

**FEBRUARY 24, 2015  
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 FEBRUARY 24, 2015

**CALL TO ORDER**

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

Present: Mayor Grunch, Commissioners, Mayor Pro-Tem Towne, Commissioner Gaylord, Laura Sansom and Tom Neidhamer

Absent: None

Staff: Cindy Grice, Michael Cain, Andy Kovolski, Scott McPherson, Barb Brooks, Jeff Gaither

Others: There were 16 citizens in attendance including representatives from the Petoskey News Review and Charlevoix County News.

**CONSENT AGENDA  
MOTION**

2015-02-013  
Moved by Sansom  
Second by Towne

To approve the February 10, 2015 City Commission regular meeting minutes as presented

Ayes: 5  
Nays: 0  
Absent: 0  
Motion carried

**CITIZENS COMMENTS**

None

**CORRESPONDENCE**

None

**CITY MANAGERS REPORT**

City Manager Cain reported:

- Bids for the new DPW facility are due on March 12.
- We are 70 days away from the City bond election
- The 2015 Assessment notices have been mailed out.
- The new Main Street Manager Lori Meeder and new W/WW Superintendent Mark Fowler start Monday, March 2.

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

The January, 2015 Financial Statement was received and filed.

**2<sup>nd</sup> Reading – Drive Thru  
Ordinance amendment**

Consideration of second reading and adoption of an amendment to the Central Business District Drive Thru Ordinance, Section 10.30 of the Boyne City Zoning Ordinance.

Planning Director Scott McPherson discussed the proposed amendment. In August, Glen Catt presented a proposal for the redevelopment of the parcels located at 202 and 210 Lake Street. After review and discussion of the proposal, that includes a drive thru lane for a bank which is a prohibited use in the Central Business District, the Planning Commission, at their September meeting, discussed the different options and actions that could be taken. They determined the most appropriate action would

be to amend the zoning ordinance to allow a drive thru for a bank or financial institution as a conditional use in the CBD. The criteria would require that the drive thru terminal, ingress and egress and queuing lanes must be enclosed within a multi story structure and the floors above the first floor must be finished space that can be occupied for residential or commercial uses. The proposed amendment would add the following language to section 10.30 of the Boyne City Zoning Ordinance"

M. Banks, savings and loans and credit unions with drive-thru lane meeting the following criteria:

1. Drive-Thru terminal, ingress, egress and queuing areas must be completely enclosed within the first story of a multi story structure. All floors above the first floor must be finished space that can be occupied for commercial or residential uses as permitted in the district.

The Planning Commission held a public hearing in October and recommended approval of the proposed zoning ordinance amendment. This proposed amendment was submitted to the City Commission for a first reading on January 13, 2015. It was reviewed and scheduled for the second reading today.

Citizens Comments: None

Staff Comments: None

Board Discussion: All are in agreement with the proposed amendment.

**MOTION**

2015-02-014

Moved by Towne

Second by Sansom

To approve to adopt of an amendment to the Central Business District Drive Thru Ordinance, Section 10.30 of the Boyne City Zoning Ordinance. Regarding drive-thrus

Ayes: 5

Nays: 0

Absent: 0

Motion carried

**Maple Lawn Cemetery  
Entrance Gate**

Consideration to authorize the purchase of an Ameristar single slide gate as proposed by Harbor Fence in the amount of \$10,645 and authorize the City Manager to execute the documents

Clerk / Treasurer Grice discussed the proposed purchase on an entrance gate to the Boyne Avenue main entrance to Maple Lawn Cemetery. The Cemetery Fence Committee recently met to discuss plans for the main entrance of the Cemetery on Boyne Avenue. We discussed a more elaborate entrance, but the need to get heavy equipment along with the vault truck entering there was a staff concern. We determined it would be best to recommend a single gate that could be closed if needed. I received a drawing and cost estimate from Harbor Fence to purchase construct an Ameristar single slide gate at the main entrance at a cost of

\$10,645. This would match the current fence that is in place. This gate would not have mechanical slides and would remain open unless a need to temporarily close it was determined. We have had an offer of a donation of \$1,000 and there are sufficient funds in the Cemetery Fund budget for the remaining \$1,165. If approved, the gate will be installed prior to Memorial Day.

The Cemetery Fence Committee will be meeting in the future for further discussion to determine if there are other entrances that could be permanently closed or have gates installed that could be closed on an as needed basis.

Staff Comments: None

Citizens: Eleanor Stackus thanked the staff and committee for the excellent job getting the project completed. It will be ongoing until it is complete.

Board Discussion: Mayor Pro-Tem Towne said the gate will be used as needed. Commissioner Neidhamer supports the recommendation. Commissioner Sansom discussed the original plan of a more elaborate entrance. Commissioner Gaylord said the only thing is to not close off the cemetery. Mayor Grunch agrees with the recommendation.

2015-02-015

Moved by Towne

Second by Neidhamer

**MOTION**

To authorize the purchase of an Ameristar single slide gate as proposed by Harbor Fence in the amount of \$10,645 and authorize the City Manager to execute the documents

Ayes: 5

Nays: 0

Absent: 0

Motion carried

**1<sup>st</sup> Reading One Water  
Street Conditional  
Rezoning**

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Consideration of a First Reading for a Conditional Rezoning request from One Water Street for a drive thru bank in the Central Business District

Planning Director Scott McPherson discussed the application for an amendment to the One Water Street conditional rezoning, a conditional use for a drive thru bank in the Central Business District and development plan review that has been submitted by Catt Development.

In 2012 a conditional rezoning and development plan was approved for the One Water Street property. This approval conditionally rezoned the property from Waterfront Marina District to Central Business District and approved a development plan for the existing uses of the restaurant, commercial and office uses and for the construction of 13 mixed use cottages. Three of the cottages are currently under construction.

While the uses on the One Water Street are not being changed, the applicant is proposing to remove 4 of the 13 approved detached resort cottage structures. The 4 structures that will be eliminated are located in

the interior of the site. The proposed changes also include detaching the existing duplex unit that is located on the south west corner creating two independent single units. As a result of detaching these units, the setback distance for the south lot line will be reduced from approximately 33 feet to 28 feet. In the space of the 4 eliminated cottages, a new parking area will be created resulting in an increase of 25 parking spaces on the site.

A public hearing in front of the Planning Commission was held on February 16, 2015 and the conditional rezoning as presented was recommended for approval.

Citizens Comments: None

Staff Comments: None

Board Discussion: All are in full support. Commissioner Sansom inquired about the use of the parking spaces and was informed there would be a shared use of the four parking spaces.

**MOTION**

2015-02-016

Moved by Neidhamer

Second by Sansom

To approve of a First Reading for a Conditional Rezoning request from One Water Street for a drive thru bank in the Central Business District and schedule the second reading for March 24, 2015

Ayes: 5

Nays: 0

Absent: 0

Motion carried

**Financial support of the  
Boyne Valley Trailway  
Support**

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Consideration to approve the request of Boyne Valley Trailway Committee and authorize the City to support the project through items such as applying for grants and providing administrative support as approved by the City Manager

Mike Sheean of the Boyne Valley Trailway Committee spoke for the committee requesting that the City of Boyne City provide administrative support services for their proposed trail project from inside Boyne City to ultimately Boyne Falls. The project is currently proposed to be completed in 3 phases. Because the City is an Act 51 Road agency, we are eligible to apply for grants in support of this project. We are now in the process of moving forward with the construction phase. Maps of the proposed trailway were presented.

Citizens: Boyne Valley Township Supervisor Sue Hobbs said this is an important project for our area. Boyne Mountain's investment in our communities is very important. It is very important for people to be able to walk and bike, go into the village and Boyne City. She added that she appreciates the cooperation. Boyne Valley Township is in support.

Board Discussion: Commissioner Neidhamer said he is in full support. It is a fantastic project between the Township, the City, Boyne Mountain, Boyne Falls Schools all working together. This will provide 7 miles of

paved trail. It fits into the trail town. The trailway is an economic engine for Boyne City, Boyne Mountain and the village of Boyne Falls. Mike Sheean added this trail will be part of a major network. Mayor Pro-Tem Towne said he believes the trail is another tool to help the local economy and supports the recommendation. Commissioner Gaylord asked if Boyne Mountain is paying for what's on their part and was informed they are granting easements on their property. What about bringing bikers by the lagoons? Commissioner Sansom and Mayor Grunch are in full support.

**MOTION**

2015-02-017

Moved by Towne

Second by Sansom

To approve the request of Boyne Valley Trailway Committee and authorize the City to support the project through items such as applying for grants and providing administrative support as approved by the City Manager

Ayes: 5

Nays: 0

Absent: 0

Motion carried

**Recreation Plan**

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Consideration to adopt the Boyne City Recreation Plan 2015-2020 as presented and as recommended by the Parks & Recreation Commission and the Planning Commission

Public Works Superintendent Andy Kovolski discussed the Recreation Plan the Parks and Recreation Commission has been developing. The Plan will replace the previous five year recreation plan. To qualify for some types of State Grants such as those offered through the Natural Resources Trust Fund and the Coastal Zone Management programs, an approved recreation plan must be on file with the State. It must meet specific requirements in its development and be adopted in accordance with the procedures established by the State of Michigan. This plan contains the recreation goals of the City which were developed based on community input. While the project list seems ambitious, it is important to remember that it serves as a guide for future recreation improvements and to be grant eligible, the project must be listed in the plan. The City is not bound to complete any of the projects or abide by any particular time frame. As always, the City Commission must give approval prior to the initiation of any project. The Plan can also be amended to include a new project if necessary.

Staff Comments: None

Citizens Comments: None

Board Discussion. Commissioner Gaylord said he doesn't feel a few items are on the immediate radar and is fine with most of them, but not the Veteran's Park Pavilion. He does think there are a lot of good things in the plan. Improve what we have. Commissioner Sansom said she is in support of the plan. Every individual item is up for City Commission approval anyway. Commissioner Neidhamer said it is a great working document and he is in full support. Mayor Pro-Tem Towne said the City is not obligated with getting it all done and supports the plan. Mayor Grunch

also supports the plan and said it is a good document.

**MOTION**

2015-02-018

Moved by Neidhamer

Second by Towne

To approve to adopt the Boyne City Recreation Plan 2015-2020 as presented and as recommended by the Parks & Recreation Commission and the Planning Commission

Ayes: 4

Nays: 1, Commissioner Gaylord

Absent: 0

Motion carried

**Street Closure Request –  
Mushroom Festival Craft  
Beer Block Party**

Consideration to approve the request proposed by the Boyne Area Chamber of Commerce to approve the Mushroom Festival Craft Beer Block Party for Thursday, May 14, 2015 as part of the annual Mushroom Festival and authorize the City Manager to take the necessary steps to help implement the request

City Manager Cain discussed the request from the Boyne Area Chamber of Commerce to hold a new downtown even on Thursday May 14 as part of the annual Mushroom Festival. This event involves several items the Commission should be aware of including: allowing them to hold the event on public property – Water Street; closing the 100 block of Water Street from approximately 1:00 pm to 9:00 pm; serving alcohol (craft beer) on Water Street; and allowing two food trucks on Water Street in event area as proposed. This proposal has been reviewed by City Staff and we see no problem with it. We see this effort as a positive way to build on the already strong Mushroom Festival and potentially bring more people and business to Boyne City.

Staff Comments: None

Citizens Comments: None

Board Discussion: Commissioner Sansom asked why closing the street at 1 pm when the event begins at 4 and was informed it would be a soft closing to get things set up. How many breweries will be represented, Chamber Director Jim Baumann said approximately 20 would be good, mostly from Northern Michigan. Jim added the major reason to do this is to bring the event downtown. Commissioner Neidhamer said he is in full support. This is what makes Boyne City special. We celebrate by making our downtown special. Mayor Pro-Tem Towne said he believes it will help bring people and he is in full support. Commissioner Gaylord asked if we got any feedback from businesses about the food trucks. Jim Baumann said they haven't heard anything negative. There are five restaurants that are going to participate. Commissioner Gaylord added that he supports any function with alcohol, but not in the street. He added that he is not a fan of having alcohol directly in the street and has to remain true to the people he represents. Mayor Grunch said he is in 100% support.

2015-02-019  
 Moved by Neidhamer  
 Second by Towne

**MOTION**

To approve the request proposed by the Boyne Area Chamber of Commerce to approve the Mushroom Festival Craft Beer Block Party for Thursday, May 14, 2015 as part of the annual Mushroom Festival and authorize the City Manager to take the necessary steps to help implement the request

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

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Consumers Energy Meter Replacement Program Information

**Consumers Energy Meter Replacement Program Information**

Dennis McKee with Consumers Energy discussed the upgrading of their electric meters that will be taking place in the near future. These meters will communicate with Consumers regarding outages, usage, etc. Customers will be able to view their usage. People won't need to be home at the time of meter installation. There will be three steps of notification prior to the meter installation. Information brochures were provided.

Staff Comments: None

Citizens Comments: Chris Christensen inquired if burying electric lines would make the meters ineffective and was told no, they use a cell phone technology thru Verizon network.

Board Discussion: Mayor Pro-Tem Towne said he does like the idea of outage notification. Commissioner Gaylord asked why there is a financial penalty on those who choose to have the manual reader and was informed due to the costs of doing so. The Public Service Commission is the regulatory agency on this. Commissioner Sansom asked how long installation takes and was informed generally 3 – minutes. Will not affect your appliances.

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Consideration to authorize staff to apply for a \$1,900 grant from the Charlevoix County Community Foundation for the 2015 SOBO Arts Festival and authorize the City Manager to execute the documents.

**Grant request for the Sobo Arts Festival**

Barb Brooks discussed the request to support the application to the Charlevoix County Community Foundation grant supporting the 2015 SOBO Arts Festival. These funds would specifically be for the Friday evening concert at a cost of \$1,900 to be requested from the foundation. This grant has been received from them the past four years. The Main Street Board approved the SOBO Arts Festival Grant application at their February meeting.

2015-02-020  
 Moved by Neidhamer  
 Second by Towne

**MOTION**

To authorize staff to apply for a \$1,900 grant from the Charlevoix County Community Foundation for the 2015 SOBO Arts Festival and authorize the City Manager to execute the documents

Ayes: 5  
Nays: 0  
Absent: 0  
Motion carried

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2015-02-021  
Moved by Grunch  
Second by Gaylord

**Brief Recess**  
**MOTION**

To take a brief recess at 1:25 p.m.

Ayes: 5  
Nays: 0  
Absent: 0  
Motion carried

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2015-02-022  
Moved by Grunch  
Second by Towne

**RECONVENE**  
**MOTION**

To reconvene the meeting at 1:35 p.m.

Ayes: 5  
Nays: 0  
Absent: 0  
Motion carried

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City Manger Cain discussed the updated draft Sommerset Point development agreement between the City, Eveline Township and Sommerset Point to provide utilities to that development and homes along the way. If the Commission is comfortable with the concepts presented to date, the documents will be referred to our legal counsel for their review with the goal of hopefully bringing this forward as an action item at our March 10<sup>th</sup> City Commissioner meeting.

**SOMMERSET POINT**  
**UPDATE**

Staff Comments: None

Citizens Comments: Robin Berry inquired why does annexing keep coming up? City Manager Cain and Sommerset Point attorney Dan Barron both said that issue surfaced when the group first met, and it was put to rest and neither has heard anything or had discussions since. Dan Barron also added there has been no formal action taken at the Eveline Township level yet, but they are verbally providing positive feedback. The project is being reengineered to minimize the total number of connections.

Board Discussion: Commissioner Neidhamer said he is generally in favor of moving forward with this. It is win-win. Mayor Pro-Tem Towne said he is ok with it. Commissioners Gaylord, Sansom and Mayor Grunch are in support of the project as well.

Good of the Order

None

ADJOURNMENT

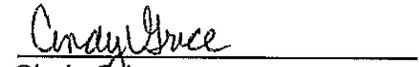
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Moved by Mayor Grunch seconded by Commissioner Gaylord to adjourn the regular City Commission meeting of Tuesday, February 24, 2015 at 2:06 p.m.



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Ron Grunch  
Mayor



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Cindy Gilce  
Clerk / Treasurer