

**AUGUST 11, 2015
REGULAR MEETING**

RECORD OF THE PROCEEDINGS OF THE REGULAR BOYNE CITY COMMISSION MEETING DULY CALLED AND HELD AT BOYNE CITY HALL, 319 NORTH LAKE STREET, ON TUESDAY AUGUST 11, 2015

CALL TO ORDER

Mayor Pro-Tem Towne called the meeting to order at 7:00 p.m. followed by the Pledge of Allegiance.

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

Absent: Mayor Ron Grunch

Staff: Cindy Grice, Michael Cain, Mark Fowler, Scott McPherson, Barb Brooks, Lori Meeder and Kevin Spate

Others: There were 18 citizens in attendance including a representative from the Charlevoix County News.

Excuse Mayor Grunch

MOTION

2015-08-097

Moved by Towne
Second by Gaylord

To excuse Mayor Grunch from attending today's meeting

Ayes: 4
Nays: 0
Absent: 1
Motion carried

CONSENT AGENDA

MOTION

2015-08-097

Moved by Towne
Second by Gaylord

To approve the July 28, 2015 City Commission regular meeting minutes as presented

Ayes: 4
Nays: 0
Absent: 1
Motion carried

CITIZENS COMMENTS

Victor Miller, an Eveline Township resident said no one in the township is going to sign up for the sewer connection. It is a very substantial amount of money. He added the agreement is open ended and he doesn't expect anyone to sign up.

Marvin Roberts wanted to hear about the decision regarding the south side of Division Street.

Dale Jones, said he spent close to \$1,500 to take care of the water coming down the hill to his property on Division Street. Where there was standing water, there is now mildew. He wants to know why they haven't been contacted. Are they going to have any relief on their lots? He added there was an engineering failure when Division Street was redone.

Ed Cache on Lakeshore Drive said he feels that as many township people that can, should hook up at this time to the Somerset sewer extension. It is in the best interest of the township to leave the reserve fees for when the actual connection happens. It would make a big difference to many of the homeowners.

Merriwether McClory had a noise complaint regarding the Sunday morning services of the Genesis Church in Old City Park. She doesn't mind the church service once or twice a summer, but at the last one, the band starting setting up at 8:30 a.m., started sound checks at 9:15 a.m. and played until the service started at 11:00 a.m. and it's kind of noisy. Could the church rotate parks for their services to give people a little break? They are louder than the concerts in the Gazebo.

CITY MANAGERS REPORT

City Manager Cain reported:

- The new staff car is now in service. We are logging mileage
- Bill Kuhn has recommended an archery tournament at the Archery Range and knows of a company that will sponsor the event.
- Parts have been ordered to have our DPW reactivate the old storm sewer and looking to put that together
- The Court Street project is scheduled to begin on Monday, August 17, 2015 and we are still working to get clarity on the financing.
- The new one-ton DPW truck has been delivered.

REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

Draft Minutes of the July 13, 2015, Economic Development Corporation Board Meeting; the July 13, 2015, Local Development Finance Authority Board Meeting; the July 16, 2015, Airport Board Meeting and the July 20, 2015, Planning Commission Meeting were received and filed

Sister Cities International Project

Consideration to approve Boyne City's association with Sister Cities International and authorize an invitation to partner letter be sent to the Slane, Meath County, Ireland Municipal District Councillors

Main Street Director, Lori Meeder discussed a possible new Sister City to partner with in Ireland. The previous community of Drogheda declined our invitation. Becky Kuebler, who has been greatly involved in this project, has located a new potential community – Slane, the County of Meath, Ireland. Slane is located 45 miles north of Dublin, and is in the Boyne Valley in Ireland with geographical similarities and has a population similar to Boyne City. The Sister City project will fall under the Main Street Program and a Sister City Committee will be formed by Becky Kuebler.

Staff Comments: None

Citizens Comments: None

Board Deliberation: All are in agreement of pursuing this relationship

MOTION

2015-08-098

Moved by Gaylord

Second by Sansom

To approve Boyne City's association with Sister Cities International and authorize an invitation to partner letter be sent to the Slane, Meath County, Ireland Municipal District Councillors

Ayes: 4
 Nays: 0
 Absent: 1
 Motion carried

ACD Pole Update

Review and consideration of ACD's latest proposal for communication antennas.

City Manager Cain discussed the continuing communications with ACD regarding the placement of five antennas in Boyne City. This is a plan to build capacity within the community. We have also talked about the possibility of replacing the northern two poles with decorative traffic signal poles with their hardware at the intersections of Lake and Water and Lake and Vogel. ACD is much firmer on their intent to avoid a franchise and the payment of any ongoing fees. They also spoke regarding their need and desire to improve communication speed and reliability in this area, noting that a number of calls could not be completed during our peak periods. They further noted that if they could not achieve a small tower solution, they would pursue a macro tower solution as close to downtown as possible. The smaller antenna system provides much greater performance.

Staff Comments: None

Citizens Comments: A resident asked if this fit with the guidelines of healthy MHz

Board Discussion: Commissioner Gaylord said these towers are not what the METRO act was created for. It is all important technology, but we should use every legal method available to make sure this benefits our city. He looks forward to further information. Commissioner Sansom agrees. Commissioner Neidhamer said he agrees but doesn't think we will win the compensation war. Mayor Pro-Tem Towne said he would also like to wait for further information.

Cleaning and Inspection of City's Water Storage Tanks

Consideration to authorize the City Manager to sign the agreement with Dixon Engineering to clean and inspect two tanks for \$1,950 per tank.

WWW Superintendent Mark Fowler discussed the proposed cleaning of the underground storage tanks for the water system. The recommended frequency for this to occur is every five years. Neither tank has been cleaned or inspected since they were installed; the south tank has been in service since 2004 and the north tank, since 1997. The tanks will need to be isolated one at a time, drained, cleaned and the concrete inspected by a certified engineer. Two quotes were received for this service with the lowest from Dixon Engineering for \$1,950 per tank.

Staff Comments: None

Citizens Comments: None

Board Discussion: All Commissioners are in favor of the recommendation.

MOTION

2015-08-099

Moved by Gaylord
Second by Neidhamer

To authorize the City Manager to sign the agreement with Dixon Engineering to clean and inspect two storage tanks for \$1,950 per tank.

Ayes: 4
Nays: 0
Absent: 1
Motion carried

**Security Fencing at the
Wastewater Treatment
Plant**

WWW Superintendent Mark Fowler discussed the 150 foot section of fencing at the Wastewater Treatment plant that needs to be replaced. The fence was knocked down by trees. The gap in the fence is currently closed using a section of snow fence. Harbor Fence of Petoskey quoted a price of \$2,480 to install the section of fence.

Staff Comments: None

Citizens Comments: None

Board Discussion: Commissioner Sansom inquired what caused the trees to fall and was informed, their age. She also asked if this was covered under our insurance and was informed that staff will look into that. All Commissioners are in favor of the recommendation.

MOTION

2015-08-100
Moved by Neidhamer
Second by Sansom

To authorize the City Manager to sign the proposal with Harbor Fence to install 150 feet of fence at the Wastewater Treatment Plant for the quoted price of \$2,480.

Ayes: 4
Nays: 0
Absent: 1
Motion carried

Closed Session

MOTION

2015-08-102
Moved by Towne
Second by Gaylord

To approve the request of the City Manager to go into closed session regarding Attorney/Client Privilege communications as provided in MCL 15.268 (h) of the Michigan Open Meetings Act (PA 267 of 1976) at 8:15 p.m.

Ayes: 4
Nays: 0
Absent: 1
Motion carried

Return to Open Session

2015-08-103
Moved by Towne
Second by Gaylord
To return to open session at 8:50 p.m.

MOTION

Ayes: 4
Nays: 0
Absent: 1
Motion carried

Grievance Settlement

City Manager Cain discussed a grievance settlement with a DPW employee who resigned by not showing up to work, and is looking for authorization from the City Commission to resolve this matter. Payout for the sick/vacation time and the medical stipend will cost \$15,777.05.

Staff Comments: None

Citizens Comments: None

Board Discussion: Commissioner Neidhamer agrees the summary is concise and agrees with the settlement. Commissioner Gaylord reiterated the number of days the employee was not reported and that it falls within the bargaining unit and general City policy guidelines. He also asked if there was prior discussion about this and was informed yes. Commissioner Gaylord agrees to move forward with the agreement and treating people with some compassion. Commissioner Sansom said she feels it is fair, but a sad situation and the best we can do. Mayor Pro-Tem Towne agrees.

MOTION

2015-08-104
Moved by Gaylord
Second by Sansom

To accept the proposed grievance settlement and authorize the City Manager to execute the agreement.

Ayes: 4
Nays: 0
Absent: 1
Motion carried

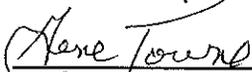
GOOD OF THE ORDER

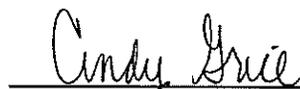
Commissioner Neidhamer said he appreciates the City Manager keeping everyone informed about all of the issues, including Sommerset Point, Division Street and the Community Playground. Commissioner Gaylord agrees. We have moved forward in a positive manner regarding Division Street. Commissioner Sansom asked the City has a policy regarding driving on the grass between the sidewalks and the curb and was informed no. She also discussed the possible issuance of good neighbor awards for people who go above and beyond.

ADJOURNMENT

MOTION

Moved by Mayor Pro-Tem Towne seconded by Commissioner Gaylord to adjourn the regular City Commission meeting of Tuesday, August 11, 2015 at 9:05 p.m.


Gene Towne
Mayor Pro-Tem


Cindy Grice
Clerk / Treasurer