

**JULY 10, 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 JULY 10, 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: Andy Kovolski, Scott McPherson, Dennis Amesbury, Barb Brooks, Craig Remsberg, John LaMont, Michael Cain, Hugh Conklin, Michele Hewitt, Kevin Spate, Syrina Dawson, Craig Remsberg, Tavis Tannehill, Todd McGuire, Shannon McMaster and Cindy Grice

**CONSENT AGENDA
MOTION**

Others: There were 13 citizens in attendance, including representatives from the Petoskey News Review and Charlevoix County News

2012-07-099

Moved by Neidhamer
Second by Towne

2012-07-099A

Approval of the corrected June 12, 2012 regular City Commission meeting minutes as presented

2012-07-099B

Approval of the June 26, 2012 regular City Commission meeting minutes as presented

Ayes: 5

Nays: 0

Absent: 0

Motion carried

CITIZENS COMMENTS

CORRESPONDENCE

None

CITY MANAGERS REPORT

None

City Manager Cain reported:

- The first use of the child is missing system was used this past week for a missing adult. The system worked beautifully with volunteers coming out to help in the search.
- The Fourth of July Committee did another wonderful job this year.
- 10 additional picnic tables have been purchased and placed throughout the parks.
- EMS Director filed for an EMS grant. Possible projects include the replacement of the oldest ambulance, the lifepak 12 and an upgrade stretcher.
- Boyne Thunder is this coming weekend, with the largest event ever planned.
- The Boyne City Municipal Airport has a new official GPS approach which will make it easier and safer to fly into our airport.
- The Absentee ballots are now available for the August 7 primary.

Draft Minutes of the June 7, 2012 Main Street Meeting; of the June 7, 2012 Parks and Recreation Commission Meeting; of the June 18, 2012 Planning Commission Meeting; the June 18, 2012 Historical Commission Meeting; of the June 28, 2012 Election Commission Meeting; and the June 28, 2012 Airport Advisory Board Meeting were received and filed.

REPORTS OF OFFICERS, BOARDS, AND STANDING COMMITTEES

Consideration to schedule a work session for the purpose of reviewing the Community Noise Assessment & Mitigation of the Kirtland Products Plant report from RSG, Inc. on Tuesday, July 17th at 6:00 p.m. subject to the report actually being received in a reasonable timeframe and staff securing an appropriate meeting location.

Kirtland Update

Staff Comments: Planning Director Scott McPherson stated the Citizens committee will meet this coming Thursday to go over the Kirtland Noise Assessment report received from RSG.

Citizens Comments: None

Board Deliberation: All are in agreement.

MOTION

2012-07-100

Moved by Sansom

Second by Gaylord

Approved to schedule a work session for the purpose of reviewing the Community Noise Assessment & Mitigation of the Kirtland Products Plant report from RSG, Inc. on Tuesday, July 17th at 6:00 p.m. subject to the report actually being received in a reasonable timeframe and staff securing an appropriate meeting location

Ayes: 5

Nays: 0

Absent: 0

Motion carried

Review and discussion what, if any, regulations to be considered in a revised City Fireworks Ordinance for staff to work with and bring back in ordinance form for further consideration at upcoming meetings

Fireworks Ordinance Discussion

City Manager Cain discussed that since the last meeting when the fireworks ordinance were discussed, he received some concerns that were expressed by some residents that some late night fireworks were excessive. There are certainly more and larger fireworks than there were in the past under the old law.

Staff Comments: Interim Police Chief Remsberg stated that he still recommends his suggestions that he presented earlier. City Manager Cain added that there is nothing requiring us to do anything with this right now.

Citizens Comments: Correspondence from Jim Baumann was read by Mayor Grunch encouraging the Commission to take action on this. Charlevoix County Commissioner Joel Evans said that most of the noise is in the townships and suggested we get something together county – wide. City Manager Cain said that is an interesting concept. It may be different in rural areas than in cities. Bob Taylor added that you would

expect a little noise from the fireworks and didn't think it was too bad. Chris Christensen said you may want to take hard look at the time, if you try to limit, consider times.

Board Deliberation: Commissioner Neidhamer said all of the comments made make sense. Have staff study but not jump into it right away. It is not a priority. Commissioner Gaylord said the experience in his neighborhood is that he didn't detect any after about ½ hour after the City fireworks. He agrees there should be some time restraints and stated he is opposed to banning it other than national holidays. With freedom comes responsibility and there needs to be a nice balance. There is a short time window for enjoyment. Commissioner Sansom said her experience is that it has been every night of the week for several weeks. She doesn't want to hear fireworks every night. It is aggravating, annoying and frustrating. She added that she thinks it needs to be restricted and it waters down the 4th of July. It is way over done and what she witnessed with the fireworks was upsetting. Commissioner Sansom said this is also upsetting to veterans who have PTSD and the fines could be increased. We also may want to reconsider a fire department reimbursement of incurred costs.

Mayor Grunch said we need to find parameters to enforce and find unity with law enforcement. We need to work with different entities to make it safe. Commissioner Sansom said she has read where lawmakers may be revisiting this legislation. Joel Evans added that we need to focus on the noise ordinance, not banning fireworks. John McCahan said Boyne City does not have a sound ordinance and state law trumps any community ordinance.

2012-07-101

Moved by Neidhamer

Second by Towne

Approved to postpone discussion of the fireworks laws and ordinance and refer to staff to report within 90 days.

Ayes: 5

Nays: 0

Absent: 0

Motion carried

Police Chief Confirmation

Consideration to confirm the appointment of Jeffrey D. Gaither as Chief of Police for the City of Boyne City

City Manager Cain introduced Jeffrey D. Gaither to the City Commission for confirmation as Boyne City's next Chief of Police. Mr. Gaither was selected out of a pool of 23 applicants for this position, and his extensive law enforcement and leadership service with the Michigan Department of Natural Resources should serve him well as Boyne City's Police Chief. His experience as a part time Police Officer for Boyne City since 2007 will help him hit the town running. City manager Cain added that Mr. Gaither will make a fine Chief of Police and will build on the strong foundation our department has.

Citizens Comments: None

Staff Comments: Interim Chief Craig Remsberg spoke on behalf of the staff who wholeheartedly back the City Manager's recommendation. The City is in good hands with a bright future.

Board Deliberation: Mayor Pro-Tem Towne said Mr. Gaither has a very impressive work record and he highly supports the recommendation. Commissioner Gaylord asked Mr. Gaither if he is comfortable with operating within the City's budget parameters and asked what his short term goals are. Mr. Gaither said he understands budgeting and his strong point is community involvement. Commissioner Sansom said City Manager Cain's recommendation is a good choice. Commissioner Neidhamer said he supports the nomination and the process the City Manager went through. Mayor Grunch said he supports the recommendation and looks forward to the future.

MOTION

2012-07-102

Moved by Towne

Second by Sansom

Approved to confirm the appointment of Jeffrey D. Gaither as Chief of Police for the City of Boyne City.

Ayes: 5

Nays: 0

Absent: 0

Motion carried

City Manager Cain invited everyone to an official ceremony to have Jeff Gaither sworn in as Chief of Police of Boyne City to be held on Monday, July 16 at 10:00 a.m.

RECOGNITION OF SERVICE OF CRAIG REMSBERG AND KEVIN SPATE

Mayor Grunch presented Interim Police Chief Craig Remsberg and Interim Assistant Kevin Spate with certificates of appreciation for their dedicated service since December of 2011.

National Register for Historic Places project update

National Register for Historic Places project update

Main Street Program Director Hugh Conklin discussed the \$35,000 grant that Main Street received from the State Historic Preservation Office to hire a contractor to prepare an application to list a portion of downtown Boyne City as a district on the National Register of Historic Places. There is no local match component to the grant. After working with SHPO to prepare and solicit proposals from qualified consultants, William Rutter, an historic architect from Trout Lake, Michigan was hired to complete the nomination process.

Working since last October, Mr. Rutter completed a final draft of the nomination and submitted it to SHPO for final review and critique. The next step in the process is for a public meeting to explain the work involved with preparing the nomination and what, if approved, the historic district nomination will mean to the community. This meeting is scheduled for July 30 at 7:00 pm in the Boyne District Library Community Room. Tonight's presentation is an update on what has transpired since last fall and the process from this point forward.

Mr. Rutter presented the nomination application. We have a lot of history here and historical architecture will allow for financial incentives. Not all of the significant buildings are obvious. A slide show was presented of significant buildings and streetscapes that are contributing. A proposed district map was presented. Historic Preservation tax credits were discussed.

Citizens Comments: Ron Crozier inquired about the True Value Coop building and was informed that their recent façade improvements were approved at the SHPO level, so it is part of the district.

Board Deliberation: Commissioner Sansom said a lot was included, but she feels bad that the Library didn't qualify, along with the little church next to the Library. Commissioner Gaylord said he is hopeful that we are accepted, it is on more positive for Boyne City. Commissioner Neidhamer said if this is recognized, this is more tool and Mr. Rutter agreed. The tax incentive is very attractive to developers.

Consideration to approve the purchase of an ISG HRXR-Elite Thermal Imager Camera for the Fire Department from Douglas Safety Systems in the amount of \$10,250 and authorize the City Manager to execute the documents.

Fire Chief Dennis Amesbury discussed his request to purchase a new thermal image camera for the fire department. Two models were considered and his recommendation is superior and with the included extras, a better value. This purchase has been budgeted for.

Citizens Comments: None

Staff Comments: None

Board Deliberation: Commissioner Gaylord said it is an electronic gadget with a useful purpose and inquired if the old unit will be kept in service and was informed, yes, as a backup. All other Commissioners agreed with the purchase of the life saving equipment.

2012-07-103

Moved by Towne

Second by Gaylord

Approved the purchase of an ISG HRXR-Elite Thermal Imager Camera for the Fire Department from Douglas Safety Systems in the amount of \$10,250 and authorize the City Manager to execute the documents.

Ayes: 5

Nays: 0

Absent: 0

Motion carried

Mayor Pro-Tem Towne said he has received complaints of high speed on North Park Street, north of Vogel Street. He has also heard citizens concerns of dogs in the park on July 4th.

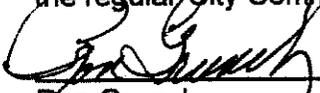
**Fire Department
equipment purchase**

MOTION

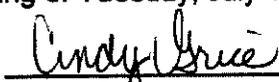
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**ADJOURNMENT
MOTION**

Moved by Mayor Grunch, seconded by Mayor Pro-Tem Towne to adjourn
the regular City Commission meeting of Tuesday, July 10, 2012 at 8:39 p.m.



Ron Grunch
Mayor



Cindy Grice
Clerk / Treasurer