



City of Boyne City
Founded 1856

319 N. Lake Street

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**BOYNE CITY
CITY COMMISSION REGULAR MEETING
Boyne City Hall
364 North Lake Street
Tuesday, December 13, 2016 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 November 29, 2016 City Commission regular meeting minutes as presented
 - B. Approval to cancel the December 27, 2016 scheduled City Commission Meeting due to lack of pending business
 - C. Approval to opt out of the requirements of PA 152 of 2011 for the coming year and authorize the City Manager and City Clerk / Treasurer to submit any required paperwork
 - D. Approval of the Parks & Recreation Commission to appoint Patrick Patoka to serve a second term on the Parks and Recreation Board for a four year term expiring December 31 of 2020
4. HEARING CITIZENS COMMENTS (on non-agenda items; 5 minute limit)
5. CORRESPONDENCE
6. CITY MANAGER'S REPORT
7. REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES
 - A. Draft Minutes of the November 3, 2016 Main Street meeting minutes
 - B. Draft Minutes of the November 3, 2016 Parks & Recreation Board meeting minutes
 - C. Draft Minutes of the November 10, 2016 Historical Commission meeting minutes
 - D. Draft Minutes of the November 21, 2016 Planning Commission meeting minutes
8. OLD BUSINESS
9. NEW BUSINESS
 - A. Marvin Loding Awards
Planning Director Scott McPherson and Planning Commission recognition of the 2016 Marvin Loding Award Commercial and Residential winners

An Equal Opportunity Provider and Employer

Hometown Feel, Small Town Appeal

- B. Grand Traverse Band of Ottawa and Chippewa Indians Grant Request
Consideration to authorize staff to apply for a grant from the Grand Traverse Band of Ottawa and Chippewa Indians in the amount of \$10,000 to purchase two Verizon Modems for the EMS Department and authorize the City Manager to execute the documents
- C. Great Lakes Fishery Trust Grant Award
Consideration to approve the Great Lakes Fishery Trust "Access to the Great Lakes Fishery" grant community resolution and allow the City Manager or his designee to complete the necessary documents to implement the grant
- D. Sidewalk Café Alcohol Service Report
Report from Police Chief Jeff Gaither regarding Sidewalk Café Alcohol Service ordinance
- E. Joint Board & Commission Meeting
Consideration to schedule the City's next Joint Board and Commission meeting to be held on Tuesday, January 17, 2017 at 6:00 p.m. at the temporary City Hall
- F. Request of the City Manager to go into closed session to consider the purchase of real property as provided in MCL 15.268 (d) of the Michigan Open Meetings Act (PA 267 of 1976)

10. GOOD OF THE ORDER

11. ANNOUNCEMENTS

- City offices will be closed on Friday, December 23, 2016 and Monday, December 26, 2016 in observance of Christmas Eve and Christmas Day and on Friday, December 30, 2016 and Monday, January 1, 2017 in observance of New Year's Eve and New Year's Day.
- The next regular City Commission meeting is scheduled for Tuesday, January 10, 2017 at 7:00 p.m.

12. ADJOURNMENT

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



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agendas packets & minutes for each board

**NOVEMBER 29, 2016
REGULAR MEETING**

RECORD OF THE PROCEEDINGS OF THE REGULAR BOYNE CITY COMMISSION MEETING DULY CALLED AND HELD AT BOYNE CITY HALL, 364 NORTH LAKE STREET, ON TUESDAY NOVEMBER 15, 2016

CALL TO ORDER

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

Present: Mayor Tom Neidhamer, Commissioners Ron Grunch, Laura Sansom and Hugh Conklin

Absent: Mayor Pro-Tem Gene Towne

Staff: Cindy Grice, Scott McPherson, Patrick Kilkenny, Andy Kovolski, John Lamont, Mark Fowler, Michael Cain, Kevin Spate, Jeff Gaither and Barb Brooks

Others: There were 20 citizens in attendance.

**EXCUSE MAYOR
PRO-TEM TOWNE**

2016-11-132
Moved by Neidhamer
Second by Grunch

To excuse Mayor Pro-Tem Towne from attending today's meeting

Ayes: 4
Nays: 0
Absent: 1
Motion carried

MOMENT OF SILENCE

Mayor Neidhamer requested a moment of silence in memory of Mayor Pro-Tem Towne's mother, Mary Towne, who passed away.

**CONSENT AGENDA
MOTION**

2016-11-133
Moved by Sansom
Second by Grunch

Approved the November 15, 2016 City Commission regular meeting minutes as presented

Ayes: 4
Nays: 0
Absent: 1
Motion carried

CITIZENS COMMENTS

None

CORRESPONDENCE

None

**CITY MANAGERS
REPORT**

City Manager Cain reported:

- The SAW grant documents have been signed and returned to the State
- There is a strong possibility of a recount of the November 8 Presidential Election ballots.
- The City's first ever Certificate of Achievement in Financial Reporting

application was submitted to the Government Officers Finance Association today. We will know in approximately 6 months if we have received the award.

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

**Open Space
Conservation Easement
Public Hearing**

The October, 2016 Financial Statement was received and filed.

Consideration to conduct the public hearing on the proposed Conservation Easement and based on the input received approve the agreement as proposed and authorize the City Manager to execute the necessary paperwork at the appropriate time once the property at 475 North Lake Street is acquired by the City.

Mayor Neidhamer opened the Public Hearing at 7:06 p.m.

City Manager Cain discussed the proposed conservation agreement with the Little Traverse Conservancy for the Open Space property at 475 North Lake Street. The property is located on Lake Charlevoix between the main City boat launch and the Honeywell plant and is across North Lake Street from the Family Fare plaza. The property is about 4.7 acres in size and contains about 600' of Lake Charlevoix shoreline.

As the Commission and the community may recall, this property was acquired by Bob Grove and Mike Dow in 2015. At that time the property had the shell of an uncompleted building and an obscuring fence on the property blocking most of the lake views. Shortly after the 2015 purchase, the new owners leased the property to the City for \$1.00 thru December 2017 in order to allow the public to use the site and give the City the opportunity to seek grant funds to purchase it. After the lease was executed the City cleaned up the site, removed the fence and opened the property for public use. Mr. Grove made arrangements to have the shell of a building on the site removed. City crews then removed the foundation. This year the City continued to maintain the site, transplant trees from the old City Hall site and arranged for the MDEQ to conduct an environmental assessment of the site. We also applied for grants to help acquire the site. One thru the Coastal Zone Management program where we were recently informed our application was denied while another thru the Michigan Natural Resources Trust Fund is still under consideration with a decision expected in early December. Last year Mr. Grove and Mr. Dow expressed interest in working out an arrangement that would protect their vision of how the property should be used, which they have always expressed as public open space. That has been the expressed desire of the City as well. Meetings were held to work out a framework of what would be considered and how it would be accomplished. Tom Bailey, Executive Director of the Little Traverse Conservancy came to the table to assist the process and recommended using a conservation easement, which he has drafted and redrafted based on input from the parties. The draft before you this evening is the result of months of work and many meetings between the parties. The anticipated benefits of the property as seen through the protections and limitations of use of the proposed easement are noted in section 2A on pages 2 and 3. While the whole document should be reviewed, I would suggest special attention be given to sections 4 which deals with prohibited actions and section 5 which are permitted uses. These detail what the City would and would not be allowed to do with the property once we become the owner of the property.

City Manager Cain added that basically the City would be able to use the

property as an open space park; no buildings or structures would be allowed and any parking area would have to be in the north 60' of the property. Any building, such as a changing/shower facility would need to be located on the adjacent City boat launch facility. A dock or fishing pier, as contemplated in last year's publically developed Boyne on the Water concept design for this, would not be allowed.

The conditions and the concept of the conservation easement itself have been proposed by the current property owners as a way to protect this property in the long term as public space that maintains maximum public views of Lake Charlevoix for users of the site and also on nearby properties, roads and pathways. These conditions are not required by any grant although they may be of some benefit in obtaining some.

It should be noted that the MNRTF acquisition grant we have applied for also has conditions associated with it to make acquired properties very difficult to sell in the future without replacement of equivalent land or refunding of the grant. Generally my preference is to provide the City and those who will live in and govern it in the generations to come the widest possible options on how they may desire to handle their affairs in the future. The proposed conservation easement limits the options on how the City can use this property, now and in the future. If the easement is approved and the property is purchased by the City, as the parties' desire, it will always be a public park with no buildings and restricted parking areas. The only thing that could change that would be a future modification of the easement by the parties which would be limited to mainly maintaining the intent of the original agreement. That said it should further be noted that the City owned this property once before. It is my understanding that in the 1950's, to spur economic development and provide much needed jobs, the City sold the property and indeed a factory was built that provided jobs for decades thereafter. My point is not to second guess the City's actions then. Our waterfront and those of many other communities were used very differently back then and industrial uses were not uncommon. So things change and we hope to be coming to the point where we go full circle and that the City owns the property again. The point here is that while things and community values do change the proposed conservation easement, on top of any other grant requirements, would require this property, once acquired by the City, would forever remain as very public and very open space. At this point it is up to the City Commission to review the proposed conservation easement, obtain public comment regarding it and determine if what it seeks to accomplish is compatible with the short and long term interests of the City. Based on the negotiation process up to this point, it is my impression that the proposal before you is the best effort to meet the goals and desires of both parties. While there are some things I would do differently if it was up to me or just us, this is not the way most negotiations work. I do believe that the parties' mutual goals of developing this property as public open space with lots of view corridors can successfully be accomplished and sustained long term with this easement approved and in place. If the City Commission and the public is comfortable with the easement as proposed it could be approved tonight. Once approved it would be shared with State recreation officials and others at the appropriate times. The easement itself would not actually be executed or effective until after the City acquired this property. In the meantime we will continue to operate under the terms of the lease, at least thru December of 2017.

Tom Bailey of the Little Traverse Conservancy introduced himself.

Bob Grove (property owner along with Mike Dow) said they are certainly not park planners. They enjoy the lakes and nature and he has seen prior examples where government has had this opportunity. He added that he sees this as a good way to protect the property for the future, and to prevent anything bad from happening to this property. There is also tremendous development across the street that could be a beautiful residential development.

Jerry Liesmer, said he was extremely pleased when the actions were taken from the good friends of this community. Other communities have had temptations of properties like this for tax increases. He wants to see this property protected for his grandchildren and the conservation agreement is clearly the best way for protection of the property.

Barb Worgell said she is pleased we are doing this. We are going in the right direction. Keep the property as natural and open as we can and building free.

Bruce Janssen said the best asset Boyne City has is Lake Charlevoix. We need to protect that and the best way to do this is with a conservancy. Go for it.

Dean Solomon asked if it would include sidewalks, lighting and disability access.

Correspondence from Jim Baumann was read, received and filed.

Mike Dow said that when thinking about a restroom on the South end of the property, there would then be two restrooms that would need to be maintained.

Barry McGinnity said possible diagonal parking against the street would work better.

Mike Doumanian said the traffic on the property is limited. A second restroom facility could make sense with all of the use.

Bruce Janssen said not all parks need to have all the amenities and accommodate the same needs.

Rhea Dow said it is all about the view.

Nelson Olstrom inquired if parking spaces are even necessary.

Tom Bailey said the proposed agreement allows, but does not require action. He added that he wants to thank and commend these partners for doing this for the public, and thanks the city for looking to the future. This is a success story. You have a marvelous thing going.

Dorothy Olstrum said she thinks the property is lovely just the way it is. Peaceful and calm.

Mayor Neidhamer closed the Public Hearing at 7:41 p.m.

Board Discussion: Commissioner Conklin asked if it would be a good idea to delete the picnic pavilion language in section 5B. Commissioner Sansom asked what would be an example of an open space park reuse. Commissioner Grunch said everyone has worked very hard on this project. Mayor Neidhamer said his concern is that we are negotiation for something we don't own and he is hoping the grant comes thru in December. We had a lot of good people put a lot of work into this and he supports the recommendation.

MOTION

2016-11-134
 Moved by Conklin
 Second by Grunch

To approve the proposed Conservation Easement and pending the City Attorney's final approval and authorize City Manager to execute the necessary paperwork at the appropriate time once the property at 475 North Lake Street is acquired by the City.

Ayes: 4
 Nays: 0
 Absent: 1
 Motion carried

2017 City Commission Meeting Schedule

Consideration to approve its regular meeting schedule for 2017 the 2nd Tuesday of each month at 7:00 p.m. and the 4th Tuesday of each month except December at noon with all meetings to be held at Boyne City Hall, 364 North Lake Street in Boyne City, until the new City Facilities are complete at which time they will be held at 319 N. Lake Street.

Staff Comments: None

Citizens Comments: None

Board Discussion: All are in agreement with the recommendation.

MOTION

2016-11-135
 Moved by Conklin
 Second by Sansom

To approve its regular meeting schedule for 2017 the 2nd Tuesday of each month at 7:00 p.m. and the 4th Tuesday of each month except December at noon with all meetings to be held at Boyne City Hall, 364 North Lake Street in Boyne City, until the new City Facilities are complete at which time they will be held at 319 N. Lake Street.

Ayes: 4
 Nays: 0
 Absent: 1
 Motion carried

City Manager Compensation

Consideration to approve an increase in wages for the City Manager to \$105,000 per year for the period of 5/1/16 to 4/30/17, with the increase retroactive to 5/1/16 including its impact on other benefits

Mayor Neidhamer discussed the evaluation process that recently took place for City Manager Main Cain. A 4.48 score was given to Mike which is the highest evaluation he has received. Based on that information, the increase in compensation that was requested is being presented for approval.

City Manager Cain said he is proud of the work we have done together. The term 'charismatic community' fits Boyne City to a T. We've got a great team. His duty is to build that type of positive team. He thanked the City Commission as well.

Staff Comments: None

Citizen Comments: None

Board Discussion: Commissioner Sansom said she is in full support. Mike has the experience, she likes what he does and it relates well. She also presented a list of grants totaling over \$9,000,000 since Mike has been here. Commissioner Conklin said he thinks the 10% pay increase request is high. We talk about not having the resources. Commissioner Grunch said he supports the City Manager's request. It is due time for a major pay raise. The low / mod income survey that Mike had done was a key that unlocked a lot of the grants we have received. Under Mike's leadership, this is well deserved and thanks for 14 years of dedicated work. Mayor Neidhamer said he supports the request of a 10% pay increase. This is market value wage, deserved because of performance. It's an incentive. You pay for quality.

2016-11-136
 Moved by Grunch
 Second by Sansom

MOTION

To approve an increase in wages for the City Manager to \$105,000 per year for the period of 5/1/16 to 4/30/17, with the increase retroactive to 5/1/16 including its impact on other benefits

Ayes: 3
 Nays: 1, Commissioner Conklin
 Absent: 1
 Motion carried

Good of the Order

Commissioner Sansom said the Community Christmas is in need for stuffed animals, gifts for teen girls and gifts for teen boys.

ADJOURNMENT

Motion by Mayor Neidhamer seconded by Commissioner Sansom to adjourn the Regular City Commission meeting of Tuesday, November 29, 2016 at 8:20 p.m.

 Tom Neidhamer
 Mayor

 Cindy Grice
 Clerk / Treasurer

CITY OF BOYNE CITY

To: Michael Cain, City Manager *Mc*
From: Cindy Grice, City Clerk/Treasurer *CG*
Date: December 9, 2016
Subject: Cancel Meeting



In late 2015, I presented an agenda item to the City Commission to adopt their 2017 meeting schedule calendar. On that calendar, I included December 27, 2016 for a noon meeting. Traditionally, due to the season, the second meeting in December has not been scheduled. Currently there are no pending agenda items for that date, so I am requesting the meeting be cancelled unless a need came up, where the Commission could request to hold a special meeting.

RECOMMENDATION:

I am recommending the Boyne City Commission cancel the regularly scheduled meeting for noon on December 27, 2016 due to a lack of agenda items.



City of Boyne City

MEMO

Date: December 8, 2016

To: Mayor Neidhamer and the Boyne City City Commission

From: Michael Cain, City Manager *Mc*

Subject: Public Act 152 of 2011 Compliance

PA 152 of 2011 deals with employer paid health insurance and was adopted by the State in September 2011. Each year since December of 2011, to be in compliance with Public Act 152 of 2011 the City Commission has approved a recommendation to Opt Out of state's health insurance options. We need to take action each year on this matter in order to remain in compliance with the act.

Basically under the law the State provided 3 options to us, and other public agencies, including schools.

- 1) Adopt a hard total dollar cost cap that the City would pay equal \$ 6,344.80 per year for one person, \$13,268.93 for a couple and \$17,304.02 for a family. These numbers are for 2017 and are adjusted annually.
- 2) Adopt an 80/20% cost split between the City and the employee.
- 3) Have the City Commission, by a 2/3rd vote, opt out of options 1 or 2 for one year (can be renewed).

Should the City not do any of the three items above the law allows the State Treasurer to withhold 10% our Economic Vitality Incentive Program (EVIP) (formally known as revenue sharing) payments. That would be over a \$30,000 hit to our revenues.

Again this year I am recommending that we take option 3 and opt out of this program for the coming year since it gives us the most flexibility in dealing with our own employees and does not limit us to options 1 or 2 above. Since we originally considered this matter we have executed and maintained labor agreements with AFSCME (DPW, Water/Wastewater & Maintenance) and POAM (Police Officers) which provides for an 80% (city) 20% (employee) sharing in health care coverage costs. Non-union employees are treated the same way.

RECOMMENDATION: That the City Commission approve a motion opting out of the requirements of PA 152 of 2011 for the coming year and authorize the City Manager and City Clerk/Treasurer to submit the required paperwork.

Options:

- a) Adopt options 1 or 2 above.
- b) Take no action and risk loss of the 10% of EVIP funds
- c) Postpone action on this matter tonight for further information or consideration.
- d) Other option as determined by the City Commission.



CITY OF BOYNE CITY

MEMO

To: Michael Cain, City Manager 

From: Barb Brooks, Executive Assistant 

Date: December 9, 2016

Subject: Parks and Recreation Board Member Re-Appointment

At the Thursday, December 1, 2016 meeting of the Parks and Recreation Board, it was unanimously voted to recommend the City Commission appoint Patrick Patoka to serve a second term on the Parks and Recreation Board. It is a four year term expiring December 31, 2020.

Board Discussion: The terms of Marie Sheets and Patrick Patoka expire on December 31, 2016. Patoka expressed an interest in continuing to serve on the board. Sheets stated that she has enjoyed the time she has served on the board but is ready to step back and allow room for someone to come in with new ideas and a fresh prospective. The board thanked Sheets for her many years of service.

Parish moved, Sheets seconded, PASSED UNANIMOUSLY a motion to recommend the City Commission appoint Patrick Patoka to a second term serving on the Parks and Recreation Board with a term expiration of December 31, 2020.



Approved: _____

Meeting of November 3, 2016 MINUTES OF THE BOYNE CITY MAIN STREET BOARD REGULAR MEETING HELD ON THURSDAY NOVEMBER 3, 2016 at 8:30 AM CITY HALL, 364 NORTH LAKE STREET

Call to Order Chair Pat O'Brien called the meeting to order at 8:35 a.m.

Roll Call Present: Jodie Adams, Chris Bandy, Robin Lee Berry, Michael Cain, Michelle Cortright, Pat O'Brien, Rob Swartz

Meeting Attendance Absent: Don Ryde, Ben Van Dam

City Staff: Recording Secretary Jane Halstead, Assistant Planning/Zoning Administrator Patrick Kilkenny

Public: Bob Alger, Jim Baumann

Excused Absences Don Ryde, Ben Van Dam

Approval of Minutes MOTION Cortright moved, Adams seconded, PASSED UNANIMOUSLY to approve the October 6, 2016 minutes with amendments.

Citizens Comments Jim Baumann thanked everyone for coming to the Business Expo held on Wednesday, November 2nd.

Correspondence None.

Committee Reports

The Organizational Committee did not meet last month.

Robin Lee Berry of the Design Committee stated there is no date set for the installation of The Last River Draw yet. Cain added that the pier which holds the sculpture was being installed in the river this week.

Patrick Kilkenny said that the holiday lighting is finished. Additional trees were lighted this year and overall more lights were added. Garland and snowflakes will go up by mid-November.

The Design Committee will be reviewing the revised design of the dumpster enclosure for Stigg's Brewery. The proposed larger dumpster enclosure will be shared with the Grain Train. O'Brien and Cortright asked if other businesses in the area could share the dumpster as well?

Jim Baumann indicated that Team Boyne again discussed the lack of a laundromat in town. He said that several parties have looked into investing in one but cannot find a way to make it profitable. Mike Cain said that Glen Catt has a serious party who is looking into it.

Manager's Report

None

Old Business

Cain stated that 2 rounds of interviews were held in the search for a new Main Street Executive Director. None of the applicants were a perfect fit and the position is being re-advertised and will remain open until filled. Boyne has an advanced Main Street Program and experience with the economic development component is critical.

The Organization Committee is taking applications for board members.

New Business

Bob Alger reviewed the financial statement from Boyne Thunder with the board. The event was very successful with revenue increasing due to increased sponsorships and bar revenues. Because revenues have increased, the Boyne Thunder Committee is proposing reinvestment in the event with the construction of a new T dock for the marina. The new dock would provide additional space for 8 to 10 boats. Boyne Thunder would provide \$30,000 to \$35,000 toward the project and is requesting Main Street contribute \$8,000 to the project. The Committee discussed the fact that the improvement to the dock would be a benefit for the entire boating season, not just for Boyne Thunder weekend.

Swartz moved, Bandy seconded PASSED UNANIMOUSLY to allocate up to \$8,000 for the T Dock improvement at the F. Grant Moore Municipal Marina.

Michael Cain reviewed the City of Boyne City Financial Statements which pertain to Main Street for the year ended April 30, 2016.

The accreditation visit from MEDC is currently scheduled for February 16th and 17th, 2017.

Good Of The Order

- Freshwater Art Gallery will host a concert with Steve Poltz on November 18th.
- Robin Lee Berry wanted people to be aware that she, and others, have had their belongings stolen out of vehicles while parked in town. She also stated there is an increase in heroin use in the area.
- Michael Cain was pleased with the recent Housing Summit. It was a great first step in dealing with the local housing issue.
- We should know by the end of December if we received any grant money for the open space, pavilion or fishing pier projects. Cain indicated there was stiff competition for funds.
- City Commissioners toured the new facilities project. Project is on schedule and provides beautiful views.
- Many thanks to Jim Baumann for his hard work and dedication as the Executive Director of the Boyne Area Chamber of Commerce. There is a retirement party Friday, November 4th at the Pine Lake Lodge at 4:30.
- Cortright stated that the Dirt Artisans trail builders had a great experience working on the trails at Avalanche. Their Boyne City experience ranked near the top of all their trail building projects.

- The Michigan Mountain Bike Association is putting together a proposal to host the International Mountain Bike Association Festival next year.
- Chris Bandy stated that Earlier Than The Bird is November 19th and Buy Local Saturday is November 26th.

ADJOURNMENT

Cortright moved, Swartz seconded to adjourn the November 3, 2016 of the Boyne City Main Street Board at 10:05 a.m.

Jane Halstead, Recording Secretary

DRAFT



Approved:

**MEETING OF
November 3, 2016**

**RECORD OF THE PROCEEDINGS OF THE REGULAR BOYNE CITY
PARKS AND RECREATION COMMISSION MEETING HELD AT
6:00 P.M. AT CITY HALL ON THURSDAY, NOVEMBER 3, 2016.**

CALL TO ORDER

Meeting was called to order by Vice Chair Swift at 6:00 p.m.

ROLL CALL

Present: Mike Sheean, Jo Bowman, Patrick Patoka, Hugh Conklin and Mike Doumanian

Absent: Marie Sheets, Darryl Parish

**MEETING
ATTENDANCE**

City Staff: Streets/Parks & Recreation Superintendent Andy Kovolski and Recording Secretary Barb Brooks

Public Present: None

**APPROVAL OF
MINUTES **MOTION**

Bowman moved, Patoka seconded, PASSED UNANIMOUSLY, a motion approving the October 6, 2016 meeting minutes as presented.

**CITIZENS COMMENTS
(on non-agenda items)**

None

DIRECTOR'S REPORT

Kovolski reported there was some vandalism that took place in the 1910 Waterworks Building restrooms. Also, furnishings are starting to arrive for the Avalanche improvement MParks grant project that will be installed in the spring.

CORRESPONDENCE

None

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

Park Inspection Reports -

- **Disc Golf Update** - None
- **Trail(s) Update** - Boyne City/Charlevoix Trail Phase 2 bid came in within budget. Boyne Valley Trailway one of the grants applied for has been reviewed favorably by MDOT and has been moved to the next level for review. Phase 1 of the mountain bike trail at Avalanche is just about complete and fund-raising efforts are ongoing for phase 2 with plans to start work on the project in the spring/summer of 2017
- **Friends of Avalanche** - The worst of the steps (approximately 15) have been repaired. More will be repaired next year.

**UNFINISHED
BUSINESS**

None

NEW BUSINESS

**2017 Charlevoix County
Parks Millage – Project
Ideas**

Brooks reported that the next round of the Charlevoix County Parks Millage Allocation will release applications in January 2017. She suggested the board consider what if any projects the City has that we might want submit for possible funding. The board discussed Riverside Park improvements as it has been a topic of discussion over the last year, Sunset Park improvements and there was a lot of discussion regarding the need for a kayak/canoe launch and/or storage (temporary and extended). Brooks explained to the board that Boyne City can submit more than one application so we don't have to choose between them. The board directed staff to look into options and costs for the projects discussed and bring them back to the next meeting for further review. Board members also expressed an interest in how much money is generated by the millage from Boyne City and asked Brooks to provide those numbers at the December meeting.

**Board Member Term
Expiration**

Marie Sheets' four year term expires December 31, 2016. She has not indicated if she has an interest in serving another four year term.

NEXT MEETING

The next regular meeting of the Parks and Recreation Board is scheduled for Thursday, December 1, 2016 at 6 pm at City Hall.

ADJOURNMENT

The November 3, 2016 meeting of the Parks and Recreation Board adjourned at 6:56 p.m.

Barb Brooks, Recording Secretary

SPECIAL MEETING
BOYNE CITY HISTORICAL COMMISSION

Minutes of November 10, 2016
5:00 p.m.
Boyne City Hall

CALL TO ORDER: 5:03pm

PRESENT: Hewitt, Sansom, Kelts, Alexander

ABSENT: Lazarz, and Barden

GUEST: Syrina Dawson

Citizens Comments:

None

LaFrance Fire Truck Celebration Discussion

Hewitt to contact Kecia about the art work for the firetruck line work.

Sansom gave an update for Dawson on where we are at.

Hewitt handed out a report that Kecia put together on the future of the Historical Museum and explained the concept with the board.

Good of the Order:

Sansom talked about the directional trees that she and her sister found at the nature trail in the Industrial Park. The Native Americans used these and several are still in the area. There is a group that is looking for these locations. One is reported to be on Division Street, one at the Nature Trail, some near Greensky Hill off of OLD 31. Maybe reach out to the community for help in locating them. Adam & Shari Kennedy have been looking for them.

Adjournment:

Kelts motioned at 6:21 to adjourn, second by Hewitt, all ayes.

Next Meeting:

December 19, 2016 7:00pm

Approved: _____

Meeting of November 21, 2016	Record of the proceedings of the Boyne City Planning Commission regular meeting held at Boyne City Hall, 364 North Lake Street, on Monday November 21, 2016 at 5:00 pm.
Call to Order	Vice Chair Frasz called the meeting to order at 5:00 p.m.
Roll Call	Present: Ken Allen, George Ellwanger, Chris Frasz, Jim Kozlowski, Tom Neidhamer and Joe St. Dennis Absent: Jason Biskner, Jane MacKenzie and Aaron Place
Excused Absence(s) **MOTION	2016-11-21-02 Kozlowski moved, Allen seconded, PASSED UNANIMOUSLY , a motion to excuse the absence(s) of Jason Biskner.
Meeting Attendance	City Officials/Staff: Planning and Zoning Administrator Scott McPherson, City Manager Michael Cain, City Commissioner Hugh Conklin, Police Chief Jeff Gaither, Assistant Chief Kevin Spate and Recording Secretary Pat Haver Public Present: None
Consent Agenda **MOTION	2016-11-21-03 Ellwanger moved, Neidhamer seconded, PASSED UNANIMOUSLY , a motion to approve the consent agenda; approval of the Planning Commission minutes from October 17, 2016 as presented.
Citizen comments on Non-Agenda Items	None
Reports of Officers, Boards and Standing Committees Unfinished Business	None
New Business	Planning Director McPherson reviewed the staff report that was included in the agenda packet. Governor Snyder recently signed PA 281 of 2016; the <i>Medical Marihuana Facilities Licensing Act</i> on September 21, 2016. The law will become effective as of December 20, 2016. The review the Planning Commission gives this topic tonight is discussion on actions, if any, the City should consider in regards to this new legislation. Board discussed the idea of being proactive instead of reactive to the situation as a way to try to monitor placement of facilities. When an ordinance is established it gives the commission the ability to place parameters on location. The state would prefer that local municipalities handle this topic in their own jurisdiction, as a "one size does not fit all" if it were mandated by the state.
Review Changes in Medical Marihuana Act	Jeff Gaither, Chief of Police – It is going to be awhile before anyone will be allowed to submit a facility application. The law takes effect in 90 days, however, an application cannot be filled out and submitted for 360 days after the effective date; so this will give everyone time to figure out the consequences for each municipality. The new law will allow for a grow operation facility, processor facility (which purchases the product to process into consumables such as oil, edibles and wax products; provisioning center (which is the retail outlet); safety compliance facility (to test the products) and a secure transporter. One facility cannot do all of these things. This will give Boyne City the opportunity to have a public forum and find out exactly what the community does or does not want.

Board discussion – What is the possibility of an ordinance regulating medical marihuana, its impact on neighborhoods, asked questions about what it would do to the youth of the community, will our ordinance, if we do one, supersede the state’s ordinance? What area of the city would be best? Possibly the business park, right downtown on Water or Lake Street, or one of the side streets. Public input would be a good thing, as Boyne City is known for holding forums on decisions that impact the community.

Michael Cain – City Manager – What societal changes have occurred since this topic was first introduced a couple of years ago? I know that the Michigan Municipal League holds conferences a couple of times a year and this topic I believe will be one of great discussion. Law Enforcement agencies will also be discussing this topic and obtaining additional information, so as the Planning Commission moves forward, additional information and comments will be forthcoming. Perhaps wait for the spring to review any new information that has evolved from various agencies. Staff was directed to place on the March agenda as a discussion item; and if new information becomes available prior to that time, it can always be added to the agenda for discussion.

Review Discussion of Housing Issues

Planning Director McPherson reviewed his staff report that was included in the agenda packet. Several members of various city boards attended a housing summit that was put on by the City on October 20th and again one facilitated by Sara Lucus of Networks Northwest in Traverse City on October 24th which helped to identify housing issues facing our region. The biggest issue is the lack of housing, “affordable” “workforce” and “quality” housing.

Board Discussion – Even if this is a universal problem in the region, we need to decide what will be the best for our community. Do we allow a duplex in the TRD other than conditional use, consider smaller size sq. ft. for not only houses but lots, encourage more granny flats, do we consider housing units of some type in the industrial park as “company” housing? As Boyne does not have the typical public transportation as larger communities, parking can be an issue for developing second floor apartments downtown, what about property maintenance for dormant properties, what is the availability to infrastructure? When a property does come on the market, it is being bought up for vacation or second homes, and is not available for workforce housing. Perhaps a study group should be formed to get the discussion rolling with members of the Planning and Housing Commissions, EDC/LDFA, Main Street, Chamber of Commerce, Business Owners and interested others, and exactly what is available to build on? Staff was directed to take an inventory of available land that could be built upon, an inventory of all available spaces. If anyone is interested in serving on the sub-committee let Scott know and an available pool of interested people will be compiled.

Staff Report

-
- Both Planning Director McPherson and Assistant Planning Director Kilkenny attended the recent Michigan Association of Planners Conference in Kalamazoo. This conference was a good source of information and networking focusing on infrastructures, asset management and general planning issues
 - The Citizen Planners Forum held last week was also a good opportunity for discussion on planning topics including signage and tiny houses.

Good of the Order

-
- The rezoning request for the Jefferson Street property is continuing through the process.
 - The amount of signage was questioned with one of the local businesses north of town, staff will check into it

- The fishing pier promised on the One Water Street property is moving forward as the City is pursuing grant opportunities to assist the developer.
- The housing summits were well attended with the needed diversity to look at this topic from all areas
- There will be a public hearing on Tuesday, November 29th at 7:00 pm for a Conservation Easement on the Open Space on N. Lake Street directly adjacent to the Municipal Boat Launch

Adjournment

The next regular meeting of the Boyne City Planning Commission is scheduled for Monday, December 19, 2016 at 5:00 pm in the Honeywell Meeting Room.

****Motion**

2016-11-21-10

St. Dennis moved, Ellwanger seconded, PASSED UNANIMOUSLY a motion to adjourn the November 21, 2016 meeting at 6:40 p.m.

Vice Chair Chris Frasz

Recording Secretary Pat Haver

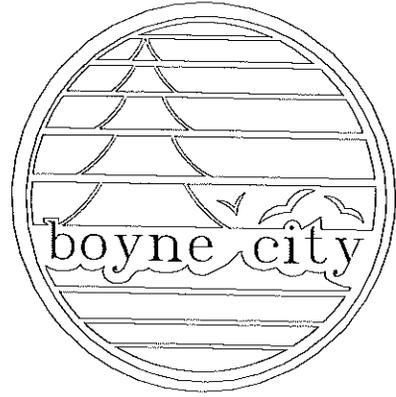
CITY OF BOYNE CITY

To: Michael Cain, City Manager *Mc*

From: Scott McPherson, Planning Director *SM*

Date: December 13, 2016

Subject: Marvin Loding Awards



In accordance with the outlined procedures for selecting winners of the Marvin Loding award, the Planning Commission reviewed nominations for the awards at the October regular meeting and selected Marvin Loding award winners for the commercial and residential categories. The award recipients are Challenge Mountain for the commercial award category for their new retail store located at 1100 Boyne Ave and Steven and Deborah Carlson for the residential award category for their home located at 221 North St. The award winners have been contacted and invited to the December 13, 2016 City Commission meeting for recognition and award presentation.

Memo

TO: Michael Cain, City Manager

FROM: John M Lamont, EMS Director

Date: December 9, 2016

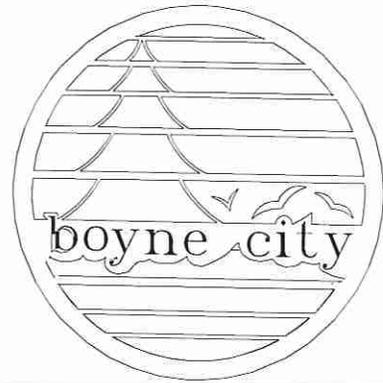
RE: Request to apply to the Tribal Council for a grant to enhance the Philip MRX monitors with Cellular modems.

I would like authorization to apply in the current allocation cycle with a submission date of December 31, 2016 for two Verizon modems for the ability to transmit EKGs to the Emergency Department at McLaren. Current technology utilizing blackberry blue tooth connection is not reliable. The phones cannot be replaced, batteries are short lived, making critical intervention difficult to guarantee.

The request would be for 82% Tribal and 18% City. Total cost of the project \$12,176.00. The grant request from the Tribal Council is \$10,000.00 with the City allocating \$2,176.00.

CITY OF BOYNE CITY

To: Michael Cain, City Manager 
From: Patrick Kilkenny, Assistant Planner 
Date: December 13, 2016
Subject: Great Lakes Fishery Trust Grant Award



Background: As you may recall in August 2016, with the City Commission's approval, the City of Boyne City submitted an application to the Great Lakes Fishery Trust grant to assist Glen Catt with the public access fishing pier called for in the One Water Street development (see attached documents).

The grant will provide a 50% match of the estimated \$95,000 project cost. The fishing pier will be constructed as a removable floating dock, approximately 190' in length, located southwest of the mouth of the Boyne River and complimented by existing public restrooms, public parks and parking, and includes a direct connection to the City's Central Business District. The pier will allow anglers of all experience levels and physical abilities to fish safely and conveniently.

The City of Boyne City has many community focused plans that speak to the importance of fishing in our area. The City's Community Master Plan, Five-Year Recreation Plan, Boyne on the Water Placeplan, and Waterfront Master Plan were all developed with extensive public and agency input, and include reference to Lake Charlevoix recreation as components of each.

The City is acting as the applicant only and the project will not require any financial commitment from the City. The City was notified of the grant award and funding decision on December 5, 2016 and 15% (\$7,125) of the total award will be allocated following submission of the grant agreement, including the attached resolution.

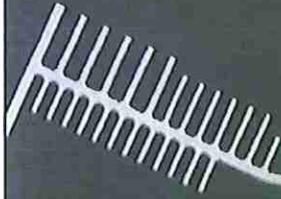
Recommendation: Approve the Great Lakes Fishery Trust "Access to the Great Lakes Fishery" grant community resolution and allow the City Manager or his designee to complete the necessary documents to implement the grant.



220 110 0 220 Feet

Proposed Public Fishing Pier Boyne City, Michigan

Proposed Public Fishing Pier
(pier not shown to scale)





City of Boyne City

Founded 1856

319 N Lake Street

Boyne City, Michigan 49712
www.cityofboynecity.com

Phone 231-582-6597
Fax 231-582-6506

RESOLUTION
City of Boyne City
Boyne City, Michigan

Upon a motion made by _____ and seconded by _____, the following Resolution was adopted:

RESOLVED, that the Boyne City City Commission, Michigan, does hereby accept the terms of the Project Agreement as received from the Great Lakes Fishery Trust, and that the City of Boyne City does hereby specifically agree, but not by way of limitation, as follows:

1. To authorize the sum of \$ 95,000.00 dollars toward construction and related costs to complete the project according to the Project Agreement with the TRUST,
2. To maintain satisfactory financial accounts, documents, and records and to make them available to the TRUST for auditing at reasonable times,
3. To construct the project and provide such funds, services, and materials as may be necessary to satisfy the terms of the Agreement,
4. To comply with any and all terms of said Agreement including all terms not specifically set forth in the foregoing portions of this Resolution.

The following aye votes were recorded: _____

The following nay votes were recorded: _____

STATE OF MICHIGAN)
) ss
County of Charlevoix)

I, Cindy Grice, Clerk/Treasurer of the City of Boyne City, Michigan, do hereby certify that the above is a true and correct copy of the Resolution relative to the Agreement with the Great Lakes Fishery Trust, which Resolution was adopted by the Boyne City City Commission, at a meeting held December 13, 2016.

Signature - Title

Date

An Equal Opportunity Provider and Employer
Hometown Feel, Small Town Appeal



December 2, 2016

Patrick Kilkenny
City of Boyne City
319 N. Lake St.
Boyne City, MI 49712

Re: Agreement for grant number 2016.1665, *Boyne City Public Fishing Pier* (please refer to this number on all correspondence directed to the Great Lakes Fishery Trust concerning this grant)

Dear Mr. Kilkenny:

I am pleased to inform you that your grant proposal, *Boyne City Public Fishing Pier*, was selected and approved by the Great Lakes Fishery Trust Board of Trustees on November 9, 2016, for an amount not to exceed \$47,500.00.

Enclosed is a grant agreement between the Great Lakes Fishery Trust (GLFT) and the the City of Boyne City.

Each project requires a signed agreement within 60 days of your receipt of the agreement. The process for executing the agreement is as follows:

1. Grantee is sent two copies of a grant agreement.
2. Grantee reviews agreement and (a) notifies the GLFT that changes need to be made, or (b) proceeds to execution through the steps below.
3. Grantee attaches all requested documentation to the respective appendices.
4. Grantee obtains all appropriate, authorized signatures required on BOTH copies of the agreements and returns BOTH copies of the agreements to the Trust (to my attention) with no additions to (except the required documentation) or subtractions from the agreement.
5. The GLFT obtains its necessary signatures and dates the first page of both agreements.
6. The GLFT retains one original agreement and sends grantee one original grant agreement, along with the first grant payment equaling 15 percent of the total grant.

Please note that you must submit several documents to the GLFT along with the signed agreement as appendices. These documents are described on page 7 of the grant agreement. GLFT monies will not be distributed until the agreement is executed and the accompanying documentation is received. Please use the enclosed checklist worksheet to ensure that you have submitted all of the appropriate documentation with the signed grant agreement.

The table below outlines the payment and reporting schedule described in the attached and governing grant agreement. The payment column assumes the reporting requirements have been satisfied. Standard reporting guidelines, forms, and instructions are enclosed.

Report	Deadline	Due date	Payment	Percentage of total grant
Executed grant agreement	60 days from receipt of this letter	~01/18/2016	\$7125	15%
Selected construction bid, design, and proof of contractor bonding		06/01/2017	\$35,625	75%
Final report	60 days from grant end date	08/15/2017	\$4750	10%

A **final report** (template enclosed) is due 60 days from the end of your grant term. Upon receipt and approval of the final report, the final grant payment equaling 10 percent of the total grant will be disbursed.

As I will be the grant manager for this project, please direct communication and questions to me. If you have any questions concerning the agreement, requirements, etc., please do not hesitate to contact me. I look forward to working with you on this project.

Sincerely,



Jonathon Beard
Grant Manager

Enclosures



BOYNE CITY POLICE

319 North Lake St. Boyne City, MI 49712 • police@boynecity.com • Phone: (231) 582-6611 • Fax: (231) 582-3670

To: Michael Cain, City Manager

From: Jeff Gaither, Police Chief

Date: December 9, 2016

Re: Sidewalk alcohol sales

On June 14, 2016 the City Commission approved an ordinance to allow sidewalk service and sales of alcoholic drinks. The Commission also requested a report at the end of the year to address any issues that may come up as a result of the sidewalk alcohol sales.

I have researched the Police Department's call log and we show no reported incidents related to alcohol service on the sidewalks. I have also polled our officers for any informal reports or complaints they may have received and there were none.

The Liquor Control Commission office was contacted also. They have not received any complaints of violations reference sidewalk alcohol sales in Boyne City.

Planning Director Scott McPherson received comments from Commissioner's Samson and Conklin regarding the narrowing of the sidewalks at one location, due to tables and perimeter markers. Scott checked that area and found it to be in compliance with the ordinance.

In summary, I have not found any negative reports, incidents or complaints related to the sale of alcohol on the sidewalks of Boyne City.

Jeff Gaither, Chief of Police



City of Boyne City

MEMO

Date: December 8, 2016

To: Mayor Neidhamer and the Boyne City City Commission

From: Michael Cain, City Manager *Mc*

Subject: Joint Board and Commission Meeting

On December 6th 2005 Boyne City held its first Joint Board and Commission meeting. We have been holding them on a pretty much annual basis since that time, at about the same time each year. The consensus from those who attended the meetings was that they were time well spent and that future joint meetings should continue to be held.

Before we get into next years budget processes, I think it would be good to schedule another Joint meeting. A City Commission calendar for 2017 is provided. We've usually held these meetings on the 1st Tuesday in December, but I believe it is too late to hold one this month. I would recommend we look at Tuesday, January 17th as our first option. The meeting could also be held in February if desired.

Although Tuesday's at 6:00 p.m. have been used in the past another day of the week or time could be selected.

It should be noted that we have been informed that the annual Charlevoix County joint governmental meeting will be held on Monday, January 30th at the Boyne Area Senior Center. More details will be provided as we get closer to that event.

RECOMMENDATION: That the City Commission schedules the City's next Joint Board and Commission meeting to be held on Tuesday, January 17th at 6:00 p.m. in the temporary City Hall.

Options:

- Other date and/or time acceptable to the City Commission.
- Do not schedule a Joint meeting at this time.
- Other options as determined by the City Commission.

2017

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○ = 7:00 pm meeting

□ = Noon meeting

December 2016

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Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
			December 1 8:30am Main Street Board mtg. 6:00pm Parks & Rec		2 3
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12	13 7:00pm City Commission	14	15	16	17
					18
19 5:00pm Planning Commission 7:00pm Historical Commission	20	21	22	23 City Offices closed	24 Christmas Eve (United States)
					25 Christmas 11:00am Christmas Dinner (Presbyterian Church)
26 City Offices Closed	27	28	29	30 City Offices closed	31 New Year's Eve (United States)

January 2017

January 2017						
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February 2017						
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Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
					January 1, 2017 New Years Day
2 City Offices Closed	3 5:00pm ZBA	4	5 8:30am Main Street Board mtg. 6:00pm Parks & Rec	6	7
					8
9 12:00pm EDC/LDFA	10 7:00pm City Commission	11	12	13	14
					15
16 Martin Luther King Day (United St 5:00pm Planning Commission	17	18	19	20	21
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23 12:00pm City Commission	24	25	26 5:30pm Airport Advisory Board	27	28
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