



**City of Boyne City**  
Founded 1856

319 N. Lake Street

Boyne City, Michigan 49712  
www.boynecity.com

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**BOYNE CITY  
CITY COMMISSION REGULAR MEETING  
Boyne City Hall  
319 North Lake Street  
Tuesday, November 12, 2013 at 7:00 p.m.**

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE
2. OATH OF OFFICE FOR ELECTED COMMISSIONERS
3. ROLL CALL
4. ELECTION OF MAYOR
5. ELECTION OF MAYOR PRO TEM
6. 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 October 22, 2013 regular City Commission meeting minutes as presented
7. HEARING CITIZENS COMMENTS (on non-agenda items; 5 minute limit)
8. CORRESPONDENCE
  - A. Correspondence from the State of Michigan Department of Licensing and Regulatory Affairs regarding the "Uniform Video Services Franchise Act"
9. CITY MANAGER'S REPORT
10. REPORTS OF OFFICERS, BOARDS, AND STANDING COMMITTEES
  - A. Draft Minutes of the October 1, 2013 Zoning Board of Appeals Meeting
  - B. Draft Minutes of the October 3, 2013 Main Street Board meeting
  - C. Draft Minutes of the October 3, 2013 Parks & Recreation Commission Meeting
  - D. Draft Minutes of the October 15, 2013 Historical District Commission Meeting
  - E. Draft Minutes of the October 21, 2013 Planning Commission Meeting
  - F. Draft Minutes of the October 24, 2013 Airport Advisory Board Meeting
11. UNFINISHED BUSINESS

An Equal Opportunity Provider and Employer

**Hometown Feel, Small Town Appeal**

12. NEW BUSINESS

A. SAW Grant Application

Consideration to approve the resolution to submit a Storm Water Management and Wastewater (SAW) grant application to the Michigan Department of Environmental Quality for the planning, design and construction of improvements for the collection and treatment of wastewater and / or storm water systems

B. Trail Town Support

Consideration to support the recommendation of the Parks and Recreation Commission and Main Street Board for Boyne City to become a "Trail Town" and to authorize the City Manager to execute the required documents for engaging the professional services of the Land Information Access Association in the development of the "Trail Town" master plan

C. Rivermouth Irrigation Bid

Consideration to approve a contract with Haley Irrigation of Boyne City in the amount of \$15,350 and authorize the City Manager to sign the required documents

D. 2014 City Commission Meeting Schedule

Consideration to approve the 2014 City Commission meeting schedule as presented with all meetings to be held at Boyne City Hall, 319 North Lake Street

E. Community Goal Setting and Joint Board and Commission Meetings

Consideration to schedule a Community-wide Goal Setting meeting for 6:00 p.m. on January 9, 2014 at the St. Matthews Church Fellowship Hall and a Joint Board and Commission meeting for at 6:00 p.m. on Thursday, February 13, 2014 in the Boyne City Hall Auditorium and authorize the City Manager to make the necessary arrangements

F. Asian Carp Resolution

Consideration to adopt a resolution regarding Asian Carp to be forwarded to our representatives in Lansing and Washington D.C.

13. GOOD OF THE ORDER

14. ANNOUNCEMENTS

- The next regular City Commission meeting is scheduled for Tuesday, November 26, 2013 at noon
- City Offices will be closed on Thursday, November 28 and Friday, November 29, 2013 in observance of Thanksgiving

15. 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*



*Scan this QR Code or go to [www.gov.boyne-city.com](http://www.gov.boyne-city.com)  
for full agenda packet materials.  
Click on ' Minutes and Agendas ' on the left of the homepage and follow the links to  
City Commission Agendas/Agenda Packet*

**OCTOBER 22, 2013  
REGULAR MEETING**

RECORD OF THE PROCEEDINGS OF THE REGULAR BOYNE CITY COMMISSION MEETING DULY CALLED AND HELD AT BOYNE CITY HALL, 319 NORTH LAKE STREET, ON TUESDAY OCTOBER 22, 2013 AT NOON

**CALL TO ORDER**

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

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

Staff: Cindy Grice, Michael Cain, Scott McPherson, Barb Brooks, Hugh Conklin, Jeff Gaither, Dan Meads, Anne Doyle and Andy Kovolski

Others: There were 7 citizens in attendance, including representatives from the Charlevoix County News and Petoskey News Review

**CONSENT AGENDA  
MOTION**

2013-10-144  
Moved by Towne  
Second by Sansom

2013-10-144A  
Approval of the October 8, 2013 City Regular City Commission meeting minutes as presented

2013-10-144B  
Approval of the recommendation to reappoint Jeff Wellman to the Boyne City Historic District Commission for a three year term ending November 30, 2016

2013-10-144C  
Approval of the recommendation to reappoint Chris Bandy to the Boyne City Historic District Commission for a three year term ending November 30, 2016

2013-10-144D  
Approval of the recommendation to appoint Chris Glassford to the Boyne City Historic District Commission for a three year term ending November 30, 2016

Ayes: 5  
Nays: 0  
Absent: 0  
Motion carried

**CITIZENS COMMENTS**

None

**CORRESPONDENCE**

Correspondence from Freshwater Future regarding a resolution supporting the finding of a permanent solution to stop the Asian carp was received and filed. Commissioner Gaylord said he researched the Freshwater Future and has reservations endorsing a resolution for this group. He added that he does not want Asian Carp in our waterways. Commissioner Sansom added that Asian Carp is a serious issue addressing the Great Lakes. Commissioner Neidhamer stated by signing this, we are endorsing the whole organization and we would have more strength working jointly with the other Cities in the county, the Tip of the Mitt and the Lake Charlevoix Association.

Mayor Pro-Tem Towne read correspondence he received from resident Paul Hanes

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City Manager Cain reported:

- The Fire Department training house burn on Pleasant avenue went well and the site is being cleaned up.
- Leaf pick-up is underway.
- The acting sub committee for the proposed dog park felt it was better to bring more detailed plans back to the City Commission for review and consideration. Applications are being accepted from persons interested in serving on a subcommittee under the Parks & Recreation board. It is the goal to bring this back to the City Commission later this year or early next year.
- The downtown drinking fountains are being removed so their internal plumbing can be repaired over the winter and be ready to put back into service in the spring.
- Last week, I met with representatives of the Clean Energy Coalition of Ann Arbor to determine if they can assist us in the City Facilities project by projecting potential cost savings due to efficiency improvements and if there are potential grants available.
- The variable frequency drive at the pump station at Peninsula Beach has been repaired as approved by the City Commission and is back to normal operation.
- The marina dredging project is moving along well and still expected to be complete by November 1.
- Flotation Docking will be in next week to begin the repairs of the finger piers.
- Soil borings are being completed for the marina improvement project which includes the shoppers dock and fixed dock replacement.
- Bid documents are being finalized for the new fire truck and will be available this week with bids due back on November 21.
- The Planning Commission approved plans to remodel and expand Glens Market to include a drive-thru for their pharmacy on the north end of the building.
- We are hearing more about food trucks in the area and are getting inquiries from people looking to bring them to Boyne City. While they have been present in town as part of some of our festivals and events for some time, we are now getting inquiries for stand alone occurrences. Anne Doyle is researching this matter and we may possibly bring this back to the Commission in December.

Main Street Director Hugh Conklin presented an update to the 2013 Boyne Thunder event. The event generated a gross total of \$189,255. \$42,046 was presented to Camp Quality and \$7,644.78 to Challenge Mountain representatives. \$26,756 will be transferred to Main Street.

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The September, 2013 Financial Statement was received and filed.

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Mayor Grunch Opened the Public Hearing to close out the MEDC Community Development Block Grant #MSC 210022 in which federal funds were used for the Boyne Country Provisions and Radio Shack Façade Projects at 12:39 p.m.

## CITY MANAGERS REPORT

### REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

**Public Hearing for MEDC  
CDBG #MSC 210022 CDF  
Grant Close-out**

Main Street Director Hugh Conklin discussed the process to complete the Façade Improvements project for Boyne City Radio Shack and Boyne Country Provisions. A public hearing is required to review the project in which federal funds were used, and to close out the grant project as required under federal guidelines. The CDBG Funds for the project were \$181,428 with a private match of \$71,880. The project was completed last summer. Before and after photographs of the project were presented.

Staff Comments: None

Citizens Comments: None

Board Comments: All Commissioners agreed the project has greatly enhanced the downtown and the improvements are outstanding.

Mayor Grunch closed the Public Hearing at 12:44 p.m.

**Public Hearing for CDBG  
#MSC 211014 - DIG Grant  
Close-out**

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Public Hearing to close out the Community Development Block Grant #MSC 211014 in which federal funds were used for the South Park Street Infrastructure Project

Mayor Grunch opened the Public Hearing at 12:44 p.m.

Barb Brooks discussed the process to complete the Downtown Infrastructure Grant for South Park Street. A public hearing is required to review the project in which federal funds were used, and to close out the grant project as required under federal guidelines. The project involved the complete reconstruction of South Park Street from Water to Pine Streets, was substantially completed in the fall of 2012 with restoration and punch list items completed in the spring of 2013. All invoices related to this project have been paid and all pay requests have been submitted to the state and reimbursements have been received. The original project budget which did not include the burial of the underground utility lines on Ray Street was \$719,200. Of that budget, \$503,440 came from CDBG funds and \$215,760 was local match.

Staff Comments: None

Citizens Comments: None

Board Comments: Commissioner Neidhamer said another job well done. Commissioner Gaylord said the project turned out great. Commissioner Sansom said she has heard only positive comments:

Mayor Grunch closed the Public Hearing at 12:46 p.m.

**Cemetery Gate and Policy  
Discussion**

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Consideration to direct staff to schedule a public hearing for input from citizens regarding Maple Lawn Cemetery Gate and Policy for the December 10, 2013 City Commission meeting.

Clerk / Treasurer Cindy Grice discussed the four phases of fence installed around the perimeter of Maple Lawn Cemetery. The total cost of the project to date is \$153,924 with approximately \$11,800 of that paid by donations received for assistance in funding this project. We have since received an additional \$10,308 in donation for cemetery gates from donations in memory of Jim Stackus and other contributions. Those funds have been donated specifically for, and set aside for this purpose,

we need to look at related issues and come up with an overall plan. I believe the first is the establishment of hours the cemetery is to be open. Currently our Cemetery does not have established hours it is to be open. We also do not have an ordinance establishing hours of operation.

A survey of other cemetery's operations was conducted. The following points were introduced: Leave operations as they are, open at all times; discuss the purpose of the gates, are they for security or decorative purposes, totally secure the cemetery or deal with cut thru traffic; choose what, if any, hours the cemetery is closed to the general public. If such hours are established, how would they be enforced; if gates are purchased and to be close, which ones would be the first priority and who will open and close the gates; discuss the possible two entrances that could be closed off soon at a minimal cost. Grice added that estimated costs for the gates at approximately \$36,000 have been received. She also recommended that due to the sensitive issue of whether hours are established or not, gates closed or not, a public hearing for input from citizens regarding this matter be scheduled.

Staff Comments: City Manager Cain agrees with the recommendation.

Citizens Comments: Eleanor Stackus agrees with the recommendation to move forward. People use the cemetery by riding their bikes thru it, the cross country team runs thru it, people walk their dogs thru it and don't clean up after them. We need to do studies and move forward. She is for putting one gate on Boyne Avenue.

Board Deliberation: Mayor Pro-Tem Towne said the money was donated for the gates and he would like to hear from the public. Commissioner Neidhamer said is all for further input. Commissioner Sansom said she is in favor of having a public hearing and would like the vandalism history. Commissioner Gaylord said it is too premature to give input at this time.

Staff was directed to schedule a public hearing.

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Consideration to engage the services of Environment Architects to complete Phase I of the Veteran's Park Pavilion Project for a fee of \$7,500 and authorize the City Manager to sign the required documents.

Main Street Program Director Hugh Conklin discussed the Veterans Park Pavilion project. The purpose of the project is to develop architectural designs and cost estimates to expand and retrofit the pavilion into a multi-use, year-round structure, including use as a winter farmer's market location. A key component of the process will be a multi-day Charrette, where all members of the community and users of the pavilion will be invited and encouraged to participate. The City of Boyne City has been awarded a \$12,500 Michigan Economic Development Corporation grant which requires a dollar for dollar match to assist with the project.

**Veteran's Park Pavilion  
Consultant**

The first phase of this project will include three components. The first will be an analysis of the existing structure and site, the second is the multi-day Charrette followed by a public presentation of the design and initial cost estimates; and the third is a final report documenting the process and findings for use in implementation. The committee's goal is to hold the Charrette before the end of the year.

Requests for Qualifications were requested and three firms submitted proposals. All were interviewed by the Veterans Park Pavilion Project Committee. Environment Architects of Traverse City is being recommended based upon those interviews.

Staff Comments: City Manager Cain added that Environment Architects' fee was also the lowest.

Citizens Comments: Farmer's Market Manager Becky Harris supports the committee and said she has a lot of confidence in this process.

Board Deliberation: Commissioner Gaylord inquired how the choice of committee members was made. He also inquired how much the farmer's market users pay to Main Street and has there been a discussion of formation of a co-op of users? Hugh Conklin said this is an opportunity to look at all sorts of things. Becky Harris added this grant was a good fit for this project. Commissioner Gaylord said we need to keep our options open. Maybe that isn't the best thing. Are there some other areas we could explore. How many of the firms were going to use the Charrette process. Hugh Conklin said it was required of all of them. Commissioner Gaylord asked if the City Commission is going to be part of the process.

Commissioner Sansom said this is an important first step. There is a great need in the community. She is all in favor of moving forward regardless of how the committee was selected. City Manager Cain said this is very strong about community participation. Mayor Pro-Tem Towne said he is for moving forward and for using the parks as much as possible, using public input. Commissioner Neidhamer said the Farmer's Market is an economic engine and he is in favor. The grant was the stepping stone. He thanked the Farmer's Market for being an engine.

2013-10-145  
Moved by Sansom  
Second by Towne

**MOTION**

To engage the services of Environment Architects to complete Phase I of the Veteran's Park Pavilion Project for a fee of \$7,500 and authorize the City Manager to sign the required documents.

Ayes: 5  
Nays: 0  
Absent: 0  
Motion carried

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Consideration to approve the bid from the Wood Shop in the amount of \$5,400 to manufacture and install the signs for

**Avalanche Signage**

Avalanche Park as presented, accept the donation from the Justin Conklin Memorial Fund to pay for the project and authorize the City Manager to sign the required documents.

Public Works Superintendent Andy Kovolski discussed the Parks and Recreation Commission has been working with Hugh and Susan Conklin with the Justin Conklin Memorial Fund on signage to be placed at Avalanche Park. The Conklins have offered to pay for the cost of the signage and installation of the project. The signs are meant to help people better navigate the park and its trail systems. The Wood Shop has quoted \$5,400 to manufacture and install the signs. Illustrations of the proposed signs were presented. Hugh Conklin presented current photographs of the lookouts, paths and landscaping that were created by the Justin Conklin Memorial Fund at the top of Avalanche. Susan Conklin said, regarding the signs at the top of Avalanche, the goal was to keep a view open and place the sign closer to one of the overlooks.

Staff Comments: EMS Director John Lamont said he supports the signage from an emergency response aspect as well.

Citizens Comments: Jim Baumann said he thinks this is great. He has lobbied for better signage.

Board Deliberation: Mayor Grunch said it is a beautiful tribute to Justin and is in full support. Commissioner Neidhamer said there are always people lost up there. He appreciates the dedication and the love the Conklins have for Boyne City. Commissioner Gaylord agrees and said it is a wonderful contribution in memory of their son. Mayor Pro Tem Towne agrees and thanked the Conklin family. Commissioner Sansom also agrees and said the signs are outstanding and generous.

2013-10-146  
 Moved by Towne  
 Second by Gaylord

**MOTION**

To approve the bid from the Wood Shop in the amount of \$5,400 to manufacture and install the signs for Avalanche Park as presented, accept the donation from the Justin Conklin Memorial Fund to pay for the project and authorize the City Manager to sign the required documents.

Ayes: 5  
 Nays: 0  
 Absent: 0  
 Motion carried

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Consideration that the Planning Commission annually review potential candidates for the Marvin Loding awards, consider awards for land use categories and the award should only be given out for clear examples of innovation and / or excellence in land use. Award nominations should be considered in August and the award, if given, be presented in September

**Marvin Loding Award  
 Discussion**

Planning Director Scott McPherson discussed the Marvin Loding Community Pride Award that was established in 1986 and designed

to recognize individuals, businesses and industry for community pride and excellence. Awards were based of physical appearance of property which included landscaping, renovation, appearance, maintenance and harmony with the neighborhood and for community spirit which included community involvement, civic contributions, leadership qualities or special contributions to the City. Since its inception, the award was given out annually by the Planning Commission. Nominations could be submitted by anyone and the Planning Commission would review the nominations and vote on the awardees by secret ballot. Since 2007, the award was not given out. At a recent City Commission meeting, an inquiry was made in regards to the status of the award and the issue was brought to the Planning Commission for discussion and direction.

The Planning Commission reviewed and discussed the award and believed that potential recipients should be reviewed each year and the award should only be given out if there are deserving candidates. The Planning Commission also believes that the considerations for awards by the Planning Commission should be limited to land use and considerations for awards for community spirit and civic contributions are more appropriately considered by the Chamber of Commerce. The Planning Commission also discussed the timing of the award and believed that nominations for the award should be considered in August and awards presented in September instead of June and July allowing for projects to be completed thru the summer construction season and allowing awardees to be recognized in the fall at the community picnic.

Staff Comments: None

Citizens Comments: Jim Baumann said he thinks it's a great idea.

Board Deliberation: Commissioner Sansom said the land use is just for buildings and she would like to see this brought back. Commissioner Gaylord said we need to go back to the real intention of the Marvin Loding award. If we call it that, then it should be what the original intention. Commissioner Neidhamer said he doesn't think we are doing any disservice to the intent of the award. We are trying to simplify this. He doesn't think we are being disrespectful in our historical significance. Over times, things change. He added he thinks we are making it more significant.

Commissioner Sansom said times have changed quite a bit. She is just wondering if, because so much in going on throughout the community, maybe we should have 3 different categories and see how it does. Mayor Grunch said there's time to work on language and structure of it. Keeping Mr. Loding's name on it is the key component. Commissioner Gaylord said by changing this, you are changing history. He is all for recognition, but don't change history. We have to go back to the initial requirements to what it was. Mayor Grunch said he would like a little more research into it. City Manager Cain said we have a lot of successes, how can we reward them?

2013-10-147  
 Moved by Grunch  
 Second by Sansom

**MOTION**

To postpone and refer the issue of the Marvin Loding award back to staff.

Ayes: 5  
Nays: 0  
Absent: 0  
Motion carried

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Commissioner Sansom said elections are coming up. Hopefully she will be back and she has really enjoyed this experience. Commissioner Gaylord congratulated the High School football team. Talk about community spirit. He also checked on the status of the Jefferson Street drainage and said it looks like a temporary fix by the property owner has been done. He also added that he met with the City Manager earlier today regarding the facilities. The report states that the DPW facility go to North Boyne. We have \$1,000,000 set aside. Don't outlay taxpayer money to lease facilities at this time. Mayor Grunch agreed that it is time. Mayor Pro-Tem Towne agrees with Commissioner Gaylord. He also thanked the Citizens for their support. Commissioner Neidhamer agrees the facilities should be addressed. Mayor Grunch also thanked the citizens for the opportunity to serve and hopes for the opportunity to continue to do so.

**GOOD OF THE ORDER**

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2013-10-148  
Moved by Grunch  
Second by Gaylord

**CLOSED SESSION  
MOTION**

To approve the request of the City Manager to go into closed session to consider the purchase of real property as provided in MCL 15.268 (d) of the Michigan Open Meetings Act (PA 267 of 1976) at 2:13 p.m.

Ayes: 5  
Nays: 0  
Absent: 0  
Motion carried

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2013-10-149  
Moved by Grunch  
Second by Gaylord

**RETURN TO OPEN SESSION  
MOTION**

To return to Open Session at 3:00 p.m.

Ayes: 5  
Nays: 0  
Absent: 0  
Motion carried

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Moved by Mayor Grunch, seconded by Commissioner Gaylord to adjourn the regular City Commission meeting of October 8, 2013 at 3:01 p.m.

**ADJOURNMENT**

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Ron Grunch  
Mayor

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Cindy Grice  
Clerk / Treasurer



STATE OF MICHIGAN

 DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
 PUBLIC SERVICE COMMISSION

 RICK SNYDER  
 GOVERNOR

 STEVE ARWOOD  
 DIRECTOR

 GREG R. WHITE  
 COMMISSIONER

 JOHN D. QUACKENBUSH  
 CHAIRMAN

 SALLY A. TALBERG  
 COMMISSIONER

October 28, 2013

To Cities/Villages/Townships:

On December 21, 2006, Public Act 480 of 2006, MCL 484.3301 *et seq*, the "Uniform Video Services Local Franchise Act" (the Act) was signed into law. The Michigan Public Service Commission (MPSC) is the agency designated to enforce the Act. This letter is being sent to franchise entities (municipalities) within the state of Michigan. "Franchise Entity" means the local unit of government (city, village, or township) in which a provider offers video services through a franchise.

Section 12 (2) of the Act states:

The commission shall file a report with the governor and legislature by February 1 of each year that shall include information on the status of competition for video services in this state and recommendations for any needed legislation. A video service provider shall submit to the commission any information requested by the commission necessary for the preparation of the annual report required under this subsection. The obligation of a video service provider under this subsection is limited to the submission of information generated or gathered in the normal course of business.

The MPSC has prepared an electronic survey which is conducted on an annual basis and is necessary for completion of the report filed to the Governor and Legislature. Beginning on **November 1**, go to [michigan.gov/mpsc](http://michigan.gov/mpsc) and click on the Video/Cable link and look for the electronic survey in the Spotlight section. Please submit your responses by **November 27, 2013**. Should you have any questions, please contact me at (517) 241-6100 or by email at [forist@michigan.gov](mailto:forist@michigan.gov).

Also, for your information enclosed are two Consumer Tips that provide information regarding filing a complaint with the MPSC. One is relevant to customers and the other is relevant to a municipality.

Very truly yours,

 Christina Forist, Manager  
 Service Quality Section

Enclosures

LARA is an equal opportunity employer

 Auxiliary aids, services and other reasonable accommodations are available upon request to individuals with disabilities.  
 4300 W. SAGINAW HIGHWAY • P.O. BOX 30221 • LANSING, MICHIGAN 48909 • [www.michigan.gov/mpsc](http://www.michigan.gov/mpsc) • (517) 241-6180

## Filing a Video/Cable Complaint

### The MPSC's role in handling video/cable television complaints

On December 21, 2006, Governor Granholm signed legislation to promote competition for video services in the state of Michigan. Public Act 480 of 2006, or as it is more commonly known, the "Uniform Video Services Local Franchise Act" charges the Michigan Public Service Commission (MPSC) with implementing the Act. The MPSC now has the responsibility to handle cable inquiries and complaints.

### Are you having a problem with your video/cable television provider?

If you are experiencing problems with your provider, you should first contact your provider and attempt to resolve your dispute with them.

### Not satisfied? File an informal complaint with the MPSC

If you are dissatisfied with the provider's response, or the dispute is not resolved to your satisfaction, you may file an informal complaint with the MPSC.

### How does the informal complaint process work?

- A customer contacts the MPSC with a video/cable television complaint.
- MPSC Staff forwards the complaint to the provider & informally mediates (if necessary) between the provider and the customer.
- The provider is allowed up to 10 business days (under normal circumstances) to respond and provide a detailed resolution to both the customer and the MPSC.

### Still not satisfied? File a formal complaint and request a hearing

If you remain dissatisfied even after the Staff has completed the informal complaint process, you may file a Formal Complaint.

A customer will be permitted to file a formal complaint **only after**:

- the informal complaint process has been completed; and
- a satisfactory resolution has not been reached between the provider and the customer.

To request a formal hearing, prepare a letter of complaint explaining the problem. Send the original and seven (7) copies of the letter/complaint to the MPSC at the following address:

**Executive Secretary  
MPSC  
P.O. Box 30221  
Lansing, MI 48909**

The written complaint must contain the following information:

- customer name, address, telephone number, and signature;
- the name and address of the provider with whom there is a disagreement;
- the location/address of the disputed action;
- the time and dates of the disputed actions;
- a description of exactly what happened – include all details, the names and addresses of any persons involved, disputed charges and costs.

Identify the specific section(s) of the Video Act that are alleged to have been violated and state sufficient facts to support the alleged violation(s).

### **Next Action**

MPSC Staff will review the formal complaint, and if the disputed amount is under \$5,000 and all required information is included, the Commission shall appoint a mediator within seven (7) business days of the date the complaint is filed. Mediation may include a review of the complaint and discussions with the customer and company. If through this process the customer and company are still unable to agree, the mediator will issue a recommended solution within 30 days from the date of appointment. The customer and company have 10 days to either accept or reject the recommendation. If the customer or company rejects the solution, the complaint proceeds to a formal hearing. If the dispute involves an amount over \$5,000, it proceeds directly to a contested case hearing with no prior mediation.

### **Formal Complaint Hearing Process**

A formal complaint hearing is a trial-like proceeding. This means that the customer, the cable company, and MPSC Staff will come before an administrative law judge. A formal complaint proceeding is separate from any informal proceeding related to the problem that may have taken place. Lawyers represent the cable company. Customers may hire a lawyer, represent themselves (excluding some businesses), or bring someone to assist them. The customer must present information and witnesses, to prove or justify his/her position. The MPSC cannot provide a lawyer or pay any legal fees. After the hearing, the judge will issue a proposed decision. However, the MPSC will make the final decision, and will issue its decision in a MPSC order. During this process the customer and the company may continue to try to settle the problem. However, the MPSC must approve any agreement that is reached.

### **Required Costs**

If the customer or company rejects the mediator's decision and is found by MPSC order to be at fault, that party will be responsible for the legal costs of the other party. If both the customer and the company reject the mediator's decision, each party pays their own legal costs.

### **For more information:**

For more information about filing a complaint, PA 480, or the dispute resolution process, go to the MPSC website at: [michigan.gov/mpsc](http://michigan.gov/mpsc). Click on the [video/cable](#) button.

### **You may also contact the MPSC at:**

Service Quality Division  
Attn: Video Franchising  
P.O. Box 30221  
Lansing, MI 48909

Phone: (800) 292-9555  
Fax: (517) 241-2400

### **Filing Satellite Complaints**

The Federal Trade Commission (FTC) at: (877) 382-4357 or [ftc.gov](http://ftc.gov) handles satellite complaints/inquiries.

## Dispute Resolution: Franchise Entity (Municipality)/Provider vs. Provider

### The Michigan Public Service Commission's (MPSC) role in informal video/cable television complaints:

Public Act 4 of 2009 — Providing a dispute resolution process for complaints between municipalities/providers and cable providers.

#### Who can file an informal complaint on behalf of a municipality/provider?

A municipality/provider may speak on behalf of itself when filing an informal complaint. Legal representation is not required until the formal complaint process.

#### What does a municipality/provider need to do to file an informal complaint?

The municipality/provider shall file a written notice of the dispute with the MPSC.

#### What information is required in the notice of dispute?

- Identifying the nature of the dispute.
- Language that requests an informal dispute resolution process.
- Language stating the other party has been served the notice of the dispute.

#### What happens after the notice is filed?

Commission staff will conduct an informal mediation in an attempt to resolve the dispute.

#### What if the dispute is not resolved with informal mediation?

If a satisfactory resolution to the dispute is not achieved any named party in the complaint may file a formal complaint.

#### How does the formal complaint process begin?

A representative submits the following, in writing, to the commission:

- information that states the section(s) of the public act or franchise agreement that was violated;
- sufficient facts to support the allegations;
- the relief requested; and
- all information— testimony, exhibits and other documents— in possession the party intends to rely on to support the complaint.

#### How does the formal complaint process proceed?

- Once the complaint is filed each party has ten days to agree on alternative means to resolve the complaint.
- If no agreement is made within 10 days, the Commission shall order mediation.
- Within 60 days from the date mediation is ordered, the mediator shall issue a recommended settlement.

**What happens after the proposed settlement is presented?**

- Each party shall file, with the Commission, a written acceptance or rejection of the recommended settlement within 7 business days.
- If the parties accept the recommendation, then the recommendation shall become the final order.
- If a party rejects or fails to respond within 7 days to a proposed settlement, then the complaint will proceed to a contested case hearing.
- A party that rejects the recommended settlement shall pay the opposing party's actual costs of proceeding to a contested case hearing.

**What is the format of a contested case hearing?**

A contested case hearing is provided under section 203 of the Michigan telecommunications act, 1991 PA 179, MCL 484.2203

[http://www.legislature.mi.gov/\(S\(vtxbgg55qxrjz45wc3nmuim\)\)/mileg.aspx?page=GetMCLDocument&objectname=mcl-484-2203a](http://www.legislature.mi.gov/(S(vtxbgg55qxrjz45wc3nmuim))/mileg.aspx?page=GetMCLDocument&objectname=mcl-484-2203a)

**For more information:**

For more information about filing a formal complaint, Public Act 480, or the dispute resolution process (PA 4 of 2009), go to the MPSC website at: [michigan.gov/mpsc](http://michigan.gov/mpsc); click on the [video/cable](#) tab.

**You may also contact the MPSC at:**

Service Quality Division  
Attn: Video Franchising  
4300 W. Saginaw Hwy.  
P.O. Box 30221  
Lansing, MI 48909

Phone: (800) 292-9555

Fax: (517) 241-2400

**Online Formal Complaint Form:**

Complaints can be filed online via the video/cable web site.

[www.dleg.state.mi.us/mpsc/video/videocomp.html](http://www.dleg.state.mi.us/mpsc/video/videocomp.html)

Approved: \_\_\_\_\_

**Meeting Of  
October 1, 2013**

Record of the proceedings of the regular Boyne City Zoning Board of Appeals meeting held at Boyne City Hall, 319 N. Lake Street, on Tuesday, October 1, 2013 at 5:00 p.m.

**Call To Order**

Chair Kubesh called the meeting to order at 5:00 p.m.

**Roll Call**

Present: Bob Carlile, Pat Kubesh, John McClorey, Lynn Murray and Roger Reynolds  
Absent: None

**Meeting Attendance**

City Officials/Staff: Assistant Planning Director Annie Doyle and Recording Secretary Pat Haver  
Public Present: One

**Approval of the Minutes  
MOTION**

**Carlile moved, McClorey seconded** a motion to approve the August 6, 2013 minutes as presented.

**ZBA 2013-10-01-2**

**Roll Call**

Ayes: Carlile; McClorey, Murray and Reynolds  
Nays: None  
Absent: None  
Abstain: Kubesh  
*Motion carries*

**Hearing Citizens Present**

None

**Correspondence(s)**

None

**New Business**

Public hearing opened at 5:02 pm

**Variance Request  
513 Bay St.  
Richard & Marva Cronk**

Assistant Planning Director Doyle reviewed her staff report that was included in the agenda packet. The applicants Richard and Marva Cronk are requesting a rear yard setback variance of 13.2' to allow for a 6' x 12' addition to their existing primary structure in the NE corner of the residence. The addition will be an extension of an existing bathroom, allowing room for construction of a new walk in shower. It runs parallel to an existing variance, and will not be any closer to the roadbed or the lines.

**Kubesh** - This board has defined the setback as drip line. Is this variance from the foundation or the drip line?

**Michael Skop, building contractor for applicant** - The drip line. It is exactly as the existing house 1.8' drip line, no changes. The applicants would like to add this shower to the master bathroom on the main floor, due to medical reasons and physical limitations to use the second floor bathroom shower.

With no further comments, public hearing was closed at 5:07 pm

**Board Discussion**

**Murray** - Would like to make sure that the end of Mechanic Street is a public access or not.

**Kubesh** - Unknown, photos look like there maybe an access.

**Murray** – I just want to make sure the owners know of a possible encroachment onto possible public access, and the neighbor’s deck appears to encroach already. I would not like to see the public access closed off or lost by the citizens of the city.

**Doyle** – They are not encroaching on this side, or they would be asking for a variance for that.

**Carlile** – Is this a year round residence for the Cronk’s?

**Skop** – Summer residence

Assistant Planning Director Doyle went through the findings of fact, listed below:

**GENERAL FINDINGS OF FACT**

1. The property is owned by Richard and Marva Cronk.
2. The applicant proposes an expansion on the house encroaching on the required rear yard setback.
3. The property is in the Waterfront Residential Zoning District.
4. The existing structure was built in 1988 and expanded in 1990 on valid permits and was given two variances in 2010 as a result of the unique topography.
5. The property has meandering lake frontage, making the west portion of the property narrower than the east portion.
6. The property has areas of steep slope.
7. The lake frontage greatly reduces the buildable area of the lot.
8. *16,888 square feet is the size of the lot*
9. *The WRD requirements have a 15 ft. rear set back*
10. *Medical necessity and physical limitations of the owners requires a walk in shower on the first floor for safe access*

The board now went through section 27.45 for non-use variances

**FINDINGS OF FACT UNDER SECTION 27.45. – NON-USE VARIANCES**

In hearing and deciding appeals for variances, the Board shall adhere to the following criteria in determining whether or not practical difficulties and/or unnecessary hardships exist:

1. Requiring the owner to comply with the regulations governing area, setbacks, frontage, height, bulk, density or other non-use requirements would unreasonably prevent the owner from using the property for a permitted purpose, or would render conformity with such regulations unnecessarily burdensome.
  - A. *Affirmative – Medical necessity of owners requires a first floor shower facility*
2. The variance granted is the smallest variance necessary to do substantial justice to the owner as well as to other property owners.
  - A. *Affirmative – Smallest variance necessary*
3. The variance can be granted in such a fashion that the spirit of the Ordinance will be observed and public safety and welfare secured.
  - A. *Affirmative*
4. The need for the variance is not self created.
  - A. *Affirmative*
5. The need for the variance is due to unique circumstances of the property itself, and not due to general conditions in the area or to circumstances related to the owner personally or to others residing on the property.
  - A. *Affirmative – The steep slopes, contours and meandering lake frontage are unique circumstances of this property*

The Board shall grant no variance if it finds an application does not meet all of the above listed criteria for determining whether or not a practical difficulty and/or unnecessary hardship exists.

**MOTION**

With no further board discussion, **motion by Murray, seconded by Carlile** to approve the variance as requested for a rear yard setback variance of 13.2 ft to allow for a 6 ft by 12 ft. addition to their structure, with a stipulation of no encroachment into public access, if there is one.

**ZBA 2013-10-01-5A**

**Roll Call**

Ayes: Carlile, Kubesh, McClorey, Murray and Reynolds

Nays: None

Absent: None

*Motion carries*

**Old Business**

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

None

**Good of the Order  
Announcements**

- Kirtland has applied for an adjustment on their DEQ permit. They will accept public comments and then hold a public hearing on November 13, 2013.
- The city has filed a motion for reconsideration on Judge Pajtas' decision on Kirtland.
- Dilworth is moving forward with a new owner and development group.
- Devlon - Nothing new

**Next Meeting**

The next meeting of the Boyne City Zoning Board of Appeals is scheduled for November 5, 2013 at 5:00 p.m.

**Adjournment  
MOTION**

**ZBA 2013-10-01-10**

**Carlile moved, Murray seconded, PASSED UNANIMOUSLY** a motion to adjourn the Tuesday, October 1, 2013 Boyne City Zoning Board of Appeals meeting at 5:28 p.m.

\_\_\_\_\_  
Patrick Kubesh, Chair

\_\_\_\_\_  
Pat Haver, Recording Secretary



Approved: \_\_\_\_\_

**Meeting of  
OCTOBER 3,  
2013**

MINUTES OF THE BOYNE CITY MAIN STREET BOARD REGULAR MEETING HELD ON THURSDAY, OCTOBER 3, 2013 AT 8:30 A.M. IN THE COMMISSION CHAMBERS AT CITY HALL, 319 NORTH LAKE STREET

**Call to Order**

Chair Swartz called the meeting to order at 8:33 a.m.

**Roll Call**

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

**Meeting  
Attendance**

Absent: Michael Cain (arrived at 8:47 am), and Jim Jensen  
Robin Berry Williams

City Staff: Main Street Manager Hugh Conklin, Assistant Planning, Zoning  
Administrator Annie Doyle and Recording Secretary Karen Seeley

Public: None

**Excused Absence**

**Carlile moved, Adams second PASSED UNANIMOUSLY** to excuse the absence of Jim Jensen.

**Approval of Minutes  
MOTION**

**Adams moved O'Brien second PASSED UNANIMOUSLY** to approve the September 5, 2013 meeting minutes

**Citizens Comments**

None

**Correspondence**

None

**Main Street Committee  
Reports**

In addition to the committee reports included in the agenda packet Main Street Manager Conklin reported on a few items:

- Boyne Thunder: The board received and reviewed a copy of the Profit & Loss previous year comparison (received and filed). Boyne Thunder accommodated 82 boats this year. This was the first year that Main Street has agreed to a 10% portion going to Challenge Mountain.
- Stroll the Streets wrapped up its 10<sup>th</sup> season on Friday, August 30<sup>th</sup>. Overall it was another great summer.
- The Farmers Market hosted its second annual Friends Farm Meal and it was another successful event. Money raised from the evening will help pay for improvements to the winter market and to support other market initiatives. The outdoor market season continues through October and then will move indoors to the red building next to the library.

**Promotions**

- The Boyne City Harvest Festival is this Saturday, Oct. 5. The 100 and 200 blocks of Water Street and the 100 block of Lake Street will be closed. The farmers market will move downtown for the day and be joined by many other art and craft vendors.

- The Farmers Market will move indoors starting the first Saturday in November. The Boyne District Library is allowing the market to use its red building. Hours for the indoor market are 9 a.m. to 1 p.m.
- Plans are underway for two retail events in November. Earlier than the Bird is Saturday, Nov. 23, and the Holiday Open House and Christmas Parade is Friday evening, Nov. 29.

### **Design**

- A few weeks ago information was received about a Certified Local Government Grant available through the State Historic Preservation Office and Main Street submitted a proposal for a downtown historic walking tour brochures and signage for the new National Register Historic District. The proposal is due October 1 and once we receive comments back from SHPO we will complete a grant application which is due in early December.
- 2013 Holiday Decorations: The Decorations committee met with the new owner of Michigan Decorations. This year's decorations will look very similar to last years' with a few minor adjustments. This is the last year of a three-year contract.

### **Organization**

- The board terms of Michelle Cortright and Bob Carlile are expiring. The deadline for candidates to submit an application is December 16.
- The committee discussed the annual planning session and appointed Lori Meeder and Conklin to work out the details.
- In your meeting packet is a copy of the Boyne Thunder participant survey (received and filed). The committee met Sept. 26 and will be starting to prepare for the 2014 event.

### **Team Boyne – Creating Entrepreneurial Communities (ER committee)**

One guest in attendance was Jerome Fine, who owns an 11-acre parcel on M-75 across the street from Boyne City Lanes. He is interested in developing the property and was soliciting opinions from the group.

## **MANAGERS REPORT**

- 
- The work on the boardwalk is complete.
  - The Thirsty Goat is closed for the season.
  - The Grain Train hopes to be open by the middle of November
  - Farm Bureau Insurance has a new owner
  - Retail specialist Susan Shaddox will be here October 21 and 22<sup>nd</sup> and the public presentation will be held at 6:00 p.m., October 21 in the community room at the library.
- 

## **UNFINISHED BUSINESS**

### **Art Bike Racks**

Four bids were received and reviewed by the Design Committee at its September meeting. Due to the nature of the project, the bids received included a variety of options and range of prices. Considering all those factors, the low bid was received from PIW Corp., of Chicago and Gaylord. PIW's base bid was \$4,340. Members of the design committee met last Thursday with John Shepherd, vice president of the company, to review details of his proposal. Modifications were suggested although the cost is not expected to change. The four bike rack designs are a fork, apple, row of books, and a juggler. After meeting with Mr. Shepherd the committee is recommending not using the juggler due to safety concerns. In its place the committee is considering a new design, and is leaning toward a music cleft. All those details should be worked out soon. Main Street received a \$1,500 grant from the Northwest Michigan Council of Governments and has \$2,500 in the 2013-14 budget for the project. Placement of the bike racks was discussed, with possible sponsorships to help offset the cost. The goal is to have these in place by March

## **MOTION**

2014. **Adams moved, Cortright seconded PASSED UNANIMOUSLY** to approve up to \$6000 of our funds/and or outside contributions for this project.

## **Food Trucks**

At the September Main Street board meeting, a committee consisting of assistant city planner Annie Doyle, Jim Baumann, Becky Harris, Michelle Cortright and Hugh Conklin was appointed to gather information and a possible strategy for dealing with Food Trucks. The committee met and discussed what strategies we can use to begin a community discussion on food trucks and how the city could possibly regulate them. Included in your packet is some information for you to review. Assistant city planner Annie Doyle shared a power-point presentation regarding food trucks that was put together by the Main Street Manager of Ferndale, Mi. The board discussed the pros and cons of food trucks in our downtown. It was suggested to have a "Food Truck Rally" in conjunction with one of events/festivals that we already have established. The board felt the issue should go to the City Commission to receive their input/feelings on food trucks before the committee moves forward.

## **Veterans Park Pavilion**

Three proposals were received for the pavilion project and interviews are planned for next week. Serving on the pavilion project committee are Mike Cain, Dean Solomon, Becky Harris, Andy Kovalski, Jerry Swift - a member of the Parks and Recreation Commission, and Hugh Conklin. The Michigan Economic Development Corporation has approved up to a \$12,500 grant to assist with the project. The grant requires a dollar-for-dollar match. A key component of this process will be a multi-day community Charrette, which we hope to have completed before Thanksgiving.

## **NEW BUSINESS**

### **Trail Town**

With the pending construction of the Boyne City-Charlevoix bicycle trail and the progress being made on non-motorized trail between Boyne City and Boyne Falls, there is much anticipation about Boyne City becoming a cycling destination. That was the purpose of a meeting held recently with LIAA (Innovative Ideas for Sustainable Communities) and a representative of the Northwest Michigan Trails Council. They wanted to share the concept of becoming a Trail Town and what positive impact it could have on Boyne City. It looks like a good fit for the community but at this point we are not asking for your support of Boyne City becoming a Trail Town. Rather, we want to know if there is enough interest on the Main Street board to learn more about the concept (which is also being presented to the Parks and Rec Commission). If there is, a joint meeting with the Parks and Rec Commission along with an invitation to all interested residents would be scheduled to hear a presentation by Harry Burkholder, a planner with LIAA about the Trail Town concept. Main Street Manager Conklin will set a date for the meeting and inform the board.

### **Main Street Annual Planning Session**

The Organization committee is working out details of the annual Main Street Planning Session. Two dates are preferred at this time: Nov. 11 or Nov. 13. After board discussion, Main Street Manager Conklin will try to come up some different dates with hopes most of the board will be able to attend.

### **Farmers Market Committee**

Main Street has two seats on the Farmers Market Committee and the term of Jodie Adams is expiring. Jodie has been a thoughtful and engaged member of the committee and hopefully she is willing to continue to serve for another three years.

## **MOTION**

**Cortright moved O'Brien seconded PASSED UNANIMOUSLY** to appoint Jodie Adams to the Farmers Market Committee for a term of three years.

## **GOOD OF THE ORDER**

The City submitted an application to the MEDC for the current round of DIG funding for the reconstruction of South East Street from Main to Ray and Ray Street. We created a letter of endorsement for the Community Foundation Grant application for WATCH Bike Share program funds. The City submitted a PlacePlans letter of interest for Sunset Park area improvements. The folks working on the South Lake Street development project are tentatively

planning a return visit on October 16<sup>th</sup> and 17<sup>th</sup>.

**ADJOURNMENT  
MOTION**

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**Adams moved O'Brien seconded PASSED UNANIMOUSLY** to adjourn the October 3 2013 meeting of the Boyne City Main Street Board at 10:09 am.

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Karen Seeley, Recording Secretary

Approved: \_\_\_\_\_

**MEETING OF  
OCTOBER 3, 2013**

**RECORD OF THE PROCEEDINGS OF THE REGULAR BOYNE CITY  
PARKS AND RECREATION COMMISSION MEETING HELD AT  
6:00 P.M. AT CITY HALL ON THURSDAY, OCTOBER 3, 2013.**

**CALL TO ORDER**

Meeting was called to order by Vice Chair Swift at 6:00 p.m.

**ROLL CALL**

Present: Jo Bowman, Bill Kuhn, Heath Meeder, Darryl Parish, Marie Sheets, Jerry Swift and Gail Van Horn

Absent: Mike Sheean

**MEETING  
ATTENDANCE**

City Staff: Streets/Parks & Recreation Superintendent Andy Kovolski and Recording Secretary Barb Brooks

Public Present: Three

**MOTION**

Excused Absence(s): **Kuhn moved, Sheets seconded, PASSED UNANIMOUSLY** to excuse the absence of Chair Sheean due to family medical reasons.

**APPROVAL OF  
MINUTES  
MOTION**

**Bowman moved, Meeder seconded, PASSED UNANIMOUSLY**, a motion to approve the September 5, 2013 meeting minutes as presented.

**CITIZENS COMMENTS**

None

**DIRECTOR'S REPORT**

Kovolski reported the following:

- Parks buildings/facilities are being closed down and winterized
- Irrigation bids are currently out for Veterans Park between State St. and the river. It will be bid for spring installation.
- Individuals that vandalized the fountain in Old City Park and the bathrooms at the river mouth were caught and are performing community service at the locations vandalized.

**CORRESPONDENCE**

Email from Forest Omland regarding disc golf - will be discussed during the disc golf report on the agenda.

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

**Park Inspections**

**Avalanche** – Kuhn reported that the new archery targets are in. They were installed by board member Kuhn and volunteer Mark Fruge. Mr. Bernie Hess from Boyne Falls was the first to utilize the new targets and stated he would like to get more involved with forming a club and volunteering to care for range. A few of the old targets are at Mr. Fruge’s house; he will be trying to repair/refurbish them for use over the winter.

Other board members commented on how good things at Avalanche were looking in general.

**Disc Golf**

Due to personal reasons, Forest Omland will be withdrawing from the club and will not be an active member. He informed the board via email that club president Jason McCary will be the lead, attending board meetings and giving updates. Omland also stated that he has enjoyed his involvement with the board and it has been a positive experience.

McCary thanked the board for their support throughout the summer season getting things back in shape. He also showed a sample of the signage that is proposed for the tee boxes on the course. They will be made of pine board, routed to be dimensional and painted. They will be fairly inexpensive to produce and can be replaced when necessary. Wiltjer talked about the tournament scheduled for October 19 and that they are expecting decent participation and are pretty excited about it. The board also inquired about where the club was at with the tee boxes. McCary and Wiltjer stated they were still experimenting with various materials but what they have is working for now.

**UNFINISHED  
BUSINESS**

**Avalanche Signage**

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Final design of the signage with map, verbiage, cost proposal, etc were submitted by The Wood Shop. The board took a reviewed them and because the nothing had changed, they stood by their motion made on April 11, 2013 to move forward and present it to the City Commission.

**Tree Removal  
Maintenance**

**Face of the hill** – There has been a lack of cooperation from the initial contractor. Andy will be meeting with a new contractor on pricing and hopes to move the project along.

**Trail maintenance** - City staff has been working on this and will continue as time allows.

**Dog Park**

Interested parties and City staff met to further discuss the concept of a dog park. They took a look at location options, finances and committee organization. Kovolski presented a map of Avalanche with the proposed location outlined. Kovolski explained how the location was came about, some of the benefits of the location and stated that the next

step is to present the concept to the City Commission for their consent to have a committee explore the opportunity further and present their findings and recommendations. The board discussed the proximity of the proposed fenced area to the sledding hill and walking path leading to the steps and why other locations on City owned property might not be a good fit. Kovolski also informed the board that there are citizens who have committed to raising the necessary funds associated with this project.

**MOTION**

**Swift moved, Parish seconded, PASSED UNANIMOUSLY** to recommend the City Commission explores the concept of a dog park at the proposed location, allow the formation of a citizens group and seek public input.

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**NEW BUSINESS**

**Trail Town Meeting  
Proposal**

Discussion regarding potential upcoming dates to hold a joint "Trail Town" meeting with the Main Street board, City staff and other interested entities. A presenter will talk more about the designation and the benefits of becoming a Trail Town. Main Street Manager Hugh Conklin will contact the Trail Town presenter and work with both boards to come up with a date and time that works for the majority. Information will be provides as it develops.

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**NEXT MEETING**

The next regular meeting of the Parks and Recreation Board is scheduled for Thursday November 7, 2013 at 6 pm at City Hall.

**ADJOURNMENT**

**\*\*MOTION**

The October 3, 2013 meeting of the Parks and Recreation board was adjourned at 6:37 p.m. Moved by Sheets, seconded by Bowman, **PASSED UNANIMOUSLY.**

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Barb Brooks, Recording Secretary

BOYNE CITY HISTORICAL  
DISTRICT COMMISSION  
MINUTES of the October 15, 2013 meeting

Present: Wellman, Bandy, Martin.

Absent: Sheets

Staff: McPherson, Hewitt

1. Call to Order: 7.00 pm

2. Approval of Minutes of May 21, 2013 meeting Martin motioned, Bandy second, all ayes.

3. Public Comments on Non-Agenda Items

None

4. Old Business:

None

5. New Business:

- A. Sworn in new member Martin.
- B. Chris Glassford application, Chris gave a brief explanation of himself. Recommendation to City Commission to be appointed to the Boyne City Historic District Commission, motion by Bandy, second by Martin, all ayes.
- C. Review Preservation Standards. McPherson reviewed consent agreement and Preservation Standards in relation to 36-CFR67.7, discussed review process and permit process
- D. Historic Preservation Ordinance, just a review item for board. No questions from the board.
- E. 2014 Calendar Dates:  
February 18, 2014  
April 15, 2014  
October 21, 2014  
3<sup>rd</sup>. Tuesday of the Month listed above, 7:00 pm in the City Hall Commission Chambers.
- F. Recommendation to City Commission for a three year term for Wellman and Bandy, motioned by Martin, second by Wellman, all ayes.

6. Communications:

- A. MDEQ application for 411 Pearl Street, received and filed.
- B. Main Street project information, received and filed.
- C. Correspondence from Mr. Beeman (445 Pearl Street) to Michael Cain-City Manager via email dated 10-14-2013, received and filed.

7. Announcements:

Wellman talked with Jane McKenzie in regards to 417 Boyne Avenue, round one for grant money is done moving forward.

8. Adjournment:

7:31 pm, motion by Bandy, second by Martin, all ayes

9. Next Meeting:

February 18, 2014, 7:00 pm

DRAFT

Approved: \_\_\_\_\_

**Meeting of  
October 21, 2013**

Record of the proceedings of the Boyne City Planning Commission meeting held at Boyne City Hall, 319 North Lake Street, on Monday, October 21, 2013 at 5:00 pm.

**Call to Order**

Chair MacKenzie called the meeting to order at 5:01 p.m.

**Roll Call**

Present: Chris Frasz, Jim Kozłowski, Jane MacKenzie, Lori Meeder, Tom Neidhamer, Aaron Place, and Joe St. Dennis  
Absent: George Ellwanger  
Vacancy: One

**Meeting Attendance**

City Officials/Staff: Planning Director Scott McPherson, Assistant Planner Annie Doyle and Recording Secretary Pat Haver  
Public Present: Thirteen

**Consent Agenda  
\*\*MOTION**

**2013-10-21-03**  
**Kozłowski moved, Place seconded, PASSED UNANIMOUSLY**, a motion to approve the consent agenda. Approval of the September 16, 2013 Planning Commission minutes as presented.

**Comments on  
Non-Agenda Items**

None

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

Main Street Manager Hugh Conklin had some information included in the agenda packet for a *Trail Town Presentation* that will be held on November 6<sup>th</sup> at 5:00 pm in the Community Center at the Boyne District Library. With the enthusiasm for the proposed trail systems leading into and out of the city, this could be a step in the right direction for the city to enhance the economic development of the downtown areas. These trails are for motorized, non-motorized, hiking, waterways and any other type of trail you could consider.

**Unfinished Business**

None

**New Business  
Request for Site Plan  
Amendment for Glen's  
Market**

Planning Director Scott McPherson reviewed the request that was included in the agenda packet. Glen's has requested approval for a site plan amendment to construct a building addition on the west elevation, add a drive through window for the pharmacy on the north wall, and install a 14 ft. x 30 ft. cooler on the northeast corner of the existing market building. There are some issues with the traffic pattern proposed for these areas. Delivery truck traffic uses the back of the building for deliveries, and then head to the north of the building and out the parking lot area. With the cooler on the NE corner, it gives them approximately 22 ft. to maneuver around the cooler. If there becomes a problem, there is plenty of additional property to use. Traffic flow has potential conflicts as the pharmacy window customers would be pulling directly out into the current parking and driving lanes. A drive through window is a use by right in the General Commercial District (GCD), and would not have as many trips per day that fast food or financial establishments would have.

**Meeder** – Will they loose parking?

**McPherson** – The provided plans did not indicate a loss of any parking spaces. Existing maneuvering lanes would be used for the traffic flow. The back of the building is signed as delivery traffic only, and I would recommend leaving it that way.

**Kozlowski** – Would there be a stop sign pulling away from the pharmacy window to the main lot, due to a blind corner?

**McPherson** – I have had discussions with JML Design about possibly making this one way, which may be a solution to avoiding potential conflicts.

**Nancy Roseman from JML Design Group** – Have had discussion with Martin Schoop from Spartan Stores about making this one way, they have concerns about this also.

**Place** – With one way, would you change the angle of parking to give people an additional clue that it is one way?

**Roseman** – We would make that known with appropriate stripping, and possible signage. The store will be doing interior renovations also. The only addition to the building will be the cooler. The outdoor walkway between the main entrance and the north end of the store will be enclosed. Overall square footage of the store would not change, just the cooler addition. The pharmacy is currently and will only be accessed from inside the building, except for the proposed drive through window.

The board had concerns about the placement of a white colored cooler, placed up against a white building, and asked about safety guards on the corners, and the narrowness of this area for cars to pull into the pharmacy queue lane, and the delivery trucks pulling away at the NE corner of the building where the new cooler is proposed. They were informed by Roseman that guards would be in place, and they would be working on the flow of traffic with stripping and signage. Frasz expressed concerns about additional noise with the new compressor on the cooler and was informed the new compressor would be tied into the existing system, so no additional noise would be heard. A major concern was the blind spot as you pull away from the pharmacy window and asked about placement of a stop sign.

**Tracy Donaldson** – This parking area at the north end is used for employee parking, and is filled quite early in the mornings.

**Neidhamer** – Where is the specific design? We don't have a problem with what is proposed, but from the engineering standpoint, the details are a little lax. You are not showing exact traffic patterns between the delivery trucks, pulling up to the pharmacy window, and parking.

**Roseman** – We are here to get suggestions and directions from the Commission. We have spoken with Mr. McPherson to get an idea of what is required, and have offered this proposal.

Questions were asked about the change in the façade'. Roseman indicated that the gable would be repainted, new brick work would match the existing bricks, the new west sided window will have some sort of tint on it to obscure the reverse vending area, the existing pharmacy sign would change, and a new Family Fare sign would be installed. Frasz asked about the possibility of a second gable feature near the north end to break up the expanse, and was informed that an additional one would not be placed, as they are trying to direct people to the store main entrance with the existing gable. The handicapped ramps may be configured; however, the covered pickup areas would remain.

With no further board discussion, **motion by Place, seconded by Meeder**, to approve the final site plan amendment with the following conditions:

- Work with staff for final approval of traffic pattern and directions, including one way at the pharmacy lane,
- Placement of a stop sign at the exit of the pharmacy lane,
- Change the parking at the north end to angle parking,
- Use stripping and signage for directional traffic flow patterns,
- Make sure there is adequate maneuvering for car and truck traffic at the NE corner of the building,

- With the new cooler installation, make sure there is no increase in noise from the new compressor.
- Place security guards on the corner of the new cooler.

**2013-10-21-7A**

**Roll Call:**

Aye: Frasz, Kozlowski, MacKenzie, Meeder, Neidhamer, Place and St. Dennis

Nay: None

Absent: Ellwanger

Vacancy: One

**Motion Carries**

**Request for Site Plan  
Amendment for Lexamar**

Planning Director Scott McPherson reviewed the application that was included in the agenda packet. Lexamar is proposing to build a 38 ft. x 58 ft. addition on the north end of the building. It will be similar construction and height as the rest of the existing building. It will be used for central material handling for plastic pellet deliveries to reduce internal forklift traffic, as it is located right next to the silo. It does meet all of the ordinance standards; however, the outdoor storage is an ongoing issue. This degree of current storage was never approved. The city has had contact with Lexamar representatives in the past about this issue. In 2011, they approached the board about the clean up of this area. The city has spoken several times with representatives from the State's Michigan Economic Developers Association (MEDA) office who holds the certification of the city's business park, as a result of this outdoor storage issue, the city could possibly lose their certification, so this needs to be addressed. A preliminary plan has been submitted as to how they plan to address the outdoor storage, however, staff would like to see significant additional detail for species, plantings, and spacing. Their proposed plan shows landscape screening on the north side of property, with a 50 foot gap for a utility easement, and the main storage on the east side of the property. The existing amount of materials located currently in the outdoor storage area needs to be reduced. They have proposed to have the landscape installed by July 2014, meeting the state's requirements for 8 ft. tall trees within 3 years, staff would like to see some additional staggered row of trees incorporated along with the existing trees.

**Kozlowski** – What is the maximum amount of storage they can have according to the state?

**McPherson** – No specific amount, the State looks at screening of outdoor storage.

**Kelly Bellant** – When we met with the State and Michael Cain, there was no requirement for the amount of stuff stored; they do not prefer it, however, they do understand it. A lot of stuff moves in and out, customer owned equipment from GM, Chrysler and Ford, so we can not just throw it away. We have moved 11 semis out so far; one per day last week, we will continue to do that this week and next week until we are finished.

**Meeder** – Has concerns about the promised deadline from Lexamar of July 1, 2014. Isn't that the deadline from MEDA? I would like to see it moved up by 30 days. I don't like the language.

**Bellant** – The state did not give a deadline, just to have the plan from us and to have that plan completed by July 1<sup>st</sup>.

**Kozlowski** – Will this be done all at once, or in stages?

**Bellant** – Will do the East field first and foremost, tree plantings and to organize the field. 2<sup>nd</sup> will be the north line along the road that was not a request or asked by the state, we are going to throw tree plantings in there for the city; because we are aware the airport is there and it does bring people into town. The west side of the plant, we will do what we can.

**St. Dennis** – Will you maintain and water what you plant so they don't die?

**Bellant** – We have no plans of watering in the east field; will ask Jim Habasco to possibly take care of.

**Kozlowski** – Will you maintain the trees? If one dies, will you replace it?

**McPherson** – You can make that a condition of approval. There are standards in the ordinance that landscape must be maintained. This is a discretionary decision by the Planning Commission, as outside storage must be approved by the commission. They gave you a general idea, I think you need to see a more specific one.

**Neidhamer** – What species?

**Bellant** – Conifers, no specific tree picked out at this time. We may transport some from the fields.

**McPherson** – Would like to see 2 staggered rows of trees that are planted 20 feet apart, and the rows 10 feet apart in the east field. The ordinance does have a minimum and maximum of evergreen trees planted.

**Neidhamer** – I would support moving forward with the site plan amendment with the staggered 2 row of trees, alternating patterns, trees planted 20 feet apart with the rows planted 10 feet apart. We will certainly welcome the trees out front.

Our intent is to protect the integrity and status of the business park, not to make you go broke planting trees.

**McPherson** – If you can save existing areas of trees they could be incorporated into the plan.

**Bellant** – Our current business plan out to 2018 does not have additional racks, but to refurbish what we currently have. We are always looking out in the storage yard to see what we can use. We now have over 500 employees. New expectation is to hire an additional 42 employees over the next year, with most of them coming from hiring our current temporary employees, and then to bring on more temporary employees. Our business plan is to keep costs low, and not to give the employees a false sense of security, so we made a promise to hire at the rate of 2 people from our temp pool each month, which has gone up to 5 as of this month.

**St. Dennis** – Scott you would like to see an updated plan on paper for the files? Yes

**Dan Anderson** – The current plan shows the trees planted 15 ft on center; so we will change them to two rows, staggered planted 20 feet apart, with 10 ft between the rows.

**MacKenzie** – Landscape plan to be submitted to staff within 30 days. Now to the addition.

**Anderson** – The addition will be used for central material handling of pallets of pellets to be stored near the silo. We will also move equipment from different parts of the plant to one central area.

**Kozlowski** – No issues with noise or smell?

**Anderson** – There will not be any of that going on there.

**\*\*MOTION**

With no further board discussion, **motion by Meeder, seconded by Place**, to approve the site plan amendment to construct the addition as presented and to recommend a final landscape plan be submitted to staff for approval, within 30 days.

**2013-10-21-7B**

**Roll Call:**

Aye: Frasz, Kozlowski, MacKenzie, Meeder, Neidhamer, Place and St. Dennis

Nay: None

Absent: Ellwanger

Vacancy: One

**Motion Carries**

**Request for approval of canopy sign for the Grain Train**

Planning Director Scott McPherson reviewed the application that was included in the agenda packet. The installation of a canopy sign that will be placed over the windows of the proposed storefront at 126 Water St. The proposed size of the canopy is approximately 22 feet, with the maximum allowed for this frontage at 50 feet. A material sample in a red color was supplied. A canopy is an allowed use in the downtown district. There is no minimum clearance in height for a canopy. Commission had questions about the red color submitted.

**Carol Kleinert: Traverse Bay Canvas** - Grain Train is the one who picked out the red color. The canopy will be permanently mounted on the building with an aluminum 1/8" frame. It is approximately 36" in height, with a 36" extension going out away from the building. It will not be internally lit; will use the existing goose neck lights that are already on the building.

**Frasz** - Possibly the Main Street Design committee could look at the color and make a recommendation for historic compatible colors with the rest of the downtown.

**McPherson** - That is a legitimate concern, and within the parameters of the ordinance.

**Kleinert** - The canopy is the design and color scheme given to us to produce from the Grain Train.

With no further board discussion, **motion by Meeder, seconded by Frasz**, to approve the size and style of the proposed canopy, and refer the color scheme to the Main Street Design Committee for compatibility of the established historical features of the core downtown.

**\*\*MOTION**

**2013-10-21-7C**

**Roll Call:**

Aye: Frasz, Kozlowski, MacKenzie, Meeder, Neidhamer, Place and St. Dennis

Nay: None

Absent: Ellwanger

Vacancy: One

**Motion Carries**

**Staff Report**

- MDEQ will be holding a public hearing on the Kirtland Products Emissions permit November 13, 2013 at 6 pm for public presentation, and then 7pm public comment. This is not a city public hearing; they are just holding it here.
- Staff attended the MAP conference that was recently held. Topics of Placemaking and Form Based Codes were discussed. It was a very good conference.

**Good of the Order**

- Jim Kozlowski will not be available for the November meeting.

**Adjournment**

**\*\*MOTION**

The next meeting of the Boyne City Planning Commission is scheduled for November 18, 2013 at 5:00 pm in the Auditorium.

**2013-10-21-10**

**St. Dennis moved, Kozlowski seconded, PASSED UNANIMOUSLY** a motion to adjourn the October 21, 2013 meeting at 6:35 p.m.

Jane MacKenzie, Chair

Pat Haver, Recording Secretary



Approved: \_\_\_\_\_

**MEETING OF  
OCTOBER 24, 2013**

**RECORD OF THE PROCEEDINGS OF THE REGULAR MEETING OF THE  
BOYNE CITY AIRPORT ADVISORY BOARD HELD OCTOBER 24, 2013**

**CALL TO ORDER**

**Chair Reynolds** called the meeting to order at 5:30 p.m. followed by the pledge of allegiance.

**ROLL CALL**

Present: Richard Bouters, Ed Hennessey, Jerry Schmidt, Oral Sutliff and Bud Chipman\*Leon Jarema\* Larry Trumble\* Roger Reynolds

**ATTENDANCE**

Absent: Rod Cortright\*, Jim Kozlowski\*

\*Ex Officio Members

Staff: Airport Manager/City Manager Michael Cain

**EXCUSED ABSENCES**

None

**APPROVAL OF MINUTES  
MOTION**

**Schmidt moved Bouters seconded PASSED UNANIMOUSLY** to approve the September 19, 2013 minutes.

**CORRESPONDENCE**

None

**UNFINISHED BUSINESS**

**Hangar Inquires/Leasing:**

\*Hangar D-12 rented as of 10/18/2013

\*Hangar C-19 (with garage) is available. Garage rented by John Ramsey.

\*Leak repairs completed to hangar C-17. Also, door seals being researched.

**Boat trailer revenue:**

\*\$207.20 to Airport

\*\$310.80 to Marina

The board considered this to be a successful program.

**NEW BUSINESS**

**A. Election of Officers**

\***Bouters moved, Sutliff seconded, PASSED UNANIMOUSLY** to appoint Jerry Schmidt as Chair, Oral Sutliff as Vice Chair and Richard Bouters as Secretary.

**B. Change to Hangar Lease wording:**

\***Schmidt moved, Sutliff seconded, PASSED UNANIMOUSLY** to add the words "return keys to Licensor" to page 3, section K of the Hangar lease.

**C. Delinquent Hangar/Fuel bills:**

The board reviewed two delinquent fuel and hangar bills. Michael Cain has been in contact with one party and payments have been made and arranged.

The party to the second fuel bill will be contacted by registered letter. Michael Cain will report back regarding progress.

**D. Permit for Commercial use/Leon Jarema:** (see attached)

**Schmidt moved, Bouters seconded, PASSED UNANIMOUSLY** to allow a Commercial use permit to Leon Jarema.

**E. Adoption of 2014 Calendar:** (see attached)

**Bouters moved, Schmidt seconded, PASSED UNANIMOUSLY** to adopt the following 2014 calendar for the Airport Advisory Board. The Airport Advisory Board will meet on the 4<sup>th</sup> Thursday of the month, excluding November & December, at 5:30pm at the Airport Terminal.

**F. Updates to the Airport Emergency Plan:**

Changes to the Airport Emergency Plan will be made to reflect the new board Chair and the addition of Richard Bouters as Assistant Airport Manager.

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## **GOOD OF THE ORDER**

\*Fuel price is \$5.54 per gallon as of September 30, 2013.

\*Safety Seminar: Attended by approximately 20 and consider a very timely and well presented topic.

\*Ron Ludgin has filed a Freedom of Information Act request to the city for a list of Names, Addresses, Phone Numbers and E-Mail addresses for all Hangar Tenants at the airport for the purpose of organizing a pilots association. The city is processing that request.

\*The QoE Consulting Quarterly report was reviewed by the board.

\*The board discussed upgrades to the Airport Terminal and will explore this topic at the January board meeting.

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## **ANNOUNCEMENTS NEXT MEETING**

The next regular Airport Advisory Board meeting is scheduled for Thursday, January 23, 2014 at 5:30pm in the Airport Terminal.

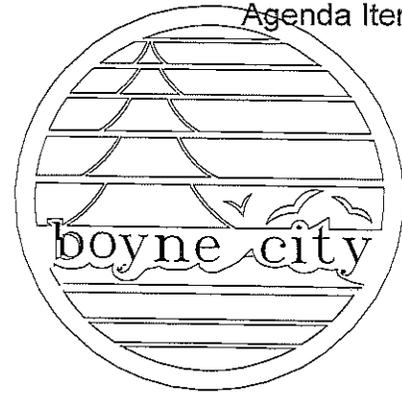
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## **ADJOURNMENT**

Chair Reynolds adjourned the Airport Advisory Board meeting at 6:29pm.

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Richard L. Bouters

**CITY OF BOYNE CITY****To:** Michael Cain, City Manager **From:** Scott McPherson, Planning Director **Date:** November 12, 2013**Subject:** SAW Grant Proposal**Background**

As approved by the City Commission at their regular meeting on September 24<sup>th</sup>, 2013 a Storm Water Management and Wastewater (SAW) grant application has been prepared with assistance from C2AE for submittal to the MDEQ.

**Discussion**

The MDEQ established the Strategic Water Quality Initiatives Fund (SWQIF) for the planning, design and construction of improvements for the collection and treatment of wastewater and/or stormwater systems. Its primary focus is to encourage developing asset management programs that outline cost-effective operation and maintenance measures. Through the grant program funding will be provided to communities to develop Wastewater Management Plans (WAMP) a Stormwater Asset Management plans (SAMP), and Stormwater Management Plans (SWMP). Approved grants will be 90% funded (10% match) up to the first 1 million dollars and 75% funded (25% match) for the second 1 million. The program is intended to be a multiyear program with a total fund of \$450 million dollars with \$100 million distributed the first year. The deadline for submittal of a timely application is December 2, 2013. Attached for your review and consideration is a copy of the a draft resolution authorizing the SAW grant agreement, a spread sheet breakdown showing the cost basis of the grant request, and a statement of understanding and scope of services from C2AE.

**Recommendation**

Approve resolution for submittal of SAW grant application as presented.

**Options**

1. Do not approve resolution for SAW grant application submittal.
2. Postpone action on SAW grant application pending further information.
3. Other action as the Commission deems appropriate.

City of Boyne City  
County of Charlevoix

Resolution Authorizing the SAW Grant Agreement

Minutes of the regular meeting of the City Commission of the City of Boyne City  
County of Charlevoix, State of Michigan, (the "Municipality") held on  
November 12, 2013.

PRESENT: Members: \_\_\_\_\_  
\_\_\_\_\_

ABSENT: Members: \_\_\_\_\_  
\_\_\_\_\_

Member \_\_\_\_\_ offered and moved the adoption of the following resolution,  
seconded by Member \_\_\_\_\_.

WHEREAS, Part 52 (strategic water quality initiatives) of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended ("Part 52"), provides at MCL 324.5204e that the Michigan Finance Authority (the "MFA") in consultation with the Michigan Department of Environmental Quality (the "DEQ") shall establish a strategic water quality initiatives grant program; and

WHEREAS, in accordance with the provisions of 2012 PA 511, which provides grants to municipalities for sewage collection and treatment systems or storm water or nonpoint source pollution control; and

WHEREAS, in accordance with the provisions of 1985 PA 227, as amended, Part 52, and other applicable provisions of law, the MFA, the DEQ, and the Municipality that is a grant recipient shall enter into a grant agreement (the "SAW Grant Agreement") that requires the Municipality to repay the grant under certain conditions as set forth in MCL 324.5204e, as amended; and

WHEREAS, the Municipality does hereby determine it necessary to (*select one or more*)  
 establish an asset management plan,  establish a stormwater management plan,  establish a plan for wastewater/stormwater,  establish a design of wastewater/stormwater,  pursue innovative technology, or  initiate construction activities (up to \$500,000 for disadvantaged community).

WHEREAS, it is the determination of the Municipality that at this time, a grant in the aggregate principal amount not to exceed \$720,000 ("Grant") be requested from the MFA and the DEQ to pay for the above-mentioned undertaking(s); and

THE FORM WILL NOT BE ACCEPTED IF IT HAS BEEN EDITED, ALTERED, RETYPED, OR CONVERTED TO ANY OTHER FORMAT.

WHEREAS, the Municipality shall obtain this Grant by entering into the SAW Grant Agreement with the MFA and the DEQ.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. City Manager \_\_\_\_\_ (*title of the designee's position*), a position currently held by Michael Cain \_\_\_\_\_ (*name of the designee*), is designated as the Authorized Representative for purposes of the SAW Grant Agreement.

2. The proposed form of the SAW Grant Agreement between the Municipality, the MFA and DEQ (attached Sample Grant Agreement) is hereby approved and the Authorized Representative is authorized and directed to execute the SAW Grant Agreement with such revisions as are permitted by law and agreed to by the Authorized Representative.

3. The Municipality shall repay the Grant, within 90 days of being informed to do so, with interest at a rate not to exceed 8 percent per year, to the Authority if the Municipality is unable to, or decides not to, proceed with constructing the project or implementing the asset management program for which the funding is provided within 3 years of the Grant award.

4. The Grant, if repayable, shall be a first budget obligation of the Municipality, and the Municipality is required, if necessary, to levy ad valorem taxes on all taxable property in the Municipality for the payment thereof, subject to applicable constitutional, statutory and Municipality tax rate limitations.

5. The Municipality shall not invest, reinvest or accumulate any moneys deemed to be Grant funds, nor shall it use Grant funds for the general local government administration activities or activities performed by municipal employees that are unrelated to the project.

6. The Authorized Representative is hereby jointly or severally authorized to take any actions necessary to comply with the requirements of the MFA and the DEQ in connection with the issuance of the Grant. The Authorized Representative is hereby jointly or severally authorized to execute and deliver such other contracts, certificates, documents, instruments, applications and other papers as may be required by the MFA or the DEQ or as may be otherwise necessary to effect the approval and delivery of the Grant.

7. The Municipality acknowledges that the SAW Grant Agreement is a contract between the Municipality, the MFA and the DEQ.

8. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution are rescinded.

YEAS: Members:

NAYS: Members:

THE FORM WILL NOT BE ACCEPTED IF IT HAS BEEN EDITED, ALTERED, RETYPED, OR CONVERTED TO ANY OTHER FORMAT.

RESOLUTION DECLARED ADOPTED

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Commission of the City of Boyne City, County of Charlevoix, said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

\_\_\_\_\_  
Name  
City of Boyne City, Clerk  
City of Boyne City County of Charlevoix

	Total	90% MDEQ	10% Local	Wastewater	Storm	Yr 1	Yr 2	Yr 3	Cost Basis Description
Grant Application Costs	\$ 4,000	\$ 3,600	\$ 400	\$ 200	\$ 200	\$ 400			Per approved Engineering Services agreement
Hardware	\$ 24,600	\$ 22,140	\$ 2,460	\$ 1,230	\$ 1,230	\$ 2,460			2 Laptops, 2 Desktops, 2 Servers, Large Scanner/Plotter/Copier
Software	\$ 16,200	\$ 14,580	\$ 1,620	\$ 810	\$ 810	\$ 1,620			Per IGI Quote
Training	\$ 10,600	\$ 9,540	\$ 1,060	\$ 530	\$ 530	\$ 1,060			Per IGI Quote
<b>GPS Manhole Locations</b>									
Sanitary Manholes	\$ 31,340	\$ 28,206	\$ 3,134	\$ 3,134		\$ 3,134			GPS Time Estimate (1 person crew)
Storm Structures	\$ 6,950	\$ 6,255	\$ 695		\$ 695	\$ 695			GPS Time Estimate (1 person crew)
<b>Manhole Inventories</b>									
Sanitary Manholes	\$ 47,417	\$ 42,676	\$ 4,742	\$ 4,742		\$ 4,742			Inventory Time Estimate 30 minutes/structure + travel/mileage (2 person crew)
Storm Manholes & Outfalls	\$ 23,278	\$ 20,950	\$ 2,328		\$ 2,328	\$ 2,328			Inventory Time Estimate 30 minutes/structure + travel/mileage (2 person crew)
GIS Background Preparation (IGI)	\$ 6,000	\$ 5,400	\$ 600	\$ 300	\$ 300	\$ 600			IGI Quote
WAMP Create Templates & Interface for Data Input	\$ 21,660	\$ 19,494	\$ 2,166	\$ 2,166		\$ 2,166			IGI Quote
SAMP Create Templates & Interface for Data Input	\$ 17,290	\$ 15,561	\$ 1,729		\$ 1,729	\$ 1,729			IGI Quote
Sanitary Sewer Modeling, WAMP	\$ 25,000	\$ 22,500	\$ 2,500	\$ 2,500		\$ 2,500			Computer model (SSA Software) of entire sanitary system + potential future
Storm Sewer Modeling, SAMP	\$ 20,000	\$ 18,000	\$ 2,000		\$ 2,000	\$ 2,000			Computer model (SSA Software) of entire storm system + potential future
WW Plant Inspection, AMP input, Process Review	\$ 40,000	\$ 36,000	\$ 4,000	\$ 4,000		\$ 4,000			Review of WWTF, Pump Stations, Asset Inventory, Input and Process Review
<b>Sewer Televising</b>									
C2AE Televising Bidding & Contract Admin	\$ 15,000	\$ 13,500	\$ 1,500	\$ 750	\$ 750		\$ 1,500		Cost to develop plans, specs, bid & construction administration for televising contract
Cleaning and Televising - Sanitary Sewers	\$ 153,688	\$ 138,319	\$ 15,369	\$ 15,369			\$ 15,369		Estimated Contractor Costs for Cleaning & Televising, See Cost Estimate
Cleaning and Televising - Storm Sewers	\$ 163,350	\$ 147,015	\$ 16,335		\$ 16,335		\$ 16,335		Estimated Contractor Costs for Cleaning & Televising, See Cost Estimate
C2AE Televising Inspection (1/2 time)	\$ 28,000	\$ 25,200	\$ 2,800	\$ 1,400	\$ 1,400		\$ 2,800		Cost for C2AE on site time for monitoring sewer televising
Input Televising Data Into GIS	\$ 15,000	\$ 13,500	\$ 1,500	\$ 750	\$ 750		\$ 1,500		Importing televising data (size, material, tap locations, structural condition, defects) into GIS
Level of Service Determination	\$ 5,000	\$ 4,500	\$ 500	\$ 250	\$ 250			\$ 500	Assistance to the City in determining level of service (see application)
Revenue Structure Review	\$ 25,000	\$ 22,500	\$ 2,500	\$ 2,500				\$ 2,500	Includes budget for assistance from a financial advisor
Capital Improvement Planning	\$ 15,000	\$ 13,500	\$ 1,500	\$ 750	\$ 750			\$ 1,500	Developing cost opinions for various capital improvements determined by AMP
Stormwater Management Plan	\$ 25,000	\$ 22,500	\$ 2,500		\$ 2,500			\$ 2,500	BMP's and Report per MDEQ requirements (Appendix D)
Stormwater Ordinance Assistance	\$ 10,000	\$ 9,000	\$ 1,000		\$ 1,000			\$ 1,000	Engineering/Legal Services for Stormwater Ordinance Development??
<b>Total Estimated</b>	<b>\$ 749,373</b>	<b>\$ 674,435</b>	<b>\$ 74,937</b>			<b>\$ 29,434</b>	<b>\$ 37,504</b>	<b>\$ 8,000</b>	
Force Account - Structure Locating/Inventory	\$ 18,235	\$ 16,412				\$ 16,412			
									Reimbursement
Total Project Cost	\$ 767,608								
Total Grant Application Amount		\$ 690,847							
Total Out of Pocket			\$ 74,937	\$ 41,380	\$ 33,557	\$ 29,434	\$ 37,504	\$ 8,000	Total Costs not including Reimbursable Force Account Labor
Less Reimbursed Force Account			\$ 16,412	\$ 8,206	\$ 8,206	\$ 16,412	\$ -	\$ -	Reimbursable Force Account Labor
Net Effective Out of Pocket Costs			\$ 58,526	\$ 33,175	\$ 25,351	\$ 13,022	\$ 37,504	\$ 8,000	Total Net Out of Pocket Costs after Reimbursement



## Statement of Understanding

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The City of Boyne City is submitting a grant application to the MDEQ SAW program for the preparation of a Wastewater Asset Management Plan (WAMP), Stormwater Asset Management Plan (SAMP) and a Stormwater Management Plan (SWMP). This proposal for engineering services, along with separate cost opinions for system hardware, sewer cleaning/televising and force account services form the basis for the scope of work and total amount of funds requested via the SAW Grant application.

The items of work for the Asset Management Plans shall meet the requirements of the SAW Grant Asset Management Plan documentation for sanitary and stormwater systems found in Appendix C of the Application, as well as anticipated future NPDES permit requirements for asset management plans. This includes the following work:

- Completion of an asset inventory and condition assessment
- Determination of the level of service the utility wants to provide
- Determination and ranking of the criticality of the various assets
- Development of operation and maintenance strategies and revenue structure (WW only)
- Long term funding and capital improvement planning

Our path to develop these components is detailed below. This path is structured around a basic strategy that will produce the grant deliverables and allow the system and data to be used for these purposes in a long term fashion, and for other purposes that may arise in the future. In this sense, the C2AE Team is proposing a solution that is sustainable, scalable, and highly useful. The basic strategy is to:

- Build (or enhance) a Geographic Information System (GIS) for the City that will be the repository of all asset management and system modeling information.
- Use data in the GIS to populate asset management information in the Wastewater and Stormwater Asset Management Plan spreadsheets via an integration process.
- Allow annual capital improvement planning to be accomplished through updating of the asset management data from the GIS and minimal changes to the spreadsheets.
- Use data in the GIS as a source to run the necessary modeling software to support project demands, and to update the models in the future.
- Provide training to use and maintain the asset management spreadsheets and GIS in an ongoing fashion.

The MDEQ “Asset Management Guidance for Wastewater and Stormwater Systems”, along with the Appendix C information and Guidance were utilized as the basis for developing the Scope of Services for the Asset Management Plan preparation.

*It is intended to use MDEQ’s basic asset management spreadsheet to organize the information and produce the Capital Improvement plan and budget input data. This spreadsheet will be augmented to allow the efficient integration of data from the GIS database.*

The Stormwater Management Plan work will build upon many of the items completed under the Asset Management Plan, and will meet the requirements of the “SAW Stormwater Management Plan” outlined in Appendix D of the application. The following items will be completed as a part of the SWMP:



## ***Statement of Understanding***

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1. A description and map of the jurisdictional boundaries and the area to be covered by the plan.
2. A description of the major components of the stormwater system, including sewershed and watershed boundary and internal sub-boundaries, surface water hydrology, mapping of stormwater conveyance (pipes and channels), existing storage, regulatory or other mapped floodplains, flood control facilities and treatment components.
3. A description of publically owned BMPs and private BMPs that significantly affects the stormwater system.
4. A description of all stormwater sources and all known stormwater related water quality problems within the planning area (including surface flooding, hydraulic restriction, erosion, water quality, etc.).
5. Recommendations and an analysis of projects to correct stormwater and known stormwater related water quality problems.
  - a. This includes project identification, preliminary sizing and description of proposed activities. Proposed activities could consist of capital improvements (i.e. culvert replacement, channel modification, structural BMPs, etc.) or changes to inspection or maintenance activities (i.e. stream bank assessments, detention basin inspections, floodplain or floodway encroachment surveys, etc.).
  - b. Provide estimated operation, maintenance and capital costs for all recommendations.
6. A timeline for implementation of the plan. The extent of the timeline is at the applicant's discretion (i.e., 5-year, 10-year, etc.).
7. A general maintenance plan.
8. A general description of land use percentages.



C2AE (and sub-consultants) will provide the following scope of services for the development of the Boyne City Sanitary Asset Management Plan, Stormwater Asset Management Plan and Stormwater Management Plan

**A. Appendix “C” – Asset Management Plans for Wastewater**

1. Hardware, Software and Training

A. Hardware: The City plans to purchase hardware directly through a preferred vendor to run the GIS system. The costs of the hardware purchases are not included in this proposal, but are included elsewhere in the grant application.

B. Software: GIS software purchase is included in this agreement and will be provided by InfoGeographics, Inc. (IGI), who will be a subconsultant to C2AE. IGI is an authorized Esri retailer who will provide the software and install it on the City’s equipment. The software will include the following:

- 1 Each - Esri ArcGIS for Desktop Standard License w/ remote set-up
- 2 Each - Esri ArcGIS for Desktop Basic Single Use License w/ remote set-up
- 1 Each - Esri ArcGIS 3D Analyst License w/ remote set-up
- 1 Each - GeoConnector-InfoGeographics AMP Updating Software w/ remote set-up

C. Training: Training on the software is also included under this proposal, to be provided by IGI. The following training will be provided:

- ArcGIS General Use Training w/1 day remote follow up support
- ArcGIS Editing Training w/1 day remote follow up support
- WAMP Database Training
- SAMP Database Training

2. Asset Inventory and Condition Assessment

A. Base Mapping: InfoGeographics, Inc. (subconsultant) will acquire all existing base map information and develop the initial base mapping for GIS creation. The base map will be set to work with direct import of surveyed asset locations and inventory information.

B. GPS Manhole Locations: C2AE will utilize GPS survey grade instruments to collect horizontal and vertical location/elevation information for sanitary manholes and other sanitary collection system assets (to be completed in conjunction with stormwater system assets) . The accuracy of collected information will be to 0.2’ horizontal and 0.2’ vertical. The City will provide personnel to locate and mark existing sanitary assets in advance of the GPS survey.

C. Manhole Inventory: C2AE will provide a two person crew to complete an inventory of sanitary manholes and other sanitary system assets (to be done in conjunction with stormwater assets). The inventories shall include a condition assessment in accordance with NASSCO’s MACP requirements, and shall also include information on direction, size, invert elevation and materials for all sanitary sewers entering/exiting the structure, as can be determined from the surface without confined space entry. The City will



provide an additional person to assist with the inventories.

- D. GIS Data Entry: InfoGeographics will create a template and interface for automatic data loading into the GIS map database. This will include field data loading and support, MH numbering, pipe network development, support integration with the WAMP asset spreadsheet and support output to WAMP modeling.
- E. Aerial Mapping and Ground Control: C2AE will utilize the City's existing aerial mapping data for the creation of a sanitary (and stormwater) system model, including drainage district delineation. No additional mapping is anticipated.
- F. Sanitary Collection System Model: C2AE will utilize the information collected in Items A through E above to create a computerized model of the sanitary sewer collection system. The model will be developed in Autodesk Storm and Sanitary Analysis (SSA) software. The model will provide information regarding existing sewer system hydraulic capacities and will be utilized to determine necessary capital improvement planning.
- G. Sanitary Sewer Cleaning and Televising Plans, Specifications and Contract Administration: Based on the GIS mapping and modeling information developed above, C2AE will prepare bid plans and specifications for the internal televising of select portions of the Boyne City sanitary sewer system. The portions of the sewer system intended to be televised are those where the sewers are at least 20 years old and will focus on the known problem areas. The actual televising work will be performed in accordance with NASSCO's PACP requirements by a televising contractor under direct contract with the City. C2AE will prepare plans, specifications, assist with the bid opening and contract award, and complete construction contract administration services for the televising work. It is anticipated that televising of both sanitary and storm sewers will be performed under a single televising contract.
- H. Sanitary Sewer Televising Observation Services: C2AE will provide on-site observation services (approximately ½ time) during the contractor televising work.
- I. Asset Data Import into AMP Spreadsheet: C2AE and IGI will import the inventory and televising data to populate the asset management spreadsheet. The spreadsheet will include the individual sanitary sewer pipeline condition ratings assessments as well as suitability for future use (capacity). It is anticipated that the MDEQ asset management spreadsheet will be utilized.
- J. Wastewater Plant and Pump Station Asset Inventory: C2AE will also complete inventories of the major assets of the wastewater treatment facility and pump stations. The inventory will include following work efforts:
  - 1) Review of existing plans and specifications
  - 2) Review of existing O&M manuals and equipment shop drawings
  - 3) Field review of structures, process equipment, mechanical equipment, electrical and controls.
  - 4) Assess component condition – visual inspection
  - 5) Interview operating staff
  - 6) Input of collected data into the asset management spreadsheet



3. Level of Service Determination

- A. Public Information: C2AE will assist the City in determining the level of service desired for the operation and maintenance of the City's sanitary and stormwater system. Level of Service (LOS) defines the way in which the utility stakeholders want the utility to perform over the long term. The LOS can include any technical, managerial, or financial components the utility wishes, as long as all regulatory requirements are met. The LOS will become a fundamental part of how the utility is operated. C2AE will assist the City in collecting public input at public information meetings and City Council meetings and via other means as determined by the City. C2AE will then utilize the determined level of service in the development of the Asset Management Plan and associated costs.
- B. Mission Statement: It is important for the utility to communicate with its customers to avoid confusion, bad feelings, accusations of improper operation, and to make clear what the customer's expectations should be. C2AE will assist the City's Asset Management Team to develop a LOS Mission Statement to help focus efforts on what an Asset Management Plan should accomplish and how to be most cost effective while meeting customer expectations and complying with local, state, and federal regulations. The LOS Mission Statement will address the service areas, identify any deficiencies, and set goals for improvement.
- C. Additional Considerations: C2AE will work with the City in addressing the following items when developing the LOS for the system, as applicable:
  - 1) What is the LOS goal for health, safety, and security?
  - 2) How often is the system out of compliance with regulations?
  - 3) Are the operators properly certified?
  - 4) How does the utility stay aware of and prepare for new regulations?
  - 5) Do you share your LOS statement with your customers?
  - 6) How do you track and respond to customer needs/complaints?
  - 7) Can the current process be improved?
  - 8) How quickly does the utility respond to customer issues?
  - 9) Is maintenance being deferred to save money?
  - 10) How much will the improvements cost and how will they be funded?
  - 11) Are assets being properly maintained to insure they are in reliable working condition?
  - 12) What areas within the system are most important to insure the best LOS possible?
  - 13) When considering a preferred LOS, are asset age and life cycles, asset conditions, funding availability, etc. being factored in?
  - 14) How often will the LOS statement be reviewed in order to capture changes such as funding availability (growth and decline), regulatory requirements, demand of customers (increases/decreases in customers), and physical deterioration of assets (addressing maintenance)?
  - 15) Are O&M activities being maximized to meet the LOS goals?

4. Determination and Ranking of the Criticality of Assets



- A. **Criticality Determination and Ranking:** Based on the asset inventory information (including computer model) C2AE will assist the City in determining the criticality of each of the assets in the City's sanitary sewer collection system, pump stations and wastewater treatment facility. The criticality analysis will include a determination of the probability of failure, as well as all of the consequences associated with that failure. To determine the probability of failure, C2AE will evaluate a number of factors including: asset age, condition of asset, failure history, historical knowledge, experiences with that type of asset in general, maintenance records, and knowledge regarding how that type of asset is likely to fail. The criticality of each asset will be input into the AMP spreadsheet based a performance rating. An analysis of different assets will reveal which asset has the highest criticality factor and, therefore, which asset would require the most attention either for repair or replacement.

5. Development of Operation and Maintenance Strategies and Revenue Structure

- A. **Operation and Maintenance Strategies:** The manner and level of which an asset is maintained has a bearing on the operational condition and service life of an asset. The previously developed asset inventory and prioritization will guide the creation of a matrix containing asset major maintenance and replacement needs by year. Discussion regarding various maintenance strategies and costs will be conducted with the City staff. Annual O,M&R costs will be included in the asset analysis.
- B. **Revenue Structure:** C2AE will complete a review of the City's sewer system revenue structure to accommodate the results of the Asset Management Plan, including Capital Improvement Plans. C2AE will provide recommendations for a 5 year plan to implement changes to the rate structure to close any funding gap, should one be identified. C2AE's budget includes utilizing a financial advisor and/or auditor in completing this review.

6. Long Term Funding and Capital Improvement Planning

- A. **Capital Improvement Plan:** C2AE will assist the City in developing a long-term Capital Improvement Plan (CIP), which will look at the utility's needs for the future. We anticipate a planning period of 20 years. Capital improvement projects are projects that the utility has an extended period of time to plan for and are projects that usually cover high cost, non-recurring items.

The following categories of capital improvements will be considered:

- 1) Capital Needs Related to Future/Upcoming Regulations
- 2) Capital Needs Related to Major Asset Replacement
- 3) Capital Needs Related to System Expansion
- 4) Capital Needs Related to System Consolidation or Regionalization
- 5) Capital Needs Related to Improved Technology

The Capital Improvement plan will first identify the desired projects and their anticipated costs. Once project costs are identified, C2AE will work with the City to identify and evaluate possible methods of funding these improvements, and include them in the revenue structure analysis if applicable.



7. Wastewater Asset Management Plan Deliverables

The following project deliverables will be provided as a part of this work;

- Completion of the Asset Management Plan that meets the requirements of the MDEQ SAW program Appendix C and NPDES permit requirements within 3 years of the grant agreement.
- Development of 5-year revenue plan to eliminate the funding gap identified in the AMP, with submittal of a draft funding/revenue plan to the MDEQ within 2-1/2 years of the grant agreement.
- Recommendations to the City based on the 5 year revenue plan to provide a minimum initial rate increase to close at least 10 percent of the funding gap. The first rate increase must be adopted by the City and implemented within three years of the executed grant.
- Assisting the City with certification that all grant activities have been completed at the end of three years and submit a copy of the final 5-year plan with the certification.
- Providing all electronic GIS and AMP files to the City.

**B. Appendix “C” – Asset Management Plans for Stormwater**

1. Hardware, Software and Training

- A. Hardware: As described in the Wastewater Asset Management Plan section.
- B. Software: Hardware: As described in the Wastewater Asset Management Plan section.
- C. Training: Hardware: As described in the Wastewater Asset Management Plan section.

2. Asset Inventory and Condition Assessment

- A. Base Mapping: As described in the Wastewater Asset Management Plan section.
- B. GPS Manhole, Catch Basin and Outlet Locations: C2AE will utilize GPS survey grade instruments to collect horizontal and vertical location/elevation information for storm manholes, catch basins and storm outlets and other stormwater system assets. The accuracy of collected information will be to 0.2' horizontal and 0.2' vertical. The City will provide personnel to locate and mark existing stormwater assets in advance of the GPS survey.
- C. Manhole Inventory: C2AE will provide a two person crew to complete an inventory of storm manholes and storm outlets (catch basin inventories are not anticipated) and other stormwater system assets. The inventories shall include a condition assessment in accordance with NASSCO's MACP requirements, and shall also include information on direction, size, invert elevation and materials for all storm sewers entering/exiting the structure, as can be determined from the surface. The City will provide an additional person to assist with the inventories.
- D. GIS Data Entry: InfoGeographics will create a template and interface for automatic data loading into the GIS map database. This will include field data loading and support, MH



numbering, pipe network development, support integration with the SAMP asset spreadsheet and support output to SAMP modeling.

- E. Aerial Mapping and Ground Control: C2AE will utilize the City's existing aerial mapping data for the creation of a stormwater (and sanitary) system model, including drainage district delineation. No additional mapping is anticipated.
  - F. Stormwater Model: C2AE will utilize the information collected in Items A through E above to create a computerized model of the stormwater system. The model will be developed in Autodesk Storm and Sanitary Analysis (SSA) software. The model will provide information regarding existing sewer system hydraulic capacities and will be utilized to determine necessary capital improvement planning and also BMP location and sizing under the SWMP section.
  - G. Storm Sewer Televising Plans, Specifications and Contract Administration: Based on the GIS mapping and modeling information developed above, C2AE will prepare bid plans and specifications for the internal televising of select portions of the Boyne City storm sewer system. The actual televising work will be performed in accordance with NASSCO's PACP requirements by a televising contractor under direct contract with the City. C2AE will prepare plans, specifications, assist with the bid opening and contract award, and complete construction contract administration services for the televising work. It is anticipated that televising of both sanitary and storm sewers will be performed under a single televising contract.
  - H. Storm Sewer Televising Observation Services: C2AE will provide construction observation services (approximately ½ time) during the contractor televising work.
  - I. Asset Data Import into AMP Spreadsheet: C2AE and IGI will import the inventory and televising data to populate the asset management spreadsheet. The spreadsheet will include the individual storm manhole and pipeline condition ratings assessments as well as suitability for future use (capacity). It is anticipated that the MDEQ asset management spreadsheet will be utilized.
3. Level of Service Determination
- A. See LOS description under the Wastewater Asset Management Planning. The storm system LOS will be completed at the same time with the same elements.
4. Determination and Ranking of the Criticality of Assets
- A. Criticality Determination and Ranking: Based on the asset inventory information (including computer model) C2AE will assist the City in determining the criticality of each of the assets in the City's stormwater collection system. The criticality analysis will include a determination of the probability of failure, as well as all of the consequences associated with that failure. To determine the probability of failure, C2AE will evaluate a number of factors including: asset age, condition of asset, failure history, historical knowledge, experiences with that type of asset in general, maintenance records, and knowledge regarding how that type of asset is likely to fail. The criticality of each asset will be input into the AMP spreadsheet based a performance rating. An analysis of



different assets will reveal which asset has the highest criticality factor and, therefore, which asset would require the most attention either for repair or replacement.

5. Development of Operation and Maintenance Strategies

- A. Operation and Maintenance Strategies: The manner and level of which an asset is maintained has a bearing on the operational condition and service life of an asset. The previously developed asset inventory and prioritization will guide the creation of a matrix containing asset major maintenance and replacement needs by year. Discussion regarding various maintenance strategies and costs will be conducted with the City staff. An attempt will be made to identify these annual costs for inclusion in the asset analysis.

6. Long Term Funding and Capital Improvement Planning

- A. Capital Improvement Plan: C2AE will assist the City in developing a long-term Capital Improvement Plan (CIP), which will look at the utility's needs for the future. We anticipate a planning period of 20 years. Capital improvement projects are projects that the utility has an extended period of time to plan for and are projects that usually cover high cost, non-recurring items.

The following categories of capital improvements will be considered:

- 1) Capital Needs Related to Future/Upcoming Regulations
- 2) Capital Needs Related to Major Asset Replacement
- 3) Capital Needs Related to System Expansion
- 4) Capital Needs Related to System Consolidation or Regionalization
- 5) Capital Needs Related to Improved Technology

The Capital Improvement plan will first identify the desired projects and their anticipated costs. Once project costs are identified, C2AE will work with the City to determine possible methods of funding these improvements.

7. Stormwater Asset Management Plan Deliverables

The following project deliverables will be provided as a part of this work;

- Completion of the Asset Management Plan that meets the requirements of the MDEQ SAW program Appendix C.
- Assisting the City with certification that all grant activities have been completed at the end of three years.
- Providing all electronic GIS and AMP files to the City

**C. Appendix D – Stormwater Management Plan (SWMP)**

The Grant Application Appendix D and Guidance information was used as the basis for developing the Scope of Services for the SWMP portion of the work.

C2AE will assist the City in the development of a SAW Stormwater Management Plan as outlined in Appendix D of the SAW Grant Application. The SWMP will consist of the following items.



1. **Planning Area Map:** A description and map of the jurisdictional boundaries and the area to be covered by the plan. The planning area will be hydrologically based and include the entire collection and conveyance system (open and closed) as well as the contributing area. The map will be generated from the GIS storm sewer system map developed under the Asset Management Plan Development.
2. **Land Use:** Land use information will be provided in the base mapping, and a general description of land use percentages will be included in the plan. Land use will be a factor in completing the runoff calculations.
3. **Description of Major Components:** A description of the major components of the stormwater system and/or country drainage district, including sewershed and watershed boundary and internal sub-boundaries, surface water hydrology, mapping of stormwater conveyance (pipes and channels), existing storage, regulatory or other mapped floodplains, flood control facilities and treatment components will be developed.
4. **Description of BMP's:** A description of publically owned BMPs and private BMPs that significantly affects the stormwater system will be developed and included.
5. **Sources and Quality Problems:** A description of all stormwater sources and all known stormwater related water quality problems within the planning area (including surface flooding, hydraulic restriction, erosion, water quality, etc.) will be developed and included in the plan.
6. **Recommendations:** Recommendations and an analysis of projects to correct stormwater and known stormwater related water quality problems will be included in the plan. This includes project identification, preliminary sizing and description of proposed activities. Proposed activities may consist of capital improvements or changes to inspection or maintenance activities. An estimate of operation, maintenance and capital costs will be included for all recommendations, as well as project prioritization for implementation.
7. **Implementation Timeline:** A timeline for implementation of the capital improvement plan will be developed based on potential funding sources.
8. **Maintenance Plan:** A general maintenance plan will be developed and included in the plan.
9. **Stormwater Ordinance:** C2AE will assist the City in the development of a Stormwater Ordinance for consideration by the City Council. C2AE has included assistance from the City Attorney in the fee for ordinance development.
10. **Submittal:** C2AE will provide draft and final copies of the SWMP for review and approval by the MDEQ.



Date: Nov. 12, 2013

To: Michael Cain, City Manager   
City Commissioners

From: Hugh Conklin, program manager;  
Andy Kovolski, DPW Director 

RE: Trail Town

Members of the Boyne City Parks and Recreation Commission, the Main Street Board, city staff, and interested community residents attended a presentation on Nov. 6 by Harry Burkholder, a community planner for the Land Information Access Association (LIAA), on the concept of "Trail Town."

A "Trail Town," according to information from LIAA, "is a community in which local officials have used their trail system as the focal point of a tourism-centered strategy for economic development and local revitalization." In his presentation, Mr. Burkholder stressed the point that Trail Town efforts are not limited to any type of trail and include non-motorized, snowmobile, lake and river, and 4-wheel trails.

A more detailed summary of the "Trail Town" program provided by LIAA is included in your packet. Much more additional information, including the powerpoint presentation used at the meeting at the November 6th meeting can be found online at the bottom of the page you reach by following: <http://www.liaa.org/rectrails.asp>

LIAA has received grant funds from the Charlevoix County Community Foundation and the Frye Foundation to develop a Trail Town Master Plan for two communities within Charlevoix County and they are offering their services to Boyne City. These services would include providing at no cost to the city professional planning assistance and technical support for developing a useful, appropriate, and well-supported Trail Town Master Plan for Boyne City. LIAA will also provide:

- Project planning and management;
- On-site facilitation services and educational assistance;
- Research and analyses (e.g., identifying & evaluating alternatives);
- Geographic analyses and map production; and
- Development and drafting of the plan.

At their regular monthly meetings this week, both the Main Street Board and Parks and Recreation Commission discussed the "Trail Town" concept and both were in unanimous agreement this is an initiative Boyne City should endorse and they strongly encourage the

City Commission to do the same. With the pending construction of the Boyne City to Charlevoix trail, and the development of trail from Boyne City to Boyne Falls, the community is in an ideal position to capitalize on all the opportunities available by becoming a "Trail Town."

Although details still need to be finalized, the general timeline is to start the project before the end of the year and have it be guided by a committee consisting of representatives from City staff, the Parks and Recreation Commission, Boyne Area Chamber of Commerce, Main Street, local trail groups and interested members of the public. The goal would be to have the plan completed and ready for consideration by late spring or early summer.

**Recommendation**

The City Commission support the recommendation of the Parks and Recreation Commission and Main Street Board for Boyne City to become a "Trail Town" and to authorize the city manager to execute the required documents for engaging the professional services of the Land Information Access Association in the development of the "Trail Town" master plan.

Options:

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

# Trail Towns

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## What is a Trail Town?

A *Trail Town* is a community in which local officials have used their trail system as the focal point of a tourism-centered strategy for economic development and local revitalization. The Trail Town concept was originally developed by the Allegheny Trail Alliance, a coalition of seven trail organizations along the Great Allegheny Passage, a 150-mile multi-use trail running through Pennsylvania and Maryland. Many communities in Michigan are now working to develop their own local Trail Town Program. The basic Trail Town concept is simple: **ensure that communities along the trail are better able to maximize the economic potential of trail-based tourism.**



The local Trail Town effort can be centered around any type of trail (e.g., non-motorized, snow-mobile, equestrian and kayak). While the Trail Town concept is primarily geared toward cities and towns, the concept is very much applicable in rural areas that have at least one small center of commercial activity. Most Trail towns are not isolated communities - they are linked together by the trail, creating a regional destination for residents, trail users and tourists.

## How Does a Community Establish a Trail Town?

While there are a number of different ways in which local communities can organize around an effort to create a Trail Town Program, the most common approach has been to use the "Four Point Approach" developed by the National Main Street Center of the National Trust for Historic Preservation.

1. **Organization.** Establish consensus and cooperation by building partnerships among various groups that have a stake in the local trail system and the downtown.
2. **Promotion.** Sells the image and promise of a Trail Town to all prospects.
3. **Design.** Gets the Trail Town into top physical shape to create a safe and appealing environment.
4. **Economic Restructuring.** Helping existing businesses expand and recruit new businesses to respond to current trail activities and market forces.

## What are the Benefits of Becoming a Trail Town?

Over the last several years, as the full economic potential of linking trails, recreation, tourism and business development has become better known, the Trail Town concept has caught on. According to an article from the Rails-to-Trails Conservancy, "communities around the country are increasingly utilizing the 'Trail town' model of economic revitalization that places trails as the centerpiece of a tourism-centered strategy for small town revitalization." In fact, studies from neighboring states like Wisconsin have shown that bicycle tourism supports more than \$900 million in tourism and residential spending each year.

**MEMORANDUM****TO: MICHAEL CAIN; CITY MANAGER** **FROM: ANDREW KOVOLSKI; PUBLIC WORKS SUPERINTENDENT** **DATE: 11/7/13****RE: RIVERMOUTH IRRIGATION BID**

In this years Parks and Recreation budget we planned for the installation of an irrigation system for the area around the Rivermouth restroom facility and the park area extending north to the State Street entrance to Veterans Park. Attached to this memorandum you will find a map outlining the proposed area of irrigation coverage. This is an area that is being utilized more and more for events and just everyday use by citizens and visitors as well. In the past we have tried to maintain this area utilizing portable sprinklers and hose across the ground with less than stellar results. This being a part of the gateway to our lakefront park area I feel it needs to look better. An irrigation system will help us better maintain the lawn in this area.

Bid specifications were developed to match the components of the other irrigation systems we have at other locations. This will allow for a minimum inventory of replacement parts and easier operation of the systems. They were also asked to submit a drawing of their proposed system.

Bids were advertised October 2, 2013; with a bid opening date of October 14, 2013. Bids were received from Haley Irrigation for the amount of \$15,350.00 and Boyne Irrigation Inc for the amount of \$14,644.16; both contractors are from the Boyne City area. Copies of the drawings and proposals are attached for your review.

Based on a review of the bids and drawings I am recommending we go with the bid from Haley Irrigation. Their proposal offers better coverage of the area with less over-spraying of hard surface areas. They have also included in their bid a drip-line system for the flower bed areas around the restroom building. The Parks Department usually helps with the watering of these flower beds during the summer months for the Flower Club. Installation of the system would take place in early April of 2014.

**RECCOMENDATION:**

It is my recommendation that the City Commission approve this contract with Haley Irrigation of Boyne City, in the amount of \$15,350.00; and authorize the City Manager to sign the required documents. Funds for this project were budgeted in this years Parks and Recreation Department budget.



 = Irrigation Coverage Area

# OPTION 1

CITY OF BOYNE CITY

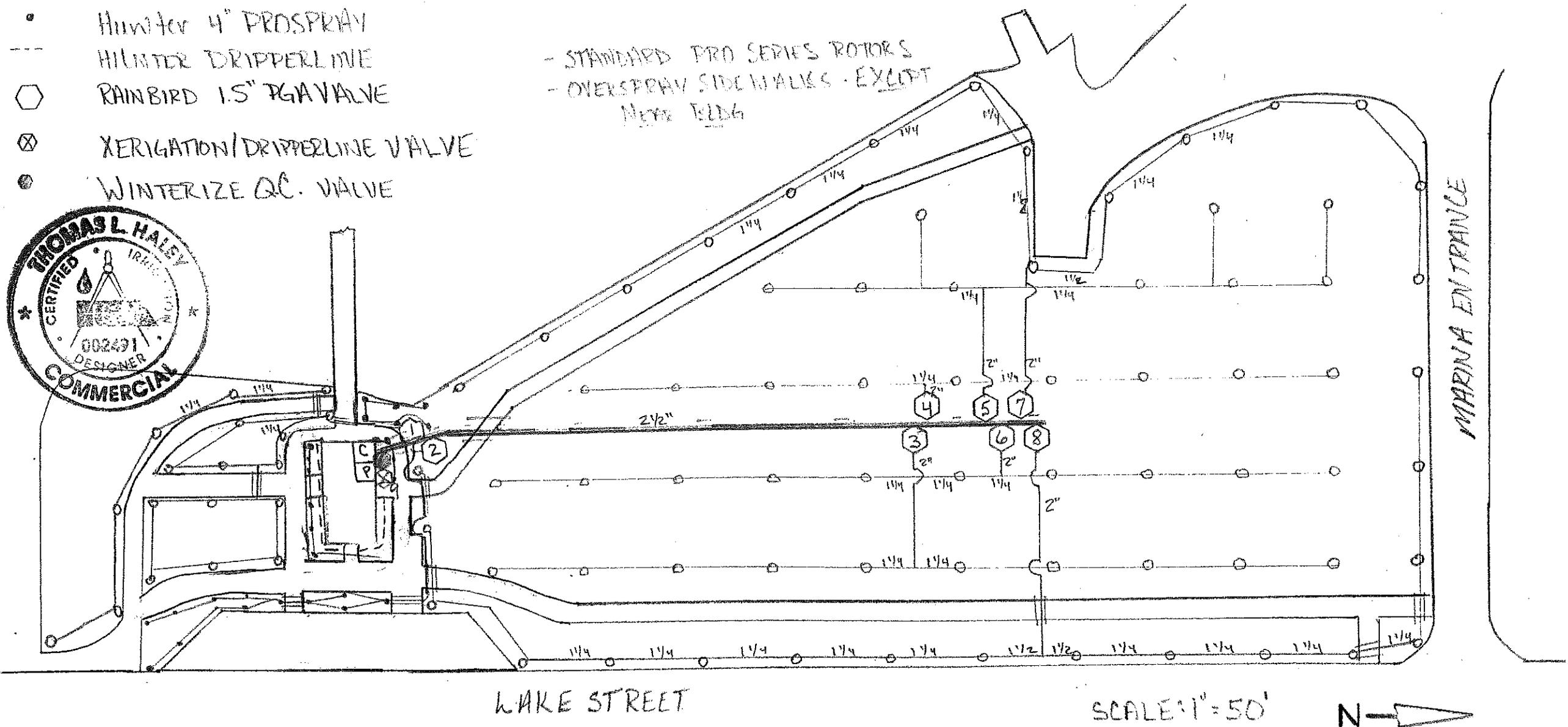
## IRRIGATION LEGEND

- ☐ CONTROLLER
- ▣ PRESSURE/VACUUM BREAKER
- HUNTER PGP / OR RPS PRO ROTOR
- HUNTER 4" PROSPRAY
- - - HUNTER DRIPPERLINE
- ⬡ RAINBIRD 1.5" PG VALVE
- ⊗ XERIGATION/DRIPPERLINE VALVE
- WINTERIZE Q.C. VALVE

\*SYSTEM BASED ON 1.5" PVB  
 \*WATER REQUIREMENTS: 50GPM @ 60PSI - MINIMUM

## RIVER MOUTH IRRIGATION SYSTEM

- STANDARD PRO SERIES ROTORS  
 - OVERSPRAY SIDEWALKS - EXCEPT  
 NEAR EDGE



# HALEY, Inc.

03450 Pleasant Valley Rd.  
 Boyne City, MI 49712  
 Phone (231) 582-6460 Fax (231)  
 582-7960  
 Irrigation - Brick Paving - Lighting

# Estimate

DATE	ESTIMATE NO.
10/8/2013	3990

NAME / ADDRESS
City Of Boyne City 319 N. Lake Street Boyne City, Mi 49712

DESCRIPTION		PROJECT
		TOTAL
Automatic Irrigation System Estimate: River Mouth Irrigation		
QTY	MATERIAL	
1	Rainbird ESP/LX Modular (12 Zone Loaded)	
1	Febco 1.5" PVB or 2" PVB	
1	3/4" Q.C. Valve	
88	Hunter PGP-ADJ/or RPS Pro Series Rotor	
28	Hunter 4" Prospray	
250'	Hunter 9x12 Dripperline	
1	Xerigation Valve 3/4"	
8	Rainbird 1.5" PGA Valves w/10" Covers	
300'	2.5" PVC Pipe	
2,100'	1.25" NSF Poly Pipe	
2,100'	1" NSF Poly Pipe	
500'	18-12 Wire	
300'	Hunter Swing Pipe	
Misc.	Fittings	
5,000'	#14-1 Tracking Wire	
100	Blue-Gel Wire Nut	
240'	2" PVC	
1	Installation	
SPRINKLER SYSTEM INSTALLATION TOTAL:		15,350.00
Thank you for providing us the opportunity to quote. UPON APPROVAL PLEASE SIGN AND RETURN 1 COPY.		<b>TOTAL \$15,350.00</b>

SIGNATURE \_\_\_\_\_

# Boyne Irrigation Inc.

664 State St.  
Boyne City, MI 49712



## Estimate

Date	Estimate #
10/11/2013	8115

Name / Address
Boyne City

Ship To
RIVER MOUTH IRRIGATION

Ph. 231-582-5585
Fax #231-582-5540

Terms
-------

Description	Qty
CITY OF BOYNE CITY TO MAKE WATER TAP AND CONNECT THE BACKFLOW TO WATER SOURCE	
4" ROTOR HUNTER	134
POLY NSF 1" 100PSI	4,090
NSF POLY 1 1/4 100PSI	900
Wire 18-09 Multi Strand	750
WIRE 18-13 MULTI-STRD	200
1 1/2" ELECTRIC VALVE RAINBIRD	12
PIPE SDR26 2' 160PSI	550
PIPE SDR26 1 1/2' 160PSI	150
Wire 14-1 Single Strd	5,390
2" -PVB BACKFLOW APOLLO	1
Copper Pipe 2"	5
RAIN BIRD CONTROLLER MODLR 4 ST.OUT	1
MODULE, 6 STATION MOD	2
PVC Cement and Primer, Misc Fasteners, DBR, Clamps	1
Labor to Install	3
Directional Boring Per Foot	42

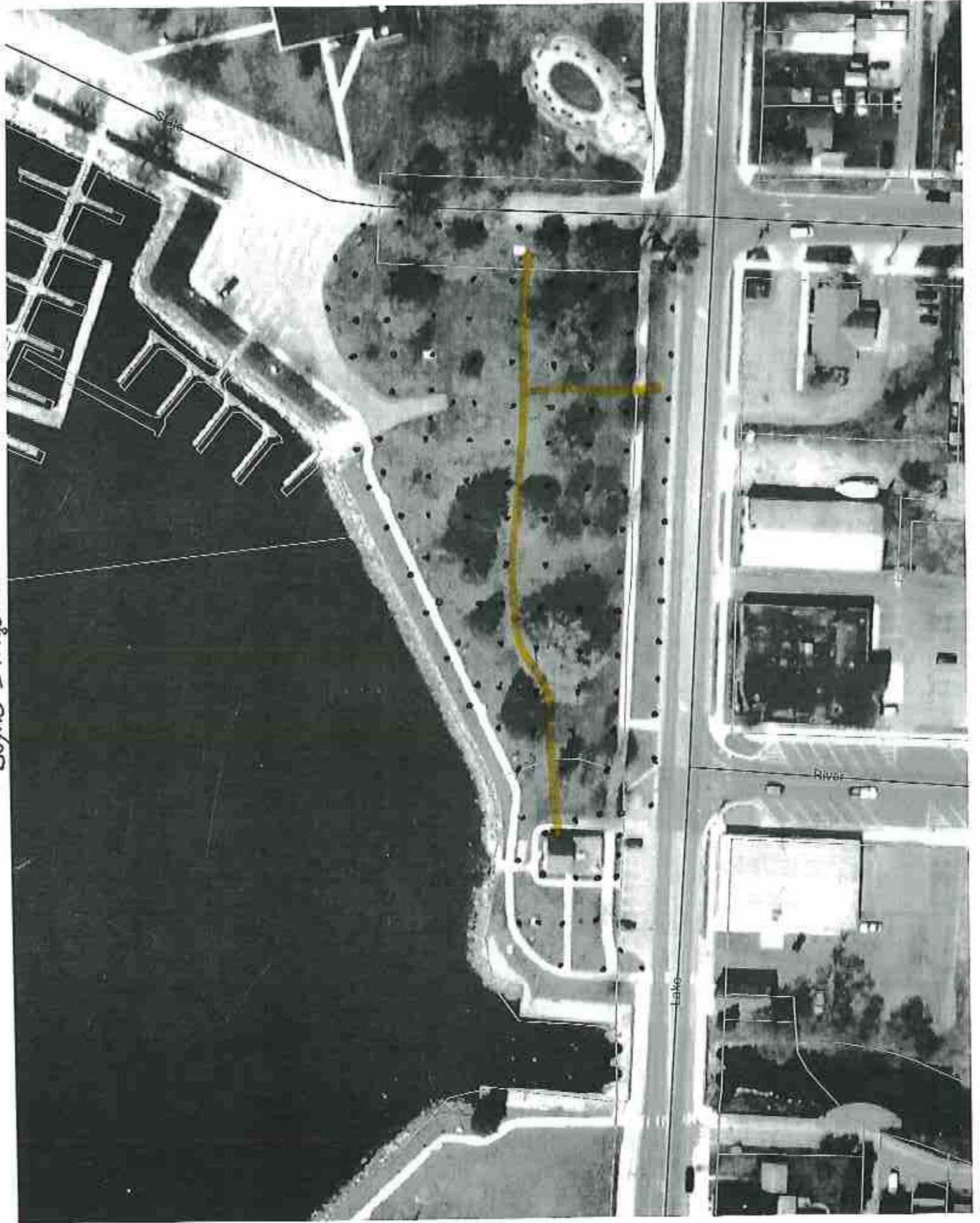
\* Insured for liability and workmans comp.\*

Price is for lawn sprinkler to the specifications as discussed. All materials are guaranteed to be free from defects for a period of two years from date of completed installation. All labor is guaranteed for a period of one year from the completed installation. This price reflects having unobstructed site access during installation. All guarantees void if payment is not made in accordance with specified terms. A service of 2% per month will be added to overdue accounts. This contractor is not responsible for utilities not properly located by Miss Dig or owner's agent. This proposal is good for 30 days from date printed on form. Material quantities may vary slightly. Please sign and return one copy.

Signature \_\_\_\_\_

**Total** \$14,644.16

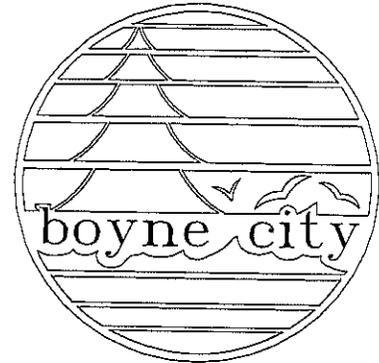
Boyer Irrigation



**CITY OF BOYNE CITY**

**To:** Michael Cain, City Manager *McC*  
**From:** Cindy Grice, City Clerk/Treasurer *cg*  
**Date:** November 8, 2013  
**Subject:** 2014 City Commission Meeting Schedule

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We are required by the Open Meetings Act to formally adopt a meeting schedule for each year. Attached, please find a calendar for 2014 the proposed regular City Commission meeting dates with either a circle around the dates for a 7:00 p.m. or a triangle around the dates noting a noon meeting. This, with the exception of December, follows the same 2<sup>nd</sup> and 4<sup>th</sup> Tuesday monthly schedule that we have followed for several years. All meetings, unless changed by the City Commission are held at the Boyne City Hall, 319 North Lake Street.

All of the meeting dates are clear except for the 4<sup>th</sup> Tuesday of December, 2014 which happens to fall on December 23. It has been a long standing practice to cancel the City Commission meeting around the Christmas and New Year Holidays. If a need arises for a meeting towards the very end of the calendar year, a special meeting can be called. We also usually keep the last two Tuesdays in March, the 18<sup>th</sup>, 25<sup>th</sup>, and possibly the first Tuesday in April, the 1<sup>st</sup> in 2014 open for budget review sessions as need.

**RECOMMENDATION:**

I am recommending the Boyne City Commission approve its regular meeting schedule for 2014 the 2<sup>nd</sup> Tuesday of each month at 7:00 p.m. and the 4<sup>th</sup> Tuesday of each month except December at noon with all meetings to be held at Boyne City Hall, 319 North Lake Street in Boyne City.

# 2014

## January

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

## February

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

## March

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

## April

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
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## August

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## September

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## November

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## December

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○ = 7:00 pm meeting

△ = Noon meeting



# City of Boyne City

Agenda Item 12E

## MEMO

Date: November 8, 2013

To: The Boyne City City Commission

From: Michael Cain, City Manager *Mc*

Subject: Goal Setting and Joint Board and Commission Meetings

Boyne City has a history of conducting community wide goal setting sessions and joint Board and Commission meetings. Lately the goal setting sessions have been held every few years, with the last one being held in January, 2011. Joint Board and Commission meetings have been held annually, usually towards the end of the year. I believe it is time to: 1) hold a goal setting session again to get input and direction from the Community on what issues they feel are important 2) share and discuss the information collected with our Boards and Commissions 3) The City Commission establishes priorities 4) I will work with staff to incorporate the priorities in our work plans and budget directions.

I think the recent re-election of the City Commission is a great opportunity to revisit our community goals, see what has been accomplished, what remains on the list, and what should be added to or deleted from that list. As noted above, this will allow us to focus on the directions set by the City Commission, coordinate with our Boards, Commissions, and Staff and subsequently incorporating them into our upcoming budget planning.

If the Commission would like to proceed with these items, I would suggest that we hold the goal setting session first, with the Joint Board and Commission meeting to follow. The generally preferred days for City meetings have been Tuesdays and Thursdays. Since we are now pretty much into the holiday season (which officially starts each November 15<sup>th</sup>) I think the best time for these meetings would be early in 2014. Looking at the 2014 calendar (included in this agenda packet) I had contacted St. Matthews to see if their parish hall is available on either Thursday the 9<sup>th</sup>. This location has worked well for us in the past and was available on the 9<sup>th</sup>. Alternate dates in January that could be considered are:

- Thursday the 2nd (might be too close to New Years)
- Tuesday the 7<sup>th</sup>,
- Tuesday the 14<sup>th</sup> (same day as a noon CC mtg)
- Thursday the 16<sup>th</sup> (Chamber's annual meeting/dinner out at Boyne Mountain)
- Thursday the 23<sup>rd</sup> (Airport Board 6pm)
- Tuesday the 28<sup>th</sup> (winter CM training for me in Battle Creek)
- Thursday the 30<sup>th</sup> (my training in Battle Creek will still be underway)

If one of these alternate dates is preferred, I would have to check the availability of the Parish Hall or explore other location options.

A Joint Board and Commission meeting could then follow, preferably a couple weeks later to allow time for additional input on the goals via the internet. We obtained that input during the last two processes in 2010 and 2012 and they were very successful in significantly increasing the input from the public. The first viable date for a joint meeting would appear to be Thursday, February 13<sup>th</sup>. Other alternate dates in February appear to be Tuesday the 18<sup>th</sup> or 25<sup>th</sup> (same day as a noon CC mtg.) or Thursday the 20<sup>th</sup>.

I have contacted both Andy Hayes of the Northern Lakes Economic Alliance and Dean Solomon of the MSU Extension regarding their availability to help facilitate a goal setting session. I hope to hear back from them by the time of our meeting on Tuesday. Both have moderated our sessions in the past and have expressed their willingness to help, either separately or together, depending on their schedules. Their services have been at no charge to the City. We could also explore other options as to format and/or moderators if the Commission prefers.

**RECOMMENDATION:** The City Commission decide if and when it would like to hold a Community Goal setting meeting and/or a Joint Board and Commission meeting and authorize the City Manager to make the necessary arrangements. Depending on feedback from the Commission my initial recommendation for dates would be for a goal setting session on Thursday, January 9<sup>h</sup> at the St. Matthews Parish Hall and a Joint Board and Commission meeting on Thursday, February 13<sup>th</sup> in the Boyne City Hall Auditorium, both starting at 6:00 p.m.

Options:

- Postpone this decision for further consideration or input.
- Choose other dates, times and/or locations.
- Choose not to hold one or the other of these meetings at this time.
- Other options as determined by the City Commission.



# City of Boyne City

Agenda Item 12F

## MEMO

Date: November 8, 2013  
To: The Boyne City City Commission  
From: Michael Cain, City Manager *Mc*  
Subject: Draft Asian Carp Resolution

Attached for the City Commission's review and consideration is a draft resolution regarding the control of Asian Carp. The Commission may recall that a letter and resolution on this topic was included in our last agenda packet. The Commission requested that we look into a possible alternate resolution.

The resolution before you is heavily based on one recently adopted by the City of Harbor Springs. Like that resolution it expresses concern about the Asian Carp, their possible negative impacts on the Great Lakes and requests that action be taken to prevent them from entering that system. Unlike the earlier resolution it does not specify what the appropriate method is.

Changes to the Harbor Springs resolution consist of specifically including a reference to Lake Charlevoix and connecting waterways (such as the Boyne River). In addition, this resolution is addressed to our representatives in both Lansing and Washington D.C. rather than just in Washington.

**RECOMMENDATION:** That the City Commission consider the attached resolution and adopt it if acceptable to be forwarded it to our representatives in Lansing and Washington D.C.

Options:

- 1) Postpone for further information or consideration.
- 2) Revise the resolution.
- 3) Take no action.
- 4) Deny the proposal for a resolution.
- 5) Other action as determined by the City Commission.

RESOLUTION  
OF  
THE CITY COMMISSION OF  
THE CITY OF BOYNE CITY  
(A Michigan Municipal Corporation)

November 12, 2013

WHEREAS, the Great Lakes are the world's largest freshwater ecosystem and a precious and irreplaceable natural resource; and

WHEREAS, the Great Lakes and its connecting waterways such as Lake Charlevoix, which Boyne City is situated upon, are threatened by the introduction of Asian Carp, an aggressive and invasive species that have dominated waterways due to their large size and have threatened the native species of fish by eating enormous amounts of food that the native fish rely on; and

WHEREAS, Asian Carp threaten the safety of pleasure boaters, the viability of the commercial fishing industry and the attraction of recreational users of the waterways... threatening the activities that are critical to the economy of our community as well as the culture, ecology and welfare of the entire region.

WHEREAS, evidence exists that invasive carp have migrated northward through the Mississippi River system as far north as Wisconsin, Minnesota, Illinois, Indiana, and Ohio, significantly reducing or eliminating populations of the more desirable species of fish because of their voracious food consumption and prolific reproduction.

WHEREAS, the invasive carp are threatening to enter the Great Lakes at a number of points across the region;

NOW, THEREFORE, The Boyne City City Commission urges our representatives in Lansing and Washington D.C. to strongly and promptly support, authorize, fund and oversee the implementation of the most effective options to positively ensure that this and other invasive species are prevented from entering and creating irreparable and permanent harm to the Great Lakes and the resulting economic damage to recreational, fishing and tourism industries of the Great Lake States.

I certify that the foregoing resolution was adopted at a regular meeting of the Boyne City City Commission held November 12, 2013 with a quorum present and a vote of

Ayes:

Nays:

Abstain:

Cynthia Grice,  
City Clerk/Treasurer

# November 2013

November 2013							December 2013						
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Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
				November 1	2 9:00am City Hall open to process AV ballots
					3
4	5	6	7	8	9
	6:30am General Election 5:00pm ZBA	5:00pm Trail Town Mg. (Library)	8:30am Main Street Board mtg. 6:00pm Parks & Rec		10
					11
11:00am Veterans Day Ceremony 12:00pm EDC/LDFA	7:00pm City Commission	6:00pm DEQ Public Info/Hearing - Kirtland (City Hall)			16
					17
18	19	20	21	22	23
5:00pm Planning Commission	7:00pm Historic District			6:00pm	24
					25
25	26	27	28	29	30
	12:00pm City Commission		City Offices Closed Thanksgiving 2:30pm Thanksgiving Dinner (Eagles Hall)	City Offices Closed 5:00pm Holiday Open House 6:00pm Santa Parade	

# December 2013

December 2013						
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January 2014						
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Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
					December 1
2	3	4	5	6	7
	5:00pm ZBA	3:00pm Main Street Planning Session	8:30am Main Street Board mtg. 6:00pm Parks & Rec		8
9	10	11	12	13	14
	7:00pm City Commission				15
16	17	18	19	20	21
5:00pm Planning Commission 7:00pm Historical Commission					22
23	24	25	26	27	28
	Christmas Eve (United States) City Offices closed 12:00pm City Commission	Christmas City Offices Closed 11:00am Christmas Dinner (Presbyterian Church)			29
30	31				
	City Offices closed New Year's Eve (United States)				