



REVISED

BOYNE CITY  
CITY COMMISSION REGULAR MEETING  
Boyne City Hall  
319 North Lake Street  
Tuesday, May 12, 2015 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 to business to receive full discussion. Such requests will be automatically respected.
  - A. Approval of the April 28, 2015 City Commission regular meeting minutes as presented
  - B. Approval of the 2015/2016 Planning and Zoning Service contracts for Evangeline Township in the amount of \$26,609.91 and Wilson Township in the amount of \$38,423.13 and authorize the City Manager to execute the documents
  - C. Approval to reject tax foreclosure properties offered by the Charlevoix County Treasurer
  - D. Consideration to proclaim May 17 thru May 23, 2015 as National Public Works Week in the City of Boyne City
  - E. Consideration to revise the resolution adopted on March 24, 2015 to reflect the \$4,600 in match funds for the Recreation Passport grant application for the Ridge Run Dog Park fitness tracks.
4. HEARING CITIZENS COMMENTS (on non-agenda items; 5 minute limit)
5. CORRESPONDENCE
  - A. Correspondence from the Health Department of Northwest Michigan regarding the establishment of tobacco-free parks and beaches
6. CITY MANAGER'S REPORT
7. REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES
  - A. Draft Minutes of the April 2, 2015, Parks and Recreation Board Meeting
  - B. Draft Minutes of the April 9, 2015, Main Street Board Meeting
  - C. Draft Minutes of the April 9, 2015, Airport Board Meeting
  - D. Draft Minutes of the April 20, 2015, Planning Commission Meeting
8. UNFINISHED BUSINESS
  - A. Avalanche Preserve – Top of Michigan Mountain Bike Association Multi Use Pathways Report  
Presentation of the ideas for improving the mountain bike trails at Avalanche Preserve and consideration of support of the presented plan for multi-use trail upgrades

- B. Sommerset Pointe Update
- C. Union Negotiations Update

9. NEW BUSINESS

A. Truck 4 Replacement Bids

Consideration to purchase 1) a 2016 Ford F-350 Cab and Chassis from Bob Mathers Ford in the amount of \$26,086.76 and authorize the City Manager to execute the required documents and 2) to award the contract to purchase and install a dump box system with the optional Boss V-Blade Snowplow to this vehicle to Truck and Trailer Specialties in the amount of \$20,043.00 and authorize the City Manager to execute the required documents

B. Blower Motor Purchase

Consideration to authorize the purchase of a new blower motor for the Waste/Water Treatment plant from Cummins Bridgeway in Gaylord for the amount of \$3,500 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, May 26, 2015 at 7:00 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*



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agenda packets & minutes for each board

**APRIL 28, 2015  
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 28, 2015

**CALL TO ORDER**

Mayor Grunch called the meeting to order at 12:00 noon followed by the Pledge of Allegiance.

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

Absent: None

Staff: Michael Cain, Scott McPherson, Barb Brooks, Lori Meeder, Andy Kovolski, Mark Fowler, Jeff Gaither, Kevin Spate and Karen Seeley,

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

**CONSENT AGENDA  
MOTION**

2015-04-0051

Moved by Gaylord  
Second by Sansom

2015-04-051A

Approval of the April 14, 2015 City Commission regular meeting minutes as presented

2015-04-051B

Approval to update and renew the operating agreement for the One Water Marina with Integrity Land Development for the 2015 boating season and any other slip owner (if the opportunity presents itself), and authorize the City Manager to sign the agreement on the City's behalf

Ayes: 5

Nays: 0

Absent: 0

Motion carried

**CITIZENS COMMENTS**

None

**CORRESPONDENCE**

None

**CITY MANAGERS REPORT**

City Manager Cain reported:

- The Election is May 5<sup>th</sup> 7am-8pm
- There are new images on the web site of the current and proposed facilities
- The last open house will be held Saturday May 2<sup>nd</sup> 10-2
- Thanked the Commission for taking a stand pro or con on the road fund issue.
- In reading the new data for fluoride levels in drinking water recommended by Health and Human Services, it should be at .7 milliliter per liter of water. We are already at that level.
- The funds for Court Street have been restored. Kudos to Andy for getting the funds back.
- Farmers Market will return to Veteran's Park on Saturday, May 2<sup>nd</sup>

- There will be a primary election held in August, for the upcoming November

## **DPW CONSTRUCTION UPDATE**

Ray Kendra gave an update on the DPW Construction. Next week the contractor will be mobilizing on the site. He will place a trailer on site and coordinate with Andy. General construction meeting will be May 7<sup>th</sup>. Coordinating with Mike for a Public information meeting. The 165 days time frame will start next Monday and have the building complete end of October.

Board discussion: Commissioner Neidhamer inquired how much work will it take Andy's crew getting the site ready, 100 man hours? No not that much. The crew has been working up there more and more. We'll have it ready when the time comes. Commissioner Sansom asked about the use of the waste yard, will it be open for people to utilize? There should be no problem. Mayor Grunch asked if the DPW will be taking the fence down. No the contractors will. He inquired about reusing the fence for the East and West side of the Community Garden. Ray said that would be something to discuss at the meeting next week. Commissioner Gaylord asked what will happen to the building on the site? It will be demolished. Gaylord questioned why we were demolishing a perfectly good building? After much consideration, we felt ultimately that was best option.

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

The March, 2015 Financial Statement were received and filed.

### **Sommerset Pointe Update**

The attorneys are still discussing revised contract amendments.

### **FY 2014/2015 Budget Amendments**

The commission received copies of the FYI 2015 for review. City Manager Cain explained that this is the final step to bring things in proper alignment before we close out this fiscal year, which ends April 30. We are still a couple of months out from the original budget.

Citizens Comments: None

Staff Comments: None

Board Discussion: None

2015-04-052

Moved by Gaylord  
Second by Neidhamer

## **MOTION**

To approve the FY 2014/2015 budget amendments as presented in compliance with accounting and budgeting standards.

Ayes: 5

Nays: 0

Absent: 0

Motion carried

## **May 26, 2015 City Commission Time Change**

Lori Meeder, Main Street Executive Director explained that the City Commission has scheduled a public hearing on May 26, 2015 to consider adoption of an ordinance to th 2010 amdnded and restated development plan and tax increment financing plan of the Boyne City Downtown Development Authority/Main Street pursuant to Act 197 of the Public Acts

of Michigan of 1975, as amended.

2015-04-052

Moved by Gaylord  
Second by Sansom

**MOTION**

To move the scheduled time of the May 26, 2015 City Commission meeting from noon to 7:00 p.m.

Ayes: 5  
Nays: 0  
Absent: 0  
Motion carried

**Wastewater Treatment  
Plant Sludge Removal  
Update**

Mark Fowler, W/WW superintendent updated the Commission regarding sludge removal from lagoon 3. The last time biosolids were removed was 1992. The staff has measured the biosolids in lagoon 3, which is the primary lagoon and there is still plenty of storage/capacity. Having the biosolids hauled is not of immediate concern and the staff will continue to monitor levels periodically. His recommendation is to put the biosolids in the capital plan and start setting money aside now and revisit the issue as needed.

Board discussion: Mayor Grunch agrees that money should be set aside in the budget for the future. Commissioner Sansom inquired about the time frame for setting the money aside. Commissioner Gaylord thanked Mark for all the detailed information.

**GOOD OF THE ORDER**

Commissioner Towne inquired about the Drag Races. City Manager Cain said it is doubtful for Memorial Day, but everyone seemed to like the Labor Day Drag Races. Commissioner Gaylord gave the City Manager a name of someone to help with the races. Commissioner Sansom inquired if the City is at the lower fluoride level already? We have been running at 1 or less.

**ADJOURNMENT**

Moved by Mayor Grunch seconded by Commissioner Gaylord to adjourn the regular City Commission meeting of Tuesday, April 28, 2015 at 12:35 p.m.

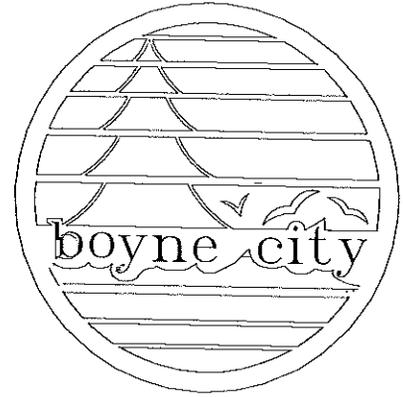
**MOTION**

\_\_\_\_\_  
Ron Grunch  
Mayor

\_\_\_\_\_  
Karen Seeley  
Deputy Clerk

**CITY OF BOYNE CITY**

**To:** Michael Cain, City Manager  
**From:** Scott McPherson, Planning Director *SM*  
**Date:** May 12, 2015  
**Subject:** Township Planning and Zoning Contracts



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**BACKGROUND**

The proposed contracts amounts for planning and zoning services for Evangeline and Wilson Townships have been reviewed and approved by both of the townships. The amounts for the 2015-2016 fiscal year are \$26,609.91 for Evangeline Township and \$38,423.13 for Wilson Township which represents a 2% increase over last years amounts. The contract amounts are consistent with the amounts included in the City's 2015-2016 budget. The contracts are being submitted to you for your review and approval.

**RECOMMENDATION**

Approve the Wilson and Evangeline Township Planning and Zoning Contracts as presented.

## AGREEMENT FOR PLANNING AND ZONING SERVICES

THIS AGREEMENT is made this \_\_\_\_\_ day of \_\_\_\_\_, 2015, by and between the CITY OF BOYNE CITY, a Municipal Corporation, with an address of 319 North Lake Street, Boyne City, MI 49712 (hereinafter referred to as the City), and the TOWNSHIP OF EVANGELINE, a Michigan general law township, with an address of P.O. Box 396, Boyne City, MI 49712, (hereinafter referred to as the Township).

THROUGH MUTUAL AGREEMENT between the City and the Township, for the purpose of cooperative planning efforts between the City and said Township, this agreement is so established.

NOW, THEREFORE, BE IT RESOLVED AND AGREED between the City and the Township that it is for their common interest that such a service be rendered in a manner hereinafter set forth, in consideration of the mutual promises and agreements herein set forth:

1. The City, through its Planning Department, agrees to supply the Township with planning services and to act as an agent for the administration of the Township's Ordinances, subject to the limitations hereinafter specified. The amount of time and services to be provided are to be established in the sole discretion of the Director of Planning, or his/her agent. An adjustment in the payment may be required if an inordinate amount of time is required to complete the planning and zoning functions for the township.
2. The Township shall provide all liability, errors and omissions insurance coverage for both the City and its Planner/Zoning Administrator during the time he/she is acting on behalf of the Township and for all claims that arise during this time. The Township shall indemnify, defend and save Boyne City, its Planner/Zoning Administrator, City Manager, agents and employees from and against all claims, damages, losses and expenses including reasonable attorney fees, and all demands, claims, liabilities, fines, penalties and costs arising out of the performance of the planning services being provided by the City to the Township under this Agreement. The Township's policy of insurance shall name the City and its Planner as additional insured as their interest appear. The Township shall furnish the city with a copy of their policy evidencing this obligation which policy shall also provide the City thirty (30) days written notice of cancellation.
3. The Township shall not have any right to make any claim against the City or its Agents and Employees by reason of claim or suit filed against the Township as a result of action or inaction of the City or Agents and Employees.
4. It is agreed that expenses, such as mileage, phone bills, copies, or other expenses incurred by the City or Agents and Employees in order to conduct the business of the Township, shall be the responsibility of, and billed to, the Township.
5. The Boyne City Planning Department shall provide to the Township and its citizens, planning services on all days that the Boyne City hall is open.
6. Based on the history of percentage of time devoted to Evangeline Township affairs, the Township agrees to pay for the services herein provided a sum of Twenty Six thousand six hundred nine dollars and 91 cents (\$26,609.91) for Township Planning Services. This sum shall be submitted to the City on a quarterly basis with the first installment of \$6,652.47 due May 1, 2015 and each quarter thereon.
7. This Agreement shall encompass the time period of May 1, 2015 through April 30, 2016 and will be renewable each succeeding year unless terminated as provided below.
8. This Agreement shall be terminable at the will of either party. Either the City or

the Township may terminate this Agreement for any reason, with or without cause, upon giving ninety (90) days notice to the other party. If termination of the agreement is necessary the Planning Department shall continue cooperation with the Township on enforcement matters at \$85.00 per hour.

9. It is understood that the City has entered into a contract similar to this Agreement with another Charlevoix County Township and that the City may enter into similar agreements with other Townships adjacent or near to the City.

IN WITNESS THEREOF, the City of Boyne City and the Township of Evangeline have caused these presents to be executed by their proper officers, respectively, with authority of their respective Commission and Board, the day and year first above written.

CITY OF BOYNE CITY:

By: \_\_\_\_\_  
Michael Cain, City Manager

\_\_\_\_\_  
Dated

By: \_\_\_\_\_  
Cindy Grice, City Clerk

\_\_\_\_\_  
Dated

TOWNSHIP OF EVANGELINE:

By: \_\_\_\_\_  
Jim Howell, Township Supervisor

\_\_\_\_\_  
Dated

By: \_\_\_\_\_  
Josette A. Lory, Township Clerk

\_\_\_\_\_  
Dated

## AGREEMENT FOR PLANNING AND ZONING SERVICES

THIS AGREEMENT is made this \_\_\_\_\_ day of \_\_\_\_\_, 2015, by and between the CITY OF BOYNE CITY, a Municipal Corporation, with an address of 319 North Lake Street, Boyne City, MI 49712 (hereinafter referred to as the City), and the TOWNSHIP OF WILSON, a Michigan general law township, with an address of P.O. Box 447, Boyne City, MI 49712, (hereinafter referred to as the Township).

THROUGH MUTUAL AGREEMENT between the City and the Township, for the purpose of cooperative planning efforts between the City and said Township, this agreement is so established.

NOW, THEREFORE, BE IT RESOLVED AND AGREED between the City and the Township that it is for their common interest that such a service be rendered in a manner hereinafter set forth, in consideration of the mutual promises and agreements herein set forth:

1. The City, through its Planning Department, agrees to supply the Township with planning services and to act as an agent for the administration of the Township's Ordinances, subject to the limitations hereinafter specified. The amount of time and services to be provided are to be established in the sole discretion of the Director of Planning, or his/her agent. An adjustment in the payment may be required if an inordinate amount of time is required to complete the planning and zoning functions for the township.
2. The Township shall provide all liability, errors and omissions insurance coverage for both the City and its Planner/Zoning Administrator during the time he/she is acting on behalf of the Township and for all claims that arise during this time. The Township shall indemnify, defend and save Boyne City, its Planner/Zoning Administrator, City Manager, agents and employees from and against all claims, damages, losses and expenses including reasonable attorney fees, and all demands, claims, liabilities, fines, penalties and costs arising out of the performance of the planning services being provided by the City to the Township under this Agreement. The Township's policy of insurance shall name the City and its Planner as additional insured as their interest appear. The Township shall furnish the city with a copy of their policy evidencing this obligation which policy shall also provide the City thirty (30) days written notice of cancellation.
3. The Township shall not have any right to make any claim against the City or its Agents and Employees by reason of claim or suit filed against the Township as a result of action or inaction of the City or Agents and Employees.
4. It is agreed that expenses, such as mileage, phone bills, copies, or other expenses incurred by the City or Agents and Employees in order to conduct the business of the Township, shall be the responsibility of, and billed to, the Township.
5. The Boyne City Planning Department shall provide to the Township and its citizens, planning services on all days that the Boyne City hall is open.
6. Based on the history of percentage of time devoted to Wilson Township affairs, the Township agrees to pay for the services herein provided a sum of Thirty Eight thousand four hundred twenty three dollars and 13 cents (\$38,423.13) for Township Planning Services. This sum shall be submitted to the City on a quarterly basis with the first installment of \$9,605.78 due May 1, 2015 and each quarter thereon.
7. This Agreement shall encompass the time period of May 1, 2015 through April 30, 2016 and will be renewable each succeeding year unless terminated as provided below.
8. This Agreement shall be terminable at the will of either party. Either the City or

the Township may terminate this Agreement for any reason, with or without cause, upon giving ninety (90) days notice to the other party. If termination of the agreement is necessary the Planning Department shall continue cooperation with the Township on enforcement matters at \$85.00 per hour.

9. It is understood that the City has entered into a contract similar to this Agreement with another Charlevoix County Township and that the City may enter into similar agreements with other Townships adjacent or near to the City.

IN WITNESS THEREOF, the City of Boyne City and the Township of Wilson have caused these presents to be executed by their proper officers, respectively, with authority of their respective Commission and Board, the day and year first above written.

CITY OF BOYNE CITY:

By: \_\_\_\_\_  
Michael Cain, City Manager

\_\_\_\_\_ Dated

By: \_\_\_\_\_  
Cindy Grice, City Clerk

\_\_\_\_\_ Dated

TOWNSHIP OF WILSON:

By: \_\_\_\_\_  
Todd Sorenson, Township Supervisor

\_\_\_\_\_ Dated

By: \_\_\_\_\_  
Marilyn Beebe, Township Clerk

\_\_\_\_\_ Dated

## MEMORANDUM

**TO: MICHAEL CAIN; CITY MANAGER**

**FROM: ANDREW KOVOLSKI; PUBLIC WORKS SUPERINTENDENT**



**DATE: 5/8/15**

**RE: TAX SALE PROPERTIES**

Attached to this Memorandum please find a map showing Delinquent Tax Parcels within the City Limits of Boyne City. The county will be selling these parcels for the amount of tax owed on August 14, 2015. The county gives the City the opportunity to purchase these properties before the sale if we have an interest in them.

I have looked at the North Park Street properties and determined that they have no value to the city for drainage retention/detention areas because of topography and high water tables in these areas. The property on South Park is undesirable because it is a developed parcel.

This information was also shared with the other Department Heads; none of which replied with an interest in any of the parcels.

**RECCOMENDATION:**

It is my recommendation that the City Commission take no action on this matter.

**OPTIONS:**

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

BY: cousineau

Year of Foreclosure: 2015

DB: Charlevoix

BOYNE CITY

Fees Computed As Of: 04/29/2015

Parcel Number	Base Tax Due Publication	Sale/Transfer Admin Fee Pers Visit	Status Interest Filing Exp	Forf Rcdng	EOS Rcdng	Forcl. Liber NSF/Other Rdmp Rcdng	Forcl. Page October Fee Frcl Rcdng	Date Recorded March Fee Sale Exp	Notice Exp Total Due
✓051-101-001-00		Not Transferred				1090	564	4/7/2015 12:00 AM	
	600.78	24.03	123.38	0.00	0.00	30.00	350.00	25.00	
	50.00	50.00	0.00	20.00	20.00	10.00	0.00	1,303.19	
							Sale Amount	0.00	
							Over/(Under)	(1,303.19)	
2014	203.01	8.12	4.06	0.00	0.00	0.00	0.00	0.00	0.00
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	215.19
2013	198.97	7.96	41.79	0.00	0.00	15.00	175.00	0.00	0.00
	0.00	0.00	0.00	10.00	10.00	0.00	0.00	0.00	458.72
2012	198.80	7.95	77.53	0.00	0.00	15.00	175.00	25.00	0.00
	50.00	50.00	0.00	10.00	10.00	10.00	0.00	0.00	629.28
✓051-104-021-00		Not Transferred				1090	565	4/7/2015 12:00 AM	
	989.62	39.58	211.62	0.00	0.00	30.00	350.00	25.00	
	50.00	50.00	0.00	20.00	20.00	10.00	0.00	1,795.82	
							Sale Amount	0.00	
							Over/(Under)	(1,795.82)	
2014	319.05	12.76	6.38	0.00	0.00	0.00	0.00	0.00	0.00
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	338.19
2013	312.70	12.51	65.67	0.00	0.00	15.00	175.00	0.00	0.00
	0.00	0.00	0.00	10.00	10.00	0.00	0.00	0.00	600.88
2012	357.87	14.31	139.57	0.00	0.00	15.00	175.00	25.00	0.00
	50.00	50.00	0.00	10.00	10.00	10.00	0.00	0.00	856.75
✓051-104-025-00		Not Transferred				1090	566	4/7/2015 12:00 AM	
	2,225.39	89.02	477.97	0.00	0.00	30.00	350.00	25.00	
	50.00	50.00	0.00	20.00	20.00	10.00	0.00	3,347.38	
							Sale Amount	0.00	
							Over/(Under)	(3,347.38)	
2014	713.63	28.55	14.27	0.00	0.00	0.00	0.00	0.00	0.00
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	756.45
2013	699.37	27.97	146.87	0.00	0.00	15.00	175.00	0.00	0.00
	0.00	0.00	0.00	10.00	10.00	0.00	0.00	0.00	1,084.21
2012	812.39	32.50	316.83	0.00	0.00	15.00	175.00	25.00	0.00
	50.00	50.00	0.00	10.00	10.00	10.00	0.00	0.00	1,506.72
✓051-360-191-50		Not Transferred				1090	567	4/7/2015 12:00 AM	
	4,620.80	184.83	969.88	0.00	0.00	30.00	350.00	25.00	
	50.00	50.00	0.00	20.00	20.00	10.00	0.00	6,330.51	
							Sale Amount	0.00	
							Over/(Under)	(6,330.51)	
2014	1,509.60	60.38	30.19	0.00	0.00	0.00	0.00	0.00	0.00
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1,600.17
2013	1,520.42	60.82	319.29	0.00	0.00	15.00	175.00	0.00	0.00
	0.00	0.00	0.00	10.00	10.00	0.00	0.00	0.00	2,110.53
2012	1,590.78	63.63	620.40	0.00	0.00	15.00	175.00	25.00	0.00
	50.00	50.00	0.00	10.00	10.00	10.00	0.00	0.00	2,619.81



Park

051-104-025-00

051-104-025-00

051-104-024-00

051-101-001-00

Grove

Groveland

Collins

East



051-360-191-50

Park

Lincoln

April 29, 2015

City of Boyne City  
Attention: Cindy Grice  
319 N. Lake St.  
Boyne City, MI. 49712

Dear City Council:

I have enclosed a list of parcels in the City of Boyne City that I foreclosed upon in Circuit Court in my capacity as the Foreclosing Governmental Unit under the authority of the General Property Tax Act. This foreclosure was made delinquent for real property taxes. This list is not final: there may be further court action to remove parcels from foreclosure or to extend the redemption period.

A public auction of these properties is tentatively scheduled for August 4, 2015. Minimum bids have been established and will include all delinquent taxes, fees, penalties, and interest plus any costs of preparing for and conducting the auction. The enclosed list includes a minimum bid for each auction item.

The General Property Tax Act establishes a procedure for the State and for local municipalities to purchase foreclosed property prior to public auction. The purchase must be for a governmental purpose and public use. The law establishes the following order of preference:

1. The State of Michigan has first right of refusal and must pay the higher of the minimum bid or the market value of the property.
2. The City, Village, or Township (in that order) in which the property is located can purchase the property if the State declines and must pay the minimum bid.
3. The County may purchase the property if the City, Village, or Township declines and must pay the minimum bid.

If the City, Village, Township, or County purchases a property under this process and later sells the property for more than the purchase price, plus the cost of any improvements, the excess proceeds are due back to the Treasurer to replenish the tax foreclosure fund.

I have enclosed 2 forms one is if you decided you don't want the parcel and the other is if you decided you want the parcel. Please fill out whichever form applies and return it to me no later than May 22, 2015.

If I don't receive a reply I will assume that you don't want the parcel and it will go to auction.

Sincerely,

Marilyn Cousineau  
Charlevoix County Treasurer



CITY OF BOYNE CITY  
COUNTY OF CHARLEVOIX

Proclamation No. 2015 - 05

PROCLAMATION TO DESIGNATE THE WEEK OF

MAY 17<sup>th</sup> – MAY 23<sup>rd</sup>

AS NATIONAL PUBLIC WORKS WEEK

*Whereas*, public works services provided in our community are an integral part of our citizens' everyday lives; and

*Whereas* public works facilities and services are of vital importance to the health and well-being of the people; and

*Whereas* such facilities and services could not be provided without the dedicated efforts of public works personnel who are responsible for and must operate and maintain the streets, water supply, sewage and refuse disposal systems, public buildings, and other structures and facilities essential to serve our citizens; and

*Whereas*, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform;

*Therefore*, I Ron Grunch, Mayor of the City of Boyne City, do hereby proclaim May 17<sup>th</sup> – May 23<sup>rd</sup>, 2015 National Public Works Week throughout this Community, and I call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the substantial contributions which public works officials make every day to our health, safety, welfare and quality of life.

ADOPTED this twelfth day of May in the year two thousand and fifteen.

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Ron Grunch, Mayor



## CITY OF BOYNE CITY

## MEMO

**To:** Michael Cain, City Manager *Mc*  
**From:** Barb Brooks, Executive Assistant *BB*  
**Date:** April 12, 2015  
**Subject:** DNR Passport Grant Application Resolution Revision

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At the City Commission's March 24, 2015 meeting, a motion was passed to adopt a resolution for a Recreation Passport grant to help fund the "Fitness Track" project at Ridge Run Dog Park and commit match funds of 31% which is equivalent to \$4,650. The online grant application calls for amounts to be submitted in \$100 increments only and will not allow us to submit \$4,650. We have been asked to make the amount indicated in the resolution to match the amount on the application. If we lower the amount of match to \$4,600 it still comes in at 31%.

**Recommendation:** to make a motion to revise the resolution adopted on March 24, 2015 to reflect the \$4,600 in match funds for the Recreation Passport grant application for the Ridge Run Dog Park fitness tracks.



**City of Boyne City**  
Founded 1856

319 N. Lake Street

Boyne City, Michigan 49712  
www.boynecity.com

Phone 231-582-6597  
Fax 231-582-6506

**Resolution to Commit to an Application to Recreation Passport Grant for the Ridge Run Dog Park Fitness Trails**

**Whereas** Boyne City is applying for a Recreation Passport Grant from the Michigan Department of Natural Resources, and

**Whereas** the project is identified as the Ridge Run Dog Park Fitness Trails, and

**Whereas** the Boyne City Recreation Plan identifies the goal of continued enhancements of all parks; including Ridge Run Dog Park, and

**Whereas** the public has opportunity to comment on the overall project and grant application,

**BE IT RESOLVED**, that the City of Boyne City supports the application to the MDNR - Recreation Passport grant program and if successful, agrees to provide 31% matching in matching funds.

Ayes: 5

Nays: 0

Absent: 0

Resolution declared adopted on March 24, 2015.

*Being duly qualified as the Boyne City Clerk, Charlevoix County, Michigan, I do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the Boyne City Commission at a regular meeting held at the Boyne City Hall, 319 N. Lake St., Boyne City, Michigan on March 24, 2015.*

Cynthia Grice  
City Clerk/Treasurer

**Resolution to Commit to an Application to Recreation Passport Grant for the Ridge Run Dog Park Fitness Trails**

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**Whereas** the project is identified as the Ridge Run Dog Park Fitness Trails, and

**Whereas** the Boyne City Recreation Plan identifies the goal of continued enhancements of all parks; including Ridge Run Dog Park, and

**Whereas** the public has opportunity to comment on the overall project and grant application,

**BE IT RESOLVED**, that the City of Boyne City supports the application to the MDNR - Recreation Passport grant program and if successful, agrees to provide 31% matching in matching funds in the amount of \$4,600.

Ayes:

Nays:

Absent:

Resolution declared adopted on \_\_\_\_\_, 2015.

*Being duly qualified as the Boyne City Clerk, Charlevoix County, Michigan, I do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the Boyne City Commission at a regular meeting held at the Boyne City Hall, 319 N. Lake St., Boyne City, Michigan on March 24, 2015.*

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Cynthia Grice  
City Clerk/Treasurer



# HEALTH DEPARTMENT

of Northwest Michigan

RECEIVED  
MAY 4 - 2015  
BY: \_\_\_\_\_

**Administrative Office**  
220 W. Garfield Ave.  
Charlevoix, MI 49720  
231 547 6523  
231 547 6238 - fax

May 1, 2015

209 Portage Dr.  
Bellaire, MI 49615  
231 533 8670  
231 533 8450 - fax

Dear Mr. Cain,

205 Grove St.  
Mancelona, MI 49659  
231 587 5052  
231 587 5313 - fax

As Community Health Coordinator for the Health Department of Northwest Michigan, I am reaching out to all municipalities in Charlevoix and Emmet counties to offer my assistance to establish tobacco-free policy for parks and beaches.

3434 M-119, Suite A  
Harbor Springs, MI 49740  
231 347 6014  
231 347 2861 - fax

Over the past two years we have had a lot of success working with local organizations, villages, city and county boards to change their policies. I have enclosed a comprehensive list of all the parks and beaches that have gone tobacco-free in Michigan and have highlighted the ones in our local counties. We are hoping that other municipalities like yours will follow their lead and create a healthier community for residents and visitors to our area that want to exercise, relax, and enjoy the beauty of the outdoors.

95 Livingston Blvd.  
Gaylord, MI 49735  
989 732 1794  
989 732 3285 - fax

Exposure to secondhand smoke is harmful to health. Even in outdoor settings air pollution from outdoor tobacco smoke can be quite high near active smokers. There is no safe level of exposure to secondhand smoke. Tobacco-free policies help to change community norms, and provide a positive tobacco-free model to children.

Dental Clinics North  
**Administrative Office**  
220 W. Garfield Ave.  
Charlevoix, MI 49720  
231 547 6523  
231 547 6238 - fax

I have enclosed a packet of information on tobacco free parks and beaches as well as policy language. The Health Department realizes that budgets are very tight and there are limited resources for signage. If you decide to adopt a new tobacco-free policy the Health Department will help with the cost of signage. I will be following up with you in a few weeks, but if you have any questions please do not hesitate to call me at (231) 347-5813. Thank you.

Hospice of Northwest  
Michigan  
220 W. Garfield Ave.  
Charlevoix, MI 49720  
800 551 4140  
231 547 1164 - fax

Sincerely,

Susan Pulaski, MA  
Community Health Coordinator  
Health Department of Northwest Michigan  
3434 M-119, Suite A, Harbor Springs, MI 49740  
P: (231) 347-5813  
[s.pulaski@nwhealth.org](mailto:s.pulaski@nwhealth.org)

Northern Michigan  
Regional Lab  
95 Livingston Blvd.  
Suite D  
Gaylord, MI 49735  
989 732 1794  
989 732 3285 - fax



For the time being it may be installed in a corner of the large dog area. The City has run water lines and Boyne Country Plumbing has installed temporary spigots until there are actual drinking fountains. Donors have also sponsored the drinking fountains, cement work, design and labor to start shade pavilions, excavating equipment has been donated and/or discounted services to groom the area. There is another donor who is interested in helping with the installation of a walking trail around the inside perimeter of the fence of the large dog park. Signs have been designed and donated by the Wood Shop and will be installed shortly. There is another group who has expressed an interest in looking into donating a water feature. The VanFlorn family had a cute float in the 4<sup>th</sup> of July parade to promote the park. Fund-raising is ongoing; Approximately \$32,000 has been raised to date. The grand opening / ribbon cutting is scheduled for Thursday, August 28, 2014. More details to follow.

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## NEW BUSINESS

### Smoke / Tobacco Free Parks

#### **MOTION**

The board is in favor of discouraging smoking and tobacco in public parks. There was discussion if this needed to be an ordinance or if it could be a park rule / policy or just a strong suggestion. This subject has been brought up before and discussed and the board thought that maybe the timing wasn't right before but would encourage further discussion and research regarding this suggestion. **Kuhn moved, Parish seconded, PASSED UNANIMOUSLY** to propose the City Commission look into restricting or eliminating smoking in all City parks & beaches in any manner they see fit.

### Disc Golf Baskets

The Boyne Valley Club inquired as to what the City might do with old baskets that were removed when the new ones were installed. They suggested selling them and putting money back into the park and/or the course. Interested people might be another community looking to get a course started or individuals for backyards. Kovolski stated the proper procedure for city owned property is to advertise and accept bids on them.

### Fireplace at Avalanche Warming House

Bill Kuhn brought forward an opportunity to purchase a gas fireplace for \$1,000 and labor and other materials would be donated to install this at the warming house. Kuhn added that it would add to the ambience of the warming house and be another feature that would make the place special. He and Mark Fruge have been working on the details with Andy.

### Memorial Bench Proposal

Kovolski reported that he has had contact with Adam Looze who would like to purchase and have installed a memorial bench for Bill Grice who passed away this winter. Through conversation, it sounds like he may have already ordered the bench assuming it was ok to have it placed on City property and not understanding the process. It is a black granite

## Charlevoix County Adds No Smoking Signs to Beaches

Posted: Apr 24, 2015 5:54 PM EDT  
Updated: Apr 24, 2015 5:54 PM EDT

By Alyssa Gambia, Reporter [CONNECT](#)

Charlevoix County is putting up signs ... Hoping people will put their cigarettes away before they use their beaches.

The county agreed to put no smoking signs up at two beaches, as a way of suggesting people not smoke there

"Definitely I think it will help people will respect it and will understand it," said Ross Maxwell, County Parks Director.

Soon no smoking signs will line Whiting Park and Thumb Lake beaches.

Last year, the county tried to make their beaches smoke free... these signs are a second effort to keep Michigan beaches clean.

"This is probably just a better way you have to start some place and this is just a good way to start it, we were maybe a little too heavy handed the first one so it never passed. It's a good example for a smoke free environment for the children down there it's toxic to marine life wildlife."

While some are supportive of a nudge against smoking, others say you should be able to smoke outdoors in public places.

"It's everyone's choice to smoke...at a beach you're outside it's not a big deal now if they put smoker ashtrays like they have at the grocery store and designate areas by the bathroom," said Bridgett Possert.

But the health department says they agree with the decision to discourage smokers at the beaches. But right now, it's still legal to smoke at county beaches.

"Tobacco free parks is a way our entire environment can change, so were hoping that communities adopt this culture of health where we start making small changes that end up large changes," said Enka Van Dam, Director of Community Health Services.

9 & 10 News  
4/24/2015

Hope we can  
include your parks  
& beaches next!

# TOBACCO-FREE PARKS AND RECREATION AREAS:

## It's Easier Than You Think

Tobacco-free parks and recreation areas are growing in numbers in Michigan, and around the country. However, at times our local decision makers in our cities, villages, and townships are hesitant to move forward with tobacco-free parks policies due to concerns about enforcement.

It is important to remember that tobacco-free parks policies are significant public health initiatives. They protect health and the environment as well as model healthy living behaviors for our youth.

Secondly, there is no constitutional or statutory right in Michigan to smoke or use tobacco products, and local jurisdictions have the authority under State law to adopt policies, ordinances, and regulations.

Thirdly, over 80% of the adult population in Michigan is smoke-free. And that percentage gets much larger when you add in our children.

Finally, research shows that smoke-free and tobacco-free policies are generally self-enforcing. Most people are compliant with tobacco-free rules and laws.

## Enforcement Tips

1. Post clear, concise tobacco-free signs in specified areas.
2. Notify the community, especially facility users and staff, about this policy.  
Policy manuals, brochures, websites, registration receipts, stickers, newsletters, news releases, public service announcements, game schedules, radio interviews, marquis messages, and flyers can all be used to educate the community about the policy.
3. Park and recreation staff will monitor compliance, however, EVERYONE plays a role in gaining compliance of tobacco-free parks policies. It is a responsibility of ALL community members to remind others about our good fortune of having tobacco-free parks and recreation areas in our communities.
4. Enforcing tobacco-free parks policies is just like enforcing other policies, i.e. noise, pets, alcohol use, and litter.

**GO TOBACCO-FREE! LIVE TOBACCO-FREE!**

**IT'S EASIER THAN YOU THINK!**



For more information contact Susan Pulaski, Community Health Coordinator 231-347-5813

## **Tobacco-Free Parks and Beaches**

### **Frequently Asked Questions Michigan**

#### **What is current Michigan law on smoking and tobacco use outdoors?**

There is currently no state law that regulates smoking and tobacco use outdoors.

#### **Are local units of government free to enact policies restricting tobacco use in outdoor areas?**

Yes. Neither federal nor state law prohibits local governments from regulating tobacco use outdoors.

#### **What types of policies may be enacted to regulate tobacco use in local parks and beaches?**

The type(s) of policy(ies) available to a local unit of government in choosing to regulate tobacco use in its outdoor areas, parks, and beaches depends to some extent on what type of jurisdiction is enacting the policy, and is determined locally. In general, the following applies:

- County Regulation
- City Ordinance
- Policy
- Resolution

#### **Is there a model policy available?**

Yes. There are several model policies available that can be localized. Technical assistance with policy development and adoption is available through the Michigan Department of Community Health Tobacco Program and the Smoke-Free Environments Law Project based in Ann Arbor, Michigan.

#### **How is enforcement of a tobacco-free parks and beaches policy handled?**

Community education, prominent and clear signage, and staff education work well for enforcing this type of policy.

#### **What are the benefits of tobacco-free outdoor recreation areas, including parks and beaches?**

Benefits of tobacco-free outdoor recreational areas are numerous. Health benefits include protection of nonsmokers from secondhand smoke exposure, protection of young children from toxic cigarette butts and other tobacco litter, and positive role modeling for youth. Benefits to the environment include reduced tobacco litter, cleaner waterways, protection of marine and wildlife from toxic tobacco litter, and reduced risk of fire. Maintenance costs may be reduced due to reduced staff time needed for litter and waste clean up.

## **Tobacco-Free Parks and Beaches Key Messages**

- Exposure to secondhand smoke is harmful to health. Even in outdoor settings air pollution from outdoor tobacco smoke can be quite high near active smokers. There is no safe level of exposure to secondhand smoke.
- Tobacco-free policies help to change community norms, and provide a positive tobacco-free model to children.
- Many communities in Michigan have already made their parks and beaches tobacco-free. We should follow their lead and create a healthier community for residents and visitors to our area to exercise, relax, and enjoy the beauty of the outdoors.
- Cigarette litter is toxic to marine life and wildlife and pollutes our waterways. A single cigarette butt can take 5-10 years to decompose. A tobacco-free policy will help to protect the environment and keep it beautiful for generations to come.
- Cigarette butts and tobacco-related litter are picked up and mouthed by babies and toddlers. This is unsafe and potentially very dangerous. We should protect our children through a tobacco-free policy.
- A tobacco-free parks and beaches policy makes sense for our community. Over 80% of Michigan residents are nonsmokers, and the same is true for tourists from other states.
- During these difficult economic times, a tobacco-free policy may help to reduce maintenance costs due to reduced staff time needed for litter and waste clean up.

## Resolution in Support of Tobacco-Free Parks and Beaches in [insert jurisdiction]

**WHEREAS**, in order to preserve the public health, safety and welfare of the citizens of the [insert jurisdiction], Michigan; and

**WHEREAS**, tobacco use causes death and disease and continues to be an urgent public health challenge, as evidenced by the following:

- Tobacco-related illness is the leading cause of preventable death in the United States, accounting for about 443,000 deaths each year, and tobacco use causes chronic lung disease, coronary heart disease, and stroke, in addition to cancer of the lungs, larynx, esophagus, and mouth; and

**WHEREAS**, secondhand smoke has repeatedly been identified as a health hazard, as evidenced by the following:

- The U.S. Surgeon General has concluded that there is no risk-free level of exposure to secondhand smoke. Secondhand smoke is responsible for as many as 3,000 deaths from lung cancer and 46,000 deaths from heart disease among nonsmokers each year in the United States. Exposure to secondhand smoke increases the risk of coronary heart disease by approximately 30 percent, and causes lower respiratory tract infections, such as pneumonia and bronchitis, in as many as 300,000 children in the United States under the age of 18 months each year, and exacerbates childhood asthma; and

**WHEREAS**, exposure to secondhand smoke anywhere has negative health impacts, and exposure to secondhand smoke does, contrary to a common misconception, occur at significant levels outdoors, as evidenced by the following:

- Levels of secondhand smoke exposure outdoors can reach levels attained indoors depending on the direction and amount of wind and number and proximity of smokers. Irritation from secondhand smoke begins at levels as low as 4 micrograms per cubic meter, and in some outdoor situations this level can be found as far away as 13 feet from the burning cigarette; and
- Smoking cigarettes near building entryways can increase air pollution levels by more than two times as compared to background levels, with maximum levels reaching the "hazardous" range on the US EPA's Air Quality Index; and
- Studies on a cruise ship have found that even while cruising at 20 knots and with unlimited air volume, outdoor smoking areas contained carcinogens in nearly the same amounts as inside the ship's casino where smoking was allowed; and

**WHEREAS**, smokeless tobacco is not a safe alternative to smoking and causes significant death and disease, as evidenced by the following:

- Smokeless tobacco use causes leukoplakia, a disease causing white patches to form in the user's mouth that can become cancerous; smokeless tobacco products are known to cause lung, larynx, esophageal, and oral cancer; and the regular use of snuff doubles the user's risk of cardiovascular disease and death; and prolonged use of snus, a form of smokeless tobacco, contributes to high blood pressure and to a higher likelihood of suffering a fatal stroke; and

**WHEREAS**, children who attend or participate in athletic and recreational events can be affected by secondhand smoke and the use of other tobacco products; and smoking and the use of other tobacco products at such events sends a deleterious health message to youth and student athletes; and

**WHEREAS**, cigarette butts are the most littered item in the United States and a dangerous nuisance, as evidenced by the following:

- Americans discard more than an estimated 175 million pounds of cigarette butts every year, frequently onto sidewalks, streets, beaches, and nature trails, and in parks, gardens and other public places, ending up in storm drains that flow into the water supply; and

- Cigarette filters, made of plastic cellulose acetate, are not biodegradable and take approximately 15 years to decompose; and

**WHEREAS**, cigarette butts pose a health threat to young children, as evidenced by the following:

- In 2009, American poison control centers received nearly 8,000 reports of children poisoned by the ingestion of cigarettes, cigarette butts, and other tobacco products; and children who ingest cigarette butts can experience vomiting, nausea, lethargy, and gagging; and

**WHEREAS**, smoking outside in natural areas, where there are trees, shrubs and grasses, poses a significant risk of fire damage to those natural areas, and cigarette-caused fires unnecessarily jeopardize firefighters and result in avoidable emergency response costs; and

**WHEREAS**, laws restricting the use of tobacco products have clear benefits to public health and medical costs, as evidenced by the following:

- Cities with smokefree laws see an appreciable reduction in hospital admittances for heart attacks in the months and years after such laws are passed; and
- Smoking bans help people reduce the number of cigarettes they smoke or quit altogether; and

**WHEREAS**, unregulated high-tech smoking devices, commonly referred to as electronic cigarettes, or "e-cigarettes," closely resemble and purposefully mimic the act of smoking by having users inhale vaporized liquid nicotine created by heat through an electronic ignition system. After testing a number of e-cigarettes from two leading manufacturers, the Food and Drug Administration (FDA) determined that various samples tested contained not only nicotine but also detectable levels of known carcinogens and toxic chemicals, including tobacco-specific nitrosamines and diethylene glycol, a toxic chemical used in antifreeze. The FDA's testing also suggested that "quality control processes used to manufacture these products are inconsistent or non-existent." and

**WHEREAS**, electronic cigarettes are known to have caused serious injury from explosion of their rechargeable lithium batteries; and

**WHEREAS**, creating smoke-free areas helps protect the health of our children and the 80 percent of adults who do not smoke; and

**WHEREAS**, a large number of citizens and visitors to the [insert jurisdiction name] find smoking and the use of tobacco products a serious health concern in both indoor and outdoor environments, particularly where a large number of people are gathered together in close proximity; and

**WHEREAS**, there is no Constitutional right to smoke or use other tobacco products;

**BE IT THEREFORE RESOLVED**, that the undersigned endorses and supports making all parks and beaches in [insert jurisdiction name] 100% tobacco-free.

\_\_\_ Individual:  
 Individual Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 \_\_\_ Organization:  
 Signature of Authorized Representative: \_\_\_\_\_ Date: \_\_\_\_\_  
 Printed Contact Name: \_\_\_\_\_ Printed Organization Name: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ ZIP: \_\_\_\_\_  
 Signed: \_\_\_\_\_ Email: \_\_\_\_\_

Please mail signed resolutions to:

[insert address and/or email]



## City-Owned Outdoor Recreational Facilities *Model Tobacco-Free Policy*

### Section 1: Rationale

**WHEREAS**, the City believes that tobacco use in the proximity of children and adults engaging in or watching outdoor recreational activities at City-owned or operated facilities is detrimental to their health and can be offensive to those using such facilities; and

**WHEREAS**, the City has a unique opportunity to create and sustain an environment that supports a non-tobacco norm through a tobacco-free policy, rule enforcement, and adult-peer role modeling on City-owned outdoor recreational facilities; and

**WHEREAS**, the City believes parents, leaders, and officials involved in recreation are role models for youth and can have a positive effect on the lifestyle choices they make; and

**WHEREAS**, the tobacco industry advertises at and sponsors recreational events to foster a connection between tobacco use and recreation; and

**WHEREAS**, cigarettes, once consumed in public spaces, are often discarded on the ground requiring additional maintenance expenses, diminish the beauty of the City's recreational facilities, and pose a risk to toddlers due to ingestion; and

**WHEREAS**, the City Park & Recreation Board determines that the prohibition of tobacco use at the City's recreational facilities serves to protect the health, safety and welfare of the citizens of our City.

**THEREFORE**, be it resolved that tobacco use is prohibited in outdoor recreational facilities. No person shall use any form of tobacco at or on any City-owned or operated outdoor recreational facilities, including the restrooms, spectator and concession areas. These facilities include [insert specific facilities here, e.g. playgrounds, athletic fields, beaches, aquatic areas, parks, and walking/hiking trails].

### Section 2: Enforcement

1. Appropriate signs shall be posted in the above specified areas.
2. The community, especially facility users and staff, will be notified about this policy.
3. Staff will make periodic observations of recreational facilities to monitor for compliance.
4. Any person found violating this policy may be subject to immediate ejection from the recreation facility for the remainder of the event.

### Section 3: Effective Date

This policy statement is effective immediately upon the date of adoption, which is \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Appropriate City Official

\_\_\_\_\_  
Date

# [County/City]-Owned Outdoor Recreational Areas

## Tobacco-Free Policy [generic model]

### SECTION I. FINDINGS

**WHEREAS**, in order to preserve the public health, safety and welfare of the citizens of the [County/City of \_\_\_\_\_], Michigan; and

**WHEREAS**, the State of Michigan has granted and declared to [counties/cities] the power to legislate in the protection of the public health and for the safety of persons and property; and

**WHEREAS**, it is in the purview of the authority of the [County Commission/City Council of \_\_\_\_\_] to restrict smoking and the use of tobacco products on [County/City] property; and

**WHEREAS**, tobacco use causes death and disease and continues to be an urgent public health challenge, as evidenced by the following:

- Tobacco-related illness is the leading cause of preventable death in the United States,<sup>1</sup> accounting for about 443,000 deaths each year;<sup>2</sup> and
- Tobacco use causes chronic lung disease, coronary heart disease, and stroke, in addition to cancer of the lungs, larynx, esophagus, and mouth;<sup>3</sup> and
- Some of the most common types of cancers – including stomach, liver, uterine, cervix, and kidney cancer – are related to tobacco use;<sup>4</sup> and

**WHEREAS**, secondhand smoke has repeatedly been identified as a health hazard, as evidenced by the following:

- The U.S. Surgeon General has concluded that there is no risk-free level of exposure to secondhand smoke;<sup>5</sup> and
- Secondhand smoke is responsible for as many as 3,000 deaths from lung cancer

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<sup>1</sup> US Department of Health and Human Services, Centers for Disease Control and Prevention. *Tobacco Use: The Nation's Leading Killer*. 2011, p. 2. Available at: [www.cdc.gov/chronicdisease/resources/publications/aag/pdf/2011/Tobacco\\_AAG\\_2011\\_508.pdf](http://www.cdc.gov/chronicdisease/resources/publications/aag/pdf/2011/Tobacco_AAG_2011_508.pdf).

<sup>2</sup> US Department of Health and Human Services, Centers for Disease Control and Prevention. *Tobacco Use: Targeting the Nation's Leading Killer*. 2011, p. 2. Available at: [www.cdc.gov/chronicdisease/resources/publications/aag/pdf/2011/Tobacco\\_AAG\\_2011\\_508.pdf](http://www.cdc.gov/chronicdisease/resources/publications/aag/pdf/2011/Tobacco_AAG_2011_508.pdf).

<sup>3</sup> US Department of Health and Human Services, Centers for Disease Control and Prevention. *Tobacco Use: The Nation's Leading Killer*. 2011, p. 2. Available at: [www.cdc.gov/chronicdisease/resources/publications/aag/pdf/2011/Tobacco\\_AAG\\_2011\\_508.pdf](http://www.cdc.gov/chronicdisease/resources/publications/aag/pdf/2011/Tobacco_AAG_2011_508.pdf).

<sup>4</sup> Leistikow B, Zubair K, Connolly GN, et al. "Male Tobacco Smoke Load and Non-Lung Cancer Mortality Associations in Massachusetts." *BMC Cancer*, 8:341, 2008. Available at: [www.biomedcentral.com/1471-2407/8/341](http://www.biomedcentral.com/1471-2407/8/341).

<sup>5</sup> US Department of Health and Human Services, Office of the Surgeon General. *How Tobacco Smoke Causes Disease: The Biology and Behavioral Basis for Smoking-Attributable Disease: A Report of the Surgeon General*. 2010, p. 9. Report highlights available at: [www.surgeongeneral.gov/library/tobaccosmoke/factsheet.html](http://www.surgeongeneral.gov/library/tobaccosmoke/factsheet.html).

and 46,000 deaths from heart disease among nonsmokers each year in the United States,<sup>6</sup> and

- Exposure to secondhand smoke increases the risk of coronary heart disease by approximately 30 percent;<sup>7</sup> and
- Secondhand smoke exposure causes lower respiratory tract infections, such as pneumonia and bronchitis, in as many as 300,000 children in the United States under the age of 18 months each year;<sup>8</sup> and exacerbates childhood asthma;<sup>9</sup> and

**WHEREAS**, exposure to secondhand smoke anywhere has negative health impacts, and exposure to secondhand smoke does, contrary to a common misconception, occur at significant levels outdoors, as evidenced by the following:

- Levels of secondhand smoke exposure outdoors can reach levels attained indoors depending on the direction and amount of wind and number and proximity of smokers;<sup>10</sup> and
- Irritation from secondhand smoke begins at levels as low as 4 micrograms per cubic meter, and in some outdoor situations this level can be found as far away as 13 feet from the burning cigarette;<sup>11</sup> and
- Smoking cigarettes near building entryways can increase air pollution levels by more than two times as compared to background levels, with maximum levels reaching the “hazardous” range on the US EPA’s Air Quality Index.<sup>12</sup>

<sup>6</sup> US Department of Health and Human Services, Centers for Disease Control and Prevention. *Tobacco Use: Targeting the Nation’s Leading Killer*. 2011, p. 2. Available at: [www.cdc.gov/chronicdisease/resources/publications/aag/pdf/2011/Tobacco\\_AAG\\_2011\\_508.pdf](http://www.cdc.gov/chronicdisease/resources/publications/aag/pdf/2011/Tobacco_AAG_2011_508.pdf).

<sup>7</sup> Barnoya J and Glantz S. “Cardiovascular Effects of Secondhand Smoke: Nearly as Large as Smoking.” *Circulation*, 111: 2684-2698, 2005. Available at: [www.circ.ahajournals.org/cgi/content/full/111/20/2684](http://www.circ.ahajournals.org/cgi/content/full/111/20/2684).

<sup>8</sup> US Department of Health and Human Services, Centers for Disease Control and Prevention. *Tobacco Use: Targeting the Nation’s Leading Killer*. 2011, p. 2. Available at: [www.cdc.gov/chronicdisease/resources/publications/aag/pdf/2011/Tobacco\\_AAG\\_2011\\_508.pdf](http://www.cdc.gov/chronicdisease/resources/publications/aag/pdf/2011/Tobacco_AAG_2011_508.pdf).

<sup>9</sup> US Department of Health and Human Services, Centers for Disease Control and Prevention. *Tobacco Use: Targeting the Nation’s Leading Killer*. 2011, p. 2. Available at: [www.cdc.gov/chronicdisease/resources/publications/aag/pdf/2011/Tobacco\\_AAG\\_2011\\_508.pdf](http://www.cdc.gov/chronicdisease/resources/publications/aag/pdf/2011/Tobacco_AAG_2011_508.pdf).

<sup>10</sup> Klepeis NE, Ott WR, and Switzer P. *Real-Time Monitoring of Outdoor Environmental Tobacco Smoke Concentrations: A Pilot Study*. San Francisco: University of California, San Francisco and Stanford University, 2004, p. 80, 87. Available at: [http://exposurescience.org/pub/reports/Outdoor\\_ETS\\_Final.pdf](http://exposurescience.org/pub/reports/Outdoor_ETS_Final.pdf); see also Klepeis NE, Ott WR and Switzer P. “Real-Time Measurement of Outdoor Tobacco Smoke Particles.” *Journal of the Air & Waste Management Association*, 57: 522-534, 2007. Available at: [www.ashaust.org.au/pdfs/OutdoorSHS0705.pdf](http://www.ashaust.org.au/pdfs/OutdoorSHS0705.pdf).

<sup>11</sup> Junker MH, Danuser B, Monn C, et al. “Acute Sensory Responses of Nonsmokers at Very Low Environmental Tobacco Smoke Concentrations in Controlled Laboratory Settings.” *Environmental Health Perspectives*, 109(10): 1045-1052, p. 1049-51, 2001. Available at: [www.pubmedcentral.nih.gov/picrender.fcgi?artid=1242082&blobtype=pdf](http://www.pubmedcentral.nih.gov/picrender.fcgi?artid=1242082&blobtype=pdf); Repace JL. “Benefits of Smoke-Free Regulations in Outdoor Settings: Beaches, Golf Courses, Parks, Patios, and in Motor Vehicles.” *William Mitchell Law Review*, 34(4): 1621-1638, p. 1626, 2008. Available at: [www.repace.com/pdf/Repace\\_Ch\\_15\\_Outdoor\\_Smoke.pdf](http://www.repace.com/pdf/Repace_Ch_15_Outdoor_Smoke.pdf).

<sup>12</sup> Kaufman P, Zhang, B, Bondy S, et al. “Not just ‘a few wisps’: real-time measurement of tobacco smoke at entrances to office buildings.” *Tobacco Control*. Published Online First: 21 December 2010.

- Studies on a cruise ship have found that even while cruising at 20 knots and with unlimited air volume, outdoor smoking areas contained carcinogens in nearly the same amounts as inside the ship's casino where smoking was allowed;<sup>13</sup> and
- To be completely free from exposure to secondhand smoke in outdoor places, a person may have to move nearly 25 feet away from the source of the smoke, about the width of a two-lane road;<sup>14</sup> and

**WHEREAS**, smokeless tobacco is not a safe alternative to smoking and causes significant death and disease, as evidenced by the following:

- Smokeless tobacco use causes leukoplakia, a disease causing white patches to form in the user's mouth that can become cancerous;<sup>15</sup> smokeless tobacco products are known to cause lung, larynx, esophageal, and oral cancer;<sup>16</sup> and the regular use of snuff doubles the user's risk of cardiovascular disease and death;<sup>17</sup> and
- Prolonged use of snus, a form of smokeless tobacco, contributes to high blood pressure and to a higher likelihood of suffering a fatal stroke;<sup>18</sup> and

**WHEREAS**, children who attend or participate in athletic and recreational events can be affected by secondhand smoke and the use of other tobacco products; and

**WHEREAS**, smoking and the use of other tobacco products at such events sends a deleterious health message to youth and student athletes; and

- 
- doi:10.1136/tc.2010.041277. Abstract available at:  
<http://tobaccocontrol.bmj.com/content/early/2010/12/21/tc.2010.041277.abstract>
- <sup>13</sup> Repace JL. "Benefits of Smoke-Free Regulations in Outdoor Settings: Beaches, Golf Courses, Parks, Patios, and in Motor Vehicles." *William Mitchell Law Review*, 34(4): 1621-1638, p. 1626, 2008. Available at: [www.repace.com/pdf/Repace\\_Ch\\_15\\_Outdoor\\_Smoke.pdf](http://www.repace.com/pdf/Repace_Ch_15_Outdoor_Smoke.pdf).
- <sup>14</sup> Repace JL. "Benefits of Smoke-Free Regulations in Outdoor Settings: Beaches, Golf Courses, Parks, Patios, and in Motor Vehicles." *William Mitchell Law Review*, 34(4): 1621-1638, p. 1626, 2008. Available at: [www.repace.com/pdf/Repace\\_Ch\\_15\\_Outdoor\\_Smoke.pdf](http://www.repace.com/pdf/Repace_Ch_15_Outdoor_Smoke.pdf).
- <sup>15</sup> US Department of Health and Human Services, Centers for Disease Control and Prevention. *Fact Sheet – Smokeless Tobacco Facts*, [www.cdc.gov/tobacco/data\\_statistics/fact\\_sheets/smokeless/smokeless\\_facts/index.htm#chewing](http://www.cdc.gov/tobacco/data_statistics/fact_sheets/smokeless/smokeless_facts/index.htm#chewing) (last updated January 28, 2011).
- <sup>16</sup> US Department of Health and Human Services, Centers for Disease Control and Prevention. *Tobacco Use: Targeting the Nation's Leading Killer*. 2011, p. 2. Available at: [www.cdc.gov/chronicdisease/resources/publications/aag/pdf/2011/Tobacco\\_AAG\\_2011\\_508.pdf](http://www.cdc.gov/chronicdisease/resources/publications/aag/pdf/2011/Tobacco_AAG_2011_508.pdf).
- <sup>17</sup> Hatsukami DK and Severson HH. "Oral Spit Tobacco: Addiction, Prevention, and Treatment." *Nicotine and Tobacco Research*, 1(1): 21-44, 1999. Abstract available at: <http://ntr.oxfordjournals.org/content/1/1/21.abstract>.
- <sup>18</sup> "Prolonged Use of Swedish Moist Snuff Increases Risk of Fatal Cardiovascular Disease and Stroke." *Medical News Today*, November 15, 2007, [www.medicalnewstoday.com/articles/88868.php](http://www.medicalnewstoday.com/articles/88868.php).

**WHEREAS**, cigarette butts are the most littered item in the United States and a dangerous nuisance, as evidenced by the following:

- Americans discard more than an estimated 175 million pounds of cigarette butts every year;<sup>19</sup> and
- Cigarette butts are frequently discarded onto sidewalks, streets, beaches, and nature trails, and in parks, gardens and other public places, ending up in storm drains that flow into the water supply;<sup>20</sup> and
- Cigarette filters, made of plastic cellulose acetate, are not biodegradable and take approximately 15 years to decompose;<sup>21</sup> and

**WHEREAS**, cigarette butts pose a health threat to young children, as evidenced by the following:

- In 2009, American poison control centers received nearly 8,000 reports of children poisoned by the ingestion of cigarettes, cigarette butts, and other tobacco products;<sup>22</sup> and
- Children who ingest cigarette butts can experience vomiting, nausea, lethargy, and gagging;<sup>23</sup> and

**WHEREAS**, smoking outside in natural areas, where there are trees, shrubs and grasses, poses a significant risk of fire damage to those natural areas, and cigarette-caused fires unnecessarily jeopardize firefighters and result in avoidable emergency response costs; and

**WHEREAS**, laws restricting the use of tobacco products have clear benefits to public health and medical costs, as evidenced by the following:

- Cities with smokefree laws see an appreciable reduction in hospital admittances for heart attacks in the months and years after such laws are passed;<sup>24</sup> and

<sup>19</sup> Surfrider Foundation, San Diego Chapter, Hold on to Your Butt, [www.surfridersd.org/hotyb.php](http://www.surfridersd.org/hotyb.php). (last visited March 10, 2011).

<sup>20</sup> Surfrider Foundation, San Diego Chapter, Hold on to Your Butt, [www.surfridersd.org/hotyb.php](http://www.surfridersd.org/hotyb.php). (last visited March 10, 2011).

<sup>21</sup> Surfrider Foundation, San Diego Chapter, Hold on to Your Butt, [www.surfridersd.org/hotyb.php](http://www.surfridersd.org/hotyb.php). (last visited March 10, 2011).

<sup>22</sup> Bronstein AC, Spyker DA, Cantilena LR, et al. American Association of Poison Control Centers. "2009 Annual Report of the American Association of Poison Control Centers' Centers' National Poison Data System (NPDS): 27th Annual Report" *Clinical Toxicology*, 48(10): 979-1178, p. 1124, 2010. Available at: [www.aapcc.org/dnn/Portals/0/correctedannualreport.pdf](http://www.aapcc.org/dnn/Portals/0/correctedannualreport.pdf).

<sup>23</sup> US Department of Health and Human Services, Centers for Disease Control and Prevention. "Ingestion of Cigarettes and Cigarette Butts by Children – Rhode Island, January 1994 -July 1996." *Morbidity and Mortality Weekly Report*, 46(06): 125-128, 1997. Available at: [www.cdc.gov/mmwr/preview/mmwrhtml/00046181.htm](http://www.cdc.gov/mmwr/preview/mmwrhtml/00046181.htm).

<sup>24</sup> US Department of Health and Human Services, Centers for Disease Control and Prevention. "Reduced Hospitalizations for Acute Myocardial Infarction After Implementation of a Smoke-Free Ordinance – City of

- Smoking bans help people reduce the number of cigarettes they smoke or quit altogether;<sup>25</sup> and
- Strong smoking regulations for restaurants decrease the number of children who transition from experimenting with smoking to becoming actual smokers;<sup>26</sup> and

**WHEREAS**, unregulated high-tech smoking devices, commonly referred to as electronic cigarettes, or “e-cigarettes,” closely resemble and purposefully mimic the act of smoking by having users inhale vaporized liquid nicotine created by heat through an electronic ignition system. After testing a number of e-cigarettes from two leading manufacturers, the Food and Drug Administration (FDA) determined that various samples tested contained not only nicotine but also detectable levels of known carcinogens and toxic chemicals, including tobacco-specific nitrosamines and diethylene glycol, a toxic chemical used in antifreeze. The FDA’s testing also suggested that “quality control processes used to manufacture these products are inconsistent or non-existent.”<sup>27</sup> and

**WHEREAS**, electronic cigarettes are known to have caused serious injury from explosion of their rechargeable lithium batteries;<sup>28</sup>

**WHEREAS**, creating smoke-free areas helps protect the health of our children and the 80 percent of adults who do not smoke;<sup>29</sup> and

**WHEREAS**, a large number of citizens and visitors to the [County/City of \_\_\_\_\_] find smoking and the use of tobacco products a serious health concern in both indoor and outdoor environments, particularly where a large number of people are gathered together in close proximity; and

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Pueblo, Colorado, 2002 – 2006.” *Morbidity and Mortality Weekly Report*, 57(51&52): 1373-1377, 2009. Available at: [www.cdc.gov/mmwr/preview/mmwrhtml/mm5751a1.htm](http://www.cdc.gov/mmwr/preview/mmwrhtml/mm5751a1.htm); Glantz SA. “Meta-Analysis of the Effects of Smokefree Laws on Acute Myocardial Infarction: An Update.” *Preventive Medicine*, 47(4): 452-453, 2008. Abstract available at: [www.ncbi.nlm.nih.gov/pmc/articles/PMC2927851/?tool=pubmed](http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2927851/?tool=pubmed).

<sup>25</sup> Neighmond P. “Smoking Bans Help People Quit, Research Shows.” *National Public Radio*, October 25, 2007, [www.npr.org/templates/story/story.php?storyId=15610995](http://www.npr.org/templates/story/story.php?storyId=15610995).

<sup>26</sup> Siegel M, Albers AB, Cheng DM, et al. “Local Restaurant Smoking Regulations and the Adolescent Smoking Initiation Process: Results of a Multilevel Contextual Analysis Among Massachusetts Youth.” *Archives of Pediatrics and Adolescent Medicine*, 162(5): 477-483, 2008. Available at: <http://archpedi.ama-assn.org/cgi/reprint/162/5/477.pdf>.

<sup>27</sup> Food and Drug Administration, *Summary of Results: Laboratory Analysis of Electronic Cigarettes Conducted by FDA*. July 22, 2009, <http://www.fda.gov/NewsEvents/PublicHealthFocus/ucm173146.htm>; Food and Drug Administration. *News Release, FDA and Public Health Experts Warn About Electronic Cigarettes*. July 22, 2009. Available at: [www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm173222.htm](http://www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm173222.htm).

<sup>28</sup> CBS News. “Electronic Cigarette Explodes in Man’s Mouth, Causes Serious Injuries.” *CBS News*, February 16, 2012, [http://www.cbsnews.com/8301-504763\\_162-57379260-10391704/electronic-cigarette-explodes-in-mans-mouth-causes-serious-injuries](http://www.cbsnews.com/8301-504763_162-57379260-10391704/electronic-cigarette-explodes-in-mans-mouth-causes-serious-injuries).

<sup>29</sup> California Department of Public Health, *News Release, State’s Latest Tobacco Ads Debut*. December 20, 2010. Available at: [www.cdph.ca.gov/Pages/NR10-099.aspx](http://www.cdph.ca.gov/Pages/NR10-099.aspx).

WHEREAS, there is no Constitutional right to smoke or use other tobacco products;<sup>30</sup>

## SECTION II. DEFINITIONS

The following words and phrases shall be construed as defined in this Section:

A. "Playground" means any park or recreational area designed in part to be used by children that has play or sports equipment installed or that has been designated or landscaped for play or sports activities, or any similar facility located on public or private school grounds or on [City or County] grounds.

B. "Public Place" means an area to which the public is invited or in which the public is permitted.

C. "Recreational Area" means any public or private area open to the public for recreational purposes, whether or not any fee for admission is charged, including but not limited to, streets, sidewalks, amusement parks, athletic fields, beaches, fairgrounds, gardens, golf courses, parks, plazas, skate parks, swimming pools, trails, zoos.

D. "Tobacco product" means a preparation of tobacco to be inhaled, chewed, sucked or placed in a person's mouth, and also includes electronic cigarettes.

K. "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe or electronic cigarette in any manner or in any form.

L. "Electronic cigarette" or "e-cigarette" means any electronic oral device, such as one composed of a heating element, battery, and/or electronic circuit, which provides a vapor of nicotine or any other substances, and the use or inhalation of which simulates smoking. The term shall include any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, or under any other product name or descriptor.

NOW, THEREFORE, [the County/City of \_\_\_\_\_] ordains that [ordinance or regulation designation] is hereby added and shall read as follows:

## SECTION III. RESTRICTING SMOKING AND THE USE OF TOBACCO PRODUCTS, INCLUDING "ELECTRONIC CIGARETTES," IN OUTDOOR RECREATIONAL AREAS

In order to provide for the public health, safety and welfare by discouraging the inherently dangerous behavior of smoking and other tobacco use around non-tobacco users; especially children, by protecting the public from exposure where members of the community live, work, and play; by reducing the potential for children to wrongly associate smoking and other tobacco

<sup>30</sup> Public Health Law & Policy, Technical Assistance Legal Center. *There Is No Constitutional Right to Smoke*. 2005. Available at [www.phlpnet.org/tobacco-control/products/there-no-constitutional-right-smoke](http://www.phlpnet.org/tobacco-control/products/there-no-constitutional-right-smoke).

use with a healthy lifestyle; and by affirming and promoting a healthy environment in the [County/City of \_\_\_\_\_], tobacco use is not permitted in any outdoor Recreational Area.

#### **SECTION IV. REQUIREMENTS AND PROHIBITIONS**

1. The owner, operator, manager, or other person in control of an outdoor public place where smoking is prohibited shall clearly and conspicuously post "No Use of Tobacco Products" signs or "Tobacco Free" signs shall be posted in a quantity and manner reasonably likely to inform individuals occupying the area that tobacco product use is prohibited within the area. The signs shall have letters of no less than one inch in height and shall include the international "No Smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle crossed by a red bar).
2. No ash can, ashtray, or other tobacco product waste receptacle shall be placed in any area in which tobacco use is prohibited.
3. No person shall dispose of used tobacco product waste within the boundaries of an area in which tobacco product use is prohibited.
4. No person shall intimidate, threaten any reprisal, or effect any reprisal, for the purpose of retaliating against another person who seeks to attain compliance with this policy.
5. The presence of tobacco product waste receptacles or the absence of signs required by this Section shall not be a defense to a violation of any provision of this [policy].

#### **SECTION V. PENALTIES AND ENFORCEMENT**

1. A person who violates or fails to comply with this policy shall be subject to one or more of the following:
  - a. asked to stop smoking or using the tobacco product;
  - b. asked to leave the premises;
  - c. liable for a [e.g., civil infraction, and subject to the civil fines set forth in \_\_\_\_\_ and any other relief that may be imposed by the Court].
2. Each instance of tobacco product use in violation of this [policy] shall constitute a separate violation. For violations other than tobacco use, each day of a continuing violation of this [policy] shall constitute a separate violation.
3. Any violation of this [policy] is hereby declared to be a nuisance.
4. Except as otherwise provided, enforcement of this [policy] is at the sole discretion of the [County/City]. Nothing in this [policy] shall create a right of action in any person against the [County/City] or its agents to compel public enforcement of this [policy] against private parties.
5. Any person may bring a civil action to enjoin a violation of this [policy].

#### **SECTION VI. EFFECTIVE DATE**

This policy shall be effective thirty (30) days from and after the date of its adoption.

\_\_\_\_\_  
[County/City Official]

\_\_\_\_\_  
Date

**Michigan Tobacco-Free Parks and Beaches as of April 2015**

City of Greenville- <http://www.mmdhd.org/greenville-sf.html> (includes trails, parks and playgrounds), 8/2011

City of Sault Ste. Marie

Kinross Charter Township

City of Bad Axe, June 2012

Grand Traverse County- 1 park 100% TF

Lansing Township Parks (includes 6 parks)

Potter Park Zoo (Ingham County)

City of Houghton (excludes RV park, violation=\$50 civil infraction fine, passed 8/22/12, effective 9/1/12)

Village of Dexter- TF parks

Bath Township- effective 11/21/12

Village of Middleville- includes Calvin Hill Park, Spring Park, Paul B. Henry Thornapple Trail, Wildwood Trails Park and Stagecoach Park.

Village of Newberry- parks and outdoor areas and old ice rink and grounds and indoor hockey rink (being built), 10/2012

City of Vassar

City of St. Ignace – TF ordinance-adopted 7/16/12 designating all city owned playgrounds, recreational areas, and access sites as TF.

Village Nashville parks comprehensive TF, effective 1/2013

City of St. Johns

Ely Township, 10 parks/rec areas

Soo Township (Chippewa County)-4 mile Beach Park, 4/2013

Hendricks Township (Mackinac County)-Playground

Wells Township (Delta County)- TF Recreation Areas (sports Complex with Building for hockey/ice skating, 2 Ball fields, Pavilion, and Children's Park, Soo Hill Park with Ball field and Playground, "Tot Lot" with Ball field and Playground). 1/14

Mellen Township Park (Menominee County) 3/2014

***Village of Pellston, all parks including Pioneer Park (effective 4/2013)***

***Village of Alanson, all four parks (effective 11/11/13)***

***Emmet County-Camp Petosega, beach and two playgrounds (effective 10/2013)***

***City of Charlevoix-All Parks and Beaches (effective 7/7/14)***

***City of East Jordan-All Parks and Beaches with the exception of rented outdoor spaces (effective 12/16/14)***

***Charlevoix County-Beach area at Whiting Park and Thumb Lake Park (effective 4/22/15)***

**Smoke-Free Beaches and Parks:**

City of Escanaba

Grand Haven Township

City of Howell

Ottawa County

City of Portage

Holland Township

City of Huntington Woods, ordinance 1997

City of Gladstone- SF outdoor areas include the guarded beach, the foyer of the beach house, the skate park, all of the neighborhood playgrounds, and designated non-motorized trails.- Effective 9/4/12.

Village of Elsie-posted signs, no formal written policy

Delta Township- all parks and trails. 9/2013

City of Hastings-all parks and city owned/operated facilities (including e-cigarettes). 9/2013

Ottawa County, all beaches

For-Mar Nature Preserve & Arboretum, Genesee County Park

***Harbor Springs City docks, Zorn Park, and the City beach are SF (effective 2007)***

***Otsego Lake County Park Playground (effective Summer 2014)***

**Other (Parks governed privately)**

NW Fraternal Little League- on City of Midland property- smoke-free policy

Discovery Center-Traverse City/Leelanau County

Jacob's Corn Maze-Traverse City/Leelanau County

***Petoskey Youth Soccer Association-Click Road Soccer Complex, effective 3/2013-Tobacco-Free***

***Charlevoix Public Library-effective 6/2014-Tobacco-Free Campus***

**Smoke-free Designated Areas**

Ingham County Park System (playgrounds and beaches)

Marine City- local beach and playground- ordinance 9/1/12- include up to a \$75 fine

Eaton County parks passed a designated smoking areas park policy

City of Eaton Rapids- smoke-free areas policy- designated smoking areas

City of Traverse City

Garfield Township (Grand Traverse County)

Sands Township in Marquette County- Smoke-free pavilion and playground with 2 signs- July 2012

St. Clair County Parks- playgrounds and splash pad designated non-smoking- not a policy or ordinance, but designated by commissioners and will include signage

City of Fremont- ordinance and resolution banning smoking in specific areas of several parks in Fremont

City of Muskegon- One area at Pere Marquette Beach is TF -- area between the restroom buildings and the pier.

City of Charlotte- No person shall smoke any tobacco product within 50 feet of any playground.

Crossroads Village Park and Huckleberry Railroad (Genesee County)

City of Ann Arbor-designated parks, playgrounds, transit areas and other outdoor venues are smoke-free

Clio Youth Sports Complex, City of Clio



Approved:

**MEETING OF  
APRIL 2, 2015**

**RECORD OF THE PROCEEDINGS OF THE REGULAR BOYNE CITY  
PARKS AND RECREATION COMMISSION MEETING HELD AT  
6:30 P.M. AT CITY HALL ON THURSDAY, APRIL 2, 2015.**

**CALL TO ORDER**

Meeting was called to order by Chair Sheean at 6:30 p.m.

**ROLL CALL**

Present: Mike Sheean, Heath Meeder, Jo Bowman, Patrick Patoka and Gail VanHorn

Absent: Marie Sheets, Darryl Parish and Jerry Swift

**MEETING  
ATTENDANCE**

City Staff: Streets/Parks & Recreation Superintendent Andy Kovolski and recording secretary Barb Brooks

Public Present: Two

**\*\*MOTION**

**Meeder moved, Bowman seconded, PASSED UNANIMOUSLY**, to excuse Sheets (ill), Parish and Swift (traveling) from the meeting.

**APPROVAL OF  
MINUTES \*\*MOTION**

**Bowman moved, VanHorn seconded, PASSED UNANIMOUSLY**, a motion approving the March 12, 2015 meeting minutes as presented.

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

None

**DIRECTOR'S REPORT**

Kovolski reported that parks and buildings are starting to get prepped for opening. He added that there may be some new parks use requests coming to the board at a later date for consideration. He also indicated that they may be performing some testing on the playscape in Veterans Park in light of the some of the other issues with similar playscapes in the area.

**CORRESPONDENCE**

None

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

**Park Inspection Reports** - No reports

**Disc Golf Update** - No report

**Trail(s) Updates** - Boyne Valley Trail moving along. Federal, state and local grants are being submitted. BC/Char Trail is addressing a tree removal issue due to the protected Long Eared Bat. There is still hope trail construction can start this summer.

**UNFINIHSED**

**BUSINESS**

**Park Inspection Assignments**

The board agreed to wait until more members of the board are present to complete the assignments

**Tree Removals - Avalanche face of hill**

Kovolski stated he had nothing new to report. The board inquired as to the possibility of doing in house or with volunteers. Kovolski stated that the City & staff do not have all of the required equipment and safety and liability is an issue.

**PlacePlans Project Update**

The next planning meeting of the steering committee is April 10. The public input/visioning session is May 19<sup>th</sup>. More details will be available at the May meeting.

**Veterans Park Pavilion Project Update**

Recording secretary Brooks updated the board on the fund-raising efforts by the pavilion committee and grant opportunities. The intent is to start construction in the fall if everything falls into place.

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**NEW BUSINESS**

**Avalanche Event(s) Concepts**

Members from the "Three Disciplines requested the board consider the opportunity of having a single event or possibly multiple events at Avalanche. They operate and/or manage nation-wide events including biking, running and various bi and triathlons on both small and large scales. They can manage the entire event or supply event support to an organized group. The general feeling of the board was they would be open to the concept but would need to see a complete proposal before considering support of a particular event.

**Election of Officers**

The board requested this subject be placed on the May agenda when more members of the board would be in attendance

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**GOOD OF THE ORDER**

Discussion regarding the summer meeting location schedule. Chair Sheean stated it had been suggested that instead of meeting at various parks, the board have a scheduled parks tour and hold regular meetings at City Hall. Brooks added for the sake of posting for the public, taking minutes and keeping the board on task, City Hall meetings are preferred; however agrees it is important to visit the parks. Sheean asked the board to give it some thought and place it on the May agenda for further discussion.

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**NEXT MEETING**

The next regular meeting of the Parks and Recreation Board is scheduled for Thursday, May 7, 2015 at 6 pm at City Hall.

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**ADJOURNMENT**

The April 2, 2015 meeting of the Parks and Recreation Board adjourned at 7:00 p.m.

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Barb Brooks, Recording Secretary

Draft



Approved: \_\_\_\_\_

**Meeting of  
April 9, 2015**

MINUTES OF THE BOYNE CITY MAIN STREET BOARD REGULAR MEETING HELD ON THURSDAY APRIL 9, 2015 AT 1:00.PM. CITY HALL, 319 NORTH LAKE STREET

**Call to Order**

Chair O'Brien called the meeting to order at 1:14 p.m.

**Roll Call**

Present: Michelle Cortright, Pat O'Brien, Rob Swartz, Robin Berry Williams and Ben Van Dam

Absent: Jodie Adams, Michael Cain (arrived 1:14), Jim Jenson, Larry Lenhart,

**Meeting Attendance**

City Staff: Main Street Director Lori Meeder, Planning/Zoning Administrator Scott McPherson and Recording Secretary Karen Seeley

Public: Three

**Excused Absences**

**MOTION**

**Swartz moved Williams second PASSED UNANIMOUSLY** to excuse Jodie Adams, Jim Jenson and Larry Lenhart from the meeting.

**Approval of Minutes**

**MOTION**

**Cortright moved VanDam second PASSED UNANIMOUSLY** to approve the March 5, 2015 regular minutes as presented.

**Citizens**

**Comments**

None

**Main Street Committee Reports**

Team Boyne: Charlie Harrett from Boyne Boat Yard was the guest speaker. A discussion regarding bringing in a Marina Supply business in the area was discussed. He also made some connections with Boyne Thunder people.

Organization: Has been reviewing the budget for the committees and reviewing the report from the planning session.

**Unfinished Business**

Chair O'Brien requested to move to item number 8a of the agenda.

**DDA Development and Tif Plan Amendment and Brownfield**

The board reviewed and discussed the DDA Development/TIF Plan Amendment recommended process prepared by Mac McClelland of Otwell Mawby, PC. The purpose of the amendment is to provide for reimbursement of additional eligible activities, including façade improvements, barrier free access, and fire suppression systems, from tax increment revenue captured by the DDA and to provide for continued collaboration with the Charlevoix County Brownfield Redevelopment Authority for Brownfield projects within the DDA District. This local investment in the project will help leverage state and federal investment dollars available. We need to move forward to get these two projects done. There is the ability to change the criteria. We can evaluate each project case by case. The state is looking to put a sufficient amount of money into both of these projects. Board question on when the criteria has to be complete? This will go to the Organization committee to work on the criteria and make recommendations to the board so we have them in place before it goes back to the City Commission for final approval.

The first step is the introduction of the amendment to the City Commission.

**MOTION**

**Cain moved, Cortright seconded PASSED UNANIMOUSLY** to recommend introduction of the DDA Development/TIF Plan Amendment to the City Commission and set a public hearing for the May 26, 2015.

**Down town Parking**

City Manager Cain received a letter from Magnum Hospitality requesting two-hour parking on the 29 spaces on Water Street, south of the Front Street corner. He explained that he is able to establish a traffic control order which would stay in place for sixty days. After the sixty days, it would go to the City Commission for approval. After his review, he will decide how many and which parking spaces should be two hour parking. Board discussion regarding the employees of the businesses parking in the “prime” parking spots. Suggestion of visiting the surrounding businesses and encourage their employee’s to park elsewhere. The traffic control order could go into place in May, to help get them through the busy time and see how it works.

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**Farmer’s Market Annual Farm Meal Event**

**MOTION**

The Fourth Annual Farm meal fundraising event is scheduled for July 25 at Elvyn Lea Lodge in Melrose Township. For the last three years the market has sponsored a Farm Meal, and they have all been very successful. **VanDam moved, Cortright seconded PASSED UNANIMOUSLY** the Main Street board supports and endorses the Farmers Market Fourth Annual Farm Meal, approve a resolution to make application to the Liquor Control Commission for a Special License for the sale of beer and wine for the consumption on premise, to be in effect from 4:00 to 10:00 PM on July 25, 2015, and recommends the City Commission approves the request. Board request to confirm the insurance needs.

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**Farmers Market Food Truck Rally Liquor License Request**

**MOTION**

The Food Truck Rally is scheduled for July 16, 2015, and will feature several food vendors with each using 70% or more local ingredients. The event will also feature live music, and beverages served from Michigan breweries and wineries which will require a one-day license from the Liquor Control Commission. The same layout as last year using the orange security fencing required by the LLC to serve alcoholic beverages. **Cain moved Cortright seconded PASSED UNANIMOUSLY** the Main Street Board supports and endorses the Farmer’s Market Food Truck Rally, approve a resolution to make application to the Liquor Control Commission for a special license for the sale of beer, wine and spirits for the consumption on premise at Veteran’s Park to be in effect from 4:00 to 10:00 PM on July 16, 2015 and recommend the City Commission approves the request.

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**Farmer’s Market Discussion on Adding Wineries and Meaderies to Vendor List**

The board reviewed and discussed the Wine Sales at Michigan Farmer’s Markets that was included in their agenda packet. Main Street Director Meeder explained that this would be for small producers (under 10,000 gallons). The police would have to sign off on the vendor. The insurance would be covered by the vendors. We would allow no more than two for the whole season. Board questioned if all the vendors were on board and if the Farmer’s Market Committee supports the concept? The board requested a recommendation from the Farmers Market Committee. (Cain out 2:54PM)

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**2015-2016 Main Street Budget**

Main Street Director Meeder informed the board that the budget has gone through the budget process with the City Commission and this is the final version.

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**Mark C’s Trees one year contract renewal**

**MOTION**

Main Street Director Meeder suggested that with the timing of just being hired and this contract expiring she recommends a one year renewal, with a full review next year. **Swartz moved, Williams seconded PASSED UNANIMOUSLY** to renew a one year contract with Mark C’s Trees for flower box maintenance, \$400; tree pruning and fertilizing \$350.

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**Kecia Freed, Graphic Design Services one year contract renewal**

Main Street Director Meeder stated that as with Mark C’s Tress, she recommends a one year renewal, with a full review next year. **Cortright moved Swartz seconded PASSED UNANIMOUSLY** to renew a one year contract with Kecia Freed for Graphic Design Services at \$300 per month

**ADJOURNMENT  
MOTION**

**Swartz moved Van Dam seconded PASSED UNANIMOUSLY** to adjourn the April 9, 2015 meeting of the Boyne City Main Street Board at 3:02 pm. At this time there is not a quorum to conduct business. (Williams out 3:02 PM)

---

**Managers Report**

**Main Street Director Meeder gave her Managers Report**

- Buff up Boyne is 9 to noon on May 2, also that evening Red Mesa is having a fund raiser for the Pavilion.
  - New businesses opening in Sunburst a beach gift store called I Love Boyne City will be opened soon and will be offer gift and beach items. They have taken the majority of the building. 52 weekends a clothing store from Petoskey will be in the other part of Sunburst. Smitten Designs is expanding into the Beyond Borders space. Northern Table hopes to be open by late April/early May.
  - Boyne Thunder committee would like the city to consider closing Park Street this year. The crowds and size of the Stroll the Streets event that Friday evening is getting larger and they are concerned about pedestrian safety.
  - The façade program has earmarked only \$15,000 this year toward local matching. This is a competitive award through the design committee.
- 

\_\_\_\_\_  
Karen Seeley, Recording Secretary

*Draft*



Approved: \_\_\_\_\_

**MEETING OF  
April 9, 2015**

**RECORD OF THE PROCEEDINGS OF THE REGULAR MEETING OF THE  
BOYNE CITY AIRPORT ADVISORY BOARD HELD APRIL 9, 2015**

**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, Oral Sutliff ,  
\*Rod Cortright,

**ATTENDANCE**

**Absent:**, \*Jim Kozlowski \* Larry Trumble \*Bud Chipman\*Leon Jarema  
\*Ex Officio Members

**Citizens:**

**Staff:** Airport Manager/City Manager, Michael Cain

**EXCUSED ABSENCES  
MOTION**

**Sutliff moved Bouters seconded PASSED UNANIMOUSLY** to excuse Brian Harrington & Ed Hennessy.

**APPROVAL OF MINUTES  
MOTION**

**Sutliff moved Bouters seconded PASSED UNANIMOUSLY** to approve the **February 26, 2015** minutes as written.

**CORRESPONDENCE**

No new correspondence

**COMMITTEES/REPORTS** NONE

**UNFINISHED BUSINESS**

**A. Hangar Inquires/Leasing**

Currently, all City owned hangars are under long term lease. The City has a waiting list for hangars. No new inquires to report.

**B. Delinquent fuel bill:**

The City continues to follow up on a previously reported fuel bill. The delinquent party has been contacted and payment arrangements have been made.

**C. Projects:** The board discussed 2015 projects which will be dependent upon passage of the City Budget.

**D. Budget Update:** Michael Cain reviewed the Airport budget for the next fiscal year. No action taken by the board.

E. **Airport Vehicle Update: Moved by Sutliff seconded by Bouters PASSED UNANIMOUSLY** to recommend that the City Commission approve the Airport Courtesy Vehicle Policy.

F. **FAA 20 to 1 notice:** A report was given by Jerry Schmidt and Richard Bouters regarding the Obstruction List provided by the FAA and the affect on the GPS Approaches to the Airport. The board will investigate options and contact with the FAA Flight Standards District Office will take place for consultation.

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**NEW BUSINESS**

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A. **April 23<sup>rd</sup> meeting conflict with Business Expo: Moved by Sutliff Seconded by Schmidt PASSED UNANIMOUSLY** to change the April 23, 2015 meeting to April 9, 2015.

---

**GOOD OF THE ORDER**

A. Fuel price is **\$5.24** per gallon as of **October 24, 2014**.

**ANNOUNCEMENTS**  
**NEXT MEETING**  
**MOTION**

---

A. The next regular Airport Advisory Board meeting is scheduled for **Thursday, May 28, 2015 at 5:30pm in the Airport Terminal.**

B. Boyne Business Expo: Thursday, April 23, 2015 – 3pm-7pm. The April Airport Board meeting is changed to April 9, 2015.

C. Buff Up Boyne: May 2, 2015 from 9am – 12 noon. The Airport Board will be at the Airport for some general Spring Grounds Keeping and invite all interested to lend a hand.

---

**ADJOURNMENT**

**Chair Schmidt** adjourned the Airport Advisory Board meeting at **6:25pm.**

---

Richard L. Bouters-Secretary\_\_\_\_\_

draft

**Approved:** \_\_\_\_\_

**Meeting of  
April 20, 2015**

Record of the proceedings of the Boyne City Planning Commission meeting held at Boyne City Hall, 319 North Lake Street, on Monday, April 20, 2015 at 5:00 pm.

**Call to Order**

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

**Roll Call**

Present: Jason Biskner, Jim Kozlowski, Jane MacKenzie, Tom Neidhamer, Aaron Place and Joe St. Dennis  
 Absent: George Ellwanger and Chris Frasz  
 Vacancy: One

**Excused Absence(s)  
\*\*MOTION**

**2015-4-20-02**  
**St. Dennis moved, Place seconded, PASSED UNANIMOUSLY**, a motion to excuse the absence of George Ellwanger and Chris Frasz

**Meeting Attendance**

City Officials/Staff: Planning Director Scott McPherson, Main Street Director Lori Meeder and Recording Secretary Pat Haver  
 Public Present: Six including Consultant Mary Campbell from MC Planning & Design

**Consent Agenda  
\*\*MOTION**

**2015-4-20-03**  
**Neidhamer moved, St. Dennis seconded, PASSED UNANIMOUSLY**, a motion to approve the consent agenda; approval of the Planning Commission minutes from March 9, 2015 as presented.

**Citizen comments on  
Non-Agenda Items**

None

**Reports of Officers, Boards  
and Standing Committees**

The Placeplan committee has met, and will be holding a public forum on Tuesday, May 19<sup>th</sup> at the Boyne City High School, unsure of the time; it is either 5:30 or 6:00 pm.

**Unfinished Business**

None

**New Business**

Planning Director McPherson turned the meeting over to Glen Catt for an update on his project.

**Glen Catt project update**

**Glen Catt** – There have been a couple of setbacks that have forced them into changing the plans. When the soil boring tests came back, they indicated that there is peat moss under the current structure and it isn't stable enough in order to support the proposed (3) story structure; a possible solution would be the use of pile systems that would need to go down several feet and are quite expensive. The old bus garage quonset hut roof must remain and is making it difficult as the trusses are not only old but are rotting out. Because this building is a registered historic building, they needed to petition for a variance in the truss structure and were denied. The major concern is the snow load that could potentially build up on the roof and the "wall" of the residential structure. The construction costs are closer to \$18.00 per square foot, and the top floor residential rate would not bear what it would take to recoup the investment. Some of the changes that are being made are: elimination of the 3<sup>rd</sup> floor, and the drive thru and interior parking so there will not be a bank on the south end to anchor the project; however, there is someone who is interested in a store front on the back side of the garage. They will be doing away with the green roof, again due to the extra weight; however, will still have the roof

top deck. Because of the changes, they have shaved off 2.9 million of the overall construction costs.

**McPherson** – What is your time line? **Catt** – We will now be utilizing the existing Lakefront Mall building so there will not be any demolition of the structure just gutting the interior, start of the project looks to be after Labor Day. I will be down talking to the architect and engineers tomorrow so could have plans to the commission in May or June. The board had questions if the outside of the building has changed in color or materials due to the elimination of the 3<sup>rd</sup> floor.

**Lori Meeder: Main Street Director** – The Main Street board is very supportive of the project, and the life that it will bring to that part of town. He will be accessing Community Development Block Grants from the MEDC for securing additional employment and blight elimination (community rehab projects), National Historic Trust, and MiSHDA through affordable housing. The local investment is the city is working on an amendment to the TIF plan that will allow reimbursement of eligible expenses such as façade, barrier free handicapped access, and fire suppression of the project. Requirements of the grants are each project must generate income and the amendment will allow reimbursement only up the cost of the eligible expenses. Once reimbursements of those expenses have been taken care of, all of the tax money will go to the local community. This is a great public/private partnership. There will be a public hearing on the TIF amendment set for May 26<sup>th</sup> at the City Commission meeting.

**Review Master Plan Draft**

Mary Campbell from MC Planning & Design facilitated discussions on the information in the agenda packet. The board liked the direction the plan was going, and had comments on the font used in Chapter 2; they would like it changed as it is difficult to read. On the Future Land Use Map the board asked about different ways to present the map, so that it was easier to decipher; possibly an overlay, no parcel lines, changing colors of the districts, and changing colors of the labels. Suggested changes will be made, and a full version will be presented at the May meeting.

**Staff Report**

The interviews for the Assistant Planner position will be held on Monday, April 27<sup>th</sup>. They have chosen 5 to interview, and hopefully make a selection next week. Safe Routes to school we have the conditional commitment and expect the engineering process to begin next week, hope to begin construction in 2016.

**Good of the Order**

- Citizens for a Better Boyne are working diligently to get the word out about the city facilities and their condition. They are encouraging everyone to attend one of the open houses that have been set and to get out and vote on May 5<sup>th</sup>.
- Business Expo will be Thursday, April 23<sup>rd</sup> from 3:00 to 7:00 pm at the old Carters Building.

**Adjournment**  
**\*\*MOTION**

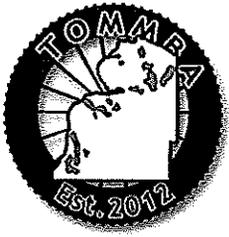
The next regular meeting of the Boyne City Planning Commission is scheduled for Monday, May 18, 2015 at 5:00 pm in the Auditorium.

**2015-4-20-10**

**St. Dennis moved, Place seconded, PASSED UNANIMOUSLY** a motion to adjourn the April 20, 2015 meeting at 6:09 p.m.

\_\_\_\_\_  
Chair Jane MacKenzie

\_\_\_\_\_  
Pat Haver, Recording Secretary



**Top of Michigan Mountain Bike Association**  
A Chapter of the  
International Mountain Bicycling Association  
[www.tommba.com](http://www.tommba.com)

**AVALANCHE MULTI-USE PATHWAY REPORT**

May 7, 2015

Dear Boyne City Commission:

Enclosed you will find an interesting report on the potential for multi-use pathways at Avalanche city park. We thank you for the opportunity to discuss this with you as we are excited about the potential for Avalanche to be a destination park for many users. We do not come to you asking for money for this effort. We simply look for your honest feedback on the report and seek your endorsement of this effort. The economic development impact of Avalanche is great and can be accomplished in a manner that preserves the natural resources that make it what it is.

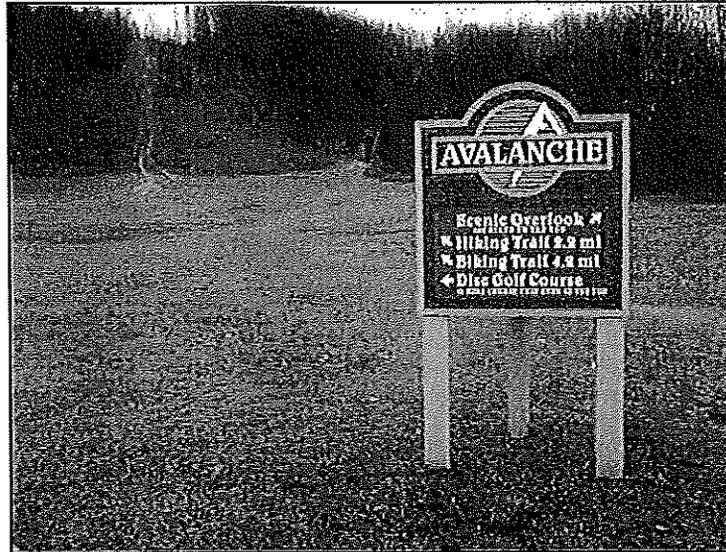
The Top of Michigan Mountain Bike Association (TOMMBA) seeks your support so that we know our efforts to do fundraising for multi-use trail upgrades at Avalanche will not be in vain. Our next steps would be to begin raising the necessary funds to have a professional trail builder create a more detailed plan and begin constructing additional trails that preserve the natural resources and are optimal for multiple non-motorized user groups. Our goal is to provide the Boyne City Commission with a more detailed plan and funding mechanisms within the next year.

Sincerely,

The Top of Michigan Mountain Bike Association (TOMMBA)

# Avalanche Preserve Recreation Area Conceptual Trail Design Report

February 2015



Prepared By: International Mountain Bicycling Association  
Trail Solutions Program  
4888 Pearl East Circle, Ste. 200E  
Boulder, CO 80301





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## Overview

With assistance from the Top of Michigan Mountain Bike Association, the International Mountain Bicycling Association's Great Lakes Regional Director Andy Williamson identified Avalanche Preserve Recreation Area as having great potential for shared use natural surface trail development. At his request, staff from IMBA's Trail Solutions Program visited the site during November 2014 to evaluate current conditions and conceptualize future shared-use natural surface trail development opportunities at the site. The results of that fieldwork are contained in this report.



*Autumn leaves cover the ground on one of Avalanche Preserve Recreation Area's many hills.*





Area's current recreational amenities include an outdoor skating rink, 18-hole disc golf course, sledding hill, observation platforms, 4.6 miles of hiking trails (as indicated on the above image and not on the park's signage), 4.6 miles of mountain biking trails and an archery range.



## Opportunities

The proposed development of a shared-use natural surface singletrack trail network in Avalanche Preserve Recreation Area benefits from the following opportunities:

### Blank Canvas

Avalanche Preserve Recreation Area's existing trail development is limited to a very defined corridor and a large amount of the park's acreage is both undeveloped and ideal wooded and sloped terrain. Typically, in established parks, one of the most significant challenges to renovating a trail system is overcoming the inertia of existing use. This will occur as Avalanche Preserve Recreation Area's trails are redeveloped but as areas currently devoid of trail development are made accessible through shared-use trails then positive momentum can be harnessed to renovate the existing trail system.

### Facilities

The planned infrastructure of Avalanche Preserve Recreation Area is ideal for supporting trail users. The large parking area can serve users arriving by motor vehicle. Restrooms and water are also available. The facilities are adequate to support a larger user group that will result from new trail development.

### Community

Boyne City has a small and dedicated community of engaged mountain bicyclists. The Top of Michigan Mountain Bike Association has already been instrumental in this project's development and this group is vested in the success natural surface trail development in Boyne City and surrounding areas.

### Synergies

The notion of "social gravity" can be used to discuss any facility. Does it provide a unique enough experience and/or opportunity to convince potential users to make the trip? Is it possible to create bicycling facilities that by itself rise to this level? (Boulder, CO's 40-acre Valmont Bike Park being the best example). Most bike parks depend on synergy with other facilities to contribute to their ultimate success:

- The easiest synergy is **connection with a traditional multi-use singletrack trail system**, especially if this is a local destination. Even a modest system can be a good partner for a bike park, and combining a modest bike park with a small trail system can turn both into area destinations. The development of a modestly sized bike park adjacent to the main trailhead within Avalanche Preserve Recreation Area can complement natural surface trail development.



- **Connection to a paved and/or transportation trail network** provides good synergy as well. In many metro areas, the barrier to entry is the bike ride to the park, whether it is unsafe or too lengthy. Safe and close connections from one's backdoor to a bike park would turn an otherwise small development into a veritable attraction. Avalanche Preserve Recreation Area is ideally situated near enough to Boyne City's population base that it is currently accessible by walking or biking. Improvements to the core area described in the 2010 Master Plan would further enhance these connections.



## Constraints

### Existing Use/Users

According to the 2010 Master Plan documents Avalanche Preserve Recreation Area has a passionate user base. These vested users are vocal about their varying visions for this site's future. Indeed, an excerpt of the report's executive summary is:

This plan in at least some respects is neither fully satisfying nor completely stable in its conclusions... The common theme, therefore, is not a plan that has secured overwhelming support and favor. The common theme is passion. People have a passion about Avalanche. They are passionately for or against something, and frequently both during the same meeting.

This seemingly intractable inability to unite behind a common vision could prevent Avalanche Preserve Recreation Area from ever formulating a developmental direction to best serve area residents.

### Existing and Proposed Development

Existing use is poorly managed due to a dearth of trail signage. Only one map of the trail system exists at the site. It is located on a three-sided kiosk just off the parking area but the map itself is not visible from the parking area. It is conceivable that a user could exit their vehicle and see the kiosk but not the map before heading out into the trail system. Once a user enters the trail system no further way-finding aids are provided. This prevents a user from knowing which trails are designated for which user group.

The 2010 Master Plan contains discussion regarding snowmobile and equestrian access. While the master plan contains definitive prescription regarding the former user group the latter group has a designated trail segment located on 2010 planning documents. This conceptual design assumes both these user groups will not be included in future trail development however, should they be included then this conceptual trail plan will need to be adjusted to allow for specific trail requirements for each of these respective user groups.

### Soils

8

Avalanche Preserve Recreation Area –

9 February 20



*Erosion on the face of the former ski hill*



The sandy soil types found throughout the project site are more susceptible to erosion than clay-based soils. This is evident in the face of the former ski hill. Sustainable design standards must be strictly adhered to in order to prevent the degradation of Avalanche Preserve Recreation Area's natural resources.

### **Project Site Fragmentation**

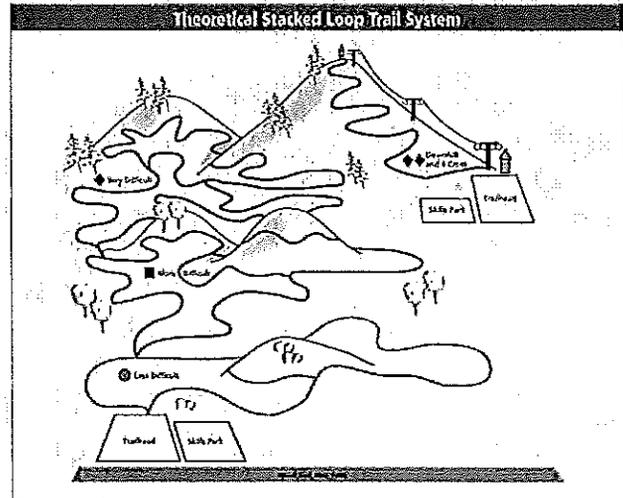
The site has several significant restraints that limit development options. The north-facing former ski hill is utilized for sledding and paralleled with a wooden staircase. An active archery range is located on the western edge of the site. Several low-lying areas are on the eastern edges that are unsuitable for natural-surface trail development. All these sites and more constrain available options for trail development.



## Proposed Tracks/Trails

The objectives of the proposed trail system are as follows:

- Create a stacked-loop, bike-optimized and shared-use singletrack trail system that appeals to a wide spectrum of abilities, from families and beginners to users with advanced skills and fitness.
- Create a trail system that is environmentally and socially sustainable and best highlights the natural beauty of Avalanche Preserve Recreation Area.
- Create a trail system that interacts well with planned park infrastructure.
- Create a bike-optimized, shared-use trail system that focuses on progressive skills development but favors beginner and intermediate level users in order to grow participation.
- Create a small bike park located at the trailhead.



*A theoretical stacked-loop trail system.*

### Overview

The trail system consists of a series of stacked loops and contains trail segments for users of all abilities (please see the Avalanche Preserve Recreation Area conceptual trail plan in the appendix). It can be accessed from the main trailhead developed with additional bicycle-specific amenities.

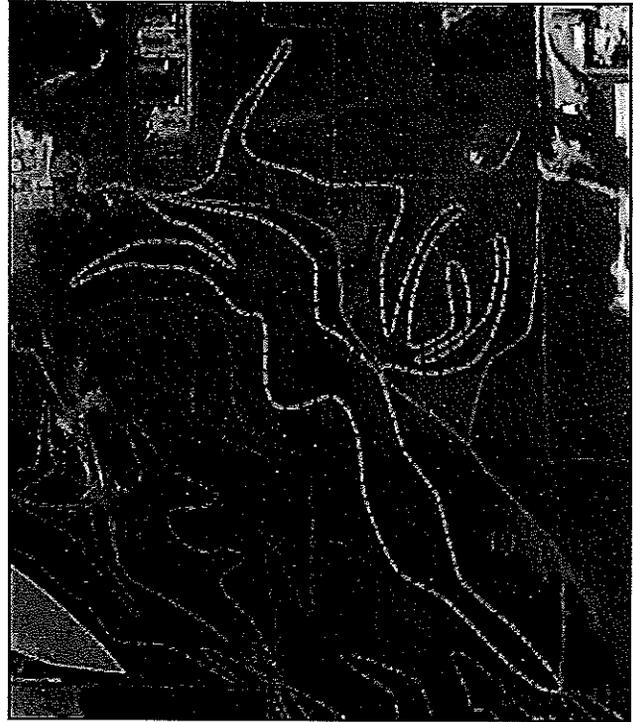


*The proposed trails will showcase Avalanche Preserve Recreation Area's beautiful natural resources.*



## Easy Trails

The easy trails are accessible from the east end of the parking area. They include the realignment of unsustainable segments of existing hiking and mountain bicycling trails as well as new development. The realignment of existing trail will address issues with trail separation, the preservation of a natural trail experience and correction of poor alignment to ensure sustainability and erosion resistance. The easy trails will offer users up to three separate loops with over three miles of designated trail. Typical construction costs are approximately \$4 to \$10 per linear foot.



*The easy trail concept is shown in dashed-green.*



### More Difficult Trails

The more difficult trails are accessible from the west end of the parking area and from the southernmost point of the easy trails. They include segments of existing sustainably aligned mountain bicycling trail as well as new development. The more difficult-level trails will offer users nearly seven miles of trail experience and multiple loop options. Users will be able to self-select the length of experience they desire. Typical construction costs are approximately \$4 to \$10 per linear foot.

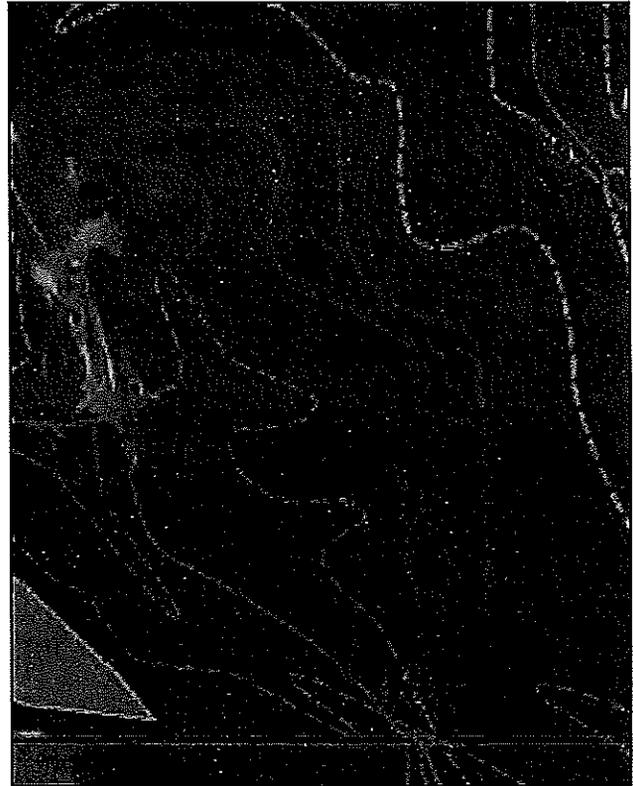


*The more difficult trail concept is shown in dashed-blue.*



### Very Difficult Trails

The very difficult trails are approximately one mile in length and are located on the steepest slopes of the project site. The terrain allows for steeper trail grades. Although the very difficult trails located in close proximity to easy level trail they are purposefully inaccessible from any easy trails. Trail users must access the very difficult trails through a segment of more difficult trail. This deliberate separation will assist in proper risk management by ensuring no easy level trail users inadvertently enter very difficult level trail. Typical construction costs are approximately \$4 to \$10 per linear foot.

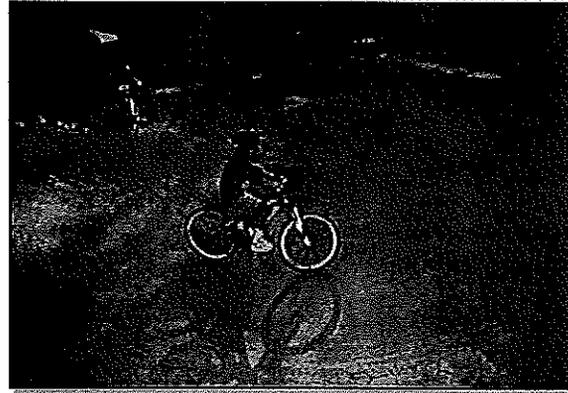


*The very difficult trail concept is shown in dashed-red.*



### Easy/More difficult Pump Park

A pump park is designed for a range of skill levels to allow cyclists to learn and perfect their riding skills. Pump parks are multi-directional and allow users to create their own routes through the rollers, berms and features while pump tracks generally have a direction of use. A pump park will foster more organic and creative riding guaranteed to stimulate skilled riders for years to come. Typical construction costs are approximately \$10,000 to \$30,000 for a natural surfaced pump track/park and \$45,000 to \$100,000 for a prefabricated pump track.



*Users of all ages and abilities can utilize a pump park to participate in active outdoor recreation.*

### Skills Trail

Users looking to practice technical riding skills in a low-consequence environment can utilize the Skills Trail. This trail can feature numerous optional skill stations, where users can practice on features designed to teach basic mountain bicycling skills. Typical construction costs are highly dependent upon the quantity and quality of desired skills stations. Skills station construction costs are approximately \$3,000 to \$10,000 each and the Skills Trail constructions costs are approximately \$5 to \$10 per linear foot.

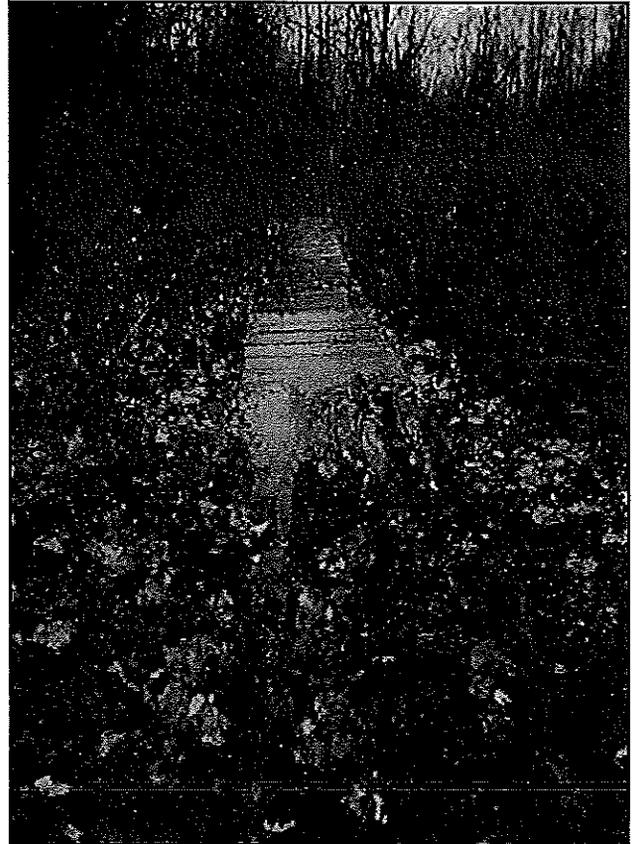


### Additional Proposed Avalanche Preserve Recreation Area Design Considerations

Avalanche Preserve Recreation Area serves many separate user groups. Providing a quality experience for each user group should be at the forefront of any trail design considerations. Because Avalanche Preserve Recreation Area is only approximately 300 acres it is recommended that equestrians and motorized trail users be excluded from the site. There is simply not enough area to provide a quality trail experience for these user groups and simultaneously maintain a quality trail experience for other user groups.

It is recommended that all trails be managed as shared-use (hiking, biking, trail running) except for the hiking/disc golf route as indicated in purple on the conceptual plan map. This trail should be single-use to preserve the disc golfers' experience and allow a route that can be utilized by larger hiking groups. This route can also serve as a potential emergency access route.

Sustainable portions of the existing hiking-only and mountain bicycling trail are incorporated into the conceptual plan but considerable segments of each must be closed and reclaimed in order to prevent the continued degradation of natural resources and preserve a quality trail experience for user groups.



*Poorly designed mountain bicycling trail degrades natural resources and does not provide a quality trail experience. It is recommended that poorly designed trail be closed and reclaimed.*



## Next Steps

Upon this report's adoption the creation of construction documents can begin. This step necessitates additional fieldwork to ground-truth the conceptual plan. This will necessitate flagging and collecting GPS data on any revised corridors. A more detailed cost estimate will be created based upon the final construction documents.



## Attachments

Avalanche Preserve Recreation Area Conceptual Design Plan

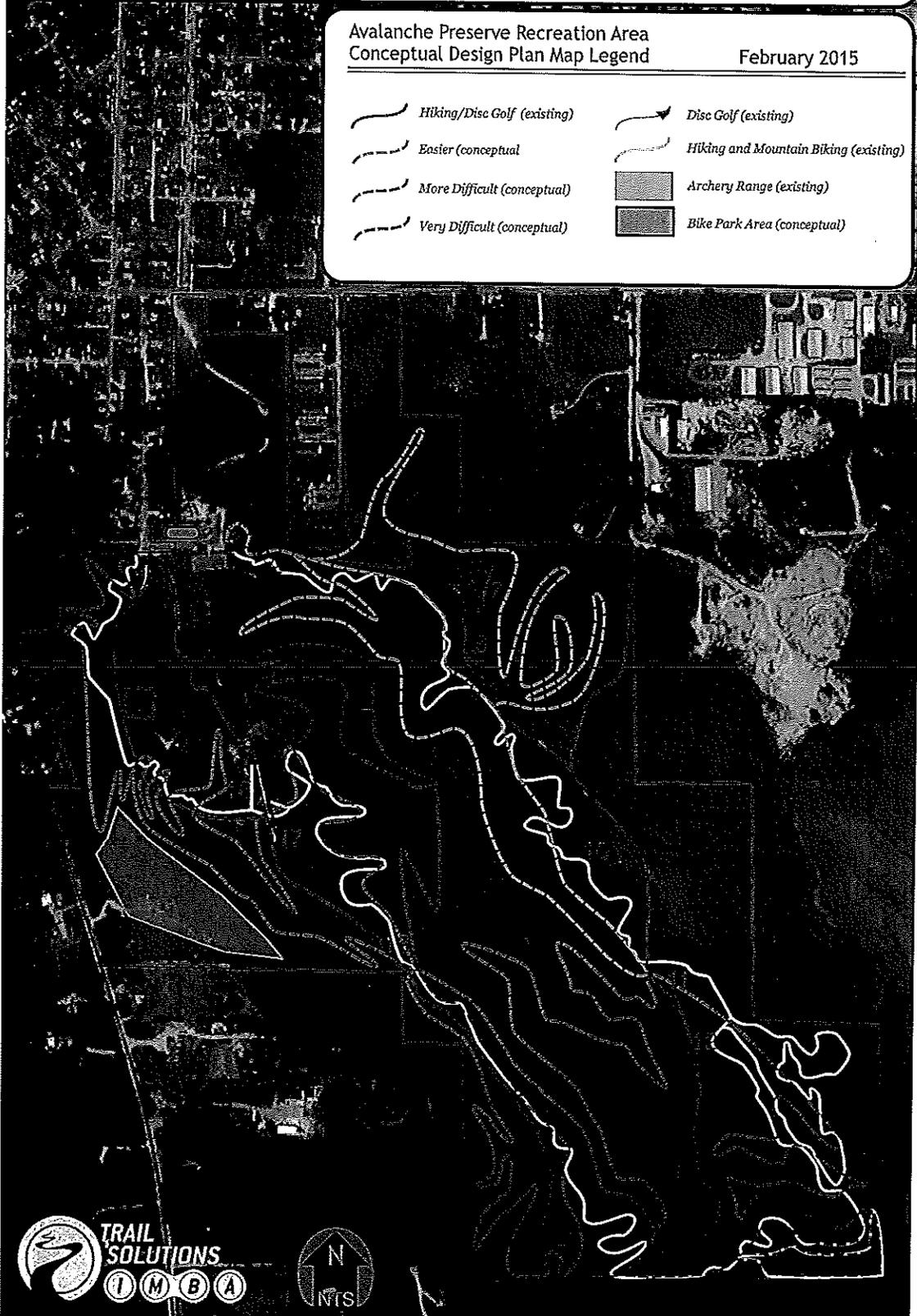
# Avalanche Preserve Recreation Area - Boyer City, MI Conceptual Design Plan



Avalanche Preserve Recreation Area  
Conceptual Design Plan Map Legend

February 2015

- |  |  |
|--|--|
|  <i>Hiking/Disc Golf (existing)</i> |  <i>Disc Golf (existing)</i>                  |
|  <i>Easier (conceptual)</i>         |  <i>Hiking and Mountain Biking (existing)</i> |
|  <i>More Difficult (conceptual)</i> |  <i>Archery Range (existing)</i>              |
|  <i>Very Difficult (conceptual)</i> |  <i>Bike Park Area (conceptual)</i>           |



## MEMORANDUM

**TO: MICHAEL CAIN; CITY MANAGER**

**FROM: ANDREW KOVOLSKI; PUBLIC WORKS SUPERINTENDENT**



**DATE: 5/7/2015**

**RE: TRUCK 4 REPLACEMENT BIDS**

As you are aware Truck 4, the 2004 Ford F-350 1 ton dump truck with a front plow, is due for replacement. It has been in service with the City for 11 years. We have two vehicles of this type in the fleet. Truck 22 is the other and is a 2012 model year. Even with the reduction in staff this vehicle is still needed for plowing in the winter as we plan to utilize other staff to continue the plow route it takes care of. In the warmer seasons this vehicle is utilized by the Street Department for its work. During budget review with the City Commission there was a very lengthy discussion about the need to replace this vehicle. Ultimately the Commission approved its replacement and the funds allocated for it.

This unit has served the City well but is becoming unreliable. There are currently 102,334 miles on this truck. We have had to put numerous patches on the floorboards as well as the dump box. The rear pivot pins on the dump box need replacing at this time also. The cost to repair the pivot pins would be approximately \$1500.00. The snowplow on this truck is worn out also. All the pivot points are worn badly as is the hydraulic system.

We typically purchase this type of vehicle as a cab and chassis and bid out the dump box and snowplow to truck equipment suppliers. Attached to this Memorandum you will find a quotation from Bob Mathers Ford of Boyne City for a 2012 F-350 cab and chassis in the amount of \$26,086.76. The state purchase plan price for this vehicle is \$25,775.00 plus a delivery charge of \$544.00 from the supplying dealer making the total price \$26,319.00.

Bid Specifications for the dump-box and front snowplow were advertised and opened on April 18, 2015. Included in the bid specifications this time was an option price to change the Straight blade plow to a V-plow. This truck plows snow in a lot of large open areas; and we feel the scoop option the V-plow provides will make plowing them and cul de sac's much more efficient. Bids were received from Truck and Trailer Specialties of Boyne Falls in the amount of \$14,674.00 base bid plus \$5,369.00 for the optional plow; and Cannon Truck Equipment of Shelby Township, MI in the amount of \$19,052.00 base bid plus \$6,527.00 for the optional plow. We have specified a complete stainless steel dump box system for this purchase. The cost difference of approximately \$2,000.00 over a regular steel box will be offset by the fact we will be able to use the stainless box

system on multiple vehicle replacements. We also specified a Boss snow plow for this truck. The reason we were brand specific on the snowplow is to keep all snowplows we have the same manufacturer. Fewer parts to inventory and they can be used on all 4 of the trucks with front mount snowplows. Truck and Trailer Specialties has been the low bidder for the last five truck equipment bids; including the large dump trucks and the sander.

**RECCOMENDATION:**

It is my recommendation that the City Commission award the contract for the purchase of the 2016 Ford F-350 Cab and Chassis to Bob Mathers Ford of Boyne City in the amount of \$26,086.76 and authorize the City Manager to sign the required documents. It is also my recommendation that the City Commission award the contract for the purchase and installation of the Dump-box system with the optional Boss V-blade Snowplow to Truck and Trailer Specialties of Boyne Falls in the amount of \$20,043.00 and authorize the City Manager to sign the required documents. Funds for this purchase were included in this fiscal years Motorpool budget.

**OPTIONS:**

1. That the matter be postponed for additional information or consideration.
2. That the matter be rejected.
3. Other options as determined by the City Commission

RETAIL

F350 4X4 CHAS/C \$36820  
 141" WHEELBASE  
 EQ RACE RED  
 A VNYL 40/20/40  
 S STEEL  
 640A PREF EQUIP PKG  
 .XL TRIM  
 572 .AIR CONDITIONER NC  
 .AM/FM STER/CLK  
 996 6.2L EFI V8 ENG NC  
 44P 6-SPD AUTOMATIC NC  
 TBM LT245 BSW AT 17 165  
 X37 3.73 REG AXLE NC  
 LESS TPMS  
 14000# GVWR PKG

SP FLT ACCT CR  
 FUEL CHARGE  
 B4A NET INV FLT OPT NC  
 PRICED DORA NC  
 DEST AND DELIV 1195

TOTAL BASE AND OPTIONS 38615  
 TOTAL 38615  
 \*THIS IS NOT AN INVOICE\*

RETAIL

41H ENG BLK HEATER NC  
 425 50 STATE EMISS NC  
 473 SNOW PLOW PKG 85  
 JOB #1 BUILD  
 512 SPARE TIRE/WHL2 350  
 61J JACK NC  
 65Z AFT AXLE TANK NC  
 SP DLR ACCT ADJ

TOTAL BASE AND OPTIONS 38615  
 TOTAL 38615  
 \*THIS IS NOT AN INVOICE\*

\* MORE ORDER INFO NEXT PAGE \*  
 FB-Next

BOB MATHERS FORD  
 224 Water St.  
 Boyne City, MI 49712  
 231-582-6543

Bid Price for 2016 F350 G.C. 4x4  
 Sale Price \$33936.76  
 title 15.00  
 total \$33951.76  
 -rebate 7865.00  
 Total \$26086.76

I will meet all of the requirements and provide all of the services for the amounts listed on the attached bid sheet for the items listed in this document.

The undersigned, by execution of this contract, certifies that he/she is the President of the firm named as Truck & Trailer Specialties that he/she signs the bid on behalf of the firm and that he/she is authorized to execute the same on behalf of said firm.

Company: Truck & Trailer of Boyne Falls Inc.

Address: P.O. Box 473, 00399 US 131, Boyne Falls, MI 49713

Phone: 888-603-5506

Authorized Agent: Butch Cone

Signature: *Butch Cone*

Title: President

Date: April 21, 2015

EQUIPMENT	PRICE
Complete Dump Body Assembly including Body, Hoist System and Rear Hitch-Plate installed price	<u>\$10,259.00</u>
Complete Boss 9 foot Snowplow installed price	<u>\$4,415.00</u>
<b>TOTAL PRICE</b>	<u><b>\$14,674.00</b></u>

**\*Note:** Lead time for Dump Body is approximately 6 weeks after receipt of order.  
2015 Boss Plow delivery will be approximately the middle of September

**Price for optional Boss V-Plow - installation included:** \$5,369.00 As specified per Bid

**Warranty:**

\*Crysteel Body and Hoist has 5 year warranty - First 3 years 100%, remaining 2 years 50-50 program

\*Boss Plow has 2 year warranty

attached bid sheet for the items listed in this document.

The undersigned, by execution of this contract, certifies that he/she is the Business Development of the firm named as Cannon Truck Equipment that he/she signs the bid on behalf of the firm and that he/she is authorized to execute the same on behalf of said firm.

Company: Cannon Truck Equipment

Address: 51761 Danview Technology

Phone: 586-991-0054

Authorized Agent: GARY NOVALK

Signature: 

Title: Business Development

Date: APRIL 30, 2015

EQUIPMENT

PRICE

Complete Dump Body Assembly including  
Body, Hoist System and Rear Hitch-Plate installed price

\$ 13,438.00

Complete Boss 9 foot Snowplow installed price

\$ 5,614.00

TOTAL PRICE

\$ 19,052.00

Price for optional Boss V-Plow - installation included:

\$ 6,527.00

**To:** Michael Cain, City Manager  
**From:** Mark Fowler, W/WW Superintendent  
**Date:** 5/5/2015  
**Subject:** Aeration Blower Motor Replacement

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**Discussion**

The commission approved the repair of the bearings for blower number three, however when the blower was taken in it was discovered that the bearings had disintegrated and damaged the motor windings as well. The cost to have the motor rewind would be \$2500 plus the cost of the bearing replacement which is approximately \$1000, which was previously approved. The cost to replace the motor with a new one is \$3500. The motor would be purchased from Cummins Bridgeway in Gaylord.

**Recommendation**

I recommend that the commission authorize the purchase of a new motor.

# May 2015

May 2015							June 2015						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2		1	2	3	4	5	6
3	4	5	6	7	8	9	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28	29	30	28	29	30				
31													

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
				May 1	2 8:00am Buff Up Boyne 8:00am Farmers Market
					3
4	5	6	7	8	9 8:00am Farmers Market
	7:00am Election Day 5:00pm ZBA	8:00am Farmers Market	8:30am Main Street Board mtg. 6:00pm Parks & Rec		10 Mother's Day (United States)
11	12	13	14	15	16
12:00pm EDC/LDFA	7:00pm City Commission	Mushroom Fest (Veterans Park)			
		Boyne Valley Trail Fundraiser-Red 8:00am Farmers Market		Marina Open	8:00am Farmers Market
					17 Mushroom Fest (Veterans Park)
18	19	20	21	22	23 8:00am Farmers Market
5:00pm Planning Commission	7:00pm Historic District	8:00am Farmers Market 6:30pm Ride of Silence			24
25	26	27	28	29	30 8:00am Farmers Market
Memorial Day Parade/Events (Uni	12:00pm City Commission	8:00am Farmers Market			31

# June 2015

June 2015						
S	M	T	W	T	F	S
7	1	2	3	4	5	6
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

July 2015						
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
June 1	2	3	4	5	6
	5:00pm ZBA	8:00am Farmers Market	8:30am Main Street Board mtg. 6:00pm Parks & Rec		8:00am Farmers Market
8	9	10	11	12	13
	7:00pm City Commission	8:00am Farmers Market		Household Hazardous Waste Collection	Mich Mtn. Mayhem (Peninsula Beach) 8:00am Farmers Market
					Flag Day (United States)
15	16	17	18	19	20
5:00pm Planning Commission 7:00pm Historical Commission		8:00am Farmers Market			8:00am Farmers Market
					Father's Day (United States)
22	23	24	25	26	27
	12:00pm City Commission	8:00am Farmers Market	5:30pm Airport Advisory Board		SOBO Arts Fest (Peninsula Beach) 8:00am Farmers Market
29	30				