

**APRIL 10, 2018  
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 APRIL 10, 2018

**CALL TO ORDER**

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

Present: Mayor Tom Neidhamer, Mayor Pro-Tem Ron Grunch and Commissioners Sally Page and Dean Solomon

Absent: Commissioner Hugh Conklin

Staff: Cindy Grice, Barb Brooks, Andy Kovolski, Patrick Kilkenny and Craig Remsberg

Others: There were nine citizens in attendance, including a representative from the Petoskey News Review.

**Excuse Commissioner  
Conklin  
MOTION**

2018-04-034  
Moved by Neidhamer  
Second by Solomon

To excuse Commissioner Conklin from attending today's meeting

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

**CONSENT AGENDA  
MOTION**

2018-04-035  
Moved by Grunch  
Second by Page

2018-04-035A  
Approved the March 27, 2018 City Commission regular meeting minutes as presented  
2018-04-035B  
Approved the Memorandum of Understanding with the Friendship Centers of Emmet County regarding their Retired and Senior Volunteer Program (RSVP) of Charlevoix and Emmet Counties as presented and authorize the City Manager or his/her designate to complete and return this and such memorandums in the future, so long as there are no significant changes

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

**CITIZENS COMMENTS**

East Jordan Deputy Mayor stated that Boyne City is doing great things over here. He has started the South Arm ORV club and has a gathering of people working toward more trails. They are working to bring snowmobiles and ORV trails to Boyne City.

Ashley Cousens from Boyne Area Chamber announced the upcoming Business After Hours and the Mushroom Festival

## CORRESPONDENCE

None

CITY MANAGERS  
REPORT

City Manager Michael Cain reported:

- We have received a Tree City award for 2017
- The former 7 Monks will be reopening soon as the Lake Street Pub

REPORTS OF  
OFFICERS, BOARDS  
AND STANDING  
COMMITTEES

Draft minutes of the March 6, 2018 Main Street Board Meeting; the March 8, 2018 Parks & Recreation Board Meeting; the March 12, 2018 EDC Meeting; the March 12, 2018 LDFA Meeting; the March 19, 2018 Planning Commission Meeting and the March 22, 2018 Airport Advisory Board Meeting were received and filed.

Second Reading Zoning  
Ordinance Amendments

Consideration to hold a second reading to approve amendments to the Zoning Ordinance to address the issue of minimum dwelling sizes as proposed

Planning Director Scott McPherson discussed the proposed amendments for the definition of dwelling, Article III, Article IV, Article V and Article XX have been provided. Proposed additions are shown in *italics* and proposed deletions are shown with ~~strikethrough~~. The proposed amendment to the dwelling definition eliminates several of the qualitative minimum standards that are included in the definition such as the minimum dwelling width, foundation requirements and eave overhang. Some of these standards were either relocated into the design requirements for the Rural Estate District (RED) in section 3.40(H), the Traditional Residential District (TRD) section 4.40(A)(7) or Waterfront Residential District (WRD) section 5.40(A)(6) or incorporated into the schedule of regulations section 20.10. The changes to the design requirement sections in the residential district incorporated the requirements for the foundation, 1 foot overhang, and the prohibition of exposed towing mechanism, wheels or undercarriage. The proposed amendment to section 20.10, schedule of regulation included that addition of a minimum dwelling size width category with the inclusion of a minimum 24' width requirement for the RED, TRD and WRD districts. As discussed the minimum width for a single family dwelling located in the Multi-Family Residential District (MFRD) would be eliminated by this proposed amendment. To address the issue that was brought up by the Planning Commission in regards to lot size for a single family dwelling in the MFRD, a change is being proposed to section 2.30 note g. The current note g stipulates that: "Apartments shall comply with the applicable standards for the MFRD listed in Section 20.10. Single family detached dwellings shall comply with the applicable standards for the TRD listed in Section 20.10. All other uses shall comply with the applicable standards for the CBD listed in Section 20.20."

Staff sees several issues that should be addressed and is proposing several amendments to note g as follows:

~~"Apartments shall comply with the applicable standards for the MFRD listed in Section 20.10. Single family detached dwellings shall comply with the applicable *height, and setback*, standards for the TRD listed in Section 20.10. All other uses shall comply with the applicable standards for the CBD listed in Section 20.20."~~

The elimination of the first sentence that requires apartments in the MFRD meet the standards of Section 20.10 is being proposed as this stipulation is redundant. Apartments in the MFRD are required to meet the standards of 20.10 regardless of this statement. However, it is noted that in the Minimum Lot per Unit column of the MFRD district does not include a minimum area, only reference to note g is currently in the column. So while the current lot in the MFRD would have a minimum width of 100', there is not a minimum lot area, unless the property is being used for a single family dwelling. To address this oversight a minimum lot area of 21,780 square feet for a MFRD lot is being proposed.

The second proposed amendment to note g is the addition of the language that single family dwellings are subject to the *lot, height and setback standards* of section 20.10. This stipulation would require that single family dwellings in the MFRD must meet the TRD lot requirements of 50 width, area of 5,445 square feet, setbacks of front yard 10', sides yard minimum 5' total of 15', rear yard 15' and maximum height of 2.5 stories or 30 feet.

The third proposed change to note g is to eliminate the last sentence that stipulates all other uses (meaning anything but apartments and single family dwellings) comply with the standards for the CBD district listed in section 20.20. It should be noted that the only standards in section 20.20 for the CBD district are a minimum height of 3.5 stories or 45 feet, which is 1 story or 10 feet higher than permitted in the MFRD. The CBD district does not require any setbacks and permits 100% lot coverage. This stipulation does seem consistent with the MFRD district and its deletion is being proposed.

Some of the proposed changes relocate existing standards to other section of the ordinance that are more appropriate. The proposed changes would have the regulatory effect is the change establishing a minimum lot area for the MFRD, the elimination of the minimum dwelling width for a single family dwelling located in the MFRD district, and elimination of the provision that allows uses other than apartments and single family district to comply with the CBD requirements in section 20.20.

Staff Comments: None

Citizens Comments: None

Board Discussion: All are in support of the proposed amendments.

## **MOTION**

2018-04-036

Moved by Solomon

Second by Page

To approve the second reading of the proposed amendments to the zoning ordinance as presented.

Ayes: 4

Nays: 0

Absent: 1, Commissioner Conklin

Motion carried

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**Public Hearing –  
Proposed FYE 2019  
Budget**

Public Hearing to hear Citizen comments regarding the General Appropriations for the FYE 2019 Budget as required by statutory regulations.

Mayor Neidhamer opened the Public Hearing at 7:18 p.m.

Clerk Treasurer Grice discussed the proposed budget. Minor changes were made based upon discussion at the March 22 work session. Those changes were provided to the Commissioners to update their budget books.

Chris Christensen discussed the placement of the budget on the website.

There was no further public comment.

Mayor Neidhamer closed the Public Hearing at 7:20 p.m.

**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 2018/2019

Staff Comments: None

Citizens Comments: None

Board Discussion: All are in support of the resolution.

**MOTION**

2018-04-037  
Moved by Grunch  
Second by Page

To adopt the Resolution to Establish a General Operating Millage Rate of 15.51 for the City of Boyne City FY 2018/2019

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

**Millage Rate Resolution  
– City Facilities Debt  
Service**

Consideration to adopt the Resolution to Establish a City Facilities Debt Service Millage Rate of 2.30 for the City of Boyne City FY 2018/2019

Staff Comments: City Manager stated that per bond covenants, we are not allowed to levy the entire 2.7 mills that were voter approved and are not allowed to pay the debt off sooner.

Citizens Comments: None

Board Discussion: All are in support of the resolution.

**MOTION**

2018-04-038  
Moved by Page  
Second by Grunch

To adopt the Resolution to Establish a City Facilities Debt Service Millage Rate of 2.30 for the City of Boyne City FY 2018/2019

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

**General Appropriations Act Resolution**

Consideration to adopt the General Appropriations Act for FY 2018/2019 Resolution

Staff Comments: None.

Citizens Comments: None

Board Discussion: All are in support of the resolution.

**MOTION**

2018-04-039  
Moved by Grunch  
Second by Page

To adopt the General Appropriations Act for FY 2018/2019 Resolution

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

**Fee Schedule Resolution**

Consideration to adopt the Fee Schedule for FY 2018/2019 Resolution

Staff Comments: None

Citizens Comments: None

Board Discussion: All are in support of the resolution.

**MOTION**

2018-04-040  
Moved by Page  
Second by Grunch

To adopt the Fee Schedule for FY 2018/2019 Resolution

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

**Airport Mission Statement**

Consideration to approve to adopt the revised mission statement for the Boyne City Municipal Airport as recommended by the Airport Board.

Airport Advisory Board Secretary discussed the proposed new Mission Statement for the Board. The board feels the existing statement does not represent the needs of the vital Boyne City airport stakeholders and users and is proposing a new statement as follows:

*Provide an aviation gateway to world class living, recreational, dining, shopping and business attractions in northwest Michigan by ensuring the Boyne City Airport offers premier flight safety, friendly and convenient amenities to the aviation community with citizen responsible stewardship and management.*

Staff Comments: None

Citizens Comments: None

Board Discussion: All are in support of the proposed statement.

**MOTION**

2018-04-041

Moved by Solomon

Second by Grunch

To approve to adopt the revised mission statement for the Boyne City Municipal Airport as recommended by the Airport Board.

Ayes: 4

Nays: 0

Absent: 1, Commissioner Conklin

Motion carried

**Lion's Club 50<sup>th</sup>  
Anniversary Community  
Project**

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Consideration to support the recommendation of the Parks and Recreation Commission and direct staff to work with Mr. Larry Taylor and the Boyne Valley Lions Club to design and locate the 50<sup>th</sup> Anniversary of Service to the Boyne City community project in a suitable location on the Open Space property.

Public Works Superintendent Andy Kovolski discussed the proposal from the Boyne Valley Lions Club regarding a community project they would like to do to celebrate their 50<sup>th</sup> Anniversary of service to the Boyne City Community. This project involves placing of a seating area with benches, a water fountain and some landscaping at the Open Space property.

Lion's member Larry Taylor discussed the power point presentation. \$7,500 has been earmarked to this project for the Open Space area.

Staff Comments: None

Citizens Comments: Chris Christensen inquired if the City has an ordinance on private companies placing plaques recognizing their contribution.

Board Discussion: All are in support of the project.

**MOTION**

2018-04-042

Moved by Page

Second by Solomon

To approve to support the recommendation of the Parks and Recreation Commission and direct staff to work with Mr. Larry Taylor and the Boyne Valley Lions Club to design and locate the 50<sup>th</sup> Anniversary of Service to the Boyne City community project in a suitable location on the Open Space property.

Ayes: 4

Nays: 0

Absent: 1, Commissioner Conklin

Motion carried

**Leadership Charlevoix  
County Community  
Service Project**

Consideration to grant permission to the Leadership Charlevoix County Class of 2018 and the Tip of the Mitt Watershed Council to release beetles in Riverside Park for the purpose of controlling the spread of Purple Loosestrife in the Boyne River and authorize the City Manager to sign any necessary documents.

Barb Brooks discussed the proposal from the Leadership Charlevoix County Class of 2018's proposal to take on the community service project of controlling and combatting the spread of Purple Loosestrife. Purple Loosestrife is an invasive plant that spreads and takes over rivers, streams, wetland areas and lake shorelines. It is known to be in the Boyne River and also areas along Lake Charlevoix.

The class is proposing to release beetles at Riverside Park on the Boyne River with continued guidance from the Tip of the Mitt Watershed Council. These beetles are an effective way to control the spread of the invasive loosestrife and will feed on and defoliate the plants, inhibiting its growth. It has been found to be a proven, safe method to control loosestrife.

The Parks and Recreation board has voted unanimously to recommend approval of this project as well. In order for this beetle release to take place, the City must enter into a contract with the Tip of the Mitt Watershed Council to grant permission to access the property and release the beetles in the intended area.

Staff Comments: None

Citizens Comments: Chris Christensen inquired about the size and amount of beetles. What will happen when the beetles have finished doing what they are intended to do? He was informed they will die off and it could be several thousand beetles released.

Board Discussion: All are in support of the recommendation.

**MOTION**

2018-04-043

Moved by Page

Second by Solomon

To approve to grant permission to the Leadership Charlevoix County Class of 2018 and the Tip of the Mitt Watershed Council to release beetles in Riverside Park for the purpose of controlling the spread of Purple Loosestrife in the Boyne River and authorize the City Manager to sign any necessary documents.

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

**Marina Work Session**

Consideration to schedule a work session to discuss plans from the marina following the regular City Commission meeting on April 24, 2018 with a tentative start time of 1:30 p.m.

Barb Brooks discussed the proposed work session to discuss plans for the marina to review what we have, what we need, what would like to accomplish, the cost and how it would be funded. On April 24<sup>th</sup>, the City's contracted marina engineering firm will have a representative here in the morning for a pre-meeting with prospective contractors for Phase I of our new floating wave attenuator. The engineer will stay into the afternoon to attend the work session and help us navigate through some of our options and answer questions.

Staff Comments: None

Citizens Comments: None.

Board Discussion: All are in support of the work session.

**MOTION**

2018-04-044  
Moved by Neidhamer  
Second by Grunch

To approve to schedule a work session to discuss plans from the marina following the regular City Commission meeting on April 24, 2018 with a tentative start time of 1:30 p.m.

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

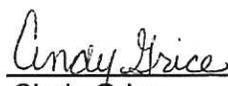
**Good of the Order**

None

**ADJOURNMENT**

Motion by Mayor Neidhamer seconded by Mayor Pro-Tem Grunch to adjourn the Regular City Commission meeting of Tuesday, April 10, 2018 at 8:21 p.m.

  
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Tom Neidhamer  
Mayor

  
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Cindy Grice  
Clerk / Treasurer