



City of Boyne City

Founded 1856

319 N. Lake Street

Boyne City, Michigan 49712

Phone 231-582-6597

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BOYNE CITY
CITY COMMISSION REGULAR MEETING
Boyne City Hall
319 North Lake Street
Tuesday, July 9 2019 at 7:00 p.m.

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. CONSENT AGENDA
The purpose of the consent agenda is to expedite business by grouping non-controversial items together to be dealt with by one Commission motion without discussion. Any member of the Commission, staff, or the public may ask that any item(s) on the consent agenda be removed and placed as the last item under new business to receive full discussion. Such requests will be automatically respected.
 - A. Approval of the June 25, 2019 City Commission regular meeting minutes as presented
 - B. Approval of a proposal from Jett Pump to perform the maintenance on the lift stations at a cost of \$3,700 and authorize the City Manager to execute the documents
 - C. Approval of a proposal from Jett Pump to repair the Raptor Fine Screen at a cost of \$5,455.80 and authorize the City Manager to execute the documents
 - D. Approval to purchase three ballistic plate carries from Armor Express in the amount of \$2,878.29 and authorize the City Manager to execute the documents
4. HEARING CITIZENS COMMENTS (on non-agenda items; 5 minute limit)
5. CORRESPONDENCE
 - A. Correspondence from the State of Michigan Department of Licensing and Regulatory Affairs regarding the transfer of ownership of a Class C License from K A M Associates to Water Street Café LLC for the Water Street Café located at 113 Water Street, Boyne City
6. CITY MANAGER'S REPORT
7. REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES
 - A. Draft minutes of the June 6, 2019 Main Street Board Meeting
 - B. Draft minutes of the June 13, 2019 Parks & Recreation Commission
 - C. Draft minutes of the June 17, 2019 Planning Commission Meeting

An Equal Opportunity Provider and Employer

Hometown Feel, Small Town Appeal

8. OLD BUSINESS

A. Lofts on Lake PA 210 Public Hearing

Consideration of a public hearing to hear public comments and adopt the Resolution to Approve a Commercial Rehabilitation Exemption Certificate for Lots on Lake Street, LLC for the development at 100 and 120 Lake Street and 114 State Street and authorize the City Manager and City Clerk/Treasurer to execute the Tax Incentive Agreement between Lofts on Lake Street, LLC and the City of Boyne City

B. Wright Alley Vacation Public Hearing

Consideration to hold a Public Hearing to hear public comments and, based on all the information received, approve the request of Richard Wright to vacate 198 feet of the alley north of Edmund, south of Division, west of Hull and east of Sydney Streets

C. River Jumping Ordinance

Consideration to adopt the proposed ordinance to prohibit jumping into the Boyne River under certain circumstances

9. NEW BUSINESS

A. Pavement Marking Contract Extension

Consideration to approve the contract extension offer from M&M Pavement Marking, Inc. of Grand Blanc MI in an amount not-to-exceed \$30,000 and authorize the City Manager to execute the documents

10. GOOD OF THE ORDER

11. ANNOUNCEMENTS

- Boyne Valley Ireland Sister City / Twinning Ceremony will be held on Thursday, July 18 at 6:45 p.m. at the Boyne City Public Schools Performance Arts Center
- The next regular City Commission meeting is scheduled for Tuesday, July 22, 2019 at noon

12. ADJOURNMENT



Scan QR code or go to
www.cityofboyne.com
click on Boards & Commissions for complete
agenda packets & minutes for each board

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

**JUNE 25, 2019
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 JUNE 25, 2019

CALL TO ORDER

Mayor Neidhamer called the meeting to order at noon followed by the Pledge of Allegiance.

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

Absent: None

Staff: Cindy Grice, Michael Cain, Scott McPherson, John Lamont and Tim Faas

Others: There were seven citizens in attendance.

**CONSENT AGENDA
MOTION**

2019-06-075
Moved by Solomon
Second by Page

Approval of the June 11, 2019 City Commission special meeting minutes as presented

Approval of the June 11, 2019 City Commission regular meeting minutes as presented

Approval to purchase a ThinkCentre M710s Workstation from Marcor Technologies LLC in the amount of \$925 plus installation and delivery fees of approximately \$150 and authorize the City Manager to execute the documents

Approval to appoint Skylar MacNaughton to the Planning Commission to fill a vacancy with the term to expire on May 31, 2022

Approval to appoint Larry Chute to the Planning Commission to fill a vacancy with the term to expire on May 31, 2020

Approval to reappoint Aaron Place to the Planning Commission for a three year term to expire on May 31, 2022

Approval to reappoint Joe St. Dennis to the Planning Commission for a three year term to expire on May 31, 2022

Ayes: 5

Nays: 0

Absent: 0

Motion carried

CITIZENS COMMENTS

None

CORRESPONDENCE

Correspondence from Valentino Trabucchi from Spring Harbor Apartments regarding rubbish pick-up at a multi-family unit properties was received and filed. Staff will look into this matter.

**CITY MANAGERS
REPORT**

City Manager Cain reported:

- The major road projects have been mainly finished.
- Cedar and Terrace Streets roads and utility reconstruction projects are scheduled to begin on July 22.

- According to the National Weather Service in Chicago May was the wettest in recorded history. They also report during May that Lake Michigan rose 6 inches in the last month, coming within one foot of its all-time record height in 1987. That 6" increase in Lake Michigan equates to roughly 2.335 trillion gallons of water. And as Lake Michigan goes so goes Lake Charlevoix and the Boyne River.
- The submerged fixed pier at our marina has been raised to its maximum height and now has its deck out of the water.
- The old Van Dam office building is being prepared for its move to its new location at 113 Trent.

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

The May, 2019 Financial Statement was received and filed.

**River Jumping
Ordinance**

Consideration to hold a second reading and adopt the proposed ordinance to prohibit jumping into the Boyne River under certain circumstances.

City Manager Cain discussed the proposed ordinance that would prohibit jumping from bodies of water from man-made structures. If this ordinance is adopted, it would become effective in 15 days.

Staff Comments: None

Citizens Comments: None

Board Discussion: After further discussion the Commissioners would like to bring this proposed ordinance back at a future date, adding language that would be specific as to what you can't jump off of.

MOTION

2019-06-076
Moved by Neidhamer
Second by Grunch

To postpone the adoption of this ordinance, bringing it back to the Commission incorporating revised language for the July 8, 2019 meeting

Ayes: 5
Nays: 0
Absent: 0
Motion carried

**Dust Control
Application Contract**

Consideration to approve a Purchase Order contract with Northern Michigan Dust Control for the 2019 Gravel Road Dust Control Program in an amount not-to-exceed \$18,900 and authorize the City Manager to execute the documents.

Public Works Superintendent Tim Faas stated that each year the Public Works Department contracts for the application of liquid dust suppressant to control dust on local gravel roads, alleys and the parking area at Avalanche Preserve. An invitation to bid was publicly advertised. The sole bidder (Northern Michigan Dust Control) has provided this service for many years to the City of Boyne City.

For the purposes of the bid specifications, quantities from the 2009 bid document which stated a total of 20,000 gallons of liquid calcium chloride. Prior to submitting a bid, the owner of Northern Michigan Dust Control advised me that the quantity requested was low in comparison to the amount currently being used. I indicated that I would recommend the correct volume of 30,000 gallons when the request for an award of contract would be made to the City Commission. The bid form is a unit price bid which gives the Commission the flexibility to award more than what was requested, provided the bidder is agreeable (which he has indicated so). As such, I would recommend the 30,000 gallon quantity at the 63 cents per gallon rate bid which produces a total cost of \$18,900 for the service.

Staff Comments: None

Citizens Comments: None

Board Discussion: All are in agreement with the recommendation

MOTION

2019-06-077

Moved by Conklin

Second by Page

To approve a Purchase Order contract with Northern Michigan Dust Control for the 2019 Gravel Road Dust Control Program in an amount not-to-exceed \$18,900 and authorize the City Manager to execute the documents

Ayes: 5

Nays: 0

Absent: 0

Motion carried

Veteran's Park Playground Wood Chips

Consideration to approve a Purchase Order Contract with Penchura for the additional engineered wood chips at the Veteran's Park playground structure in an amount not-to-exceed \$9,870 and authorize the City Manager to execute the documents.

Public Works Superintendent Tim Faas stated that per his request, Penchura, the playground equipment supplier who was awarded the contract for the Peninsula Beach playground cozy dome and saddle spinner evaluated the mulch levels in our playground at Veteran's Park on May 30, 2019. It is recommended that an additional 210 cubic yards of engineered wood fiber (i.e. chips) be added to the current base material. By combining this extra amount with the volume already on order for the Peninsula Beach project, we can save some cost. The cost per cubic yard placed would drop from \$87 per cubic yard to just under \$60 per cubic yard based on the volume.

The total cost to bring the playground structure into compliance with industry standards would be \$9,870 which can be funded from the Parks & Recreation capital budget for miscellaneous capital of \$62,000.

Staff Comments: None

Citizens Comments: None

Board Discussion: All are in agreement with the recommendation

MOTION

2019-06-078

Moved by Solomon

Second by Conklin

To approve a Purchase Order Contract with Penchura for the additional engineered wood chips at the Veteran's Park playground structure in an amount not-to-exceed \$9,870 and authorize the City Manager to execute the documents

Ayes: 5

Nays: 0

Absent: 0

Motion carried

**Pirate Fest Special
Event**

Consideration to approve the request of the Boyne City Pirate Fest to hold a Highlander Games special event in the Open Space property on August 10, 2019 subject to working out details acceptable to City staff

Public Works Superintendent Tim Faas said that the Boyne City Pirate Fest filed a second special event application with the City Clerk. This "new" event would be conducted on August 10th during the Pirate Festival previously approved in Veteran's Park. The request is for use of the Open Space to conduct a Highlander Games competition by the pirates. It is estimated that about 80 pirates would participate. Water and electric is available for the event from the City Boat Launch adjacent to the Open Space.

Staff has reviewed and conditionally approved the request. However, since this is a new event request at a recently acquired parcel by the City of Boyne City, the City Manager recommended it come before the City Commission for approval. The application would normally be reviewed in advance by the Parks & Recreation Commission; however, it was submitted after the last meeting and there is not another meeting scheduled until August 8, 2019 which is too late for consideration.

Staff Comments: None

Citizens Comments: Pirate Fest representatives Roger Coates and Cindy Malin were present to answer any questions regarding the event.

Board Discussion: All are in favor of supporting the event.

MOTION

2019-06-079

Moved by Page

Second by Solomon

To approve the request of the Boyne City Pirate Fest to hold a Highlander Games special event in the Open Space property on August 10, 2019 subject to working out details acceptable to City staff

Ayes: 5
 Nays: 0
 Absent: 0
 Motion carried

Third Party Payment Processing Partner

Consideration to approve to enter into an agreement with Point & Pay to provide credit card, debit card, e-check or other electronic means for tax bills, utility bills and other miscellaneous payments to the City of Boyne City and authorize the City Manager to execute the documents.

Clerk/Treasurer Cindy Grice said we have been utilizing a company called Official Payments as our payment processing partner for payments received at the counter at City Hall, over the phone and online for tax and utility payments since October, 2015. Official Payments was one of the two companies that partner with our accounting software provider BS&A and provided us with the best rate for our customers as they are paying the fees, not the City. We have been informed by BS&A that they would no longer be partnering with Official Payments and recommended either Point & Pay or Invoice Cloud. These companies would provide the same services as Official Payments, but the convenience fees charged to the individuals paying their taxes or utilities or other fees would be different.

Contact with representatives from both Invoice Cloud and Official Payments was made. The following costs proposed to the biller are as follows.

Point & Pay:

- Credit or Debit Cards 3% with a \$2.00 minimum for all utility, taxes and misc payments
- E-Checks \$3.00 up to \$10,000 and \$10.00 over \$10,000

Invoice Cloud:

- Credit or Debit Cards 3.5% of amount due for property taxes
- Credit or Debit Cards \$3.95 for utility and miscellaneous bills
- E-Checks \$2.95 for all payments
- \$1.00 per pay by phone transaction in addition to above fees on the day before a bill is due
- \$100.00 per month paid by the City

After reviewing both proposals and presentations, we feel the best option is to contract with Point & Pay. Invoice Cloud offered many additional options that were very nice, but at a cost of \$125.00 per month to the City, we didn't feel it was worth the cost because many of them were duplications of current services, such as emailed utility bills and past due notices. Nothing would change for those who use

our online payment system for paying their taxes or utility bills. Other fees not available on line could still be paid at the counter or over the phone.

Staff Comments: None

Citizens Comments: None

Board Discussion: All are in agreement with the recommendation

MOTION

2019-06-080

Moved by Grunch

Second by Conklin

To approve to enter into an agreement with Point & Pay to provide credit card, debit card, e-check or other electronic means for tax bills, utility bills and other miscellaneous payments to the City of Boyne City and authorize the City Manager to execute the documents.

Ayes: 5

Nays: 0

Absent: 0

Motion carried

Lofts on Lake Street PA 210 Application Presentation

Review and Discussion of the PA 210 application received from Michigan Community Capital regarding their proposed Lofts on Lake Street project and provide any direction to staff necessary in preparation for the July 9th 7:00 p.m. Public Hearing on this matter.

City Manager Cain discussed the mixed use redevelopment project that is being proposed for three properties at the intersection of North Lake and State Streets. The project is being proposed and would be developed by Michigan Community Capital (MCC). The project was approved by the Planning Commission at their May 20th meeting. Over the last couple of months the City Commission has been considering the possibility of granting tax relief as requested by MCC a State of Michigan authorized Commercial Rehabilitation Exemption Certificate under Public Act 210 of 2005. Under this act the City could freeze the taxes on the property for up to ten years at their current levels. At the April 23rd meeting the City Commission approved moving the establishment of a PA 210 district for the three properties involved in the Lofts on Lake Street project.

On Tuesday, May 21st a public information meeting regarding Public Act 210 was held. About 18 people attended and we were thanked for our efforts to get the word out about this matter.

At the City Commission's May 28th meeting, rescheduled for 7:00 p.m., a public hearing was held on establishing the district and it was approved by the City Commission.

Following up on the City Commission's approval of the District notice was given to Charlevoix County, as required by law, to give them the required 28 days to consider the matter and determine if they wanted

to weigh in on the matter. We were invited to the Charlevoix County Board of Commissioner's meeting of June 12th to review the matter with them. Four of the five City Commissioner's attended that meeting, as did a member of the Main Street Board, our consultant Mac McClelland and me. We had a good discussion with the Commissioners. Their primary concern was that the project provided the housing proposed at the moderate pricing proposed for the length of any relief and if that changed that the relief should be withdrawn.

On June 7th MCC submitted the State required application and related materials as noted on pages 1 thru 5. We are bringing all these items before you this evening, along with our consultant, so we can begin to review them and plan for the Public Hearing on this application at our July 9th 7:00 p.m. City Commission meeting. Mr. McClelland is scheduled to attend that meeting with us to address any questions or comments the Commission may have.

I have also reached out the Michigan Economic Development Corporation to determine where they are regarding their consideration of support for MCC's Lofts on Lake Street project and if that may impact us in any way.

Staff Comments: None

Citizens Comments: Larry Chute said it may beneficial to have strength in the development agreement with MCC.

Board Discussion: Mac McClelland was available to answer any further questions the Commissioners had regarding the project.

Good Of The Order

Commissioner Conklin discussed the potential community land bank with potential property we have in Boyne City as part of a solution to attainable housing. Commissioner Solomon commented that we could possibly schedule a work session on how to create public input regarding the recreation marijuana, possible using a survey to receive public input.

ADJOURNMENT

Motion by Mayor Neidhamer, second by Commissioner Conklin to adjourn the Regular City Commission meeting of Tuesday, June 25, 2019 at 1:32 p.m.

Tom Neidhamer
Mayor

Cindy Grice
Clerk/Treasurer

CITY OF BOYNE CITY

To: Michael Cain, City Manager 
From: Mark Fowler, W/WW Superintendent 
Date: 07/01/19
Subject: Lift Station Maintenance

Discussion

I solicited proposals from three vendors to perform maintenance on our lift stations. We do not have the equipment or the expertise to do some of the checks or the equipment to pull the pumps out of the wet wells. They were all pulled and checked three years ago by Wade Trim.

Two quotes were received. One from Jett Pump and one from Kennedy Industries, Wade Trim sold their operations group and when I contacted them they were not interested.

The quotes are as follows:

Jett Pump - **\$3700.00**

Kennedy Industries - **\$7700.00**

Jett Pump is the company that just repaired the pumps in the Filter building.

There is money is available in the budget.

Recommendation

I recommend that the City Commission authorize the City Manager to sign the proposal and purchase order for Jett Pump to perform the maintenance on the Lift Stations at a cost of **\$3700.00**.

Options:

- 1) Deny the request
- 2) Postpone for further consideration
- 3) Choose the Quote from Jett Pump
- 4) Other options as determined by the City Commission

CITY OF BOYNE CITY

To: Michael Cain, City Manager 
From: Mark Fowler, W/WW Superintendent 
Date: 07/01/19
Subject: Raptor Fine Screen Repair

Discussion

The Raptor Fine Screen which is in the headworks building is out of service. It will not spin and is tripping out. After some preliminary checking it was discovered that the lower bearing needs to be replaced. It has been in operation for 13 years now.

Two vendors were contacted. Only one quote was received. The quote was from Jett Pump in the amount of \$5455.80 to repair the Fine Screen.

The other Vendor, Kennedy Industries wouldn't work on it because they were not the manufacturer's representative for it. They wanted to sell us a different one that they represent.

Jett Pump is the company that just repaired the pumps in the Filter building.

There is money is available in the budget.

Recommendation

I recommend that the City Commission authorize the City Manager to sign the proposal and purchase order for Jett Pump to repair the Raptor Fine Screen at a cost of \$5455.80.

Options:

- 1) Deny the request
- 2) Postpone for further consideration
- 3) Choose the Quote from Jett Pump
- 4) Other options as determined by the City Commission



Memo

To: Michael Cain, City Manager *Mc*
From: Kevin Spate, Assistant Chief
Date: June 27, 2019
Re: Purchase of additional ballistic plate carriers

The Boyne City Police Department is currently equipped with three ballistic plate carriers. These carriers are designed for high risk incidents were the officers are facing firearms. They have the ability to stop high velocity rifle rounds that the officers everyday body armor will not stop.

One plate carrier is in the truck of each patrol car. The carrier and ballistic plates without any additional ammunition has an approximate weight of 26 pounds. This is a considerable amount of weight to add to the officers body especially in a high stress environment were maximum physical performance is demanded of the officer.

On occasions our officers may have two officers in a car which leaves one officer without the much needed protection if a high risk incident occurs.

Armor Express from Central Lake has a product that has the same level of protection as our current carriers with the addition of shoulder protection that we currently do not have. These carriers with the shoulder protection weigh in at approximately 12 pounds.

With the purchase of these additional carriers each officer in the vehicle will have access to a ballistic plate carrier. For instances when only one officer is in the car, that officer will have rifle plates that are considerably less weight than the current system.

Attached is the quote for one plate carrier at a cost of \$959.43. Through donations from Classic Instruments we have the funds available to purchase three additional ballistic plate carriers at a cost of \$2,878.29.

RECOMMENATION: That the City Commission approve the purchase of 3 ballistic plate carriers from CMP Distributors, Inc. of Lansing at a cost of \$2,878.29 plus shipping, using donated funds.

Other options:

- a) Postpone for further consideration or information
- b) Modify the recommendation
- c) Deny the request
- d) Other option as determined by the City Commission

CMP Distributors, Inc.
 16753 Industrial Parkway
 Lansing, MI 48906
 Phone # 5177210970
 Fax # 517-721-0974

Quote

Date	Quote #
4/23/2019	7819

Bill To
Boyne City Police Department 319 N Lake Street Boyne City, MI 49712

Ship To

Sales Rep	Account #	Terms	Expiration Date	Shipping Terms
CMP	884	Net 30	5/22/2019	Best Way

Description	Qty	Price	Total
Armor Express ASR Faction Plate Carrier, MOLLE with (1) Set of ID Tags	1	225.00	225.00T
Armor Express H-Shock 10" x 12" Special Threat Ballistic Plate, Single Curve, Shooter's Cut	2	195.00	390.00T
Armor Express HASP (Hard Armor Shoulder Plate) Carrier (set of 2) - Carrier Only	1	99.50	99.50T
Armor Express HASP V4 - Level IIIA - .375" thick / .5 lb (per plate)	2	107.99	215.98T
Armor Express Base Pouch - M16/M4 & Pistol Mag Kangaroo OpenTop Bungee Double Pouch	1	28.95	28.95T
Shipping & Handling Terms: - Freight to be added at time of shipment - Ships UPS Ground			

Shipping & Handling Terms: - Freight to be added at time of shipment - Ships UPS Ground	Sales Tax (0.0%)	\$0.00
	Total	\$959.43

This is a quotation on the goods named, subject to the conditions noted below:
 1. Pricing is good for 30 days unless otherwise noted.
 2. Please include the quote number on all correspondence to insure proper pricing when ordered.
 3. To accept this quotation, please sign and return.

Customer Signature _____



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

July 3, 2019

Water Street Café LLC
Kirsten Ploe
(kirt_ploe@yahoo.com)

RID # 1905-07972 **Reference/Transaction:** Transfer Ownership 2019 Class C license issued under MCL 436.1521(A)1(B) with Specific Purpose Permit (Food) from K A M Associates, Inc.

Please let this letter serve as notice the Michigan Liquor Control Commission has referred your application to our Enforcement Division for investigation of your request.

Applicant/Licensee: Water Street Café LLC

Business address and phone number: 113 Water St, Boyne City 49712

Home address and phone number of partner(s)/subordinates:

1. **Kirsten Ploe: 2316 Pleasant Valley Rd, Boyne City 49712 C: (231) 881-6750**
2. **James Ploe: 6875 Hunter Bay Rd, Boyne City 49712**

As part of the licensing process, an investigation is required by the Michigan Liquor Control Commission Enforcement Division. The Enforcement investigation will be conducted from the following designated District Office:

Escanaba District Office (906) 786-5553

You may contact your designated District Office regarding any appointments or questions on documentation requested by the Investigator. **Failure to provide requested information or to keep scheduled appointments will cause the application to be returned to the Lansing office for cancellation.**

Since this request is a transfer under MCL 436.1529(1), approval of the local unit of government is not required. However, a copy of this notice is also being provided to **Local Governmental Unit** should they wish to submit an opinion on the application or advise of any local non-compliance issues.

Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. The licensee must obtain all other required state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor. Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements.

MICHIGAN LIQUOR CONTROL COMMISSION
Retail Licensing Division
(866) 813-0011

cc: Boyne City Clerk (cgrice@boynecity.com)



Approved: _____

Meeting of
June 6, 2019

MINUTES OF THE BOYNE CITY MAIN STREET BOARD REGULAR MEETING
HELD ON THURSDAY, JUNE 6, 2019 at 8:30 AM CITY HALL, 319 NORTH LAKE
STREET

Call to Order Chair Chris Bandy called the meeting to order at 8:30 a.m.

Roll Call Present: Jodie Adams, Chris Bandy, Michael Cain, Michelle Cortright, Patti Gabos
and Pat O'Brien

Meeting Attendance Absent: Becky Harris, Patrick Little, Rob Swartz

City Staff: Main Street Director Kelsie King-Duff, Recording Secretary Jane
Halstead, Assistant Planner Patrick Kilkenney, Main Street Assistant
Ingrid Day

Public: None

Excused Absences **Cortright moved, Cain seconded, PASSED UNANIMOUSLY** to excuse Becky Harris,
MOTION Patrick Little and Rob Swartz.

Citizens Comments None.

Correspondence Kelsie King-Duff received an invitation to the Grand Opening of the Lake Charlevoix
Association's Lakeshore Garden Project on Sunday June 9th. Received and filed.

Committee Reports

Organization

Minutes received and filed. Michelle Cortright reviewed the highlights:
Volunteer recruitment is key – the current volunteer database is not viable.
Recruitment will take place this fall.
There is one opening left for Boyne Thunder.
A parking training session was held.
The Committee will be working on the GAMSAs application as soon as details are
available.

Promotion/Marketing

Minutes received and filed.
Bandy reported that Main Street's Facebook count is over 2,600 with a reach of
over 30,000. Instagram has about 1000 followers.
Thank you to Mike from the DPW for the assistance with hanging the banners and
thanks to Ingrid for spearheading the project.

Design

Minutes received and filed.

The Committee discussed the façade grants which is an agenda item later in the meeting.

Economic Vitality/Team Boyne

Minutes received and filed.

Representatives from Great Lakes Energy shared their plans for the development of the old Carter’s building next to GLE.

Anora O’Conner from United Way shared statistics from the Alice Report.

Karen Wright presented her Pause, Breathe, Proceed initiative.

The Lofts on Lake has been approved by the Planning Commission and the City Commission.

Farmer’s Market

The new layout for the Farmer’s Market is receiving positive feedback from both the vendors and patrons of the market.

Director’s Report

Received and filed. Congratulations to Kelsie for being appointed to the Michigan Main Street Advisory Council!

Unfinished Business

None.

New Business

Façade Grant Awards

Façade Grant Awards

Consideration to approve façade grant awards in the following amounts, as recommended by Design Committee: \$15,000 213 S. Lake (Banner Law Office), and \$5,000 123/125 Water Street.

There were five applicants for the Façade Grant. The Design Committee reviewed the applications and made the recommendation to support the application from the Banner Law Office for a complete renovation of the office façade and the application from Tom Bernardin for phase 2 of the renovation at 123/125 Water Street which will include a bump out for the front door.

MOTION

Adams moved, Cortright seconded, PASSED UNANIMOUSLY to approve the façade grant awards in the following amounts, as recommended by the Design Committee: \$15,000 213 S. Lake (Banner Law Office), and \$5,000 123/125 Water Street.

Financial Report Review

The Financial Report was received and filed.

Good Of The Order

- We are moving forward with the sister-city arrangements with Boyne, Ireland. Representatives from that city will be here the week of July 15th.
- The Pavilion project is moving forward. The grant from MEDC has been approved. The majority of the work will be done after Labor Day.
- The renovations taking place at the old REH Acres are impressive.
- We are applying for a grant from Consumers Energy for an electric vehicle charging station.
- Lake levels are very high. This could have significant implications if levels continue to rise.
- It is important that Main Street Board members attend meetings that pertain to Main Street such as the recent meeting regarding the Lakes on Loft project. We need better representation.
- Pat O'Brien Real Estate will be awarding a "Local Hero" a free week-long vacation at the lake. Nominations are being taken through June.
- The upgrades are complete at Riverside Park. They include new picnic tables and benches, signage and an improved parking area.
- The Chamber of Commerce and Main Street will be having a ribbon cutting and open house today to celebrate their new offices.
- Duck Race tickets are available at the Chamber.
- Ingrid thanked the Board for approving the new Main Street office space – it is wonderful.

Motion to go into Closed Session

MOTION

Cain moved, Cortright seconded, PASSED UNANIMOUSLY to go into closed session regarding Attorney/Client Privilege document as provided in MCL 15.268 (h) of the Michigan Open Meetings Act (PA 267 of 1976) at 9:02 a.m.

Motion to Exit the Closed Session

MOTION

Cain moved, O'Brien seconded, PASSED UNANIMOUSLY to exit the closed session and return to open session at 9:18 a.m.

Camp Quality Letter

MOTION

Cain moved, Cortright seconded, PASSED UNANIMOUSLY to authorize the Executive Director to send a letter to Camp Quality regarding Boyne Thunder as discussed.

Adjournment

Cortright moved, Cain seconded, PASSED UNANIMOUSLY to adjourn the June 6, 2019 meeting of the Boyne City Main Street Board at 9:25 a.m.

Jane Halstead, Recording Secretary



Approved:

**Meeting of
June 13, 2019**

RECORD OF THE PROCEEDINGS OF THE **REGULAR BOYNE CITY PARKS AND RECREATION COMMISSION MEETING** HELD AT 5:00 P.M. AT CITY HALL ON THURSDAY, JUNE 13, 2019.

Call to Order

Meeting was called to order by Chair Mike Sheean at 5:00 p.m.

Roll Call

Present: Mike Sheean, Diane Sterling, Lisa Alexander, Greg Vadnais, Hugh Conklin, Rob Weick and Gow Litzenburger

Meeting Attendance

Absent: Jo Bowman

City Staff: DPW superintendent Tim Faas and recording secretary Barb Brooks

Public Present: Eighteen

Excused Absences

**Approval of Minutes
MOTION

Conklin moved, Litzenburger seconded, PASSED UNANIMOUSLY a motion approving the May 9, 2019 meeting minutes as presented

**Citizens Comments
(on non-agenda items)**

- Michelle Cortright updated the board on TOMMBA's progress at the newly acquired property, by the Walloon Lake Trust & Conservancy, in Evangeline Township and inquired about the status and City's plans regarding the City owned property adjacent to the conservancy's property and near the School Forest Trails. TOMMBA is also looking to host a fund-raising event at Avalanche and was directed to fill out a Parks Use / Special Event form.
- Lynda Christensen reported that the little league field and the ball fields at Rotary Park were not in the best shape and need some work. There are still volunteers but not enough with enough time and equipment to properly address all of the issues. There is no issue with the mowing and she understands that there is limited staff with limited time for all of our parks but thinks that more emphasis should be placed on the fields that our own kids play on. She added that maybe the City needs to consider more staff and/or a full-time parks director. Don Lockman added that he not only agreed with Lynda regarding the condition of the fields but also stated that the buildings could use some updating and they could be made to match the look of City Hall and the pavilion. John Bush reported that the fields definitely need some work, some of the issues are safety issues. He also added the first tournament that was held was well attended with positive feedback and feels they will continue to be successful. The field that was adjusted to accommodate the event was put back to its original state after the tournament. Shelly Bush inquired about City

staff contact, keys to buildings, etc. They had an incident of bathrooms locked and some field safety issues and was not sure who to contact on the weekend and ended up calling 911. It was suggested by Chair Sheean that concerned citizens of the various user groups should form a sub-committee to work with staff to come up with solutions to the issues.

Director's Report

No written report was provided, Director Faas gave verbal updates during the parks tour.

Correspondence

None

Reports of Officers, Boards, and Standing Committees

Park Inspection Reports -

Ridge Run Dog Park: Michele Carter discussed the general condition and current care of the facility stating that it needed a little more attention. The park is heavily used and appreciated, there are many volunteers who donate time, funds, toys, etc. to try to help keep it a nice place to use but needs additional City staff support.

Unfinished Business

None

New Business

Request from pickle ball players to convert 1 tennis court into 4 pickle ball courts by turning them and striping them the opposite direction of the current tennis court layout. This leaves 3 courts strictly for tennis players without pickle ball lines and provides 4 courts specifically for pickle ball which is a fast growing sport. Players indicated that many times there is a line of people waiting for playing time and not all of our seasonal residents are back in town yet. Demand and popularity is growing and two dual striped courts does not meet the demand. The striping can take place when the court surface replacement takes place and the only other things that would be needed is 3 additional nets and fencing to separate the tennis courts. Staff will look into the cost.

The June 13, 2019 meeting of the Parks and Recreation Board was adjourned at 6:05 p.m. and several board members and staff went into a work session to tour Rotary, Riverside, Sunset, and Peninsula Beach Parks.

Barb Brooks, Recording Secretary

Approved:

**Meeting of
June 17, 2019**

Record of the proceedings of the Boyne City Planning Commission meeting held at Boyne City Hall, 319 North Lake Street, on Monday June 17, 2019 at 5:00 pm.

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

Call to Order

Present: George Ellwanger, Jim Kozlowski, Tom Neidhamer, Rose Newton, and Joe St. Dennis

Roll Call

Absent: Aaron Place (arrived at 5:02 pm) and Jeff Ross

Excused Absences

****Motion**

2019-6-17-02

St. Dennis moved, Ellwanger seconded, PASSED UNANIMOUSLY, a motion to excuse the absence of Ross

Meeting Attendance

City Officials/Staff: Planning and Zoning Administrator Scott McPherson and Recording Secretary Pat Haver

Public Present: Two

Consent Agenda

****Motion**

2019-6-17-03

Newton moved, Neidhamer seconded, PASSED UNANIMOUSLY, a motion to approve the consent agenda, the Planning Commission minutes from May 20, 2019 as presented.

Place arrived and the meeting was turned over to him at 5:03 pm

**Citizen comments on
Non-Agenda Items**

None

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

Unfinished Business

New Business

St. Dennis moved, Newton seconded, PASSED UNANIMOUSLY, to appoint Aaron Place as Chair of the Planning Commission

Election of Officers

2019-6-17-7A.1

Roll Call:

Aye: Ellwanger, Kozlowski, Neidhamer, Newton, Place and St. Dennis

Nay: None

Absent: Ross

Vacancy: Two

Motion Carries

****Motion**

St. Dennis moved, Neidhamer seconded, PASSED UNANIMOUSLY, to appoint Jeff Ross as Vice-Chair of the Planning Commission

2019-6-17-7A.2

Roll Call:

Aye: Ellwanger, Kozlowski, Neidhamer, Newton, Place and St. Dennis

Nay: None

Absent: Ross

Vacancy: Two

Motion Carries

Kozlowski moved, St. Dennis seconded, PASSED UNANIMOUSLY, to appoint George Ellwanger as Secretary of the Planning Commission

****Motion**

2019-6-17-7A.3

Roll Call:

Aye: Ellwanger, Kozlowski, Neidhamer, Newton, Place and St. Dennis

Nay: None

Absent: Ross

Vacancy: Two

Motion Carries

Recommendation for Planning Commission appointments

The board currently has 2 vacancies with Ken Allen, who chose not to run again when his term expired on 5-31-19 and Jason Biskner who resigned as he accepted a different job and will not be able to fulfill the remainder of his term which is to expire on 5-31-2020. There were 3 applications for consideration, Lawrence Chute, Adam Graef and Skylar MacNaughton. Adam sent along his apologies for not being in attendance, he had prior commitments. Larry Chute and Skylar MacNaughton were in attendance and Chute gave a brief presentation of his experience and willingness to serve on the board. After board discussion along with a question and answer period, **motion by Ellwanger, seconded by St. Dennis** to recommend to the City Commission Larry Chute to fulfill the remainder of Biskner's term to expire on 5-31-2020

****Motion**

2019-6-17-7B.1

Roll Call:

Aye: Ellwanger, Kozlowski, Neidhamer, Newton, Place and St. Dennis

Nay: None

Absent: Ross

Vacancy: Two

Motion Carries

Motion by Place, seconded by Newton to recommend to the City Commission, Skylar MacNaughton to fill the 3 year term vacancy on the Planning Commission to expire on 5-31-2022

****Motion**

2019-6-17-7B.2

Roll Call:

Aye: Ellwanger, Kozlowski, Newton, Place and St. Dennis

Nay: Neidhamer

Absent: Ross

Vacancy: Two

Motion Carries

Review City Goals High Priority Action Item

Planning Director McPherson reviewed his staff report in the agenda packet. The Commission is to review the zoning ordinance and master plan with the intention of eliminating unnecessary barriers to providing needed housing options, especially for families and workers. Staff was tasked with a preliminary review of the ordinance and plans and identified barriers to the housing shortage and provided a list to this commission to start discussions and to focus on defining potential amendments that could be adopted. The list was not comprehensive nor was it an indication of what should be adopted, but a starting point for discussion. Chair Place facilitated discussion of the various district articles of the zoning ordinance and the potential amendments outlined by staff. Some of the ways that were identified to help alleviate shortages could be by changing some conditional uses to use by right; increasing density, decreasing

minimum lot areas and changing setbacks. One portion staff felt was very confusing and would benefit from a total re-write is Article XVIII Open Space Community Option. Another area would be Article XXIV Parking Requirements. It currently has in residential parking 2 spaces per dwelling and 1 ½ spaces per 1 bedroom and efficiency. As discussed in previous meetings this was the amount of parking required, which was felt to be excessive. Based on the comments and recommendations by this commission, staff will draft language for amendments. He would like to have all of the amendments go to the City Commission at one time for ease of timing and cost.

Staff Report

- The second part of the Medical Marijuana webinar series will be held on Thursday, June 20th from 3 to 4:30 pm at City Hall; all are invited to attend
- The Boyne City to Boyne Valley trail appropriations have been received and all of the necessary easements have been obtained
- The status of the completion of the Boyne City to Charlevoix trail is unknown

Good of the Order

- A question was asked about all of the concrete piping along M75 heading towards Boyne Falls. These are the concrete pipes for the sewer improvements at Boyne Mountain.

The next regular meeting of the Boyne City Planning Commission is scheduled for Monday, July 15, 2019 at 5:00 p.m.

Adjournment
****Motion**

2019-6-17-10

Newton moved, Neidhamer seconded, PASSED UNANIMOUSLY a motion to adjourn the June 17, 2019 meeting at 6:37 pm

Chair Aaron Place

Recording Secretary Pat Haver



Otwell Mawby, P.C.
 Consulting Engineers

MEMORANDUM

DATE: July 5, 2019

TO: Michael Cain, City Manager *MC*

FROM: Mac McClelland *MMC*

SUBJECT: PA 210 Commercial Rehabilitation Exemption Certificate Consideration
 Lofts on Lake Street, LLC

Lofts on Lake Street, LLC submitted a request in April 2019 to the City of Boyne City to consider a Commercial Rehabilitation Act property tax exemption under PA 210, 2005. The Commercial Rehabilitation Act encourages the rehabilitation of commercial property by abating local property taxes generated from a new investment for period of up to 10 years.

The proposed project is for the development of a three story, mixed use building with commercial space on the first floor and 42 residential units on the second and third floors, with a commitment to provide at least 51% of the residential units at 80% Average Median Income (AMI) rental rates for Charlevoix County.

Loft on Lake Street, LLC is owned 100% by Michigan Community Capital, an independent non-profit 501(c)(3) tax-exempt public charity funded through various public and private sources with a mission to invest in communities to support underserved individuals and families in Michigan.

The process includes two steps: The City Commission establishes the Commercial Rehabilitation District and subsequently considers an application from a property owner or owners for a Commercial Rehabilitation Exemption Certificate. The Commercial Rehabilitation District includes the following property:

Parcel Identification Number	Address
051-240-028-50	100 North Lake Street
051-240-030-10	120 North Lake Street
051-240-054-00	114 State Street

A presentation on PA 210 was made at the April 22, 2019 City Commission meeting and a Public Information Session on PA 210 was held on May 21, 2019 to review the Commercial Rehabilitation Act and potential project with the community.

The City Commission held a public hearing and established the Commercial Rehabilitation District for the subject property on May 28, 2019, after notifications to Charlevoix County and the property owners in the proposed District, as required by PA 210.

Following the establishment of the District by the City Commission, the County received notification both in the form of the resolution to the County Clerk and subsequent letters to the Board Chair,

Administrator and Clerk, with notification of the District Establishment and the 28 day period in which the County Board may pass a resolution to reject the District. A presentation was made to the County Board on June 12 and no action is anticipated by July 5, 28 days after the notification was verified by the County Clerk.

An application for Commercial Rehabilitation Exemption Certificate was submitted by Lofts on Lake Street and received by the City on June 7, 2019 following the District Establishment by the City Commission, on the form prescribed by the State Tax Commission, and with supplemental information as required by PA 210. The City Assessor provided supplemental information in Part 4 of the Application of the base Taxable Value and State Equalized Value (SEV) for land and buildings.

An evaluation of the Application and supplemental materials was conducted, including review of the financial need for the PA 210 abatement. The evaluation is attached and finds the Application complete, in compliance with the requirements of Section 7 of PA 210, and that the project could not be built and operate with reasonable return without the PA 210 abatement. There is a requirement in Section 8 of PA 210 that requires that the Applicant to state in writing that the rehabilitation of the qualified facility would not be undertaken without the Exemption Certificate. The letter has been requested and will be provided as part of the Exemption Certificate.

During the evaluation process, considerations were identified to ensure that the project meet the objectives of providing attainable housing and the commitment to provide at least 51% of the residential units at 80% of the Average Median Income rents for Charlevoix County, as well as limit short term rentals.

These considerations are included in the attached Tax Incentive Agreement between Lofts on Lake Street, LCC and the City of Boyne City. The key provisions include:

- Section 2.2 Performance – the Project must be completed in 24 months, must meet the Rent Rate Commitment of at least 51% of the units at 80% AMI rent, and cannot rent for less than 30 days without City approval.
- Section 2.4 Revocation and Recapture– the City Commission will revoke the Certificate and retains the right to recapture the taxes abated from the effective date of the Certificate if Performance requirements are not met.
- Section 8.2 Sale or Transfer of Qualified Facility – any transfer of ownership is subject to the application and approval process for the original Certificate and the new owner must meet Section 2.2.

The final step for the City in the PA 210 approval process is to hold a public hearing and considering a resolution approving the Application for Commercial Rehabilitation Exemption Certificate, as well as authorizing the City Manager and City Clerk/Treasurer to execute the Tax Incentive Agreement.

The locally approved Certificate is then forward to the State Tax Commission, which issues the final Exemption Certificate, with an effective date of December 31, 2019.

Recommendation

Adopt the Resolution to Approve a Commercial Rehabilitation Exemption Certificate for Lofts on Lake Street, LLC for the development at 100 and 120 Lake Street and 114 State Street and authorize the City Manager and City Clerk/Treasurer to execute the Tax Incentive Agreement between Lofts on Lake Street, LLC and the City of Boyne City.

STATE USE ONLY		
Application Number	Date Received	LUCI Code

Application for Commercial Rehabilitation Exemption Certificate

Issued under authority of Public Act 210 of 2005, as amended.

Read the instructions page before completing the form. **This application should be filed after the commercial rehabilitation district is established.** The applicant must complete Parts 1, 2 and 3 and file one original application form (with required attachments) and one additional copy with the clerk of the local governmental unit (LGU). Attach the legal description of property on a separate sheet. This project will not receive tax benefits until approved by the State Tax Commission (STC). Applications received after October 31 may not be acted upon in the current year. This application is subject to audit by the STC.

PART 1: OWNER / APPLICANT INFORMATION (applicant must complete all fields)			
Applicant (Company) Name (applicant must be the owner of the facility) Lofts on Lake Street, LLC		NAICS or SIC Code SIC 5812; SIC 5999	
Facility's Street Address 100 and 120 N Lake St, 114 State St	City Boyne City	State MI	ZIP Code 48912
Name of City, Township or Village (taxing authority) City of Boyne City	County Charlevoix	School District Where Facility is Located Boyne City Public Schools	
<input type="checkbox"/> City <input type="checkbox"/> Township <input type="checkbox"/> Village			
Date of Rehabilitation Commencement (mm/dd/yyyy) 10/21/2019	Planned Date of Rehabilitation Completion (mm/dd/yyyy) 12/01/2020		
Estimated Cost of Rehabilitation \$9,100,000	Number of Years Exemption Requested (1-10) 10		
Expected Project Outcomes (check all that apply)			
<input checked="" type="checkbox"/> Increase Commercial Activity <input type="checkbox"/> Retain Employment <input checked="" type="checkbox"/> Revitalize Urban Areas <input checked="" type="checkbox"/> Create Employment <input checked="" type="checkbox"/> Prevent Loss of Employment <input checked="" type="checkbox"/> Increase Number of Residents in Facility's Community			
No. of jobs to be created due to facility's rehabilitation 65	No. of jobs to be retained due to facility's rehabilitation 0	No. of construction jobs to be created during rehabilitation 150	
PART 2: APPLICATION DOCUMENTS			
Prepare and attach the following items:			
<input checked="" type="checkbox"/> General description of the facility (year built, original use, most recent use, number of stories, square footage)		<input checked="" type="checkbox"/> Statement of the economic advantages expected from the exemption	
<input checked="" type="checkbox"/> Description of the qualified facility's proposed use		<input checked="" type="checkbox"/> Legal description	
<input checked="" type="checkbox"/> Description of the general nature and extent of the rehabilitation to be undertaken		<input type="checkbox"/> Description of the "underserved area" (Qualified Retail Food Establishments only)	
<input checked="" type="checkbox"/> Descriptive list of the fixed building equipment that will be a part of the qualified facility		<input type="checkbox"/> Commercial Rehabilitation Exemption Certificate for Qualified Retail Food Establishments (Form 4753) (Qualified Retail Food Establishments only)	
<input checked="" type="checkbox"/> Time schedule for undertaking and completing the facility's rehabilitation			
PART 3: APPLICANT CERTIFICATION			
Name of Authorized Company Officer (no authorized agents) Marilyn Crowley		Telephone Number (517) 803-0634	
Fax Number		E-mail Address marilyn@miccap.org	
Street Address 507 S Grand Ave.	City Lansing	State MI	ZIP Code 48933
I certify that, to the best of my knowledge, the information contained herein and in the attachments is truly descriptive of the property for which this application is being submitted. Further, I am familiar with the provisions of Public Act 210 of 2005, as amended, and to the best of my knowledge the company has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local governmental unit and the issuance of a Commercial Rehabilitation Exemption Certificate by the State Tax Commission.			
I further certify that this rehabilitation program, when completed, will constitute a rehabilitated facility, as defined by Public Act 210 of 2005, as amended, and that the rehabilitation of this facility would not have been undertaken without my receipt of the exemption certificate.			
Signature of Authorized Company Officer (no authorized agents) <i>Marilyn Crowley</i>		Title Vice President	Date 06/07/2019

C



**Lofts on Lake Street
PA 210 Attachments
June 7, 2019**

General description of the facility

The Property consists of approximately 0.93-acres developed with an approximately 5,250-square-foot warehouse, approximately 1,754-square-foot commercial office, and an approximately 952-square-foot house. The remainder of the Property consists of pavement, gravel, and landscaping.

General description of the facility's proposed use

The proposed project is located at 100 and 120 North Lake Street and 114 State Street. The project will include the demolition of the three existing buildings and construction of a 3-story mixed-use building to house 42 residential (rental) units on the 2nd-3th floors, and commercial space on the 1st floor. The apartment breakdown includes six studio/1-bath units (400sq. ft.), twenty-eight 1-bedroom/1-bath units (500 sq. ft.), and eight 2-bedroom/2-bath units (750 sq. ft.). At least 51% of the residential units will be priced at 80% AMI rents or less. 69 parking will be available onsite for residents and commercial users. In addition, the project will create 13 public parking spaces on both State St. and Lake St.

General description of the nature and extent of the restoration, replacement, or construction to be undertaken

The exterior of the building will be mostly brick and hardy-panel with large commercial aluminum and glass storefronts. The building will be a steel building type with a water fire suppression system throughout and an elevator. Current designs reflect the first floor commercial will be finished as follows: Drywall will be installed and primed but not painted. Plumbing and Electrical will be brought into the space and ready for a tenant to finish as required. Temporary power and permanent fire suppression will be installed. Storefronts, access doors and exterior will be finished completely. The space will be tempered to keep temperatures in an acceptable range for vacancy. The project is targeting retail and residential tenants, but no leases have been signed to date. If a tenant is identified before or during construction, the intention is to complete the tenant buildout and improvements within the construction timeframe. The apartments will be energy efficient and quiet, with high-quality, large fiberglass windows, R-21 insulation on exterior walls, sound insulation between units, solid core doors and LED lighting. The floors will be a durable and attractive luxury vinyl tile throughout. The kitchens will have stainless steel appliances, electric stoves and solid surface countertops with a tiled backsplash. All apartments will have washers and driers in the unit.

Descriptive list of the fixed building equipment that will be a part of the facility

The project will be entirely new construction. This includes new foundations, floor systems, insulation, windows, façade, LED lighting, fire suppression, HVAC, plumbing, electrical wiring, elevator, etc.

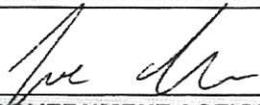
Time schedule for undertaking and completing the facility's restoration, replacement or construction

Construction commencement- 10/21/2019

Construction completion- 12/01/2020

Statement of the economic advantages expected from receiving the exemption

The exemption will help to reduce the financial risk associated with developing a mixed use building in a small downtown. The exemption will enable the project to move forward. The site will be redeveloped into a dense, mixed-use building where there were previously 1 and 2 story underutilized or vacant buildings. The project will encourage walkability through a high % of glazing on the first floor and targeting commercial users that activate the space, such as restaurant tenants. The building creates significant hardscape areas in the front of the building to encourage future tenants to provide outdoor dining options. In addition, the site will be activated by commercial patrons and residents where there was currently not any residential and minimal commercial activity on the site.

PART 4: ASSESSOR RECOMMENDATIONS (assessor of LGU must complete Part 4)			
Provide the Taxable Value and State Equalized Value of Commercial Property, as provided in Public Act 210 of 2005, as amended, for the tax year immediately preceding the effective date of the certificate (December 31 of the year approved by the STC).			
	Taxable Value	State Equalized Value (SEV)	
Land	\$83,086	\$98,900	
Building(s)	\$152,096	\$183,400	
The property to be covered by this exemption may not be included on any other specific tax roll while receiving the Commercial Rehabilitation Exemption. For example, property on the Eligible Tax Reverted Property (Land Bank) specific tax roll cannot be granted a Commercial Rehabilitation Exemption that would also put the same property on the Commercial Rehabilitation specific tax roll.			
<input checked="" type="checkbox"/> By checking this box I certify that, if approved, the property to be covered by this exemption will be on the Commercial Rehabilitation Exemption specific tax roll and not on any other specific tax roll.			
Name of Local Government Body Boyne City			
Name of Assessor (first and last name) Joe Lavender		Telephone Number (231) 582-6597	
Fax Number (231) 582-6506		E-mail Address assessor@boynecity.com	
I certify that, to the best of my knowledge, the information contained in Part 4 of this application is complete and accurate.			
Assessor's Signature 			Date 06/26/2019
PART 5: LOCAL GOVERNMENT ACTION (clerk of LGU must complete Part 5)			
Action Taken By LGU (attach a certified copy of the resolution):			
<input type="checkbox"/> Exemption approved for _____ years, ending December 30, _____ (not to exceed 10 years)			
<input type="checkbox"/> Exemption Denied			
Date District Established (attach resolution for district)	Local Unit Classification Identification (LUCI) Code	School Code	
PART 6: LOCAL GOVERNMENT CLERK CERTIFICATION (clerk of LGU must complete Part 6)			
Clerk's Name (first and last)		Telephone Number	
Fax Number		E-mail Address	
Mailing Address	City	State	ZIP Code
LGU Contact Person for Additional Information	LGU Contact Person Telephone Number	Fax Number	
I certify that, to the best of my knowledge, the information contained in this application and attachments is complete and accurate and hereby request the State Tax Commission issue a Commercial Rehabilitation Exemption Certificate, as provided by Public Act 210 of 2005, as amended.			
Clerk's Signature			Date

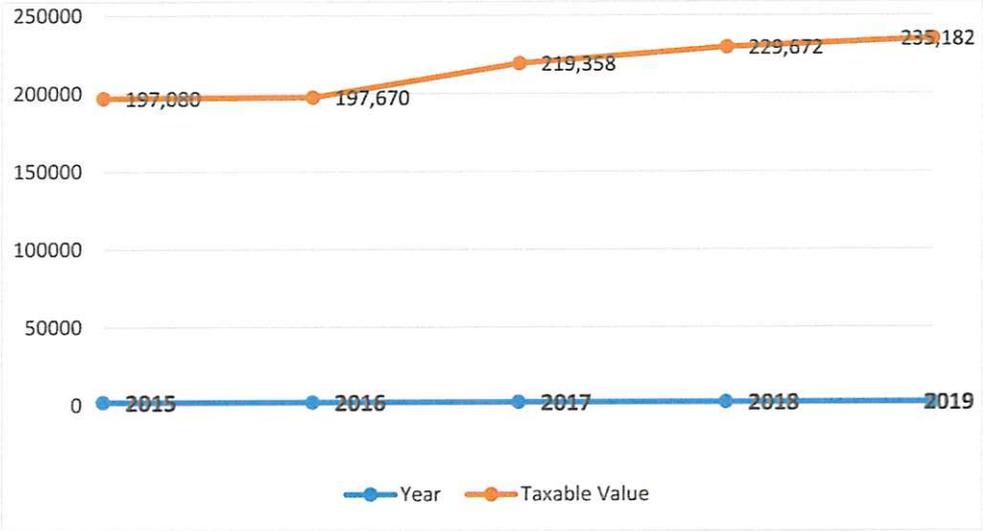
The clerk must retain the original application at the local unit and mail one copy of the completed application with attachments to:

State Tax Commission
P.O. Box 30471
Lansing, MI 48909

D

Boyne City PA 210 Application Taxable Values

Year	Taxable Value
2015	197,080
2016	197,670
2017	219,358
2018	229,672
2019	235,182



LOFTS ON LAKE STREET PARCELS



Review of Application for Commercial Rehabilitation Exemption Certificate

By Lofts on Lake Street, LLC

100 and 120 Lake Street and 114 State Street

City of Boyne City

Application Submittal

Lofts on Lake Street, LLC has submitted an Application for Commercial Rehabilitation Exemption Certificate on June 6, 2019 for their mixed-use project with the soon to be established Commercial Rehabilitation District comprised of 100 and 120 Lake Street and 114 State Street. The application was submitted on the form prescribed by the Michigan Department of Treasury with the supplemental information as provided in PA 210.

Sec. 4. (1) If a commercial rehabilitation district is established under section 3, the owner of a qualified facility may file an application for a commercial rehabilitation exemption certificate with the clerk of the qualified local governmental unit that established the commercial rehabilitation district. The application shall be filed in the manner and form prescribed by the commission. The application shall contain or be accompanied by a general description of the qualified facility, a general description of the proposed use of the qualified facility, the general nature and extent of the rehabilitation to be undertaken, a descriptive list of the fixed building equipment that will be a part of the qualified facility, a time schedule for undertaking and completing the rehabilitation of the qualified facility, a statement of the economic advantages expected from the exemption, including the number of jobs to be retained or created as a result of rehabilitating the qualified facility, including expected construction employment, *and information relating to the requirements in section 8. (Emphasis added)*

As noted in Section 4, there is additional information relating the requirements in Section 8 relating to the approval of the Exemption Certificate by the City Commission.

Sec. 8. (2) The legislative body of the qualified local governmental unit shall not approve an application for a commercial rehabilitation exemption certificate unless the applicant complies with all of the following requirements:

(a) Except as otherwise provided in this subdivision or subsection (3), the commencement of the rehabilitation of the qualified facility does not occur earlier than 6 months before the applicant files the application for the commercial rehabilitation exemption certificate...

(b) The application relates to a rehabilitation program that when completed constitutes a qualified facility within the meaning of this act and that shall be situated within a commercial rehabilitation district established in a qualified local governmental unit eligible under this act.

(c) Completion of the qualified facility is calculated to, and will at the time of issuance of the certificate have the reasonable likelihood to, increase commercial activity, create employment, retain employment, prevent a loss of employment, revitalize urban areas, or increase the number of residents in the community in which the qualified facility is situated.

(d) *The applicant states, in writing, that the rehabilitation of the qualified facility, excluding qualified retail food establishments through December 31, 2009, would not be undertaken without the applicant's receipt of the exemption certificate. (Emphasis added)*

(e) The applicant is not delinquent in the payment of any taxes related to the qualified facility.

The following is a review of these requirements as they relate to the Lofts on Lake Street Project:

(a) Rehabilitation has not appeared to commence, and with anticipated approval on July 9, and rehabilitation that may begin would be well within the 60-day period.

(b) The property and project would constitute a qualified facility by the meaning of the act and be in an established commercial rehabilitation district.

(c) The project is calculated to increase commercial activity, create employment, and increase the number of residents in the community.

(d) *There is a need for Lofts on Lake Street to state, in writing, that the project would not be undertaken without the PA 210 exemption. This could be done as a separate affidavit or included as a provision in a Development Agreement.*

(e) The applicant does not appear to be delinquent in any taxes.

Financial Documentation

A summary pro forma has been provided by Lofts on Lake Street, LLC with estimates of income, operating expenses, development budget, and cash flow. Based on the preliminary estimates, the pro forma indicates the project would have negative cash flow for the first three years and would average only \$13,000 per year over the exemption period without the PA 210 abatement, an estimated annual rate of return of 0.13%. Based on the evaluation of the preliminary pro forma, the project could not be built with standard expectations of return without the PA 210 abatement.

Exemption Period

PA 210 states in Section 6(3) that “The effective date of the certificate is the December 31 immediately following the date of issuance of the certificate.” Section 7(2) that “The certificate shall commence with its effective date and end on the December 31 immediately following the last day of the number of years determined.” The Exemption Certificate is scheduled to be approved on July 9, 2019 and issued by the State Tax Commission prior to October 1. If approved for the full 10 years, the Certificate would end December 31, 2029.

Approval Process

A public hearing as required by PA 210 is scheduled for July 9, 2019, with consideration of adoption of a resolution approving the Application for Commercial Rehabilitation Exemption Certificate. Once adopted, a certified resolution is forwarded to the State Tax Commission with the Application and supplemental materials. The State Tax Commission issues the Exemption Certificate.

The resolution includes a provision that approval is contingent upon the execution of Tax Incentive Agreement that details the terms and conditions of the Exemption Certificate. Key considerations include a requirement to maintain at least 51% of the residential units at 80% of the Average Median Income rents or less, a prohibition on short term rentals, rights by the City to revoke the Certificate and recapture abated taxes if performance requirements are not met, and approval by the City Commission of any transfer. The Agreement also includes other general provisions of indemnity, insurances, and reporting.

Section 12 provides for the revocation of an Exemption Certificate if the project does not proceed or if the holder has not proceeded in good faith in the operation consistent with the purposes of PA 210.

Sec. 12. (1) The legislative body of the qualified local governmental unit may, by resolution, revoke the commercial rehabilitation exemption certificate of a facility if it finds that the completion of rehabilitation of the qualified facility has not occurred within the time authorized by the legislative body in the exemption certificate or a duly authorized extension of that time, or that the holder of the commercial rehabilitation exemption certificate *has not proceeded in good faith with the operation of the qualified facility in a manner consistent with the purposes of this act and in the absence of circumstances that are beyond the control of the holder of the exemption certificate. (Emphasis added).*

The primary reason for the Exemption Certificate is the development of attainable housing in the City of Boyne City and, if the commitment for targeted rents is not meant, the operation of the project is not consistent with the finding of public benefit.

The actual revocation of the Exemption Certificate will require a resolution adopted by the City Commission.

**CITY OF BOYNE CITY
RESOLUTION NO. 2019-__**

**A RESOLUTION TO APPROVE A COMMERCIAL REHABILITATION
EXEMPTION CERTIFICATE**

Minutes of a regular meeting of the City Commission of the City of Boyne City, Charlevoix County, Michigan, held in the City Commission Chambers, 319 N. Lake Street in Boyne City on July 9, 2019 at 7:00 p.m.

PRESENT:

ABSENT:

The following preamble and resolution were offered by _____, and supported by _____.

WHEREAS, pursuant to PA 210 of 2005 and at the request of Lofts on Lake Street, LLC the City of Boyne City has established a Commercial Rehabilitation District for 100 and 120 Lake Street and 114 State Street located in the City of Boyne City; and

WHEREAS, Lofts on Lake Street, LLC submitted on June 6, 2019 an Application for Commercial Rehabilitation Exemption Certificate on the form prescribed by the Michigan Department of Treasury and supplemental information as required by Section 4 of PA 210; and

WHEREAS, notice of the Application for Commercial Rehabilitation Exemption Certificate has been provided to the City Assessor and to taxing jurisdictions as required by Section 4 of PA 210 as required by section 4(2) of PA 210 of 2005; and

WHEREAS, on July 9, 2019, a public hearing was held and all residents and taxpayers of the City of Boyne City were afforded an opportunity to be heard thereon; and

WHEREAS, a Tax Incentive Agreement has been prepared to provide terms and conditions of the Exemption Certificate, including continuation of a minimum of 51% of the residential units to be priced at 80% of the Average Median Income rents or less and a prohibition on short term rentals without City approval; and

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Boyne City has reviewed the Application for Commercial Rehabilitation Exemption Certificate submitted by Lofts on Lake Street for the Commercial Rehabilitation District for 100 and 120 Lake Street and 114 State Street and finds, in accordance with the requirement of Section 8 of PA 210 of 2005 that:

- (a) the commencement of the rehabilitation of the qualified facility has not occurred earlier than 6 months before the applicant files the application for the commercial rehabilitation exemption certificate;
- (b) The application relates to a rehabilitation program that when completed constitutes a qualified facility within the meaning of this act and is situated

- within a commercial rehabilitation district established in a qualified local governmental unit eligible under PA 210 of 2005;
- (c) Completion of the qualified facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, and increase the number of residents in the community in which the qualified facility is situated.
 - (d) The applicant has stated, in writing, that the rehabilitation of the qualified facility would not be undertaken without the applicant's receipt of the exemption certificate.
 - (e) The applicant is not delinquent in the payment of any taxes related to the qualified facility.

BE IT FURTHER RESOLVED, that pursuant to the Commercial Rehabilitation Act, PA 210 of 2005, as amended, the Boyne City Commission hereby approves the Application for Commercial Rehabilitation Exemption Certificate submitted by Lofts on Lake Street, LLC for the Commercial Rehabilitation District comprised of 100 and 120 Lake Street and 114 State Street, subject to the execution of a Development Agreement between Lofts on Lake Street, LLC and the City of Boyne City.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Boyne City, County of Charlevoix, Michigan at a regular meeting held on July 9, 2019.

City of Boyne City

By: _____

Cindy Grice, City Clerk/Treasurer

CITY OF BOYNE CITY
TAX INCENTIVE AGREEMENT

This Tax Incentive Agreement is made as of _____, 2019, and is between Lofts on Lake Street, LLC (the "Developer") and the City of Boyne City (the "City").

PREMISES

- A. The Developer is acquiring three parcels at 100 and 120 Lake Street and 114 State Street in downtown Boyne City and desires to redevelop the property for commercial/retail/residential uses and improvements with an estimated investment of \$9,000,0000, (the "Project") on the Qualified Facility as described in Exhibit A.
- B. The City has adopted a resolution establishing a Commercial Rehabilitation District (the "District") under Public Act 210, 2005 ("PA 210") following notice and a public hearing for the Qualified Facility to provide the opportunity for an exemption from certain taxes, which is attached to and incorporated into this Agreement as Exhibit B;
- C. Charlevoix County (the "County") has been provided notice of the establishment of the Commercial Rehabilitation District in accordance with PA 210 and no action has been taken within 28 days to reject the establishment of the District
- D. The Developer has submitted an application for Commercial Rehabilitation Exemption Certificate with the City in compliance with the requirements of PA 210, which is attached to and incorporated into this Agreement as Exhibit C;
- E. The City has adopted a resolution approving the Commercial Rehabilitation Exemption Certificate for Lofts on Lake Street, LLC, contingent upon the execution of this Agreement which is attached to and incorporated into this Agreement as Exhibit D;

In consideration of the premises and the mutual covenants contained in this Agreement, the Developer and the City hereby enter into this Agreement and covenant and agree as follows:

ARTICLE 1
DEFINITIONS

Section 1.0 Definitions. The following terms used in this Agreement shall have the following meanings, except to the extent the context in which they are used requires otherwise:

- (a) "Agreement" means this Tax Incentive Agreement entered into between the City and the Developer.
- (b) "Assessor" is the City of Boyne City Assessor
- (c) "Certificate" means the Commercial Rehabilitation Exemption Certificate approved by the City Commission and issued by the State Tax Commission to Lofts on Lake Street, LLC

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- (d) "Certificate Period" mean the period of time for which the Certificate is valid, in this case, commencing upon the effective date of the Certificate which is the December 31 immediately following the date of issuance by the State Tax Commission and ending on the December 31 immediately following the last day of ten years, which is December 31, 2029.
- (e) "City" means the City of Boyne City.
- (f) "City Commission" mean the Boyne City City Commission
- (g) "Developer" means Lofts on Lake Street LLC, its successors and assigns.
- (h) "Event of Default" means the failure by a party to carry out its obligations under this Agreement or, with respect to a party, if any representation or warranty of such party was materially not accurate when made, and such obligation has not been performed or such representation or warranty corrected within 30 days after notice thereof has been given by the other party or, if such failure cannot because of its nature be cured within such 30 day period, the defaulting party has commenced cure of such failure and is diligently pursuing cure. Failure to meet the Performance Requirements in Section 2.2 is not considered an Event of Default and is subject to revocation of the Certificate under Section 2.4.
- (i) "Indemnified Persons" means the City and their members, officers, agents and employees.
- (j) "Project" means the acquisition and construction of a commercial/retail/residential development and certain appurtenant properties and improvements by the Developer as described in the application for Commercial Rehabilitation Exemption Certificate, attached as Exhibit C.
- (k) "Qualified Facility" means the property as defined by Sec. 2(h) of PA 210, MCL 207.842(h).
- (l) "Rent Rate Commitment" is the commitment of the Developer to provide at least 51% of the residential units at 80% Average Medium Income for Charlevoix County or less for the full period of the Certificate.

Section 1.2 Number and Gender. The definition of terms herein shall apply equally to the singular and plural forms of the terms defined. Whenever the context may require, any pronoun should include the corresponding masculine, feminine, and neuter forms.

ARTICLE 2 **COVENANTS OF THE DEVELOPER**

Section 2.1 Construction of Development. The Developer shall construct the Developer Project in accordance with proper construction standards and the Agreement. They shall proceed with due care and diligence and commence and complete the Development in accordance with the Agreement, and in accordance with any applicable law, regulation, code and ordinance.

Section 2.2 Performance. The Developer shall meet the following requirements:

- (a) Complete the Project within 24 months of the effective date of the Certificate;
- (b) Meet the Rent Rate Commitment throughout the Certificate Period; and
- (c) Shall not provide rental terms of less than 30 days without the written consent of the City.

Section 2.3 Reporting. The Developer shall provide the following:

- (a) Notification of the completion of the facility to the City Assessor and the State Tax Commission within 30 days of the date of completion. If there is no construction progress for a facility under construction for more than 180 days, the Developer will notify the City Assessor;
- (b) Within 90 days of the date of completion of the facility, the Developer will report the final cost of the Project to the City Assessor and the State Tax Commission. If the actual Project costs are more than 10% less than the estimated costs given in the application, the Developer will provide an explanation.
- (c) Not later than September 1 each year, the Developer will provide information on actual rent to document compliance with the Rent Rate Commitment in a form prescribed by the City.

Section 2.4 Revocation and Recapture. If either of the Performance requirements in Section 2.2 are not met, the City Commission:

- (a) Will, by resolution, revoke the Certificate under the provisions of Section 12(1) MCL 207.852
- (b) Retains the right and may recapture from the Developer 100% of the taxes abated from the effective date of the Certificate.

Section 2.5 Tax Payments. The Developer agrees to pay all real and personal property taxes timely and without penalty.

Section 2.6 Certification of Need. The Developer hereby certifies that the rehabilitation of the qualified facility would not be undertaken without the Developer's receipt of the Certificate.

Section 2.7 Indemnification of Indemnified Persons.

- (a) The Developer shall be considered an independent contractor and not an agent or employee of the City. Nor shall an agent or employees of the Developer be considered an agent or employees of the City. The Developer shall remain responsible for any claims arising out its own acts or omissions during the performance of this Agreement, as provided by law. Additionally, the Developer and the City, shall not be considered engaged in a joint venture or partnership.
- (b) The Developer shall indemnify and hold the Indemnified Persons harmless from any loss, expense (including reasonable counsel fees) or liability of any nature due to any and all suits, actions, legal or administrative proceedings, or claims arising or resulting from injuries to persons or property as a result of the ownership or operation, use or maintenance of the Developer Project from and after the date hereof. If any suit, action

or proceeding is brought against any Indemnified Person, the Indemnified Person promptly shall give notice to the Developer and the Developer shall defend such Indemnified Person with counsel selected by the Developer, which counsel shall be reasonably satisfactory to the Indemnified Person. In any such proceeding, the Indemnified Person shall cooperate with the Developer and the Developer shall have the right to settle, compromise, pay or defend against any such claim on behalf of such Indemnified Person, except that the Developer may not settle or compromise any claim if the effect of doing so would be to subject the Indemnified Person to criminal penalties, unless such Indemnified Person gives its consent. The Developer shall not be liable for payment or settlement of any such claim or proceeding made without its consent.

- (c) The Developer shall not be obligated to indemnify any Indemnified Person under subsection (a) if the liability arises out of the Indemnified Person's negligence, willful misconduct or breach of this Agreement or the negligence or willful misconduct of any person or entity acting by, through or under any indemnified Person.
- (d) The Developer also shall indemnify the Indemnified Persons for all reasonable costs and expenses, including reasonable counsel fees, incurred in enforcing any obligation of the Developer under this Agreement or any related agreement.
- (e) The indemnity provisions shall survive the term of this Agreement.

ARTICLE 3

CONDITIONS PRECEDENT TO THE OBLIGATIONS OF THE DEVELOPER AND THE CITY

Section 3.1 Conditions Precedent to Developer's Obligations to Construct the Developer Project. The obligations of Developer to construct the Developer Project, as contemplated herein, are subject to the following conditions precedent which must be satisfied by the City, as required herein, or waived by the Developer, except as specifically provided herein:

- (a) No condition, event, action, suit, proceeding or investigation shall be pending before any court, public board or body to which the Developer or the City is a party, or threatened against the Developer or the City contesting the validity or binding effect of this Agreement or the validity of the District or Certificate or which could result in an adverse decision which would have a material adverse effect upon the ability of the City to implement the provisions of the District or the Certificate
- (b) There shall have been no Event of Default by the City and no action or inaction by the City eventually which with the passage of time could become an Event of Default.
- (c) The Developer and the City shall have performed all of the terms and conditions to be performed by it pursuant to this Agreement.
- (d) The Developer has received the consent of any affected utility for relocation, burial or other activity necessary to construct their respective portions of the Project.
- (e) There has been no change in statutes or other law that would negatively impact either party's ability to meet (a)-(d) above.

Section 3.2 Conditions Precedent to City's Obligations to Implement the Provisions of the District and Certificate. The obligations of City are subject to the following conditions precedent which must be satisfied as required herein, except as specifically provided herein or otherwise waived by the City:

- (a) No condition, event, action, suit, proceeding or investigation shall be pending before any court, public board or body to which the Developer or the City is a party, or threatened against the Developer or the City contesting the validity or binding effect of this Agreement or the validity of the District or Certificate or which could result in an adverse decision which would have a material adverse effect upon the ability of the City to implement the provisions of the District or the Certificate
- (b) There shall have been no Event of Default by the Developer and no action or inaction by the Developer eventually which with the passage of time could become an Event of Default.
- (c) The Developer and the City shall have performed all of the terms and conditions to be performed by it pursuant to the Agreement zoning codes.
- (d) There has been no change in statutes or other law that would negatively impact either party's ability to meet (a)-(d) above.

ARTICLE 4
COVENANTS OF THE CITY

Section 4.1 Adoption of District and Certificate. The City Commission will have established the District and approved the Certificate in accordance with the provisions of PA 210.

Section 4.2 Taxable Value Determination. The Assessor shall determine annually the commercial rehabilitation tax in accordance with Section 10(2), MCL 207.850(2).

ARTICLE 5
REPRESENTATIONS AND WARRANTIES

Section 5.1 Representations and Warranties of City. The City represents and warrants to the Developer that:

- (a) The City is a Michigan municipal corporation, with all necessary corporate powers to enter into and perform this Agreement.
- (b) The execution and delivery of this Agreement has been duly authorized by all requisite action on the part of the City, and this Agreement constitutes a valid and binding agreement of the City enforceable in accordance with its terms, except as enforceability may be limited by bankruptcy, insolvency, fraudulent conveyance or other laws affecting creditors' rights generally, now existing or hereafter enacted, and by the application of general principles of equity, including those relating to equitable subordination.
- (c) Neither the execution nor delivery of this Agreement nor the consummation of the transactions contemplated hereby is in violation of any provision of any existing law or

regulation, order or decree of any court or governmental entity, or any agreement to which the City is a party or by which the City is bound.

Section 5.2 Representations and Warranties of the Developer. The Developer represents and warrants to the City that:

- (a) The Developer (i) is duly organized and validly existing as a limited liability corporation in good standing under the laws of the State of Michigan, with power under the laws of such state to carry on its business as now being conducted; (ii) is duly qualified to do business in the State of Michigan, and (iii) has the power and authority to consummate the transactions contemplated under this Agreement by the Developer.
- (b) There is no violation or default by the Developer of any provision of its Articles of Organization or Operating Agreement, or under any indenture, contract, mortgage, lien, agreement, lease, loan agreement, note, order, judgment, decree of other instrument of any kind or character to which it is a party and by which it is bound, or to which it or any of its assets are subject, and compliance with the terms, conditions and provisions of this Agreement does not conflict with and will not result in or constitute a breach of or default under any of the foregoing, wherein default, breach or violation would materially and adversely affect any of the transactions contemplated by or the validity of this Agreement.
- (c) The execution and delivery of this Agreement and the consummation of the transactions contemplated hereby have been duly authorized by all requisite action on the part of the Developer and this Agreement constitutes a valid and binding agreement of the Developer in accordance with its terms, except as enforceability may be limited by bankruptcy, insolvency, fraudulent conveyance or other laws affecting creditors' rights generally, now existing or hereafter enacted, and by the application of general principles of equity, including those relating to equitable subordination.
- (d) The Developer, its contractors or subcontractors shall not use the Qualified Facility for the storage, treatment or disposal of hazardous or toxic wastes of unaffiliated third parties and shall comply with all applicable federal, state and local laws, regulations, rules, ordinances, codes, decrees and orders in connection with any use of the Qualified Facility, and shall obtain all necessary permits in connection therewith.
- (e) The Developer warrants that it will comply with all obligations, covenants and conditions required of it or its agents or contractors under the terms of this Agreement.

ARTICLE 6 **INSURANCE**

Section 6.1 Insurance. The Developer and any contractor(s) or subcontractor(s) shall purchase and maintain insurance not less than the limits set forth below. The Developer and contractor(s) and subcontractor(s) shall maintain such other insurances as it deems appropriate for its own protection.

- (a) Worker's Disability Compensation Insurance including Employers Liability Coverage in accordance with all applicable statutes of the State of Michigan.
- (b) Commercial General Liability Insurance on an "Occurrence Basis" with limits of liability not less than \$1,000,000 per occurrence and \$2,000,000 aggregate combined single limit.

Coverage shall include the following: (A) Contractual Liability; (B) Products and Completed Operations; (C) Independent Contractors Coverage; (D) Broad Form General Liability Endorsement or Equivalent.

- (c) Motor Vehicle Liability Insurance, including Michigan No-Fault Coverage, with limits of liability of not less than \$1,000,000 per occurrence for Bodily Injury and Property Damage. Coverage shall include all owned vehicles, all non-owned vehicles and all hired vehicles.
- (d) Contractor's Pollution Liability Insurance provided by Contractors, sub-contractors and site work contractors engaging in environmental response activities, covering any sudden and non-sudden pollution or environmental impairment, including clean up costs and defense, with limits of liability of not less than \$1,000,000 per occurrence (with first party and third party coverage).

Section 6.2 Cancellation Notice. It is understood and agreed that thirty (30) days advanced written notice of cancellation, non-renewal, reduction and/or material change shall be sent to the City.

Section 6.3 Additional Insured. - The Commercial General Liability Insurance, Motor Vehicle Liability Insurance and Contractor's Pollution Liability Insurance, as described above, held by the Developer and their Contractors and subcontractors, shall have an endorsement including the City as an additional insured.

Section 6.4. Proof of Insurance. The Developer shall make available copies of certificates of insurance for each of the policies mentioned above to the City upon request. If so requested, certified copies of all policies will be furnished.

ARTICLE 7 REMEDIES AND TERMINATION

Section 7.1 Alternative Dispute Mediation. If a dispute arises between the parties to this Agreement, the parties shall seek an alternative means of resolving the dispute as a condition precedent to litigation. Therefore, the parties agree to the following terms and conditions:

- (a) The party bringing in a claim shall give notice to the other party and, in writing, propose a meeting in which to discuss and attempt to resolve the claim within seven (7) days after the claim arises.
- (b) In the event the meeting between the parties to resolve the claim does not resolve the dispute or does not take place within said seven (7) day period, the parties shall designate, by mutual agreement, an independent mediator who shall convene a meeting of the parties within a period of twenty-one (21) days after the initial meeting between the parties. The mediator shall render his/her decision within ten (10) days of meeting with the parties. In the event that the mediator does not render a decision within said time-period, the party bringing the claim shall have the right to proceed with litigation.
- (c) The purpose of the mediator is to attempt to resolve the dispute between the parties. The mediator shall not be empowered with the authority to render a binding opinion or award.

- (d) During the pendency of this alternative dispute resolution process, the parties agree that any statute of limitations applicable to all claims that are the subject of this mediation process shall be tolled.

Section 7.2 Remedies upon Event of Default. Upon the occurrence of an Event of Default, a non-defaulting party shall have the right to terminate this Agreement with the defaulting party or, at the election of such non-defaulting party, may obtain any form of relief permitted under the applicable laws and court rules of the State of Michigan, including the right to seek and obtain a decree of specific performance by a court of competent jurisdiction.

ARTICLE 8 **MISCELLANEOUS**

Section 8.1 Term. The term of this Agreement shall commence on the effective date of the Certificate and shall expire on December 31, 2029.

Section 8.2 Sale or Transfer of Qualified Facility: The Certificate may be transferred and assigned by the holder of the Certificate to a new owner of the Qualified Facility if the City Commission approves the transfer after application by the new owner under Section 4(1) MCL 207.844(1), with approval under the provisions of PA 210 for Certificate approval. The new owner must meet the Rent Rate Commitment under Section 2.2(b) of this Agreement.

Section 8.3 Assignment of this Agreement. No party to this Agreement may transfer, assign or delegate to any other person or entity all or any part of its rights or obligations arising under this Agreement without the prior written consent of all other parties hereto, which consent will not be unreasonably withheld.

Section 8.4 Notices. All notices, certificates or communications required by this Agreement to be given shall be in writing and shall be sufficiently given and shall be deemed delivered when personally served, or when received if mailed by registered or certified mail, postage prepaid, return receipt requested, addressed to the respective parties as follows:

If to City:

Michael Cain, City Manager
City of Boyne City
319 North Lake Street
Boyne City, Michigan 49712

If to the Developer:

Eric Hanna, Managing Member
Lofts on Lake Street, LLC
507 S. Grand Avenue
Lansing, Michigan 48933

or to such other address as such party may specify by appropriate notice.

Section 8.5 Amendment and Waiver. No amendment or modification to or of this Agreement shall be binding upon any party hereto until such amendment or modification is reduced to writing and executed by all parties hereto. No waiver of any term of this Agreement shall be binding upon any party until such waiver is reduced to writing, executed by the party to be charged with such waiver, and delivered to the other parties hereto.

Section 8.6 Entire Agreement. This Agreement contains all agreements between the parties. There are no other representations, warranties, promises, agreements or understandings, oral, written or implied, among the parties, except to the extent reference is made thereto in this Agreement.

Section 8.7 Execution in Counterparts. This Agreement may be executed in counterparts, each of which shall be an original and all of which shall constitute the same instrument.

Section 8.8 Captions. The captions and headings in this Agreement are for convenience only and in no way limit, define or describe the scope or intent of any provision of this Agreement.

Section 8.9 Applicable Law. This Agreement shall be governed in all respects, whether as to validity, construction, performance and otherwise, by the laws of the State of Michigan.

Section 8.10 Mutual Cooperation. Each party to this Agreement shall take all actions required of it by the terms of this Agreement as expeditiously as possible and shall cooperate to the fullest extent possible with the other parties to this Agreement and with any individual entity or governmental agency involved in or with jurisdiction over the engineering, design, construction or operation of the Improvements or the Project, or any other improvements which are undertaken in connection with the foregoing, in the granting and obtaining of all easements, rights of way, permits, licenses, approvals and any other permissions necessary for the construction or operation thereof. Each party to this Agreement shall execute and deliver all documents necessary to accomplish the purposes and intent of this Agreement including, but not limited to, such documents or agreements as may be required by the Developer's lenders with respect to the Project to secure the Developer financing from such lenders. Each party to this Agreement also shall use its best efforts to assist the other parties to this Agreement in the discharge of their respective obligations hereunder and to assure that all conditions precedent to the collection of tax increment financing revenue and the completion of the Project are timely satisfied.

Section 8.11 Binding Effect. This Agreement shall be binding upon the parties hereto and upon their respective successors and assigns.

Section 8.12 Brokerage Fees. The City and the Developer each represent and warrant to the other that no broker or finder has been engaged in connection with this Agreement. The City, on the one hand, and the Developer on the other hand, shall indemnify the others and hold the other harmless to the extent provided by law from and of any and all liability (including reasonable attorneys' fees and costs) for brokerage commissions or finders' fees in connection with this Agreement to the extent such liability or claim is based on any arrangement or agreement made or claimed to have been made by or on behalf of the indemnifying party.

IN WITNESS WHEREOF, the City and the Developer have caused this Agreement to be duly executed and delivered as of the date first written above.

LOFTS ON LAKE STREET, LLC

By: Eric Hanna
Its: Managing Member

CITY OF BOYNE CITY

By: Michael Cain
Its: City Manager

By: Cindy Grice
Its: Clerk/Treasurer

EXHIBITS

EXHIBIT A: PROJECT

EXHIBIT B: COMMERCIAL REHABILITATION DISTRICT RESOLUTION

EXHIBIT C: COMMERCIAL REHABILITATION EXEMPTION CERTIFICATE

**EXHIBIT D: COMMERCIAL REHABILITATION EXEMPTION CERTIFICATE
APPROVAL RESOLUTION**

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Michigan Community Capital
507 South Grand Avenue
Lansing, MI 48933



July 8, 2019

Mr. Michael Cain
319 N. Lake Street
Boyer City, MI

Dear Mr. Cain,

This letter is to address qualifying criteria for the Commercial Rehabilitation Exemption as outlined in P.A. 210 of 2005 as amended as outlined in Section 8 for the Lofts on Lake Street, LLC application.

Sec. 8. (2) The legislative body of the qualified local governmental unit shall not approve an application for a commercial rehabilitation exemption certificate unless the applicant complies with all of the following requirements:...

(d) *The applicant states, in writing, that the rehabilitation of the qualified facility, excluding qualified retail food establishments through December 31, 2009, would not be undertaken without the applicant's receipt of the exemption certificate. (Emphasis added)*

Without approval of the commercial rehabilitation exemption certificate, the proposed project located at 100 and 120 North Lake Street and 114 State Street would lose money for the first eight years. The project will include the demolition of the three existing buildings and construction of a 3-story mixed-use building to house 42 residential (rental) units on the 2nd-3rd floors, and commercial space on the 1st floor. The apartment breakdown includes six studio/1-bath units (400sq. ft.), twenty-eight 1-bedroom/1-bath units (500 sq. ft.), and eight 2-bedroom/2-bath units (750 sq. ft.). Michigan Community Capital (MCC) is the developer for the project and does not have the operating reserves to support a project that does not break even and would not be able to complete the project without support of the PA 210 request.

MCC is excited to partner with the City of Boyer City to bring this landmark project to completion!

Sincerely,

A handwritten signature in cursive that reads "Marilyn Crowley".



Marilyn Crowley | Vice President of Investment | Michigan Community Capital
marilyn@mccap.org | www.michigancommunitycapital.org

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City of Boyne City

Agenda Item 8B

MEMO

Date: July 5, 2019
To: Mayor Neidhamer and the Boyne City City Commission
From: Michael Cain, City Manager *Mc*
Subject: Alley Vacation Public Hearing and Consideration

At the City Commission's April 23, 2019 meeting it received the attached memo from Planning Director Scott McPherson regarding the vacation of a portion of an alley. The alley portion lies north of Edmund Street, south of Division Street, runs parallel to both those streets and is 132' west of Hull Street. Other particulars regarding this request are included in Scott's memo.

At the April 23rd meeting the Commission approved a motion to move the process forward. As explained by Scott just prior to the motion the next step is a public hearing which is before you tonight. The required notice has been issued and we placed a couple of our yellow Public Information signs in the area prior to the weekend.

So the Commission should hold the public hearing on this matter, consider any information received from it and the other materials received and determine if it is ready to make a decision on this matter or postpone it for further consideration and/or information.

The Planning Commission supports the request. Staff foresees no future need for the property. The alley does not currently go all the way between Sydney and Hull streets.

RECOMMENDATION: That the public hearing be held on the request of Richard Wright to vacate 198 feet of alley north of Edmund, south of Division, west of Hull and east of Sydney Streets and based on all the information received that the City Commission determine whether to approve the request.

Other Options:

- a) Postpone the matter for further consideration or information
- b) Modify the recommended action
- c) Deny the request
- d) Other option as determined by the City Commission

April 23, 2019



Application for Alley Vacation

Consideration to proceed with the vacation of a public way request by Richard Wright at 920 Edmund Street to vacate the portion of the alley between Edmund and Division Streets and authorize the City Manager to execute the documents

Planning Director Scott McPherson discussed the application to vacate a public way between Edmund and Division, 132 feet west of Hull. The alley as platted provided access between Hull and Houghtlin Street, however the alley is now a dead end as Houghtlin Street and the westerly 66 feet of the alley have been previously vacated. The portion of the alley that is proposed to be vacated is 16.5 feet wide and 198 feet in length. The alley is undeveloped and is not maintained by the City. There are no City utilities in the alley.

Richard Wright added that the property has been neglected and was never developed. If vacated, it can be properly taken care of.

Staff Comments: None

Citizens Comments: None

Board Discussion: All are in agreement with the recommendation

MOTION

2019-04-044

Moved by Solomon

Second by Conklin

To proceed with the vacation of a public way request by Richard Wright at 920 Edmund Street to vacate the portion of the alley between Edmund and Division Streets and authorize the City Manager to execute the documents

Ayes: 5

Nays: 0

Absent: 0

Motion carried

Planning Commission Appointment

Consideration to appoint a member to the Planning Commission to fill a vacancy on the Planning Commission with a term expiring on May 31, 2021.

Planning Director Scott McPherson said all three of the candidates are excellent choices.

Staff Comments: None

Citizens Comments: None

Board Discussion: After discussion of the candidates, all agreed that Rose Newton would be the best choice at this time.

MOTION

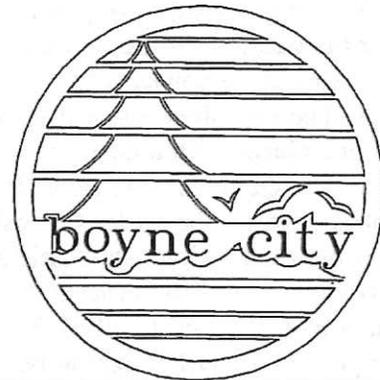
2019-04-045

Moved by Neidhamer

Second by Grunch

CITY OF BOYNE CITY

To: Michael Cain, City Manager *Mc*
From: Scott McPherson, Planning Director *SM*
Date: April 23, 2019
Subject: Application for alley vacation



Background

An application for the vacation of a public way has been submitted by Richard Wright 920 Edmund Street. He is requesting the portion of the alley between Edmund and Division, 132' west of Hull be vacated. The alley as platted provided access between Hull Street and Houghtlin Street, however the alley is now a dead end as Houghtlin Street and the westerly 66 feet of the alley have been previously vacated. The portion of the alley that is proposed to be vacated is 16.5 wide and 198 feet in length. The alley is undeveloped and is not maintained by the City and no City utilities are located in the alley. The proposal has been reviewed by City staff and no future need of the alley for access or city infrastructure is anticipated.



Process

Before a street or alley can be vacated by the City Commission a recommendation on the proposed vacation request from the Planning Commission is required. As per Chapter 54 of the Boyne City Code of Ordinances, Article II Vacating Streets or Alleys section 54-26, after receiving the report of the Planning Commission, the City Commission shall determine whether to proceed further and if so the procedure shall be as hereinafter set forth:

- (1) The city shall have published a notice of the hearing and date of said hearing on the petition for the vacating of the street, alley, or portion thereof, by publishing the notice thereof once each week for three consecutive weeks in a newspaper printed or circulated within the city;
- (2) The city shall also cause copies of said published notice to be posted in three of the most public places within the city;
- (3) The city shall also cause to be mailed, by first class mail, a copy of said notice of hearing to those persons shown by the last known city assessor's records, to be the owners of each lot or parcel of land which abuts said street, alley, or portion thereof to be vacated; and
- (4) The city shall cause to be mailed, by certified mail, a copy of said published notice to the state treasurer and to all of the public utilities providing services in the city, if said street, alley, or portion thereof sought to be vacated is connected to a county road; then, a copy of said notice shall also be mailed to the board of county road commissioners.

Action

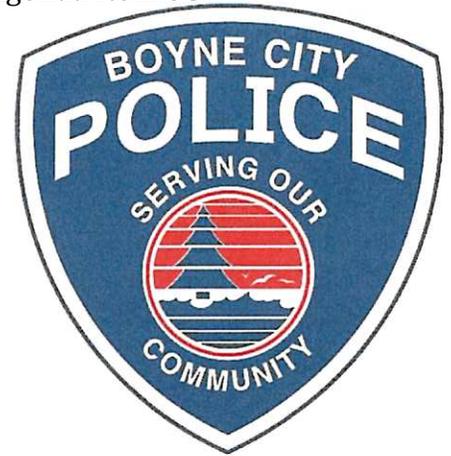
The Planning Commission reviewed the request at their regular meeting on April 15, 2019 and based on findings that; due to previous vacations the alley is a dead end cannot provide though access; due to topographical constraints it is very unlikely alley would be developed; the alley is not currently maintained by the City; the alley does not contain sewer or water mains; and, a review by City staff foresaw no future use of this portion of alley for or by the City, the Planning Commission recommended the alley as requested be vacated. Based on the report of the Planning Commission the City Commission determines if the application should proceed and if so directs staff to schedule a public hearing and distribute notice in accordance with the required procedures.

Recommendation

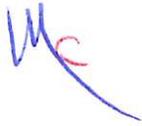
Proceed with the requested street vacation and direct staff to schedule and notice the required public hearing.

Options

1. Determine not to proceed with the street vacation request
2. Postpone action on the request pending further information
3. Other action as determined by the Commission



Memo

To: Michael Cain, City Manager 
From: Jeff Gaither, Police Chief
Date: July 3, 2019
Re: River Jumping Ordinance

At the October 9th 2018 commission meeting information was brought before you about the dangers of diving into the river from the boardwalk and other objects. The discussion was centered on the fact that it was not a safe practice. The safety of people was the biggest concern, but it could also leave the City open to liability issues.

As directed by the City Commission, a draft ordinance was presented on May 14. The ordinance approved for second reading by the City Commission with suggestions for some minor changes in the wording.

At the June 25 City Commission meeting, other language was suggested to clarify the proposed ordinance.

The following is the ordinance wording with the recommend changes.

Sec. 34-9. - Jumping into bodies of water from man-made structures prohibited.

Jumping or diving into the Boyne River from any man made structure, or from any elevated height from any property owned by the City of Boyne City shall be prohibited.

(1) On property owned by the City of Boyne City, a person shall not jump or dive into Lake Charlevoix or the Boyne River from any man-made structure, or from any object higher than the river bank (including, but not limited to, docks, walkways, trees and fences).

(2) A person who violates subsection (1) is guilty of a Civil Infraction

(3) The City manager or his/her designee may authorize in writing, permission for exemptions to sections (1)

State Law Reference: 750.493e Jumping or diving from public bridge or overpass as misdemeanor

Recommendation:

It is my recommendation that the City Commission adopt the above ordinance.

Alternative options:

- Revise the proposed ordinance.
- Reject the ordinance.
- Other options the commission determines appropriate.

Additional Information

Penalty- From Boyne City Code of Ordinances

(e) No violation of this Code is a municipal civil infraction unless specifically declared to be a municipal civil infraction. The following provisions apply to municipal civil infractions in the absence of provisions of law or ordinance to the contrary:

(1) The sanction is a civil *fine* of not less than \$50.00 plus costs and other sanctions, unless otherwise prescribed by the schedule of *finer* adopted by resolution;

(2) Increased civil *finer* may be imposed for a repeat violation. In this subsection the term "repeat violation" means a second or subsequent violation of the same provision committed by the same person within a six-month period for which a person either admits responsibility or is found to be responsible. The sanction for a repeat violation is a civil *fine* as follows plus costs and other sanctions, unless otherwise prescribed by the schedule of *finer* adopted by resolution:

- a. For the first repeat offense, no less than \$250.00; and
- b. For each subsequent repeat offense, no less than \$500.00;

Definitions

Dictionary.com defines Riverbank as:

noun

The definition of a riverbank is "the land above the edge of a river".



A family enjoy a picnic on the riverbank.

An example of a riverbank is where you would put out a blanket next to a river for a picnic.

Merriam-Webster Defines Riverbank as:

noun

riv·er·bank | \ 'ri-vər-, bāŋk

Definition of *riverbank*

: the bank of a river

WIKIPEDIA

Bank (geography)

In geography, the word **bank** generally refers to the land alongside a body of water. Different structures are referred to as *banks* in different fields of geography, as follows.

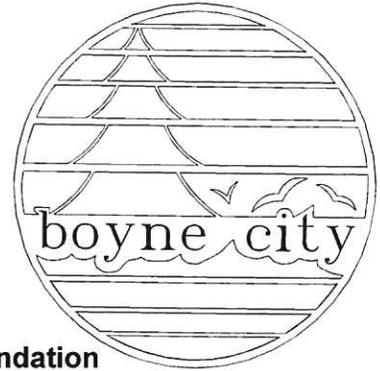
In limnology (the study of inland waters), a stream bank or river bank is the terrain alongside the bed of a river, creek, or stream.^[1] The bank consists of the sides of the channel, between which the flow is confined.^[1] Stream banks are of particular interest in fluvial geography, which studies the processes associated with rivers and streams and the deposits and landforms created by them. Bankfull discharge is a discharge great enough to fill the channel and overtop the banks.^[2]

The descriptive terms *left bank* and *right bank* refer to the perspective of an observer looking downstream, a well-known example of this being the sections of Paris as defined by the river Seine. The shoreline of ponds, swamps, estuaries, reservoirs, or lakes are also of interest in limnology and are sometimes referred to as banks. The grade of all these banks or shorelines can vary from vertical to a shallow slope.

In freshwater ecology, banks are of interest as the location of riparian habitats. Riparian zones occur along upland and lowland river and stream beds. The ecology around and depending on a marsh, swamp, slough, or estuary, sometimes called a bank, is likewise studied in freshwater ecology.

CITY OF BOYNE CITY

To: Michael Cain, City Manager *MC*
From: Tim Faas, Director of Public Works *TF*
Date: July 3, 2019
Subject: **Pavement Marking Contract Extension Recommendation**



BACKGROUND:

I received a contract extension offer from the firm who was awarded our pavement marking contract last year. The total value of the contract awarded last year was \$28,681.80 based on a detailed unit price quote. The final amount paid was slightly less than the total approved by the City Commission. The contractor is willing to extend the same unit prices to 2019 provided the scope of work is at least 70% of what was performed in 2018. My initial review of the quantities is that we should do a similar amount of work.

Given the fact we often only receive one (1) bid for this work, it would save us time to prepare the Invitation to Bid documents, place the advertisement, award and schedule the work if we accepted the offer. As such, I think it is in the City's best interest to accept the offer perhaps with a cap of \$30,000 in value. This work is charged to both the local streets and major streets #930 maintenance accounts.

RECOMMENDATION:

It is my recommendation that the City Commission approve the contract extension offer from M&M Pavement Marking, Inc. of Grand Blanc MI in an amount not-to-exceed \$30,000. Further, I would recommend the City Manager execute the Purchase Order.

OPTIONS:

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

Encl: Letter on Contract Extension (dated 7/3/2019)

July 3, 2019

To: Council Members
City of Boyne City

From: David Lawler
M & M Pavement Marking, Inc.

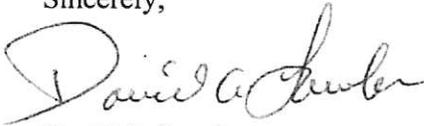
Re: Pavement Markings Contract Extension

Dear Council Members,

M & M Pavement Marking agrees to extend the 2018 unit prices for Pavement Marking Centerline, Edge Line, Legends & Symbols and City Parking Stalls for your 2019 Pavement Marking program. 2018 Unit Prices will remain the same as long as 70% of each application total is completed in 2019. Any reduction of greater than 30% of each application will result in an increase in that unit price to be determined.

Thank you for your consideration of this proposal and we look forward to working with your staff again this year.

Sincerely,



David A. Lawler
Vice President

the firm named as M & M PAVEMENT MARKING that he/she signs the bid on behalf of the firm and that he/she is authorized to execute the same on behalf of said firm

Company: M & M PAVEMENT MARKING

Address: P. O. BOX 530 GRAND BLANC, MS 38460

Phone: 800-691-7680

Authorized Agent: David A. Fowler

Signature: DAVID A. FOWLER

Title: VICER PRESIDENT

Date: 5/9/18

4" Yellow Line Painting	.05 Cost	94336	4716.80
4" White Line Painting	.05	59180	2959.00
6" Cross Walk	.75	1840	1380.00
24" Stop Bar	1.90	1249	2373.10
12" Stop Bar	1.20	146	175.20
Left Turn Arrow	35.00	21	1085.00
Right Turn Arrow	35.00	8	280.00
Combination Arrow	55.00	13	715.00
"Only"	35.00	17	595.00
Parking T's and L's	4.00	288	1152.00
Re-stripe Stalls	4.75	746	3543.50
24" x 8' Crosswalk Bars	14.00	537	7518.00
6" Yellow Line	.20	375	75.00
Curb Painting	.40	1965	786.00
12" Yellow Line	1.00	875	875.00
Handicap Symbol - Blue	10.00	20	200.00
4" Blue Line	.60	422	253.20
Remove Markings	.50 ft	0	—
All Blue Line	all		—
Stop - 8'	50.00	0	—
Totals			\$28681.80

8' CROSSWALK PAWS - 1.75 FT = 14.00 EACH

6' CROSSWALK PAWS - 1.75 FT = 10.50 EACH

4" WHITE HASH MARKING - .25 FT

M & M Pavement Marking

PO Box 530
Grand Blanc, MI 48480

Invoice

Date	Invoice #
8/3/2018	3169

Bill To
City of Boyne City 319 North Lake Street Boyne City, MI 49712-2109

P.O. No.	Terms	Project
	Due on receipt	

Quantity	Description	Rate	Amount
106,914	4" Solid Yellow	0.05	5,345.70
3,267	4" Skip Yellow	0.05	163.35
1,552	4" Solid White - Lane Line	0.05	77.60
45,351	4" Solid White - Edge Line	0.05	2,267.55
5,301	4" White Parking Line	0.26	1,378.26
422	4" Blue Parking Line	0.60	253.20
20	Handicap Symbols	10.00	200.00
530	Straight & Angle Parking Stalls	4.75	2,517.50
216	Parallel Parking Stalls	4.75	1,026.00
19	Left Turn Arrows	35.00	665.00
7	Right Turn Arrows	35.00	245.00
5	Thru Arrows	35.00	175.00
11	Combination Arrows	55.00	605.00
17	Only Legends	35.00	595.00
1,057	24" Stop Bar	1.90	2,008.30
1,502	6" Cross Walk	0.75	1,126.50
144	12" Cross Walk	1.20	172.80
5,492	24" Cross Walk Pads	1.75	9,611.00
Total			\$28,432.76

July 2019

July 2019							August 2019						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6					1	2	3
7	8	9	10	11	12	13	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24
28	29	30	31				25	26	27	28	29	30	31

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Jun 30	Jul 1	2	3	4 Independence Day (United States)	5	6
7	8 12:00pm EDC/LDEA	9 7:00pm City Commission	10	11 5:00pm Parks & Rec	12	13
14	15 9:00am Historical Commission 5:00pm Planning Commission	16	17	18	19	20
21	22	23 12:00pm City Commission	24	25 5:30pm Airport Advisory Board	26	27
28	29	30	31	Aug 1	2	3

August 2019

August 2019							September 2019						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3	1	2	3	4	5	6	7
4	5	6	7	8	9	10	8	9	10	11	12	13	14
11	12	13	14	15	16	17	15	16	17	18	19	20	21
18	19	20	21	22	23	24	22	23	24	25	26	27	28
25	26	27	28	29	30	31	29	30					

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