



**BOYNE CITY
CITY COMMISSION REGULAR MEETING
Boyne City Hall
319 North Lake Street
Tuesday, May 22, 2012 at Noon**

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 May 8, 2012 regular City Commission meeting minutes as presented
4. **HEARING CITIZENS COMMENTS (on non-agenda items; 5 minute limit)**
5. **CORRESPONDENCE**
6. **CITY MANAGER'S REPORT**
 - A. Award Presentation
Presentation of 2012 Governor's Award for Historic Preservation for the Boyne City Water Works Building
7. **REPORTS OF OFFICERS, BOARDS, AND STANDING COMMITTEES**
8. **UNFINISHED BUSINESS**
 - A. Kirtland Products update
9. **NEW BUSINESS**
 - A. Park Street Plan Review
Review of the draft Park Street reconstruction plans
 - B. Mooring on Road Ends Update
Information presented on new State of Michigan Road End Mooring Law
 - C. Patrol Car Purchase
Consideration to purchase a 2013 Ford Taurus Police Interceptor from Bob Mathers Ford in the amount of \$23,528.72 and authorize the City Manager to execute the necessary documents

- D. **Fire Department Radio Purchase**
Consideration to purchase 8 radios and 20 pagers from 911 with AFG Grant funds at a cost of \$5,600.19 and authorize the City Manager to execute the necessary documents
- E. **Website Introduction**
Introduction and demonstration of the City of Boyne City's new website
- F. **Request of the City Manager to go into closed session with our attorney regarding pending litigation provided in MCL 15.268 (e) of the Michigan Open Meetings Act (PA 267 of 1976)**

10. **GOOD OF THE ORDER**

11. **ANNOUNCEMENTS**

- The next regular City Commission meeting is scheduled for Tuesday, June 12, 2012 at 7:00 p.m.
- City Offices will be closed on Monday, May 28, 2012 in observance of Memorial Day

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 this QR Code or go to www.gov.boynecity.com
for full agenda packet materials.
Click on 'Minutes and Agendas' on the left of the homepage and follow the links to
City Commission Agendas/Agenda Packet*

**MAY 8, 2012
REGULAR MEETING**

RECORD OF THE PROCEEDINGS OF THE REGULAR BOYNE CITY COMMISSION MEETING DULY CALLED AND HELD AT BOYNE CITY HALL, 319 NORTH LAKE STREET, ON TUESDAY MAY 8, 2012

CALL TO ORDER

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

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

Absent: Commissioner Derek Gaylord

Staff: Craig Remsberg, Dennis Amesbury, Scott McPherson, Barb Brooks, Hugh Conklin, Andy Kovolski, Cindy Grice and

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

**EXCUSE COMMISSIONER
GAYLORD
MOTION**

2012-05-064
Moved by Grunch
Second by Towne

To excuse Commissioner Gaylord from attending today's meeting.

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

**CONSENT AGENDA
MOTION**

2012-05-065
Moved by Towne
Second by Neidhamer

2012-05-065A
Approval of the April 24, 2012 regular City Commission meeting minutes as presented
2012-05-065B
Approval of letter of resignation from Paul Nicholls from the Parks & Recreation Board
2012-05-065C
Approval of contract with Kenmark Inc. for Pavement Marking Services for an estimated total of \$17,972.74.
2012-05-065D
Approval of request from the Charlevoix County Equalization Department to shred the Personal Property statements for the City of Boyne City for the years 2003 through 2006.
2012-05-065E
Approval for the City Manager to provide a letter of consultation as requested by the Northern Homes Community Development expressing our support of this and future similar projects and grants

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

None

CITIZENS COMMENTS

Resolution from the Charlevoix County Board to terminate the City Assessing Contract and correspondence from Shari Joles regarding Kirtland Products were received and filed

CORRESPONDENCE

Barb Brooks presented the City Manager's report.

CITY MANAGERS REPORT

- The Farmers market is back in Veteran's Park.
 - The Marina is open for the season. The shoppers dock has also been put into place
-

Draft Minutes of the April 10, 2012 Main Street Board Meeting; the April 12, 2012 Parks and Recreation Commission Meeting, the April 16, 2012 Planning Commission Meeting and the April 20, 2012 Special LDFA Authority Meeting were received and filed.

REPORTS OF OFFICERS, BOARDS, AND STANDING COMMITTEES

Consideration to adopt the proposed amendments as presented.

Proposed Ordinance Amendments to Allow Chicken

Planning Director Scott McPherson discussed the required second reading of the proposed changes to Zoning Ordinance, adding Section I to Article III and Section H to Article IV, and also add an exclusion clause in Section 6 of the City Animal Ordinance. This would allow City residents to keep chickens in residential areas. No roosters are allowed and coops must be at least 10 feet from adjacent property lines. The first reading was held on March 27, 2012.

Staff Comments: None

Citizens Comments: Connie Dhaseleer inquired if the chickens will be fenced and was informed they would have to be in a covered, fenced enclosure. Sandy Hill said she is the one who started this and has had chickens for 3 years. She has had no noise or pest problems and has enjoyed them as pets. They are pets with benefits. They eat bugs, are entertaining, will help people economically and with concerns about what is in their food. The biggest thing for people to do is educate themselves and know what they are getting in to.

Board Deliberation: Commissioner Sansom said an overwhelming majority of people she asked are not in favor of this. Their reasons are lot size accommodations, not everyone is going to keep their areas nice and clean. There are lots of places that raise chickens that are not in town. It is the wrong environment, the in thing and a fad. Some cities regulate minimum lot size, screen all areas so chickens are not in view and require a 40' setback from any residence. Most cities stress no slaughter of the chickens on the premises. Mayor Pro-Tem Towne said he had as many people in favor as against. Commissioner Neidhamer said he respectfully disagrees with Commissioner Sansom. We don't need to over regulate this. It will police itself. Scott has done the research. It is a reasonable and operable ordinance. He has had a lot of citizens in favor. He is in support. Mayor Grunch said he is in favor of supporting this. He added that he first thought the language was so restrictive. His contacts are more in favor. If it gets out of hand, it can be tightened up.

MOTION

2012-05-066

Moved by Neidhamer

Second by Towne

To adopt the proposed amendments to Zoning Ordinance, adding Section I to Article III and Section H to Article IV, and also add an exclusion clause in Section 6 of the City Animal Ordinance allowing residents to have up to four chickens in the City of Boyne City.

Ayes: 3

Nays: 1, Commissioner Sansom

Absent: 1, Commissioner Gaylord

Motion carried

Kirtland Products Update

Planning Director Scott McPherson discussed the recent meeting the Kirtland Citizens Committee had a conference call with the MDEQ reviewing emissions. The plant needs to be running at near capacity to perform the emission testing. The committee will be requesting proposals for emission testing.

Citizens Comments: Connie Dhaseleer asked if Kirtland is planning on running at capacity when the study is being done and was informed yes. Mark Kowalske said the emissions have become more important to him. He googled wood pellet plants and found much information that he provided copies of for the City Commission regarding emissions and particulate matter. Diane Hausler said she agrees with Mark. She sees the plume go over the schools and hang there and knows what's in it now.

Board Deliberation: Commissioner Neidhamer said he thinks the process is in place to solve the problem. He doesn't feel he can do anything until the facts and data are in. Mayor Pro-Tem Towne agrees to wait until the data is in. Commissioner Sansom inquired if the week of May 21 will be when testing is done.

Chris Christensen asked if wind direction will be considered when noise testing was done and was informed yes. Deb Ferris inquired what two woods make the smell and was informed that they were only identified as hardwood and softwoods.

CDBG South Park Street Grant-Public Hearing and Authorizing Resolution

Consideration to adopt the proposed Community Development Plan for the Park Street Reconstruction Project DIG grant.

Barb Brooks discussed the necessity of a public hearing and adoption of a resolution authorizing the City Manager to submit the grant application for the CDBG South Park Street Infrastructure Dig Grant. This is a standard procedure for most all federal and state grants.

Mayor Grunch opened the public hearing at 7:46 p.m.

Chris Christensen had questions regarding the parking design near the churches. Barb Brooks said that is still in the preliminary planning design and Andy Kovolski added that is the only area still considered for expanding parking.

Mayor Grunch closed the public hearing at 7:50 p.m.

MOTION

2012-05-067
Moved by Towne
Second by Neidhamer

To adopt the resolution authorizing City Manager Michael Cain to submit the CDBG South Park Street Infrastructure Dig Grant application and sign all the necessary documents on behalf of the City

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

Community Development Plan

Barb Brooks discussed the necessity to adopt the Community Development Plan as part of the application process for the CDBG South Park Street Infrastructure Dig Grant.

Citizens Comments: None

Staff Comments: None

Board Deliberation: None

MOTION

2012-05-068
Moved by Towne
Second by Sansom

To adopt the Community Development Plan as part of the application process for the CDBG South Park Street Infrastructure Dig Grant.

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

Dumpster Services

Consideration to award bid to Little Traverse Disposal for Dumpster Service for a three year period in the amount of \$11,342

DPW Superintendent Andy Kovolski discussed the bids received for dumpster services at the Cemetery, North Boyne Yard and the Wastewater Treatment Plant. The low bidder was Little Traverse Disposal.

Citizens Comments: None

Staff Comments: None

Board Deliberation: All are in agreement.

MOTION

2012-05-069
Moved by Towne
Second by Neidhamer

To award bid to Little Traverse Disposal for Dumpster Service for a three year period in the amount of \$11,342

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

Rubbish Collection Bid

Consideration to award bid to Waste Management for a total estimated cost of \$53,100, for a three year period

DPW Superintendent Andy Kovolski discussed the bids received for the City's annual rubbish collection program. Low bid was from Waste Management.

Citizens Comments: None

Staff Comments: None

Board Deliberation: All are in agreement. Commissioner Neidhamer said it is a great program for the Citizens who appreciate and value it.

2012-05-070
Moved by Neidhamer
Second by Sansom

MOTION

To award a bid to Waste Management for a total estimated cost of \$53,100, for a three year period

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

**Charlevoix County
Foreclosed Property**

List of foreclosed properties in the City of Boyne City, authorize the City Clerk to advise the County Treasurer that we have no interest in the parcels at this time.

Citizens Comments: Chris Christensen reminded the Commissioners that Charlevoix County now has an active landbank.

Staff Comments: None

Board Deliberation: All are in agreement. Commissioner Sansom said sometimes these parcels can be used as a park.

2012-05-071
Moved by Sansom
Second by Towne

To authorize the City Clerk to advise the County Treasurer that we have no interest in the tax foreclosure parcels at this time.

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

Mayor Pro-Tem Towne inquired about the status of hiring a new Police Chief. Mayor Grunch asked if we can post signs in the park about cleaning up after dogs. Commissioner Neidhamer said he would like to discuss facilities on the next agenda, where do we head with this and what is the next step. Start the process and put it on the front burner

Good of the Order

Moved by Mayor Grunch, seconded by Mayor Pro-Tem Towne to adjourn the regular City Commission meeting of Tuesday, May 8, 2012 at 8:09 p.m.

**ADJOURNMENT
MOTION**

Ron Grunch
Mayor

Cindy Grice
Clerk / Treasurer



Investing in People.
Investing in Places.

MSHDA

MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY

NEWS RELEASE

Contact: Mary Lou Keenon
Communications
Telephone: 517/373-0011

FOR IMMEDIATE RELEASE
April 2, 2012

2012 Governor's Awards for Historic Preservation Announced Award Ceremony to be Held May 2

Governor Rick Snyder and Gary Heidel, executive director of the Michigan State Housing Development Authority, announced the selection of the 2012 Governor's Awards for Historic Preservation.

The State Historic Preservation Office initiated the award program in 2003 to recognize outstanding historic preservation achievements reflecting a commitment to the preservation of Michigan's unique character and the many cultural resources that document Michigan's past. Previous recipient projects include private residences whose owners used state historic preservation tax credits, the Saints Rest Archaeological Project at Michigan State University, the rehabilitation of the Argonaut Building in Detroit, the Loeb Farm Complex (Castle Farms) in Charlevoix, the General Motors Technical Center in Warren, and Main Street Calumet's façade rehabilitation program.

"The preservation of historic buildings and archaeological sites is key to maintaining a sense of place in our state," said Snyder. "This year's recipients understand the power of historic places to attract business and tourists and the difference they make in our communities."

"The people and organizations we are recognizing this year have invested money, time, talent, and hard work to make their projects a reality and to preserve these important historic places," said Heidel. "Each recipient has had a positive impact on Michigan."

The 2012 recipients are:

Keweenaw National Historical Park, Quinn Evans Architects, Yalmer Matilla Contracting, Inc., and the Keweenaw National Historical Park Advisory Commission, for the rehabilitation of the Union Building, Calumet

Swanee, Incorporated and Barry Polzin Architects for the rehabilitation of the Richter Brewery, Escanaba

G. A. Haan Development, U.P. Engineers and Architects, and Oakwood Construction for the rehabilitation of the Adams and Masonic Temple Buildings, Sault Ste. Marie

City of Boyne City, C2AE, Richard Neumann Architect, and Graham Construction for the rehabilitation of the Boyne City Water Works Building, Boyne City

Eastside Armory LLC, Studio Intrigue Architects and Kincaid Henry Building Group for the rehabilitation of the Lansing Artillery National Guard Armory, Lansing

Michigan State Medical Society for stewardship of the Michigan Medical Society Building, East Lansing

"We see the results daily of how historic preservation transforms communities," stated State Historic Preservation Officer Brian Conway. "The Governor's Awards for Historic Preservation give us an opportunity to recognize some of the people behind the projects that are making a difference to Michigan."

Recipients will receive their awards at a public ceremony in the Michigan State Capitol Rotunda on Wednesday, May 2, at 9:00 a.m.

To learn about previous Governor's Award projects, go to: www.michigan.gov/shpo.

The State Historic Preservation Office is financed in part with federal funds from the National Park Service, U.S. Department of the Interior. The office receives federal financial assistance for identification and protection of historic properties. The State Historic Preservation Office is part of the Michigan State Housing Development Authority. The Michigan State Housing Development Authority (MSHDA) provides financial and technical assistance through public and private partnerships to create and preserve decent, affordable housing for low- and moderate-income residents and to engage in community economic development activities to revitalize urban and rural communities.*

*MSHDA's loans and operating expenses are financed through the sale of tax-exempt and taxable bonds as well as notes to private investors, not from state tax revenues. Proceeds are loaned at below-market interest rates to developers of rental housing, and help fund mortgages and home improvement loans. MSHDA also administers several federal housing programs. For more information, visit www.michigan.gov/mshda.

#####

2012 Governor's Awards for Historic Preservation

Accepting the 2012 Governor's Awards for Historic Preservation

For the rehabilitation of the Union Building, Calumet

John Rosemurgy, Historical Architect, Keweenaw National Historical Park (and Keweenaw National Historical Park Advisory Board); Patrick Roach, Associate, Quinn Evans Architects; and Thomas Cholette, Vice President, Yalmer Matilla Contracting Inc.

For the rehabilitation of the Richter Brewery, Escanaba

Matt Sviland, Owner/Developer, Swanee Inc. and Barry Polzin, Barry Polzin Architects

For the rehabilitation of the Adams and Masonic Temple Buildings, Sault Ste. Marie

Gerald Haan, Owner, G.A. Haan Development; Lisa Black, Project Architect, U.P. Engineers and Architects; Craig Moulton, President, Oakwood Construction

For the rehabilitation of the Boyne City Water Works Building, Boyne City

Michael Cain, City Manager, Boyne City; Larry Fox, Principal, C2AE; Richard Neumann, Richard Neumann Architect; and Bryan White, Project Manager, Graham Construction

For the rehabilitation of the Lansing Artillery National Guard Armory, Lansing

Patrick Gillespie, Owner/Developer, Eastside Armory LLC; Chris Weir, Project Manager, Studio Intrigue Architects; and Ryan Kincaid, CEO, Kincaid Henry Building Group

For outstanding stewardship of the Michigan State Medical Society Building, East Lansing

Julie Novak, Executive Director, Michigan State Medical Society

Welcome

Gary Heidel, Executive Director,
Michigan State Housing Development Authority

The Importance of Preservation

The Honorable Brian Calley, Lieutenant Governor of Michigan

Presentation of Awards

Brian Conway, State Historic Preservation Officer, assisted by
Robert McKay and Dan Schneider, Historical Architects and
Brian Grennell Cultural Resources Specialist

Closing
Gary Heidel

Please join us following the ceremony for refreshments provided
by the Michigan Historic Preservation Network

Our thanks to Natasa Crljenica, Michigan State Housing Development Authority,
for creating the project posters.



Date: May 18, 2012
To: Mayor Grunch and the Boyne City City Commission
From: Michael Cain, City Manager 
Subject: Park Street Reconstruction Plan Review

Attached for the Commission's review and comments is an updated plan showing the latest proposed layout for the reconstruction of Park Street between Water and Pine Streets. Larry Fox from C2AE will be present at Tuesday's City Commission meeting with additional drawings for your review and comments.

The plan as presented maintains parallel on street parking between Pine and Ray Streets. From Ray to Water the type of parking remains the same although the parallel and angle parking between the alley and Water Street are flipped to the opposite sides of the Park Street.

Also attached please find a memo that went to the Main Street Board regarding some of the issues involving this project. Mr. Fox and staff will be able to address these in greater detail at the meeting, if you desire.

We will have submitted our completed grant funding application for this project prior to our meeting on Tuesday.

If all goes well and we receive the necessary approvals from the State we still plan on constructing this project late this summer. If for some reason there is a delay we could hold the project for construction next spring, if needed.

RECOMMENDATION: That the City Commission review the draft Park Street plans and provide its input for implementation.

Options:

- Postpone the matter for further review or information.
- Other action as determined as appropriate by the City Commission.



Date: May 2, 2012
To: Main Street Board
From: Michael Cain, City Manager
Subject: South Park Street Plans

To date the South Park Street plans have been reviewed by the Main Street Board, the City Commission, area property and business owners, and the Chamber of Commerce board, with slightly different results at each.

With regard to the area between Water and Ray we have heard:

- A. Go with Option 2 (move angle parking to the west between Water and the alley) from all groups.
 - 1-There seems to be a sentiment out there that we may be trying to maintain too much in there and that the parking between Water Street and the alley should be parallel on both sides.
 - 2-I keep hearing comments asking if the landscape area by Hugh's building between the alley and the parking lot driveway should be narrowed to create more space on the roadway and reduce traffic congestion as people back out from in front of the Boyne Co-op.

With regard to the area between Ray and Pine we have heard:

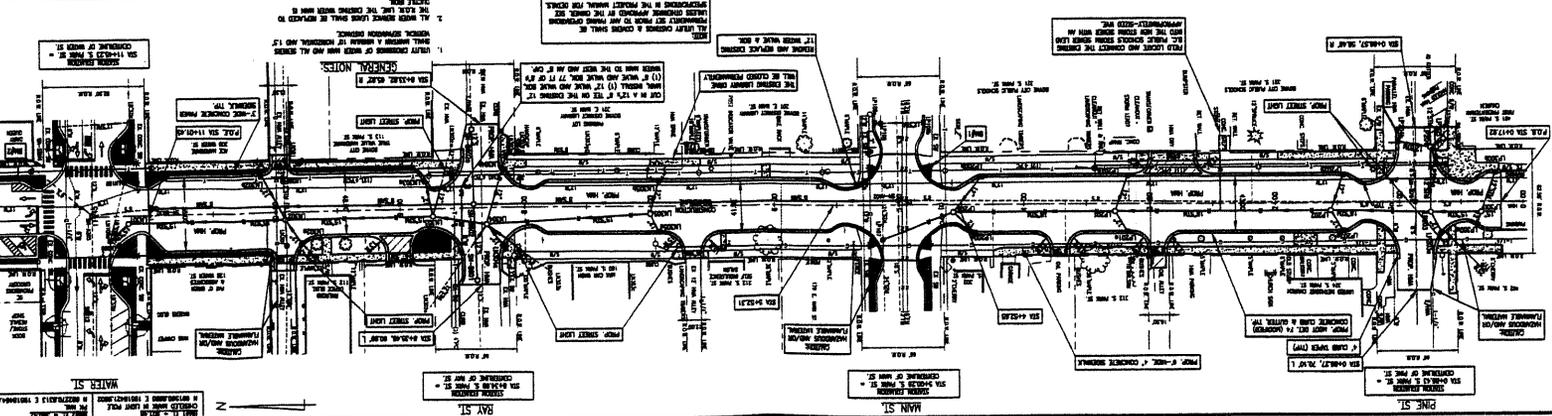
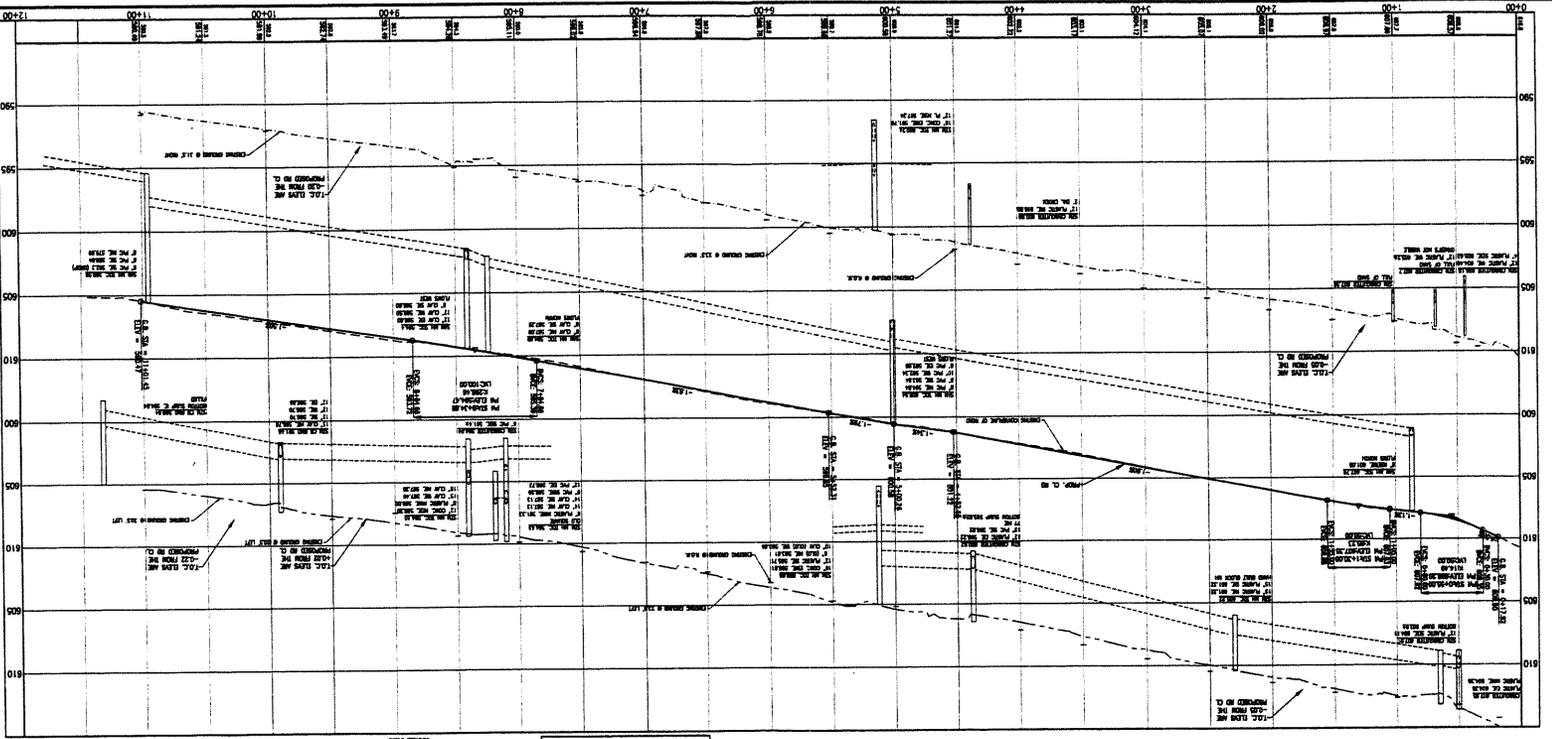
- B. Go with a modified Option 5 (keep parallel parking on both sides – but move the curbs towards the sidewalks a bit to make angle parking easier during church services) from groups other than Main Street.
- C. Go with Option 7 or 8 (angle parking on one side) by the Main Street Board.
 - 3-There seems to be a general preference in maintaining more green space and trees in this area.
 - 4-There does not seem to be an urgent need for more parking, although some have concerns about long-term needs.
 - 5-Wright Builders has expressed concern about closing the alley as they feel it will impact vehicles going into the rear of their building.

With regard to putting utilities underground we have heard:

- D. Can the area being considered for this be expanded?
 - 6-Who will pay for the modifications of the property owners services to connect to underground?

It would be good for the MS Board to review these, and any other, issues on Thursday and provide its input.

DATE: 11/15/10
DRAWN BY: J. H. HARRIS
CHECKED BY: J. H. HARRIS
SCALE: AS SHOWN
PROJECT: PARK STREET IMPROVEMENTS
SHEET: 8 OF 10



8 OF 10
DATE: MAY 2010
SCALE: AS SHOWN
PROJECT: PARK STREET IMPROVEMENTS
SHEET: 8 OF 10

PLAN PROFILE
S. PARK ST.
P.O.B. 101.P.O.E.

CITY OF BOVINE CITY
PARK STREET IMPROVEMENTS
CONSTRUCTION COUNTY, MISSOURI

czae
CONSULTANTS
1000 N. 10TH ST., SUITE 100
BOVINE CITY, MO 64604
PHONE: 660-333-3333
FAX: 660-333-3334
WWW.CZAE.COM



Date: May 18, 2012

To: Mayor Grunch and the Boyne City City Commission

From: Michael Cain, City Manager 

Subject: New State Road End Mooring Law

In late October of last year the State Senate began consideration of a new bill which became Senate Bill 778 and ultimately Public Act (PA) 56 of 2012. PA 56 was given immediate effect when approved by the Governor on March 22 of this year.

PA 56 places additional requirements of how the waterways off of road ends can be used. Most relevant to us is that the State now bans the use of these areas for the mooring of vessels between the hours of 12 midnight and sunrise, unless such use is expressly provided for in the associated deed, easement or dedication. Attached please find a copy of the relevant section of the state law dealing with this matter and the Legislative Analysis of the proposed act from when it was working its way through the approval process.

The use of public road ends, most specifically Charlevoix Street, for mooring was the subject of much discussion before the City Commission from the fall of 2008 through March of 2010. At that time it was ultimately the determination of the City Commission to allow the informal use of these areas as mooring areas to continue unless specific problems arose. The practice of mooring off Charlevoix Street thus continued through the 2010 and 2011 boating seasons.

As of March 22nd of this year the new State law makes it illegal to continue this practice.

Given the past public interest in this matter I thought it should be brought before the City Commission for your information and to help get the word out, although there does not appear to be any means to locally reverse the state's decision in this matter.

I have checked with the MDNR to see if this law covered Lake Charlevoix, since it is also connected with Lake Michigan which at times also puts it under the jurisdiction of the Federal government. They informed me that the law does apply to Lake Charlevoix.

Complaints regarding this matter would be referred to the appropriate law enforcement agency.

RECOMMENDATION: This matter is brought before the City Commission for its information. No action is required.

Options:

-Some action as determined as appropriate by the City Commission.

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

324.30111b Public road end; prohibited use; violation as misdemeanor; fine; civil action; definitions.

Sec. 30111b. (1) A public road end shall not be used for any of the following unless a recorded deed, recorded easement, or other recorded dedication expressly provides otherwise:

- (a) Construction, installation, maintenance, or use of boat hoists or boat anchorage devices.
- (b) Mooring or docking of a vessel between 12 midnight and sunrise.
- (c) Any activity that obstructs ingress to or egress from the inland lake or stream.

(2) A public road end shall not be used for the construction, installation, maintenance, or use of a dock or wharf other than a single seasonal public dock or wharf that is authorized by the local unit of government, subject to any permit required under this part. This subsection does not prohibit any use that is expressly authorized by a recorded deed, recorded easement, or other recorded dedication. This subsection does not permit any use that exceeds the uses authorized by a recorded deed, recorded easement, other recorded dedication, or a court order.

(3) The local unit of government may prohibit a use of a public road end that violates this section.

(4) A person who violates subsection (1) or (2) is guilty of a misdemeanor punishable by a fine of not more than \$500.00. Each 24-hour period in which a violation exists constitutes a separate violation of this section. A peace officer may issue an appearance ticket as authorized by sections 9c to 9g of chapter IV of the code of criminal procedure, 1927 PA 175, MCL 764.9c to 764.9g, to a person who violates subsection (1) or (2).

(5) This section does not prohibit a person or agency from commencing a civil action for conduct that violates this section.

(6) As used in this section:

(a) "Local unit of government" means the county, township, city, or village with jurisdiction over a public road.

(b) "Public road" means a county road or a township, city, or village street that is open for use by the public.

(c) "Public road end" means the terminus of a public road at an inland lake or stream.

History: Add. 2012, Act 56, Imd. Eff. Mar. 22, 2012.

Popular name: Act 451

Popular name: NREPA

PUBLIC ROAD LAKE ACCESS

Mary Ann Cleary, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

Senate Bill 778 (Substitute H-1)

Sponsor: Sen. Mike Kowall

House Committee: Government Operations

Senate Committee: Judiciary

Complete to 2-29-12

A SUMMARY OF SENATE BILL 778 AS REPORTED FROM HOUSE COMMITTEE

The bill would amend Part 301, entitled "Inland Lakes and Streams," of the Natural Resources and Environmental Protection Act (MCL 324.30111b). It specifies that, unless a recorded deed, recorded easement, or other recorded dedication expressly provided otherwise, *a public road end* could not be used for any of the following purposes:

- Construction, installation, maintenance, or use of boat hoists or boat anchorage devices.
- Mooring or docking of a vessel between midnight and sunrise.
- Any activity that obstructed ingress to, or egress from, an inland lake or stream.

A public road end also could not be used for the construction, installation, maintenance, or use of a dock or wharf other than a single seasonal public dock or wharf that was authorized by the local unit of government with jurisdiction over the public road, and subject to any permit required under the act. This provision would not prohibit any use that was expressly authorized by a recorded deed, recorded easement, or other recorded dedication, but would not permit any use that exceeded the uses authorized by the deed, easement, or dedication, or a court order.

The bill would define "**public road end**" as the terminus of a public road at an inland lake or stream.

Under the bill, a local unit of government with jurisdiction over a public road could prohibit a use of a public road end that violated the bill.

A violation of the bill would be a misdemeanor punishable by a maximum fine of \$500, or both. Each 24-hour period in which a violation existed would constitute a separate violation. A peace officer could issue an appearance ticket, as authorized in the Code of Criminal Procedure, to a person who violated the bill. The bill specifies that it would not prohibit a person or agency from commencing a civil action for conduct that violated it.

[As introduced, the bill would have imposed a potential penalty of 90 days' imprisonment in addition to a fine. The substitute deletes that penalty and retains only the fine.]

The term "public road" would mean a county road or a township, city, or village street that is open for use by the public. The bill would define "local unit of government" to mean the county, township, city, or village with jurisdiction over a public road.

FISCAL IMPACT:

Any increase in penal fine revenues would increase funding for local libraries, which are the constitutionally-designated recipients of those revenues.

Legislative Analyst: J. Hunault
Fiscal Analyst: Bob Schneider

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.

MEMO

Date: May 14, 2012

From: Interim Chief of Police Craig Remsberg

To: City Manager Michael Cain, City Commission



Re: Patrol Car Purchase

I am recommending we purchase a new 2013 Ford Taurus Police Interceptor from Bob Mathers Ford here in Boyne City.

Bob Mathers Jr. has been able to trim the price of this car so that it is actually below the MiDEAL price. The price he quoted (\$23,528.72) includes one optional accessory not included in the base price, and he is still below the no accessory MiDEAL price (\$23,565.00). In addition, purchasing from Mathers keeps our tax dollars local, and fosters a good relationship with that dealership to whom we will go for warranty and other service.

Mathers enjoys a good reputation with local police departments to the extent that the City of Petoskey still brings their patrol cars here for service.

I believe that we should continue our relationship with Bob Mathers Ford and recommend that we purchase the new patrol car from them.

Respectfully submitted,



Craig Remsberg
Interim Chief of Police

Memo

To: Michael Cain



From: Boyne City Fire Dept.

Dennis Amesbury, Fire Chief

Date: May 17, 2012

Re: *Purchase New Radio's*

To purchase 8 radios and 20 pagers from 911 on a AFG grant on a 80%-20% matching grant this would be a great cost saving to our dept. and upgrade our radios and pagers to the new narrowband standard. With your approval I would like to proceed with the purchase of these radios and pagers at the cost of \$5600.19.

THANK YOU

Dennis Amesbury

Fire Chief

FIRE DEPARTMENT NAME: BOYNE CITY FIRE DEPARTMENT

RADIO TYPE	QTY	Unit Cost	Total Extended Unit Cost	Federal AFG Share	Extended FD Match Cost	Grant Fee	TOTAL FIRE DEPT COST	TOTAL COST
Motorola XTS2500 Ruggedized 800 Mhz (+ Charger)	2	2,377.47	4,754.94	3,803.95	950.99	190.20	1,141.19	4,945.14
Motorola XTL2500 Mobile 800 Mhz (+Antenna + Install)			0.00	0.00	0.00	0.00	0.00	0.00
APEX 7500 Dual Band Handheld Radio (+ Charger)	2	4,277.60	8,555.20	6,844.16	1,711.04	342.21	2,053.25	8,897.41
APEX 7000 Dual Band Mobile Radio (+Antenna + Install)			0.00	0.00	0.00	0.00	0.00	0.00
Motorola TRBO 6350 VHF Handheld Radio (+ Charger)			0.00	0.00	0.00	0.00	0.00	0.00
Motorola CP200 XLS VHF Handheld Radio (+Charger)			0.00	0.00	0.00	0.00	0.00	0.00
Motorola HT1250 VHF Handheld Radio (+ Charger)			0.00	0.00	0.00	0.00	0.00	0.00
Motorola CM300 Mobile Radio (+Antenna + Install)			0.00	0.00	0.00	0.00	0.00	0.00
Motorola XPR4550 Mobile Radio (+Antenna + Install)			0.00	0.00	0.00	0.00	0.00	0.00
Motorola PM400 Mobile Radio (+ Antenna + Install)			0.00	0.00	0.00	0.00	0.00	0.00
Minitor 5 Pager (Dual Frequency) (+ Programming)	20	394.00	7,880.00	6,304.00	1,576.00	315.20	1,891.20	8,195.20
Kenwood TK2180 Handheld Radio (+ Charger)	4	536.00	2,144.00	1,715.20	428.80	85.76	514.56	2,229.76
Kenwood TK7180 Mobile Radio (+ Antenna + Install)			0.00	0.00	0.00	0.00	0.00	0.00
ICOM F3161D671RC Handheld Radio (+Charger)			0.00	0.00	0.00	0.00	0.00	0.00
ICOM F5061D31 Mobile Radio (+ Antenna + Install)			0.00	0.00	0.00	0.00	0.00	0.00
Totals			\$23,334.14	\$18,667.31	\$4,666.83	\$933.37	\$5,600.19	\$24,267.51

Fire Chief: Dennis Amesbury

Fire Department Name: Boyne City Fire Department

Contact Name (Person Completing Form):

Address:

City, State, Zip:

Phone #:

Email Address:

May 2012

May 2012						
S	M	T	W	T	F	S
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 2012						
S	M	T	W	T	F	S
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

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

June 2012

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

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

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
				June 1	2
					8:00am Farmers Market
					3
4	5	6	7	8	9
	5:00pm ZBA	8:00am Farmers Market 6:00pm Hannah St. Public Info (City Hall)	8:30am Main Street Board mtg. 6:00pm Parks & Rec		Mark Madness Michigan Mountain Mayhem 8:00am Farmers Market
					10
					Mark Madness
11	12	13	14	15	16
	7:00pm City Commission	8:00am Farmers Market	Flag Day (United States)	6:00pm Stroll the Streets	Pink Ribbon Ride Young Americans 8:00am Farmers Market
					17
					Father's Day (United States)
18	19	20	21	22	23
5:00pm Planning Commission 7:00pm Historical Commission		Evenings @ the Gazebo 8:00am Farmers Market		6:00pm Stroll the Streets	8:00am Farmers Market
					24
25	26	27	28	29	30
	12:00pm City Commission	Evenings @ the Gazebo 8:00am Farmers Market	5:30pm Airport Advisory Board 6:30pm Housing Commission	SOBO Arts Fest 6:00pm Stroll the Streets	8:00am Farmers Market

July 2012

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

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

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
					July 1
2	3	4	5	6	7
	5:00pm ZBA	Evenings @ the Gazebo Independence Day (United States) 8:00am Farmers Market	8:30am Main Street Board mtg. 6:00pm Parks & Rec	6:00pm Stroll the Streets	8:00am Farmers Market
9	10	11	12	13	14
12:00pm EDC/LDFA	7:00pm City Commission	Evenings @ the Gazebo 8:00am Farmers Market		Boyne Thunder 6:00pm Stroll the Streets	8:00am Farmers Market
16	17	18	19	20	21
5:00pm Planning Commission		Evenings @ the Gazebo 8:00am Farmers Market		6:00pm Stroll the Streets	Pooch Fest 8:00am Farmers Market
23	24	25	26	27	28
	12:00pm City Commission	Evenings @ the Gazebo 8:00am Farmers Market	5:30pm Airport Advisory Board 6:30pm Dancin in the Streets 6:30pm Housing Commission	Antique Flywheelers 6:00pm Stroll the Streets	8:00am Farmers Market
30	31				Antique Flywheelers