

**MAY 8, 2012  
REGULAR MEETING**

**RECORD OF THE PROCEEDINGS OF THE REGULAR BOYNE CITY  
COMMISSION MEETING DULY CALLED AND HELD AT BOYNE CITY  
HALL, 319 NORTH LAKE STREET, ON TUESDAY MAY 8, 2012**

**CALL TO ORDER**

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

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

Absent: Commissioner Derek Gaylord

Staff: Craig Remsberg, Dennis Amesbury, Scott McPherson, Barb Brooks, Hugh Conklin, Andy Kovolski, Cindy Grice and

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

**EXCUSE COMMISSIONER  
GAYLORD**

2012-05-064  
Moved by Grunch  
Second by Towne

To excuse Commissioner Gaylord from attending today's meeting.

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

**CONSENT AGENDA**

2012-05-065  
Moved by Towne  
Second by Neidhamer

- 2012-05-065A  
Approval of the April 24, 2012 regular City Commission meeting minutes as presented
- 2012-05-065B  
Approval of letter of resignation from Paul Nicholls from the Parks & Recreation Board
- 2012-05-065C  
Approval of contract with Kenmark Inc. for Pavement Marking Services for an estimated total of \$17,972.74.
- 2012-05-065D  
Approval of request from the Charlevoix County Equalization Department to shred the Personal Property statements for the City of Boyne City for the years 2003 through 2006.
- 2012-05-065E  
Approval for the City Manager to provide a letter of consultation as requested by the Northern Homes Community Development expressing our support of this and future similar projects and grants

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

None

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Resolution from the Charlevoix County Board to terminate the City Assessing Contract and correspondence from Shari Joles regarding Kirtland Products were received and filed

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Barb Brooks presented the City Manager's report.

- The Farmers market is back in Veteran's Park.
  - The Marina is open for the season. The shoppers dock has also been put into place
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Draft Minutes of the April 10, 2012 Main Street Board Meeting; the April 12, 2012 Parks and Recreation Commission Meeting, the April 16, 2012 Planning Commission Meeting and the April 20, 2012 Special LDFA Authority Meeting were received and filed.

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Consideration to adopt the proposed amendments as presented.

Planning Director Scott McPherson discussed the required second reading of the proposed changes to Zoning Ordinance, adding Section I to Article III and Section H to Article IV, and also add an exclusion clause in Section 6 of the City Animal Ordinance. This would allow City residents to keep chickens in residential areas. No roosters are allowed and coops must be at least 10 feet from adjacent property lines. The first reading was held on March 27, 2012.

Staff Comments: None

Citizens Comments: Connie Dhaseleer inquired if the chickens will be fenced and was informed they would have to be in a covered, fenced enclosure. Sandy Hill said she is the one who started this and has had chickens for 3 years. She has had no noise or pest problems and has enjoyed them as pets. They are pets with benefits. They eat bugs, are entertaining, will help people economically and with concerns about what is in their food. The biggest thing for people to do is educate themselves and know what they are getting in to.

Board Deliberation: Commissioner Sansom said an overwhelming majority of people she asked are not in favor of this. Their reasons are lot size accommodations, not everyone is going to keep their areas nice and clean. There are lots of places that raise chickens that are not in town. It is the wrong environment, the in thing and a fad. Some cities regulate minimum lot size, screen all areas so chickens are not in view and require a 40' setback from any residence. Most cities stress no slaughter of the chickens on the premises. Mayor Pro-Tem Towne said he had as many people in favor as against. Commissioner Neidhamer said he respectfully disagrees with Commissioner Sansom. We don't need to over regulate this. It will police itself. Scott has done the research. It is a reasonable and operable ordinance. He has had a lot of citizens in favor. He is in support. Mayor Grunch said he is in favor of supporting this. He added that he first thought the language was so restrictive. His contacts are more in favor. If it gets out of hand, it can be tightened up.

## CITIZENS COMMENTS

## CORRESPONDENCE

## CITY MANAGERS REPORT

## REPORTS OF OFFICERS, BOARDS, AND STANDING COMMITTEES

## Proposed Ordinance Amendments to Allow Chicken

2012-05-066  
Moved by Neidhamer  
Second by Towne

To adopt the proposed amendments to Zoning Ordinance, adding Section I to Article III and Section H to Article IV, and also add an exclusion clause in Section 6 of the City Animal Ordinance allowing residents to have up to four chickens in the City of Boyne City.

Ayes: 3  
Nays: 1. Commissioner Sansom  
Absent: 1, Commissioner Gaylord  
Motion carried

**Kirtland Products Update**

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Planning Director Scott McPherson discussed the recent meeting the Kirtland Citizens Committee had a conference call with the MDEQ reviewing emissions. The plant needs to be running at near capacity to perform the emission testing. The committee will be requesting proposals for emission testing.

Citizens Comments: Connie Dhaseieer asked if Kirtland is planning on running at capacity when the study is being done and was informed yes. Mark Kowalske said the emissions have become more important to him. He googled wood pellet plants and found much information that he provided copies of for the City Commission regarding emissions and particulate matter. Diane Hausler said she agrees with Mark. She sees the plume go over the schools and hang there and knows what's in it now.

Board Deliberation: Commissioner Neidhamer said he thinks the process is in place to solve the problem. He doesn't feel he can do anything until the facts and data are in. Mayor Pro-Tem Towne agrees to wait until the data is in. Commissioner Sansom inquired if the week of May 21 will be when testing is done.

Chris Christensen asked if wind direction will be considered when noise testing was done and was informed yes. Deb Ferris inquired what two woods make the smell and was informed that they were only identified as hardwood and softwoods.

**CDBG South Park Street  
Grant-Public Hearing and  
Authorizing Resolution**

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Consideration to adopt the proposed Community Development Plan for the Park Street Reconstruction Project DIG grant.

Barb Brooks discussed the necessity of a public hearing and adoption of a resolution authorizing the City Manager to submit the grant application for the CDBG South Park Street Infrastructure Dig Grant. This is a standard procedure for most all federal and state grants.

Mayor Grunch opened the public hearing at 7:46 p.m.

Chris Christensen had questions regarding the parking design near the churches. Barb Brooks said that is still in the preliminary planning design and Andy Kovolski added that is the only area still considered for expanding parking.

Mayor Grunch closed the public hearing at 7:50 p.m.

2012-05-067  
 Moved by Towne  
 Second by Neidhamer

To adopt the resolution authorizing City Manager Michael Cain to submit the CDBG South Park Street Infrastructure Dig Grant application and sign all the necessary documents on behalf of the City

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

**Community Development  
 Plan**

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Barb Brooks discussed the necessity to adopt the Community Development Plan as part of the application process for the CDBG South Park Street Infrastructure Dig Grant.

Citizens Comments: None

Staff Comments: None

Board Deliberation: None

2012-05-068  
 Moved by Towne  
 Second by Sansom

To adopt the Community Development Plan as part of the application process for the CDBG South Park Street Infrastructure Dig Grant.

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

**Dumpster Services**

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Consideration to award bid to Little Traverse Disposal for Dumpster Service for a three year period in the amount of \$11,342

DPW Superintendent Andy Kovolski discussed the bids received for dumpster services at the Cemetery, North Boyne Yard and the Wastewater Treatment Plant. The low bidder was Little Traverse Disposal.

Citizens Comments: None

Staff Comments: None

Board Deliberation: All are in agreement.

2012-05-069  
 Moved by Towne  
 Second by Neidhamer

To award bid to Little Traverse Disposal for Dumpster Service for a three year period in the amount of \$11,342

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

**Rubbish Collection Bid**

Consideration to award bid to Waste Management for a total estimated cost of \$53,100, for a three year period

DPW Superintendent Andy Kovolski discussed the bids received for the City's annual rubbish collection program. Low bid was from Waste Management.

Citizens Comments: None

Staff Comments: None

Board Deliberation: All are in agreement. Commissioner Neidhamer said it is a great program for the Citizens who appreciate and value it.

2012-05-070  
Moved by Neidhamer  
Second by Sansom



To award a bid to Waste Management for a total estimated cost of \$53,100, for a three year period

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

**Charlevoix County  
Foreclosed Property**

List of foreclosed properties in the City of Boyne City, authorize the City Clerk to advise the County Treasurer that we have no interest in the parcels at this time.

Citizens Comments: Chris Christensen reminded the Commissioners that Charlevoix County now has an active landbank.

Staff Comments: None

Board Deliberation: All are in agreement. Commissioner Sansom said sometimes these parcels can be used as a park.

2012-05-071  
Moved by Sansom  
Second by Towne

To authorize the City Clerk to advise the County Treasurer that we have no interest in the tax foreclosure parcels at this time.

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

to the Boyne Area Medical Center and are looking at this point, to build a very small system about half a block east and west of South Park Street on North Street. They look to be installing a rather large utility cabinet in the right of way on North Street adjacent to the Medical Center's parking lot. We have worked with the firm to put it in a location to minimize its impact and are not aware of a way to prohibit them.

Citizens Comments: None

Staff Comments: None

Board Deliberation: Mayor Pro-Tem Towne agrees. Commissioner Gaylord asked if this is something the Medical Center procured and City Manager Cain said he understands the Medical Center made the arrangements with this company. Commissioner Sansom asked if they string new lines and was informed that this will be bored underground. City Manager Cain added the look of the box will be softened to minimize the effect. Commissioner Neidhamer asked if this is a necessary contract with future broadband.

2012-04-068

Moved by Towne

Second by Gaylord

To approve Great Lakes Comnet, Inc.'s proposed METRO Act permit and agreement as presented and authorize the City Manager to sign and return the necessary documents to implement this action as required by State law

Ayes: 5

Nays: 0,

Absent: 0

Motion carried

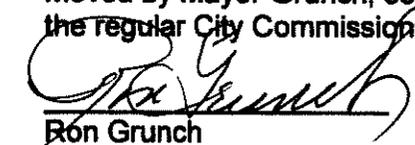
Commissioner Gaylord requested clarification on the appointment of Commissioner Neidhamer to the Planning Commission and said he would have automatically abstained if it had been him. Mayor Grunch asked if staff could follow up on the poor condition of the ATT and Charter cable boxes around town.

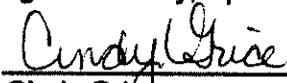
**Good of the Order**

City Manager Cain said the first test of the severe weather siren will be Tuesday May 1 at noon.

Moved by Mayor Grunch, seconded by Mayor Pro-Tem Towne to adjourn the regular City Commission meeting of Tuesday, April 24, 2012 at 9:12 p.m.

**ADJOURNMENT**

  
Ron Grunch  
Mayor

  
Cindy Grice  
Clerk / Treasurer

Mayor Pro-Tem Towne inquired about the status of hiring a new Police Chief. Mayor Grunch asked if we can post signs in the park about cleaning up after dogs. Commissioner Neidhamer said he would like to discuss facilities on the next agenda, where do we head with this and what is the next step. Start the process and put it on the front burner

**Good of the Order**

Moved by Mayor Grunch, seconded by Mayor Pro-Tem Towne to adjourn the regular City Commission meeting of Tuesday, May 8, 2012 at 8:09 p.m.

**ADJOURNMENT**

~~Cindy Grice~~

Cindy Grice

Ron Grunch  
Mayor

Cindy Grice  
Clerk / Treasurer

