

**OCTOBER 22, 2013
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 OCTOBER 22, 2013 AT NOON

CALL TO ORDER

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

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

Staff: Cindy Grice, Michael Cain, Scott McPherson, Barb Brooks, Hugh Conklin, Jeff Gaither, Dan Meads, Anne Doyle and Andy Kovolski

Others: There were 7 citizens in attendance, including representatives from the Charlevoix County News and Petoskey News Review

**CONSENT AGENDA
MOTION**

2013-10-144

Moved by Towne

Second by Sansom

2013-10-144A

Approval of the October 8, 2013 City Regular City Commission meeting minutes as presented

2013-10-144B

Approval of the recommendation to reappoint Jeff Wellman to the Boyne City Historic District Commission for a three year term ending November 30, 2016

2013-10-144C

Approval of the recommendation to reappoint Chris Bandy to the Boyne City Historic District Commission for a three year term ending November 30, 2016

2013-10-144D

Approval of the recommendation to appoint Chris Glassford to the Boyne City Historic District Commission for a three year term ending November 30, 2016

Ayes: 5

Nays: 0

Absent: 0

Motion carried

CITIZENS COMMENTS

None

CORRESPONDENCE

Correspondence from Freshwater Future regarding a resolution supporting the finding of a permanent solution to stop the Asian carp was received and filed. Commissioner Gaylord said he researched the Freshwater Future and has reservations endorsing a resolution for this group. He added that he does not want Asian Carp in our waterways. Commissioner Sansom added that Asian Carp is a serious issue addressing the Great Lakes. Commissioner Neidhamer stated by signing this, we are endorsing the whole organization and we would have more strength working jointly with the other Cities in the county, the Tip of the Mitt and the Lake Charlevoix Association.

Mayor Pro-Tem Towne read correspondence he received from resident Paul Hanes

City Manager Cain reported:

- The Fire Department training house burn on Pleasant avenue went well and the site is being cleaned up.
- Leaf pick-up is underway.
- The acting sub committee for the proposed dog park felt it was better to bring more detailed plans back to the City Commission for review and consideration. Applications are being accepted from persons interested in serving on a subcommittee under the Parks & Recreation board. It is the goal to bring this back to the City Commission later this year or early next year.
- The downtown drinking fountains are being removed so their internal plumbing can be repaired over the winter and be ready to put back into service in the spring.
- Last week, I met with representatives of the Clean Energy Coalition of Ann Arbor to determine if they can assist us in the City Facilities project by projecting potential cost savings due to efficiency improvements and if there are potential grants available.
- The variable frequency drive at the pump station at Peninsula Beach has been repaired as approved by the City Commission and is back to normal operation.
- The marina dredging project is moving along well and still expected to be complete by November 1.
- Flotation Docking will be in next week to begin the repairs of the finger piers.
- Soil borings are being completed for the marina improvement project which includes the shoppers dock and fixed dock replacement.
- Bid documents are being finalized for the new fire truck and will be available this week with bids due back on November 21.
- The Planning Commission approved plans to remodel and expand Glens Market to include a drive-thru for their pharmacy on the north end of the building.
- We are hearing more about food trucks in the area and are getting inquiries from people looking to bring them to Boyne City. While they have been present in town as part of some of our festivals and events for some time, we are now getting inquiries for stand alone occurrences. Anne Doyle is researching this matter and we may possibly bring this back to the Commission in December.

Main Street Director Hugh Conklin presented an update to the 2013 Boyne Thunder event. The event generated a gross total of \$189,255. \$42,046 was presented to Camp Quality and \$7,644.78 to Challenge Mountain representatives. \$26,756 will be transferred to Main Street.

The September, 2013 Financial Statement was received and filed.

Mayor Grunch Opened the Public Hearing to close out the MEDC Community Development Block Grant #MSC 210022 in which federal funds were used for the Boyne Country Provisions and Radio Shack Façade Projects at 12:39 p.m.

CITY MANAGERS REPORT

REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

Public Hearing for MEDC
CDBG #MSC 210022 CDF
Grant Close-out

Main Street Director Hugh Conklin discussed the process to complete the Façade Improvements project for Boyne City Radio Shack and Boyne Country Provisions. A public hearing is required to review the project in which federal funds were used, and to close out the grant project as required under federal guidelines. The CDBG Funds for the project were \$181,428 with a private match of \$71,880. The project was completed last summer. Before and after photographs of the project were presented.

Staff Comments: None

Citizens Comments: None

Board Comments: All Commissioners agreed the project has greatly enhanced the downtown and the improvements are outstanding.

Mayor Grunch closed the Public Hearing at 12:44 p.m.

**Public Hearing for CDBG
#MSC 211014 - DIG Grant
Close-out**

Public Hearing to close out the Community Development Block Grant #MSC 211014 in which federal funds were used for the South Park Street Infrastructure Project

Mayor Grunch opened the Public Hearing at 12:44 p.m.

Barb Brooks discussed the process to complete the Downtown Infrastructure Grant for South Park Street. A public hearing is required to review the project in which federal funds were used, and to close out the grant project as required under federal guidelines. The project involved the complete reconstruction of South Park Street from Water to Pine Streets, was substantially completed in the fall of 2012 with restoration and punch list items completed in the spring of 2013. All invoices related to this project have been paid and all pay requests have been submitted to the state and reimbursements have been received. The original project budget which did not include the burial of the underground utility lines on Ray Street was \$719,200. Of that budget, \$503,440 came from CDBG funds and \$215,760 was local match.

Staff Comments: None

Citizens Comments: None

Board Comments: Commissioner Neidhamer said another job well done. Commissioner Gaylord said the project turned out great. Commissioner Sansom said she has heard only positive comments:

Mayor Grunch closed the Public Hearing at 12:46 p.m.

**Cemetery Gate and Policy
Discussion**

Consideration to direct staff to schedule a public hearing for input from citizens regarding Maple Lawn Cemetery Gate and Policy for the December 10, 2013 City Commission meeting.

Clerk / Treasurer Cindy Grice discussed the four phases of fence installed around the perimeter of Maple Lawn Cemetery. The total cost of the project to date is \$153,924 with approximately \$11,800 of that paid by donations received for assistance in funding this project. We have since received an additional \$10,308 in donation for cemetery gates from donations in memory of Jim Stackus and other contributions. Those funds have been donated specifically for, and set aside for this purpose,

we need to look at related issues and come up with an overall plan. I believe the first is the establishment of hours the cemetery is to be open. Currently our Cemetery does not have established hours it is to be open. We also do not have an ordinance establishing hours of operation.

A survey of other cemetery's operations was conducted. The following points were introduced: Leave operations as they are, open at all times; discuss the purpose of the gates, are they for security or decorative purposes, totally secure the cemetery or deal with cut thru traffic; choose what, if any, hours the cemetery is closed to the general public. If such hours are established, how would they be enforced; if gates are purchased and to be close, which ones would be the first priority and who will open and close the gates; discuss the possible two entrances that could be closed off soon at a minimal cost. Grice added that estimated costs for the gates at approximately \$36,000 have been received. She also recommended that due to the sensitive issue of whether hours are established or not, gates closed or not, a public hearing for input from citizens regarding this matter be scheduled.

Staff Comments: City Manager Cain agrees with the recommendation.

Citizens Comments: Eleanor Stackus agrees with the recommendation to move forward. People use the cemetery by riding their bikes thru it, the cross country team runs thru it, people walk their dogs thru it and don't clean up after them. We need to do studies and move forward. She is for putting one gate on Boyne Avenue.

Board Deliberation: Mayor Pro-Tem Towne said the money was donated for the gates and he would like to hear from the public. Commissioner Neidhamer said is all for further input. Commissioner Sansom said she is in favor of having a public hearing and would like the vandalism history. Commissioner Gaylord said it is too premature to give input at this time.

Staff was directed to schedule a public hearing.

Consideration to engage the services of Environment Architects to complete Phase I of the Veteran's Park Pavilion Project for a fee of \$7,500 and authorize the City Manager to sign the required documents.

**Veteran's Park Pavilion
Consultant**

Main Street Program Director Hugh Conklin discussed the Veterans Park Pavilion project. The purpose of the project is to develop architectural designs and cost estimates to expand and retrofit the pavilion into a multi-use, year-round structure, including use as a winter farmer's market location. A key component of the process will be a multi-day Charrette, where all members of the community and users of the pavilion will be invited and encouraged to participate. The City of Boyne City has been awarded a \$12,500 Michigan Economic Development Corporation grant which requires a dollar for dollar match to assist with the project.

The first phase of this project will include three components. The first will be an analysis of the existing structure and site, the second is the multi-day Charrette followed by a public presentation of the design and initial cost estimates; and the third is a final report documenting the process and findings for use in implementation. The committee's goal is to hold the Charrette before the end of the year.

Requests for Qualifications were requested and three firms submitted proposals. All were interviewed by the Veterans Park Pavilion Project Committee. Environment Architects of Traverse City is being recommended based upon those interviews.

Staff Comments: City Manager Cain added that Environment Architects' fee was also the lowest.

Citizens Comments: Farmer's Market Manager Becky Harris supports the committee and said she has a lot of confidence in this process.

Board Deliberation: Commissioner Gaylord inquired how the choice of committee members was made. He also inquired how much the farmer's market users pay to Main Street and has there been a discussion of formation of a co-op of users? Hugh Conklin said this is an opportunity to look at all sorts of things. Becky Harris added this grant was a good fit for this project. Commissioner Gaylord said we need to keep our options open. Maybe that isn't the best thing. Are there some other areas we could explore. How many of the firms were going to use the Charrette process. Hugh Conklin said it was required of all of them. Commissioner Gaylord asked if the City Commission is going to be part of the process.

Commissioner Sansom said this is an important first step. There is a great need in the community. She is all in favor of moving forward regardless of how the committee was selected. City Manager Cain said this is very strong about community participation. Mayor Pro-Tem Towne said he is for moving forward and for using the parks as much as possible, using public input. Commissioner Neidhamer said the Farmer's Market is an economic engine and he is in favor. The grant was the stepping stone. He thanked the Farmer's Market for being an engine.

2013-10-145

Moved by Sansom
Second by Towne

MOTION

To engage the services of Environment Architects to complete Phase I of the Veteran's Park Pavilion Project for a fee of \$7,500 and authorize the City Manager to sign the required documents.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Consideration to approve the bid from the Wood Shop in the amount of \$5,400 to manufacture and install the signs for

Avalanche Signage

Avalanche Park as presented, accept the donation from the Justin Conklin Memorial Fund to pay for the project and authorize the City Manager to sign the required documents.

Public Works Superintendent Andy Kovolski discussed the Parks and Recreation Commission has been working with Hugh and Susan Conklin with the Justin Conklin Memorial Fund on signage to be placed at Avalanche Park. The Conklins have offered to pay for the cost of the signage and installation of the project. The signs are meant to help people better navigate the park and its trail systems. The Wood Shop has quoted \$5,400 to manufacture and install the signs. Illustrations of the proposed signs were presented. Hugh Conklin presented current photographs of the lookouts, paths and landscaping that were created by the Justin Conklin Memorial Fund at the top of Avalanche. Susan Conklin said, regarding the signs at the top of Avalanche, the goal was to keep a view open and place the sign closer to one of the overlooks.

Staff Comments: EMS Director John Lamont said he supports the signage from an emergency response aspect as well.

Citizens Comments: Jim Baumann said he thinks this is great. He has lobbied for better signage.

Board Deliberation: Mayor Grunch said it is a beautiful tribute to Justin and is in full support. Commissioner Neidhamer said there are always people lost up there. He appreciates the dedication and the love the Conklins have for Boyne City. Commissioner Gaylord agrees and said it is a wonderful contribution in memory of their son. Mayor Pro Tem Towne agrees and thanked the Conklin family. Commissioner Sansom also agrees and said the signs are outstanding and generous.

2013-10-146

Moved by Towne
Second by Gaylord

MOTION

To approve the bid from the Wood Shop in the amount of \$5,400 to manufacture and install the signs for Avalanche Park as presented, accept the donation from the Justin Conklin Memorial Fund to pay for the project and authorize the City Manager to sign the required documents.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Consideration that the Planning Commission annually review potential candidates for the Marvin Loding awards, consider awards for land use categories and the award should only be given out for clear examples of innovation and / or excellence in land use. Award nominations should be considered in August and the award, if given, be presented in September

**Marvin Loding Award
Discussion**

Planning Director Scott McPherson discussed the Marvin Loding Community Pride Award that was established in 1986 and designed

to recognize individuals, businesses and industry for community pride and excellence. Awards were based of physical appearance of property which included landscaping, renovation, appearance, maintenance and harmony with the neighborhood and for community spirit which included community involvement, civic contributions, leadership qualities or special contributions to the City. Since its inception, the award was given out annually by the Planning Commission. Nominations could be submitted by anyone and the Planning Commission would review the nominations and vote on the awardees by secret ballot. Since 2007, the award was not given out. At a recent City Commission meeting, an inquiry was made in regards to the status of the award and the issue was brought to the Planning Commission for discussion and direction.

The Planning Commission reviewed and discussed the award and believed that potential recipients should be reviewed each year and the award should only be given out if there are deserving candidates. The Planning Commission also believes that the considerations for awards by the Planning Commission should be limited to land use and considerations for awards for community spirit and civic contributions are more appropriately considered by the Chamber of Commerce. The Planning Commission also discussed the timing of the award and believed that nominations for the award should be considered in August and awards presented in September instead of June and July allowing for projects to be completed thru the summer construction season and allowing awardees to be recognized in the fall at the community picnic.

Staff Comments: None

Citizens Comments: Jim Baumann said he thinks it's a great idea.

Board Deliberation: Commissioner Sansom said the land use is just for buildings and she would like to see this brought back. Commissioner Gaylord said we need to go back to the real intention of the Marvin Loding award. If we call it that, then it should be what the original intention. Commissioner Neidhamer said he doesn't think we are doing any disservice to the intent of the award. We are trying to simplify this. He doesn't think we are being disrespectful in our historical significance. Over times, things change. He added he thinks we are making it more significant.

Commissioner Sansom said times have changed quite a bit. She is just wondering if, because so much in going on throughout the community, maybe we should have 3 different categories and see how it does. Mayor Grunch said there's time to work on language and structure of it. Keeping Mr. Loding's name on it is the key component. Commissioner Gaylord said by changing this, you are changing history. He is all for recognition, but don't change history. We have to go back to the initial requirements to what it was. Mayor Grunch said he would like a little more research into it. City Manager Cain said we have a lot of successes, how can we reward them?

2013-10-147

Moved by Grunch

Second by Sansom

MOTION

To postpone and refer the issue of the Marvin Loding award back to staff.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Commissioner Sansom said elections are coming up. Hopefully she will be back and she has really enjoyed this experience. Commissioner Gaylord congratulated the High School football team. Talk about community spirit. He also checked on the status of the Jefferson Street drainage and said it looks like a temporary fix by the property owner has been done. He also added that he met with the City Manager earlier today regarding the facilities. The report states that the DPW facility go to North Boyne. We have \$1,000,000 set aside. Don't outlay taxpayer money to lease facilities at this time. Mayor Grunch agreed that it is time. Mayor Pro-Tem Towne agrees with Commissioner Gaylord. He also thanked the Citizens for their support. Commissioner Neidhamer agrees the facilities should be addressed. Mayor Grunch also thanked the citizens for the opportunity to serve and hopes for the opportunity to continue to do so.

GOOD OF THE ORDER

2013-10-148
Moved by Grunch
Second by Gaylord

CLOSED SESSION
MOTION

To approve the request of the City Manager to go into closed session to consider the purchase of real property as provided in MCL 15.268 (d) of the Michigan Open Meetings Act (PA 267 of 1976) at 2:13 p.m.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

2013-10-149
Moved by Grunch
Second by Gaylord

RETURN TO OPEN SESSION
MOTION

To return to Open Session at 3:00 p.m.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Moved by Mayor Grunch, seconded by Commissioner Gaylord to adjourn the regular City Commission meeting of October 8, 2013 at 3:01 p.m.

ADJOURNMENT

Ron Grunch
Mayor

Cindy Grice
Clerk / Treasurer