B • Develop City storm water ordinance in cooperation with East Jordan, Charlevoix and other regional partners.
Lead: Planning Director, Director of Public Works
Target completion: May 2020
- 5C • Develop plan and cost estimates for storm water discharge options
Lead: Director of Public Works
Target completion: May 2020
- 5D • Investigate options rain gardens and natural retention areas... move from "Gray" infrastructure to "Green" infrastructure
Lead: Director of Public Works
Target completion: December 2019

August 2020

August 2020							September 2020						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
						1			1	2	3	4	5
2	3	4	5	6	7	8	6	7	8	9	10	11	12
9	10	11	12	13	14	15	13	14	15	16	17	18	19
16	17	18	19	20	21	22	20	21	22	23	24	25	26
23	24	25	26	27	28	29	27	28	29	30			
30	31												

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Jul 26	27	28	29	30	31	Aug 1 6:00am Mich Mtn. Mayhem
2	3	4	5	6 8:30am Main Street Board mtg.	7	8
9	10	11 7:00pm City Commission	12	13 5:00pm Parks & Rec	14	15
16	17 5:00pm Planning Commission	18	19	20 5:00pm Historic District	21	22
23	24	25 12:00pm City Commission	26	27 5:30pm Airport Advisory Board	28	29
30	31	Sep 1	2	3	4	5

September 2020

September 2020							October 2020						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5					1	2	3
6	7	8	9	10	11	12	4	5	6	7	8	9	10
13	14	15	16	17	18	19	11	12	13	14	15	16	17
20	21	22	23	24	25	26	18	19	20	21	22	23	24
27	28	29	30				25	26	27	28	29	30	31

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Aug 30	31	Sep 1 5:00pm ZBA	2	3 8:30am Main Street Board mtg.	4	5
6	7 Labor Day (United States)	8 7:00pm City Commission	9	10 5:00pm Parks & Rec	11	12
13	14 Summer Taxes due 12:00pm EDC/LDFA	15	16	17	18	19
20	21 5:00pm Planning Commission 7:00pm Historical Commission	22 12:00pm City Commission	23	24 5:30pm Airport Advisory Board	25	26
27	28	29	30	Oct 1	2	3