JUNE 14, 2016
REGULAR MEETING

RECORD OF THE PROCEEDINGS OF THE REGULAR BOYNE CITY COMMISSION MEETING DULY CALLED AND HELD AT BOYNE CITY HALL, 364 NORTH LAKE STREET, ON TUESDAY JUNE 14, 2016

CALL TO ORDER

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

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

Absent: None

Staff: Cindy Grice, Michael Cain, Mark Fowler, Andy Kovolski, Scott McPherson, John Lamont, Lori Meeder, Jeff Gaither, Dennis Amesbury and Kevin Spate.

Others: There was 1 citizen in attendance (representative from the Petoskey News Review)

CONSENT AGENDA

2016-06-074
Moved by Towne
Second by Grunch

Approval of the May 24, 2016 City Commission regular meeting minutes as presented
Approval of the June 2, 2016 City Commission special meeting minutes as presented
Approval of a contract with MDOT's Aeronautics Division for pavement marking services at the Boyne City Airport at an estimated cost of $3,000 and authorize the City Manager to execute the documents

Ayes: 5
Nays: 0
Absent: 0
Motion carried

CITIZENS COMMENTS

Ron Crozier apologized for the comments he made at a recent City Commission about the Police Department. He said the Police are doing their job in the park. Mr. Crozier also thanked Chief Gaither and his staff, Dennis Amesbury, James Farley and the Marina staff for also taking care of the memorial.

CORRESPONDENCE

Correspondence from State of Michigan Liquor Control Commission regarding Round Lake Group LLC transfer ownership of 2016 Resort Class C and SDM License for 220-222 S. Lake Street, Boyne City; Correspondence from the MDEQ regarding an upcoming public information meeting and public hearing to be held on July 11, 2016 at 6:00 p.m. at the Boyne District Library for Kirtland Products on their request to increase emissions; Correspondence from The US Department of the Interior confirming the City's status in the Certified Local Government program and Correspondence from the Michigan Township Participating Plan Member regarding a dividend reimbursement received by the City in the amount of $4,573.91 were received and filed

CITY MANAGERS REPORT

City Manager Cain reported:

- The Community playground formally reopened on Friday May 27.
- The new electrical service to the current Fire/Police building and the new facilities building was activated last week. The vibra-compaction work on the site has begun which will allow for the installation of the piers that will hold up the new building. Specialists are monitoring that work to closely watch for any impacts on nearby structure.
- Yesterday, the old city clock was disassembled in preparation of its shipping to the Balzer Family Clockworks in Portland, Maine by next week.
- Additional ditching was done earlier today in the vicinity of the Division Street drainage structure to help take additional standing water from that site into the storm drain system
- The absentee ballots for the August 2, primary election arrived today and are available at City Hall
- Friday is the last day of work for Doug Leist of our DPW. Doug retires after 28 years of service to the citizens of Boyne City. We thank Doug for his hard work and wish him a very long and happy retirement

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REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

Draft Minutes of the May 3, 2016, Zoning Board of Appeals Meeting; the May 5, 2016 Parks & Recreation Board Meeting; the May 12, 2016 Main Street Meeting; the May 16, 2016 Planning Commission Meeting; the May 19, 2016 Historic District Meeting and the May 24, 2016 Historical Commission Meeting were received and filed.

Second Reading Sidewalk Café Alcohol Service Ordinance

Consideration of a second reading and approval of the proposed amendment to Sec 54-170 (a), the Outdoor Sidewalk Café Ordinance to allow alcohol service and to Sec 54-171 adding item (1) which has a requirement for review of the barrier used to delineate the service area

Planning Director Scott McPherson discussed the proposed amendment to the original Outdoor Sidewalk Café ordinance that would include provision to allow the service of alcohol in conjunction with a sidewalk café. At the City Commission meeting on March 15, 2016, a group of citizens and business owners requested that the City Commission reconsider their position on allowing alcohol service in sidewalk cafes. The Commission indicated that they would put the issue on their April 12, 2016 regular meeting agenda where they passed a motion to begin the process of having the Planning Commission review the ordinance and make a recommendation for possible changes. The Planning Commission reviewed the Sidewalk Café ordinance at their April 18 meeting and reviewed a map showing the possible location on all sidewalk cafes, discussed the 4' clear area that is currently required in the ordinance, discussed possible impacts during the 4th of July and Stroll the Streets, the preferred location on the sidewalk should cafes be located against the building or against the curb and the use of umbrellas for advertising. After this discussion, the Planning Commission made a recommendation to amend the existing Outdoor Sidewalk Café Ordinance. Specifically, the proposed changes are to section Sec 54-170 (a), which changes the definition of Outdoor Sidewalk Café to allow for alcohol service and Sec 54-171 adding item (1) which has a requirement for review of the barrier used to delineate the service.

The first reading of this ordinance was held by the City Commission at its April 26, 2016 meeting and the second reading was scheduled for tonight. If adopted, the ordinance would take effect in 15 days.

Staff Comments: Main Street Program Director Lori Meeder said over the past few months, she has heard from a widespread cross section of young families, business owners, and other members of the community that are in favor.

Citizens Comments: Sara Neiderpruh of Café Sante said she thinks this will bring more excitement to the downtown. Glen Catt, owner of Catt Development said he agrees and thanked the Commissioners for taking a second look at this.

Board Discussion: Mayor Pro-Tem Towne said he is ok with this and if it doesn't work out, it can be changed. Commissioner Sansom said she agrees to go ahead and try it for the season. Commissioner Conklin said he fully supports this. Mayor Neidhamer and Commissioner Grunch are also in support.

MOTION

2016-06-074
Moved by Conklin
Second by Sansom

To approve of a second reading and approval of the proposed amendment to Sec 54-170 (a), the Outdoor Sidewalk Café Ordinance to allow alcohol service and to Sec 54-171 adding item (1) which has a requirement for review of the barrier used to delineate the service area with review by years end

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Safe Routes to School Contract

Consideration to approve the construction of the Safe Routes to School project and authorize the City Manager to sign and submit the MDOT grant agreement

Planning Director Scott McPherson discussed the proposed grant agreement with MDOT for the Safe Routes to School project. The total project includes over a mile of new or replaced sidewalk to be installed, new and improved cross walks with new signs and signals, and a speed reduction zone with changeable speed limit signs. The Safe Routes to School grant is 100% grant up to $200,000 each for the elementary and middle schools for a total grant of $400,000. The approved plan must be complete constructed and any costs exceeding the grant allotment must be covered by the City.

Bids were submitted directly to MDOT and the low bid came in at $479,221.70. With the additional contingencies that are required, the city will need to fund approximately $94,000. Since our original estimate was $452,000, by using funds originally dedicated to other sidewalk construction and funds from major and local streets, funds are available to cover the additional costs.

City Manager Cain thanked Scott McPherson, Jeff Gaither and Andy Kovolski for their hard work on this project.

Staff Comments; None

Citizens Comments: None
Board Discussion: Commissioner Sansom said this is a good project, it should encourage students to walk. Commissioner Conklin asked for detail on the crossing and signage at M75. Commissioner Grunch inquired about the project timeline and was informed it would start late July and be complete late August, 2016. Mayor Pro-Tem Towne and Mayor Neidhamer support the recommendation and project.

MOTION

2016-06-075
Moved by Neidhamer
Second by Towne

To approve the construction of the Safe Routes to School project and authorize the City Manager to sign and submit the MDOT grant agreement

Ayes: 5
Nays: 0
Absent: 0
Motion carried

MParks Improvement Recommendation

Consideration to Review the listed projects and the Parks & Rec. board recommendation, determine which projects/items should be priorities and authorize staff to research and move forward with one or more of them

City Manager Cain discussed the MParks grant project recently received. This grant included two recreation study programs that we have successfully partnered with MSU Extension and Boyne Area Rehab to run these programs, incorporating them into some of their existing programs. The second component of the proposal is a $20,000 grant to make improvements to a specific park where various physical activity takes place. The park chosen was Avalanche. Using the Avalanche master plan, city staff submitted a list of items from the plan to MParks as potential projects. The list included picnic tables, and / or benches, improvements to bike trails, improvements to disc golf course, signage, trail between 1910 building and Avalanche and other amenities such as trash / recycle receptacles. At their June 2 meeting, the Parks & Recreation board reviewed the list and recommended the a) improved signs throughout the park; (b) install a picnic area and / or (c) install a designated trail / path from the 1910 Water Works Building to Avalanche. These items were discussed as general concepts, without details or costs. Nor were they prioritized, but the general consensus was to allow staff to determine what should be implemented based on time and financial resources.

Staff Comments; None

Citizens Comments: None

Board Discussion: After a few questions, all Commissioners were in agreement for option B and C as presented.

MOTION

2016-06-076
Moved by Conklin
Second by Grunch

To authorize staff to move forward with designing a trail head with picnic benches, appropriate signs and for a trail path from the 1910 Building to Avalanche Park

Ayes: 5
Nays: 0
Absent: 0
Motion carried

City Commission Work Session Follow Up

The City Commission all agreed to wait until the report from Mac McClelland is received before following up on the goals.

Little Free Library

Consideration to authorize staff to work with Pat O'Brien & Associates to install one or more "Little Free Library(s)

City Manager Cain discussed the proposal from Pat O'Brien and Associates to sponsor, build and install one or more "Little Free Library(s)" in Boyne City. Proposed locations were Old City Park and Veterans Park near the play structure. The Little Free Library program is nationwide and would be used to promote literacy. It is completely free to the public. Shapes and sizes vary, but in general they look like an oversized birdhouse with dimensions approximately 18" x 24". It will also include a small sponsorship plaque. All costs incurred would be paid by Pat O'Brien & Associates. The general consensus of the Park & Recreation Board was this is a nice idea and Pat O'Brien & Associates should work with City staff to determine details of size and placement.

Kathy Anderson of Pat O'Brien & Associates said they would like to start with trying one. They would be responsible for all of the maintenance and would keep them in great order. They would like to try one in Veteran's Park first.

Staff Comments; None

Citizens Comments: None

Board Discussion: Commissioner Grunch said he thinks it is a great idea. Mayor Pro-Tem Towne said it is a great way to share books and he supports this. Commissioner Sansom and Mayor Neidhamer support this request as well. Commissioner Conklin inquired about the sponsorship plaque and if that would be opening up a precedent with other businesses and advertisement.

MOTION

2016-06-077
Moved by Conklin
Second by Towne

To authorize staff to work with Pat O'Brien & Associates to install up to two "Little Free Library(s

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Good of the Order

Commissioner Sansom inquired if there was any interest from the other Commissioners for any response to Kirtland Product's upcoming Public Hearing with the DEQ. There will be none.

Closed Session
MOTION

2016-06-078
Moved by Neidhamer
Second by Towne

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 8:10 p.m.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Return to Open Session
MOTION

2016-06-079
Moved by Neidhamer
Second by Towne

To return to Open Session at 8:51 p.m.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

ADJOURNMENT

Motion by Mayor Neidhamer seconded by Commissioner Grunch to adjourn the Regular City Commission meeting of Thursday, June 14, 2016 at 8:52 p.m.

Tom Neidhamer
Mayor

Cindy Grice
Clerk / Treasurer