



City of Boyne City

Founded 1856

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**BOYNE CITY
CITY COMMISSION REGULAR MEETING
Boyne City Hall
319 North Lake Street
Tuesday, March 27, 2012 at Noon**

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE
2. ROLL CALL
 - A. Approval to excuse Commissioner Neidhamer from attending the March 27 Regular City Commission meeting
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 March 13, 2012 Regular City Commission meeting minutes as presented
 - B. Approval of the March 20, 2012 City Commission Budget work session minutes as presented
 - C. Approval to reappoint Charles Stutzman to the Historical Commission for a three year term to expire on November 30, 2014
 - D. Approval of resolution recognizing March as Social Work Month
4. HEARING CITIZENS COMMENTS (on non-agenda items; 5 minute limit)
5. CORRESPONDENCE
 - A. Correspondence from Clerk / Treasurer Grice regarding the Budget Process
6. CITY MANAGER'S REPORT
7. REPORTS OF OFFICERS, BOARDS, AND STANDING COMMITTEES
 - A. February, 2012 Financial Statement
8. UNFINISHED BUSINESS
 - A. Kirtland Products Follow Up
9. NEW BUSINESS
 - A. First Reading of Proposed Ordinance Amendment to allow chickens
Consideration of amendments to add Section I to Article III and Section H to Article IV of the zoning ordinance and add an exclusion clause in Section 6 of the City Animal Ordinance to allow chickens in residential areas

An Equal Opportunity Provider and Employer

Hometown Feel, Small Town Appeal

- B. **Boyne City Housing Commission / HUD Agreement**
Consideration to review the proposed Recovery Agreement and draft Action Plan from the US Department of Housing and Urban Development, approve entering into the Recover Agreement and authorize the City Manager to sign it subject to the parties finalizing an acceptable Action Plan
- C. **Request for letters of Support**
Consideration to review the information from Charlevoix County Parks Manager Ross Maxwell regarding 1) the undertaking of a second phase of the Boyne City / Charlevoix Road non-motorized trail and 2) the purchase of 72.4 acres of property adjacent to Whiting Park; obtain public input on those matters, and after considering all information received, consider to authorize staff to prepare letters supporting the projects and authorize the City Manager and City Clerk / Treasurer to sign them on behalf of the City
- D. **Hannah Street Engineering Services**
Consideration to approve a contract with C2AE for design, bidding and construction engineering services for the Hannah Street Construction project in the amount of \$51,200 and authorize the City Manager to sign the required documents
- E. **Curb Repair Bids**
Consideration to approve a contract with Marshall Concrete for up to \$40,000 to repair areas of damaged curb and authorize the City Manager to execute the documents
- F. **Aeration Blower Purchases**
Consideration to approve the purchase of a replacement motor for an aeration blower for the wastewater treatment plant from Bridgeway Power the amount of \$3,847.65 and the purchase of a new blower from Kaeser in the amount of \$4,998.53
- G. **Picnic Table Purchase**
Consideration to approve the purchase of 10 picnic tables fro Belson Outdoors in the amount of \$6,320 and authorize the City Manager to execute the documents
- H. **April 24, 2012 City Commission Meeting Time Change**
Consideration to change the regularly scheduled meeting of Tuesday, April 24, 2012 meeting time from noon to 7:00 pm
10. **GOOD OF THE ORDER**
11. **ANNOUNCEMENTS**
- The next regular City Commission meeting is scheduled for Tuesday, April 10, 2012 at 7:00 p.m.
12. **ADJOURNMENT**

**MARCH 13, 2012
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 MARCH 13, 2012

CALL TO ORDER

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

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

Staff: Scott McPherson, Barb Brooks, Dan Meads, Craig Remsberg, Hugh Conklin, Dennis Amesbury Cindy Grice and Michael Cain

Others: There were seven citizens in attendance, including representatives from the Petoskey News Review, Charlevoix County News and Boyne Gazette

**CONSENT AGENDA
MOTION**

2012-03-029
Moved by Neidhamer
Second by Towne

Approval of the February 28, 2012 regular City Commission meeting minutes as presented

Ayes: 5
Nays: 0
Absent: 0
Motion carried

CITIZENS COMMENTS

None

CORRESPONDENCE

Correspondence from City retiree Edith Beck thanking the City for the retiree stipend she received in December

CITY MANAGERS REPORT

City Manager Cain reported:

- Boyne City faired fairly well from the recent snow storm. Emergency responders were quite busy and the DPW and WWWW staff did a great job plowing and cleaning up. Crews are continuing to pick up downed branches.
- Precision Edge began production today.
- Work on the Brook Development is continuing with plans to open in early June, 2012.
- This is Irish Heritage Week in Boyne City.
- The MML Capital Conference is in Lansing on Wednesday March 20.

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

Draft Minutes of February 2, 2012 Main Street Board Meeting; February 2, 2012 Parks & Recreation Commission Meeting; February 13, 2012 Local Development Finance Authority Meeting; February 20, 2012 Planning Commission Meeting and February 23, 2012 Airport Advisory Board Meeting were received and filed.

Consideration to clarify the motion establishing the Kirtland Citizen Committee to specifically stipulate that the committee is an advisory committee only and the Committee has no governmental or proprietary authority

Planning Director Scott McPherson stated that the Kirtland Citizen Committee had its first meeting on March 1, 2012. A bid opening was held on March 12 and two bids were received. At the committee's organizational meeting, the committee decided to have meetings open to the public. The committee did indicate that it may wish to meet in private when reviewing the RFP's, however it is with the understanding that it will only do so if allowed by law. The open meetings act does not apply to advisory committees that have no governmental or proprietary authority. While it is apparent that the intent and purpose of the committee is to serve as an advisory committee, the wording of the motion by the City Commission authorizing the establishment of the committee does leave some room for interpretation. Mr. McPherson recommended that the City Commission clarify the motion establishing the Kirtland Citizen Committee to specifically stipulate that the Committee is an advisory committee only and has no governmental or proprietary authority.

Citizens Comments: None

Staff Comments: None

Board Deliberation: All are in agreement with the recommendation.

MOTION

2012-03-030
Moved by Towne
Second by Sansom

Approved to clarify the motion establishing the Kirtland Citizen Committee to specifically stipulate that the committee is an advisory committee only and the Committee has no governmental or proprietary authority

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Commercial Usage Update

North Boyne Site

City Manager Michael Cain provided the commercial usage update on the North Boyne Yard. Installation of the gate will be as soon as fabrication is complete. Sign verbage was provided and recommended by staff and will be sent out for fabrication. Contractor information including the fee schedule was mailed to known commercial users and a public notice regarding fees will also be published in the Boyne Gazette. Once contractors have been registered, they will be added to a master list that will be distributed to public works employees and the Police Department. This list will be continually updated as needed.

Citizens Comments: None

Staff Comments: None

Board Deliberation: Commissioner Neidhamer said this implements what was discussed by the past and current commission. Commissioner Gaylord inquired if we will get information on all vehicles per business and was informed the fee is by business, so not at this time. Commissioner Gaylord also inquired input from the Police Department and Acting Chief Remsberg said the signs were discussed and laws will apply. Commissioner Sansom inquired about placing "no charge to local residents" on the signs.

Goal Setting

Consideration to adopt the 2012 – 2013 City Wide goals

Executive Assistant Barb Brooks discussed the 19 goals that were mentioned at either the goal setting meeting or in the survey, along with summarized general comments. Any of these mentioned subjects that were not in the original list of subjects being ranked were added should also be considered in coming up with the list of goals for adoption as some of them came up many times throughout the survey, but were not on the list of priorities that came out of the goal setting meeting. Graphs and charts ranking the responses were provided. City Manager Cain added that while taking all comments, everything was brought to the table.

Citizens Comments: Jim Baumann said based on survey comments, he is encouraging the Commission to keep moving ahead on the Devlon property.

Staff Comments: None

Board Deliberation: Commissioner Gaylord said he appreciates all of Barb's efforts. Commissioner Sansom said all are great suggestions and possibly the technical training goal should be added to the job creation goal. Mayor Pro-Tem Towne said we could combine a lot of the items and cut the list to 15. Commissioner Neidhamer said he is comfortable with using 19 goals as a working document. It encompasses the work Barb did from both surveys. Mayor Grunch said he is happy to see the graphs and thinks we can move on with the list that was provided. Commissioner Neidhamer said that the high traffic speed is an enforcement issue, not a goal. Barb Brooks said the goals adopted are a priority for staff to work on and City Manager Cain agreed. Commissioner Sansom said she also didn't think additional local grocery shopping option was a goal either. We shouldn't be targeting on one particular type.

MOTION

2012-03-031

Moved by Neidhamer

Second by Towne

To adopt the recommended 2012 – 2013 City Wide Goals with the exception of Goal #'s 9, 13, 18 and 19.

Ayes: 5

Nays: 0

Absent: 0

Motion carried

Title VI Non-Discriminatory Plan

Consideration to approve the Title VI Non-Discriminatory Plan as presented and authorize the City Manager and City Clerk / Treasurer to execute the documents

Clerk / Treasurer Grice discussed the requirement for the City of Boyne City to adopt this plan in order to continue to receive federal financial assistance. A draft plan was provided at the February 28 meeting to allow enough time for the Commission thoroughly go through the document.

Staff Comments: None

Citizens Comments: None

Board Deliberation: All are in favor of adopting the plan.

MOTION

2012-03-032
Moved by Towne
Second by Sansom

To approve the Title VI Non-Discriminatory Plan as presented and authorize the City Manager and City Clerk / Treasurer to execute the documents and authorize the City Manager to sign the Sub Recipient Application for Certification of Title VI and EEO Compliance and Assurances Form 0106

Ayes: 5
Nays: 0
Absent: 0
Motion carried

One Water Marina Operating Agreement for 2012

Consideration to update and renew the operating agreement for the One Water Marina with Catt Development and Mr. Krueger for the 2012 boating season and authorize the City Manager to sign the agreements on behalf of the City.

Harbormaster Barb Brooks discussed the proposed agreement for 2012 to operate the One Water Marina. It has been successful the first two seasons and would be advantageous to the City to operate the marina for an additional season. All parties feel the One Water Marina partnership has been successful in several way, including the ability to provide day and transient dockage to many larger boats.

Citizens Comments: None

Staff Comments: Hugh Conklin agrees that it is important for the community.

Board Deliberation: All Commissioners are in agreement.

MOTION

2012-03-033
Moved by Neidhamer
Second by Sansom

To update and renew the operating agreement for the One Water Marina with Catt Development and Mr. Krueger for the 2012 boating season and authorize the City Manager to sign the agreements on behalf of the City.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Consideration to adopt the proposed rate section 2 for seasonal rates and rate section 3 for transient rates as set fort by the Michigan Waterways Commission as part of the fee schedule for the upcoming 2012 – 2013 FYE

2012 Marina Seasonal and Transient Rates

Harbormaster Barb Brooks discussed the proposed rate increase for the Marina Seasonal and Transient rates for 2012. Our marina is a "Grant in Aid" Marina meaning we have received grant funds from the Michigan Waterways Commission through the MDNR. As a result, we have certain guidelines that we must follow per each grant agreement including the stipulation that we adhere to the Michigan State Waterways rate schedule. The rate schedule a community falls under is set by the MDNR and is determined by facilities, demand and competition. The City has not raised its transient or season rates in about 4 or 5 years. The proposed seasonal rate increase is less than 3%. Schedules were provided to the Commission showing the rates for different sections.

Staff Comments: None

Citizens Comments: None

Board Deliberation: Commissioner Gaylord inquired if there was any feedback from boaters on rates and has it negatively affected usage. Barb stated this is the first increase in at least five years and is standard across the board. All Commissioners are in agreement with the proposal.

MOTION

2012-03-034
Moved by Towne
Second by Gaylord

To adopt the proposed rate section 2 for seasonal rates and rate section 3 for transient rates as set fort by the Michigan Waterways Commission as part of the fee schedule for the upcoming 2012 – 2013 FYE

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Consideration to approve the contract with C2AE of Gaylord in the amount of \$83,100 for design, bidding and construction engineering services for the South Park Street reconstruction project and authorize the City Manager to execute he documents

Engineering Agreement for South Park Street Reconstruction

WWW Superintendent Dan Meads discussed the proposed engineering contract from C2AE for the South Park Street project. The design and bidding phase are \$37,700 and the construction engineering services is

estimated at \$45,400 for a total of \$83,100. The proposed fees are less than the budgeted engineering services amount in the grant application and in line with engineering costs on similar projects.

Citizens Comments: None

Staff Comments: None

Board Deliberation: Commissioner Neidhamer asked if provisions for underground utilities are included in the engineering and was informed by Larry Fox of C2AE, yes. Commissioner Sansom asked if future public information meetings were discussed and was informed yes, they will be held. How will trees be affected? Hopefully the design will be considered around that. Commissioner Gaylord asked if the ability to cover the project is in the budget and was informed yes. Mayor Pro-Tem Towne and Mayor Grunch are ready to move forward.

MOTION

2012-03-035

Moved by Sansom

Second by Towne

To approve the contract with C2AE of Gaylord in the amount of \$83,100 for design, bidding and construction engineering services for the South Park Street reconstruction project and authorize the City Manager to execute he documents

Ayes: 5

Nays: 0

Absent: 0

Motion carried

Consideration to approve to submit a completed DIG grant application for the proposed South Park Street Infrastructure project and authorize the City Manager and / or the City Clerk and / or Mayor to create and execute any documents necessary to apply for the grant and execute the grant agreement.

DIG Grant

City Manager Cain said this request authorizes us to wrap up the application process for the DIG South Park Street Project Grant.

Staff Comments: None

Citizens Comments: None

Board Deliberation: All are in agreement.

2012-03-036

Moved by Towne

Second by Gaylord

MOTION

To approve to submit a completed DIG grant application for the proposed South Park Street Infrastructure project and authorize the City Manager and / or the City Clerk and / or Mayor to create and execute any documents necessary to apply for the grant and execute the grant agreement.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

2012-03-037
Moved by Grunch
Second by Towne

Meeting Recess

To recess the meeting for five minutes at 8:46 p.m.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

2012-03-038
Moved by Grunch
Second by Sansom

Reconvene Meeting

To reconvene the meeting at 8:52 p.m.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

City Manager Cain presented the City Commissioner the FYE 2013 Budget. There will be a Budget Work Session on Tuesday, March 20 beginning at 8:00 a.m.

**City Manager's
Presentation of FYE
2013 Budget**

2012-03-039
Moved by Grunch
Second by Towne

Closed Session

To approve the request of the City Manager to go into closed session to consider strategy connected with the negotiation of a collective bargaining agreement as provided in MCL 15.268 (c) and to consider the purchase of real property as provided in MCL 15.268 (d) of the Michigan Open Meetings Act (PA 267 of 1976) at 9:18 p.m.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

2012-03-040
Moved by Grunch
Second by Towne

**Return to Open
Session**

To return to open session at 10:20 p.m.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Commissioner Gaylord discussed items on the proposed POL Union agreement, such as switching health insurance carriers to Priority Health, capping the health insurance opt out payments and the defined contribution -vs- the defined benefit which is a national trend.

Ratify POL Union Agreement

2012-03-041
Moved by Neidhamer
Second by Sansom

To ratify the tentative agreement with the Police Officers Labor Union and authorize the City Manager and City Clerk / Treasurer to draft and execute such an agreement with based upon review with our labor attorney.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Commissioner Neidhamer stated he would not be in attendance of the March 27, 2012 Commission meeting.

Good of the Order

Moved by Mayor Grunch, seconded by Commissioner Gaylord to adjourn the regular City Commission meeting of Tuesday, March 13, 2012 at 10:28 p.m.

ADJOURNMENT MOTION

Ron Grunch
Mayor

Cindy Grice
Clerk / Treasurer

**MARCH 20, 2012
BUDGET REVIEW WORK
SESSION**

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 MARCH 20, 2012

CALL TO ORDER

Mayor Ron Grunch called the meeting to order at 8:00 am followed by the Pledge of Allegiance.

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

Absent: None

Staff: Michael Cain, Cindy Grice.

Barb Brooks, Andy Kovolski, Dan Meads, Dennis Amesbury, John Lamont and Hugh Conklin attended the work session during their respective budget presentations to answer any questions.

BUDGET INTRODUCTION

The FYE 2013 budget was introduced by City Manager Michael Cain.

A full debt schedule is present in the proposed budget along with the years the debt retirement will occur.

Commissioner Gaylord requested a breakdown of cost saved when the five individuals retired in the current fiscal year.

Commissioner Neidhamer stated the facilities are his top priority. It is time. The money has been earmarked for a reason. Our city facilities should be a beacon of Boyne City.

The proposed fund balance was discussed. City Manager Cain stated by not spending this down, we have been able to leverage these funds to gain over 4, 500,000 in grant funds for major improvements.

All departments and funds were discussed with the department heads including in-depth discussion of proposed capital expenditures.

The proposed changes to the fee schedule are the addition of the Commercial User fees for the North Boyne area and the proposed 1% increase to the Water / Sewer fees.

ADJOURNMENT

Moved by Commissioner Grunch, seconded by Commissioner Gaylord to adjourn the City Commission budget work session of Tuesday, March 20, 2012 at 6:50 p.m.

Cindy Grice
City Clerk/Treasurer

Ron Grunch
Mayor

INTEROFFICE MEMORANDUM

TO: CINDY GRICE-DEPUTY TREASURER/CLERK
FROM: MICHELE HEWITT-DEPUTY TREASURER
SUBJECT: HISTORICAL COMMISSION BOARD APPOINTMENT
DATE: 3/20/2012

At our March 19, 2012 meeting, the Boyne City Historical Commission approved to reappoint Charles Stutzman for a three year term expiring on 11/30/2014. We would recommend that the City Commission approve this board renewal.

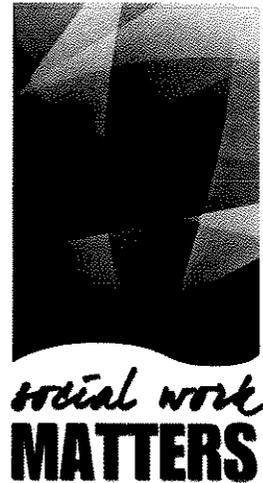
National Association of Social Workers

Michigan Chapter • Region 2

March 15, 2012

Mr. Ron Grunch
Mayor of Boyne City

Dear Mayor Grunch,



There are forces among us, operating in our community very quietly, very powerfully, whose identities are unknown, and whose impact is difficult, if not impossible, to measure. Historians may talk about them someday, but for now most people do not know who they are or exactly what they are doing. They are influencing children, challenging parents and teachers, affecting political trends, enhancing relationships, saving lives, giving dignity to those who are leaving us, strengthening those feeling weakened, bringing honor to patriotic sacrifice, and piecing together memories leading to new lifelines. These dedicated professionals are:

SOCIAL WORKERS

March is Social Work month, and those of us who take joy in our profession are celebrating what we know to be good and true. One of us, in this case me, needs to step outside the group and ask that we be recognized, that our profession be recognized, not so much to call attention to ourselves as persons, but to rejoice in what we do as professionals to assist our youth, empower parents and educators, and bring healing to social strife.

I am asking you to honor our profession by joining us in the celebration of Social Work Month. I am asking you to issue a proclamation that will not only honor the profession, but will honor the profession to the degree that it is made public such that it will call attention to a resource that is powerful, but quiet because of the confidential nature of our work.

I invite you or your delegate to join us to deliver your proclamation in person at our celebration on Thursday, March 29th, 2012 at BJ's Restaurant in Gaylord at 6:00 pm. If you are unable to attend but still wish to participate, you may mail it to be presented on your behalf at the dinner. Dinner cost is \$15 per person.

Thank you so much for your attention to this request.

Sincerely,

Mrs. Mary R. Gergel

Mary R. Gergel, MSW, LMSW, ACSW
Region 2 NASW-MI Representative



City of Boyne City

Social Work Month 2012 Proclamation

WHEREAS, Social Workers are positive change agents who dedicate their careers to helping people transform their lives, or improving environments that make such progress possible.

WHEREAS, more than 640,000 trained Social Work professionals in the United States work tirelessly in agencies, hospitals, hospices, schools, universities, legislatures, private practices, corporations, and the military.

WHEREAS, Social Workers are advocates for access, equality and fairness.

WHEREAS, Social Workers improve the fabric of society by caring for those who have been left behind, or for those who have lost their voice.

WHEREAS, Social Workers help people explore new opportunities in the face of serious life changes and challenges.

WHEREAS, the Social Work profession was established more than 100 years ago to help Americans overcome poverty, illness, addiction, abuse, discrimination and other adversities to reach their full potential.

WHEREAS, the Social Work profession works to change systems and customs that limit the ability of vulnerable individuals and groups to lead fulfilling and productive lives.

WHEREAS, Schools of Social Work train socially conscious people to make a real difference in the world through service and leadership.

WHEREAS, Social Workers strengthen communities, expand options, and work to facilitate humane changes in policies and legislation that improve the lives of everyone.

WHEREAS, every day Social Workers wake up believing they will give an individual, a family, or a community renewed hope in the future.

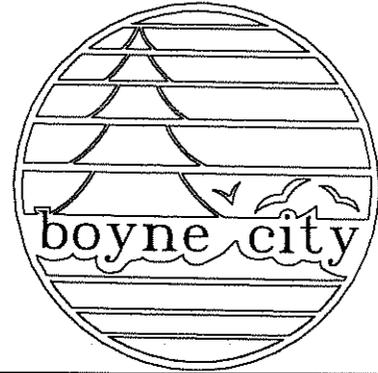
NOW, THEREFORE, in recognition of professional Social Workers and their commitment and dedication through service delivery, research, education, and advocacy, We, the Boyne City Commissioner, proclaim the month of March 2012 as **Professional Social Work Month** and call upon all citizens to join with the **National Association of Social Workers** and the City of Boyne City in celebration and support of the Social Work profession.

Signed by _____, on this Day of March 27, 2012.

Mayor Ron Grunch

CITY OF BOYNE CITY

To: Michael Cain, City Manager *Mc*
From: Cindy Grice, City Clerk/Treasurer *cg*
Date: March 23, 2012
Subject: Budget Process



At the budget work session on March 20, 2012, it was requested that I provide a schedule of the process of finalizing the FYE 2013 budget. Following is the proposed timeline based upon the budget schedule we have used this year.

- Wednesday, March 28, 2012 - The notice for the Budget Public Hearing and adoption of the Budget, including a summary of the General Appropriations and the millage rate requested to support the general operations appropriations will appear in the Boyne Gazette.
- Tuesday, April 10, 2012 Regular City Commission Meeting - The Public Hearing and consideration of adoption of 2012 / 2013 Budget and Annual Appropriations Ordinance takes place. Resolutions to adopt the proposed millage rate, and fee schedule will be presented.
- Wednesday, April 18, 2012 – The General Appropriations Act summary of the 2012 / 2013 budget will be published in the Boyne Gazette if adopted at the Tuesday, April 10, 2012 City Commission meeting.
- Tuesday, April 24, 2012 Regular City Commission Meeting – the City Commission will be presented final amendments to the FYE 2012 Budget for consideration and approval
- Tuesday, May 1, 2012 – The budget for FYE 2013 goes into effect.

If you have need further information or clarification on any of the items, please let me know.

CASH AND INVESTMENT ACCOUNTS

Fund	Description	Beginning Balance 02/01/2012	Total Debits	Total Credits	Ending Balance 02/29/2012
101	GENERAL FUND	1,674,319.93	150,837.60	135,911.95	1,689,245.58
202	MAJOR STREET FUND	29,792.71	23,264.05	28,976.18	24,080.58
203	LOCAL STREET FUND	(20,856.47)	12,246.46	41,153.31	(49,763.32)
209	CEMETERY FUND	(83.02)	1,025.00	1,768.85	(826.87)
210	AMBULANCE FUND	85.35	23,728.77	28,653.89	(4,839.77)
211	SPECIAL PROJECTS FUND	630.45	0.00	0.00	630.45
226	RUBBISH COLLECTION FUND	0.00	0.00	0.00	0.00
244	FIRE DEPARTMENT FUND	261,614.25	0.00	10,238.40	251,375.85
248	DOWNTOWN DEVELOPMENT AUTHORITY	250,237.50	50.00	11,773.75	238,513.75
251	LDFA FUND	905,388.27	0.00	18,598.98	886,789.29
285	MARINA FUND	154,494.28	516.39	1,419.17	153,591.50
295	AIRPORT FUND	27,692.17	2,698.04	1,812.94	28,577.27
401	VIBRANT SMALL CITIES INITIATIVE FUND	721,161.00	0.00	0.00	721,161.00
410	BOYNE SENIORS CENTER FUND	39.45	0.00	0.00	39.45
590	WASTEWATER FUND	1,477,900.03	97,822.45	481,273.52	1,094,448.96
592	WATER FUND	156,042.34	40,545.40	123,918.60	72,669.14
661	MOTOR POOL FUND	650,617.06	29,061.81	11,044.24	668,634.63
	TOTAL - ALL FUNDS	6,289,075.30	381,795.97	896,543.78	5,774,327.49

PERIOD ENDING 02/29/2012

ACCOUNT DESCRIPTION	2011-12 AMENDED BUDGET	END BALANCE 02/29/2012 (ABNORM NORMAL	ACTIVITY FOR MONTH 02/29/20 INCREASE (DECR	AVAILABLE BALANCE NORMAL (ABNORM	% BDGT USED
Fund 101 - GENERAL FUND					
Revenues					
031 REVENUES	2,708,367.00	2,511,769.80	8,033.21	196,597.20	92.74
032 REVENUES	264,055.00	212,956.66	0.00	51,098.34	80.65
033 REVENUES	137,000.00	110,000.00	11,000.00	27,000.00	80.29
034 REVENUES	139,500.00	53,547.42	14,398.10	85,952.58	38.39
035 REVENUES	9,700.00	7,768.10	722.10	1,931.90	80.08
036 REVENUES	364,998.00	192,474.83	86,612.07	172,523.17	52.73
TOTAL Revenues	3,623,620.00	3,088,516.81	120,765.48	535,103.19	85.23
Expenditures					
101 LEGISLATIVE	17,218.00	17,665.47	354.75	(447.47)	102.60
151 PLANNING	153,905.00	117,637.81	10,896.81	36,267.19	76.44
173 GENERAL SERVICES	520,606.00	418,409.70	36,569.50	102,196.30	80.37
191 ELECTIONS	3,500.00	1,340.58	58.61	2,159.42	38.30
208 ACCOUNTING/AUDIT	13,000.00	12,633.00	0.00	367.00	97.18
209 ASSESSMENT/TAXES	83,700.00	27,214.64	0.00	56,485.36	32.51
210 LEGAL	60,000.00	40,259.59	1,656.15	19,740.41	67.10
248 GENERAL/OTHER SERVICES	96,000.00	93,785.37	7,941.32	2,214.63	97.69
250 HOUSING	305,000.00	198,091.59	13,407.89	106,908.41	64.95
265 PUBLIC BUILDINGS	164,038.00	100,425.26	9,420.02	63,612.74	61.22
301 POLICE DEPARTMENT	645,257.00	494,664.33	31,502.33	150,592.67	76.66
706 ENVIRONMENTAL	1,200.00	1,000.00	0.00	200.00	83.33
751 PARKS & RECREATION	276,360.00	185,682.80	13,277.52	90,677.20	67.19
804 MUSEUM	2,742.00	2,535.99	374.29	206.01	92.49
809 SIDEWALKS	80,000.00	22,800.75	0.00	57,199.25	28.50
899 CONTINGENCY	63,499.00	50,496.14	0.00	13,002.86	79.52
965 TRANSFERS OUT	1,137,595.00	488,052.43	0.00	649,542.57	42.90
TOTAL Expenditures	3,623,620.00	2,272,695.45	125,459.19	1,350,924.55	62.72
Fund 101:					
TOTAL REVENUES	3,623,620.00	3,088,516.81	120,765.48	535,103.19	85.23
TOTAL EXPENDITURES	3,623,620.00	2,272,695.45	125,459.19	1,350,924.55	62.72
NET OF REVENUES & EXPENDITURES	0.00	815,821.36	(4,693.71)	(815,821.36)	100.00
Fund 202 - MAJOR STREET FUND					
Revenues					
030 REVENUES	579,887.00	224,786.70	23,264.05	355,100.30	38.76
TOTAL Revenues	579,887.00	224,786.70	23,264.05	355,100.30	38.76
Expenditures					
451 CONSTRUCTION	43,750.00	22,758.95	435.15	20,991.05	52.02
463 ROUTINE MAINTANCE	288,215.00	380,171.17	4,678.77	(91,956.17)	131.91
474 TRAFFIC SERVICE	40,930.00	18,821.49	644.09	22,108.51	45.98
478 WINTER MAINTENANCE	118,320.00	75,558.96	18,727.96	42,761.04	63.86
482 ADMINISTRATION	88,672.00	51,599.27	4,490.21	37,072.73	58.19
TOTAL Expenditures	579,887.00	548,909.84	28,976.18	30,977.16	94.66
Fund 202:					
TOTAL REVENUES	579,887.00	224,786.70	23,264.05	355,100.30	38.76
TOTAL EXPENDITURES	579,887.00	548,909.84	28,976.18	30,977.16	94.66
NET OF REVENUES & EXPENDITURES	0.00	(324,123.14)	(5,712.13)	324,123.14	100.00
Fund 203 - LOCAL STREET FUND					
Revenues					
030 REVENUES	1,201,337.00	520,253.37	12,244.65	681,083.63	43.31
TOTAL Revenues	1,201,337.00	520,253.37	12,244.65	681,083.63	43.31
Expenditures					
451 CONSTRUCTION	527,830.00	557,881.68	1,122.30	(30,051.68)	105.69
463 ROUTINE MAINTANCE	476,675.00	190,558.04	13,743.46	286,116.96	39.98
474 TRAFFIC SERVICE	25,880.00	4,675.58	975.22	21,204.42	18.07
478 WINTER MAINTENANCE	107,942.00	70,976.05	21,028.81	36,965.95	65.75
482 ADMINISTRATION	63,010.00	48,981.91	4,281.71	14,028.09	77.74

ACCOUNT DESCRIPTION	2011-12 AMENDED BUDGET	END BALANCE 02/29/2012 NORMAL (ABNORM)	ACTIVITY FOR MONTH 02/29/20 INCREASE (DECR)	AVAILABLE BALANCE NORMAL (ABNORM)	% BDGT USED
Fund 203 - LOCAL STREET FUND					
Expenditures					
TOTAL Expenditures	1,201,337.00	873,073.26	41,151.50	328,263.74	72.68
Fund 203:					
TOTAL REVENUES	1,201,337.00	520,253.37	12,244.65	681,083.63	43.31
TOTAL EXPENDITURES	1,201,337.00	873,073.26	41,151.50	328,263.74	72.68
NET OF REVENUES & EXPENDITURES	0.00	(352,819.89)	(28,906.85)	352,819.89	100.00
Fund 209 - CEMETERY FUND					
Revenues					
030 REVENUES	83,067.00	24,390.00	1,025.00	58,677.00	29.36
TOTAL Revenues	83,067.00	24,390.00	1,025.00	58,677.00	29.36
Expenditures					
040 EXPENDITURES	83,067.00	69,979.48	1,768.85	13,087.52	84.24
TOTAL Expenditures	83,067.00	69,979.48	1,768.85	13,087.52	84.24
Fund 209:					
TOTAL REVENUES	83,067.00	24,390.00	1,025.00	58,677.00	29.36
TOTAL EXPENDITURES	83,067.00	69,979.48	1,768.85	13,087.52	84.24
NET OF REVENUES & EXPENDITURES	0.00	(45,589.48)	(743.85)	45,589.48	100.00
Fund 210 - AMBULANCE FUND					
Revenues					
030 REVENUES	596,040.00	462,794.80	18,541.50	133,245.20	77.64
TOTAL Revenues	596,040.00	462,794.80	18,541.50	133,245.20	77.64
Expenditures					
040 EXPENDITURES	594,268.00	553,435.95	38,668.05	40,832.05	93.13
TOTAL Expenditures	594,268.00	553,435.95	38,668.05	40,832.05	93.13
Fund 210:					
TOTAL REVENUES	596,040.00	462,794.80	18,541.50	133,245.20	77.64
TOTAL EXPENDITURES	594,268.00	553,435.95	38,668.05	40,832.05	93.13
NET OF REVENUES & EXPENDITURES	1,772.00	(90,641.15)	(20,126.55)	92,413.15	(5,115.1)
Fund 211 - SPECIAL PROJECTS FUND					
Revenues					
030 REVENUES	60.00	180.00	0.00	(120.00)	300.00
TOTAL Revenues	60.00	180.00	0.00	(120.00)	300.00
Fund 211:					
TOTAL REVENUES	60.00	180.00	0.00	(120.00)	300.00
TOTAL EXPENDITURES	0.00	0.00	0.00	0.00	0.00
NET OF REVENUES & EXPENDITURES	60.00	180.00	0.00	(120.00)	300.00
Fund 226 - RUBBISH COLLECTION FUND					
Revenues					
030 REVENUES	29,000.00	25,574.06	0.00	3,425.94	88.19
TOTAL Revenues	29,000.00	25,574.06	0.00	3,425.94	88.19
Expenditures					
040 EXPENDITURES	29,000.00	25,574.06	0.00	3,425.94	88.19
TOTAL Expenditures	29,000.00	25,574.06	0.00	3,425.94	88.19

ACCOUNT DESCRIPTION	2011-12 AMENDED BUDGET	END BALANCE 02/29/2012 NORMAL (ABNORM)	ACTIVITY FOR MONTH 02/29/20 INCREASE (DECR)	AVAILABLE BALANCE NORMAL (ABNORM)	% BDGT USED
Fund 226 - RUBBISH COLLECTION FUND					
Fund 226:					
TOTAL REVENUES	29,000.00	25,574.06	0.00	3,425.94	88.19
TOTAL EXPENDITURES	29,000.00	25,574.06	0.00	3,425.94	88.19
NET OF REVENUES & EXPENDITURES	0.00	0.00	0.00	0.00	0.00
Fund 244 - FIRE DEPARTMENT FUND					
Revenues					
030 REVENUES	282,000.00	(24,500.51)	0.00	306,500.51	(8.69)
TOTAL Revenues	282,000.00	(24,500.51)	0.00	306,500.51	(8.69)
Expenditures					
040 EXPENDITURES	208,406.00	142,245.40	10,238.40	66,160.60	68.25
TOTAL Expenditures	208,406.00	142,245.40	10,238.40	66,160.60	68.25
Fund 244:					
TOTAL REVENUES	282,000.00	(24,500.51)	0.00	306,500.51	8.69
TOTAL EXPENDITURES	208,406.00	142,245.40	10,238.40	66,160.60	68.25
NET OF REVENUES & EXPENDITURES	73,594.00	(166,745.91)	(10,238.40)	240,339.91	(226.58)
Fund 248 - DOWNTOWN DEVELOPMENT AUTHORITY					
Revenues					
030 REVENUES	613,525.00	468,439.27	50.00	145,085.73	76.35
731 EXPENDITURES	0.00	50.00	0.00	(50.00)	100.00
TOTAL Revenues	613,525.00	468,489.27	50.00	145,035.73	76.36
Expenditures					
731 EXPENDITURES	535,766.00	243,971.49	11,773.75	291,794.51	45.54
TOTAL Expenditures	535,766.00	243,971.49	11,773.75	291,794.51	45.54
Fund 248:					
TOTAL REVENUES	613,525.00	468,489.27	50.00	145,035.73	76.36
TOTAL EXPENDITURES	535,766.00	243,971.49	11,773.75	291,794.51	45.54
NET OF REVENUES & EXPENDITURES	77,759.00	224,517.78	(11,723.75)	(146,758.78)	288.74
Fund 251 - LDFA FUND					
Revenues					
030 REVENUES	208,829.00	152,932.02	0.00	55,896.98	73.23
TOTAL Revenues	208,829.00	152,932.02	0.00	55,896.98	73.23
Expenditures					
040 EXPENDITURES	247,489.00	164,820.36	18,598.98	82,668.64	66.60
TOTAL Expenditures	247,489.00	164,820.36	18,598.98	82,668.64	66.60
Fund 251:					
TOTAL REVENUES	208,829.00	152,932.02	0.00	55,896.98	73.23
TOTAL EXPENDITURES	247,489.00	164,820.36	18,598.98	82,668.64	66.60
NET OF REVENUES & EXPENDITURES	(38,660.00)	(11,888.34)	(18,598.98)	(26,771.66)	30.75
Fund 285 - MARINA FUND					
Revenues					
030 REVENUES	108,800.00	90,097.34	424.55	18,702.66	82.81
TOTAL Revenues	108,800.00	90,097.34	424.55	18,702.66	82.81
Expenditures					
040 EXPENDITURES	105,600.00	99,282.38	1,352.33	6,317.62	94.02

PERIOD ENDING 02/29/2012

ACCOUNT DESCRIPTION	2011-12 AMENDED BUDGET	END BALANCE 02/29/2012 NORMAL (ABNORM)	ACTIVITY FOR MONTH 02/29/20 INCREASE (DECR)	AVAILABLE BALANCE NORMAL (ABNORM)	% BDGT USED
Fund 285 - MARINA FUND					
Expenditures					
TOTAL Expenditures	105,600.00	99,282.38	1,352.33	6,317.62	94.02
Fund 285:					
TOTAL REVENUES	108,800.00	90,097.34	424.55	18,702.66	82.81
TOTAL EXPENDITURES	105,600.00	99,282.38	1,352.33	6,317.62	94.02
NET OF REVENUES & EXPENDITURES	3,200.00	(9,185.04)	(927.78)	12,385.04	(287.03)
Fund 295 - AIRPORT FUND					
Revenues					
030 REVENUES	113,961.00	89,436.26	2,819.25	24,524.74	78.48
TOTAL Revenues	113,961.00	89,436.26	2,819.25	24,524.74	78.48
Expenditures					
040 EXPENDITURES	123,450.00	26,791.43	1,812.94	96,658.57	21.70
TOTAL Expenditures	123,450.00	26,791.43	1,812.94	96,658.57	21.70
Fund 295:					
TOTAL REVENUES	113,961.00	89,436.26	2,819.25	24,524.74	78.48
TOTAL EXPENDITURES	123,450.00	26,791.43	1,812.94	96,658.57	21.70
NET OF REVENUES & EXPENDITURES	(9,489.00)	62,644.83	1,006.31	(72,133.83)	(660.18)
Fund 410 - BOYNE SENIORS CENTER FUND					
Expenditures					
040 EXPENDITURES	0.00	171.28	0.00	(171.28)	100.00
TOTAL Expenditures	0.00	171.28	0.00	(171.28)	100.00
Fund 410:					
TOTAL REVENUES	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES	0.00	171.28	0.00	(171.28)	100.00
NET OF REVENUES & EXPENDITURES	0.00	(171.28)	0.00	171.28	100.00
Fund 590 - WASTEWATER FUND					
Revenues					
030 REVENUES	1,133,520.00	643,416.01	80,893.03	490,103.99	56.76
TOTAL Revenues	1,133,520.00	643,416.01	80,893.03	490,103.99	56.76
Expenditures					
590 EXPENDITURES	1,239,491.00	1,087,218.99	481,051.27	152,272.01	87.71
TOTAL Expenditures	1,239,491.00	1,087,218.99	481,051.27	152,272.01	87.71
Fund 590:					
TOTAL REVENUES	1,133,520.00	643,416.01	80,893.03	490,103.99	56.76
TOTAL EXPENDITURES	1,239,491.00	1,087,218.99	481,051.27	152,272.01	87.71
NET OF REVENUES & EXPENDITURES	(105,971.00)	(443,802.98)	(400,158.24)	337,831.98	418.80
Fund 592 - WATER FUND					
Revenues					
030 REVENUES	0.00	(196.51)	0.00	196.51	100.00
032 REVENUES	572,700.00	674,733.02	52,759.86	(102,033.02)	117.82
TOTAL Revenues	572,700.00	674,536.51	52,759.86	(101,836.51)	117.78
Expenditures					
592 EXPENDITURES	483,875.00	774,809.30	123,448.17	(290,934.30)	160.13

ACCOUNT DESCRIPTION	2011-12 AMENDED BUDGET	END BALANCE 02/29/2012 NORMAL (ABNORM)	ACTIVITY FOR MONTH 02/29/20 INCREASE (DECR)	AVAILABLE BALANCE NORMAL (ABNORM)	% BDGT USED
Fund 592 - WATER FUND					
Expenditures					
TOTAL Expenditures	483,875.00	774,809.30	123,448.17	(290,934.30)	160.13
Fund 592:					
TOTAL REVENUES	572,700.00	674,536.51	52,759.86	(101,836.51)	117.78
TOTAL EXPENDITURES	483,875.00	774,809.30	123,448.17	(290,934.30)	160.13
NET OF REVENUES & EXPENDITURES	88,825.00	(100,272.79)	(70,688.31)	189,097.79	(112.89)
Fund 661 - MOTOR POOL FUND					
Revenues					
030 REVENUES	350,050.00	254,469.65	29,061.81	95,580.35	72.70
TOTAL Revenues	350,050.00	254,469.65	29,061.81	95,580.35	72.70
Expenditures					
040 EXPENDITURES	465,149.00	210,002.71	11,044.24	255,146.29	45.15
TOTAL Expenditures	465,149.00	210,002.71	11,044.24	255,146.29	45.15
Fund 661:					
TOTAL REVENUES	350,050.00	254,469.65	29,061.81	95,580.35	72.70
TOTAL EXPENDITURES	465,149.00	210,002.71	11,044.24	255,146.29	45.15
NET OF REVENUES & EXPENDITURES	(115,099.00)	44,466.94	18,017.57	(159,565.94)	(38.63)
TOTAL REVENUES - ALL FUNDS	9,496,396.00	6,695,372.29	341,849.18	2,801,023.71	70.50
TOTAL EXPENDITURES - ALL FUNDS	9,520,405.00	7,092,981.38	895,343.85	2,427,423.62	74.50
NET OF REVENUES & EXPENDITURES	(24,009.00)	(397,609.09)	(553,494.67)	373,600.09	1,656.08

CITY OF BOYNE CITY

To: Michael Cain, City Manager *Mc*
From: Scott McPherson, Planning Director *SM*
Date: March 27, 2012
Subject: Proposed Ordinance Amendments to Allow Chickens



Background

In the fall of 2011 several City residents approached the planning commission requesting the commission consider amending the zoning ordinance to allow people to keep chickens in residential areas. After considering the request and reviewing relevant ordinance the planning commission directed staff to develop draft ordinance amendment that would allow people to keep chickens in residential areas. Model ordinances were reviewed by the planning commission and it was determined by the planning commission that an amendment to the zoning ordinance to allow chickens in the Traditional Residential District and the Rural Estate District would be the preferred option. An amendment to section 6 of the Animal Ordinance would also be required to add a clause to exempt the keeping of animals as allowed by ordinance from being unlawful. Some specifics of the proposed amendments would allow keeping up to 4 chickens, no roosters are allowed and coops must be at least 10 feet from adjacent property lines. The proposed amendments would add Section I to Article III and Section H to Article IV of the zoning ordinance and add an exclusion clause in Section 6 of the City Animal ordinance.

Process

In accordance with the Michigan Zoning Enabling Act and the Boyne City Zoning Ordinance Section 2.40 Amendment Procedures, a public hearing was held by the Planning Commission on March 19, 2012, and after reviewing the Amendment Criteria as required by the Boyne City Zoning Ordinance Section 2.50 (A), the Planning Commission recommended approval of the proposed amendment. The proposed amendment is being presented to the City Commission for a first reading. As required by the Boyne City Charter, ordinance amendments cannot be adopted until at least one month after the meeting it is introduced. The next available City Commission meeting that meets this requirement would be May 8, 2012. The City Commission has the following options:

1. Schedule a second reading for May 8th 2012 or later.
2. Send the proposed amendments back to the Planning Commission for further consideration.
3. Take no action.

Recommendation

Review proposed amendment and schedule a second reading for May 8th 2012.

ARTICLE I. - IN GENERAL

Sec. 6-1.- Keeping, allowing to run at large unlawful; exceptions.

(a) It shall be unlawful for any person, firm, or corporation, to keep or confine in any building, barn, shed, or fenced enclosure, horses, ponies, burros, hogs, cattle, sheep, or any other animal or fowl within the city limits, *except as provided by this or other city ordinance*, nor shall it be lawful to allow such animals or fowl to run at large within the city.

(b) The provisions of this section shall not be construed or interpreted as applying to the keeping of any cat, dog, canary, parakeet or similar pet or bird normally kept as a pet within any dwelling house or place of business within the city.

(c) It shall be unlawful for any person to permit to pass through or on any of the streets of the city any animal unless the same is securely tied and led or driven.

(Comp. Ords. 1986, §§ 35.151, 35.154, 35.254)

Sec. 6-2.- Fowl running at large.

It shall be unlawful for any person to allow any fowl to run at large within the corporate limits of this city so that the property or crops of any person is damaged or destroyed.

(Comp. Ords. 1986, § 35.255)

Sec. 6-3.- Dead animals.

When any dumb animal shall die within the limits of the city, the owner or person in possession of it, shall within six hours thereafter, cause the carcass to be removed beyond the city limits and buried. A person who violates this section is responsible for a municipal civil infraction.

(Comp. Ords. 1986, § 35.003)

Sec. 6-4.- Pets in parks.

(a) It shall be the duty of the dog warden to report violations of this section to the police department of the city, and the police department shall then be charged with the duty of enforcing said section.

(b) It shall be unlawful for any person, firm or corporation owning or possessing or having charge of any dog or pet to bring such dog or pet or allow the dog or pet to be present in any city public park unless the dog or pet is kept on a leash, not over eight feet in length, and under the immediate control of a responsible person. The owner or person having charge of the pet shall clean up after their pet and dispose of feces in an appropriate manner. Dogs and other pets are not allowed in park buildings or shelters, inside the playing fence on any public ball field, or at any public swimming beaches.

PART II - CODE OF ORDINANCES
Chapter 6 - ANIMALS
ARTICLE I. - IN GENERAL

(c) Except or provided in section 502c of the Michigan Penal Code (MCL 750.502c), dogs and other pets, except those who are a part of the events or exhibitions, are not permitted in the cited public park on the days or evenings when all special events and festival are held, such as: Memorial Day Services; Fourth of July (Old City, and Veteran's Memorial Parks); Antique Auto Show (Sunset and Veteran's Memorial Park); Muscle Car Show (Veteran's Memorial Park); Red Fox Regatta (Veteran's Memorial Park); Evenings at the Gazebo (Old City Park); Fall Harvest Festival (Veteran's Memorial Park); and Morel Mushroom Festival (Veteran's Memorial Park). The city manager may authorize the ban of dogs and other pets from additional events or from other parks by prior written order. The city manager may authorize exemptions by written order in special cases for unique circumstances.

(Comp. Ords. 1986, § 35.413)

Secs. 6-5—6-24.- Reserved.

ARTICLE III RURAL ESTATE DISTRICT (RED)

Section 3.10 Purpose.

The purpose of this residential district is to provide a pleasant and attractive living environment which is consistent with the existing development, respects the unique natural environment, and is compatible with the land needs of on-site wells and septic systems. The intended character and nature of this district is a rural estate without municipal water and sanitary sewer service, with lot sizes of sufficient size as to not require such service. The Rural Estate District (RED) is intended to be a setting for a predominance of low-density and large-lot housing, typically in transitional locations between more intense urban development and rural or open lands.

Section 3.20 Principal Permitted Uses.

No building or land shall be used and no building shall be erected except for one (1) or more of the following specified uses, unless otherwise provided in this Ordinance:

- A. Single family detached dwellings.
- B. Municipal parks, playgrounds, and recreation centers.
- C. Residential cluster housing developments, i.e., houses on smaller building sites but consistent with overall parcel density limits
- D. Agriculture uses on five (5) acres or more in area.
- E. Home occupations in which customers or patrons do not visit the site for the delivery of goods and/or services.
- F. Adult foster care family homes, provided, this subsection shall not apply to adult foster care facilities, licensed by a state agency, for the care and treatment of persons released from or assigned to adult correctional institutions.
- G. Family day care homes.
- H. Accessory structures and uses customarily incidental to the above permitted uses.
- I. *The keeping of four (4) hens per parcel provided that:*
 - 1. *No person shall keep any rooster*
 - 2. *No person shall slaughter or dress chickens outdoors*

3. *Chickens shall be provided with a covered enclosure and/or a fenced enclosure in the rear yard.*
4. *All covered enclosures shall be kept a minimum of ten (10) feet from the rear and side lot line.*
5. *Covered enclosures shall be so constructed or repaired as to prevent rats, mice, or other rodents from being harbored underneath, within, or within the walls of the enclosure.*
6. *All feed and other items associated with the keeping of chickens are to be stored as to not attract rodents.*
7. *Hens and their enclosures must be kept in a neat, clean and sanitary condition from offensive odors, excessive noise, or other condition that would constitute a nuisance.*

Section 3.30 Conditional Uses.

The following uses shall be considered conditional and shall require a conditional use approval, and shall comply with any applicable conditional use requirements of Article XXV:

- A. Private recreation areas, uses and facilities including country clubs, marinas, golf courses and swimming pools subject to the following:
 1. No building shall be located within one-hundred (100) feet of a dwelling.
 2. Facilities such as licensed restaurants and bars may be permitted when occupying an integral part of the main structure, provided there is no exterior display or advertising of said facilities.
 3. Golf fairways, swimming pools, tennis courts, boat docks, and similar uses shall be located not less than thirty-five (35) feet from any property line.
 4. Access shall be directly from and onto a major thoroughfare or regional arterial, and not through a residential neighborhood.
- B. Public utility transformer stations, substations and gas regulator stations without service or storage yards shall comply with the requirements of this Ordinance and shall be subject to the following: a front yard setback of not less than fifty (50) feet shall be provided (irrespective of the yard requirement of the district in which it is located) and two (2) side yards and a rear yard shall be provided, each shall not be less than twenty-five (25) feet in width. The previously mentioned conditional uses shall be landscaped with a buffer of plant materials that effectively screens the view of the use from property used for residences, public walkways and rights-of-way. The standard buffer shall consist of a landscaped strip at least

six (6) feet wide outside the perimeter of the compound. The buffer shall contain a variety of species of plants.

- C. Cemeteries, provided that no buildings or structures shall be located nearer than two-hundred (200) feet to the boundary line of any adjacent parcel, and that access shall be directly from and onto a major thoroughfare or regional arterial, and not through a residential neighborhood.
- D. Churches, synagogues and temples.
- E. Home occupations in which customers or patrons visit the site for the delivery of goods and/or services.
- F. Plant nurseries and greenhouses.
- G. The raising and keeping of fowl, cows, and/or rabbits on areas of five (5) acres or less for owner's use and consumption only, with a maximum of one-hundred (100) animal units.
- H. Private stables for the keeping of horses and ponies for private use.
- I. One (1) roadside stand solely for the sale of produce grown on the land used for agricultural purposes, provided adequate vehicular access and off-street parking is provided as determined by the Planning Commission.
- J. The raising of fur bearing animals, animals for medical experimentation, dog kennels, veterinary clinics and riding stables, excluding concentrated animal feeding operations (CAFO's), on an area with a minimum of ten (10) acres but not more than twenty-five (25) acres in area only, with a maximum of ten (10) animal units.
- K. Funeral homes. (amended: October 24, 2007)

Section 3.40 Development Requirements.

The following requirements shall be met within a Rural Estate District (RED).

- A. Development plan approval as specified in Article XIX of this Ordinance, except single family dwellings and home occupations as a principal permitted use.
- B. Off-street parking, loading, and access management standards for all uses as specified in Article XXIV of this Ordinance.
- C. Signs for all uses as specified in the Boyne City Sign Ordinance.
- D. Height, area, lot coverage and yard regulations as specified in Article XX of this Ordinance.
- E. Landscaping requirements as specified in Article XXIII of this Ordinance.

- F. Design, architectural, and building material standards as specified in Article XXII of this Ordinance.
- G. Provisions relating to all zoning districts (as applicable in each separate case) as specified in Article XXI of this Ordinance.

ARTICLE IV TRADITIONAL RESIDENTIAL DISTRICT (TRD)

Section 4.10 Purpose.

The purpose of this district is to provide a pleasant and attractive residential living environment of a medium density, primarily on previously platted residential lots and served with community water and sanitary sewer facilities, characterized by compact, concentrated development patterns. It is the further intent of this district to provide for such uses as schools, churches, libraries, parks, playgrounds, and other public and semi-public uses, along with certain home occupations and offices, accessory apartments, and others, to coexist on a limited and structured basis along side and with residential uses.

Section 4.20 Principal Permitted Uses.

No building or land shall be used and no building shall be erected except for one (1) or more of the following specified uses, unless otherwise provided in this Ordinance.

- A. Single family detached dwellings.
- B. Public, parochial and private schools including nursery schools; churches, temples, and similar places of worship with a maximum capacity of five-hundred (500) worshippers; libraries; and community buildings.
- C. Municipal parks, playgrounds, and recreation centers.
- D. Adult foster care family homes, provided, this subsection shall not apply to adult foster care facilities, licensed by a state agency, for the care and treatment of persons released from or assigned to adult correctional institutions.
- E. Home occupations in which customers or patrons do not visit the site for the delivery of goods and/or services.
- F. Family day care homes.
- G. Accessory structures and uses customarily incidental to the above permitted uses.
- H. *The keeping of four (4) hens per parcel provided that:*
 - 1. *No person shall keep any rooster*
 - 2. *No person shall slaughter or dress chickens outdoors*
 - 3. *Chickens shall be provided with a covered enclosure and/or a fenced enclosure in the rear yard.*

4. *All covered enclosures shall be kept a minimum of ten (10) feet from the rear and side lot line.*
5. *Covered enclosures shall be so constructed or repaired as to prevent rats, mice, or other rodents from being harbored underneath, within, or within the walls of the enclosure.*
6. *All feed and other items associated with the keeping of chickens are to be stored as to not attract rodents.*
7. *Hens and their enclosures must be kept in a neat, clean and sanitary condition from offensive odors, excessive noise, or other condition that would constitute a nuisance.*

Section 4.30 Conditional Uses.

The following uses shall be considered conditional and shall require conditional use approval, and shall comply with any applicable conditional use requirements of Article XXV:

- A. Attached or detached accessory apartments, provided the site contains an owner occupied single family dwelling, limited to one (1) accessory apartment per site. Accessory apartments can be attached to either a single family dwelling or a detached garage. Detached accessory apartments shall have a minimum side yard and rear yard setback of ten (10) feet. Off-street parking shall be in accordance with D.1.a of this subsection.
- B. Private recreation areas, uses and facilities including, marinas, and swimming pools subject to the following:
 1. No building shall be located within one-hundred (100) feet of a dwelling.
 2. Facilities such as licensed restaurants and bars may be permitted when occupying an integral part of the main structure, provided there is no exterior display or advertising of said facilities.
 3. Swimming pools, tennis courts, boat docks, and similar uses shall be located not less than thirty-five (35) feet from any property line.
- C. Home occupations in which customers or patrons visit the site for the delivery of goods and/or services.
- D. Two-family dwellings.
 1. Criteria for granting conditional uses for two-family dwellings in a Traditional Residential District (TRD).

- a. A parking area shall be provided for the occupant of both units which shall be hard surfaced, preferably asphalt, brick or concrete, and shall have at least two (2) parking spaces for each dwelling unit (not less than four (4) spaces).
 - b. The applicant shall submit a site plan (drawn to scale and indicating the setbacks) and a floor plan of both units showing the present use and the proposed use of each room in the structure. Any permit granted allowing the conditional use shall designate the number of bedrooms allowed in each unit and such number shall not thereafter be increased.
 - c. The size and architecture shall be in harmony with the existing neighborhood in which it is located and will not be detrimental to the future orderly development of the nearby properties.
 - d. Any refuse and garbage collection area or devices shall comply with 35.052, Section 2, Containers, of the City of Boyne City General Ordinances.
 - e. The applicant shall compile a list and provide a map of existing duplex units, multiple family units, rooming houses, and care facilities within three-hundred (300) feet of the proposed structure. The Planning Commission shall be entitled to consider the density of such units and limit the density within that area.
- E. Public utility transformer stations, substations and gas regulator stations without service or storage yards shall comply with the requirements of this Ordinance and shall be subject to the following: a front yard setback of not less than fifty (50) feet shall be provided (irrespective of the yard requirement of the district in which it is located) and two (2) side yards and a rear yard shall be provided, each shall not be less than twenty-five (25) feet in width. The previously mentioned conditional uses shall be landscaped with a buffer of plant materials that effectively screens the view of the use from property used for residences, public walkways, and rights-of-way. The standard buffer shall consist of a landscaped strip at least six feet (6) feet wide outside the perimeter of the compound. The buffer shall contain a variety of species of plants.
- F. Funeral homes. (amended: October 24, 2007)

Section 4.40 Development Requirements.

A. Building Design.

- 1. All exterior walls of a building that are greater than six (6) feet in length shall be constructed parallel to or at right angles to the side lot lines of the lot whenever the lot is rectilinear in shape.

2. The primary entrance to a dwelling shall be located along the front wall of the building, unless otherwise required for barrier-free access. Such entrance shall include an architectural feature such as a porch, landing or portico.
 3. Accessory buildings and attached garages shall have a front yard setback that is at least ten (10) feet greater than the front setback of the principal building that is located on the front portion of the lot.
 4. A rooftop or second floor addition shall not overhang the lower front or side exterior walls of the existing building. This requirement shall not exclude recessed dormers or entranceways.
 5. In the event that a new dwelling is proposed to be constructed on the rear portion of a lot which has frontage on two (2) streets and an alley, the front of such new dwelling shall face the street on which the dwelling is addressed.
 6. The minimum pitch of the roof of any building shall be five to twelve (5:12) and the maximum pitch of the roof of any building shall be twelve to twelve (12:12), except that additions to existing dwelling units may be constructed with a pitch that matches any roof pitch of the existing dwelling unit. Additionally, the roof pitch of a dormer, turret or similar architectural feature may not exceed twenty-four to twelve (24:12) and the roof pitch of a covered porch may be flat whenever the roof of such a porch is also considered to be the floor of a second story deck.
- B. Landscape / Hardscape Material. A maximum of forty percent (40%) of the front yard of a lot may be covered with inorganic material such as asphalt or cement concrete, paving stone, flagstone, rock or gravel.
- C. Access. Whenever a lot has frontage along an alley, any new off-street parking area located on such lot must obtain access from such adjoining alley; provided, however, that such alley access shall not be required when a new detached garage is proposed to be accessed from an existing driveway that has a curb cut along a public street, or when alley access is determined by the Street Superintendent to be a hazard to persons or vehicles.
- D. Site Design. Permanent, open, off-street parking areas for all permitted principal uses, other than single-family dwellings, shall not be located any closer to a public street right-of-way than the distance by which the principal building is set back from the street right-of-way. This provision shall not be construed to preclude temporary parking in driveways.
- E. Additional Requirements. The following requirements, unless superseded by the standards of this Article, shall be met within a Traditional Residential District (TRD).
1. Development plan approval as specified in Article XIX of this Ordinance, except single family dwellings used and home occupations as a principal permitted use.

2. Off-street parking, loading, and access management standards for all uses as specified in Article XXIV of this Ordinance.
3. Signs for all uses as specified in the Boyne City Sign Ordinance.
4. Height, area, lot coverage and yard regulations as specified in Article XX of this Ordinance.
5. Landscaping requirements as specified in Article XXIII of this Ordinance.
6. Design, architectural, and building material standards as specified in Article XXII of this Ordinance.
7. Provisions relating to all zoning districts (as applicable in each separate case) as specified in Article XXI of this Ordinance.



City of Boyne City

MEMO

Agenda Item 9B

Date: March 23, 2012

To: Mayor Grunch and the Boyne City City Commission

From: Michael Cain, City Manager 

Subject: Boyne City Housing Commission (BCHC) HUD Agreement

Attached for the City Commission's review and consideration is an email we received today from Interim BCHC Executive Director along with a proposed Recovery Agreement and draft Action Plan as proposed by the US Department of Housing and Urban Development (HUD).

For some time now HUD has been working with the BCHC to improve its operations, primarily its procedural and financial operations. First and foremost from all accounts the facilities that the BCHC oversees (Litzenburg Place, Deer Meadows and numerous housing units in the City and surrounding area) are all very well maintained and good places to live. However, HUD has conducted several reviews over the past few years and determined that the BCHC, until recently, was not functioning in accordance with its policies and procedures. HUD, working with the BCHC, feels that good progress has been made on resolving the outstanding issues and is looking to formalize its understandings with the BCHC, and the City as its originating and appointing body to insure that progress continues to be made and any outstanding issues are resolved in a timely manner. The BCHC is referenced starting in section 2-230 of the City's Code of ordinances.

In the last 18 months or so HUD has been keeping the City updated on the outstanding issues and the progress in resolving them. During that time there have been significant changes in both the staff and governing body of the BCHC. It is my firm belief that these changes, and the actions of the BCHC that have taken place since, and the seriousness with which the City supported necessary changes, are large factors in the progress HUD has seen and gives them encouragement that the necessary steps still remaining will be completed. While HUD desires the BCHC to resolve its own issues with minimum intervention from the City, if the need arises and the BCHC is either unable or unwilling to handle the matters before it, HUD would then call upon the City to intercede and help do what needs to be done. This understanding is one of the reasons HUD would like us to be a party to the proposed Recovery Agreement.

At their regular meeting last night the BCHC approved the attached resolution regarding the proposed HUD documents. They are now before us for our consideration. Prior to coming before you, I forwarded both documents on this matter to our City's Attorney's office where they were reviewed by attorney Laura Dinon, who is familiar with issues related to the BCHC. She found no requirements in the proposed documents that would expand the City's responsibilities beyond those currently provided for.

It is my understanding that representatives of the BCHC's staff and governing body will be present at today's meeting to answer any questions you may have on this matter.

RECOMMENDATION: That the City Commission review the proposed Recovery Agreement and draft Action Plan from the US Department of Housing and Urban Development, approve entering into the Recovery Agreement and authorize the City Manager to sign it subject to the parties finalizing an acceptable Action Plan.

Options:

- Postpone the matter for further information or consideration.
- Do not approve or authorize the execution of the Recovery Agreement.
- Other options as determined by the City Commission.

Michael Cain

From: Brenda Thompson [brenda@boynecityhc.com]

Sent: Friday, March 23, 2012 11:44 AM

To: Michael Cain

Subject: Recovery Agreement

City Commissioners and Mike Cain,

We have received a Recovery Agreement from HUD and they have required the City Manager to sign it. The Action Plan that will accompany it is the responsibility of the Housing Commission. The reason HUD requires the City Manager to sign is that he is the appointing officer for the Board of BCHC and as such assumes some responsibility for the quality of the Board. We would appreciate it if you would concur that your City Manager sign and return the document to us as soon as possible so it may be forwarded to HUD. Thank you, Brenda Thompson, Interim Executive Director of BCHC

BOYNE CITY HOUSING COMMISSION
RESOLUTION 2012 – 06
APPROVAL OF SIGNING RECOVERY AGREEMENT

Motion by: Chuck Vondra

Second by: Gerry Ketta

Whereas, U.S. Housing Act 266 of 1937, as amended, 42 U.S.C., the United States Department of Housing and Urban Development is responsible for administering low income housing programs and pursuant to the Act, HUD must evaluate public housing performance ;

Whereas, HUD and the Boyne City Housing Commission have entered into an Annual Contributions Contract ("ACC") and the parties desire to correct all HUD-identified deficiencies;

Now therefore, be it resolved, the Boyne City Housing Commission Board of Commissioners hereby approves Resolution 2012-06, the signing of Recovery Agreement, with the intention to develop an action plan and a sustainable sound fiscal management and good governance:

Roll Call Vote:

Yeas

Nays

Absent

Graham F. Nuccio

Gerry Ketta

Chuck Vondra

Yvonne Looze, President

Date 3-22-12

Brenda Thompson
Brenda Thompson, Interim Director

Date 3-22-2012

Recovery Agreement between
Boyne City Housing Commission
And
the United States Department of Housing and Urban Development
And
Boyne City, Michigan

This Recovery Agreement is entered into between the Boyne City Housing Commission (“BCHC”), the UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (“HUD”) and the Boyne City, Michigan (“Boyne City”) as of this ___ day of _____, 2012.

RECITALS

WHEREAS, under the United States Housing Act of 1937, as amended, (“Act”), 42 U.S.C. § 1437 *et seq.*, the United States Department of Housing and Urban Development (“HUD”) is responsible for administering low income housing programs, and pursuant to the Act, HUD has entered into an Annual Contributions Contract (“ACC”) with the BCHC to develop and operate public housing projects of Boyne City; and

WHEREAS, pursuant to the Act, HUD must evaluate public housing performance and has instituted the Public Housing Assessment System (“PHAS”); and

WHEREAS, on the basis of an annual PHAS score, the BCHC has been designated Troubled or Substandard for financial, physical and/or management indicators, or other such deficiencies as HUD has identified; and

WHEREAS, the Act requires HUD to enter into agreements that establish performance targets, set out strategies for meeting targets, provide for incentives and sanctions for effective implementation of the strategies leading to recovery of performance and attain an improved status of at least a Standard Performer; and

WHEREAS, the recovery of performance is intended to lead to a sustainable sound fiscal management and good governance; and

WHEREAS, the parties desire to correct all HUD-identified deficiencies through the implementation of this Recovery Agreement, (“Agreement”);

NOW THEREFORE, in consideration of the mutual covenants and agreements herein contained, HUD, the BCHC and Boyne City agree as follows:

- I. The BCHC agrees to achieve the outcomes outlined in the Action Plan and incorporated into this Agreement as Exhibit A.
- II. The BCHC and Boyne City agree to work together to develop and implement a Sustainability Plan if necessary to achieve recovery.

- a. Consolidation;
 - b. Consortia/Joint Venture;
 - c. Contraction of Operational Activities;
 - d. Cooperative Endeavor Agreement;
 - e. Debarment;
 - f. Deliver possession and control of project(s) to HUD;
 - g. Limited Denial of Participation;
 - h. Receivership; and/or
 - i. Suspension.
- XII. The parties by mutual written agreement may agree to extend the timeframes set forth in the Action Plan from time to time. In the event said timeframes are extended, HUD agrees that it will not take any of the actions against the BCHC as set forth in this section of the Agreement for noncompliance with original timeframes.
- XIII. Communication related to the Recovery Agreement and Action Plan shall be provided to the Public Housing Director and the HUD Recovery Team leader, if applicable.
- XIV. HUD, the BCHC and their employees, subcontractors, partners or assigns, and Boyne City shall comply with all applicable federal, state, and local laws and regulations relating to the performance of this Agreement to which their activities are subject.
- XV. Notwithstanding any provisions of this Agreement to the contrary, the parties shall not be held liable for any failure or delay in the performance of this Agreement that arises from fires, floods, strikes, embargoes, acts of the public enemy, unusually severe weather, outbreak of war, riots, civil commotion, force majeure, acts of God, or for any other cause of same character which is unavoidable through the exercise of due care and beyond the control of the parties, provided that said failure or delay in the performance of this Agreement attributed to any of the events described herein is acknowledged in writing by HUD. Upon the issuance of HUD's written acknowledgement, the failure to perform shall be deemed excused during the continuance of such circumstances as determined by HUD, but this Agreement shall otherwise remain in effect.
- XVI. In the event of any conflict between terms in this Agreement, including all exhibits, attachments and all other documents specifically incorporated by reference, and HUD's applicable Public Housing requirements including, but not limited to, the Act, HUD regulations there under (and, to the extent applicable, any HUD-approved waivers of regulatory requirements), the ACC, HUD notices, the HUD-approved Declaration of Trust or Declaration of Restrictive Covenants in favor of HUD, and all applicable Federal statutory, executive order and regulatory requirements, as those requirements may be amended from time to time, the applicable Public Housing requirements shall prevail. HUD reserves the right to resolve any conflict.

XXIV. Boyne City, through its Appointing Authority, acknowledges the importance of effective governance as part of the recovery and sustainability of the BCHC. As a signatory of this Agreement, Boyne City commits to oversee and monitor its duly appointed agents, the appointees to the BCHC Governing Board, in the discharge of their duties. Upon the discovery of any failure of the BCHC Board to discharge its duties under this Agreement, Boyne City will take all necessary steps to correct the Board's actions or omissions and ensure compliance with the terms of this Agreement.

IN WITNESS WHEREOF, the parties or their duly authorized representatives hereby execute this Agreement on the date first written above.

UNITED STATES DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT

By: _____
Willie C.H. Garrett
Public Housing Director
Detroit Field Office

<PHA Name>
ATTEST: BY ITS BOARD OF
COMMISSIONERS

By: _____
<Board Chair Name>
Board Chair
<PHA Name>

By: _____
<Executive Director Name>
Executive Director
<PHA Name>

By: _____
<Appointing Official Name>
<Appointing Official Title>
<Local Governing Entity Name>

Item No.	Results and Determinations from Assessment	Desired Outcome	Measures to Achieve Outcomes	Target Accomplishment Date	Actual Accomplishment Date	Remedies	Comments /Accomplishments
1	The Board does not have sufficient knowledge of the Housing Commission's programs, finances, and activities	Fully functioning Board of Commissioners providing knowledge, experience and leadership for BCHC to reach a minimum Standard Performer status under PHAS	a) Board assesses its knowledge, skills, and abilities b) Board creates and implements a sustainable improvement plan complete with training component c) Requires and analyzes PHAS status by indicator at each Board meeting			i. Board assesses its knowledge, skills, and abilities ("KSAs") ii. Board creates sustainable improvement plan iii.	
2	The Board does not provide sufficient oversight of the Housing Commission's financial actions	The Board provides adequate oversight of the Housing Commission's financial actions as evidenced, in part, by a minimum passing FASS score and a PHAS standard Performer designation/score	a) Board identifies Members to "specialize" in reviewing financial reports and providing feedback about finances to the balance of the Board b) meaningful financial reports, with an emphasis on FASS and cash flow, are provided to the Board at least 10 days prior to the monthly meeting c) the Board reviews the annual audit and tracks required correction of findings and management letter issues d) the Commission provides documentation that it is following its financial policies and procedures				
3	The Board does not provide sufficient oversight of the Executive Director	The Board provides adequate oversight of the Executive Director as evidenced by, in part, by a minimum PHAS standard Performer designation/score	The Board creates performance standards for the Executive Director position based, in part, on the specific and measurable components of PHAS, other real estate management practices, and management skills and conducts performance evaluations based on achievement of the standards. Excellent performance is rewarded and poor performance results in corrective action.				
4	The Executive Director did not provide sufficient oversight of the day-to-day activities of the Housing Commission	Fully functioning Executive Director providing knowledge, experience and leadership for BCHC to reach a minimum Standard Performer designation/score under PHAS	a) Ensure the Executive Director has working knowledge of public housing programs, executive roles and responsibilities, demonstrated public administration and management skills b) Create performance standards for all staff based, in part, on the specific and measurable components of PHAS and conduct performance evaluations based on achievement of the standards; excellent performance is rewarded and poor performance results in corrective action c) achievement of a minimum standard PHAS designation d) Board review of Personnel Policy to determine appropriate adjustments to same, including ensuring that required actions are affordable to the agency (e.g., automatic generous severance packages) e) Shift Commission's focus to actions with significant impact on the Commission's implementation of programs (e.g., focus on improving occupancy rates, thus housing more families and increasing cash flow)				

Item No.	Results and Determinations from Assessment	Desired Outcome	Measures to Achieve Outcomes	Target Accomplishment Date	Actual Accomplishment Date	Remedies	Comments /Accomplishments
5	The Housing Commission's MASS score is substandard	The Housing Commission achieves and maintains a minimum 93% occupancy rate as well as a MASS Standard Performer designation	The Housing Commission creates and implements a cogent and comprehensive vacancy reduction program and ensures funds are appropriately budgeted to support the plan				
6	The Housing Commission does not effectively plan its operations or properly utilize its Federal funding as evidenced by the a) lack of an efficient Agency Plan process; b) lack of effective operating budgets; c) lack of procurement plan; , et cetera	The Housing Commission effectively creates, executes, and maintains plans, policies, and procedures that result in: functional operating and capital budgets; proper utilization of federal, nonfederal and insurance funds and proceeds; compliant procurement operations and contract administration; increases the number of residents living in safe, sanitary, and decent housing units in well-maintained developments	a) Agency Plan process is conducted and completed resulting in a viable plan to address the immediate, short and long term planning needs of the Commission, including an updated and compliant ACOP b) Capital Funds and Operating Budgets properly reflect eligible expenditures in the proper budget line items and are drawn from eLOCCS in accordance with HUD-approved budgets and documentation supports the eligible expenses c) the approved CFF and Operating Budget activities are properly reflected in the procurement plan, actual procurement activities and contracts are properly administered d) Board carefully reviews all budgets and financial reports/actions prior to approving. e) all units that are habitable are inhabited, and f) Board review of Personnel Policy to determine appropriate adjustments to same, including ensuring that required actions are affordable to the agency (e.g., automatic generous severance packages)				
7	The Housing Commission does not properly administer its contracts, including – but not limited to – contracts for management services and construction projects	The Housing Commission effectively creates, executes, and maintains plans, policies, and procedures that result in a functional and compliant procurement operation and contract administration process	a) A procurement plan is created and instituted with procurement policy and procedures compliant with federal, local, and state regulations b) Board and staff trained in procurement roles, responsibilities c) institutionalize contract administration process d) create and present procurement reports to the Board				
AWARD CONTRACTS							
8	The Housing Commission lacks effective internal financial controls	The Housing Commission effectively creates, executes, and maintains plans, policies, and procedures that result in an efficient internal controls process as corroborated in annual independent audits	Document that internal controls have been instituted and that said controls are sustainable. This is to include improvement in vendor payment documentation, quality controls, personnel costs, other contract administration, etc.				

Item No.	Results and Determinations from Assessment	Desired Outcome	Measures to Achieve Outcomes	Target Accomplishment Date	Actual Accomplishment Date	Remedies	Comments /Accomplishments
9	The Housing Commission spent had more staff than the funding could support resulting, in part, in a troubled financial score.	The Housing Commission has appropriate levels of staffing, salaries, contractors, office equipment, software and hardware systems to operate its programs with utmost efficiency, ensuring that the greatest number of eligible families are housed and evidenced by a minimum Standard Performer PHAS designation and scores.	a) Identify costs efficiencies along with implementation and cost benefits. Include salaries, benefits, perquisites, office equipment, admin and cleaning supplies, communications systems, etc. in review of expenses. b) Determine appropriate level of contractor involvement. e.g., property management contracts, maintenance contracts, temporary help, etc. c) Coordinate this cure with the development of an appropriate operating budget				
10	The Housing Commission has engaged in the unauthorized use of Federal funds by using said funds in support of its non-Public Housing LIHTC development. The Housing Commission failed to abide by its own established board approved finance-related policies	The Housing Commission effectively creates, executes, and maintains financial plans, policies, and procedures that result in an efficient, appropriate, and compliant financial process resulting in a passing FASS score and a minimum Standard Performer PHAS score/designation	a) Create oversight mechanism to ensure funds are properly segregated and expended only for eligible expenses b) All questioned and unsupported costs must be repaid with nonfederal funds c) Identify source of nonfederal funds to be used			DRAFT 3/13/12	



Date: March 23, 2012
To: Mayor Grunch and the Boyne City City Commission
From: Michael Cain, City Manager *Mc*
Subject: Charlevoix County Parks Request

Attached for your review and consideration is an email we received today and supporting information from Charlevoix County Parks Manager Ross Maxwell. In his email Mr. Maxwell notes that is looking to update the City Commission on two projects they are working on and to request letters of support regarding the projects. The projects are: 1) the undertaking of a second phase of the Boyne City/Charlevoix Road non-motorized trail and 2) the purchase of 72.4 acres of property adjacent to Whiting Park.

As the Commission may be aware grants have been obtained for the first phase of the Boyne City/Charlevoix Road non-motorized trail from inside Boyne City to out slightly past Young State Park. This project is slated to begin construction this year and has been actively supported by Boyne City. Mr. Ross will be discussing their proposed next phase and requesting non-monetary support from us in the way of a letter supporting the project. Such a letter would be consistent with our previous actions on the trail and build towards its greatest potential as a complete connector between Boyne City and the Wheelway along US-31, thereby providing connections to Charlevoix, Petoskey, Harbor Springs and beyond and back.

While the City has not had any previous discussions regarding the possible expansion of the County's Whiting Park this seems like a unique opportunity that would be well worth pursuing, with or without the grant funds. The County has made significant improvements to Whiting Park in recent years making it a much more pleasant place to visit. Many of our residents and visitors use the park on a regular basis. Many of their visitors come into town and visit our businesses. The 4-H swim classes that we have supported for years take place out there.

Having a stronger and more interesting Whiting Park to visit gives people one more reason to visit this area and our community and is something that I believe we should support.

Once Mr. Maxwell updates the City Commission on these matters we will have an opportunity to hear from the public as well.

RECOMMENDATION: That the City Commission receive the information from Mr. Maxwell, obtain public input on the matters, and then considering all the information received, consider authorizing staff to prepare letters supporting the project and authorize the City Manager and City Clerk/Treasurer to sign them on behalf of the City.

Options:

- Postpone the matter for further information or consideration.
- Deny the requests for letters of support for one or both of the projects.
- Other options as determined by the City Commission.

Michael Cain

From: Ross Maxwell [maxwellr@charlevoixcounty.org]
nt: Friday, March 23, 2012 1:27 PM
o: Michael Cain
Subject: Agenda Request

Attachments: County Min 3-14-2012.pdf



County Min
-14-2012.pdf (2 MB)

March 23, 2012

Michael Cain

Dear Mr. Cain,

I'm requesting to be put on the agenda for the Boyne City Commissioners meeting on March 27, 2012 at 12pm.

1. I would like to give the Boyne City Commissioners an update on the Expansion (Phase Two) of the Boyne City to Charlevoix (US-31) Non-motorized Trail, the first Phase starting in Boyne City and ending at the Bay/Evangeline Township line has funding approval.

I am looking for a letter of support of the Expansion to include with the "MNRTF Development Grant" along with any public comment on the Trail Expansion.

2. Mr. Frank Butler approached the County about purchasing the 72.4 acre Butler Trust property that connects to Whiting Park with a contiguous 2700ft border.

I am also looking for a letter of support of to include with the "MNRTF Acquisition Grant" along with any public comment on the Butler Property.

I have resolutions to proceed with both Grants from the County Commissioner and matching commitments from Hayes Township (\$39000) and Charlevoix Township (\$11000) for the Trail Expansion.

I also have many letters of support from others, including City of East Jordan for the Butler Property acquisition and City of Charlevoix for the Trail Expansion.

I'm attaching the minutes from County Commissioners meet and resolutions.

It just seems like everything happened at once this year.

Thank you,

Ross Maxwell -Director
Charlevoix County Parks Dept
582-7040

Ross

CHARLEVOIX COUNTY BOARD OF COMMISSIONERS
MARCH 14, 2012

The Chairman called the meeting to order at 9:30 a.m. Present were Commissioners Tripp, Christensen, Reinhardt, Evans, Drebenstedt and Gillespie, 6.

Commissioner Drebenstedt led the Pledge of Allegiance.

APPROVAL OF MINUTES

Motion by Commissioner Gillespie and supported by Commissioner Drebenstedt to approve the minutes of the February 17th and February 22nd meetings as presented.

Motion carried. Voice Vote: 6.0.

UNSCHEDULED PUBLIC COMMENT ON AGENDA ITEMS

Bob Taylor commented on the resolution for the non-motorized trail and the mention of Waller Road in the resolution.

PUBLIC HEARING-RECREATION GRANTS

Chairman Evans opened the public hearing for comments from the floor at 9:40 a.m. The grant being addressed in the Public Hearing is the Michigan Natural Resources Trust Fund for Phase II of the non-motorized trail.

Bob Taylor has questions with the road itself; he discussed the expenses listed on Northwest Design Group's proposal. Mr. Taylor does not agree with the grant if they don't know what they are paying for.

Ross Maxwell explained what was being applied for and what it will be used for.

Lucas Porath, NDG, explained that this section of the trail is expected to be more than Phase I due to the boardwalk and retaining wall.

Nancy LaCroix, stated that Mr. Sullivan reported at the Charlevoix Township meeting how the trail would cross at Waller Road, she asked if the crossing was figured into the cost of the trail. It is included.

Commissioner Tripp understands that this plan is conceptual only and not the final plan. If the money is received, then the plan will be finalized.

Chairman Evans announced the 1st call for additional comments.

Bob Taylor wanted to know how much money you need if you do not have a complete plan.

Lucas Porath addressed the question concerning how they arrive at budgetary figures.

Chairman Evans called a 2nd time for additional comments.

Chairman Evans called a 3rd time for additional comments from the floor. Being no further comments from the floor he opened the hearing for comments from the Board.

Commissioner Reinhardt would like to see the trail as long as there is no taxpayer dollars used.

Commissioner Drebenstedt wanted the public to know that this grant is based on mineral rights money and not gas tax money. The grant they are applying for includes funds that cannot be used for anything other than parks or recreation purposes.

Commissioner Gillespie is still waiting for the list of people that this trail will cross their property. He has been waiting for a year and a half.

Commissioner Christensen asked if alternate routes have been explored. And if so, are they less costly than the proposed route. He asked if the \$400,000 in contributions is exact or an estimate. It is an estimate. If they cannot receive contributions is the County

 A

1 responsible for the \$400,000. The County has the right to refuse the grant if contributions
2 are not received.

3 Lucas Porath stated that they have looked at other routes and the cost is
4 comparable. It would be much cheaper to have an attached grant but the grant they are
5 looking at today will not allow it to be attached.

6 Commissioner Tripp feels that everyone should be attending meetings to
7 understand how the funds are received and what they can be used for. According to the
8 Attorney General permission from property owners is not necessary as it will be using the
9 right-of-way which is not owned by the property owner.

10 Commissioner Christensen said that the county does not own anything, but they
11 have an easement.

12 Chairman Evans understands that a bike trail would be good for the cyclists and the
13 economy.

14 Chairman Evans closed the public hearing at 10:05 a.m.

15 DEPARTMENT HEAD COMMUNICATIONS

16 The Board reviewed the budget status for February and the Treasurer's Investment
17 report.

18 They also looked over the letter from Lisa O'Connor opposing the Camp Seagull
19 proposed park. A Transit press release was reviewed concerning expanded hours and
20 services. Jill Drury, Transit Manager, explained the services and hours.

21 SCHEDULED APPEARANCES

22 **Ross Maxwell & Lucas Porath:**

23 Ross Maxwell, Whiting Park Supervisor, and Lucas Porath, Northwest Design
24 Group, was available to answer questions. Mr. Maxwell is asking for approval to proceed
25 with the Trust Fund Grant.

26 **Mike Woods:**

27 Mike Woods, Northwest Michigan Council of Governments, introduced Jim Vanek
28 from the Road Commission. Mr. Vanek gave an update on the rating of our county roads.
29 Mr. Woods reported on the rating assessment for Charlevoix County.

30 UNFINISHED BUSINESS

31 No unfinished business

32 NEW BUSINESS

33 The Register of Deeds has submitted a request to purchase software from Tyler
34 Technologies.

35 Motion by Commissioner Tripp and supported by Commissioner Drebenstedt to
36 waive the rules and act on the Register of Deeds resolution at today's meeting. Motion
37 carried. Roll call vote: 6.0

38 RESOLUTION-APPROVE COUNTY EXPENDITURES (#12-016)

39 Motion by Commissioner Tripp and supported by Commissioner Reinhardt that the
40 above listed resolution be adopted. Motion carried. Roll call vote: 6.0

41 RESOLUTION-OPPOSING HOUSE BILLS 5298 AND 5299 (#12-017)

42 Motion by Commissioner Gillespie and supported by Commissioner Reinhardt
43 that the above listed resolution be adopted. Motion carried. 6.0

44 RESOLUTION-GENERAL FUND TRANSFER FOR ROADS (#12-018)

45 Motion by Commissioner Reinhardt and supported by Commissioner Gillespie that
46 the above listed resolution be adopted. Motion carried. 6.0 Commissioner Drebenstedt

1 wants the minutes to reflect that there will be a payment plan developed before any funds
2 are expended.

3 **RESOLUTION-AMEND OPERATING TRANSFERS BUDGET (#12-019)**

4 Motion by Commissioner Reinhardt and supported by Commissioner Gillespie
5 that the above listed resolution be adopted. Motion carried. Roll Call Vote: 6.0

6 **RESOLUTION-SUPPORT FOR ROAD COMMISSION'S AWARD OF THE ROAD**
7 **BID FOR THE BOYNE CITY-CHARLEVOIX REHABILITATION (#12-020)**

8 Motion by Commissioner Tripp and supported by Commissioner Gillespie that the
9 above listed resolution be adopted. Motion carried. Roll call vote: 6.0. Commissioner
10 Drebenstedt would like to see details of the road project before funds are released.

11 **RESOLUTION-NON-MOTORIZED TRAIL EXPANSION (#12-021)**

12 Motion by Commissioner Drebenstedt and supported by Commissioner Tripp that
13 the above listed resolution be adopted. Motion carried. Roll call vote: 5.1 Nays,
14 Commissioner Gillespie

15 **RESOLUTION-MICHIGAN NATURAL RESOURCES TRUST FUND GRANT**
16 **(#12-022)**

17 Motion by Commissioner Gillespie and supported by Commissioner Drebenstedt
18 that the following amended resolution be adopted:

19 WHEREAS, the Charlevoix County Recreation Plan addresses the acquisition of
20 property; and

21 WHEREAS, the Parks Committee would like to pursue the purchase of the 72.4
22 acre Butler Trust Property and with all mineral rights on the property, that is contiguous to
23 the 166.4 acres of Charlevoix County's Whiting Park; and

24 WHEREAS, the cost would not exceed the appraised value or \$306,000.00; and

25 WHEREAS, the Charlevoix County Board of Commissioners held a public hearing
26 on February 22, 2012 for the Michigan Natural Resources Trust Fund Grant to acquire the
27 above property; and

28 WHEREAS, the source of funds are estimated to be from the Natural Resources
29 Trust Fund in the amount of \$214,200 with a County match of \$91,800;

30 NOW THEREFORE BE IT RESOLVED that the Charlevoix County Board of
31 Commissioners hereby authorizes the Parks Manager to apply for the above outlined grant
32 and further authorizes the Fiscal Officer to sign the grant application.

33 BE IT FURTHER RESOLVED that the matching funds for this grant are to come
34 from Fund Balance in the General Fund. Motion carried. 4.2 Nays, Commissioners
35 Tripp and Reinhardt

36 Commissioner Reinhardt would like to see a parks millage and remove the parks
37 expenses from the general fund.

38 **RESOLUTION-RESOLUTION AUTHORIZING PREPAYMENT AND CALL OF**
39 **BONDS (#12-023)**

40 Motion by Commissioner Evans and supported by Commissioner Reinhardt that
41 the above listed resolution be adopted. Motion carried. Roll call vote: 5.1 Nays,
42 Commissioner Tripp

43 **RESOLUTION-BEAVER ISLAND MULTI-FACILITY (#12-024)**

44 Motion by Commissioner Reinhardt and supported by Commissioner Gillespie
45 that the following resolution be adopted:

* B

* C

2

MARCH 14, 2012

NON-MOTORIZED TRAIL EXPANSION

RESOLUTION

WHEREAS, the Charlevoix County Recreation Plan recommends the development of non-motorized trails in Charlevoix County and the recreation development project is the development of the Boyne City to US-31 Trail; and

WHEREAS, the second phase of this project is to construct the portion of the trail approximately 6 miles in length, from the corner of Waller Road and US 31 to the Boyne City/Charlevoix Road, midway between Burgess and Maple Grove Road (Camp Sea-Gull property); and

WHEREAS, the source of funds are estimated to be from Natural Resources Trust Fund-\$300,000, Transportation Enhancement Act Funds-\$2,200,000, Charlevoix Township-\$11,000, Hayes Township-\$45,000, and Private donations and foundations-\$344,000 and ;

NOW THEREFORE BE IT RESOLVED, that the Charlevoix County Board of Commissioners authorizes the Chairman of the Charlevoix County Board of Commissioners to sign the grant application to the Michigan Natural Resources Trust Fund, and authorizes the submission of this application to the Michigan Natural Resources Trust Fund in the amount of \$300,000.00 on behalf of the citizens of Charlevoix County; and

BE IT FURTHER RESOLVED that Charlevoix County's contribution is to oversee the grant process.

Submitted by:

Supported by:

~~2/4~~

MEMORANDUM**TO: MICHAEL CAIN; CITY MANAGER** **FROM: ANDREW KOVOLSKI; PUBLIC WORKS SUPERINTENDENT** **DATE: 3/23/2012****RE: HANNAH STREET ENGINEERING SERVICES**

As you are aware our engineering consultant C2AE performed preliminary engineering work on Hannah Street in December of 2011 consisting of a Topographic Survey and Soil Borings. Completion of this work has allowed the Engineers to develop a more concise scope of work and estimate of the cost of this project. They estimate construction costs to be approximately \$398,500. Note that this number includes \$36,200.00 in contingency.

In order to get this project completed this construction season we should commission design and construction engineering services very soon. Attached to this memorandum you will find a proposal from C2AE for engineering services. This represents all of the required engineering services to complete the reconstruction of Hannah Street. They propose to complete this work for a total cost of \$51,200.00. These costs break down as follows:

- Design engineering fee: \$20,800.00
- Bidding Services: \$1,800.00
- Construction engineering Services: \$28,600.00

RECCOMENDATION:

It is my recommendation that the City Commission approve this contract with C2AE for Design, Bidding and Construction Engineering Services in the amount of \$51,200.00; and authorize the City Manager to sign the required documents. Funds for this work are available in the local street engineering budget.

Proposal for Engineering Services
For Hannah Street Reconstruction
Design, Bidding and Construction Phase Services

February 17, 2012

City of Boyne City
Charlevoix County, Michigan





Lansing • Grand Rapids
Gaylord • Escanaba

February 17, 2012

123 West Main Street
Suite 200
Gaylord, MI 49734

P: 989.732.8131
F: 989.732.2714

info@c2ae.com
www.c2ae.com

Mr. Andy Kovolski, DPW Superintendent
City of Boyne City
319 N. Lake Street
Boyne City, MI 49712

RE: Hannah Street Reconstruction Project
Design, Bidding and Construction Phase Services

Dear Mr. Kovolski:

In response to your request, C2AE is pleased to submit this proposal for design, bidding and construction engineering services for the proposed Hannah Street Reconstruction Project.

We have previously provided topographic survey and soil boring assistance for this project. Based on this information we have provide an updated construction cost estimate, which is included in the proposal.

If this proposal and attached Standard Contract Provisions are acceptable, please sign in the space provided below and return one copy to our office as your authorization for us to proceed with this project. Because the topographic survey is already completed, we can begin the design work immediately upon your authorization.

C2AE greatly appreciates the opportunity to submit this proposal for consideration and look forward to assisting you with this project. Should you have questions or comments, please contact us at your convenience. Thank you.

Respectfully,

Approved By:
City of Boyne City

C2AE

By: _____

Larry M. Fox, P.E.
Principal, Director of Northern Municipal Infrastructure

Date: _____

LMF/keb

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Table of Contents

Project Background

Scope of Services

Engineering Fee

Standard Contract Provisions



The City would like to proceed with the reconstruction of Hannah Street from M-75 to Vogel Street. The roadway is in poor condition and suffers from subgrade failure and drainage issues, as well as pavement deterioration. C2AE has previously completed a topographic survey and soil borings for this roadway, and has provided the City with a preliminary cost opinion. C2AE is now providing the City with a proposal to continue with Design, Bidding and Construction phase engineering services to complete the roadway improvements.

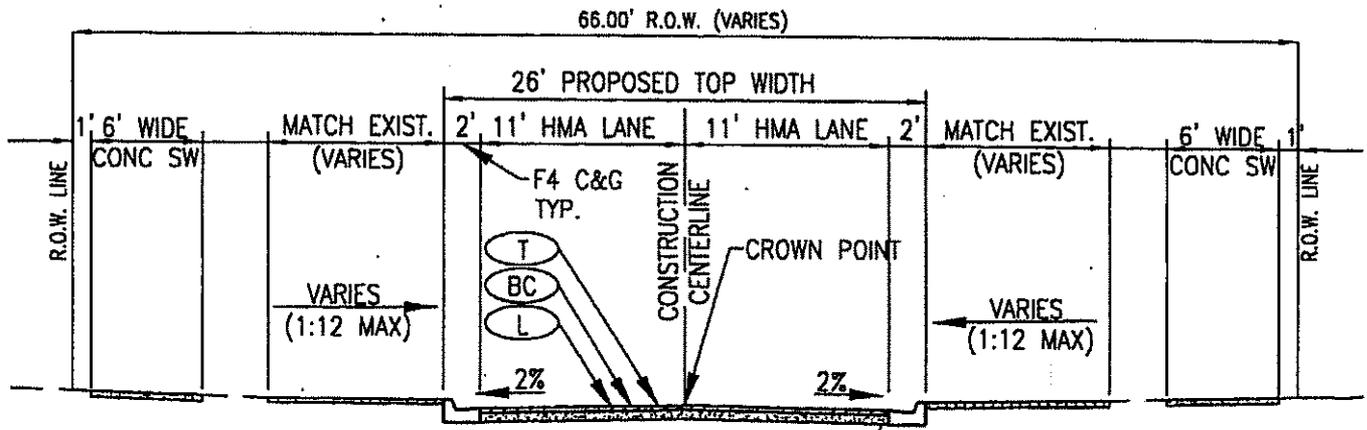
Based on the results of the topographic survey and soil borings, we anticipate the project to consist of the following elements:

- Full roadway reconstruction, 22' HMA pavement, 2' concrete curb and gutter full length.
- Cross section to include 6" aggregate base and 3" HMA pavement thicknesses.
- Roadway reconstruction will include machine grading, aggregate base, and restoration.
- Based on the soil boring results, subgrade undercutting will be needed near the State Street intersection. This undercut is assumed to be 30' wide x 4' deep x 200' long.
- Based on the soil borings, the installation of water main and storm sewer will require significant dewatering.
- Based on the soil borings, it is assumed that the existing in-place sand material is suitable for trench backfill and roadway subgrade, and that when dewatered can be compacted to a suitable density.
- 5 foot wide concrete sidewalks, both sides
- Water Main and services replacement, full length
- New storm sewer and drainage structures, full length
- Sanitary sewer replacement is not anticipated.

The road configuration is proposed to be in accordance with the attached Typical Cross Section D-5, which has concrete curb and gutter and a 22' HMA top width. A preliminary opinion of probable construction cost is attached.



*TYPICAL COST PER FOOT = \$230
 W/SANITARY SEWER = \$289
 W/WATER MAIN = \$304
 W/SANITARY & WATER = \$363
 *INCLUDES STORM SEWER OR CULVERTS



RESTORATION:
 RESTORATION TO BE INCLUDED IN THE "3" TOPSOIL & CLASS A SEED" PAY ITEM (TYP).

6" MIN. MDOT 22A AGGREGATE BASE (CIP)

3" HMA SURFACE
 13A(T) - 1 1/2"
 13A(L) - 1 1/2"

GRADING LIMITS:
 GRADE UNIFORMLY TO THE REMOVAL LIMITS, TO THE EXISTING R.O.W. OR TO LIMITS OF A GRADING EASEMENT, AS DIRECTED BY THE ENGINEER, TYP. ALL EARTHWORK AND GRADING SHALL BE PAID AS "MACHINE GRADING MODIFIED."

CONCRETE SIDEWALK:
 SIDEWALK CONSTRUCTION SHALL BE DETERMINED ON A CASE-BY-CASE BASIS FOR 0, 1 OR 2 SIDEWALKS ALONG THE STREET.

PROPOSED 26' TYPICAL SECTION - LOCAL STREET w/CONC. C&G
 NO SCALE

TYPICAL SECTION D5
 LOCAL STREET 26' WIDE HMA w/CONC. C & G
 TYPICAL CROSS SECTION

BOYNE CITY STREET INVENTORY
 RATING STUDY & REPORT
 CITY OF BOYNE CITY
 CHARLEVOIX COUNTY, MICHIGAN





Lansing - Gaylord - Grand Rapids

123 West Main Street
Suite 200
Gaylord, MI 49735

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info@c2ae.com
www.c2ae.com

CITY OF BOYNE CITY
Hannah Street Reconstruction
Preliminary Opinion of Probable Construction Costs
Updated 2/6/2012

Project Area - Hannah Street from State Street North to Vogel Street (Approximately 1200')

Item #	ITEM DESCRIPTION	Estimated Quantity	Item Unit	Unit Price	Total Price
1	Adjust Drainage Structure	4	EACH	\$250.00	\$1,000.00
2	Remove Drainage Structure or Manhole	2	EACH	\$350.00	\$700.00
3	Remove Concrete Curb & Gutter	100	LFT	\$3.00	\$300.00
4	Subgrade Undercutting, Type II (Includes sand backfill)	900	CYD	\$12.00	\$10,800.00
5	Geotextile Stabilization	700	SYD	\$2.00	\$1,400.00
6	Underdrain, Subgrade, 6 inch	2,400	LFT	\$5.00	\$12,000.00
7	Underdrain, Outlet, 6 inch	80	LFT	\$7.00	\$560.00
8	Water Main, 8" PVC DR 18	1,400	LFT	\$25.00	\$35,000.00
9	Water Service, 1" Copper	500	LFT	\$18.00	\$9,000.00
10	Curb Stop & Box, 1 inch	15	EACH	\$200.00	\$3,000.00
11	2' Dia. Catch Basin including Casting	12	EACH	\$1,400.00	\$16,800.00
12	4' Dia. Catch Basin including Casting	4	EACH	\$1,500.00	\$6,000.00
13	4' Dia. Storm Manhole including Casting	6	EACH	\$1,700.00	\$10,200.00
14	12" Dia. Storm Sewer	1,200	LFT	\$16.00	\$19,200.00
15	15" Dia. Storm Sewer	500	LFT	\$25.00	\$12,500.00
16	Dewatering, Trench	2,600	LFT	\$15.00	\$39,000.00
17	Machine Grading Modified	12.0	STA	\$1,600.00	\$19,200.00
18	6" 22A Aggregate Base	3,300	SYD	\$4.50	\$14,850.00
19	HMA Pavement (3 inches)	550	TON	\$64.00	\$35,200.00
20	HMA Approach	55	TON	\$100.00	\$5,500.00
21	6" Concrete Drive Approach	2,500	SFT	\$4.50	\$11,250.00
22	6" Concrete Sidewalk	1,800	SFT	\$4.00	\$7,200.00
23	4" Concrete Sidewalk	10,200	SFT	\$3.50	\$35,700.00
24	Sidewalk Ramp, ADA	450	SFT	\$10.00	\$4,500.00
25	Concrete Curb & Gutter, MDOT Detail F-4	2,600	LFT	\$14.00	\$36,400.00
26	Traffic Control and Signage	1	LSUM	\$2,000.00	\$2,000.00
27	Erosion Control Measures	1	LSUM	\$1,000.00	\$1,000.00
28	Restoration 3" Topsoil & Seed	4,000	SYD	\$3.00	\$12,000.00
SUBTOTAL =					\$362,300.00
ENGINEERING =					\$51,200.00
CONSTRUCTION CONTINGENCY =					\$36,200.00
TOTAL =					\$449,700.00



C2AE proposes to provide design, bidding and construction phase services for the Boyne Hannah Street Reconstruction project as follows:

Design Phase Services

1. **Plan Drawings:** Prepare plan drawings at a scale of 1" = 40' which will show the placement and grade of all improvements as well as construction notes.
2. **Profile and Cross-Section Drawings:** Prepare profile and cross-section drawings at a scale of 1" = 40' for placement of improvements as required for further definition from the plan drawings.
3. **Detail Drawings:** Prepare detail drawings and cross sections of individual items of construction or installation.
4. **Technical Specifications:** Prepare technical specifications to establish quality of all materials, equipment, installation and construction.
5. **Interim Meetings:** Meet with the City as required throughout the project to review preliminary drawings, costs and review progress. Provide written progress reports.
6. **Bid Documents:** Prepare contract documents for competitive bidding by contractors.
7. **Cost Estimate:** Prepare quantities and engineers detailed itemized cost opinion for the project.
8. **City Review:** Provide near-final plans and specifications for review and comment.
9. **Final Revisions:** Make final revisions based on the above review and comment.

Bidding Phase Services

1. **Distribution of Plans and Specifications:** Issue plans and specifications to requesting contractors and maintain bidders' list.
2. **Contractor Communications:** Respond to contractor questions and issue addenda as necessary.
3. **Attend Bidding/Bid Tabulation:** Assist the City with the bid opening and tabulate the bid results.
4. **Recommendation of Contract Award:** Review the bid prices and review qualifications of the low bidder. Make recommendation to the City for award of the project.
5. **Execution of Contract Documents:** Prepare Contract Documents for execution by the City and the selected contractor.

Construction Phase Services

1. **Construction Administration:**
 - a. **Preconstruction Conference:** Attend and conduct a preconstruction conference to review the project with the City, the contractor, sub-contractor(s), utility companies, and other interested parties. Review project schedule. Record meeting minutes and distribute.
 - b. Consult with the City during construction.
 - c. Prepare modifications and supplementary sketches required to resolve actual field conditions encountered.
 - d. Review product and material certifications. Maintain status of tested materials information.
 - e. Issue instructions from the City to the contractor; issue necessary interpretations and clarifications of contract documents; and prepare required change orders.
 - f. Prepare monthly engineers certificate for payment.
 - g. Attendance at monthly (or more frequent) progress meetings.
 - h. Attend final project inspection with the City and contractor representatives. Prepare final punch list for project completion.
 - i. Prepare Record Drawings.
 - j. Provide electronic information to update the City's GIS/GPS base map.



Construction Phase Services cont.

2. Construction Observation and Testing:
 - a. Provide on-site observation services based upon the type of construction work in progress; provide appropriate reports to the City (to monitor compliance with plans, specifications and all other contract documents).
 - b. Provide survey layout of lines and grades as required to complete construction.
 - c. Provide field material density testing services for backfill, subgrade, base course and bituminous courses.
 - d. Coordinate laboratory testing services for aggregate and concrete cylinders.



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Design and Bidding Phase Services

C2AE proposes to provide design and bidding phase engineering services for this project on a lump sum basis, as follows:

Design Fee	\$20,800	Lump Sum
Bidding Services	\$1,800	Lump Sum

Construction

C2AE proposes to provide the scope of construction engineering services on a time and material basis with the total estimated amount shown below.

Construction Engineering Services	\$28,600	T&M, Estimated Total
-----------------------------------	----------	----------------------

The following assumptions are used to form the basis for the construction engineering fee for the project:

- Construction will be completed within approximately 4 weeks.
- Construction observation and field testing will require one engineering technician full time depending on the type of work on going. We have budgeted for 4 weeks at 50 hours per week.
- Construction administration and record keeping will require a Professional Engineer an average of 8 hours per week for 4 weeks.



*Standard Contract Provisions
Design and Construction*

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The parties to this agreement, C2AE, Lansing, Gaylord, and Grand Rapids, Michigan, hereinafter called the A/E CONSULTANT and the City of Boyne City, Michigan, hereinafter called the OWNER, hereby agree to the following conditions:

- A. Limit of Scope: The services provided by the A/E CONSULTANT shall be limited to those described in the Scope of Services.
- B. Changed Conditions: If, during the term of this Agreement, circumstances or conditions that were not originally contemplated by or known to the A/E CONSULTANT are revealed, to the extent that they affect the scope of services, compensation, schedule, allocation of risks or other material terms of this Agreement, the A/E CONSULTANT may call for renegotiation of appropriate portions of this Agreement. The A/E CONSULTANT shall notify the OWNER of the changed conditions necessitating renegotiation, and the A/E CONSULTANT and the OWNER shall promptly and in good faith enter into renegotiation of this Agreement to address the changed conditions. If terms cannot be agreed to, the parties agree that either party has the absolute right to terminate this Agreement.
- C. Additional Services: Additional services not specifically identified in the Scope of Services shall be paid for by the OWNER in addition to the fees previously stated, provided the OWNER authorizes such services in writing. Additional services will be billed monthly as work progresses and invoices are due upon receipt.
- D. Standard of Care: In providing services under this Agreement, the A/E CONSULTANT will endeavor to perform in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances.
- E. Code Compliance: The A/E CONSULTANT shall put forth reasonable professional efforts to comply with applicable laws, codes and regulations in effect as of the date of submission to building authorities. Design changes made necessary by newly enacted laws, codes and regulations after this date shall entitle the A/E CONSULTANT to a reasonable adjustment in the schedule and additional compensation in accordance with the Additional Services provision of this Agreement.
- F. Permits and Approvals: The A/E CONSULTANT shall assist the OWNER in applying for those permits and approvals normally required by law for projects similar to the one for which the A/E CONSULTANT's services are being engaged. This assistance shall consist of completing and submitting forms to the appropriate regulatory agencies having jurisdiction over the construction documents, and other services normally provided by the A/E CONSULTANT and included in the scope of Basic Services of this Agreement.
- G. Opinions of Probable Construction Cost: In providing opinions of probable construction cost, the OWNER understands that the A/E CONSULTANT has no control over the cost or availability of labor, equipment or materials, or over market conditions or the Contractor's method of pricing, and that the A/E CONSULTANT's opinions of probable construction costs are made on the basis of the A/E CONSULTANT's professional judgment and experience. The A/E CONSULTANT makes no warranty, express or implied, that the bids or the negotiated cost of the work will not vary from the A/E CONSULTANT's opinion of probable construction cost.



- H. Schedule for Rendering Services: The A/E CONSULTANT shall prepare and submit for OWNER approval a schedule for the performance of the A/E CONSULTANT's services. This schedule shall include reasonable allowances for review and approval times required by the OWNER, performance of services by the OWNER's consultants, and review and approval times required by public authorities having jurisdiction over the project. This schedule shall be equitably adjusted as the project progresses, allowing for changes in scope, character or size of the project requested by the OWNER, or for delays or other causes beyond the A/E CONSULTANT's reasonable control.
- I. Ownership of Reports, Drawings and Other Materials: The OWNER agrees that all reports, drawings, letters, work sheets, plans, preliminary material tables, supportive data, documents and other materials produced by the A/E CONSULTANT in the course of and for the purpose of meeting this contract are the property of the A/E CONSULTANT, and shall remain in the possession of the A/E CONSULTANT. The OWNER shall have access to the above named material during normal business hours of the A/E CONSULTANT during and after completion of this contract. The OWNER may obtain copies of any of the above named material. Copies of electronic media may be obtained by the OWNER. (See Alteration and Reuse of CAD Information provision of this Agreement.)
- J. Alteration and Reuse of CAD Information: Because computer aided design/drafting (CAD) information stored in electronic form can be modified by other parties, intentionally or otherwise, without notice or indication of said modifications, the A/E CONSULTANT reserves the right to remove all indications of its ownership and/or involvement in the material from each electronic medium not held in its possession. The OWNER may retain copies of the work performed by the A/E CONSULTANT in CAD form. Copies shall be for information and used by the OWNER for the specific purpose for which the A/E CONSULTANT was engaged. Said material shall not be used by the OWNER, or transferred to any other party, for use in other projects, additions to the current project, or any other purpose for which the material was not strictly intended without the A/E CONSULTANT's express written permission. Any unauthorized modification or reuse of the materials shall be at the OWNER's sole risk, and the OWNER agrees to defend, indemnify, and hold the A/E CONSULTANT harmless, from all claims, injuries, damages, losses, expenses, and attorneys' fees arising out of the unauthorized modification of these materials.
- K. Record Documents: Upon completion of the work, the A/E CONSULTANT shall compile for and deliver to the OWNER a reproducible set of Record Documents. The A/E CONSULTANT shall also provide electronic information utilizing the appropriate elevation datum and State Plane coordinate system for insertion of the record information into the City's GIS base draw. These Record Documents will show significant changes made during construction.
- L. Payment Terms: Invoices will be submitted by the A/E CONSULTANT monthly, are due upon receipt and shall be considered past due if not paid within thirty (30) calendar days of the due date.



*Standard Contract Provisions
Design and Construction*

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- M. Disputed Invoices: If the OWNER objects to any portion of an invoice, the OWNER shall so notify the A/E CONSULTANT in writing within ten (10) calendar days of receipt of the invoice. The OWNER shall identify in writing the specific cause of the disagreement and the amount in dispute and shall pay that portion of the invoice not in dispute in accordance with other payment terms of this Agreement. Any dispute over invoiced amounts due which cannot be resolved within ten (10) calendar days after receipt of invoice by direct negotiation between the parties shall be resolved within thirty (30) calendar days in accordance with the Dispute Resolution provision of this Agreement. Interest at one-and-one-half (1.5) percent (or the maximum rate allowable by law, whichever is less) shall be paid by the OWNER on all disputed invoice amounts that are subsequently resolved in the A/E CONSULTANT's favor and shall be calculated on the unpaid balance from the due date of the invoice.
- N. Abandonment of Work: If any work is abandoned or suspended, the A/E CONSULTANT shall be paid for services performed prior to receipt of written notice from the OWNER of abandonment or suspension.
- O. Betterment: If, due to the A/E CONSULTANT's negligence, a required item or component of the project is omitted from the A/E CONSULTANT's construction documents, the A/E CONSULTANT shall not be responsible for paying the cost required to add such item or component to the extent that such item or component would have been required and included in the original construction documents. In no event will the A/E CONSULTANT be responsible for any cost or expense that provides betterment or upgrades or enhances the value of the project.
- P. Indemnification: The A/E CONSULTANT agrees, to the fullest extent permitted by law, to indemnify and hold harmless the OWNER, its officers, directors and employees (collectively, OWNER) against all damages, liabilities or costs, including reasonable attorneys' fees and defense costs, to the extent caused by the A/E CONSULTANT's negligent performance of professional services under this Agreement and that of its subconsultants or anyone for whom the A/E CONSULTANT is legally liable.
- Q. Consequential Damages: Notwithstanding any other provision of this Agreement, and to the fullest extent permitted by law, neither the OWNER nor the A/E CONSULTANT, their respective officers, directors, partners, employees, contractors or subconsultants shall be liable to the other or shall make any claim for any incidental, indirect or consequential damages arising out of or connected in any way to the project or to this Agreement. This mutual waiver of consequential damages shall include, but is not limited to, loss of use, loss of profit, loss of business, loss of income, loss of reputation or any other consequential damages that either party may have incurred from any cause of action including negligence, strict liability, breach of contract and breach of strict or implied warranty. Both the OWNER and the A/E CONSULTANT shall require similar waivers of consequential damages protecting all the entities or persons named herein in all contracts and subcontracts with others involved in this project.

The parties do not intend to confer any benefits on any person, firm, or corporation other than A/E CONSULTANT and OWNER. There are no third party beneficiaries. In no event shall either party, or their agents, servants, representatives or employees be liable for indirect, special or consequential damages to third parties. Both OWNER and the A/E CONSULTANT shall require waivers of consequential damages protecting all the entities or persons herein and all contracts and subcontracts with others involved in this project.



*Standard Contract Provisions
Design and Construction*

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- R. Full-Time Construction Observation: The A/E CONSULTANT will provide full-time project representation in order to observe the progress and quality of the work completed by the Contractor. Such observation is not intended to be an exhaustive check or a detailed inspection of the Contractor's work but rather is to allow the A/E CONSULTANT, as an experienced professional, to become generally familiar with the work in progress and to determine, in general, if the work is proceeding in accordance with the Contract Documents.

The A/E CONSULTANT shall keep the OWNER informed about the progress of the work and shall endeavor to guard the OWNER against deficiencies in the work.

The A/E CONSULTANT shall not supervise, direct or have control over the Contractor's work nor have any responsibility for the construction means, methods, techniques, sequences or procedures selected by the Contractor nor for the Contractor's safety precautions or programs in connection with the Work. These rights and responsibilities are solely those of the Contractor in accordance with the Contract Documents.

The A/E CONSULTANT shall not be responsible for any acts or omissions of the Contractor, subcontractor, any entity performing any portions of the work, or any agents or employees of any of them. The A/E CONSULTANT does not guarantee the performance of the Contractor and shall not be responsible for the Contractor's failure to perform its work in accordance with the Contract Documents or any applicable laws, codes, rules or regulations.

- S. Jobsite Safety: Neither the professional activities of the A/E CONSULTANT, nor the presence of the A/E CONSULTANT or its employees and subconsultants at a construction/project site, shall relieve the General Contractor of its obligations, duties and responsibilities including, but not limited to, construction means, methods, sequence, techniques or procedures necessary for performing, superintending and coordinating the work in accordance with the Contract Documents and any health or safety precautions required by any regulatory agencies. The A/E CONSULTANT and its personnel have no authority to exercise any control over any construction contractor or its employees in connection with their work or any health or safety programs or procedures. The OWNER agrees that the General Contractor shall be solely responsible for jobsite safety, and warrants that this intent shall be carried out in the OWNER's contract with the General Contractor. The OWNER also agrees that the OWNER, the A/E CONSULTANT and the A/E CONSULTANT's subconsultants shall be indemnified by the General Contractor and shall be made additional insureds under the General Contractor's policies of general liability insurance.

- T. Hazardous Materials: As used in this Agreement, the term *hazardous materials* shall mean any substances, including but not limited to asbestos, toxic or hazardous waste, PCBs, combustible gases and materials, petroleum or radioactive materials (as each of these is defined in applicable federal statutes) or any other substances under any conditions and in such quantities as would pose a substantial danger to persons or property exposed to such substances at or near the project site.

Both parties acknowledge that the A/E CONSULTANT's Scope of Services does not include any services related to the presence of any hazardous or toxic materials. In the event the A/E CONSULTANT or any other party encounters any hazardous or toxic materials, or should it become known to the A/E CONSULTANT that such materials may be present on or about the jobsite or any adjacent areas that may affect the performance of the A/E CONSULTANT's services, the A/E CONSULTANT may, at its option and without liability for consequential or any other damages, suspend performance of its services under this Agreement until the OWNER



*Standard Contract Provisions
Design and Construction*

IT'S THE PEOPLE

retains appropriate consultants or contractors to identify and abate or remove the hazardous or toxic materials and warrants that the jobsite is in full compliance with all applicable laws and regulations.

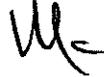
The OWNER agrees, without waiving defenses of governmental immunity, and notwithstanding any other provision of this agreement but only to the extent permitted by law, to indemnify and hold harmless the A/E CONSULTANT, its officers, partners, employees and consultants (collectively, A/E CONSULTANT) from and against any and all claims, suits, demands, liabilities, losses, damages or costs, including reasonable attorneys' fees and defense costs arising out of or in any way connected with the detection, presence, handling, removal, abatement, or disposal of any asbestos or hazardous or toxic substances, products or materials that exist on, about or adjacent to the project site, whether liability arises under breach of contract or warranty, tort, including negligence, strict liability or statutory liability or any other cause of action, except for the negligence or misconduct of the A/E CONSULTANT.

- U. Change Orders/Stop Work Orders: The A/E CONSULTANT and the OWNER agree that any construction contract change orders or stop work orders must be approved in writing by the OWNER.
- V. Dispute Resolution: The OWNER agrees, without waiving defenses of governmental immunity, and notwithstanding any other provision of this agreement but only to the extent permitted by law, that all claims, disputes, and other matters in question between the parties arising out of or relating to this Agreement or breach thereof first shall be submitted for nonbinding mediation to any one of the following, as agreed to by the parties: American Arbitration Association, American Intermediation Service, Americord, Dispute Resolution, Inc., Endispute, or Judicate. Any party hereto may initiate mediation within the time allowed for filing for arbitration as set forth below and the parties hereto agree to fully cooperate and participate in good faith to resolve the dispute(s). The cost of mediation shall be shared equally by the parties hereto. Any time expended in mediation shall not be included in calculating the time for filing arbitration.

If mediation fails to resolve the claim or dispute, the matter shall be submitted to arbitration with the American Arbitration Association under the Construction Industry rules, unless the parties agree otherwise or unless a plaintiff not a party hereto institutes litigation in a court of competent jurisdiction and said court takes personal jurisdiction over one of the parties hereto regarding the same subject matter as in dispute between the parties hereto.

No arbitration arising out of or relating to this Agreement shall include, by consolidation, joinder, or in any other manner, any additional person not a party to this Agreement except by written consent of the parties and such consent to arbitration involving an additional person(s) shall not constitute consent to arbitration of any dispute not described therein. This Agreement to arbitrate and any agreement to arbitrate with an additional person(s) shall be specifically enforceable under the prevailing arbitration law.

The decision rendered by the arbitrators shall be final, and judgment may be entered upon it in accordance with applicable law in any court having jurisdiction thereof. In the event either party makes a claim or brings action against the other party for any act arising out of the performance of the services hereunder, and the claimant fails to prove such claim or action, then the claimant shall pay all legal and other costs (including attorneys' fees) incurred by the other party in defense of such claim or action.

MEMORANDUM**TO: MICHAEL CAIN; CITY MANAGER** **FROM: ANDREW KOVOLSKI; DPW SUPERINTENDENT** **DATE: 3/23/12****RE: CURB REPAIR BIDS**

As you may recall we solicited bids late last summer to repair areas of damaged concrete curb in the downtown area. However at that time we decided not to complete the work because we felt the pricing was too high and it was too late in the season to get a good cure on the concrete. The low bid unit price at that time was \$52.25 per lineal foot.

Bids were advertised and mailed to seven area contractors on March 1, 2012. On March 8, a mandatory pre-bid meeting was held at City Hall. Two local contractors; Ryan Brothers Concrete and Marshall Concrete were present at the pre-bid meeting. Both of the contractors have done curb work on City projects. Ryan Brothers was the curb contractor on the Air industrial Park Drive reconstruction project and Marshall was the curb contractor on the Charlevoix Street reconstruction project. Both of the contractors did an outstanding job.

Bids were due and opened at 2:00 pm on March 21, 2012. Following are the results:

- Marshall Concrete \$43.50 per lineal foot – total cost \$56,898.00
- Ryan Brothers \$71.25 per lineal foot – total cost \$93,195.00

Copies of the bid tab sheet from the bid opening are attached for your review. Both contractors stated they could begin work on this project by mid April and have the project completed by May 11, 2012. Also attached to this memorandum you will find a map showing the locations where the curb work is required.

RECOMMENDATION:

It is my recommendation that the City Commission approve the contract with Marshall Concrete for up to \$40,000 and authorize the City Manager to sign the required documents. Funds for this work are allocated in Fiscal Year 2013 Major Street budget.



City of Boyne City
2012 Curb Repair



CITY OF BOYNE CITY

To: Michael Cain, City Manager *MC*
From: Dan Meads, W/WW Superintendent *DM*
Date: 3/22/2012
Subject: Kaeser Blower Repair

Background

Two of the four aeration blowers at the wastewater plant have failed over the last two months. One blower had a bearing failure in the blower itself, and the second had the 60 hp electric motor fail. We replaced the motor that failed with the one from the unit that lost the blower. This leaves us with three working units and one that needs both the motor and blower replaced. These blowers operate 2 or 3 at a time, 24 hours a day, 365 days a year, and are at the point where they will need increased maintenance and or replacement parts.

Discussion

There is only one distributor for these blowers in the state, and they were contacted for part pricing. The original cost from them was about \$14,000.00. This included \$6,617.00 for the blower, another \$6,000.00 for the motor, and did not include shipping and handling. I was not pleased with their prices and told them that I would have to look into bidding complete replacement units. They then offered to sell direct from the manufacturer. The last quote directly from the manufacturer for the blower is \$4,998.53 plus shipping.

The electric motor can be replaced with a standard NEMA frame motor at a much lower price than the original. I received pricing for a replacement motor from the blower distributor and from Bridgeway Power in Gaylord. One quote is \$3,145.72 and the second is for \$3,847.65. The higher cost motor is a better quality motor and includes the parts and labor to replace the motor drive end bearing with a heavier duty bearing better suited to our application. I believe that the bearing change would increase the life of the motor and should be considered.

Available Options

The commission may choose to postpone action, refer this back to staff with directions, or approve the purchase and authorize the City Manager and staff to complete the repairs.

Financial

This is an unscheduled repair and may require a budget amendment in FYE 2012. The funds are available in the operating reserve, and this type of equipment repair or replacement is purpose for the fund.

Recommendation

I recommend that the commission approve the purchase of the blower from the manufacturer for \$4,998.53 plus shipping, and a replacement motor from Bridgeway Power for \$3,847.65.



QUOTE

DOCUMENT: Order Quote

CUST #: 90000656

BILL TO: CITY OF BOYNE
319 N LAKE STREET
BOYNE CITY, MI 49712

SHIP TO: BOYNE CITY WWT
319 N LAKE STREET
BOYNE CITY, MI 49712

CORRESPONDENCE TO: SUNSOURCE-FLUID PROCESS
4797 CAMPUS DR
KALAMAZOO, MI 49008

INSTRUCTIONS: STAGING AREA:

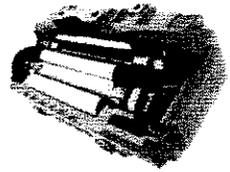
INVOICE DATE		QUOTE NO.	
		R937700	
P.O. DATE	P.O. NO.	PAGE #	
03/01/12		1	

SHIP POINT	MA	SCHEDULED DATE	TERMS
SUNSOURCE-FLUID PROCESS EQTP			net 30

Attr: Dan Meads EMAIL: dmeads@utmi.net P 231-582-6566

THANK YOU FOR THE OPPORTUNITY TO PRESENT THE FOLLOWING QUOTE

LINE NO.	PRODUCT AND DESCRIPTION (**)	QUANTITY ORDERED	QUANTITY U/M	UNIT PRICE	PRICE U/M	SHIP DATE	AMOUNT (NET)
1	OMEGA 53P HORIZONTAL OMEGA 53P BLOWER KAESER OMEGA 53P "DN150" CAST IRON BARE SHAFT ROTARY BLOWER. (to re-use existing port adapters) Shipment Stock, Fredricksburg VA	1	EA	6617.00	EA	04/02/12*	6617.00 **
* Ship Dates subject to inventory availability at the time the PO is received							
1 Lines	Qty Quoted Total	1	Total				6617.00
Frt/Hndlg/Tax to be added at Shipping							
Order Total							6617.00
** Products noted with an (**) next to the line item are non-cancellable and non-returnable without prior written approval. All other products are subject to cancellation or restock charges per the attached SunSource terms and conditions of sale.							



Dan Meads

From: Dagovitz, Stephan [stephan.dagovitz@kaeser.com]
Sent: Thursday, March 15, 2012 4:25 PM
To: dmeads@utmi.net
Cc: theise@fpepumps.com; Saylor, Tom
Subject: Omega 53P

Dan Meads
1234 lagoon Dr.
Boyne City, MI 49712
dmeads@utmi.net

Subject: Omega 53P bare blower direct sale

Dan,

Further to Tom's (FPE) phone request yesterday (regrets; I am traveling and was not able to respond until this afternoon); I am sending you a Kaeser credit application. Upon receipt of the completed credit application and upon receipt of a purchase order for the subject blower, Kaeser will consider for approval the sale of an Omega 53P blower to the Boyne City WWTP, MI facility on a direct basis.

The net pricing and delivery of the subject Omega bare blower to the Boyne City WWTP is as follows:

- | | |
|---|---------------------------|
| ➤ Omega 53P / part #881150.00100: | \$4,876.00 net price each |
| ➤ Install Kit (53P) / part # 831826.00030 | \$ 122.53 net price each |
| ➤ Delivery: | From stock |
| ➤ Delivery: Ex-works, Fredericksburg, VA | Freight paid by the City |
| ➤ Valid: | 30 days |

Please send the completed attached credit application and purchase order for the aforementioned bare blower to the attention of: Tom.Saylor@Kaeser.com

I hope this helps. Let me know if I may be of further assistance.

Best regards,

Stephan Dagovitz
District Manager - Kaeser Omega Midwest
847-220-2302 cell phone
540-898-5500 main (Ext. 416)
540-898-5520 fax
stephan.dagovitz@kaeser.com

US Headquarters:
Kaeser Compressors, Inc.

3/22/2012

QUOTE



DOCUMENT: Order Quote

CUST #: 90000656

BILL TO:
CITY OF BOYNE
319 N LAKE STREET
BOYNE CITY, MI 49712

SHIP TO:
BOYNE CITY WTP
319 N LAKE STREET
BOYNE CITY, MI 49712

CORRESPONDENCE TO:
SUNSOURCE-FLUID PROCESS
4797 CAMPUS DR
KALAHAZOO, MI 49008

INSTRUCTIONS: STAGING AREA:

INVOICE DATE	QUOTE NO.
	8948410
P.O. DATE	P.O. NO.
03/02/12	
	PAGE #
	1

SHIP POINT	VIA	SCHEDULED DATE	TERMS
SUNSOURCE-FLUID PROCESS EQUIP	UPS Ground		net 30

Attn: Dan Meads EMAIL: dmeads@utmi.net P 231-582-6566

THANK YOU FOR THE OPPORTUNITY TO PRESENT THE FOLLOWING QUOTE

LINE NO.	PRODUCT AND DESCRIPTION	QUANTITY ORDERED	QUANTITY U/M	UNIT PRICE	PRICE U/M	SHIP DATE	AMOUNT (NET)
1	NP0602 TECO 60hp 3600 MOTOR 364	1	EACH	3098.00	EACH	04/02/12*	3098.00 **
2	892213.0 TAPER BUSHING	1	EA	47.72	EA	04/02/12*	47.72 **
* Ship Dates subject to inventory availability at the time the PO is received							
2 Lines	Qty Quoted Total	2		Total			3145.72
				Frt/Hndlg/Tax to be added at Shipping			
				Order Total			3145.72
** Products noted with an (**) next to the line item are non-cancellable and non-returnable without prior written approval. All other products are subject to cancellation or restock charges per the attached SunSource terms and conditions of sale.							



Mail Payments To: #774494
 4494 Solutions Center
 Chicago, IL 60677-4004
 Corporate Accounts Receivable: (248) 573-1600
 Terms: NET 30 Interest at the rate of 1-1/2% per month

GAYLORD
 977 N. CENTER
 GAYLORD, MI 49735-
 (989)732-5055

INVOICE NO
ESTIMATE
Make Checks Payable To: CUMMINS BRIDGEWAY, LLC

BILL TO
 BOYNE CITY WWTP
 319 N LAKE ST
 BOYNE CITY, MI 49712-

OWNER
 BOYNE CITY WWTP
 319 N LAKE ST
 BOYNE CITY, MI 49712-
 DAN MEADS - 231 582-6656

PAGE 1 OF 2
 *** CHARGE ***

DATE	CUSTOMER ORDER NO.	DATE IN SERVICE	ENGINE MODEL	PUMP NO.	EQUIPMENT MAKE
02-MAR-2012 12:03PM			BP10216		WEG
CUSTOMER NO.	SHIP VIA	FAIL DATE	ENGINE SERIAL NO.	CPL NO.	EQUIPMENT MODEL
229642		20-FEB-2012	CC-NR029A		BP10216
REF. NO.	SALESPERSON	PARTS DISP.	MILEAGE/HOURS	PUMP CODE	UNIT NO.
37264					CC-NR029A

QUANTITY ORDERED	BACK ORDERED	QUANTITY SHIPPED	PART NUMBER	DESCRIPTION	PRODUCT CODE	UNIT PRICE	AMOUNT
------------------	--------------	------------------	-------------	-------------	--------------	------------	--------

OSN/MSN/VIN CC-NR029A

COMPLAINT QUOTE REPAIR

WEG MOTOR
 45KW 2P 200LFR

CORRECTION A. MTR. INITIAL INSPECTION & TROUBLE SHOOT
 FRONT BEARING FAILED. METAL PARTS ENTERED WINDINGS AND CAUSED
 WINDING FAILURE. REPLACE WITH NEW NEMA MOTOR WITH INSTALLED
 ROLLER BEARING. OPTIONS AS FOLLOWS:

THERMISTORS ADD \$325
 GROUNDING DEVICE ADD \$350

PRICE ALSO INCLUDES NEW BUSHING THAT WILL FIT EXISTING PULLEY.
 CUSTOMER BILLABLE

COVERAGE

		DIAGNOSTIC CHARGE:	9.10
1	0 0602SDRS41B-P	60/3600/480 TOSHIBA MOTOR	OTHER 3,369.00 3,369.00
1	0 2517X1-7/8	BUSHING	OTHER 35.00 35.00
1	0 NU312	ROLLER BEARING	OTHER 150.00 150.00
		PARTS:	3,554.00
		PARTS COVERAGE CREDIT:	0.00 CR
		TOTAL PARTS:	3,554.00
		SURCHARGE TOTAL:	0.00
		LABOR:	273.00
		LABOR COVERAGE CREDIT:	0.00 CR
		TOTAL LABOR:	273.00
		MISC.:	11.55

Completion date : 17-Mar-2012 01:19PM. Estimate expires : 24-Mar-2012 02:56PM.

MATERIAL SAFETY DATA SHEETS REQUIRED BY OSHA HAZARD COMMUNICATION STANDARD ARE AVAILABLE AT ALL BRANCHES

THIS INVOICE FOR ENGINES PARTS, COMPONENTS, REPAIR AND/OR SERVICE IS
 SUBJECT TO THE TERMS AND CONDITIONS OF SALE SET FORTH ON THE BACK OF THIS
 INVOICE, WHICH INCLUDES LIMITATIONS ON WARRANTIES AND REMEDIES.
 PURCHASER ACKNOWLEDGES THAT SUCH TERMS AND CONDITIONS HAVE BEEN READ
 AND FULLY UNDERSTOOD.

AUTHORIZED BY (print name) _____ SIGNATURE _____ DATE _____



Mail Payments To: #774494
 4494 Solutions Center
 Chicago, IL 60677-4004
 Corporate Accounts Receivable: (248) 573-1600
 Terms: NET 30 Interest at the rate of 1-1/2% per month

GAYLORD
 977 N. CENTER
 GAYLORD, MI 49735-
 (989)732-5055

INVOICE NO
ESTIMATE
Make Checks Payable To: CUMMINS BRIDGEWAY, LLC

BILL TO

BOYNE CITY WWTP
 319 N LAKE ST
 BOYNE CITY, MI 49712-

OWNER

BOYNE CITY WWTP
 319 N LAKE ST
 BOYNE CITY, MI 49712-
 DAN MEADS - 231 582-6656

PAGE 2 OF 2

*** CHARGE ***

DATE	CUSTOMER ORDER NO.	DATE IN SERVICE	ENGINE MODEL	PUMP NO.	EQUIPMENT MAKE
02-MAR-2012 12:03PM			BP10216		WEG
CUSTOMER NO.	SHIP VIA	FAIL DATE	ENGINE SERIAL NO.	CPL NO.	EQUIPMENT MODEL
229642		20-FEB-2012	CC-NR029A		BP10216
REF. NO.	SALESPERSON	PARTS DISP.	MILEAGE/HOURS	PUMP CODE	UNIT NO.
37264					CC-NR029A

QUANTITY ORDERED	BACK ORDERED	QUANTITY SHIPPED	PART NUMBER	DESCRIPTION	PRODUCT CODE	UNIT PRICE	AMOUNT
			OSN/MSN/VIN	CC-NR029A			

MISC. COVERAGE CREDIT: 0.00 CR
 TOTAL MISC.: 11.55
 ENVIRONMENTAL / SUPPLIES 0.55
 INCOMING FREIGHT 11.00

TAX EXEMPT NUMBERS: MI-EX 38-600454 TAXES: STATE 0.00

Completion date : 17-Mar-2012 01:19PM. Estimate expires : 24-Mar-2012 02:56PM.

MATERIAL SAFETY DATA SHEETS REQUIRED BY OSHA HAZARD COMMUNICATION STANDARD ARE AVAILABLE AT ALL BRANCHES

THIS INVOICE FOR ENGINES PARTS, COMPONENTS, REPAIR AND/OR SERVICE IS SUBJECT TO THE TERMS AND CONDITIONS OF SALE SET FORTH ON THE BACK OF THIS INVOICE, WHICH INCLUDES LIMITATIONS ON WARRANTIES AND REMEDIES. PURCHASER ACKNOWLEDGES THAT SUCH TERMS AND CONDITIONS HAVE BEEN READ AND FULLY UNDERSTOOD.

SUB TOTAL: 3,847.65
 TOTAL TAX: 0.00
TOTAL AMOUNT: US \$ 3,847.65

AUTHORIZED BY (print name) _____ SIGNATURE _____ DATE _____

MEMORANDUM**TO: MICHAEL CAIN; CITY MANAGER** *Mc***FROM: ANDREW KOVOLSKI; DPW SUPERINTENDENT** *AK***DATE: 3/23/12****RE: PICNIC TABLE PURCHASE**

During the budget review session on March 20, 2012 it was suggested we look at purchasing more picnic tables for the Park system. I have solicited bids for 10 new 8 foot aluminum Picnic tables. Bids were solicited and received from Belson Outdoors and Picnic Table Outlet. Copies of these proposals are attached for your review. Belson Outdoors price is \$632.00 each with free Shipping for a total price of \$6,320.00. Commercial Site Furnishing's price is \$ 645.83 each with shipping costs of \$1,038.00 for a total of \$7,496.30.

These are the same 8 foot Aluminum Tables we have purchased in past years. Also note that part of a prior years purchase was for repair parts to have on hand to repair damaged units. We have not used any of these parts and will not need to order more at this time.

RECOMMENDATION:

It is my recommendation that the City Commission approve the purchase of 10 Picnic Tables from the low bidder Belson Outdoors of Aurora, IL in the amount of \$6,320.00 and authorize the City Manager to sign the required documents. Funds for this purchase are available in Parks and Recreation budget.

Quote #
WQ 54553

Here is the Quote as per your request. The 'Shipping' total has been applied.
 To place an order, simply click 'Submit Order Confirmation' below.
 Please print this page for your records.
 Customer Order Confirmation is **required** to process order.

[Submit Order Confirmation](#)

[Decline Quote](#)



111 North River Road
 North Aurora, IL. 60542
sales@belson.com

Toll Free: 1-800-323-5664
 Phone: 1-630-897-8489
 Fax: 1-630-897-0573

QUOTE #
WQ 54553

Product Code	Description	Lbs	Quantity	Unit Price	Unit Total	
PR-8AA	Park Ranger Table, 8' Anodized Aluminum	1440	10	\$632.00	\$6,320.00	
		Subtotal	1440	Subtotal	\$6,320.00	
					(Illinois Only) Tax	\$0.00
Customer Order Confirmation is required to process order.					Shipping	\$0.00
Your Quote will not be shipped without your "Order Confirmation"					Grand Total	\$6,320.00

Sold To:

First Name* Andrew
 Last Name* Kovolski
 Company City of Boyne City
 Address* 319 N. Lake St.
 Address
 City* Boyne City
 State* MI
 Zip Code* 49712
 Country
 Phone* 231-582-0375
 Fax
 Email maintenance@boynecity.com

Ship To:

First Name Andrew
 Last Name Kovolski
 Company City of Boyne City
 Address* 319 N. Lake St.
 Address
 City* Boyne City
 State* MI
 Zip Code* 49712
 Country
 Phone 231-582-0375

Additional Delivery Services

- Phone Call 24 Hours Prior to Delivery*
- Delivery to Residential or Non-Commercial Truck Route Addresses
- Power Liftgate Service* - Driver will lower shipment from the truck to the ground (Only)



3180 Wetumpka Highway
 Montgomery, AL 36110-2734
 334.558.0863 Fax 334.532.0912

QUOTE

Quote #: CF032312XHR
Date: 3/23/2012 **Taken By:** DB

Bill To:

Andy Kovolski
 Boyne City
 319 N Lake St
 Boyne City, MI 49712

Phone: 231-582-0375

FAX:

Email: maintenance@boynecity.com

Ship To:

Andy Kovolski
 Boyne City
 319 N Lake St
 Boyne City, MI 49712 US

Phone: 231-582-0375

QTY	Item #	Description	Price	Total
10.00	CF-ERGDE	8ft Standard PT Series Picnic Table - Frame fabricated from 1-5/8" OD steel tubing - Hot-dipped galvanized frame - Anodized aluminum table tops & seats resist fading and corrosion	\$645.83	\$6,458.30



Subtotal	6,458.30
Tax(10%)	0.00
Shipping*	1,038.00
Total	7,496.30

This quote expires 30 days from the date above

Payment Terms: 100% due upon receipt of order via check. To avoid production delays, we can accept a credit card to authorize as a guarantee while your check is processed and mailed to us. Payments that result in a returned check will result in a \$35.00 fee. At our discretion, we may assess a 2.5% service charge for payments with a major credit card. You will receive an invoice referencing any service charges for your approval before your card is processed. For qualifying customers, purchase orders may be accepted with payment terms up to Net 30 days from date of shipment. For any past due balances, we will assess a finance charge of 7.5%. All applicable sales taxes are included. **All prices in US Dollars unless otherwise stated.**

*Shipping, if provided, is only an estimate of anticipated charges. As we contract other shippers this value may change before your order is placed. Upon placement of your order you will be given a binding shipping



Date: March 23, 2012
To: Mayor Grunch and the Boyne City City Commission
From: Michael Cain, City Manager *Mc*
Subject: April 24th Meeting Time

I have been requested by the Michigan State Housing Development Authority to be a presenter at the upcoming Building Michigan Communities Conference to be held in Lansing on April 23-25th. The session I will be speaking at is entitled "Leveraging Resources to Create Place" which will be held on the afternoon of Monday the 23rd. The following day, Tuesday the 24th, we have a City Commission meeting scheduled for noon.

The conference is waiving the \$165 registration fee because I will be presenting at the conference which allows me to attend all the sessions. The conference will be holding a number of sessions that could be of benefit to us. If we can reschedule our meeting on the 24th from a noon to 7pm meeting I would be able to take advantage of more of these sessions. Information on the conference is available on the internet at www.housingconference.org.

Either way I think this is a great opportunity to share some of what we have learned with other communities, learn from other sessions, attendees, and presenters, and strengthen our connections with various State and other officials. By rescheduling our meeting time it will enhance those opportunities.

RECOMMENDATION: That the City Commission change its April 24th meeting start time from noon to 7:00 p.m.

Options:

- Postpone the matter for further information or consideration.
- Deny the request and leave the meeting time at noon.
- Move the meeting date.
- Other options as determined by the City Commission.

April 2012

April 2012						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

May 2012						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
					April 1
					Spring Break
2	3	4	5	6	7
Spring Break					
	5:00pm ZBA		6:00pm Parks & Rec	City Hall Closed at noon	8
					Spring Break
9	10	11	12	13	14
Spring Break	Budget Public Hearing 7:00pm City Commission		8:30am Main Street Board mtg.		15
					National Volunteer Week Tax Day (United States)
16	17	18	19	20	21
National Volunteer Week					
5:00pm Planning Commission					22
23	24	25	26	27	28
	Budget Adoption 12:00pm City Commission		Arbor Day Tree Give-away 3:00pm Business Expo 5:30pm Airport Advisory Board 6:30pm Housing Commission	Chefs' Challenge (Boyne Mt.)	
					29
30					
FYI 2011-12 Ends					

May 2012

May 2012							June 2012						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
		1	2	3	4	5						1	2
6	7	8	9	10	11	12	3	4	5	6	7	8	9
13	14	15	16	17	18	19	10	11	12	13	14	15	16
20	21	22	23	24	25	26	17	18	19	20	21	22	23
27	28	29	30	31			24	25	26	27	28	29	30

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
	May 1	2	3	4	5
	5:00pm ZBA	8:00am Farmers Market	8:30am Main Street Board mtg. 6:00pm Parks & Rec		8:00am Buff Up Boyne 8:00am Farmers Market
					6
7	8	9	10	11	12
	7:00pm City Commission	8:00am Farmers Market			8:00am Farmers Market
					13
					Mother's Day (United States)
14	15	16	17	18	19
12:00pm EDC/LDFA	7:00pm Historic District	8:00am Farmers Market	Mushroom Festival		8:00am Farmers Market
					20
					Mushroom Festival
21	22	23	24	25	26
5:00pm Planning Commission	12:00pm City Commission	8:00am Farmers Market	5:30pm Airport Advisory Board 6:30pm Housing Commission		Airport Closed 8:00am Farmers Market
					27
					Airport Closed
					Drag Race
28	29	30	31		
Memorial Day (United States)		8:00am Farmers Market			