



BOYNE CITY
CITY COMMISSION REGULAR MEETING
Boyne City Hall
364 North Lake Street
Tuesday, April 12, 2016 at 7:00 p.m.

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. CONSENT AGENDA
The purpose of the consent agenda is to expedite business by grouping non-controversial items together to be dealt with by one Commission motion without discussion. Any member of the Commission, staff, or the public may ask that any item(s) on the consent agenda be removed and placed as the last item under new business to receive full discussion. Such requests will be automatically respected.
 - A. Approval of the March 7, 2016 City Commission Work Session meeting minutes as presented
 - B. Approval of the March 22, 2016 City Commission Budget Work Session meeting minutes as presented
 - C. Approval of the March 29, 2016 City Commission regular meeting minutes as presented
4. HEARING CITIZENS COMMENTS (on non-agenda items; 5 minute limit)
5. CORRESPONDENCE
6. CITY MANAGER'S REPORT
7. REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES
 - A. Draft Minutes of the March 1, 2016, Zoning Board of Appeals Meeting
 - B. Draft Minutes of the March 3, 2016 Main Street Meeting
 - C. Draft Minutes of the March 3, 2016 Airport Advisory Board Meeting
 - D. Draft Minutes of the March 10, 2016 Parks & Recreation Board Meeting
 - E. Draft Minutes of the March 21, 2016 Historical Commission Meeting
 - F. Draft Minutes of the March 24, 2016 Airport Advisory Board Meeting
8. OLD BUSINESS
9. NEW BUSINESS
 - A. Public Hearing – Proposed FYE 2017 Budget
Public Hearing to hear Citizen comments regarding the General Appropriations for the FYE 2017 Budget as required by statutory regulations

- B. Millage Rate Resolution – General Operating
Consideration to adopt the Resolution to Establish a General Operating Millage Rate of 15.51 for the City of Boyne City FY 2016/2017
- C. Millage Rate Resolution – City Facilities Debt Service
Consideration to adopt the Resolution to Establish a City Facilities Debt Service Millage Rate of 1.32 for the City of Boyne City FY 2016/2017
- D. General Appropriations Act Resolution
Consideration to adopt the General Appropriations Act for FY 2016/2017 Resolution
- E. Fee Schedule Resolution
Consideration to adopt Fee Schedule for FY 2016/2017 Resolution
- F. Sidewalk Café Allowing Alcohol Service Ordinance Amendment Review Process
Consideration of a recommendation, as per City policy, that the Planning Commission begin the process of review of an Ordinance Amendment at its April 18th meeting
- G. Asbestos Remediation Change Order
Consideration to approve a change order from Quality Environmental Services in the amount of \$36,473 for additional asbestos removal services and anything further the City Manager deems appropriate regarding asbestos removal and authorize the City Manager to sign the required documents authorize the City Manager to execute the required documents
- H. Playground Mulch Purchase
Consideration to approve a contract with Michigan Bark Products for the purchase of 150 cubic yards of mulch to be delivered to the Veterans Park Playground in the amount of \$8,175 and authorize the City Manager to execute the documents
10. GOOD OF THE ORDER
11. ANNOUNCEMENTS
- The next regular City Commission meeting is scheduled for Tuesday, April 26, 2016 at Noon
 - City Hall will be open Saturday, April 30, 2016 from 9:00 am until 2:00 p.m. to issue and receive absentee ballots for the May 3, 2016 School Election
 - The School Election will be held on May 3, 2016. Polls will be open from 7:00 a.m. until 8:00 p.m.
12. ADJOURNMENT

*Individuals with disabilities requiring auxiliary aids or services in order to participate in municipal meetings may contact Boyne City Hall for assistance: Cindy Grice, City Clerk/Treasurer,
319 North Lake Street, Boyne City, MI 49712; phone (231) 582-0334*



Scan QR code or go to
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click on Boards & Commissions for complete
agenda packets & minutes for each board

**MARCH 7, 2016
WORK SESSION**

RECORD OF THE PROCEEDINGS OF THE BOYNE CITY
COMMISSION WORK SESSION DULY CALLED AND HELD AT 1
WATER STREET CONDO, UNIT 4, ON TUESDAY MARCH 7, 2016

CALL TO ORDER

Mayor Neidhamer called the meeting to order at noon followed by the Pledge of Allegiance.

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

Absent: None

Staff: Cindy Grice, Michael Cain and Barb Brooks,

Others: Lew Bender

Facilitator Lew Bender, Commissioners and staff present participated in a work session. No decisions were made during this work session
None

**ADJOURNMENT
MOTION**

Motion by Mayor Neidhamer seconded by Mayor Pro-Tem Towne to adjourn the City Commission Work Session of Tuesday, March 7, 2016 at 5:27 p.m.

Tom Neidhamer
Mayor

Cindy Grice
Clerk / Treasurer

**MARCH 22, 2016
BUDGET WORK SESSION**

RECORD OF THE PROCEEDINGS OF THE BOYNE CITY
COMMISSION BUDGET WORK SESSION DULY CALLED AND HELD
AT BOYNE CITY CITY HALL, 319 N LAKE STREET, ON TUESDAY
MARCH 22, 2016

CALL TO ORDER

Mayor Neidhamer called the meeting to order at 8:00 a.m. followed by the Pledge of Allegiance.

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

Absent: None

Staff: Cindy Grice, Michael Cain and all Department Heads as needed to participate in their department's budget discussions.

City Manager Cain presented the overview of the proposed FYE 2016 Budget.

Presentations from each department were provided for their respective budget proposals. Language corrections were requested, along with line item clarification for several items. Corrections will be made and presented to the Commissioners at their next meeting.

After an original request for a 3% increase in water/wastewater rates, an increase of 1.6% in the water / sewer rates is proposed.

**ADJOURNMENT
MOTION**

Motion by Mayor Neidhamer seconded by Mayor Pro-Tem Towne to adjourn the City Commission Budget Work Session of Tuesday, March 22 2016 at 5:27 p.m.

Tom Neidhamer
Mayor

Cindy Grice
Clerk / Treasurer

**MARCH 29, 2016
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 29, 2016

CALL TO ORDER

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

Present: Mayor Tom Neidhamer, Mayor Pro-Tem Gene Towne, Commissioners Laura Sansom and Hugh Conklin

Absent: Commissioner Ron Grunch

Staff: Cindy Grice, Michael Cain, Kevin Spate, Jeff Gaither, Scott McPherson, Mark Fowler, Barb Brooks, Lori Meeder, Michele Hewitt and Patrick Kilkenny

Others: There were 18 citizens in attendance including representatives from the Petoskey News Review and Charlevoix County News.

**Excuse Commissioner
Grunch**

2016-03-041
Moved by Neidhamer
Second by Towne

To excuse Commissioner Grunch from attending today's meeting.

Ayes: 4
Nays: 0
Absent: 1, Commissioner Grunch
Motion carried

**CONSENT AGENDA
MOTION**

2016-03-042
Moved by Conklin
Second by Towne

2016-03-042A
Approval of the March 15, 2016 City Commission regular meeting minutes as presented

2016-03-042B
Approval of the recommendation of the Boyne City Historical Commission to appoint Marcia Lazarz to the Boyne City Historical Commission for a three year term ending June 30, 2019

2016-03-042C
Approval of the recommendation of the Boyne City Historical Commission to appoint Lisa Alexander to the Boyne City Historical Commission for a three year term ending June 30, 2019

2016-03-042D
Approval of the recommendation of the Boyne City Historical Commission to appoint Asuka Barden to the Boyne City Historical Commission for a three year term ending June 30, 2019

Ayes: 4
Nays: 0
Absent: 1, Commissioner Grunch
Motion carried

CITIZENS COMMENTS

 None

CORRESPONDENCE

 Correspondence from The Arbor Day Foundation was received and filed.

CITY MANAGERS REPORT

 City Manager Cain reported:

- Last week the Community Development Block Grant for \$500,000 for the South Lake Street redevelopment Catt Development project was officially received.
 - The City has been notified that we have been successful in obtaining the \$15,000 Statewide Partnership Grant that will allow us, working through the Boyne City Housing Commission, to look at new housing options that will help meet the needs of our community and the neighboring region.
 - Absentee ballots for the upcoming May 3, 2016 school election are available.
 - A lot of extra effort has been taking place by a lot of our employees, volunteers and contractors to help the move into our temporary facility come together. We have been able to keep up with normal operations in the midst of all this. It is a true credit to everyone involved.
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**REPORTS OF OFFICERS,
BOARDS AND STANDING
COMMITTEES**

 The February, 2016 Financial Statement was received and filed.

**City Facilities Construction
Contract**

 Consideration to re-award the bid for the construction of the new City Facilities project to Hallmark Construction of Traverse City for corrected amount of \$6,593,374 and authorize the City Manager and/or City Clerk/Treasurer to execute the required documents necessary to undertake the project.

City Manager Cain discussed that at the City Commission's last meeting it approved the awarding of the low bid for the construction of the new City Facilities to the low bidder Hallmark Construction of Traverse City for a revised amount of \$5,993,374. That amount was incorrect. The correct amount was and is \$6,593,374.

The difference between the two was how the \$600,000 in additional funding from the Local Streets and Fire Department funds was and should have been reported. In the Value Engineering sheet that was provided in your last agenda packet and is again provided here for reference that additional funding was incorrectly calculated as a reduction in the revised construction price when it actually had nothing to do with the construction price. It should have been shown for what it is, money to be used for expenses associated with the project, including the construction expenses.

Although there are no changes to the prices bid by the contractor or the changes being recommended by staff or our architect from what was considered and approved at our last meeting, to be transparent with regards to this error and have a motion that accurately reflects the true cost of the contract, I am recommending that the City Commission approve a new motion awarding the contract for the construction of the new City Facilities to the low bidder Hallmark Construction of Traverse City for the actual revised amount of \$6,593,374.

There are sufficient funds available to undertake the project as proposed although the 2016-2017 City budget as initially recommended did

erroneously reflect an extra \$600,000. That was corrected in the budget as currently presented and as reviewed during the City Commission all day budget work session held last Tuesday. A revised VE sheet from the project architect dated 3-15-16 showing the corrected totals is also enclosed.

Staff Comments: None

Citizens Comments: None

Board Deliberation: All Commissioners are in support of this recommendation.

2016-03-042

Moved by Towne

Second by Sansom

MOTION

To approve to re-award the bid for the construction of the new City Facilities project to Hallmark Construction of Traverse City for corrected amount of \$6,593,374 and authorize the City Manager and/or City Clerk/Treasurer to execute the required documents necessary to undertake the project

Ayes: 4

Nays: 0

Absent: 1, Commissioner Grunch

Motion carried

City Clock Refurbishing

Consideration to approve and authorize the City Manager to execute the necessary agreements with the Balzer Family Clock Works of Freeport, Maine to restore and make operational the City's 1905 E. Howard Tower Clock as recommended at an estimated price of \$85,744.

City Manager Cain stated as the City Commission may recall in December Balzer Family Clock Works traveled to Boyne City to inspect, educate us and report back on the viability and cost of restoring our 1904 E. Howard Tower clock and associated Meneely & Co. bell for possible reuse in the clock tower of the new City Facilities building.

Their full report, dated December 15, 2015, is available for review at City Hall. We had one other clock restoration firm that also shared their optimism and excitement but declined to give us a quote due to his planned retirement. A third firm provided us a significantly higher quote, in the \$125,000 range, for a conversion of the clock from mechanical to electric drive.

A summary sheet was provided that included expected pricing, plus the supporting price sheets including all the various options provided by the Balzer Family Clock Works. We will arrange for transportation of the required components to Maine separate from this agreement. For the work proposed, transportation from Maine and installation of the components in our tower, the expected cost from the Balzer Family Clockworks is \$85,744.

Funds for this project are included in the proposed 2016-2017 City Budget. These expenses are eligible for payment using City Facility bond proceeds.

The time of the clock restoration would be coordinated with the City Facilities project aligned to both be completed at the same time, currently estimated as July 2017.

Staff Comments: None

Citizens Comments: None

Board Discussion: Commissioner Sansom said she is really excited. It will be the crowning touch to the project. Mayor Pro-Tem Towne said the clock is a part of Boyne City's history and will enhance City Hall for many years to come. Mayor Neidhamer said it's a tribute to our past.

MOTION

2016-03-042
Moved by Towne
Second by Sansom

To approve and authorize the City Manager to execute the necessary agreements with the Balzer Family Clock Works of Freeport, Maine to restore and make operational the City's 1905 E. Howard Tower Clock as recommended at an estimated price of \$85,744.

Ayes: 4
Nays: 0
Absent: 1, Commissioner Grunch
Motion carried

Retirement of Existing City Hall

Conclusion of last Public Meeting scheduled to be held in this facility.

City Manager Cain said this a bittersweet moment for many of us here at City Hall. This is the only City Hall that he's ever known since coming to Boyne City. Many other people in this community have known it a lot longer. They have known how it was a real force for progress in our community. The building at 319 N Lake Street is to be demolished so a new facility can be built in its place. The new facility will house City Administrative offices, meeting spaces, the Police, Fire and EMS departments. The City's historic clock tower, museum and the MSU Extension office will also be housed in it. This building was first constructed in the 1930's for the Top O'Michigan Rural Electric Cooperative. The building has gone through many renovations during its life and has never stopped serving the people of Boyne City and this region. It continues to do so until it's last moment. In 1976, voters approved to purchase and finance this building. Imagine Boyne City if our forefathers and foremothers didn't go forward and purchase this property and we didn't have this lakefront property as a part of the community. This access is something that we all cherish.

City Manager Cain added that on July 11, 1978, the City Commission began holding its meetings at the City Hall building before the City officially moved into it. The City Manager at the time was Forbes Tompkins. City Commissioners were Mayor Aldwyn Barden, Thelma Behling, Austin

Sevener and Keith Fitzpatrick. At the time the City Administration moved into the facility, the City Manager was Tim Clifton. At that time, City officials were happy to move the City Commission Chambers to a first floor location to be more accessible. The new City Hall facilities that will be complete in July of 2017 will have the Commission Chambers back on the second floor, but will be completely handicapped accessible.

Mayor Neidhamer said he grew up in Boyne City and knows the building well. He added that he is proud of our voters for taking this step forward with the new facility. Mayor Pro-Tem Towne said he believes when a door closes, one opens and is looking forward to the new building. Commissioner Sansom said she is excited to see the new facility when it is completed. Several former and current staff members shared memories and stories of times in the current building.

Good of the Order

Commissioner Sansom said a friend of hers donated two chairs to the museum.

Motion by Mayor Neidhamer seconded by Mayor Pro-Tem Towne to adjourn the regular City Commission meeting of Tuesday, March 29, 2016 at 12:50 p.m.

Tom Neidhamer
Mayor

Cindy Grice
Clerk / Treasurer

Following the meeting, Boyne City Police Officer Dan Mercer removed the American Flag from the Commission Chambers, followed by the Mayor and City Commissioner who removed the State of Michigan Flag, the Boyne City Flag and the City of Boyne City sign, processing out of the Commissioner Chambers.

Approved: _____

**Meeting Of
March 1, 2016**

Record of the proceedings of the regular Boyne City Zoning Board of Appeals meeting held at Boyne City Hall, 319 N. Lake Street, on Tuesday, March 1, 2016 at 5:00 p.m.

Call To Order

Vice Chair Carlile called the meeting to order at 5:00 p.m.

Roll Call

Present: Bob Carlile, Lynn Murray and Roger Reynolds
Absent: Pat Kubesh and John McClorey

MOTION

ZBA 2016-03-01-1

Motion by Murray, seconded by Reynolds to excuse the absence of McClorey.

Roll Call

Ayes: Carlile, Murray and Reynolds
Nays: None
Absent: Kubesh and McClorey
Abstain: None
Motion carries

Meeting Attendance

City Officials/Staff: Assistant Planning Director Patrick Kilkenny and Recording Secretary Pat Haver
Public Present: One

**Approval of the Minutes
MOTION**

ZBA 2016-03-01-2

Motion by Murray, seconded by Reynolds to approve the December 1, 2015 minutes as presented.

Roll Call

Ayes: Carlile, Murray and Reynolds
Nays: None
Absent: Kubesh and McClorey
Abstain: None
Motion carries

**Hearing Citizen comments on
Non-Agenda Items**

None

Correspondence(s)

None other than letters of support received previously for tonights requested variance.

New Business

None

Old Business

Public hearing opened at 5:04 pm

Variance Request

**1213 Nordic Dr.
John & Anita Clements**

Vice Chair Carlile reviewed the requested variance of owners John & Anita Clements which was postponed from a previous meeting; they are requesting approximately 24 foot of relief from the required 30 foot setback from the east lot line of the property and approximately 24 foot of relief from the required 30 foot setback from the south lot line of the property, to construct an addition to the

existing attached garage and relocate the existing driveway to the east side of the house.

Anita Clements: homeowner – wanted to clarify and give additional facts to the board. She understands that there are regulations that need to be followed, however, similar variances have been granted. They live in an area that has strict rules, and their homeowners association does not have a problem with this request. The slopes in the other areas of their property are financially prohibitive to do more than consider them as possibilities, they temporarily put up tarps to represent where the garage would be placed and there were no obstructions going around the corner. For their own peace of mind, because of the kids playing in the area, wanted to double check and make sure. Her sister is living with them and is handicapped and uses a walker or wheel chair, and it is impossible for her to get outside by herself with the current driveway slope. A flat driveway would also be easier on the homeowners who are becoming elderly. The applicants did go through the findings of fact, and felt that they met all of the criteria. They have spoken with several neighbors and who do not have a problem with the variance request and felt that there was not an obstructed view either.

Carlile - You are aware that we are bound by the ordinance? **Clements** – Yes sir

Public Hearing closed at 5:25

At this point in the meeting, Vice Chair Carlile facilitated the review of the findings of facts

FINDINGS OF FACT UNDER SECTION 24.80. – NON-USE VARIANCES

In hearing and deciding appeals for variances, the Board shall adhere to the following criteria in determining whether or not practical difficulties and/or unnecessary hardships exist:

1. Requiring the owner to comply with the regulations governing area, setbacks, frontage, height, bulk, density or other non-use requirements would unreasonably prevent the owner from using the property for a permitted purpose, or would render conformity with such regulations unnecessarily burdensome.

Affirmative: The street could have been graded and excavated differently initially to alleviate these difficulties. There is a handicapped individual living in the residence, so going up a steep driveway is burdensome.

2. The variance granted is the smallest variance necessary to do substantial justice to the owner as well as to other property owners.

No: there were other options that could have been done, and the board also felt that there were visibility issues rounding the corner if the variance were granted.

Because the answer to question #2 was not in the affirmative, the board did not go through the remainder of the questions.

3. The variance can be granted in such a fashion that the spirit of the Ordinance will be observed and public safety and welfare secured.
4. The need for the variance is not self created.
5. The need for the variance is due to unique circumstances of the property itself, and not due to general conditions in the area or to circumstances related to the owner personally or to others residing on the property.

MOTION

With no further discussion, ***motion by Murray, seconded by Reynolds, based on the findings of fact and that question #2 was not answered in the affirmative, decline the request of John and Anita Clements for approximately 24 foot of relief from the required 30 foot setback from the east lot line of the property and approximately 24 foot relief from the required 30 foot setback from the south lot***

line of the property, to construct an addition to the existing attached garage and relocate the existing driveway to the east side of the house.

2016-03-01-6A

Roll Call:

Aye: Carlile, Murray and Reynolds

Nay: None

Abstain: None

Absent: Kubesh and McClorey

Motion Carried

Reports of Officers, Boards and Standing Committees

None

Good of the Order and Announcements

None

Next Meeting

The next meeting of the Boyne City Zoning Board of Appeals is scheduled for April 5, 2016 at 5:00 p.m.

Adjournment MOTION

ZBA 2016-03-01 10

Murray moved, Reynolds seconded, PASSED UNANIMOUSLY a motion to adjourn the Tuesday, March 1, 2016 Boyne City Zoning Board of Appeals meeting at 5:38 p.m.

Robert Carlile, Vice Chair

Pat Haver, Recording Secretary



Approved: _____

Meeting of
March 3, 2016

MINUTES OF THE BOYNE CITY MAIN STREET BOARD REGULAR MEETING
HELD ON THURSDAY MARCH 3, 2016 AT 8:30 AM CITY HALL, 319 NORTH
LAKE STREET

Call to Order

Chair O’Brien called the meeting to order at 8:31 a.m.

Roll Call

Present: Pat O’Brien, Michael Cain, Michelle Cortright, Chris Bandy, and Don Ryde

Meeting Attendance

Absent: Ben VanDam, Rob Swartz, Jodie Adams, and Robin Berry-Williams

City Staff: Main Street Director Lori Meeder, Assistant Planning/Zoning Administrator Patrick Kilkenny and Recording Secretary Lisa Schrock

Public: None

Excused Absences

MOTION

Cain moved Cortright second PASSED UNANIMOUSLY to excuse Ben VanDam, Rob Swartz, Jodie Adams, and Robin Berry-Williams from today’s meeting.

Approval of Minutes

MOTION

Cortright moved Bandy second PASSED UNANIMOUSLY to approve the February 11, 2016 regular minutes as presented.

Citizens Comments

None

Correspondence

None

Manager’s Report

Main Street Director Meeder gave the Manager’s Report on the following topics:

- Boyne Thunder Registration—no one was able to register, the site was shut down after fielding numerous calls. Registration will open back up tomorrow at 9 a.m.
- Last River Draw Fundraising—we are 37 days in out of 60 days for the all or nothing \$25,000 match and we are up to \$14,400. Meeder asked for a consensus from the board that if they were within a certain amount of the match if Main Street would make up the difference. (a motion was made)
- Part-time Administrative Assistant— the position was posted and we have received 15 resumes to date with a March 15 deadline. Meeder would like to convene a group to help with selection—Meeder, Becky Kuebler and Dean Solomon would like someone from the Main Street board to join. Cortright said she would be willing.
- Design Intern—we received three resumes back for an intern this summer

and they will be discussed at the next design committee meeting.

- Walk about Sculpture Tour—they are busy with next year’s installation, there is a meeting tonight and we are stalled due to lack of funding.
- Stroll the Streets—sponsorship letters were mailed out yesterday, the series begins on June 10 and will run for 13 weeks.
- New Main Street website—we are trying to get the new website pages populated with narrative.
- Irish Festival—starts on March 13-March 20. 9 & 10 News is doing their Morning Feature on- Michigan This Morning on March 17 on the event.
- Boyne Appetit—continues to make strides, we had our third Wine Wednesday last night and it will end in June. Restaurant week is planned for June 6-12. Pam Chipman from the Morel Mushroom festival is requesting the Boyne Appetit restaurants to come up with specials that can be published/printed or put on a board for visitors.
- Historical Walking Tour—we hope to start Phase 2 this summer.

New Business
Last River Draw
Fundraising
MOTION

Cain moved Cortright second PASSED UNANIMOUSLY that Main Street will make up the difference up to \$10,000 if \$25,000 is not raised for the local match of the fundraiser.

Boyne Thunder
Resolution of Support
MOTION

Cortright moved Bandy second PASSED UNANIMOUSLY for the Main Street to recommend to the City Commission a request for a resolution of support for the 2016 Boyne Thunder event to be held July 7-10, 2016; support the application to the Liquor Control Commission for a special license for the sale of beer, wine and spirits on the premises; and authorize City staff to work with the Boyne Thunder committee on needs and issues that may arise as event plans move forward.

SOBO Arts Festival
resolution of Support
MOTION

Cortright moved Ryde second PASSED UNANIMOUSLY that the Main Street Board recommends to the City Commission a request for a resolution of support for the 2016 SOBO Arts Festival event to be held June 24 and 25, 2016 and authorize City staff to work with the committee on needs and issues that may arise as event plans move forward.

There was discussion on whether closing Water Street between the Chamber and 5/3 Bank was necessary. The consensus was to leave the street open.

Farmer’s Market Food
Truck Rally
MOTION

Cain moved Cortright second PASSED UNANIMOUSLY that the Main Street Board supports the request and recommends that the City Commission approve the request from the Boyne City Farmers Market to apply for a one-day liquor license from the Michigan Liquor Control Commission for its fundraising event on July 14, 2016 at Veterans Park.

Tree and Flower
Maintenance Contract
MOTION

Cain moved Bandy second PASSED UNANIMOUSLY to approve the tree and flower contract for the fiscal year 2016-17 with Mark C’s Trees for \$4,670. Cain asked if this is in the budget and Meeder said yes.

Graphic Design Services Contract
MOTION

O'Brien moved Cortright second PASSED UNANIMOUSLY to approve the graphic design services contract for the fiscal year 2016-17 with Kecia Freed Design for \$4,800.
There was discussion about how Kecia does really nice work.

Sidewalk Café Outdoor Service
MOTION

Ryde moved O'Brien second PASSED 3-2 (opposed Bandy and Cortright) that the Main Street Board recommends to the City Commission to reopen this topic of sidewalk café outdoor service including selling liquor for further discussion.
There was discussion about depending on the business how much space they would have for the sidewalk service.

Letter of Opposition to HB 5232 & SB 720
MOTION

Cortright moved Bandy second PASSED UNANIMOUSLY that the Main Street Board supports to write a letter of opposition to House Bill 5232 and Senate Bill 720 for submittal to State House and Senate representatives.

ADJOURNMENT
MOTION

O'Brien adjourned the March 3, 2016 meeting of the Boyne City Main Street Board at 10:09 a.m.

Lisa Schrock, Recording Secretary



Approved: _____

MEETING OF MARCH 3, 2016 **RECORD OF THE PROCEEDINGS OF THE REGULAR MEETING OF THE BOYNE CITY AIRPORT ADVISORY BOARD HELD MARCH 3, 2016**

CALL TO ORDER *Chair Schmidt* called the meeting to order at **5:29 p.m.** followed by the pledge of allegiance.

ROLL CALL **Present:** Richard Bouters, Jerry Schmidt, Brian Harrington, Oral Sutliff
Ed Hennessy *Rod Cortright

ATTENDANCE **Absent:**, *Jim Kozlowski * Larry Trumble *Bud Chipman* Leon Jarema
**Ex Officio Members*
Citizens: Ron Ludgin, Ken Allen
Staff: Airport Manager/City Manager, Michael Cain

EXCUSED ABSENCES None
MOTION

APPROVAL OF MINUTES **Sutliff moved Harrington seconded PASSED UNANIMOUSLY** to approve
MOTION the minutes of **January 28, 2016** as written.

CORRESPONDENCE NONE

CITIZENS COMMENTS NONE
(NON-AGENDA ITEMS)

COMMITTEES/REPORTS NONE

- UNFINISHED BUSINESS**
- A. **Airport Pavement Markings:** The board reviewed information from MDOT regarding pricing and a timetable for re-marking the runway. Michael Cain indicated that he would continue to research additional quotes. The board authorized Michael to move forward with what he considers to be the best option for the airport.
 - B. **Runway Distance Markers:** This project will resume as weather permits with a Spring completion.
 - C. **Spring Safety Seminar:** An aviation Safety Seminar presented by MDOT Office of Aeronautics will take place on Thursday, May 12, 2016 at 6:30 p.m. in the Airport Terminal.

- D. **General Utility Inspection:** The board will invite Mike Borta of Qoe Consulting and Randy Collier from MDOT Office of Aeronautics to visit in the Spring. This will give the board the opportunity to walk the property and identify items that need attention based on the last airport inspection by MDOT.
- E. **Budget:** The board discussed the upcoming budget with Michael Cain. The board reviewed airport fees and will maintain these at current levels. A final budget will be reviewed at the March 24th meeting.
- F. **Airport Property Request:** No current action is taking place regarding this issue.
- G. **Model Aircraft/UAS Guidelines:** The board reviewed the final draft of the Model Aircraft/UAS Guidelines. **Harrington moved Sutliff seconded PASSED UNANIMOUSLY to recommend to the City Commission to adopt these guidelines as written for the Boyne City Airport.**
- H. **Airport User Survey:** The final draft of the Airport User Survey was considered by the board. **Sutliff moved Harrington seconded PASSED UNANIMOUSLY for Richard Bouters to move forward with the distribution of the survey with the addition of a comment section.**
- I. **Business After Hours – April 28, 2016:** The board reviewed quotations for catering and discussed planning.
- J. **Other:** The board discussed some decorating changes to the terminal to progress over the next few weeks.

MOTION

MOTION

NEW BUSINESS

- A. **Other:** Michael Cain reported that an inquiry had been made regarding someone building a new hangar at the airport. No plan in progress at this time.

GOOD OF THE ORDER

- A. Fuel price is **\$4.57** per gallon as of **November 2, 2015**.
- B. City/Airport Manager Michael Cain attended the Annual Michigan Association of Airport Executives meeting February 17 – 18 in Lansing and reported to the board.
- C. The bike trail from Boyne City to Boyne Falls with the Airport as a Trail Head is slated for starting in 2018.

ANNOUNCEMENTS

NEXT MEETING

- A. The next regular Airport Advisory Board meeting is scheduled for **Thursday, March 24, 2016 at 5:30 p.m. in the Airport Terminal.**

MOTION

ADJOURNMENT

Chair Schmidt adjourned the Airport Advisory Board meeting at **6:38 p.m.**

Richard L. Bouters-Secretary_____

**MEETING OF
MARCH 10, 2016**

RECORD OF THE PROCEEDINGS OF THE **REGULAR BOYNE CITY PARKS AND RECREATION COMMISSION MEETING HELD AT 6:00 P.M. AT DPW-FACILITY LOCATED ON ROBOINSON STREET ON THURSDAY, MARCH 10, 2016.**

CALL TO ORDER

Meeting was called to order by Chair Sheean at 6:03 p.m.

ROLL CALL

Present: Mike Sheean, Jo Bowman, Patrick Patoka, Heath Meeder, Darryl Parish and Marie Sheets

Absent: Jerry Swift

**MEETING
ATTENDANCE**

City Staff: Streets/Parks & Recreation Superintendent Andy Kovolski and Recording Secretary Michele Hewitt

Public Present: two

****MOTION**

Meeder moved, Bowman seconded, PASSED UNANIMOUSLY to excuse the absence of Swift.

**APPROVAL OF
MINUTES **MOTION**

Bowman moved, Parish seconded, PASSED UNANIMOUSLY a motion approving the February 4, 2016 meeting minutes as presented.

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

None

DIRECTOR'S REPORT

Kovolski reported the warming house at Avalanche closed on Sunday March 5 for the season. Plans for cleanup in preparation for summer. Rotary Park tree cleanup
Request to add item 9-B to agenda regarding Fitness Grant. Chair-Sheean approved addition to agenda.

CORRESPONDENCE

None

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

Park Inspection Reports -

- **Disc Golf Update** - None.
- **Parks Inspection-** Meeder had concerns about trees at Avalanche along the trails that could present a serious issue, Kovolski indicated this will be attended to. Commissioner Conklin commented on the mountain bike trail being a bit risky, Kovolski replied that crews will attend to this. Bowman asked if the same crew that handles tree management at the Cemetery would be the same one to handle the parks. Sheets also added that tree management was needed at the Boyne River Nature Area close to the start of the trail.
- **BC-Char. Trail-** Chair Sheean reported that the ribbon cutting was on March 9th, tree management will be starting soon and will also include Phase II. Chair Sheean is getting lots of good reviews regarding the expansion. **Boyne Valley** continues to move forward with trail plans, bid request in by 1st of April.

**UNFINIHSSED
BUSINESS
FY 2016/17 Budget**

Budget Discussion- Kovolski handed out budget worksheets for the board to review. Kovolski gave an explanation of each line item. No money scheduled for the waterfront this fiscal year, plan is to include it 2017/18 budget year. Commissioner Conklin asked about the River Mouth restrooms, were are we at with improvements. Kovolski reported that some work was done in 2015 and more is scheduled for this coming year.

NEW BUSINESS

9-A

DNR- Michigan Natural Resources Trust Fund Grant proposed projects.

- 1.) Acquisition -open space property (475 N. Lake St)
- 2.) Pavilion
- 3.) Boyne Valley trail phase 1, no monies required until 2017.

Kovolski made reference to the memo from Patrick Kilkenny regarding the proposed projects. Guest Greg Vadnais commented on the grant projects and gave a handout to the board from the Michigan Natural Resources Trust Fund showing the number of grants issued throughout Michigan and makes specific reference to Charlevoix County. Greg has a good connection with this organization and talked about Erin McDonough from Beaver Island. Greg talked about Trust Tuesday this is an opportunity for proposed projects to be given more spotlight, this is done weekly, contact MCC about process. Greg recommends placing your project out there as soon as possible prior to grant applications to help get better exposure.

9-B

Fitness Grant (M-Parks Grant)-Kovolski explained that this is a senior and youth project and a smoke free policy must be enacted. Chair Sheean asked how this was different from the motion three months ago. Kovolski asked board to review the new information handed out and at the next meeting will look for a recommendation.

**GOOD OF THE
ORDER**

Sheets talked about the warmer weather conditions as we had this year and how can we be proactive next year and have an action plan for the milder temps during winter months regarding the ice rink. Kovolski indicated refrigeration would be necessary to have ice earlier when conditions are warmer. Meeder mentioned that Walloon opened earlier than we did. Chair Sheean mentioned that when we had an active Hockey League they had equipment and it was removed after they left. Ice Rink was opened at the beginning of January this year. Parish asked if we could add Riverside Park to the agenda and Kovolski said it

would come up later this year.

NEXT MEETING

April 7, 2016 @6:00 pm

ADJOURNMENT

6:38 pm

DRAFT

BOYNE CITY HISTORICAL COMMISSION

Minutes of March 21, 2016
7:00 pm
Boyne City Hall Commission Chambers

CALL TO ORDER: 7:00 PM

PRESENT: Sansom, Hewitt, Kelts.

ABSENT: Kuhn.

GUEST: none

APPROVAL OF MINUTES: Minutes of the December 21, 2015 Meeting and February 16, 2016 Special Meeting, Kelts motioned to approve Sansom second, all ayes.

OLD BUSINESS:

None

NEW BUSINESS:

- A. Board application from Marcia Lazarz, Kelts motioned to approve, Sansom second, all ayes.
Board application from Lisa Alexander, Hewitt motioned to approve, Kelts second, all ayes.
Board application from Asuka Barden, Sansom motioned to approve as a ex-official member due to residency status, Kelts second, all ayes.
- B. Hewitt gave a brief update on the new temporary storage locations for the museum. Boxes and other small items will be stored in an office space in the old DPW building, large items and furniture will be stored at our cold storage facility located at north Boyne.
- C. City Commission approved our recommendations for crating and packing and moving. Crating bid went to DNS Residential Services and packing and moving went to Blane's Moving & Storage.
- D. Hewitt gave a review of our budget amount for FYE 2017.

CITIZENS COMMENTS:

None

COMMUNICATIONS:

Special Meeting May 23, 2016 at 5:15 pm. Invite Fire Department to discuss LaFrance Anniversary.

NEXT MEETING: June 20, 2016

Adjourned at 7:29 pm

DRAFT



Approved: _____

MEETING OF MARCH 24, 2016 **RECORD OF THE PROCEEDINGS OF THE REGULAR MEETING OF THE BOYNE CITY AIRPORT ADVISORY BOARD HELD MARCH 24, 2016**

CALL TO ORDER

Chair Schmidt called the meeting to order at **5:30 p.m.** followed by the pledge of allegiance.

ROLL CALL

Present: Richard Bouters, Jerry Schmidt and* Leon Jarema

ATTENDANCE

Absent: *Jim Kozlowski, * Larry Trumble, *Bud Chipman, Brian Harrington, Oral Sutliff, *Rod Cortright and Ed Hennessy
**Ex Officio Members*

Citizens: Lesley Pritchard and Ken Allen

Staff: Airport Manager/City Manager, Michael Cain

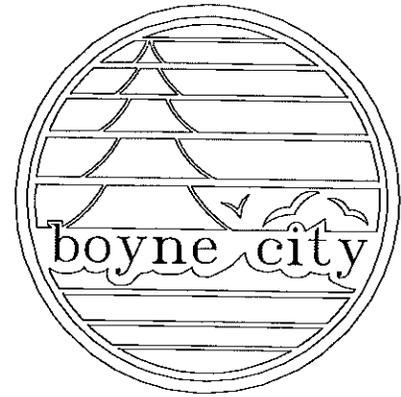
ADJOURNMENT

Due to not having a quorum present, the meeting was adjourned by Chair Schmidt at 5:35 p.m.

Richard L. Bouters-Secretary_____

CITY OF BOYNE CITY

To: Michael Cain, City Manager
From: Cindy Grice, City Clerk/Treasurer
Date: April 6, 2106
Subject: Budget Adoption



The following items are being brought to the City Commission for consideration in order to complete the budget and appropriations process for FYE 2016 / 2017

- The Public Hearing - it is necessary that a Public Hearing be held as required by statutory regulations in order to hear citizen comments regarding the General Appropriations Act. This hearing will give citizens the opportunity to discuss the proposed FYE 2017 Budget.
- The resolution adopting the General Operating Millage Rate.
- The resolution adopting the City Hall Facilities Debt Service Millage Rate.
- The resolution adopting the General Appropriations Act for FYE 2016 / 2017.
- The resolution adopting the Fee Schedule.

If you have further questions, please contact me at any time.

**CITY OF BOYNE CITY
COUNTY OF CHARLEVOIX**

Resolution No. 2016-04-0XX

**TO ESTABLISH A MILLAGE RATE OF 15.51
FOR THE CITY OF BOYNE CITY
FY 2016 / 2017 (May 1, 2016- April 30, 2017)**

WHEREAS, the City of Boyne City, Charlevoix County, Michigan, has approved \$16,943,775 in operating expenses for all City Funds which includes Prior Year Fund Balances for the FY 2016 / 2017 City Budget; and

WHEREAS, of this amount, \$2,558,000 is to be raised by taxes for operation;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Commission of the City of Boyne City, Charlevoix County, Michigan, that the City Commission does hereby establish a City of Boyne City millage rate of 15.51 for operation.

ROLL CALL

Aye:

Nay:

Abstain:

Absent:

RESOLUTION DECLARED ADOPTED.

Cindy Grice, City Clerk/Treasurer

**CITY OF BOYNE CITY
COUNTY OF CHARLEVOIX**

Resolution No. 2016-04-0XX

**TO ESTABLISH A MILLAGE RATE OF 1.32
FOR THE CITY OF BOYNE CITY
FY 2016 / 2017 (May 1, 2016- April 30, 2017)**

WHEREAS, the City of Boyne City, Charlevoix County, Michigan, has approved \$307,333 in Principal and Interest expenses for the City Facilities Debt Funds, which includes the Prior Year Fund Balance for the FY 2016 / 2017 City Budget; and

WHEREAS, of this amount, \$230,934 is to be raised by taxes for principal and interest expenditures for the City Facilities Construction Debt, approved by the voters of the City of Boyne City in May, 2015;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the City Commission of the City of Boyne City, Charlevoix County, Michigan, that the City Commission does hereby establish a City of Boyne City millage rate of 1.32 for debt service.

ROLL CALL

Aye:

Nay:

Abstain:

Absent:

RESOLUTION DECLARED ADOPTED.

Cindy Grice, City Clerk/Treasurer

CITY OF BOYNE CITY
 RESOLUTION OF ADOPTION NO. 2016-04-XXX
 GENERAL APPROPRIATIONS ACT
 For 2016 / 2017 (1 May 2016 - 30 April 2017)

Section 1. The funds necessary to defray the operating expenses and long-term debt obligations of the City of Boyne City and the estimated revenues by source for the Fiscal Year Ending 30 April 2017 are projected to be as follows:

REVENUES
 (By Source)

GENERAL FUND

Property Taxes	2,669,400
Tax Penalties, Administration, and Interest	
Allocated from Fund Balance	5,727
State Shared Revenues and Grants	357,381
Administrative Service Fees	139,500
Charges for Services	165,150
Interest and Rentals	10,100
Other Sources	<u>80,082</u>
Total Revenue Available to Appropriate	3,427,340

MAJOR STREET FUND

State Highway Receipts	280,000
Grants/Service Fees/Road Millage	191,206
Transfers from General Fund	<u>63,434</u>
Total Revenue Available to Appropriate	534,640

LOCAL STREET FUND

State Highway Receipts	160,990
Grants/Service Fees/Road Millage	89,000
Transfers from General Fund	<u>545,373</u>
Total Revenue Available to Appropriate	795,363

RUBBISH FUND

Transfers from General Fund	<u>39,500</u>
Total Revenue Available to Appropriate	39,500

CEMETERY DEPARTMENT

Service Fees/Misc.	15,000
Allocated from Fund Balance	23,045
Transfers from General Fund	<u>16,444</u>
Total Revenue Available to Appropriate	54,489

AMBULANCE DEPARTMENT

Township/City Service Fees	79,180
Service Fees/Grants/Misc.	808,805
<u>Transfers from General Fund</u>	<u>79,180</u>
Total Revenue Available to Appropriate	967,165

FIRE DEPARTMENT FUND

Township Service Fees	204,506
Transfers from General Fund	63,000
<u>Allocated from Fund Balance</u>	<u>357,239</u>
Total Revenue Available to Appropriate	624,745

MARINA FUND

User Fees	130,100
<u>Grants/Misc</u>	<u>22,000</u>
Total Revenue Available to Appropriate	152,100

AIRPORT FUND

Gasoline Sales	65,000
Miscellaneous Income	47,000
<u>Allocation from Fund Balance</u>	<u>4,375</u>
Total Revenue Available to Appropriate	116,375

DDA FUND

Allocated from Fund Balance	41,623
<u>Tax Captures/Other</u>	<u>384,917</u>
Total Revenue Available to Appropriate	426,540

FARMERS MARKET FUND

<u>Revenues</u>	<u>81,185</u>
Total Revenue Available to Appropriate	81,185

BOYNE THUNDER FUND

<u>Event Revenues</u>	<u>270,500</u>
Total Revenue Available to Appropriate	270,500

CITY FACILITIES DEBT SERVICE FUND

Allocated from Fund Balance	76,399
<u>Transfers IN</u>	<u>230,934</u>
Total Revenue Available to Appropriate	307,333

CITY FACILITIES CONSTRUCTION FUND

Allocated from Fund Balance	6,605,897
<u>Transfers IN</u>	<u>600,000</u>
Total Revenue Available to Appropriate	7,205,897

LDFA FUND

Tax Captures/Other	213,106
Total Revenue Available to Appropriate	213,106

WASTEWATER FUND

Operating Income	925,000
Non-Operating Income	695,799
Total Revenue Available to Appropriate	1,620,799

WATER FUND

Operating Income	580,000
Non-Operating Income	45,750
Total Revenue Available to Appropriate	625,750

MOTOR VEHICLE FUND

Allocated from Motor Pool Fund Balance	27,100
Billings to Other Funds and Miscellaneous	271,850
Total Revenue Available to Appropriate	298,950

TOTAL REVENUES - ALL FUNDS	\$17,761,777
LESS INTER-FUND TRANSFERS	(818,002)

TOTAL REVENUES, LESS TRANSFERS	\$16,943,775
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EXPENDITURES

GENERAL FUND

General Services	1,349,968
Public Buildings	235,640
Police	696,530
Parks and Recreation	327,200
Transfers to Other Funds	818,002
Total General Fund Expenditures	\$3,427,340

OTHER FUNDS

Major Streets	534,640
Local Streets	795,363
Rubbish Collection	39,500
Cemetery	54,489
City Facilities Debt Fund	307,333
City Facilities Construction Fund	7,205,897
Ambulance	967,165
Fire Department	624,745
Marina/Launch Ramp	152,100
Airport	116,375
DDA	426,540

Farmers Market	81,185
Boyne Thunder	270,500
LDFA	213,106
Water/Wastewater Funds	2,246,549
<u>Motor Pool</u>	<u>298,950</u>
Other Funds Total Expenditures	\$ 14,334,437
TOTAL EXPENDITURES - ALL FUNDS	\$17,761,777
LESS INTER-FUND TRANSFERS	<u>(818,002)</u>
(Motor Pool and General Fund Transfers)	
GRAND TOTAL CITY EXPENDITURES	\$16,943,775

- Section 2. The City's assessor is hereby authorized and instructed to spread upon the City tax roll for FY 2016 / 2017 the amounts indicated in section 1.
- Section 3. The City' assessor is hereby authorized and instructed to spread upon the City tax roll for FY 2016 / 2017 all unpaid special assessments, sidewalk, curbs, water or sewer, and repair bills on record in the City of Boyne City against respective properties.
- Section 4. The taxes levied and spread by the City of Boyne City are collected twice a year. The taxes to defray city operations and obligations are levied and made payable on 1 July 2016; taxes collected for schools, county, and other voted purposes shall be levied and collected as provided by the general property tax laws of the State of Michigan.
- Section 5. The budget for FY 2016 / 2017 of the City of Boyne City has been prepared in compliance with Michigan P.A. 621 of 1978, as amended, the Uniform Budgeting and Accounting Act. The General Fund is adopted at the activity level. Details can be obtained at the City Clerk's office.
- Section 6. Pursuant to section 19 (2) of Michigan P.A. 621 of 1978, as amended, the City Manager is hereby permitted to execute transfers between appropriations without the prior approval of the City Commission. However, in no case shall said transfer result in a fund over-expenditure or a transfer exceeding \$10,000. Purchases not covered in the approved budget will follow existing administrative policy except for utilities and operational supplies.
- Section 7. Pursuant to the provisions of Michigan P.A. 503 of 1982 and a resolution adopted by the City Commission of Boyne City on 11 October 1983, the City Commission authorizes the imposition of a one percent property tax administration fee to offset costs incurred in assessing property values, collecting the property tax levies, and in the review and appeal processes.

Section 8.

Contractual Change Orders: The City Manager, with the City Clerk's signed approval, may approve change orders on contracts approved originally by the City Commission of up to ten thousand dollars (\$10,000.00) per change order. These change orders must be within the scope of the original contract. Negative change orders of up to fifty percent (50%) of the original contract do not need to be brought before the City Commission.

Section 9.

This General Appropriations Act for FY 2016 / 2017 takes effect 1 May 2016. Detail of the budget is available at City Hall for public inspection.

Cindy Grice, City Clerk/Treasurer

**CITY OF BOYNE CITY
COUNTY OF CHARLEVOIX**

BOYNE CITY FEE SCHEDULE FY 2016/2017

WHEREAS, the City of Boyne City recognizes the need to provide user services to the public,
and;

WHEREAS, the City of Boyne City is responsible for the efficient operation of its various
departments and the costs incurred in providing such services.

NOW, THEREFORE, BE IT RESOLVED that the City of Boyne City hereby adopts the Boyne
City Fee Schedule as presented in appendix "B" of the May 1, 2016, through April 30,
2017 Boyne City Budget.

ROLL CALL

Aye:
Nay:
Abstain:
Absent:

RESOLUTION DECLARED ADOPTED.

Cindy Grice, City Clerk/Treasurer



Date: April 12, 2016
To: Michael Cain, City Manager
City Commissioners
From: Lori Meeder
RE: Sidewalk Café alcohol service

Background

In 2012 Magnum Hospitality submitted an application for sidewalk dining specifically requesting alcohol service at Café Sante. Sidewalk cafes have been allowed in the downtown area for a number of years. The request was not approved because the ordinance specifically prohibits alcohol. Subsequently, Magnum submitted a request a request to the city to consider changing the existing ordinance to also allow for the serving of alcohol on the public sidewalks.

In 2013, armed with much research, informational meetings, and input from other communities that allow sidewalk dining with alcohol service, there was widespread support from the chamber board, Main Street board, the planning commission, the police department and city staff to have the city commission review a proposed amendment to the zoning ordinance to allow for sidewalk dining with alcohol service. An amendment to the ordinance (vs changing the ordinance) was suggested as this would prohibit any 'grandfathering' in. If the amendment were to pass and the change did not produce the appropriate experience for our downtown, it could be changed without any grandfathering in.

After the necessary process for ordinance amendment, the sidewalk café dining with alcohol service did not pass the city commission.

At the March 15, 2016 city commission meeting, there was a large contingent of businesses and citizens requesting that the city commission again consider an amendment to the ordinance allowing for alcohol service at sidewalk cafes on public property. The chamber board, the Main Street board approved recommendations that the city commission reconsider this. The chamber cited a recent statistically relevant survey that showed approximately 75% of city resident respondents were in favor of this.

Recommendation

That the city commission recommend, as per City policy, that the Planning Commission begin the process of review of an Ordinance Amendment at its April 18th meeting.

CITY OF BOYNE CITY

To: Michael Cain, City Manager
From: Scott McPherson, Planning Director
Date: April 12, 2016
Subject: Ordinance Adoption Process



In 2013 the City Commission adopted the Outdoor Sidewalk Café Ordinance. The Ordinance defined an outdoor café as follows:

Outdoor Sidewalk Café – A type of outdoor café consisting of a service area set aside for the customers of a restaurant or similar establishment to be served food and drink with the exception of alcoholic beverages, on a public sidewalk or other public property other than a public parking space.

If the Commission decides to reconsider allowing alcohol service as part of an Outdoor Sidewalk Café at a minimum an amendment to the ordinance changing the definition would be required.

The process for the amendment and adoption of ordinances is established by the Boyne City Charter which requires that the City Commission must hold a first reading and not less than one month later hold a second reading at which time the ordinance can be adopted. Once adopted the ordinance can become effective not less than 15 days after adoption. In addition to this required procedure, it has been City policy to have the Planning Commission review and make recommendations on new and amended ordinances. Given this process, if the City Commission decides to reconsider allowing alcohol service in Outdoor Sidewalk Café a possible timeline would be as follows:

Ordinance review and recommendation by Planning Commission: April 18th
First available date for First Reading by City Commission: April 26th
First available date for Second Reading by City Commission: June 14th
Earliest possible effective date after publication: June 30th.

Ayes: 5
 Nays: 0
 Absent: 0
 Motion carried

Consideration to review the Boyne City Zoning Ordinance Section 10.20(Q) regarding the allowance of alcohol service on sidewalks in the Central Business District and make a determination if changes to the existing policy should be explored

**Service of Alcohol on
 City Sidewalks ordinance
 discussion**

CC
 6/12/12

City Manager Cain discussed the request from Magnum Hospitality for the City to reconsider changing the existing ordinance to allow the serving of alcohol in outdoor eating areas which are located on the public sidewalk. Prior to this request, Mary Palmer of Magnum submitted an application to the City Planning Department for a permit to have an outdoor eating area with alcohol at Café Sante. Outdoor eating areas, without alcoholic beverages are allowed in the Central Business District as per the Boyne City Zoning Ordinance section 10.20(Q). A permit could not be issued to Café Sante because they requested to serve alcohol in a public area and because the property is located in the Waterfront Marina District and outdoor eating areas on the public sidewalk are only allowed in the Central Business District.

City staff has done some preliminary research on communities that do allow alcohol in the outdoor eating areas and found that there are several ways this can be regulated. The use can be regulated as a use under the zoning ordinance or it can be regulated by adopting a stand alone ordinance.

Staff Comments: Hugh Conklin stated that the Main Street board is in favor of this proposal.

Citizens Comments: Mary Palmer of Magnum Hospitality spoke regarding her request and the desire to have the City Commission revisit the City ordinance forbidding service of alcohol on City sidewalks.

Board Deliberation: Commissioner Sansom said she doesn't like the idea of serving alcohol on the sidewalks. Commissioner Gaylord asked Interim Police Chief Craig Remsberg for his input and Officer Remsberg stated that if the Commission decides to move forward, there should be a standard ordinance. City Manger Cain asked if this is something the Commission wants staff to work on. Commissioner Gaylord said he thinks we should pursue this. Mayor Pro-Tem Towne said he has already received calls from citizens that are against this. Commissioner Neidhamer said that outside dining is very prominent in downtown resort towns. He would also like to pursue this. We have the talents to regulate it and it is a short season. Commissioner Sansom said a lot of people don't want to expose their children to adults drinking alcohol. Mayor Grunch said Boyne City has become a restaurant destination and whatever we can do to enhance it and have full control over it. He added that he also thinks it should be further explored.

2012-06-088
 Moved by Neidhamer
 Second by Gaylord

MOTION

To review the Boyne City Zoning Ordinance Section 10.20(Q) regarding the allowance of alcohol service on sidewalks in the Central Business District approve to explore changes to the existing policy

Ayes: 4

Nays: 1, Mayor Pro-Tem Towne

Absent: 0

Motion carried

City Manager Cain discussed the goal of improving the City Hall Complex that currently contains the City offices, Police Department, Fire Department and the Department of Public Works. Over time, the general consensus has been to consolidate our operations here on our existing site while adding some off season equipment storage facilities mainly for public works equipment at the existing North Boyne Yard site. Last fall we conducted soil borings around our site. The results of these samples confirm that it is possible to build or expand onsite, although some soil stabilization efforts may be necessary.

Facilities Discussion

One million dollars has been set aside out of City reserves in the current year's budget to be used towards improvements on this site. To replace all of the facilities currently located on this site, was estimated to exceed five million dollars in 2007. Without going into debt or adding a new millage, we do not have the funds available to do all that some would like to see done. A phased approach reusing our existing facilities as much as possible is being proposed while moving forward. Based on discussions to this point, it makes most sense to look at an expansion that brings our ambulance / EMS operation back to this site and also reuses existing space in City Hall to better meet the current needs of our City office, Police Department and EMS / Ambulance staffs while positioning ourselves to better meet the needs of our Fire Department and DPW personnel.

City Manager Cain added that in order to do so, he is recommending that we go out for bids to retain professional services that can assist us in our concepts and options and developing realistic cost and payback analysis. He also suggested that we schedule a public hearing on this matter to take place at the same time the design service bids are presented to the City Commission. This would provide for timely public input with more specifics prior to any significant dollars being spent on this matter.

Citizens Comments: None

Staff Comments: None

Board Deliberation: Commissioner Neidhamer said he agrees with the recommendation to get professional help. We can't spend five million but we are ready to spend the one million we have set aside. It is time to see what the one million will get us. Mayor Pro-Tem Towne said we should move forward and it should be done in phases. We have the funds but it doesn't mean we need to spend it all at once. Commissioner Gaylord said we should consider looking at several different options. It would serve us well to have as much input as possible. # 1 is financially, #2 is that this is to ultimately serve the citizens of Boyne City. There are geniuses in more than one office. Mayor Grunch said to add points as a possible prize for the best design. Commissioner Samson said to look long term and then do it

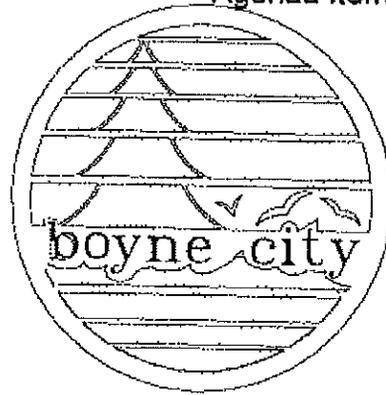
CITY OF BOYNE CITY

To: Michael Cain, City Manager *Mc*

From: Scott McPherson, Planning Director *SM*

Date: June 12, 2012

Subject: Magnum Hospitality Outdoor Alcohol Request



Background

Magnum Hospitality has submitted to the City a request for the City to consider changing the existing ordinance to allow the serving of alcohol in outdoor eating areas which are located on the public sidewalk. Prior to this request Mary Palmer submitted an application to the City Planning Department for a permit to have an outdoor eating area with alcohol at Café' Santé. Outdoor eating areas, without alcoholic beverages, are allowed in the Central Business District as per the Boyne City Zoning Ordinance section 10.20(Q) which is follows:

- Q. *Outdoor cafés, outdoor eating areas, carry-out, and open front restaurants, (without alcoholic beverages) subject to the following site design standards:*
1. *Outdoor cafés may be permitted on a public right-of-way, on a building roof top, as part of a patio or deck, or within the boundaries of a parcel or lot. Those proposed for use of the public right-of-way must secure an annual permit from the City for temporary use of the right-of-way. However, no use of the right-of-way will be permitted on July 4th.*
 2. *A minimum of four (4) feet of public sidewalk along the curb and leading to the entrance to the establishment must be maintained free of tables and other encumbrances. The pedestrian area shall also be free from benches, waste receptacles, fire hydrants, and similar structure. If the sidewalk is not wide enough to allow for a four (4) foot wide clearance for circulation, the outdoor café shall not be permitted on a public sidewalk.*
 3. *Pedestrian circulation and access to building entrances shall not be impaired. A boundary (maximum encroachment width and length) into the public sidewalk shall be established with an accessible aisle being maintained between this line and the curb, in accordance with the provisions of all state and federal regulations.*
 4. *The outdoor café must be kept clean, litter-free, and with a well-kept appearance within and immediately adjacent to the area of the tables and chairs. Additional outdoor waste receptacles may be required. Written procedures for cleaning and waste containment and removal responsibilities must be included with all applications and approved by the City staff.*
 5. *Tables, chairs, planters, waste receptacles, and other elements of street furniture shall be compatible with the architectural character of the adjacent buildings. If table umbrellas will be used, they shall complement building colors. When not in use, all tables, chairs, umbrellas, and other furniture and fixtures must be stored inside the building or in an alternate location other than a public sidewalk.*
 6. *Other additional signs are not permitted beyond those permitted for the existing restaurant.*
 7. *Such areas are permitted seasonally between April 1 and October 31, except July 4th. The hours of operation for the outdoor café shall be established and noted with the application.*

8. *Preparation of food and beverages may be prohibited by the Planning Commission in the outdoor café.*
9. *The outdoor café or its operation shall not damage, stain, or discolor any part of the sidewalk or public right-of-way.*
10. *The outdoor café shall comply with any policies and/or regulations adopted by the City Commission for private use of public right-of-way. Liability issues for use of the public sidewalk may be addressed and reviewed by the City Attorney.*
11. *The outdoor café shall provide evidence of insurance coverage naming the City as an additional insured party in an amount acceptable to the City.*

A permit could not be issued to Café' Santé because they requested to serve alcohol in a public area and because the property is located in the Waterfront Marina District and outdoor eating areas on the public sidewalk are only allowed Central Business District.

Discussion

The City ordinance that allows outdoor eating areas on the public sidewalk has been in place since the ordinance rewrite in 2001. An annual \$10 permit is required and in the spring of each year the Planning Department mails permit application forms that contain all of the ordinance requirements to the restaurants in the Central Business District. While I do recall previous informal inquiry's about the ordinance prohibition of alcohol, this is the first formal request that has been made asking the City to consider changing the Ordinance.

City staff has done some preliminary research on communities that do allow alcohol in the outdoor eating areas and found that there area several ways this can be regulated. The use can be regulated as a use under the zoning ordinance or it can be regulated by adopting a stand alone ordinance.

Recommendation

The City Commission should review the issue and make a determination if changes to the existing policy should be explored.

Options

1. Determine that the issue should be further explored and direct staff to obtain input from staff and all applicable boards and commissions and report back to the City Commission.
2. Determine that the policy should not be changed and take no action.
3. Other action as the Commission deems appropriate.



MAGNUM HOSPITALITY

1515 CASH STREET, SUITE D TRAVERSE CITY, MICHIGAN 49684 231 932 1833 TEL 231 932 1819 FAX MAGNUMHOSPITALITY.COM

Boyne City, City Commission
Boyne City, Michigan 49712

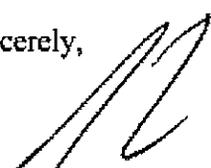
May 29, 2012

Dear Commission Members,

We would like to request that a resolution be approved authorizing City Manager Mike Cain and the appropriate committee(s) to revisit the city ordinance forbidding service of alcohol on city sidewalks, research ordinances in other cities, and return to the Commission with a recommendation as to changes (if any) to the existing ordinance.

We thank you for your consideration of this matter.

Sincerely,


Jim Cartwright, Fred L. Moore, Mary Palmer
Magnum Hospitality, Inc.



117 WATER STREET
BOYNE CITY
MICHIGAN 49712
231 582 0040 TEL
231 582 0182 FAX

1544 US 31 NORTH
TRAVERSE CITY
MICHIGAN 49688
231 938 2773 TEL
231 938 2774 FAX

REDMESAQHILL.COM



617 ANES STREET
ELE RAPIDE
MICHIGAN 49829
231 284 0530 TEL
231 284 0532 FAX

PEARLSNEWORLEANS
KITCHEN.COM



Date: June 8, 2012

To: City Manager Michael Cain *Mc*
Boyne City Commissioners

From: Hugh Conklin, program manager

RE: Request for ordinance change to allow serving alcohol on sidewalks

The Main Street board considered a request from Magnum Hospitality at its June 7 meeting that asks the city commission to allow city staff and the appropriate city boards and commissions to review the ordinance prohibiting the serving of alcohol on sidewalks. Mary Palmer, one of owners of Magnum, attended the meeting, and explained her reasons for the request.

After some discussion by the board, a motion was unanimously passed to recommend to the city commission that it allow city staff, boards and commissions to review the ordinance and recommend possible changes.

Alcohol sales on sidewalks?

An informational meeting to discuss allowing alcohol to be served at sidewalk cafes in downtown Boyne City will be held at 6 p.m. Monday, March 25, at the City Hall auditorium.

Sidewalk cafes have been allowed in the downtown area for a number of years.

What's new is a request from a downtown restaurant to the City of Boyne City to allow alcohol to be served at the sidewalk cafes.

The purpose of the meeting is to discuss the pros and cons for allowing alcohol service, explain how it might work, and to measure support for the request.

To assist in the discussion representatives from three communities that allow serving alcohol at sidewalk cafes have been invited to attend to share their community's experiences and what Boyne City can learn from them. Those planning to attend are Dana Kollewehr, Grand Haven Main Street director; Rob Bacigalupi, deputy director of the Traverse City Downtown Development Authority; and Mark Sweppenheiser, Neighborhood Services Director for the City of Big Rapids. The meeting is open to the public and all residents and business owners are encouraged to attend.

No formal action will be taken at the meeting. If there appears to be support for the request, city staff will develop a proposal for consideration by the City Commission.

For more information, contact city planner Scott McPherson at 582-6597 or Main Street manager Hugh Conklin at 582-9009.

Boyne City Gazette
Mar 20, 2013

Serving summer drinks at sidewalk cafes

Boyne City officials heard public opinion, provided information

Aebra Coe

(231) 439-9397 - acoe@petoskeynews.com

BOYNE CITY — Whether alcohol should be allowed to be served at sidewalk cafes in Boyne City was discussed by restaurant owners, city officials and members of the public at an informational meeting Monday.

By a show of hands, the majority of the 20 or so present at the meeting were in favor of allowing the change.

An existing Boyne City zoning ordinance allows restaurants to set up a few tables alongside



McPherson

their businesses in the public right-of-way where diners can order food and relax in the sunshine on a warm summer day. However, the ordinance currently prohibits restaurants — even those with liquor licenses — from serving alcohol in their sidewalk seating areas.

Last spring, Magnum Hospitality, which owns two downtown restaurants — Red Mesa Grill and Cafe Santé — ap-

proached the city asking that the ordinance be changed to allow alcohol to be served at the make-shift summer sidewalk cafes.

“There was some concern about alcohol service on sidewalks” last spring, said Main Street manager Hugh Conklin, who led the discussion Monday. “We thought it would be a good idea to bring it to a public meeting to talk about it.”

Planning and zoning administrator Scott McPherson explained to those present what the current ordinance allows and prohibits.

Namely, it allows restaurants to serve food on the sidewalk, but there must be a minimum distance of four feet still available on the sidewalk for pedestrians to flow through the area. No alcohol is currently allowed to be served. Tables and chairs are required to be near the building, not by the curb and the cafes are allowed from April to October, with the exception of July 4.

“A number of businesses take advantage of this,” said McPherson. “We haven’t really had any problems with it and we expect that to continue.”

Fred Moore, one of three owners of Magnum Hospitality, explained why his business requested the city change its ordinance to permit alcohol service at the cafes.

He believes the change would increase sales for his restaurants and would likely create the need for an additional three to five staff members.

“Also, al fresco dining is pretty classic to European concepts of dining,” he said. And while al fresco dining is allowed at the

See **SIDEWALK CAFES** on **PAGE A8**

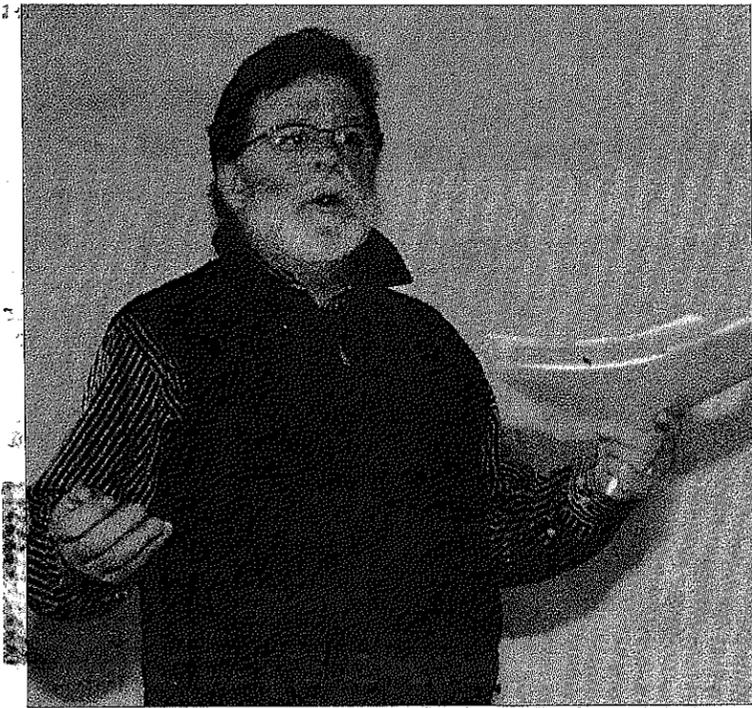
Petoskey News Review

Mar. 26, 2013

Continued
from previous
page

Petskey News
Review

Mar. 26, 2013



AEBRA COE/NEWS-REVIEW

Boyne City Main Street Manager Hugh Conklin led an informational meeting Monday on alcohol service at sidewalk cafes.

SIDEWALK CAFES FROM A1

sidewalk cafes, alcohol service is not, which people often expect at a full service restaurant, he said.

"I think that a responsibly run alcohol service in this al fresco dining environment adds life and energy to the downtown area," Moore added.

Finally, during the peak summer season, there are sometimes not enough seats to go around and the extra tables would allow the restaurants to accommodate more patrons, he said.

Traverse City Downtown Development Authority deputy director Rob Bacigalupi traveled to the meeting to share what his city has learned since implementing an ordinance three years ago allowing alcohol service at sidewalk cafes in its downtown.

Traverse City has 54 restaurants in its downtown, 15 serve outdoor food on public sidewalk space in the summer, reported Bacigalupi, and only three of those have chosen to serve alcohol.

All three are "very nice restaurants," he said. "They have not caused any problems in Traverse City."

In fact, he continued, they seem to add life to the quieter streets in the evening.

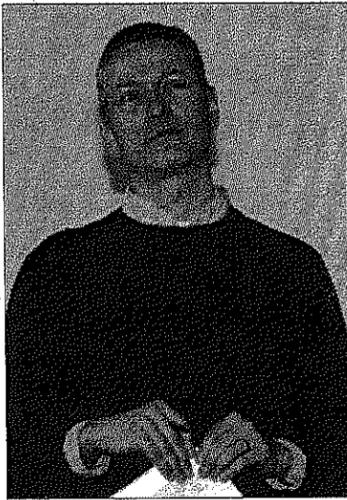
At the time the ordinance passed, Traverse City city officials were concerned with a series of alcohol-related incidents that had been occurring late at night at some downtown bars.

To ensure the problems they already had were not exacerbated by allowing alcohol at sidewalk cafes, they set a few strict rules for the cafes.

Only restaurants that are regularly open no later than 11

"I think that a responsibly run alcohol service in this al fresco dining environment adds life and energy to the downtown area."

Fred Moore,
Magnum Hospitality co-owner



AEBRA COE/NEWS-REVIEW

Traverse City Downtown Development Authority Deputy Director Rob Bacigalupi traveled to Boyne City Monday to share what his city has learned since implementing an ordinance three years ago allowing alcohol service at sidewalk cafes in its downtown. "They have not caused any problems in Traverse City," Bacigalupi said.

p.m. can apply for the permits, the areas where food and alcohol are served must be clearly fenced off and all permits are easily revokable by the city if any violations occur.

"Having establishments that are more bar-like, that was an issue," Bacigalupi said. "That's why we limited it to businesses that are regularly only open until 11 p.m. on Friday and Saturday."

In Boyne City, the idea will be taken to the planning commission and Main Street board for recommendation to the full city commission, which will make a final decision on the matter.

He anticipates that decision should be made before the summer season begins to pick up, said Conklin.

Those with questions or concerns about alcohol service at sidewalk cafes should call Hugh Conklin at (231) 582-9009 or Scott McPherson at (231) 582-0343.

Follow @aebracoe on Twitter.

MS - 4/4/13
Main Street

Unfinished Business

MOTION

- He attended the Challenge Mountain board meeting to discuss the proposed partnership with Boyne Thunder. The board members were fine with the proposal and will survey its membership before making a formal commitment.
- The white house at 417 Boyne Ave is in tax foreclosure and has gone back to the county. The Michigan State Historic Preservation folks will be here Monday to tour the property with Northern Homes.
- The city marina, Main Street and the farmer's market are partnering to bring WiFi to most of Veteran's Park. The network will be utilized by the marina, the Farmer's Market and users of the park. The network is expected to be operational by May 1.
- Gave the board an overview, along with Andy Kovolski, DPW Supervisor, of the meeting with MDOT regarding changes to the intersections of East & Water and Main Street and M-75. At Main Street the thought is to narrow the intersection by purchasing portable curbs to try. Their goal is to make the streets more pedestrian friendly. The city's proposed FYE 2014 budget includes monies to purchase a portable speed reading sign and traffic counters.
- Reported that Bob Gibbs of the Gibbs Planning Group has withdrawn his proposal.

Consideration to adopt 2013-2014 Main Street Budget:

- The board received a copy of their budget (received and filed) in the City format. There were no changes from the budget presented at last month's meeting. A public hearing on the budget will take place at the City Commission's April 9th meeting. **Adams moved Carlile PASSED UNANIMOUSLY** seconded to accept the 2013-2014 Main Street Budget as presented.

New Business

Local Façade Grant Program:

- The board reviewed the revised draft policy for a Main Street funded façade grant program. After the discussion at the March meeting, several changes were made to make the process simpler and more streamlined. The creation of a façade program is included in the DDA Development Plan, and in recent years the Design committee has discussed creating a program to assist with local projects that didn't qualify for MEDC or MSHDA façade grants. Concerns have been expressed about using DDA "tax-increment" funds to support a private property owner. A possible solution is to use funds raised from Boyne Thunder to support the program. After discussion, the board decided to ask the Design Committee to refine the policy proposal.

Boyne City Marina Presentation: Update on upcoming activities

- Harbor Master Barb Brooks informed the board that the City has received \$105,000 for dredging with no local match. We are in the process of doing sentiment sampling and applying for the proper permits. We will dredge what we can, with what money they are giving us. If it doesn't happen this year, we will still be able to operate, and may lose two or three slips. We have grants to enhance our current marina & boat launch and renovate the current shoppers dock.

Sidewalk café alcohol service:

- On March 25th Planning Director Scott McPherson and Conklin held a community informational meeting to discuss the issues surrounding alcohol service at sidewalk cafes. Rob Bacigalupi, deputy director of the Traverse City DDA, where limited alcohol service is allowed in its central business district, attended and provided valuable insight. Overall, many of those attending the meeting support allowing alcohol service as long as it is

MOTION

managed correctly. The request is now being presented to the Main Street Board for its consideration. The Planning Commission will also consider the request prior to it being presented to the City Commission. A brief power point was presented. Board discussion/questions: What does the existing ordinance allow? Seasonal permits for outdoor cafes (April-October). This is limited to the Central Business District. Would this change fall under the existing ordinance or would we adopt a free standing ordinance? McPherson suggested taking it out of the existing ordinance, as it prohibits alcohol. A four foot wide pathway on the sidewalk would need to be left. Would we have design standards or would every business pick out their own fencing/barrier? There would be design standards. **Adams moved Jensen seconded** to approve the concept, address the time restrictions and define a cohesive physical barrier.

MOTION

Discussion regarding defining the physical barrier, we are only approving the concept, not setting the guidelines at this time. Adams amended her motion to read to approve the concept, and address a time restriction. Jensen agreed with the amendment. Not everyone will adhere to the rules, what if there are problems? This should be considered a privilege. We should try it for year, and then make adjustments as necessary. **MOTION CARRIES.**

Downtown Planning Grant Application:

- The Michigan Economic Development Corporation is accepting applications for a downtown development planning grant. This opportunity was announced in early March and the phase 1 grant application is due April 26th. There are areas on Lake Street that are prime candidates for this grant application: The Boyne Theatre and Lakefront Square Mall-Boyne Arts Collective building. It was the MEDC's recommendation that we should include just one property in this grant application. Considering the work already completed on the theatre project as well as the fact that downtown theatres are a funding priority, Conklin recommends moving forward with a grant application for the Boyne Theatre project. It would allow the feasibility study to be completed with funding assistance through the MEDC Community Block Grant Program. The grant requires a cash match equal to the funds received. Board discussion followed: The theatre is a priority in our community. How much would we apply for? \$40,000-\$50,000. This is the same grant we used for the Dilworth. **Cain moved Cortright seconded PASSED UNANIMOUSLY** to authorize Main Street Manager Conklin working with city staff to submit an application for the Michigan Community Development Block Grant Program Planning Grant as outlined, with the first priority being the Boyne Theatre.

MOTION

GOOD OF THE ORDER

STROLL THE STREETS WAGON RIDES:

- Boyne Valley Equine Tours and Services have requested permission to offer horse-drawn wagon rides this summer during Stroll the Streets. The Boyne business has provided wagon rides at Holiday Open House, Winter Fest and Winter Farmers Market. While details of the route have not been worked out, the rides would be in the heart of the downtown area, and would average between 15 and 20 minutes in length. The proposed fee is \$2.00 per person, \$3.00 couple and \$5.00 family. Board discussion: Would any of the revenue come back to the city? Concerned with giving up parking spaces during such a busy time, the route may vary. Concerned with waste. What happens if someone else comes along and wants to offer rides? There are a lot of details to be worked out. **Cain moved Cortright seconded PASSED UNANIMOUSLY** that Main Street Manager Conklin continue to explore the concept for wagon rides for Stroll the Streets and work with city staff to work out details in a letter of understanding with Boyne Valley for the board's consideration at its May meeting.

membrane over steel which will run out towards the back parking lot. We will have 15 feet width of drain tile and plants next to the building. Pedestrian entrances will be at the ends of the buildings, with entrance lights only. We are not proposing any parking lot lights. We will be working with Tip of the Mitt Watershed Council on our landscape plan. Again, we would like to keep this as natural as possible, so will follow their lead with the suggestions of plantings.

Meeder - You mentioned a court yard where will that be?

Hannah - On the west side, the current overhang with a concrete pad will extend down to the L-shape of the addition.

Meeder - Is there still problems with the loading dock and the water?

Hannah - It is better now, a culvert was put in down at the corner and grading has been done next door. A 6" culvert will be put in at the end of our driveway to go into the drainage system. We have been talking about adding 18" in the truck well to raise it up a bit.

Meeder - You talked about possible expansion, where would that go.

Hannah - What is presented pretty much takes care of the current site, however, we have the option on the adjoining lot as first right of refusal.

City Manager Michael Cain - The LDFA met on site this afternoon, excited about their expansion. We talked about lighting, encouraged them to stay away from wall packs and high pressure sodium, and encouraged LED. LDFA asked them to take a look at possible decorative elements for the east side wall addition; Classic Instruments is taking a look at that. Everyone is very excited about the expansion.

MacKenzie - There is a check list for this?

McPherson - This is follow-up to the approval previously given in 2011. I copied the section of the ordinance for criteria, which is pretty minimal; I believe these changes meet the spirit and intent of the ordinance.

Frasz - Is it just the landscaping around the dumpster and end of the parking lot that is going to be new?

Hannah - It is pretty much all going to be new, will be putting trees out along M-75, and waiting on the input from the Tip of the Mitt for the final landscaping plan.

Frasz - Leaving town on the left side, the large size of the west end wall wondering how that is going to look, will you use landscape there?

Hannah - Trying to stay away from the building, because we will use that as our court yard for car shows, however, will be bringing in trees along the roadway and use the rise as apart of the landscape plans which will soften the look of the building.

Kozlowski - Will there be any mechanical elements on the roof for heating or air conditioning?

Hannah - It will be heated with a forced air system, and if there is a unit on the roof, it will be on the Southwest corner, to eliminate the site line from Moll Dr. if at all possible.

2013-04-15-7a

With no further board discussion, **motion by Ellwanger, seconded by Crum PASSED UNANIMOUSLY** that the findings are in compliance with the architectural requirements of section 22.30 of the zoning ordinance; the plans as presented tonight.

****MOTION**

Review and recommendation on a proposed Sidewalk Café Ordinance to allow alcohol

Planning Director McPherson reviewed the staff report included in the agenda packet. The city received a request from Magnum Hospitality to serve alcohol outside in front of their businesses, one that is in the Waterfront Residential District. The current ordinance specifically prohibits alcohol sales on public sidewalks, so a permit could not be issued. There have been meetings held with

**for outdoor cafés on
public sidewalks**

the City Commission, the Main Street board, and a public presentation. It seems to be moving forward, and a stand alone draft ordinance proposal was submitted in your packet. An ariel photo and slides were viewed showing the different widths of sidewalks in the downtown area, those businesses that currently have a liquor license along with businesses with the ability to serve food outdoors. It also showed the sidewalks with tables, benches, trees, signs, merchandise displays and other items out on the walk. A couple of the slides portrayed other communities and how they delineate their outdoor service areas. The current zoning ordinance regulates uses on the public sidewalk, and McPherson fundamentally disagrees with that. If it is in a public domain it should be controlled under any other type of ordinance; if you want to eliminate it at a later date because it does not work, you do not have to worry about grandfathering things in the public domain. Approach would be to eliminate that aspect in the zoning ordinance, and allow outdoor dining on private property with minimal requirements. Building on a new stand alone ordinance, a lot of requirements were removed from the current ordinance section, and some things were added. If you want to move forward, a public hearing would need to be held.

Hugh Conklin: Main Street Manager - Have had a community information meeting, and the Main Street board has discussed this and they have not received any negative feedback. The board feels that this could be a good thing to continue to bring vibrancy to the downtown. Have talked to a lot of different communities, and those who have started this type of program, have not had any problems. Chief Gaither has had an opportunity to speak with other communities, and if they had any problems, they have been able to deal with them. Main Street has some concerns about the hours, and they don't want it to bother the neighbors. They don't want it to be a "bar scene" only to have alcohol served with dinner.

Michael Cain: City Manager - Go back and think of how the downtown side walk uses have evolved in the last 12 years. The most popular times are when there is a lot going on downtown. We have not been able to locate any communities with concerns. Local concerns have been expressed with alcohol use on the sidewalks. The uses would be contained, and must stay within specified boundaries. Things could go wrong, but the attitude of Boyne City is to try something if it is reasonable, with rules and regulations. If it does not work, we could go on to something else, or revise it. Taking appropriate risks has gotten our community where we are, and I believe it is worthy of further consideration.

McPherson - This would be a free standing ordinance that would need to be adopted by the City Commission. He went through the draft ordinance that was included in the agenda packet with board discussion. Concerns the board had was the 4 foot wide clear public walk able area, that could be a "serpentine" pathway if one business had their merchandise/tables at the façade and others at the curb, retail stores would want easy access into the stores, and to see the store front windows for as long as possible, try to eliminate the impact for non-food businesses, and safety for pedestrians who may be unsteady and do not like to walk next to the curb. The board liked the idea of providing insurance coverage naming the City as additionally insured, however, did not like the 30 day written notice to the permittee to have the license revoked if they did not comply with the conditions of the ordinance.

(At this point, there was technical difficulty with the tape recorder, it was fixed and recordings started again. Approximately 3 minutes of the meeting was not recorded)

Cain - If there is a safety hazard, could the city manager revoke immediately?

McPherson - Yes.

Cain - If they did not like the decision, they could appeal to the ZBA?

McPherson - If they appealed to the ZBA, there are no real clear parameters for them to use to make their decision. It would be an appeal of an administrative decision. As a stand alone ordinance does not come under the jurisdiction of the zoning ordinance, I don't know what they would/could base their decision from. I would not put in an appeal process.

Neidhamer - Leave it up to the City Manager, keep it simple.

The board has requested staff to revise/develop language and schedule a public hearing for next month.

Review proposed striping and intersection reconfiguration for Boyne Avenue

Michael Cain: City Manager - Board was looking at the rendition in the agenda packet. The City and MDOT have had ongoing discussions about M-75 as it goes through town and safety concerns with pedestrian traffic, at the intersections of M -75 and East St. near the post office, and across the street on the Dilworth side. They propose to define traffic movement with white lines. Additional lines would be put down and these could be used as a bike lane continuing out towards the schools. The intersection on the Dilworth side is the worst one in town. Staff has looked at the possibility of making this a one way street going south only. The other awkward intersection is at Main St. and M-75 (Boyne Avenue). MDOT has made some suggestions to remove the large "throat" areas at the intersection, by creating a 90 degree intersection. We could try temporarily for a season and get input, and see how it works. It would eliminate the straight through traffic across M-75 from Main St. The board feels that it would definitely help in those areas of concern.

Recommendation for Planning Commission re-appointments of Lori Meeder, Aaron Place, and Joe St. Dennis

With confirmation that all members are willing to remain **motion by Crum, seconded by Ellwanger, PASSED UNANIMOUSLY** to recommend the reappointment of Lori Meeder, Aaron Place and Joe St. Dennis to the Planning Commission for an additional 3 year term expiring May 31, 2016.

****MOTION**

Redevelopment Ready Community Presentation

Motion by Place, seconded by Crum, PASSED UNANIMOUSLY, to schedule a special joint Redevelopment Ready Community presentation with the City Commission for May 28th, at 6:00 pm.

****MOTION**

Staff Report

None

Good of the Order

Ellwanger - What is the status of Kirtland?

McPherson - The attorneys are still working on this.

Cain - There was a hearing on Friday, April 12th. reviewed records. Kirtland has 28 days to file a brief; we have 21 days to respond. Unknown time line.

Adjournment

The next meeting of the Boyne City Planning Commission is scheduled for May 20, 2013 at 5:00 pm in the Auditorium.

****MOTION**

2013-04-15-10

St. Dennis moved, Frasz seconded, PASSED UNANIMOUSLY a motion to adjourn the April 15, 2013 meeting at 7:09 p.m.

Jane MacKenzie, Chair

Pat Haver, Recording Secretary

May 2, 2013

Main Street Manager Conklin reported on:

Manager's Report

- There were no viable candidates for the Sunset Park Intern program
- The Business expo was a huge success and congratulations to Chamber Executive Director Jim Bauman.
- Challenge Mountain surveyed their membership and has agreed to enter into a one year contract with Boyne Thunder. **Cain moved Adams seconded PASSED UNANIMOUSLY** to approve Boyne Thunder entering into a one year contract with Challenge Mountain for 10% of proceeds.
- A meeting with theatre owner Paul Mitchell was held April 12 and was very productive. The Downtown Planning grant for the theatre was submitted to the MEDC on Friday. A decision is expected by the end of May with approval by the Michigan Strategic Fund in June

Unfinished Business

Bike rack designs:

The board reviewed some renderings of different art designs for new bike racks in the downtown. Main Street Manager Conklin reported that the Design Committee discussed the RFP's that were originally submitted. There were issues with the RFP identifying the quantity and maximum price.

The committee reached a consensus that detailed design of the racks is needed as the original drawings were conceptual only. The completed drawings are the renderings the board is reviewing today. The board liked the concept submitted by the Wood Shop. Board discussions if four were enough? Four would get us started and give us something to build on with possible sponsorships in the future. These would be unique to the community, a piece of art that is also functional. **Adams moved Cain seconded PASSED UNANIMOUSLY** to support the concept, to obtain bids of the artistic rendering of bicycle racks and send the designs out for bids once they are finalized and given the blessing of the Planning and City Commissions.

MOTION

Sidewalk Café alcohol service:

At the April meeting, the board had discussion about a change in city ordinance to allow alcohol to be served at sidewalk café, in downtown Boyne City. The board was in support of the change but wanted more details in regards to how it would be managed. They received a draft of a proposed new ordinance to regulate sidewalk cafes by City Planner Scott McPherson. The proposed ordinance as written would allow a sidewalk café to obtain an annual permit if they meet the criteria. The permit would be required for all sidewalk cafes not just those serving alcohol. McPherson reviewed the ordinance with the board and stated the one change recommended would be the deletion of the July 4th restriction on sidewalk cafes. The board concurs that it should be allowed on the 4th as well. A public hearing has been scheduled for the next Planning Commission meeting, Monday, May 20th at 5 p.m. A public hearing is required to consider any ordinance change. The planning commission is generally supportive of the alcohol aspect, but did have considerable discussion on the requirements for a clear zone on the sidewalk (4 foot). Board question if we would need it to come back to this board after the Public Hearing. It could always come back. **Adams moved Williams seconded PASSED UNANIMOUSLY** that the Main Street Board recommends to the Planning Commission that it support the proposed new ordinance regulating sidewalk cafes.

MOTION

Stroll the Street Hayrides:

At the April meeting there were various questions/ concerns and a follow-up meeting was held with Becky Kuebler of Boyne Valley Tours and Services to discuss them. The board reviewed the list from Boyne Valley Equine to address their concerns. City Manager Cain said that he is in support and we should give them some leeway. The board feels they should have an immediate "out" clause in the contract. They would need to add the City of Boyne City and Main Street as additional insured on

**CITY OF BOYNE CITY
PLANNING COMMISSION**

PUBLIC NOTICE

Notice is hereby given that, a public hearing will be held at the regular meeting of the Boyne City Planning Commission on Monday, May 20, 2013 at 5:00 p.m. in the City Commission Chambers, 319 N. Lake Street, Boyne City, MI, to review and consider the following:

Public hearing to consider proposed amendment Article 10 section 10.20(Q) of the Boyne City Zoning Ordinance and the consideration of a new ordinance to regulate outdoor sidewalk cafés on public sidewalks. The intent of the ordinance changes is to allow outdoor sidewalk cafés on a public sidewalks to now also serve alcohol.

A complete copy of the proposed ordinance changes are available at the Boyne City Planning Department, Monday through Friday, 8:00 a.m. through 5:00 p.m. It is also posted on the Boyne City website at boynecity.com. All interested persons are encouraged to attend the public hearing and participate in discussion. Any written input in regard to the issues may be received in the City Planner's office until 5:00 p.m. on the day of the public hearing or at the public hearing. For further information contact the City Planner's office at 319 N. Lake Street, Boyne City, MI 49712 or call (231)-582-0343. Questions and comments may also be e-mailed to smcpherson@boynecity.com.

(L-5/3)

*Petoskey News Review
May 3, 2013*

CITY OF BOYNE CITY
COUNTY OF CHARLEVOIX

AN AMENDMENT TO THE BOYNE CITY ZONING ORDINANCE (A-80)

THE CITY OF BOYNE CITY HEREBY ORDAINS:

Section 1. Purpose.

The purpose of this ordinance is to amend Article X Section 10.20(Q) to eliminate zoning ordinance provisions that regulate outdoor cafés on public sidewalks.

Section 2. Amendment of Section 10.20(Q) Outdoor cafés of Article X Central Business District.

Section 10.20 (Q) Outdoor Cafés is amended to read as follows: (~~strikethrough~~ indicates words to be deleted and *italics* indicates words to be added)

- Q. Outdoor cafés, outdoor eating areas, carry-out, and open front restaurants, (~~without alcoholic beverages~~) subject to the following site design standards:
1. Outdoor cafés may be permitted *within the boundaries of a parcel or lot* ~~on a public right of way, on a building roof top, or as part of a patio or deck, or within the boundaries of a parcel or lot.~~ Those proposed for use of the public right of way must secure an annual permit from the City for temporary use of the right of way. However, no use of the right of way will be permitted on July 4th.
 2. ~~A minimum of four (4) feet of public sidewalk along the curb and leading to the entrance to the establishment must be maintained free of tables and other encumbrances. The pedestrian area shall also be free from benches, waste receptacles, fire hydrants, and similar structure. If the sidewalk is not wide enough to allow for a four (4) foot wide clearance for circulation, the outdoor café shall not be permitted on a public sidewalk.~~
 3. ~~Pedestrian circulation and access to building entrances shall not be impaired. A boundary (maximum encroachment width and length) into the public sidewalk shall be established with an accessible aisle being maintained between this line and the curb, in accordance with the provisions of all state and federal regulations.~~
 - 4-2. The outdoor café must be kept clean, litter-free, and with a well-kept appearance within and immediately adjacent to the area of the tables and chairs. Additional outdoor waste receptacles may be required. ~~Written procedures for cleaning and waste containment and removal responsibilities must be included with all applications and approved by the City staff.~~
 - 5-3. Tables, chairs, planters, waste receptacles, and other elements of street furniture shall be compatible with the architectural character of the adjacent buildings. If table umbrellas will be used, they shall complement building colors. ~~When not in use, all tables, chairs, umbrellas, and other furniture and fixtures must be stored inside the building or in an alternate location other than a public sidewalk.~~
 - 6-4. Other additional signs are not permitted beyond those permitted for the existing restaurant.
 7. ~~Such areas are permitted seasonally between April 1 and October 31, except July 4th. The hours of operation for the outdoor café shall be established and noted with the application.~~

- ~~8. Preparation of food and beverages may be prohibited by the Planning Commission in the outdoor café.~~
- ~~9. The outdoor café or its operation shall not damage, stain, or discolor any part of the sidewalk or public right of way.~~
- ~~10. The outdoor café shall comply with any policies and/or regulations adopted by the City Commission for private use of public right of way. Liability issues for use of the public sidewalk may be addressed and reviewed by the City Attorney.~~
- ~~11. The outdoor café shall provide evidence of insurance coverage naming the City as an additional insured party in an amount acceptable to the City.~~

Section 3. Conflicting Standards.

If any of the standards set forth in this amendment conflict with any other standards of previous or future ordinances or amendments, the stricter standards shall apply.

Section 4. Repeal; Savings Clause.

All ordinances, resolutions, or orders, or parts thereof, in conflict with the provisions of this ordinance are, to the extent of such conflict, repealed.

Section 5. Severability

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 6. Effective Date

This Ordinance shall become effective fifteen (15) days from its enactment.

Public Hearing May 20, 2.13

First Reading:

Second reading:

Enacted:

Effective:

**CITY OF BOYNE CITY
COUNTY OF CHARLEVOIX**

AN AMENDMENT TO THE BOYNE CITY CODE OF ORDINANCES TO REGULATE THE LICENSING AND OPERATION OF OUTDOOR SIDEWALK CAFÉS ON PUBLIC SIDEWALKS AND TO PRESCRIBE PROCEDURES THEREFOR, AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THE ORDINANCE.

NOW THEREFORE, THE CITY OF BOYNE CITY ORDAINS:

Section 1. Article VI Outdoor Sidewalk Cafés of Chapter 54 Street Sidewalks and Other Public Places of Boyne City Code of Ordinances shall be adopted as follows:

Article VI Outdoor Sidewalk Cafés

Sec 54-170. Outdoor Sidewalk Café.

No person or entity shall operate an Outdoor Sidewalk Café without an Outdoor Sidewalk Café license. This license shall be required in addition to any other license, permit or approval required by the city, county or state agencies for operation of a restaurant, bar or similar establishment. The license shall be valid for the calendar year of the date of issuance.

- (a) Definition: Outdoor Sidewalk Café – A type of outdoor café consisting of an area set aside for the customers of a restaurant, bar or similar establishment on a public sidewalk or other public property other than a public parking space.

Sec 54-171 Outdoor Sidewalk Café license.

An Outdoor Sidewalk Café license may be issued upon approval of the City Manager or designee with a finding that the applicant meets the requirements below:

- (a) Outdoor Sidewalk Café hours shall be between 9:00 a.m. and 11:00 p.m., from April 1 to November 1. No Outside Sidewalk Café shall be permitted on the 4th of July.
- (b) A minimum of four (4) feet of public sidewalk shall be maintained free of tables and other encumbrances. The pedestrian area shall also be free from benches, waste receptacles, fire hydrants, and similar structure. If the sidewalk is not wide enough to allow for a four (4) foot wide clearance for circulation, the outdoor sidewalk café shall not be permitted on a public sidewalk.
- (c) Furnishings of an Outdoor Sidewalk Café shall all be readily removable, including railings and planters.
- (d) Furnishing materials and finishes shall be durable, smooth and easily cleanable and shall be kept in sound condition and good repair. Tables, chairs, planters, waste receptacles, and other elements of street furniture shall be compatible with the architectural character of the adjacent buildings. If table umbrellas will be used, they shall complement building colors.

- (e) Outdoor Sidewalk Cafés may only be located in the sidewalk that is adjacent to the business they are associated and may not extend in front of any other business or residence.
- (f) Outdoor Sidewalk Cafés may not interfere with any public service facility such as a bench, waste receptacle, bike rack or mailbox.
- (g) The Outdoor Sidewalk Café must be kept clean, litter-free, and with a well-kept appearance within and immediately adjacent to the area of the tables and chairs.
- (h) The Outdoor Sidewalk Café or its operation shall not damage, stain, or discolor any part of the sidewalk or public right-of-way.
- (i) If alcohol is to be served in conjunction with the proposed Outdoor Sidewalk Café, delineation of the service area with a physical barrier in conformance with the design criteria of the City and acceptable to the state liquor control commission must be utilized.

Sec 54-172. Application Requirements for Outdoor Sidewalk Cafés License.

An application for any Outdoor Sidewalk Café License shall include:

- (a) A completed application form provided by the City.
- (b) A plot plan drawn to scale showing the proposed arrangement of the chairs, tables, railings and any other equipment proposed for the Outdoor Sidewalk Café.
- (c) A narrative explaining the proposed operation of the café, including hours of operation.
- (d) Samples or pictures showing the materials and colors of all tables, chairs, railings planters, waste receptacles or any other items proposed for the Outdoor Sidewalk Café.
- (e) The Outdoor Sidewalk Café shall provide evidence of insurance coverage naming the City as an additional insured party in an amount acceptable to the City.
- (f) Before granting a permit for an Outdoor Sidewalk Café, a notice shall be mailed by regular mail to adjacent property owners or occupants, giving such persons notice of the proposed use and given an opportunity to provide comments concerning the proposed operation.
- (g) The fee as established by the City Commission.

Sec 54-173. Revocation of an Outdoor Sidewalk Café's license.

The City Manager may revoke any Outdoor Sidewalk Café license for failure of the licensee to comply with the conditions of this ordinance or their license or if the operation for any reason creates a nuisance or hazard. The City Commission on its own motion may, without cause, revoke an Outside Sidewalk Café permit upon 30 days' written notice to the permittee.

Sec 54-174. Penalty.

Any person who violates any of the provisions of this section are responsible for a municipal civil infraction.

Section 2. Conflicting Standards.

If any of the standards set forth in this amendment conflict with any other standards of previous or future ordinances or amendments, the stricter standards shall apply.

Section 3. Repeal; Savings Clause.

All ordinances, resolutions, or orders, or parts thereof, in conflict with the provisions of this ordinance are, to the extent of such conflict, repealed.

Section 4. Severability

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 5. Effective Date

This Ordinance shall become effective fifteen (15) days from its enactment.

Staff Comments: None

Citizens Comments: None

Board Deliberation: Commissioner Sansom said she is fine with it. Commissioner Neidhamer and Mayor Pro-Tem Towne agreed. Commissioner Gaylord Inquired about Main Street's desire for these spots and was informed the intention is to use them as public parking. Mayor Grunch agreed and thanked Dr. Kirkby for his generosity.

2013-05-070

Moved by Towne

Second by Sansom

MOTION

To authorize the City Manager to take the necessary steps to accept the property behind 209 and 211 South Lake Street as a donation from Dr. Dennis Kirkby.

Ayes: 5

Nays: 0

Absent: 0

Motion carried

Consideration of a first reading of amendments to the Boyne City Zoning Ordinance to remove Sidewalk Cafes and schedule a second reading for July 9, 2013; and ii) Consideration of a first reading of a new general ordinance allowing Outdoor Sidewalk Cafes with alcohol and to schedule a second reading for July 9, 2013.

**1st Reading Outdoor
Sidewalk Cafe Ordinances**

5/28/13

cc

Planning Director Scott McPherson discussed the current zoning ordinance that allows outdoor eating areas that do not serve alcohol on the public sidewalk in the Central Business District. Each year, several establishments obtain permits and offer outdoor eating areas on the sidewalk and the planning department is unaware of any specific complaints in regards to their operation. Last summer Magnum Hospitality submitted an application to the City that specifically requested alcohol service on the public sidewalk at Café Sante. Since the ordinance specifically prohibits alcohol the application could not be approved. Subsequently Magnum Hospitality submitted a request for the City to consider changing the existing ordinance to also allow the serving of alcohol in outdoor eating areas which are located on the public sidewalk. At the April 15, 2013 meeting, the Planning Commission considered the request and directed staff to develop an amendment to the zoning ordinance to eliminate the provisions for outdoor cafes on the public sidewalk and develop a new stand alone ordinance to regulate outdoor sidewalk cafes what would include a provision that would allow alcohol service.

Staff Comments: Harbormaster Barb Brooks said alcohol is already allowed in City public spaces. Main Street Director read on behalf on Main Street a statement recommending the City move forward and try this.

Citizens Comments: Fred Moore of Magnum Hospitality thanked everyone

everyone for their hard work and efforts. He doesn't see any downside. The business do not want to represent themselves badly. This would increase sales and sales taxes. Bill Bolger said the issue came before the Alano club. No adverse comments from that board were received and they are in favor due to the benefits to the community.

Board Deliberation: Commissioner Gaylord said he has had opportunity to research and with information he is getting back, he is not comfortable with alcohol on the sidewalks. Lots of families walk by with kids. His main concern with the ordinance is with the sidewalk dimensions. There may be some business with liquor licenses that cannot comply with that. For the reason of it not being equal, he cannot endorse a discriminatory ordinance if not every single business could take advantage of it. Commissioner Gaylord also asked what the return is directly to the taxpayer and Mayor Grunch said the return is investments in a vibrant economy. City Manager Cain added we have a successful community. Storefronts use the sidewalks to display their wares. All pieces make Boyne City a successfully community. We are trying to create vibrant spaces. Commissioner Sansom said she researched other communities and their fees are higher. She also talked to some community people and most are not in favor. They don't want to expose their kids. She is not in favor at this point.

Commissioner Neidhamer said he is in full favor of both ordinances. Public support was heard at forums. We need to move forward. Obstacles can be overcome. We have people saying yes at public forums without opposition. This can happen. We owe it to the majority of business leaders, civic leaders who are in support. Mayor Pro-Tem Towne said he understands, but doesn't believe there is a need for it. He believes people come to Boyne City because it is a family oriented town.

Mayor Grunch said is in favor of the ordinance changes without the alcohol provisions. He thinks about the unintended consequences. After talking to citizens at large, its 3 or 4 to 1 not in favor of it. Many people bring their children into town. He doesn't want to see special events spoiled and is not seeing anything that favors this at all.

Commissioner Gaylord added he is not anti-business. He understands we have the public hearings, but not everyone goes. He wants a balance of all aspects.

Citizen Monica Ross said she is favor of the outdoor dining. There are tables already. We've already dealt with that issue. It adds to the ambience of our community. She added she can't see where 5 or 6 tables is going to create this huge problem for the city to manage. It's a nice pleasant experience. Open up our minds at least give it a chance. We can always revoke that right.

Fred Moore added he doesn't want to do anything that would hurt Stroll the Streets. He doesn't think the alcohol served would diminish that. They want to be good neighbors, good citizens and stewards. This could create another 3 - 5 part time positions.

Corinne Capp said she said the public wants it.

Commissioner Neldhamer made a motion to approve of a first reading of amendments to the Boyne City Zoning Ordinance to remove Sidewalk Cafes and schedule a second reading for July 9, 2013; and ii) Consideration of a first reading of a new general ordinance allowing Outdoor Sidewalk Cafes with alcohol and to schedule a second reading for July 9, 2013. There was no second to this motion.

2013-05-071
 Moved by Sansom
 Second by Grunch

MOTION

To approve of a first reading of amendments to the Boyne City Zoning Ordinance to remove Sidewalk Cafes and schedule a second reading for July 9, 2013; and ii) Consideration of a first reading of a new general ordinance allowing Outdoor Sidewalk Cafes *without alcohol* and to schedule a second reading for July 9, 2013.

Ayes: 4
 Nays: 1
 Absent: 0
 Motion carried

Review of Lower Lake Street drainage analysis and consideration to provide direction to staff as how to proceed further

Lower Lake Street Drainage Improvement Options

City Manager Cain stated for several years, the City has been receiving complaints regarding the Lower Lake Street storm drain outfall, specifically that when the water comes out of the pipe, it veers towards the north and the adjacent property. Despite our repeated efforts to redirect the water, it usually chooses to find its own way after some major rain event. We have requested C2AE look at this issue and provide options. Options were provided for the Commissioners. Larry Fox with C2AE discussed the options that were presented, favoring option 2.

Staff Comments: None

Citizens Comments: John Ross said his family has used this beach for many years. The City has done a nice job cleaning the beach. Over time the rock line has eroded, it looks bad the way it is now and is a hazard for children. Gary Blakeslee agrees.

Board Deliberation: Mayor Pro-Tem Towne said he believes option #2 is best. It leaves as much beach as possible. Commissioner Gaylord said looking at wants versus needs, minimizing beach impacts and protecting property lines, move forward with looking at finite options and cost estimates. Commissioner Sansom also is in favor of doing something.

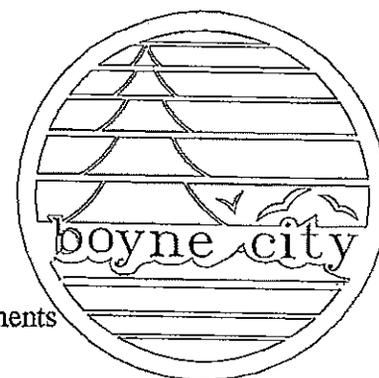
2013-05-072
 Moved by Grunch
 Second by Towne

MOTION

To excuse Commissioner Gaylord from this meeting.

CITY OF BOYNE CITY

To: Michael Cain, City Manager *Mc*
From: Scott McPherson, Planning Director *SMc*
Date: May 28, 2013
Subject: Proposed Outdoor Sidewalk Café Ordinance Amendments

**Background**

Currently the Boyne City zoning ordinance allows outdoor eating areas that do not serve alcohol on the public sidewalk in the Central Business District. This ordinance provision has been in place since the ordinance rewrite in 2001. An annual \$10 permit is required and in the spring of each year the Planning Department mails permit application forms that contain all of the ordinance requirements to the restaurants in the Central Business District.

Each year several establishments obtain permits and offer outdoor eating areas on the public sidewalk and the planning department is unaware of any specific complaints in regards to their operation. Last summer Magnum Hospitality submitted an application to the City that specifically requested alcohol service on the public sidewalk at Café Santé. Since the ordinance specifically prohibits alcohol the application could not be approved. Subsequently, Magnum Hospitality submitted a request for the City to consider changing the existing ordinance to also allow the serving of alcohol in outdoor eating areas which are located on the public sidewalk.

At the April 15, 2013 Planning Commission meeting the Commission considered the request from Magnum Hospitality. After review and discussion about the proposal and possible ordinance changes the Planning Commission directed staff to develop an amendment to the zoning ordinance to eliminate the provisions for outdoor café's on the public sidewalk and develop a new stand alone ordinance to regulate outdoor sidewalk cafés that would include a provision that would allow alcohol service. The reason for this approach is due to the fact that zoning ordinances confer grandfathering rights. Uses that are established lawfully under a zoning ordinance can continue as a legal use indefinitely even if the ordinance is changed or repealed at a later date. This is not the case for stand alone police power ordinances as these types of ordinances do not have grandfathering rights.

The ordinance as proposed allows for the service of alcohol in sidewalk cafés. If the Commission does not wish to expand alcohol service to sidewalk cafés, staff would recommend the Commission adopt the proposed ordinance amendments but delete the provision that allows for alcohol.

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 May 20, 2013, 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 the proposed zoning ordinance amendment. The Planning Commission also held a public hearing on the proposed Sidewalk Café Ordinance and recommended adoption of the ordinance. The proposed amendment and ordinance are now being presented to the City Commission for a first reading. As required by the Boyne City Charter, ordinances 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 July 9, 2013. The City Commission has the following options:

1. Schedule a second reading for July 9th 2013 or later.
2. Send the proposed ordinances back to the Planning Commission for further consideration.
3. Take no action.

Recommendation

Review proposed ordinances and schedule a second reading for July 9th 2013.

CITY OF BOYNE CITY
 COUNTY OF CHARLEVOIX

AN AMENDMENT TO THE BOYNE CITY ZONING ORDINANCE (A-80)

THE CITY OF BOYNE CITY HEREBY ORDAINS:

Section 1. Purpose.

The purpose of this ordinance is to amend Article X Section 10.20(Q) to eliminate zoning ordinance provisions that regulate outdoor cafés on public sidewalks.

Section 2. Amendment of Section 10.20(Q) Outdoor cafés of Article X Central Business District.

Section 10.20 (Q) Outdoor Cafés is amended to read as follows: (~~strikethrough~~ indicates words to be deleted and *italics* indicates words to be added)

- Q. Outdoor cafés, outdoor eating areas, carry-out, and open front restaurants, (~~without alcoholic beverages~~)-subject to the following site design standards:
 - 1. Outdoor cafés may be permitted *within the boundaries of a parcel or lot* ~~on a public right-of-way, on a building roof top, or as part of a patio or deck, or within the boundaries of a parcel or lot.~~ Those ~~proposed for use of the public right-of-way must secure an annual permit from the City for temporary use of the right of way.~~ However, ~~no use of the right of way will be permitted on July 4th.~~
 - 2. ~~A minimum of four (4) feet of public sidewalk along the curb and leading to the entrance to the establishment must be maintained free of tables and other encumbrances. The pedestrian area shall also be free from benches, waste receptacles, fire hydrants, and similar structure. If the sidewalk is not wide enough to allow for a four (4) foot wide clearance for circulation, the outdoor café shall not be permitted on a public sidewalk.~~
 - 3. ~~Pedestrian circulation and access to building entrances shall not be impaired. A boundary (maximum encroachment width and length) into the public sidewalk shall be established with an accessible aisle being maintained between this line and the curb, in accordance with the provisions of all state and federal regulations.~~
 - 4-2. The outdoor café must be kept clean, litter-free, and with a well-kept appearance within and immediately adjacent to the area of the tables and chairs. Additional outdoor waste receptacles may be required. ~~Written procedures for cleaning and waste containment and removal responsibilities must be included with all applications and approved by the City staff.~~
 - 5-3. Tables, chairs, planters, waste receptacles, and other elements of street furniture shall be compatible with the architectural character of the adjacent buildings. If table umbrellas will be used, they shall complement building colors. ~~When not in use, all tables, chairs, umbrellas, and other furniture and fixtures must be stored inside the building or in an alternate location other than a public sidewalk.~~
 - 6-4. Other additional signs are not permitted beyond those permitted for the existing restaurant.
 - 7. ~~Such areas are permitted seasonally between April 1 and October 31, except July 4th. The hours of operation for the outdoor café shall be established and noted with the application.~~

- ~~8. Preparation of food and beverages may be prohibited by the Planning Commission in the outdoor café.~~
- ~~9. The outdoor café or its operation shall not damage, stain, or discolor any part of the sidewalk or public right of way.~~
- ~~10. The outdoor café shall comply with any policies and/or regulations adopted by the City Commission for private use of public right of way. Liability issues for use of the public sidewalk may be addressed and reviewed by the City Attorney.~~
- ~~11. The outdoor café shall provide evidence of insurance coverage naming the City as an additional insured party in an amount acceptable to the City.~~

Section 3. Conflicting Standards.

If any of the standards set forth in this amendment conflict with any other standards of previous or future ordinances or amendments, the stricter standards shall apply.

Section 4. Repeal; Savings Clause.

All ordinances, resolutions, or orders, or parts thereof, in conflict with the provisions of this ordinance are, to the extent of such conflict, repealed.

Section 5. Severability

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 6. Effective Date

This Ordinance shall become effective fifteen (15) days from its enactment.

Public Hearing May 20, 2.13

First Reading:

Second reading:

Enacted:

Effective:

CITY OF BOYNE CITY
COUNTY OF CHARLEVOIX

AN AMENDMENT TO THE BOYNE CITY CODE OF ORDINANCES TO REGULATE THE LICENSING AND OPERATION OF OUTDOOR SIDEWALK CAFÉS ON PUBLIC SIDEWALKS AND TO PRESCRIBE PROCEDURES THEREFOR, AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THE ORDINANCE.

NOW THEREFORE, THE CITY OF BOYNE CITY ORDAINS:

Section 1. Article VI Outdoor Sidewalk Cafés of Chapter 54 Street Sidewalks and Other Public Places of Boyne City Code of Ordinances shall be adopted as follows:

Article VI Outdoor Sidewalk Cafés

Sec 54-170. Outdoor Sidewalk Café.

No person or entity shall operate an Outdoor Sidewalk Café without an Outdoor Sidewalk Café license. This license shall be required in addition to any other license, permit or approval required by the city, county or state agencies for operation of a restaurant, bar or similar establishment. The license shall be valid for the calendar year of the date of issuance.

- (a) Definition: Outdoor Sidewalk Café – A type of outdoor café consisting of an area set aside for the customers of a restaurant, bar or similar establishment on a public sidewalk or other public property other than a public parking space.

Sec 54-171 Outdoor Sidewalk Café license.

An Outdoor Sidewalk Café license may be issued upon approval of the City Manager or designee with a finding that the applicant meets the requirements below:

- (a) Outdoor Sidewalk Café hours shall be between 800 a.m. and 11:00 p.m., from April 1 to November 1.
- (b) A minimum of four (4) feet of public sidewalk shall be maintained free of tables and other encumbrances. The pedestrian area shall also be free from benches, waste receptacles, fire hydrants, and similar structure. If the sidewalk is not wide enough to allow for a four (4) foot wide clearance for circulation, the outdoor sidewalk café shall not be permitted on a public sidewalk.
- (c) Furnishings of an Outdoor Sidewalk Café shall all be readily removable, including railings and planters.
- (d) Furnishing materials and finishes shall be durable, smooth and easily cleanable and shall be kept in sound condition and good repair. Tables, chairs, planters, waste receptacles, and other elements of street furniture shall be compatible with the architectural character of the adjacent buildings. If table umbrellas will be used, they shall complement building colors and may not include signage of any type.

- (e) Outdoor Sidewalk Cafés may only be located in the sidewalk that is adjacent to the business they are associated and may not extend in front of any other business or residence.
- (f) Outdoor Sidewalk Cafés may not interfere with any public service facility such as a bench, waste receptacle, bike rack or mailbox.
- (g) The Outdoor Sidewalk Café must be kept clean, litter-free, and with a well-kept appearance within and immediately adjacent to the area of the tables and chairs.
- (h) The Outdoor Sidewalk Café or its operation shall not damage, stain, or discolor any part of the sidewalk or public right-of-way.
- (i) If alcohol is to be served in conjunction with the proposed Outdoor Sidewalk Café, delineation of the service area with a physical barrier in conformance with the design criteria of the City and acceptable to the state liquor control commission must be utilized.

Sec 54-172. Application Requirements for Outdoor Sidewalk Cafés License.

An application for any Outdoor Sidewalk Café License shall include:

- (a) A completed application form provided by the City.
- (b) A plot plan drawn to scale showing the proposed arrangement of the chairs, tables, railings and any other equipment proposed for the Outdoor Sidewalk Café.
- (c) A narrative explaining the proposed operation of the café, including hours of operation.
- (d) Samples or pictures showing the materials and colors of all tables, chairs, railings planters, waste receptacles or any other items proposed for the Outdoor Sidewalk Café.
- (e) The Outdoor Sidewalk Café shall provide evidence of insurance coverage naming the City as an additional insured party in an amount acceptable to the City.
- (f) Before granting a permit for an Outdoor Sidewalk Café, a notice shall be mailed by regular mail to adjacent property owners or occupants, giving such persons notice of the proposed use and given an opportunity to provide comments concerning the proposed operation.
- (g) The fee as established by the City Commission.

Sec 54-173. Revocation of an Outdoor Sidewalk Café's license.

The City Manager may revoke any Outdoor Sidewalk Café license for failure of the licensee to comply with the conditions of this ordinance or their license or if the operation for any reason creates a nuisance or hazard. The City Commission on its own motion may, without cause, revoke an Outside Sidewalk Café permit upon 30 days' written notice to the permittee.

Sec 54-174. Penalty.

Any person who violates any of the provisions of this section are responsible for a municipal civil infraction.

Section 2. Conflicting Standards.

If any of the standards set forth in this amendment conflict with any other standards of previous or future ordinances or amendments, the stricter standards shall apply.

Section 3. Repeal; Savings Clause.

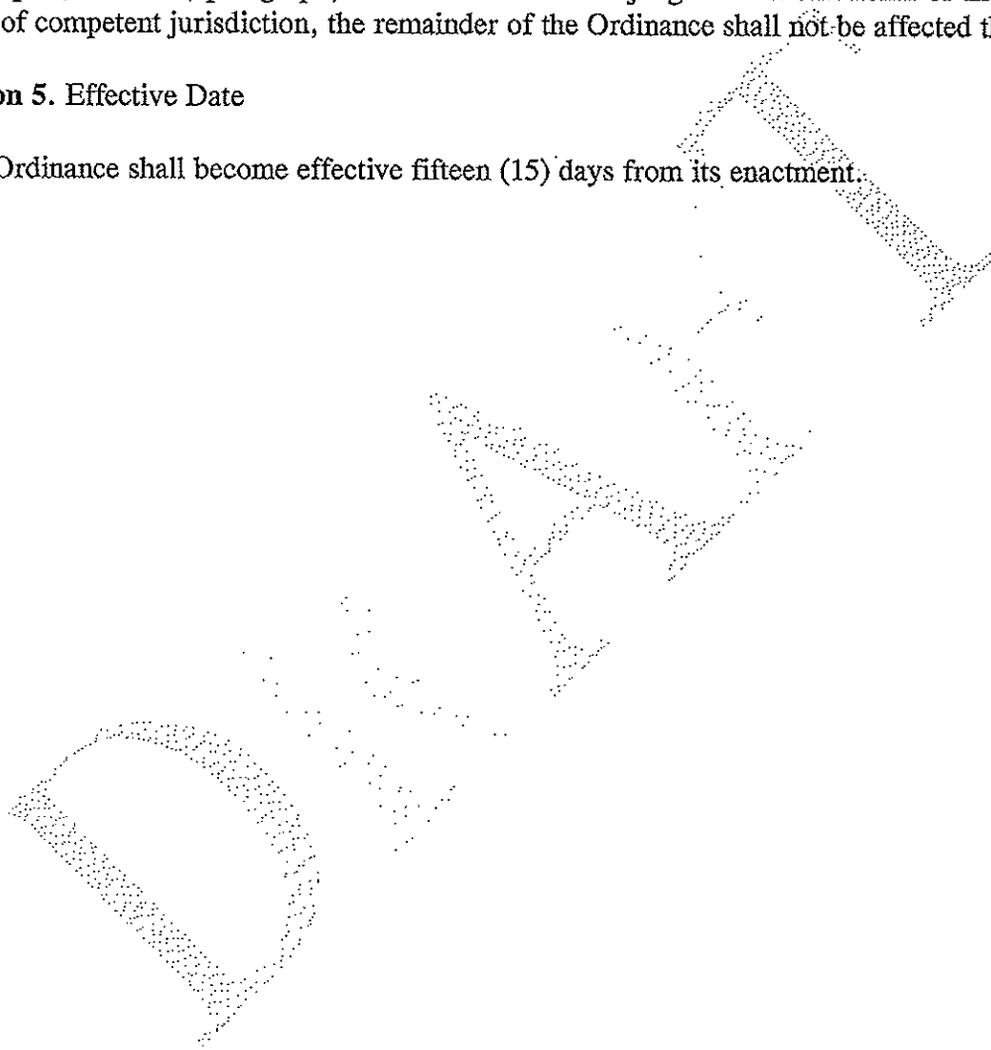
All ordinances, resolutions, or orders, or parts thereof, in conflict with the provisions of this ordinance are, to the extent of such conflict, repealed.

Section 4. Severability

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 5. Effective Date

This Ordinance shall become effective fifteen (15) days from its enactment.





Sidewalk Cafe Discussion
See Page 2

Approved: _____

Meeting of May 2, 2013 MINUTES OF THE BOYNE CITY MAIN STREET BOARD REGULAR MEETING HELD ON THURSDAY, MAY 2, 2013 AT 8:30 A.M. IN THE COMMISSION CHAMBERS AT CITY HALL, 319 NORTHLAKE STREET

Call to Order Chair Swartz called the meeting to order at 8:30 a.m.

Roll Call Present: Jodie Adams, Mike Cain Bob Carlile, Jim Jensen Larry Lenhart, Pat O'Brien, and Rob Swartz

Meeting Attendance Absent: Michelle Cortright and Robin Berry Williams (arrived 8:32)

City Staff: Main Street Manager Hugh Conklin, Planning/Zoning Administrator Scott McPherson, Assistant Planner Leslie Meyer's and recording secretary Karen Seeley

Public: There were two people in attendance

Excused Absence MOTION Cain moved Adams second PASSED UNANIMOUSLY to excuse Michelle Cortright from today's meeting.

Approval of Minutes MOTION Carlile moved, Adams second PASSED UNANIMOUSLY to approve the April 4, 2013 regular meeting minutes

Citizens Comments None

Correspondence None

Main Street Committee Reports Jim Jensen gave an overview of the Small Town Rural Conference he attended at Crystal Mountain and Robin Williams Berry reported on the National Main Street convention that she attended in New Orleans.

- In addition to the committee reports included in the agenda packet Main Street Manager Conklin reported on a few items:
- Reminded the board of Buff of Boyne, May 4th, 9 a.m. Sunset Park.
 - The SOBO Arts festival was successful in its application to the Charlevoix County Community Foundation for a \$1,900 grant to fund the performance on June 28 of the Bay Area Big Band.
 - Shirley Matz found a new location for her barbershop, as of April 30 she is located at 211 1/2 South Lake Street, formerly the home to Meg McClorey Pottery.
 - Jim Howell has moved his appraisal business to Main Street, next to Sweetgrass Framing.

Main Street Manager Conklin reported on:

Manager's Report

- There were no viable candidates for the Sunset Park Intern program
- The Business expo was a huge success and congratulations to Chamber Executive Director Jim Bauman.
- Challenge Mountain surveyed their membership and has agreed to enter into a one year contract with Boyne Thunder. Cain moved Adams seconded **PASSED UNANIMOUSLY** to approve Boyne Thunder entering into a one year contract with Challenge Mountain for 10% of proceeds.
- A meeting with theatre owner Paul Mitchell was held April 12 and was very productive. The Downtown Planning grant for the theatre was submitted to the MEDC on Friday. A decision is expected by the end of May with approval by the Michigan Strategic Fund in June.

Unfinished Business

Bike rack designs:

The board reviewed some renderings of different art designs for new bike racks in the downtown. Main Street Manager Conklin reported that the Design Committee discussed the RFP's that were originally submitted. There were issues with the RFP identifying the quantity and maximum price.

The committee reached a consensus that detailed design of the racks is needed as the original drawings were conceptual only. The completed drawings are the renderings the board is reviewing today. The board liked the concept submitted by the Wood Shop. Board discussions if four were enough? Four would get us started and give us something to build on with possible sponsorships in the future. These would be unique to the community, a piece of art that is also functional. Adams moved Cain seconded **PASSED UNANIMOUSLY** to support the concept, to obtain bids of the artistic rendering of bicycle racks and send the designs out for bids once they are finalized and given the blessing of the Planning and City Commissions.

MOTION

Sidewalk Cafe →

Sidewalk Café alcohol service:

At the April meeting, the board had discussion about a change in city ordinance to allow alcohol to be served at sidewalk café, in downtown Boyne City. The board was in support of the change but wanted more details in regards to how it would be managed. They received a draft of a proposed new ordinance to regulate sidewalk cafes by City Planner Scott McPherson. The proposed ordinance as written would allow a sidewalk café to obtain an annual permit if they meet the criteria. The permit would be required for all sidewalk cafes not just those serving alcohol. McPherson reviewed the ordinance with the board and stated the one change recommended would be the deletion of the July 4th restriction on sidewalk cafes. The board concurs that it should be allowed on the 4th as well. A public hearing has been scheduled for the next Planning Commission meeting, Monday, May 20th at 5 p.m. A public hearing is required to consider any ordinance change. The planning commission is generally supportive of the alcohol aspect, but did have considerable discussion on the requirements for a clear zone on the sidewalk (4 foot). Board question if we would need it to come back to this board after the Public Hearing. It could always come back. Adams moved Williams seconded **PASSED UNANIMOUSLY** that the Main Street Board recommends to the Planning Commission that it support the proposed new ordinance regulating sidewalk cafes.

MOTION

Stroll the Street Hayrides:

At the April meeting there were various questions/ concerns and a follow-up meeting was held with Becky Kuebler of Boyne Valley Tours and Services to discuss them. The board reviewed the list from Boyne Valley Equine to address their concerns. City Manager Cain said that he is in support and we should give them some leeway. The board feels they should have an immediate "out" clause in the contract. They would need to add the City of Boyne City and Main Street as additional insured on

their policy. There has been some talk about them purchasing a buggy and using that instead of the wagon. The allowable route would be different for a horse and buggy. Cain moved Lenhart seconded PASSED UNANIMOUSLY to support the concept of horse drawn rides through downtown, with the route and schedule to run through the Main Street Manager. Their insurance will need to have the City of Boyne City and Main Street added as insured and the contract can be withdrawn immediately if problems arise by the Main Street Manager or the Police Department.

MOTION

MOTION

Use of the Main Street Logo:

The board reviewed a draft of a user agreement to allow the Boyne City Main Street logo and tagline to be used by businesses. All designs would have to be approved by the Main Street Manager and if approved a use agreement between Boyne City Main Street and the vendor/artist/business is required. Board discussion regarding fees. Let's try it for the first year with no fees and revisit next year. Cain moved Carlile seconded PASSED UNANIMOUSLY to move forward with the agreement and add a bullet to include a "opt out" clause in case they are not following the agreement.

Michigan Main Street Agreement:

Boyne City Main Street's Master-Level Agreement with Michigan Main Street is up for renewal. The contract is for two years and outlines the services we receive from the state program and the expectations the state program has with Boyne City Main Street. The new agreement has been revised to include more comprehensive insurance requirement for the community, and Main Street Manager Conklin has reviewed the changes with Paul Olsen, the city's insurance representative. He will add Michigan Main Street as an additional insured. Cain moved O'Brien seconded PASSED UNANIMOUSLY the Main Street board approves the Michigan Main Street Program Community Requirements and Expectations Agreement as proposed. 10th Anniversary Celebration Update: The committee has been very active, the 10th anniversary logo was designed by Kecia Freed and we will be ordering twelve banners with the logo for the poles downtown. The celebration will take place at Old City Park with a program from 6-8 pm. There will be a memorial tree planting of a white oak and the Chamber has sent out a survey to compile a top ten list of what people love about Main Street.

New Business

Graphic design services-Kecia Freed:

Kecia's current contract expired in April 2013 and the board is being asked to again accept her design services for the 12-month period between May 2013 and April 2014 in the amount of \$3,600. Cain moved Adams seconded PASSED UNANIMOUSLY to accept the service agreement with Kecia Freed of Kecia Freed design.

MOTION

- The Thirsty Goat will reopen on May 16th.
- There is now another option for internet in town with the addition of MYSpot.net
- The House at 417 Pearl Street is up for tax foreclosure.

MOTION

GOOD OF THE ORDER

Cain moved Williams seconded PASSED UNANIMOUSLY to adjourn the May 2, 2013 meeting of the Boyne City Main Street Board at 10:28 am.

ADJOURNMENT
MOTION

Karen Seeley, Recording Secretary

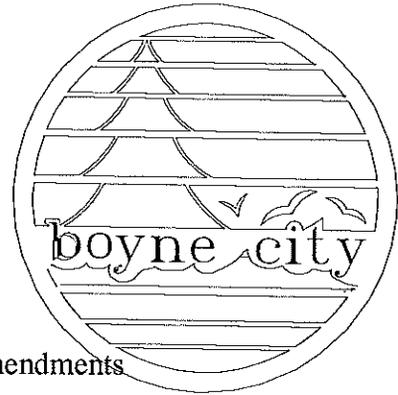
CITY OF BOYNE CITY

To: Chair Jane MacKenzie and fellow Planning Commissioners

From: Scott McPherson, Planning Director

Date: May 20, 2013

Subject: Proposed Outdoor Sidewalk Café Ordinance Amendments



Background

At the April 15, 2013 Planning Commission meeting the Commission review the request Magnum Hospitality to consider changing the existing ordinances to allow the serving of alcohol in outdoor eating areas which are located on the public sidewalk. After review and discussion about the proposal and possible ordinance changes the planning commission directed staff to develop amendment to the zoning ordinance to eliminate the provisions for outdoor café's on the public sidewalk and develop a new stand alone ordinance to regulate outdoor sidewalk cafés.

Discussion

The proposed change to the zoning ordinance removes much of the language of section 10.20(Q) that contains standards for outdoor café's on public sidewalks. The effect of the amendment would eliminate outdoor cafés on public property as a use regulated by the zoning ordinance. Outdoor café's on private property would continue to be allowed by the zoning ordinance.

To provide for outdoor cafes, with or without alcohol, a new separate new ordinance to regulate all outdoor café's on public sidewalks is also being proposed. The proposed ordinance would carry over many of the same outdoor café standards that are currently in effect in zoning ordinance section 10.20(Q). In addition to a provision that would allow alcohol, some additional regulations that have been added to the proposed ordinance are hours of operation, permit application requirements, prior notice to adjacent properties and the ability to revoke the permit with or without cause.

The proposed ordinance for outdoor sidewalk café's and the proposed amendments to the zoning ordinance have been provided for you review.

Process

In accordance with the Michigan Zoning Enabling Act and the Boyne City Zoning Ordinance Section 2.40 Amendment Procedures, a public hearing was scheduled for the Planning Commission on May 20, 2013. The Commission should review the proposed amendment and use the amendment criteria as listed in section 2.50(B) of the zoning ordinance as a guide in making their decision on the proposed amendment. Section 2.50 (B) is as follows:

Section 2.50 Amendment Criteria.

- B. For amendment requests to change or to add additional regulations or standards to a district or a use, the Planning Commission and City Commission shall use the following as a guide:
1. The proposed rule, change or addition helps to reinforce the Comprehensive Plan.
 2. The proposed rule, change or addition is in keeping within the spirit and intent of the this Ordinance, and with the objectives of the zoning district.
 3. The problem or issue which the change is intended to address cannot be accomplished in another, more appropriate fashion.
 4. The proposed amendment would correct an error in the Ordinance.
 5. The proposed amendment would clarify the intent of the Ordinance.
 6. Documentation has been provided indicating problems and conflicts in implementation or interpretation of specific sections of this Ordinance.
 7. The proposed amendment would address changes to county, state or federal legislation.
 8. The proposed amendment would address potential legal issues or administrative problems with this Ordinance based on recent case law or opinions rendered by the Attorney General of the State of Michigan.
 9. The proposed amendment would promote compliance with changes in other city ordinances and/or county, state, or federal regulations.
 10. The proposed amendment is supported by the findings of reports, studies, or other documentation on functional requirements, contemporary building practices, environmental requirements and similar technical items.
 11. Other criteria as determined by the Planning Commission or City Commission which would protect the health, safety, and welfare of the public, protect public and private investment in the City, promote implementation of the goals and policies of the Comprehensive Plan, and enhance the overall quality of life in the City.

\$69,400; and authorize the Design Engineering for the pipe upsize work from Division Street to Morgan Street for future construction and authorize the City Manager to sign the required documents

Ayes: 5
Nays: 0
Absent: 0
Motion carried

**2nd Reading Outdoor
Sidewalk Cafe Ordinances**

7/09/13
CC

Consideration of a second reading of amendments to the Boyne City Zoning Ordinance to remove Sidewalk Cafes.

Planning Director Scott McPherson discussed the second reading of the proposed amendment to the zoning ordinance to remove the sidewalk café provision from the Zoning ordinance and create a freestanding ordinance. The first reading was held on May 28th, 2013, where allowing alcohol service in the outdoor café was originally proposed. It was determined by the Commission at that first reading, the ordinances should not allow alcohol service at sidewalk cafes.

Citizens Comments: None

Staff Comments: None

Board Deliberation: Commissioner Gaylord said he wants to make sure there will not be businesses that are not going to be able to take advantage of this with the change. Are we excluding any particular location or locations? Scott said he can't think of any existing restaurants that would not be able to take advantage of this. Commissioner Gaylord also inquired if we should have follow up language about cleaning up. Who will be monitoring grease stains, etc. Scott said we become aware of it quickly and will take care of it. Commissioner Sansom asked if there is now a need to include railings since there is no alcohol and she doesn't feel 4 feet is enough. Can we change it to five feet. City Manager Cain said four feet is currently in the ordinance and we can change it in the future. It hasn't been a problem.

Mayor Pro-Tem Towne said he had concerns about the 4' space during the busy times. Commissioner Neidhamer is in support of this. It makes sense and is working now.

MOTION

2013-07-099
Moved by Neidhamer
Second by Towne

To approve the second reading of amendments to the Boyne City Zoning Ordinance to remove Sidewalk Cafes

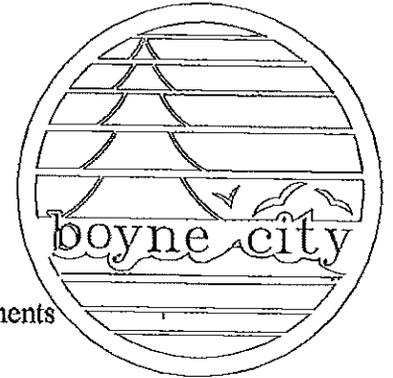
Ayes: 5
Nays: 0
Absent: 0
Motion carried

MOTION

2013-07-100
Moved by Neidhamer
Second by Towne

CITY OF BOYNE CITY

To: Michael Cain, City Manager *Mc*
From: Scott McPherson, Planning Director *SM*
Date: July 9, 2013
Subject: Proposed Outdoor Sidewalk Café Ordinance Amendments
 2nd Reading

**Background**

Currently the Boyne City zoning ordinance allows outdoor eating areas that do not serve alcohol on the public sidewalk in the Central Business District. This ordinance provision has been in place since the ordinance rewrite in 2001. An annual \$10 permit is required and in the spring of each year the Planning Department mails permit application forms that contain all of the ordinance requirements to the restaurants in the Central Business District.

Each year several establishments obtain permits and offer outdoor eating areas on the public sidewalk and the planning department is unaware of any specific complaints in regards to their operation. Last summer Magnum Hospitality submitted an application to the City that specifically requested alcohol service on the public sidewalk at Café Santé. Since the ordinance specifically prohibits alcohol the application could not be approved. Subsequently, Magnum Hospitality submitted a request for the City to consider changing the existing ordinance to also allow the serving of alcohol in outdoor eating areas which are located on the public sidewalk.

At the April 15, 2013 Planning Commission meeting the Commission considered the request from Magnum Hospitality. After review and discussion about the proposal and possible ordinance changes the Planning Commission directed staff to develop an amendment to the zoning ordinance to eliminate the provisions for outdoor café's on the public sidewalk and develop a new stand alone ordinance to regulate outdoor sidewalk cafés that would include a provision that would allow alcohol service. The reason for this approach is due to the fact that zoning ordinances confer grandfathering rights. Uses that are established lawfully under a zoning ordinance can continue as a legal use indefinitely even if the ordinance is changed or repealed at a later date. This is not the case for stand alone police power ordinances as these types of ordinances do not have grandfathering rights.

The ordinance changes as originally proposed would have allowed for the service of alcohol in sidewalk cafés. At the first reading the Commission determined that the ordinance should not be expanded to allow alcohol service at sidewalk cafés and directed staff to remove those provisions from the Ordinance. Accordingly, the provision allowing alcohol was removed (section 54-172 (i)) and an addition was made to the definition of a sidewalk café that states that the serving of alcohol is excluded from a sidewalk café.

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 May 20, 2013, 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 the proposed zoning ordinance amendment. The Planning Commission also held a public hearing on the proposed Sidewalk Café Ordinance and recommended adoption of the ordinance. The proposed ordinances were submitted to the City Commission for a First Reading on May 28th, 2013 and the proposed ordinances were reviewed and the Commission required changes to the provision that allowed alcohol. The proposed ordinances with the changes scheduled for a second reading.. As required by the Boyne City Charter, ordinances cannot be adopted until at least one month after the meeting it is introduced and was scheduled for a second reading on July 9, 2013. If adopted by the Commission the ordinance must be published at least one week prior before its final passage.

Options

1. Approve the ordinances as presented.
2. Do not approve as presented
3. Postpone for further consideration or review.
4. Other options as determined by the City Commission

Recommendation

The proposed ordinances are recommended for adoption as presented.

**CITY OF BOYNE CITY
COUNTY OF CHARLEVOIX**

AN AMENDMENT TO THE BOYNE CITY ZONING ORDINANCE (A-80)

THE CITY OF BOYNE CITY HEREBY ORDAINS:

Section 1. Purpose.

The purpose of this ordinance is to amend Article X Section 10.20(Q) to eliminate zoning ordinance provisions that regulate outdoor cafés on public sidewalks.

Section 2. Amendment of Section 10.20(Q) Outdoor cafés of Article X Central Business District.

Section 10.20 (Q) Outdoor Cafés is amended to read as follows:

- Q. Outdoor cafés, outdoor eating areas, carry-out, and open front restaurants, subject to the following site design standards:
1. Outdoor cafés may be permitted within the boundaries of a parcel or lot, on a building roof top, or as part of a patio or deck.
 2. The outdoor café must be kept clean, litter-free, and with a well-kept appearance within and immediately adjacent to the area of the tables and chairs. Additional outdoor waste receptacles may be required.
 3. Tables, chairs, planters, waste receptacles, and other elements of street furniture shall be compatible with the architectural character of the adjacent buildings. If table umbrellas will be used, they shall complement building colors.
 4. Other additional signs are not permitted beyond those permitted for the existing restaurant.

Section 3. Conflicting Standards.

If any of the standards set forth in this amendment conflict with any other standards of previous or future ordinances or amendments, the stricter standards shall apply.

Section 4. Repeal; Savings Clause.

All ordinances, resolutions, or orders, or parts thereof, in conflict with the provisions of this ordinance are, to the extent of such conflict, repealed.

Section 5. Severability

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 6. Effective Date

This Ordinance shall become effective fifteen (15) days from its enactment.

Public Hearing May 20, 2013

First Reading: May 28, 2013

Second reading: July 9, 2013

Enacted:

Effective:

**CITY OF BOYNE CITY
COUNTY OF CHARLEVOIX**

AN AMENDMENT TO THE BOYNE CITY CODE OF ORDINANCES TO REGULATE THE LICENSING AND OPERATION OF OUTDOOR SIDEWALK CAFÉS ON PUBLIC SIDEWALKS AND TO PRESCRIBE PROCEDURES THEREFOR, AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THE ORDINANCE.

NOW THEREFORE, THE CITY OF BOYNE CITY ORDAINS:

Section 1. Article VI Outdoor Sidewalk Cafés of Chapter 54 Street Sidewalks and Other Public Places of Boyne City Code of Ordinances shall be adopted as follows:

Article VI Outdoor Sidewalk Cafés

Sec 54-170. Outdoor Sidewalk Café.

No person or entity shall operate an Outdoor Sidewalk Café without an Outdoor Sidewalk Café license. This license shall be required in addition to any other license, permit or approval required by the city, county or state agencies for operation of a restaurant, bar or similar establishment. The license shall be valid for the calendar year of the date of issuance.

- (a) Definition: Outdoor Sidewalk Café – A type of outdoor café consisting of a service area set aside for the customers of a restaurant or similar establishment to be served food and drink with the exception of alcoholic beverages, on a public sidewalk or other public property other than a public parking space.

Sec 54-171 Outdoor Sidewalk Café license.

An Outdoor Sidewalk Café license may be issued upon approval of the City Manager or designee with a finding that the applicant meets the requirements below:

- (a) Outdoor Sidewalk Café hours shall be between 8:00 a.m. and 11:00 p.m., from April 1 to November 1.
- (b) A minimum of four (4) feet of public sidewalk shall be maintained free of tables and other encumbrances. The pedestrian area shall also be free from benches, waste receptacles, fire hydrants, and similar structure. If the sidewalk is not wide enough to allow for a four (4) foot wide clearance for circulation, the outdoor sidewalk café shall not be permitted on a public sidewalk.
- (c) Furnishings of an Outdoor Sidewalk Café shall all be readily removable, including railings and planters.
- (d) Furnishing materials and finishes shall be durable, smooth and easily cleanable and shall be kept in sound condition and good repair. Tables, chairs, planters, waste receptacles, and other elements of street furniture shall be compatible with the architectural character of the adjacent buildings. If table umbrellas will be used, they shall complement building colors and may not include signage of any type.

- (e) Outdoor Sidewalk Cafés may only be located in the sidewalk that is adjacent to the business they are associated and may not extend in front of any other business or residence.
- (f) Outdoor Sidewalk Cafés may not interfere with any public service facility such as a bench, waste receptacle, bike rack or mailbox.
- (g) The Outdoor Sidewalk Café must be kept clean, litter-free, and with a well-kept appearance within and immediately adjacent to the area of the tables and chairs.
- (h) The Outdoor Sidewalk Café or its operation shall not damage, stain, or discolor any part of the sidewalk or public right-of-way.

Sec 54-172. Application Requirements for Outdoor Sidewalk Cafés License.

An application for any Outdoor Sidewalk Café License shall include:

- (a) A completed application form provided by the City.
- (b) A plot plan drawn to scale showing the proposed arrangement of the chairs, tables, railings and any other equipment proposed for the Outdoor Sidewalk Café.
- (c) A narrative explaining the proposed operation of the café, including hours of operation.
- (d) Samples or pictures showing the materials and colors of all tables, chairs, railings planters, waste receptacles or any other items proposed for the Outdoor Sidewalk Café.
- (e) The Outdoor Sidewalk Café shall provide evidence of insurance coverage naming the City as an additional insured party in an amount acceptable to the City.
- (f) The fee as established by the City Commission.

Sec 54-173. Revocation of an Outdoor Sidewalk Café's license.

The City Manager may revoke any Outdoor Sidewalk Café license for failure of the licensee to comply with the conditions of this ordinance or their license or if the operation for any reason creates a nuisance or hazard. The City Commission on its own motion may, without cause, revoke an Outside Sidewalk Café permit upon 30 days' written notice to the permittee.

Sec 54-174. Penalty.

Any person who violates any of the provisions of this section is responsible for a municipal civil infraction.

Section 2. Conflicting Standards.

If any of the standards set forth in this amendment conflict with any other standards of previous or future ordinances or amendments, the stricter standards shall apply.

Section 3. Repeal; Savings Clause.

All ordinances, resolutions, or orders, or parts thereof, in conflict with the provisions of this ordinance are, to the extent of such conflict, repealed.

Section 4. Severability

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 5. Effective Date

This Ordinance shall become effective fifteen (15) days from its enactment.

Public Hearing May 20, 2013

First Reading: May 28, 2013

Second reading: July 9, 2013

Enacted:

Effective:

MEMORANDUM

TO: MICHAEL CAIN; CITY MANAGER

FROM: ANDREW KOVOLSKI; PUBLIC WORKS SUPERINTENDENT



DATE: 4/8/16

RE: ASBESTOS ABATEMENT CHANGE ORDERS

As you are aware the Asbestos Abatement Contractor, Quality Environmental Services Incorporated, began work on April 5th at the City Hall Building. During the course of their work they discovered a large amount of material that was not accounted for on the original survey. These areas are located in the crawl spaces under the building. Attached please find pictures showing what some of these areas look like. Because of access issues the floor will need to be cut out in many areas to allow this work to be accomplished.

Asbestos was also found in a few other areas not reported in the original survey. Attached to this memorandum you will also find a Recommendation Letter from Northern Analytics (monitoring the project) outlining the specifics of what was found and a breakdown of the costs involved.

Recommendation:

It is my recommendation that the City Commission approve the attached change order from Quality Environmental Services in the amount of \$36,473.00 and anything further the City Manager deems appropriate regarding asbestos removal and authorize the City Manager to sign the required documents.

Options:

1. That this matter be postponed for further information or consideration
2. That this matter be approved subject to some revision
3. Any other option as determined by the City Commission



N O R T H E R N
Analytical Services, LLC.
ENVIRONMENTAL CONSULTANTS

April 8, 2016

Project No.: 160042

Mr. Andrew Kovolski
City of Boyne City
319 North Lake Street
Boyne City, MI 49712

Re: Change Order Requests

Dear Mr. Kovolski:

Northern Analytical Services, LLC. (NAS) has received two change order requests from Quality Environmental Services, Inc. to remove asbestos containing materials that were discovered to be in addition to the materials detailed in the asbestos inspection report. Each request is summarized as follows:

Change Order Request 1

Includes three items, item 1-an additional 230 lineal feet of asbestos pipe wrap in the crawl space, item 2- an additional 5,100 sq.ft. of asbestos debris from the crawl space, and item 3-additional 435 sq.ft. of asbestos glue pods and ceiling tiles from the city planners office.

The additional material discovered in the crawl space was expected as this space was not thoroughly inspected due to access restrictions. The bid specifications instructed bidders to base their number on an assumed quantity of material and any discrepancies resolved with a change order. Items 1 and 2 address these discrepancies.

The glue pods from the City Planners Office were discovered during abatement and were not listed in the original asbestos survey and therefore not included in the Specifications.

The total amount of Change Order Request 1 is \$32,165.00. I have reviewed this with our field representative and feel the work is necessary to complete the project and therefore I recommend you approve this request.

Change Order Request 2

Includes several items such as asbestos sheeting behind heaters, window and door frame caulk, transite soffit, and floor tile. None of these materials were included in the original asbestos survey and therefore were not included in our Specifications.

The total amount for Change Order No. 2 is \$4,308.00. I have reviewed this work with our field representative and feel the work is necessary to complete the project and therefore I recommend you approve this request as well.

Change Order Request
Project No. 160042
April 8, 2016

With both change order requests combined, I am recommending you increase Quality Environmental's contract by \$36,473.00 and add 5 days to their schedule.

Northern Analytical Services, LLC. appreciates the opportunity to provide these services. Please contact us if you have any questions.

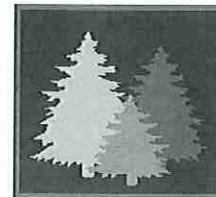
Sincerely,



John J. Rehkopf
President

Quality Environmental Services, Inc.

Main Office: P.O. Box 558-Gladwin, MI. 48624 (989) 435-2946 Fax: (989) 435-2935
 Detroit Area: 7124 W. Grand River-Fowlerville, MI. 48836 (517) 223-1100 Fax: (517) 223-1155



April 7, 2016

The City of Boyne City
 Via Email:

ATTN: John R

<p>Additional work Proposal for Services Asbestos Abatement Boyne City Hall</p>
--

Quality Environmental Services, Inc. (QESI) is pleased to submit a quote for services regarding the above referenced project. Please see the following scope of work and Details.

Scope of Work

QESI to supply Michigan Trained Supervisors/Workers, supervision, materials, equipment, insurance including waste hauling and disposal to complete Asbestos Abatement and any other specific items detailed as outlined and based on the following listed below:

- Additional Work:
- Inaccessible Crawl Space Lineal Feet 230 additional at Unit Price \$12.00 **Add \$2,780.00**
- Inaccessible Crawl Space TSI debris and ground clean up total area is 6800 sq feet less The 1700 sq feet listed in the spec. Highly contaminated soil requiring additional soil to be removed 5,100 additional sq ft at Unit Price \$5.25 **Add \$26,775.00**
- Additional Glue Pods found at City Planners office and cold storage under drywall 435 Sq ft at Unit Prices \$6.00 **Add \$2,610.00**

Schedule:

Work is to be completed: Continue as we finish with work on site

Total Sum: See Above

Quality Environmental Services, Inc. would like to thank you for the opportunity to provide our services. In the event you have further needs please feel free to contact us at (989)435-2946

Sincerely,
 Quality Environmental Services, Inc.

Kevin Wolfe

Kevin Wolfe
 Operations Manager

"Quality Performance at a Quality Price"

Acceptance of Proposal – The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.

Authorized Signature: _____
Owner or Authorized agent of the Owner

Date of Acceptance: ___ / ___ / ___

Title: _____

Quality Environmental Services, Inc.

Main Office: P.O. Box 558-Gladwin, MI. 48624 (989) 435-2946 Fax: (989) 435-2935
 Detroit Area: 7124 W. Grand River-Fowlerville, MI. 48836 (517) 223-1100 Fax: (517) 223-1155



April 8, 2016

The City of Boyne City
 Via Email:

ATTN: John R

<p>Additional work Proposal for Services Asbestos Abatement Boyne City Hall Change Order #2</p>
--

Quality Environmental Services, Inc. (QESI) is pleased to submit a quote for services regarding the above referenced project. Please see the following scope of work and Details.

Scope of Work

QESI to supply Michigan Trained Supervisors/Workers, supervision, materials, equipment, insurance including waste hauling and disposal to complete Asbestos Abatement and any other specific items detailed as outlined and based on the following listed below:

- Additional Work:
- 100 Sq feet of Asbestos Sheet found behind heaters Add \$780.00
- 6-Door Frames with a total of 6 sq feet of caulk
- 2-Wood Window frames with 2 sq feet of caulk
- 8-louvers with 2 Sq feet of Caulk
- 4-Aluminum Window with 4 sq feet of caulk
- Wall Caulk total amount of 3 sq feet Add \$2,340.00
- Transite Soffit at Vestabule 60 Sq feet Add \$460.00
- Carpet and 9 X 9 Floor tile 310 Sq feet at Unit Prices \$2.35 Add \$728.00

Schedule:

Work is to be completed: Continue as we finish with work on site

Total Sum: See Above

Quality Environmental Services, Inc. would like to thank you for the opportunity to provide our services. In the event you have further needs please feel free to contact us at (989)435-2946

Sincerely,
Quality Environmental Services, Inc.

Kevin Wolfe

Kevin Wolfe
 Operations Manager

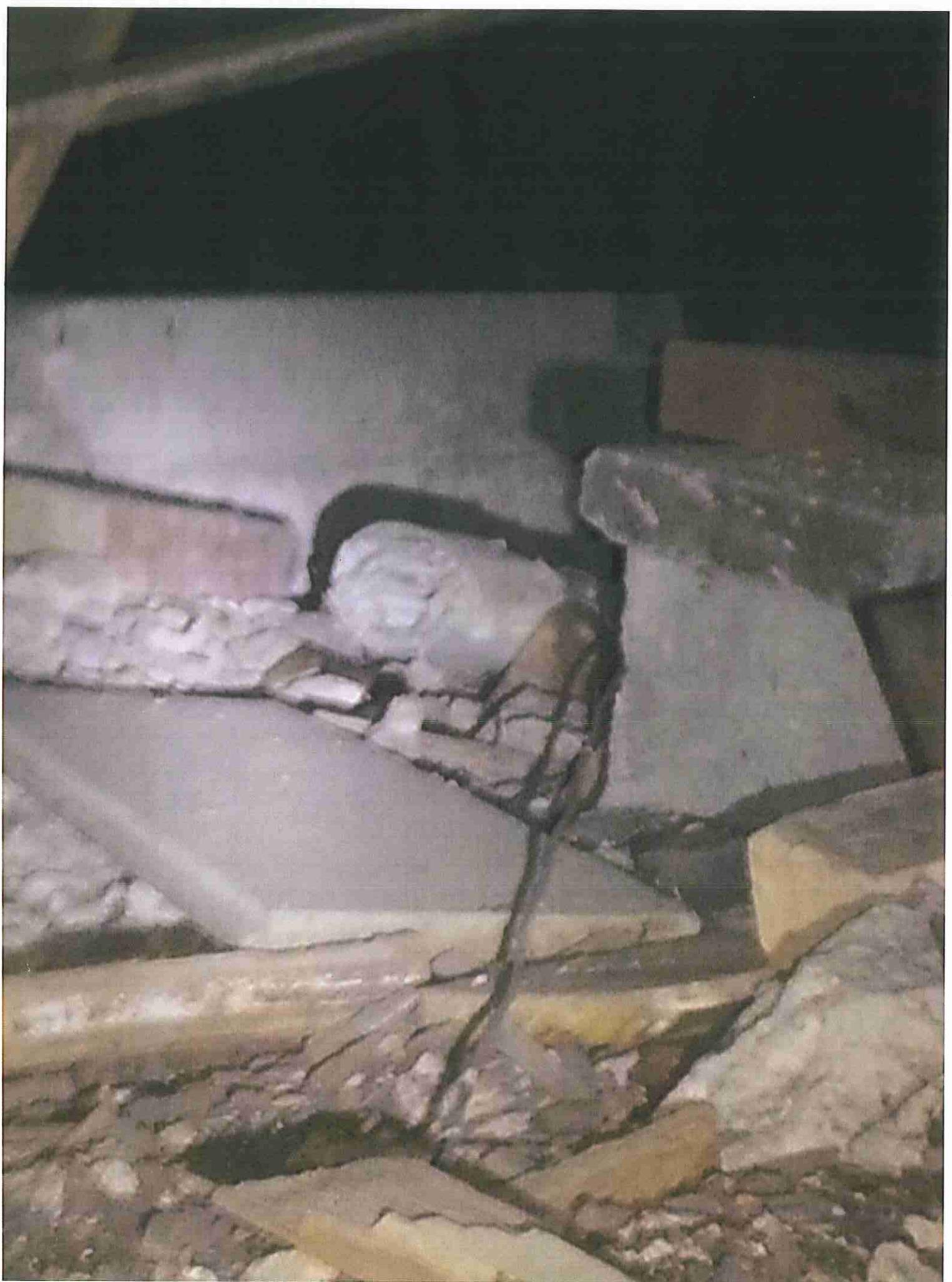
“Quality Performance at a Quality Price”

Acceptance of Proposal – The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.

Authorized Signature: _____
Owner or Authorized agent of the Owner

Date of Acceptance: ___/___/___

Title: _____









MEMORANDUM

TO: MICHAEL CAIN; CITY MANAGER

FROM: ANDREW KOVOLSKI; PUBLIC WORKS SUPERINTENDENT

DATE: 4/8/16

RE: PLAYGROUND SEALING AND MULCH PURCHASE

As warmer weather arrives it is time to re-start the efforts to reseal the structures and install new playground mulch at the Veterans Park Playground. Three Vendors were solicited to apply the sealer the City purchased on the wood structure and were due on April 4th. No bids were received. I contacted the vendors and they all said they already had too much work and would not be interested. I have since reached out to four more vendors to obtain quotations. As of today one has returned my call and expressed interest in bidding.

Quotations were also solicited from the only two vendors in the state of Michigan that supply Certified Playground Mulch, Michigan Bark Products and Brink Wood Products. Attached to this Memorandum please find there quotations for 150 Cubic Yards of Mulch delivered to the Park. Michigan Bark Products price is \$8,175.00 and Brink Wood Products price is \$8,532.00.

RECOMMENDATION:

It is my recommendation that the City Commission award the contract to supply 150 Cubic Yards of Certified Playground Mulch for the amount of \$8,175.00 and authorize the City Manager to sign the required documents.

OPTIONS:

1. That this matter be postponed for further information or consideration
2. That this matter be approved subject to some revision
3. Any other option as determined by the City Commission

Andy Kovolski

From: Andy Kovolski
Sent: Friday, March 11, 2016 8:51 AM
To: 'Sales'
Subject: RE: Contact Us - From Website - Andrew Kovolski

Thanks.

Andy

-----Original Message-----

From: Sales [mailto:sales@brinkwoodproducts.net]
Sent: Friday, March 11, 2016 8:33 AM
To: Andy Kovolski <maintenance@boynecity.com>
Subject: RE: Contact Us - From Website - Andrew Kovolski

Hi Andy,

Sorry to bother you. The full semis would be at 150 c. yards in each load and not 155 as stated. The quote was accurate. Enjoy the sunshine today.
Shelly

-----Original Message-----

From: Andy Kovolski [mailto:maintenance@boynecity.com]
Sent: Thursday, March 10, 2016 5:43 PM
To: Sales
Subject: RE: Contact Us - From Website - Andrew Kovolski

Thank you.
Andy

-----Original Message-----

From: Sales [mailto:sales@brinkwoodproducts.net]
Sent: Thursday, March 10, 2016 3:51 PM
To: Andy Kovolski <maintenance@boynecity.com>
Subject: RE: Contact Us - From Website - Andrew Kovolski

Hi Andy,

We appreciate the opportunity to give your city a quote. If you need the loads split at different locations I will be able to revise the quote later.

We would be delivering this in 50 foot semis at 155 c. yards in each load to one location.

The following quote is for delivery only to the City of Boyne City to one location:

450 c. yards IPEMA certified playground mulch @ \$14	\$6,300
3 Deliveries @ 186 miles x \$4 per loaded mile	2,232
Total	\$8,532

Let me know if you need any changes to this quote.
Shelly

-----Original Message-----

From: Andy Kovolski [mailto:maintenance@boynecity.com]
Sent: Thursday, March 10, 2016 1:18 PM
To: Sales
Cc: Patrick Kilkeny
Subject: RE: Contact Us - From Website - Andrew Kovolski

Shelly:
We will require 450 cyd of certified playground mulch.

Thanks
Andy

-----Original Message-----

From: Sales [mailto:sales@brinkwoodproducts.net]
Sent: Thursday, March 10, 2016 12:00 PM
To: Andy Kovolski <maintenance@boynecity.com>
Subject: RE: Contact Us - From Website - Andrew Kovolski

Good Morning Andrew,
Thank you for contacting us.
It looks like you work for the City of Boyne City?
Let me know how much you need and we would love to put a quote together for you.
Make it a great day.
Shelly
Brink Wood Products, Inc.
616-878-9190

-----Original Message-----

From: WordPress [mailto:maintenance@boynecity.com]
Sent: Thursday, March 10, 2016 11:32 AM
To: sales@brinkwoodproducts.net
Subject: Contact Us - From Website - Andrew Kovolski

From: Andrew Kovolski
Email: maintenance@boynecity.com
Subject: playground mulch

Message:

Do you deliver bulk purchase of product to Boyne City? We will be installing all new material in our playground so it will be a sizable amount.

Thanks

This email has been checked for viruses by Avast antivirus software.
<https://www.avast.com/antivirus>

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<https://www.avast.com/antivirus>

Andy Kovolski

From: Michigan Bark <michiganbark@hotmail.com>
Sent: Friday, April 8, 2016 10:17 AM
To: Andy Kovolski
Subject: Quote

450 yards of Playmat= \$7425
Delivery Fee for 4 trucks & 1 light load fee= \$750.00
Total delivered =\$8175.00

April 2016

April 2016						
Su	Mo	Tu	We	Th	Fr	Sa
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 2016						
Su	Mo	Tu	We	Th	Fr	Sa
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				

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Mar 27	28	29	30	31	Apr 1	2
3	4	5 5:00pm ZBA	6	7 8:30am Main Street Board mtg. 6:00pm Parks & Rec	8	9
10	11	12 7:00pm City Commission	13	14	15 Tax Day (United States)	16
17	18	19	20	21	22	23
National Volunteer Week						
	5:00pm Planning Commission					
24	25	26 12:00pm City Commission	27	28 Free Seedling Day 5:30pm Airport Advisory Board	29 Arbor Day	30 City hall open 9-2 for Absentee Ballots

May 2016

May 2016

Su	Mo	Tu	We	Th	Fr	Sa
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				

June 2016

Su	Mo	Tu	We	Th	Fr	Sa
		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		

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
May 1	2	3 7:00am School Election 5:00pm ZBA	4	5 8:30am Main Street Board mtg. 6:00pm Parks & Rec	6	7 8:00am Buff Up Boyne
8 Mother's Day (United States)	9 12:00pm EDC/LDFA	10 7:00pm City Commission	11	12	13	14
15 Marina Open	16 5:00pm Planning Commission	17 7:00pm Historic District	18	19	20	21
22	23	24 12:00pm City Commission	25	26 5:30pm Airport Advisory Board	27	28
29	30 Memorial Day Parade/Events (United States)	31	Jun 1	2	3	4