



BOYNE CITY
CITY COMMISSION REGULAR MEETING
Boyne City Hall
319 North Lake Street
Tuesday, May 27, 2014 at Noon

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. CONSENT AGENDA
The purpose of the consent agenda is to expedite business by grouping non-controversial items together to be dealt with by one Commission motion without discussion. Any member of the Commission, staff, or the public may ask that any item(s) on the consent agenda be removed and placed as the last item under new business to receive full discussion. Such requests will be automatically respected.
 - A. Approval of the May 13, 2014 City Regular City Commission meeting minutes as presented
 - B. Approval of the recommendation from the Planning Commission to reappoint Jim Kozlowski to the Planning Commission for a three year term expiring May 31, 2017
 - C. Approval of the recommendation from the Planning Commission to reappoint Jane MacKenzie to the Planning Commission for a three year term expiring May 31, 2017
 - D. Approval of the recommendation from the Planning Commission to reappoint Jason Biskner to the Planning Commission for a three year term expiring May 31, 2017
 - E. Approval of the Planning and Zoning Service contracts for Evangeline Township in the amount of \$26,088.15 and Wilson Township in the amount of \$37,669.74 and authorize the City Manager to execute the documents
4. HEARING CITIZENS COMMENTS (on non-agenda items; 5 minute limit)
5. CORRESPONDENCE
 - A. Correspondence from the State of Michigan Department of Community Health regarding fluoride
 - B. The May 13, 2014 Resolution Recognizing the 200th Anniversary of the National Anthem of the United States of America
6. CITY MANAGER'S REPORT
7. REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES
8. UNFINISHED BUSINESS

9. NEW BUSINESS

A. Noise Ordinance Report

Discussion and possible consideration to direct staff to develop a noise ordinance for the City of Boyne City

B. Beach Water Quality Monitoring Program

Consideration to approve a contract for beach testing at Peninsula Beach only with the Health Department of Northwest Michigan for 2014 and authorize the City Manager to sign the required documents

C. Sale of Excess City Property

Discussion and direction for the disposition of City properties, identifying any parcels that should be disposed of and direct staff to proceed with completing the transactions for the sale of any identified properties

D. Smart Commute Week Proclamation

Consideration to proclaim June 2 – 5, 2014 Smart Commute Week in the City of Boyne City

10. GOOD OF THE ORDER

11. ANNOUNCEMENTS

- The presentation of proposed City Facilities will be Tuesday, May 27, 2014 at 6:00 p.m. at the Boyne Area Senior Center
- The next regular City Commission meeting is scheduled for Tuesday, June 10, 2014 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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**MAY 13, 2014
REGULAR MEETING**

RECORD OF THE PROCEEDINGS OF THE REGULAR BOYNE CITY COMMISSION MEETING DULY CALLED AND HELD AT BOYNE CITY HALL, 319 NORTH LAKE STREET, ON TUESDAY MAY 13, 2014

CALL TO ORDER

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

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

Staff: Michael Cain, Cindy Grice, Scott McPherson, Jeff Gaither, Barb Brooks, Dan Meads, John Lamont, Kyle Smith, Kevin Spate, Annie Doyle, Andy Kovolski and Hugh Conklin

Others: There were 49 citizens in attendance including representatives from the Petoskey News Review, Charlevoix County News and Boyne Gazette

**CONSENT AGENDA
MOTION**

2014-05 061
Moved by Towne
Second by Sansom

2014-05 061A
Approval of the April 22, 2014 City Regular City Commission meeting minutes as presented
2014-05 061B
Approved City Manager Michael Cain to sign the necessary documentation to accept the Charlevoix County Community Foundation grant for the SOBO Arts Festival

Ayes: 5
Nays: 0
Absent: 0
Motion carried

CITIZENS COMMENTS

Gene Barfield presented to and requested the City Commission approve a resolution in support of the 200th birthday of the National Anthem. City Manager Cain said he has read the proposed resolution and would recommend approval.

2014-05 062
Moved by Sansom
Second by Gaylord

To adopt a resolution of support of the 200th Anniversary of the National Anthem and create and adopt a appropriate version of the resolution for the City of Boyne City

Ayes: 5
Nays: 0
Absent: 0
Motion carried

John Mccahan said he is happy to hear that the City is now putting together a noise ordinance. He now sees two for-sale signs on the Thirsty Goat and Movie Theater and would like to see the City or Main Street buy the Theater. He would be opposed to the 2nd floor being leased back to bar owners, etc.

Par Kujawski provided the Commission with information regarding groundwater from Division Street on her property on Earl Street.

Ron Crozier discussed the Memorial Day Schedule.

Chip Hansen from the Charlevoix County Community Foundation presented a check for \$4,900 of which \$1,900 is for the SOBO Arts Festival Big Band, and \$3,000 for the Dog Park from the IMI Community Fund.

CORRESPONDENCE

Mayor Grunch proclaimed May 11 – 17, 2017 as National Emergency Medical Service Week, National Police Week and National Public Works Week.

Police Chief Jeff Gaither presented a Certificate honoring Police Officer Kyle Smith for his assistance to a mother delivering a baby in an emergency situation. Mother and infant are doing very well.

City Manager Cain reported:

CITY MANAGERS REPORT

- Happy New Fiscal Year
- Construction began last week on the One Water project.
- Work has begun on the first phase of Division and Pleasant streets.
- Advertisement for the position of Main Street Director has begun. Applications are due on June 4th.
- The last day for the Army Corp to accept comments on the marina expansion is today
- The marina is scheduled to open May 15
- The Mushroom festival is this coming weekend.

Draft Minutes of the April 3, 2014 Parks & Recreation Advisory Board Meeting; the April 10, 2014 Main Street Board Meeting; the April 15, 2014 Historic District Meeting; the April 21, 2014 Planning Commission Meeting and the April 23, 2014 Airport Advisory Board Meeting were received and filed.

REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

Consideration to approve Ridge Run as the name of the Dog Park located on Ridge Street, and direct staff to proceed with implementation of the proposed dog park rules after any input from the City Commission and Police Department.

Dog Park-Name and Implementation of Rules

DPW Superintendent Andy Kovolski presented the Commission with a request to name the Dog Park to Ridge Run Dog Park and also a list of recommended rules and regulations. The Parks and Recreation Board members unanimously supported the recommendation of the name and proposed rules.

Food Truck Discussion

Staff Comments: None

Citizens Comments: Scott MacKenzie said we are blessed to have the individuals who have helped.

Board Deliberation: Commissioner Sansom likes the name. Commissioner Gaylord said he does not recommend approval. Mayor Pro-Tem Towne said the rules are self explanatory and he supports the recommendation. Commissioner Neidhamer said the names and rules are the natural progression. Lots of hours and people have been involved and a reflection on the community when good things can happen in a goal. He is in full approval. Mayor Grunch also supports the recommendation and thanked everyone involved.

2014-05 063

Moved by Neidhamer

Second by Towne

To approve Ridge Run as the name of the Dog Park located on Ridge Street, and direct staff to proceed with implementation of the proposed dog park rules after any input from the City Commission and Police Department.

Ayes: 4

Nays: 1, Commissioner Gaylord

Absent: 0

Motion carried

Mobile Food Vending

Consideration that the City Commission review the proposed ordinance language and fee schedule and introduce this ordinance and set a second reading and a public hearing on June 24th.

Assistant Planner Annie Doyle presented the draft ordinance language for mobile food vending in Boyne City. As a result of public comments, staff has amended the recommendations to include a 50 foot buffer zone around operating restaurants. This setback would not allow mobile food truck vendors to operate within 50 feet of the property line of an operating restaurant in the designated private property areas. A proposed fee schedule was also presented as follows: A \$25 application fee (for all applicants), an \$840 permit fee for operating on public and private locations. A \$420 permit fee for operating on private property only and \$0 permit fee if applicant owns an operating restaurant on City tax rolls.

Staff Comments: Planning Director Scott McPherson said a lot of effort, communication and listening went into this. He encourages the Commission to consider this. Hugh Conklin said the Main Street board is fully supportive of this and also appreciate the business community members that have been involved in this.

Citizens Comments: Gayle Harbaugh of Kilwins inquired how the 50' was determined. 50 feet wouldn't protect her business she is hoping that it would be 100 to 150 feet. Also, her sales went down when another like business came in 3 years ago.

Mike from Thick & Juicy said Hugh and Annie were great to work with. 93 feet gives him a safe buffer. 100 feet would still not cover Kilwins. If Mather's Ford chooses to use their lot, the 50 feet wouldn't protect the BRI. Those are 2 private parking spots the 50 feet limit wouldn't protect.

50 feet is just not enough. He added he thinks the fees were more than fair.

Brian Fround, an ice cream truck owner, said he doesn't feel like he is true competition. He can only make 150 scoops of ice cream per day and hopes this allows the ice cream people more leeway. He added he thinks there are enough ice cream sales for all of us.

Shelly Bush, a mobile ice cream vendor said the fees are a lot for a 4 month per year vendor. There's room for everyone. Maybe there can be a concession a day a week. Where would these fees go? Could they be invited by someone during Stroll the Streets. She doesn't want to be downtown, but in a park. It's a safety issue and there should be a designated area so people would know where they want to go. She just recently put \$4,000 in the business and thru depreciation has already lost money on her trailer which will depreciate every year. If you treat your customer right, they're going to go there. Maybe the Farmer's Market could extend hours. Not many people will buy hot dogs and ice cream before noon.

Jim Baumann said the Chamber has not taken a formal stand, but he thinks the proposal is a good one. There are a lot of options and he thinks two public locations are good ones.

Chris Meyer, who owns a brick and mortar business said he thinks this is a well crated proposal.

Board Deliberation: Commissioner Neidhamer inquired how the 50 vs 100 foot setback was looked at and is 100 feet too prohibitive? Annie said they looked at other communities and their setbacks and the 100 feet is definitely more so. Commissioner Neidhamer said he is in support of this; staff has brought forward a justified and fair fee schedule. Let's try 50 feet. Mayor Pro-Tem Towne asked if any consideration was given for truck size and number of them allowed and was informed only four could open on public property, no limit on private. Mayor Pro-Tem Towne said he supports.

Commissioner Gaylord said he was the one who asked for the maps. This topic has been an extreme balancing act. He feels no less than a 50 foot setback, but between 50 and 100 feet. If someone wants to, they could petition and we could discuss it. He has struggled with the concept of food trucks in downtown where the restaurants are and strongly encourages 100 feet. He inquired why the Chamber hasn't taken a stand and was informed that no one vehemently objected but the board has not taken a stand. Commissioner Gaylord asked Shelly Bush if she had a back up plan. One of our businesses in town already donates money to the Little League. Where is it described in the ordinance the locations? He sees that the ordinance has gone beyond licensed vehicles allowed. His research shows most community have spots that are first come, first service. It should be clear that we are limiting spots. Language should be for a motor vehicle licensed for roads and we're looking for a self-contained mobile food truck.

Commissioner Sansom said she doesn't care for the "other device" terminology and is in favor, but in a limited way. If it doesn't affect current businesses, she would like to see 100 feet.

What about truck length? Annie said it could be considered. Commissioner Sansom said in general, it's a well stated ordinance. Commissioner Grunch said he is in support of the recommendation if be brought back for a second reading. He added that anything under a 100 foot setback could be a disadvantage to a brick and mortar business.

Commissioner Gaylord said he already knows he's going to hear that we are giving away parking with regards to Park Street and are we moving forward with language including licensed motorized vehicles only? Commissioner Neidhamer said he doesn't want to be too restrictive and doesn't have a problem with a food cart.

2014-05 064
 Moved by Towne
 Second by Neidhamer

To review the proposed ordinance language and fee schedule and introduce this ordinance and set a second reading and a public hearing on June 24th.

Ayes: 5
 Nays: 0
 Absent: 0
 Motion carried

Consideration that the City Commission maintains the City's current fluoridation levels of 0.7 mg/l.

Water Fluoridation

Water/Wastewater Superintendent Dan Meads discussed the recently raised question regarding fluoridation of the Boyne City public water system. Fluoridation is voluntary and not mandated in Michigan. On May 8, 1973 an ordinance rejecting the addition of fluoridation of the City of Boyne City's water system. In November of 1973, a ballot proposal to add fluoride to the City's water system was approved by voters. We are presently still adding fluoride and operating the water system in compliance with all current regulations. The amount of fluoride that is in our water has been consistently reported in our annual Water Quality Reports.

Fluoridation of public water systems was undertaken over a half century ago as a benefit to public health. Most of the major health and dental organizations are still strongly in support of the program. The recent availability of fluoridated toothpaste, mouthwash and other products has raised the question as to whether the public was getting too much fluoride and if this could be a potential health risk. The Center for Disease Control began a review and in 2011 issued a recommendation lowering the recommended dosage in drinking water from the 1 to 1.1 mg/l limit at that time to the present limit of 0.7 mg/l. We have a natural fluoride level of 0.35 mg/l in our north well field and with the new recommended limit, we have no problems maintaining that level. That natural fluoride level at our south well field is generally less than 0.15 mg/l. So we will always have some fluoride in our water, but if we cease supplementing the naturally

occurring fluoride, we will have what many consider a non-effective dosage for improving dental outcomes. Many communities in our area add fluoride to their water, but Petoskey, Gaylord and Kalkaska do not.

There have been strong opinions on both sides of fluoridation of the public water supplies since its beginning. Information has been collected representing both the pro- and anti-fluoride groups and from the state, federal and medical agencies involved. It is being recommended to maintain our current levels of fluoridation at 0.7 mg/l which is no change to our program at this time.

Citizens Comments: Dr. John Meyerson, Medical Director of the Health Department of Northwest Michigan and also a pediatrician said he agrees with maintaining the level of 0.7 that we currently use. We are at the right place. There are a lot of misconceptions about fluoride. It's not a medication. It's a natural element or nutrient we need to some extent. It's found in ground water all over the world. Community programs adjust that level to the ideal concentration for public health. You need it at some concentration to be beneficial. Like, other things, too much is not good. There can be toxic levels. Just like a lot of vitamins you can't live without, there are toxic levels. Studies have repeatedly and consistently shown that fluoride efficiently reduces tooth decay. The Center for Disease Control says that community water fluoridation is one of the 10 greatest additional to health care. Looking at school screening data and those children who need to be referred because of tooth decay, Gaylord currently does not fluoridate and has a 28% dental referral rate in children. Mancelona does not fluoridate their water and have a 30 % referral. East Jordan and Boyne City who do fluoridate their community water have an 8% referral rate. The health department is seeing it make a difference; it's a passive public health intervention. Vitamin D is added to milk, folic acid is in flour and cereals. It's the same sort of deal. For every dollar spent on water fluoride, \$38 is saved in dental costs. He urges the commission to look at what the research says, what the benefit is. He respects those who don't want it added to their water. Dr. Meyerson added that he doesn't know of any dentist, physician or scientist organizations that don't agree to support community water fluoridation. He provided a letter of support from two doctors at Boyne Area Medical Center also supporting to continue community water fluoridation.

Dr. Tom Veryser, a public health dentist said this is his back yard and what he does. He operates 22 clinics that serve at-risk kids and their parents. It all started here in Charlevoix County. In doing so, he can appreciate the severity of the problem. We're talking about a disease and he is speaking as a person who sees the suffering children go thru and to deny them the opportunity of wellness when perhaps their parents won't or can't help is a mistake. He added that he prays the people in the decision making power will see the wisdom of the science, that in safe dosages, this is a safe product.

Mitchell Heick, said he doesn't drink fluoride, they have well water. He was taught good dental hygiene and now uses natural, no fluoride toothpaste. A lot of his information came from the internet

and he has seen studies showing the negative effects. Referring to a study done at Harvard, higher concentrations show lower IQ levels in kids. Fluoride is a neurotoxin. There's a huge difference between vitamins. Fluoride sodium leaches calcium from your bones. It is forced medication on the public. It's an industrial waste by-product causing way more detrimental effects than good effects. You shouldn't put what is proven to be a poison in public water.

Josh Grove, said he is a local business owner and said to take fluoride out of the water. If you agree fluoride is good for your teeth, common sense is to use fluoride toothpaste. Taking it out of the water is the main thing. Mr. Grove provided information from the Mosaic Company that sells what Boyne City puts in the water supply. It's a by-product of phosphate fertilizer industry. Its not natural fluoride. Primary use, it's an industrial chemical that is corrosive to the skin, eyes and mucous membranes thru direct contact. We're taking showers in this water. Causes severe irritation and burns. Mr. Grove read further information regarding the product and its adverse effects.

Scott MacKenzie said he lives in Boyne City and drinks the water. Did you know if you drink too much water, you can drown? The things Josh is talking about are in large quantity. The bottom line is its a health benefit for our community in small amounts. Anything in excess is not good. Trust the folks putting it in. Bottom line, it's good for our community and good for our health and children.

Justin Weisler said his major concern is freedom of choice. We have plenty of choices in fluoride availability. He doesn't feel like he should have to have it added in the water. How many students are in the city limits? He doesn't feel 100% of the study either way. Why have it when there are other ways to get it.

Dr. Richard Fish, a dentist, said when he moved to Boyne City, there was no fluoride. Tooth decay is literally non-existent now. He would question the study done in China. Enamel is the hardest substance in the body. The application of topical solution does prevent decay. We see high school kids who have no cavities at all. You can make a case that any amount is too much. If you're going to do away with fluoridated water, you might as well do away with mumps and measles vaccines. Here we have the greatest tool available to the community. Dr. Fish added he feels strongly about this. You pulled me out of retirement to help fight this. Please help us get thing thru and leave it alone.

Dr. Jennifer Larson, a dentist said she commends everyone that came here on both sides of the issue. Everyone here has good intentions. We all want what's best for our families and our community so to care enough to come here is commendable. She said both sides have passion supporting their thoughts. As far as her professional opinions on the matter, a lot of the negative is flawed science. On the other hand, we have the benefits of properly conducted scientific research. She added that she read an excerpt of the Harvard study that has been referenced and it didn't adhere to research protocol that makes a study valid. She is backing up the

reputable associations like the ADA, American Medical Association, World Health Organization and others. It's not time to stop trusting them now. We have the benefit of looking at real life experience that started in Grand Rapids in 1945. We are also looking at real life study. Proper dosage so it's not a neurotoxin, is important so teeth will come in strong.

Kathy Kipapa said it's well known in the medical field that a proper diet causes us to have good teeth and good bones. Without that, just like in the middle east they have bad health. We live on processed foods. The studies don't include what people are consuming. We are one of the sickest countries in the world. We take 50% of all pharmaceuticals in the whole world. When you talk about fluoride, its common sense that when someone tells us to take a chemical, 25 percent of it remains. You are absorbing it under your tongue. It's in your water and absorbed in your feet. It's not natural at all. The chemical waste companies have decided that we can pay them to get rid of their waste. When we can have a government even in the smallest amount tell us its okay to consume. It's being dumped in the water system ground and becomes toxic. Every time you do your laundry or wash your dishes, it's slowly builds up into the ground and becomes toxic to the earth. Hitler had fluoride in his death camps in the water. It's a well known fact. Syria used sodium fluoride to kill a population. It's a chemical weapon people. She added she doesn't care what the doctors say. They have passed so many drugs, like agent orange. This is really one sided.

Brian Thurston, MDEQ District Engineer said the form at which the City purchases is 25%. The chemical as you put it into your water is very concentrated. Adding it to the water is done with precise equipment. Oversight is provided to the community. He encourages the community to continue to add fluoride.

Jinny Heick, said fluoride is more toxic than lead and slightly less than arsenic. It's an industrial waste product that saves billions of dollars per year. This is a very depressing story It goes back to the Manhattan Project. Its' the science of deceptions. She referred to "The Fluoride Deception" It is agent orange science. Aluminum creates fluorides. They had massive tons of fluoride that poisoned many people. Bringing fluoride in is a con on the American people because the government got with big business. So many people were becoming sick and so many lawsuits were looming. To this day, it benefits big business. They don't pay a penny and dump it in our water. Maybe it does reduce cavities, but let me decide. She doesn't buy it, she did her research. Her pediatrician gave her sons fluoride. Oral hygiene is what we need. It's the long term effects no one talks about. What worries her is the amount of chemicals from the big industries that are in our water, in our food. Lab studies reveal all information that was suppressed. If you want to drink it, get the pill. It's a democracy issue. It's a green tree city because trees clean the air. If you want it, take it yourself, but don't put it on us.

Rose Straebel, the oral health coordinator for the health department said fluoride is a naturally occurring mineral extracted from phosphorous rock. It's not a chemical. When she does oral exams

on these kids at age 5, 6, 7 and 8 year old kids, they aren't using the fluoride toothpaste like we think they are. They forget. They aren't doing the things they need to do. When she was a kid, she didn't brush her teeth like she should have. These kids don't do this. We're doing this for our next generation.

Hugh Conklin said he drinks city water and is a little confused, why are we even talking about this? Looking at the list of goals, he doesn't see fluoride anywhere on it. Is this an appropriate discussion? Are you comfortable as a City Commission making this decision? After listening to the science do you feel that's your role to be doing this? If we spent our time and energy on things, why don't we look at street crossings where kids are trying to get to school? There are other things we should be doing. Why don't we try to improve a swimming beach for the kids? Why are we ripping ourselves apart? We should be spending time and energy on other goals. He questions the ability to do it when there are certain people who wanted to do this before there was an opportunity for the public to get involved. He added he is completely at a loss.

Ben Hanson said they're going thru this in Traverse City. They are going thru this very discussion in Traverse City in about a month. He represents Fluoride Free in TC. He says he just can't sit here and hear doctor after doctor saying fluoride is natural. Talk about a deception. That is unconscionable. There is no excuse.

Dan Meads said regarding the IQ issue brought up, most of Europe fluoridates their water thru their salt, not their water.

City Manager Cain said he didn't know too much about fluoride before we got into this process. The information Dan gathered here has been enlightening. He supports the recommendation from Dan. We are a low and moderate income community. A lot of our residents don't have access to the high level of dental care the dentists are providing thru their facilities. All Doctors take an oath to do no harm. Dentists today are talking against their own self interest. Looking back at magazines with early pictures, he can picture what Dr. Fish is talking about. People who didn't live thru the problems, don't see the benefit. We're talking about something that many American forget about how bad things were. We now have something economical and very efficient and something we should maintain. He thinks it is a direct benefit to our community. It's good that people are having a discussion. When an opinion is taken as fact he thinks there are real problems with that. He agrees with Hugh. He thinks it's a distraction from the goals the Commission has established. The evidence provided by professionals from the surgeon general on down supports the action Boyne City has taken since the 1970s. He added he can only imagine what Thelma Behling is thinking right now, a public health nurse that worked with the children of our community and helped bring fluoride to the City of Boyne City. Give us wisdom Thelma as you're looking down on us today. This is a very important decision and in his mind, the facts speak for themselves, not the passion of the issue. This Commission has an important issue for the future and implications in regards to generations of people ahead. For those who live here year

around and the youngsters. It's an emotional one for him, he has four daughters and wants to give them every opportunity to give them a good and healthy life. Glad that Boyne City has the water system that it does and thinks depending on the decision this commission makes, it may have an implication on how people look at Boyne City.

Board Discussion: Commissioner Neidhamer said he appreciates this topic. They're not experts as Commissioners, but it does fall in their lap to make this decision. He appreciates the staff preparing the 110 pages. He googled every author and also thanked the Boyne City Gazette, citizens and local professionals. 75% of Americans have fluoridated water. 90% of Michigan residents. Listed are the American Dental Assoc, AMA, American Assoc. of Pediatrics, and many other associations including local professionals who are a very impressive support of water fluoridation. In contrast, after hours of research, the opposing organizations are few, very few. There are many articles opposed, but credentials, expertise of local, national and international. I cannot in good conscious disregard the professionalism, knowledge and expertise of local, national and Michigan experts. He read the Harvard report, watched 14 videos, but they do not hold the credentials of medicine he just mentioned. He weighs the opinion of the professionals and he is in support of maintaining the current level of fluoridation.

Mayor Pro-Tem Towne read all of the documentation. He read the pro documentation from the American Dental Association. If you ingest more, you could be at risk. What he does believe is that this should all come down to choice. If there is any chance by adding it could cause any problems, his choice would be to not have it in the water. If he chooses to use fluoride he could get it in toothpaste or mouthwash. It should all come down to choice.

Commissioner Gaylord stated that this is part of their duties of representatives of the City of Boyne City. He wanted to apologize to Commissioner Sansom for dismissing it the first time she brought it up. When it was brought up again, it was worth a look and he started to research. While they're not doctors or dentists, when we look at a topic like this he looks at his core beliefs and that its individual responsibility and freedom of choice. Regards to the topic, we can replace fluoride with everything. Its a personal choice. Yes, as Dr. Meyerson said you can go get a filtration system but it's a thousand or two thousand dollars. Those who have the financial ability can choose to invest in that if they choose to not have fluoride but has heard people say they can't afford those filters. He goes back to a matter of choice of the individuals. As Dr. Veryser can confirm, for individuals who are not financially able, his organization does provide help which is a fantastic thing and it's great that we have that. He encourages individuals who may not have the means to take advantages of those services. But it goes back to a matter of choice. Bottled water gets very expensive if you want to avoid fluoride. Of all the phone calls and correspondence he did receive, he didn't receive any calls from anyone saying to keep fluoride. It has been mentioned on both sides of the aisle of different types of fluoride. It's an element, not a vitamin. If we are adding calcium

chloride, that may change the discussion a little bit. Nobody has disputed on either side of the aisle that its a by-product, not naturally occurring. It's a different chemical compound than that which is naturally occurring. If there was just one report or study on both sides of the aisle, what are we left with? He added that he appreciates the comments and respects the positions and titles. Both have valid claims and are passionate about it. If the one other study presents information about potential negative health affects. Education, studies and data collection change and we see that nationwide. He looks at this as not passionate but looking at all of the information from all sources and is in agreement with Commissioner Towne that he cannot support the artificial fluoridation of our water system.

Commissioner Sansom said there is a lot of information from both sides and has also spent countless hours researching both sides. She thanked Dan for all of the information she provided. She has received some phone calls. She has a background where she has a different issue and different take on all of this. She has a chemical sensitivity, and while not being passionately as personally her, but being in that kind of state, she has done a lot of research, she has taken courses studying toxins and their effects. She has taken a lot of courses at Berkley studying toxins we put in our body. When it comes to the type of fluoride we put into our water system, it is a chemical, toxic waste hazard that we put into our body. The benefit for teeth for preventing cavities is true. Fluoride is attracted to areas of calcium in the body. It is also destructive to the bones. The whole idea of aging is not so much as getting older and deteriorating, but a buildup of toxins of all kinds we accumulate in our system. We absorb them, we breath them, come into our skin. She opposes to ingesting any toxin, even in small amounts. Believes in the freedom of choice. There are many products to get fluoride, black tea, grapes. You can't control the amount you are receiving in total, you really don't know. Dan does a great job in keeping it at the right levels. She added she respectfully disagrees with some of the information presented. We want to have our kids have healthy teeth, but at the same time she doesn't want to see any other detrimental issues on the other end. Fluoride also causes fluorosis. The United States uses 50% of all fluoride. Commissioner Sansom listed several cities who have done away with adding fluoride.

Mayor Grunch said he thinks it is a mistake to take it out of our water and is a step in the wrong directions. Those most vulnerable will suffer the most. He has done a lot of reading on this for last three – four weeks and does not want to remove it from the water system.

2014-05 64

Moved by Sansom
Second by Gaylord

MOTION

To cease adding fluoride the water immediately in the City of Boyne City.

Further Discussion: After the motion was made, Commissioner Neidhamer stated we are taking a step backwards and is amazed we

are not listening to our professionals. It's beyond the comprehension that we think we know more than the local dental and doctor opinions. He added that with all due respect to Commissioner Sansom that a lot of the things she stated, he totally found the counter argument to. As far as choice, he thinks that Dr Fish made it perfectly clear that it needs to be chemically ingested as the body grows from infancy on up to chemically bond. You don't ingest toothpaste. He is saddened that we re possibly taking a step in the wrong direction.

Ayes: 3
 Nays: 2, Mayor Grunch and Commissioner Neidhamer
 Absent: 0
 Motion carried

2014-05 65
 Moved by Grunch
 Second by Towne

**BRIEF RECESS
 MOTION**

To take a brief recess at 9:58 p.m.

Ayes: 5
 Nays: 0
 Absent: 0
 Motion carried

2014-05 66
 Moved by Grunch
 Second by Towne

**RECONVENE
 MOTION**

To reconvene the meeting at 10:10 p.m.

Ayes: 5
 Nays: 0
 Absent: 0
 Motion carried

Consideration that the City Commission advise staff on which option they would like to proceed with and authorize the City Manager to sign the required documents.

**Lower Lake Street
 Storm Outfall**

Public Works Superintendent Andy Kovolski discussed the solution from C2AE for the erosion problems at the Lower Lake outfall. Two different preliminary plans were provided as solutions. The only real difference between the two proposals is the length of the pipe extension added and the amount of Rip Rap Stone required. City Manager Cain added the public will still have the opportunity to use this space. Larry Fox with C2AE discussed the proposals with the Commissioners. Either proposal will require permit applications.

Citizen Comments: None

Staff Comments: None

Board Discussion: Commissioner Gaylord said it is pretty clear that something needs to be done. We have to look at the potential liability issues. He is in support to take the pipe out as far as we can. All other Commissioners support option 2.

2014-05-067

Moved by Neidhamer

Second by Gaylord

MOTION

To follow Option Two as presented to resolve the erosion problems at the Lower Lake Outfall.

Ayes: 5

Nays: 0

Absent: 0

Motion carried

Consideration that the City Commission approves the proposal with the low bidder, Tri-County Excavating for the amount of \$18,900 and authorize the City Manager to sign the required documents.

**Division Street
Drainage**

Public Works Superintendent Andy Kovolski discussed the standing water issue on Division Street at the entrance to Parkview Apartments. On the east side of the entrance is a depression that is currently holding a large amount of water. City crews have pumped water from this depression many times and it fill back in within a very short period of time. City resident Bill Kuhn owns properties adjacent to this area and has had flooding occur in a crawl space at one of his homes. It should also be noted that other residents in this area have reported water issues that are much worse this year than in past years.

Proposals to install a temporary coffer dam to stop water flow to the low point of the depression; install a perforated drain structure in the bottom of the depression with the structure to also have a beehive lid; and to install an 8 inch CPP pipe to catch basin at the south edge of Division Street were received. Tri County Excavating provided the low bid in the amount of \$18,900.

Staff Comments: None

Citizens Comments: Pat Kujawski, who lives on the south end of Earl Street said she is concerned that its all the south side of Division. Is it going to eliminate what's on the north side of Division? Andy said he is not sure, there is a possibility that it may. Bill Kuhn said Mrs. Kujawski's drainage problems have gotten worse in the last year and he is hopeful this will help everyone. This is a good starting point.

Board Deliberation: All are in agreement with the recommendation.

2014-05-068

Moved by Towne

Second by Gaylord

MOTION

To approve Tri-County Excavating for the amount not to exceed of \$18,900 to and authorize the City Manager to sign the required documents

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Consideration that the City Commission to review the draft plans on the Ray-East streets project and authorize City staff to proceed to final design.

East and Ray Street Design

Public Works Superintendent Andy Kovolski presented the City Commission the preliminary design plans from C2AE for the East and Ray Streets project. The City is receiving a DIG grant from the MEDC for \$583,519 for the project. The total project cost is estimated at \$833,600 and includes Ray Street between South Lake and South East Streets, one block of South East Street between Ray and East Main Streets and one block of alley running parallel between Water and Ray Streets, between South Park and South Lake Streets. The plan as presented maintains the layout of Ray and East Street and consists of water and sewer improvements; storm water installation; street reconstruction including curb and gutter; sidewalk improvements, burial of overhead utility lines; and streetscape elements such as decorative lighting and landscape trees. The design phase is approximately 75% complete and one more public

Citizens Comments: None

Staff Comments: None

Board Discussion: Larry Fox of C2AE discussed the project with Commissioners. Parking issues were discussed, and questions regarding layout were answered. This project schedule is to begin construction in mid-August with a mid-October completion. Discussion was focused on the parking and sidewalk.

2014-05-069
Moved by Towne
Second by Sansom

MOTION

To review the draft plans on the Ray-East Streets project and authorize City staff to proceed to final design.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Consideration that the City Commission approve the Resolution of Support for the continued participation in the RRC program. Planning Director Scott McPherson discussed the proposed resolution of support for continued participation. This resolution is required as part of the Redevelopment Ready Communities is

Redevelopment Ready Communities Resolution

required within 30 days of receiving the presentation.
Representatives from the MEDC gave their presentation on the Final Report of Findings at the April 22, 2014 City Commission meeting.

Citizens Comments: None

Staff Comments: None

Board Deliberation: Commissioner Gaylord said he maintains that he doesn't feel it's necessary and we don't need to conform. All other Commissioners are in agreement with the proposed resolution.

2014-05-070

Moved by Neidhamer

Second by Towne

MOTION

To review the draft plans on the Ray-East Streets project and authorize City staff to proceed to final design.

Ayes: 4

Nays: 1, Commissioner Gaylord

Absent: 0

Motion carried

Consideration that the City Commission approves the purchase a 2015 Ford Police Interceptor from Bob Mathers Ford for the price of \$24,750.

**Police Car Purchase-
2015 Ford Police
Interceptor**

Police Chief Jeff Gaither presented information regarding the purchase of a new patrol car for the Police Department. At this time, we currently have 3 patrol cars and the proposed new vehicle would replace the 2010 Ford Crown Victoria which has over 99,000 miles and is close to the point of replacing some big ticket items like steering and suspension. The proposed Taurus uses significantly less fuel overall which has provided a substantial savings for the Department and City. It is all wheel drive which provides a much safer platform for patrol and receives rave reviews by our officers for winter mobility, safety and performance.

Staff Comments: None

Citizens Comments: None

Board Discussion: All are in support. Commissioner Gaylord said he understands fleet management. This winter was the test.

2014-05-070

Moved by Towne

Second by Gaylord

MOTION

To approve the purchase a 2015 Ford Police Interceptor from Bob Mathers Ford in the amount of \$24,090

Ayes: 5

Nays: 0

Absent: 0

Motion carried

Consideration that the City Commission approve the increase of the City Manager's pay to \$92,809 effective May 1, 2014

**City Manager
Compensation**

Mayor Pro-Tem Towne and Commissioner Sansom proposed a pay increase to City Manager Michael Cain in the amount of 3% to bring his current salary in line with what has been previously negotiated for other City Employees, to an annual salary of \$92,809 to be effective May 1, 2014.

Staff Comments: None

Citizens Comments: None

Board Discussion: All are in support

2014-05-071

Moved by Sansom
Second by Towne

MOTION

To approve the increase of the City Manager's pay to \$92,809 effective May 1, 2014

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Commissioner Gaylord inquired about a water drainage situation.

Good of the Order

2014-05-071

Moved by Grunch
Second by Gaylord

**Closed Session
MOTION**

To approve the request of the City Manager to go into closed session to consider strategy connected with the negotiation of a collective bargaining agreement as provided in MCL 15.268 (c) of the Michigan Open Meetings Act (PA 267 of 1976) at 11:47 p.m.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

2014-05-072

Moved by Grunch
Second by Neidhamer

**Return to Open
Session
MOTION**

To return to open session at 12:30 a.m. on Tuesday, May 14, 2014

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Moved by Mayor Grunch, seconded by Mayor Pro-Tem Towne to adjourn the regular City Commission meeting of Tuesday, May 13, 2014 at 12:30 a.m. on May 14, 2014

**ADJOURNMENT
MOTION**

Ron Grunch
Mayor

Cindy Grice
Clerk / Treasurer

DRAFT

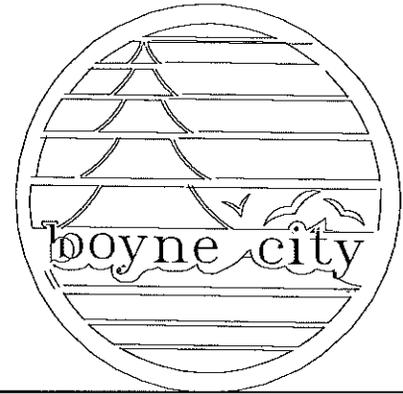
CITY OF BOYNE CITY

To: Michael Cain, City Manager *Mc*

From: Scott McPherson, Planning Director *SM*

Date: May 27, 2014

Subject: Planning Commission Appointment



Background Information

On May 31, 2014 the terms for Planning Commissioners Jason Biskner, Jim Kozlowski, and Jane MacKenzie will expire.

Process

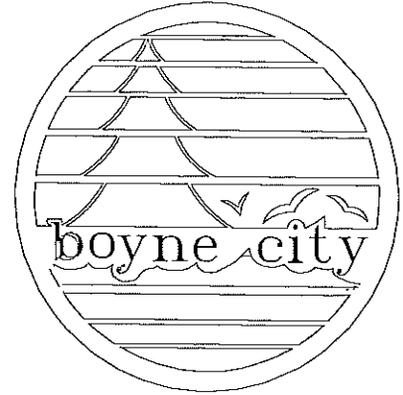
The procedures for the appointments to the planning commission are regulated by Ordinance A - 21. The ordinance stipulates that planning commissioners are appointed by the Mayor subject to the majority vote of the City Commission. At the May 19, 2014 meeting the Planning Commission recommended the reappointment of Jason Biskner, Jim Kozlowski, and Jane MacKenzie, to the planning commission for a 3 year term expiring May 31, 2017.

Recommendation

Reappointment of Jason Biskner, Jim Kozlowski, and Jane MacKenzie to the planning commission for an additional 3 year term expiring May 31, 2017.

CITY OF BOYNE CITY

To: Michael Cain, City Manager *MC*
From: Scott McPherson, Planning Director *SM*
Date: May 27, 2014
Subject: Township Planning and Zoning Contracts



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 2014-2015 fiscal year are \$26,088.15 for Evangeline Township and \$37,669.74 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 2014-2015 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 _____, 2014, 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 seven thousand six hundred sixty nine dollars and 74 cents (\$37,669.74) for Township Planning Services. This sum shall be submitted to the City on a quarterly basis with the first installment of \$9,417.44 due May 1, 2014 and each quarter thereon.
7. This Agreement shall encompass the time period of May 1, 2014 through April 30, 2015 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

AGREEMENT FOR PLANNING AND ZONING SERVICES

THIS AGREEMENT is made this _____ day of _____, 2014, 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 and zoning administrative 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 the Planner/Zoning Administrator, acting as his/her agent.
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, Planning Director, 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/Zoning Administrator 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, related educational meetings, and memberships 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 eighty eight dollars and 15 cents (\$26,088.15) for Township Planning and Zoning Services. This sum shall be submitted to the City on a quarterly base with the first installment of \$6,522.04 due the first of May 2014 and each quarter thereon.
7. This Agreement shall encompass the time period of 1 May 2014 through 30 April 2015 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



STATE OF MICHIGAN

DEPARTMENT OF COMMUNITY HEALTH
LANSING

RICK SNYDER
GOVERNOR

JAMES K. HAVEMAN
DIRECTOR

May 20, 2014

City Commissioners
City of Boyne City
319 North Lake Street
Boyne City, MI 49712

Dear City Commissioners,

We are writing in response to the Commission vote to propose deletion of fluoride from your community water system. The Department of Environmental Quality (DEQ) and the Michigan Department of Community Health (MDCH) are very disheartened that after more than 40 years of fluoridating the water supply, a vote of this magnitude impacts all your constituents. We strongly advise checking with legal counsel for the appropriate means for deletion of this proven public health measure. DEQ and MDCH recommend that a public referendum be used for this decision as was used in 1973 to reinstate fluoridation in your community.

Community water fluoridation is considered one of the top ten public health measures by the Centers for Disease Control and Prevention. Community water fluoridation is a safe, economical way to decrease dental decay in children and adults. It benefits all ages and income groups. Healthy teeth are crucial to ensuring a child can eat, smile, learn and grow into a healthy adult.

Decades of scientific evidence exist that support the safety of water fluoridation and its health benefits. Community water fluoridation is endorsed by the World Health Organization, American Medical Association, American Dental Association, American Cancer Society, American Academy of Family Physicians, American Academy of Nurse Practitioners, American Nurses' Association and over 100 other national and international organizations that recognize the public health benefits of community water fluoridation for preventing dental decay.

In Michigan, approximately 7 million people receive optimally fluoridated water, representing 90% of people on community water systems. Many people receive naturally fluoridated water from wells and springs. The health benefits of reduced dental decay in Michigan are well documented. Healthy teeth lead to better overall health, help people find jobs, avoid needless pain, eat and smile with dignity, and reduce health care costs. For most systems, every dollar invested in community water fluoridation saves \$38 in treatment costs.

We understand the thoughtful decision making process this Commission must entail. We hope that you will look at all the reliable evidence and, after doing so, make the best long term decisions that will impact the oral health of your constituents in Boyne City. A handout is attached that directs you to reliable sources/websites. If you need more information on any aspect of fluoridation please contact us. The benefits of community water fluoridation in preventing dental decay will make a difference today and in the future for your residents.

Sincerely,

Christine Farrell, RDH, BSDH, MPA
Director, Oral Health Program
Michigan Department of Community Health
farrellc@michigan.gov
517 335-8388

Susan Deming, RDH, BS
Education/Fluoridation Coordinator
Michigan Department of Community Health
demings@michigan.gov
517 373-3624

Reliable, Credible Resources on Community Water Fluoridation:

-The Centers for Disease Control and Prevention: <http://www.cdc.gov/fluoridation/index.htm>

-Michigan Department of Community Health: www.michigan.gov/oralhealth

-The National Institute for Dental and Cranial Research: <http://www.nidcr.nih.gov/>

-The American Dental Association:
http://www.ada.org/sections/professionalResources/pdfs/fluoridation_facts.pdf

-Campaign for Dental Health: www.Ilikemyteeth.org

-Fluoride Science: <http://www.fluoridescience.org/>

-EPA: http://water.epa.gov/action/advisories/drinking/fluoride_index.cfm

-American Water Works Assoc: <http://www.awwa.org/about-us/policy-statements/policy-statement/articleid/202/fluoridation-of-public-water-supplies.aspx>

May 13, 2014

NATIONAL ANTHEM OF THE UNITED STATES OF AMERICA

R E S O L U T I O N

Whereas, at dawn on the morning of September 14, 1814, Francis Scott Key and other Americans awoke, in the aftermath of a furious 27-hour bombardment of Fort McHenry in Baltimore Harbor, by British forces during the War of 1812, and saw the flag of the United States of America still flying victoriously above that Fort; and

Whereas, the sight of the flag, known ever since as the original Star Spangled Banner, which is preserved as a hallowed treasure of our American heritage, inspired Francis Scott Key to write the words that have become known world-wide as the National Anthem of the United States of America; and

Whereas, it is in the great tradition of the American People to mark important civic occasions with celebration, the ringing of bells, and gatherings to commemorate great events in the history of the Nation;

Now to mark this historic occasion, to take place in the City of Boyne City at or about the time dawn's early light breaks over Fort McHenry in the Harbor of Baltimore City, in the State of Maryland on the morning of September 14, 2014, the Commissioners of the City of Boyne City, Charlevoix County, State of Michigan do hereby resolve the following:

Resolved, that the Boyne City Commission calls upon all the citizens of Boyne City to mark the 200th Anniversary of the birth of our National Anthem with honors, ceremony and celebration befitting this great occasion; and

Resolved, that we invite and encourage the Citizens of Boyne City, Michigan, to gather in appropriate places in their communities throughout this great County, with bands, orchestras and other musicians, choruses of all kinds and sizes, and civic, fraternal, patriotic, military veteran and other organizations, and the general citizenry of our communities together to sing the verses of The Star Spangled Banner, our beloved National Anthem, to commemorate this great, historic Anniversary; and

Resolved, that the Commissioners of the City of Boyne City encourage the citizens in their communities to undertake such other observances, festivities, community breakfasts and other events at their own initiative as they see fit to mark this Occasion; and

Resolved, that the Commissioners of the City of Boyne City call upon individuals and entities throughout this City to ring all the bells of the City of Boyne City as dawn breaks over Fort McHenry on September 14, 2014 to signal the commencement of these observances in all places in this City; and

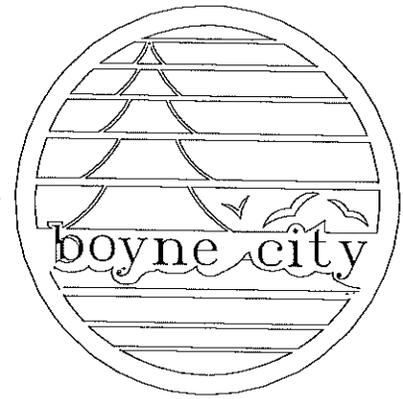
Resolved, that the Commissioners of the City of Boyne City shall communicate the text of this document to our fellow citizens of Michigan, through the Commissioners of the various other Counties, respectfully inviting consideration thereof, for the purpose of encouraging similar observances in each County in the State of Michigan; and

Resolved, that the Commissioners of the City of Boyne City shall communicate a similar invitation to the Honorable Rick Snyder, Governor of the State of Michigan, and to the members of the Michigan Legislature representing areas within the City of Boyne City, encouraging them to enact provisions inviting and encouraging similar observances within this great State, and urging them to communicate similar invitations the Governors and Legislatures of the various other States.

Ron Grunch, Mayor

Cindy Grice, City Clerk

CITY OF BOYNE CITY



To: Michael Cain, City Manager *MC*
From: Scott McPherson, Planning Director *SM*
Date: May 27, 2014
Subject: Noise Ordinance

Background

For many years the City has had a noise ordinance in effect. The ordinance can be found in Article V, Offenses Involving Public Peace and Order, Section 31.141 Noise. In 2009 in response to complaints stemming from music being played at what was then 220 Lake Street, a citation was issued to Chris Theil for violation of the noise ordinance. A hearing on the matter was held in the Charlevoix County District Court in September of 2009. In the Court's opinion the noise ordinance was unconstitutionally vague due to the subjective nature violations were determined and the Court dismissed the City's claims against Mr. Theil. Given this opinion the Boyne City Police Department has not issued any subsequent citations for violation of section 31.141 Noise. For your reference a copy of the existing Boyne City Noise Ordinance has been provided.

Discussion

The Boyne City Police Department does receive noise complaints on a regular basis. Noise complaints compiled by the BCPD from 2008 to 2013 show that on average there are 61 noise complaints per year. Most complaints are due to music with an average of 28 complaints per year followed by neighbor complaints at 14 per year, dogs and vehicle complaints at 7 per year and complaints about loud parties at 6 per year. The BCPD has also logged noise complaints about the canon and noise from the industrial park. The "complaint location" identifies the source of the complaint, CBD refers to the Central Business District and APTS refers to apartments.

| | Music | Vehs | Party | Neighbor | Canon | Industrial | Dogs | Total | COMPLAINT LOCATION | | |
|------|-------|------|-------|----------|-------|------------|------|-------|--------------------|------|-------|
| | | | | | | | | | CBD | APTS | Other |
| 2008 | 38 | 2 | 11 | 14 | 1 | | 3 | 69 | 16 | 27 | 26 |
| 2009 | 39 | 7 | 6 | 15 | | 1 | 8 | 75 | 15 | 27 | 34 |
| 2010 | 25 | 13 | 6 | 22 | | | 10 | 76 | 4 | 24 | 48 |
| 2011 | 15 | 9 | 3 | 16 | | 1 | 2 | 46 | 1 | 21 | 24 |
| 2012 | 24 | 4 | 7 | 11 | | | 9 | 55 | 5 | 27 | 23 |
| 2013 | 27 | 4 | 1 | 4 | | | 8 | 44 | 2 | 18 | 24 |

It should be noted the many complaints about the noise from Kirtland products were received by the Planning Office and are not included in these statistics.

Since the district court decision on the City's noise ordinance the City Commission has received requests from the public for the City to adopt a new noise ordinance. Given the statistics provided by the BCPD it appears there is a need for some type of noise ordinance that can be applied to these types of complaints.

City staff has researched and reviewed a variety of noise ordinances. Types of noise ordinances can be classified into two general categories: Ordinances that establishes specific decibel limits for various districts and ordinances that identify the violations by types of activities and rely on officer's discretion to determine a violation.

Ordinances that establish decibel thresholds typically identify maximum decibel limits for various districts. These districts are classified as the receiving zones. The basic concept is that it does not matter what zone a noise is produced, if it is above the maximum limit allowed in any receiving zone the producer of the noise would be in violation of the ordinance. To enforce this ordinance noise monitoring equipment is required and training for the enforcing officer is recommended. This type of ordinance is more commonly found in larger cities and the closest City that uses this type of ordinance is Traverse City

The other type of noise ordinance stipulates that it is a violation to make continued excessive or unusually loud noise that annoys disturbs or injures and it lists various types of activities and noises that are in violation of the ordinance. This type of ordinance relies on the discretion of the officer. This is the typical type of ordinance found northern Michigan communities that have noise ordinances.

For your reference a sample of each type of ordinance, one from Traverse City and one from the City of Mason have been attached for your review.

Recommendation

Given the noise complaint statistics provided by the BCPD there is a need for some type of noise ordinance. Given the nature of the complaints that have been logged and the costs and requirements necessary to administer an ordinance that defines decibel limits an ordinance that identifies the specific violations and uses the officer's discretion as used in the City of Mason ordinance is the preferred option. It is recommended that the City Commission direct staff to develop a draft ordinance based on the City of Mason model.

Options

1. Direct staff to develop a noise ordinance using decibel limits.
2. Direct staff not to develop a noise ordinance.
3. Postpone action pending further information
4. Other action as the Commission deems appropriate.

Mason, MI Code of Ordinances

ARTICLE II. NOISE*

***Charter References:** Nuisance abatement, § 2.2(m).

Cross References: Loud noises prohibited, § 42-82.

**DIVISION 1.
GENERALLY****Sec. 22-31. Legislative findings.**

(a) The making and creation of excessive, unnecessary or unusually loud noises within the limits of the city is a condition which has existed for some time; and the extent and volume of such noises is increasing.

(b) The making, creation or maintenance of such excessive, unnecessary, unnatural or unusually loud noises which are prolonged, unusual and unnatural in their time, place and use affect and are a detriment to public health, comfort, convenience, safety, welfare and prosperity of the residents of the city.

(c) The necessity in the public interest for the provisions and prohibitions contained and enacted in this article is declared as a matter of legislative determination and public policy; and it is further declared that the provisions and prohibitions contained and enacted in this article are in pursuance of and for the purpose of securing and promoting the public health, comfort, convenience, safety, welfare and prosperity and the peace and quiet of the city and its inhabitants.

(Ord. No. 107, § 1, 5-5-1980)

Sec. 22-32. Unlawful noise prohibited.

It shall be unlawful for any person to make, continue, or cause to be made or continued any excessive, unnecessary or unusually loud noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the limits of the city.

(Ord. No. 107, § 2, 5-5-1980)

Sec. 22-33. Prima facie violations.

The making of any of the specific noises set forth in section 22-34 which are plainly audible at a distance of 50 feet from the source, or which are plainly audible within any neighboring private residence, hospital or court, shall constitute prima facie evidence of an unlawful noise in violation of this article.

(Ord. No. 107, § 3, 5-5-1980)

Sec. 22-34. Specific noises prohibited.

The following acts, among others, are declared to be loud, disturbing, injurious, and unnecessary noises in violation of this article; but this enumeration shall not be deemed to be exclusive:

(1) *Horns, signaling devices, etc.* The sounding of any horn or signaling device on any automobile, motorcycle or other vehicle on any street or public place of the city, except as a danger warning; the creation by means of any such signaling device of any unreasonably loud or harsh sound; and the sounding of any such device for an unnecessary and unreasonable period of time.

(2) *Radios, phonographs, etc.* The using, operating, or permitting to be played, used or operated any radio receiving set, musical instrument, phonograph, or other machine or device for the producing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners. The operation of any such set, instrument, phonograph, machine or device between the hours of 10:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of 50 feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section.

(3) *Yelling, shouting, etc.* Yelling, shouting, hooting, whistling or singing on the public streets, particularly between the hours of 10:00 p.m. and 7:00 a.m. or at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any office, or in any dwelling, hotel or other type of residence, or of any persons in the vicinity.

(4) *Animals, birds, etc.* The keeping of any animal or bird which by loud or frequent barking or by causing frequent or long-continued noise shall disturb the comfort or repose of any persons in the vicinity.

(5) *Steam whistles.* The blowing of any steam whistle or steam whistle attached to any stationary boiler except to give notice of the time to begin or stop work or as a warning of fire or danger, or upon the request of proper city authorities.

(6) *Loudspeakers, amplifiers for advertising.* The using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for the producing or reproducing of sound which is used upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure.

(7) *Exhausts.* The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motorboat, or motor vehicle except through a muffler or other device which will effectively prevent loud or explosive noises. The provisions of this section shall not apply to motor vehicles operated on a highway or public street and subject to the noise regulations of Sections 707a--707e of the Michigan Motor Vehicle Code (MCL 257.707a--257.707e) or comparable provisions of the Uniform Traffic Code; and in such case, violations shall be enforced under the procedures set forth in such codes for civil infractions.

(8) *Defect in vehicle or load.* The use of any automobile, motorcycle or vehicle so out of repair, so loaded or in such manner as to create loud and unnecessary grating, grinding, rattling or other noise or so as to disturb the peace and quiet of streets or other public places.

(9) *Loading, unloading, opening boxes.* The creation of a loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers.

(10) *Construction or repairing of buildings, streets or utilities.* The erection (including excavation), demolition, alteration or repair of any building other than between the hours of 7:00 a.m. and 7:00 p.m. Monday through Saturday, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the building official, which permit may be granted for a period not to exceed three days while the emergency continues and which permit may be renewed for periods of three days or less while the emergency continues. If the building official should determine that the public health and safety will not be impaired by the erection, demolition, alteration or repair of any building within the hours of 7:00 p.m. and 7:00 a.m., and if the official shall further determine that substantial loss or inconvenience would result to any party in interest, he may grant permission for such work to be done between the hours of 7:00 p.m. and 7:00 a.m., upon application being made at the time the permit for the work is awarded or during the progress of the work. The construction, alteration or repair of public streets or utilities shall not be conducted other than between the hours of 7:00 a.m. and 7:00 p.m. unless the director of public works or a bona fide public utilities service employee determines that an emergency exists which requires such work, or determines that the public health and welfare will not be adversely affected by such work.

(11) *Schools, courts, churches, hospitals.* The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court while they are in use, or adjacent to any hospital, which unreasonably interferes with the workings of such institution, or which disturbs or unduly annoys patients in the hospital, provided conspicuous signs are displayed in such streets indicating that the same is a school, hospital or court street.

(12) *Hawkers, peddlers.* The shouting and crying of peddlers, hawkers and vendors which disturbs the peace and quiet of the neighborhood.

(13) *Drums.* The use of any drum or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show or sale.

(14) *Blowers.* The operation of any noise creating blower or power fan or any internal combustion engine, the operation of which causes noise due to the explosion of operating gases or fluids, unless the noise from such blower or fan is muffled and such engine is equipped with a muffler device sufficient to deaden such noise.

(Ord. No. 107, § 4, 5-5-1980)

Sec. 22-35. Retaliation.

If there is any evidence of retaliation by any offender against any complainant or witness, such evidence shall be communicated to the district court magistrate and any standard fine schedule adopted by the court for a violation of this article shall thereafter be suspended. In sentencing any violator, the district court or magistrate shall first examine the evidence of retaliation, and if such be shown, shall consider such acts and sentence the violator accordingly.

(Ord. No. 107, § 11, 5-5-1980)

Sec. 22-36. Regulations.

The commercial and noncommercial use of sound amplifying equipment shall be subject to the following regulations:

- (1) The only sounds permitted shall be either music or human speech, or both.
- (2) The operation of sound amplifying equipment shall only occur between the hours of 10:00 a.m. and 10:00 p.m. each day. No operation of sound amplifying equipment for commercial purposes shall be permitted on Sundays or legal holidays.
- (3) No sound emanating from sound amplifying equipment shall exceed a volume adequate to serve its purpose as determined by the regulating authority.
- (4) The volume of sound shall be so controlled that it will not be unreasonably loud, raucous, jarring, disturbing or a nuisance to reasonable persons of normal sensitiveness within the area of audibility.
- (5) The user of sound amplifying equipment shall comply with such additional requirements and regulations as shall be promulgated by the city administrator and approved by the city council.

(Ord. No. 107, § 9, 5-5-1980)

Secs. 22-37--22-60. Reserved.

DIVISION 2. SOUND EQUIPMENT REGISTRATION

Sec. 22-61. Registration of sound equipment.

It shall be unlawful for any person, other than personnel of law enforcement or governmental agencies, to install, use or operate within the city a loudspeaker or sound amplifying equipment in a fixed or movable position or mounted upon any sound truck for the purposes of giving instructions, directions, talks, addresses or lectures, or transmitting music to any persons or assemblages of persons in or upon any street, alley, sidewalk, park, place or public property without first filing a registration statement and obtaining approval as set forth in this division.

(Ord. No. 107, § 5, 5-5-1980)

Sec. 22-62. Registration requirements and duties.

Every user of sound amplifying equipment shall file a registration statement with the city clerk 21 days prior to the date on which the sound amplifying equipment is intended to be used, which statement shall contain the following information:

- (1) The name, address and telephone number of both the owner and user of the sound amplifying equipment.
- (2) The maximum sound producing power of the sound amplifying equipment, which shall include the wattage to be used, the volume in decibels of sound which will be produced, and the approximate distance for which sound will be audible from the sound amplifying equipment.

- (3) The license and motor number if a sound truck is to be used.
- (4) The purpose for which the sound amplifying equipment will be used.
- (5) Such other information as may be required under registration standards and administrative regulations promulgated by the city administrator and approved by the city council.

(Ord. No. 107, § 6, 5-5-1980)

Sec. 22-63. Registration approval or disapproval.

(a) The city clerk shall return to the applicant an approved copy of the registration statement unless:

(1) The conditions of the motor vehicle movement are such that use of the equipment would constitute a detriment to traffic safety;

(2) The conditions of pedestrian movement are such that use of the equipment would constitute a detriment to traffic safety; or

(3) The city administrator determines that the equipment will create unreasonable or unnecessary noise contrary to subsections (a)(1) and (2) of this section, or violates the regulations of section 22-36.

(b) If after advertising for comments on the proposed registration objections are raised by more than 50 percent of the households within hearing range (as stated in section 22-62), the registration will be denied.

(c) If the application is disapproved, the city clerk will endorse upon the application the reasons for disapproval and return it to the applicant.

(Ord. No. 107, § 7, 5-5-1980)

Sec. 22-64. Fees.

Prior to the issuance of the registration statement, a fee in the amount established by resolution shall be paid to the city.

(Ord. No. 107, § 8, 5-5-1980)

Secs. 22-65--22-80. Reserved.

CHAPTER 652

Noise Control

652.01 Findings; application of chapter.

652.02 Definitions.

652.03 Authority of noise control officer.

652.04 Prohibitions.

652.05 Exceptions and variances.

652.06 Continuous and impulsive sound levels threatening health and welfare; orders to abate.

652.07 Civil actions.

652.08 Tampering with measuring devices

652.09 Retaliation.

652.10 Appearance tickets.

652.99 Penalty.

CROSS REFERENCES

Disorderly persons - see MCLA Sec. 750.167

Disturbing meetings - see MCLA Secs. 750.169; 750.170

Noise from watercraft - see SU & PS 1062.04(f), (g)

Muffler noise - see MCLA Sec. 257.707(a) through (e)

652.01 FINDINGS; APPLICATION OF CHAPTER.

Excessive sound and vibration are a serious hazard to the public health, welfare, safety and quality of life, and a substantial body of science and technology exists by which excessive sound and vibration may be substantially abated. The people have a right to and should be ensured an environment free from excessive sound and vibration that may jeopardize their health, welfare or safety or degrade the quality of life. The damage and discomfort caused to the people arises both from stationary and from non-stationary sound and vibration and this chapter shall apply to both. (Ord. 505. Passed 8-7-00.)

652.02 DEFINITIONS.

All terminology used in this chapter and not defined in this section shall be in conformity with applicable publications of the American National Standards Institute (ANSI) or its successor body. In addition, as used in this chapter:

- A. **Commercial area** means land primarily being used as office, governmental, retail, or other commercial type uses.
- B. **Decibel (dB)** means a unit of measuring the volume of sound, equal to twenty times the logarithm of the base ten of the ratio of the pressure of the sound measured to the reference pressure, which is twenty micropascals (twenty micronewtons per square meter).
- C. **Industrial area** means land primarily being used as a manufacturing or industrial site, including airports.
- D. **Multi-Family area** means land primarily being used for structures housing three or more families. If a multiple family use occurs as a mixed use with commercial uses, the primary use of the property will be determined by the ground floor.
- E. **Noise Control Officer** means the Chief of Police and his or her agents who have lead responsibility for the enforcement of this chapter.
- F. **Noise disturbance** means any sound which either exceeds the maximum permissible sound levels of this chapter or which endangers or injures the safety or health of humans

NOISE CONTROL

or animals, annoys or disturbs a reasonable person of normal sensitivities, or endangers or injures personal or real property.

- G. *Noise sensitive zone* means areas in the City which contain noise sensitive activities, such as schools, libraries, churches, hospitals and nursing homes, as designated by resolution of the City Commission.
- H. *Pure Tone* means a single or compact range of frequency that may be perceived as a whine, hum, squeal, or buzz. The measured sound levels must not fluctuate by more than plus or minus 3 dB. Such sound sources include, but are not limited to: heating, ventilating or air-conditioning units; refrigeration units; and transformers.
- I. *Real property boundary* means the imaginary line which represents the legal limits of property (including an apartment, condominium, room, or other dwelling unit) owned, leased, or otherwise occupied by a person, business, corporation or institution. In cases involving sound from an activity on a public street or other public right of way, the "real property boundary" shall be the nearest boundary of the public right-of-way.
- J. *Residential area* means land primarily being used as a one or two family dwelling and located adjacent to or near other such residentially used land.
- K. *Sound level meter means* an instrument which includes a microphone, amplifier, RMS detector, integrator or time averager, output meter and weighting networks used to measure sound pressure levels and that meets the standards of ANSI S-14 1983 or its successor.
- L. *Weighted sound level* means the sound pressure level in decibels as measured on a sound level meter using the A-weighting network. The level so read is designated dB(A) or dBA.

(Ord. 505. Passed 8-7-00. Ord. 582. Passed 10-21-02.)

652.03 AUTHORITY OF NOISE CONTROL OFFICER.

- (a) Powers. This chapter shall be administered and enforced by the Noise Control Officer. In order to implement and enforce this chapter, and for the general purpose of noise abatement and control, the Noise Control Officer shall have, in addition to any other authority vested in him or her, the power to:
 - 1. Conduct or cause to be conducted research, monitoring and other studies related to sound and vibration; and
 - 2. Upon presentation of proper credentials, enter and inspect any private property or place and inspect any report or record at any reasonable time when granted permission by the owner or by some other person with apparent authority to act for the owner. When permission is refused or cannot be obtained, a search warrant may be obtained from a court of competent jurisdiction upon a showing of probable cause to believe that a violation of this chapter may exist. Such inspection may include the administration of any necessary tests.
 - 3. Promulgate rules and procedures to establish techniques for measuring noise, and to provide for clarification, interpretation, and implementation of this chapter; and
 - 4. Review at least every three (3) years the provisions of this chapter and recommend revisions consistent with technology to reduce noise, or to address new sound sources within the City.
- (b) Duties. In order to implement and enforce this chapter effectively, the Noise Control Officer shall, within a reasonable time after the effective date of this chapter:
 - 1. Investigate and pursue possible violations of this chapter;

NOISE CONTROL

2. Delegate functions, where appropriate, under this chapter, to personnel within the Police Department and to other agencies or departments, subject to the approval of the City Manager; and
3. Prepare recommendations, to be approved by the City Commission, for the designation of noise sensitive zones.

(c) Enforcement. The administration and enforcement of noise control shall be controlled by the following standards:

1. The primary means of detection of a noise disturbance shall be by means of the Noise Control Officer's and other properly delegated enforcement officials' ordinary auditory senses of hearing not enhanced by any mechanical device, such as a microphone or hearing aid.
2. An enforcing officer or other witness need not determine the particular words or phrases being produced or the name of any song or artist producing the sound.
3. The detection of any rhythmic base or reverberating type of sound is sufficient to constitute a plainly audible sound which may constitute a noise disturbance.

(Ord. 505. Passed 8-7-00.)

652.04 PROHIBITIONS.

- (a) Generally. No person shall unreasonably make or continue, or cause to be made or continued, any noise disturbance.
- (b) Radios, Musical Instruments and Similar Devices. No person shall operate or play, or permit the operation or playing of, any radio, television, phonograph, drum, musical instrument, sound amplifier or similar device which produces, reproduces or amplifies sound in such a manner as to:
 1. Create a noise disturbance on public property or streets, across a real property boundary, or within a noise sensitive zone. If such a device is plainly audible on the property of another or within a building other than that within which the device is located, and if a complaint is made to the Noise Control Officer regarding annoyance or disturbance as a result of such device, this shall serve as prima-facie evidence of a violation.
 2. Create a noise disturbance when operated in or on a motor vehicle on a public right of way, public space or space open to the general public, or in a boat on public waters. If such a device is plainly audible at a distance of 50 feet in any direction, between the hours of 10 p.m. and 7 a.m. or 100 feet in any direction between the hours of 7 a.m. and 10 p.m., this shall serve as prima facie evidence of a violation.
- (c) Loudspeakers. No person shall use or operate for any noncommercial purpose any loudspeaker, public address system or similar device between 10:00 p.m. and 7:00 a.m. of the following day so that the sound there from creates a noise disturbance across a residential area or multi-family area boundary or within a noise sensitive zone. No person shall use or operate for any commercial purpose any loudspeaker, public address system or similar device so that the sound there from creates a noise disturbance across a real property boundary or within a noise sensitive zone, or between 10:00 p.m. and 7:00 a.m. of the following day on a public right of way or public space.
- (d) Sound Amplifiers. No person shall operate any sound amplifying device for the purpose of advertising announcing an event, or attracting the attention of the public. However, a school, governmental unit, or bona fide nonprofit organization may secure a permit from the Noise Control Officer to use such a device. No permit will be granted for such use on

NOISE CONTROL

a Sunday or at any other time or duration or under any other conditions which, in the opinion of the Noise Control Officer will constitute a nuisance.

- (e) Heavy Equipment. Except for work on essential services, no person shall use any pile driver, shovel, hammer, derrick, hoist, tractor, roller or other construction apparatus between 10:00 p.m. and 7:00 a.m. of the following day, within 600 feet of a residential area, multi-family area, or noise sensitive zone.
- (f) Loading and Unloading. No person shall load, unload, open, close or otherwise handle boxes, crates, containers, building materials, garbage trucks, garbage cans or similar objects between 11:00 p.m. and 6:00 a.m. of the following day in such a manner as to cause a noise disturbance across the boundary of a residential area or multi-family area, or within a noise sensitive zone.
- (g) Stationary Non-emergency Signaling Devices. No person shall permit the sounding of any electronically amplified signal from any stationary bell, chime, siren, whistle or similar device intended primarily for nonemergency purposes. Such devices, when used in conjunction with places of religious worship, shall be exempt from this subsection.
- (h) Maximum Permissible Sound Levels by Receiving Land Use. No person on private property shall create a continuous sound which exceeds the limits set forth for the receiving land category in the following table when measured at or within the property boundary of the receiving land which source of sound shall be deemed prima-facie to be a noise disturbance. "Continuous sound" means any sound having a duration of one second or more. For any source of sound which emits a pure tone, the maximum sound level limits set forth in the following table shall be reduced by five dBA.

MAXIMUM SOUND LEVELS TABLE

| <u>Receiving Land Category</u> | <u>Sound Level Limit (dBA)</u> | <u>A-weighted Time</u> |
|--------------------------------|--------------------------------|---------------------------|
| Residential area | 10:00 p.m. to 7:00 a.m. | 60 |
| Multi-Family area | 7:00 a.m. to 10:00 p.m. | 65 |
| Commercial area | 10:00 p.m. to 7:00 a.m. | 65 |
| | 7:00 a.m. to 10:00 p.m. | 70 |
| Industrial area | 10:00 p.m. to 7:00 a.m. | 70 |
| | 7:00 a.m. to 10:00 p.m. | 75 |
| Noise sensitive areas | 10:00 p.m. to 7:00 a.m. | Established by Resolution |
| Noise sensitive areas | 7:00 a.m. to 10:00 p.m. | |

- (i) Impulsive Sound. Impulse sounds may exceed the permissible limits in the above Table by ten decibels if they occur less than ten times in any hour between 7 a.m. and 10 p.m., or less than four times in any hour between 10 p.m. and 7 a.m. If any impulsive sound exceeds these frequencies, then the permissible limits in the Table apply. "Impulsive sound" means any sound having a duration of less than one second.

(Ord. 505. Passed 8-7-00. Ord. 581. 10-21-02.)

652.05 EXCEPTIONS AND VARIANCES.

- (a) Emergencies. This chapter shall not apply to creating sound for the purpose of alerting persons to the existence of an emergency or to creating sound in the performance of emergency work.

NOISE CONTROL

- (b) Lawn Maintenance Equipment. Customary lawn maintenance equipment for residential use, such as lawn mowers, leaf blowers and chain saws, from 8:00 a.m. to 9:00 p.m., if in good working order and if used only as needed, may exceed the maximum sound levels established above.
- (c) Residential Snow Removal. Snowblowers for residential use if in good working order and if used only as needed may exceed the maximum sound levels established above.
- (d) Commercial Snow Removal. Snow removal from commercial or industrial property by any internal combustion device is permitted at all times if the snow removal equipment has a properly functioning muffler. However, commercial or industrial property within 600 feet of a residential area or multi-family area shall not have snow removal undertaken by commercial equipment in excess of 15,000GVW prior to 6:00 a.m., unless permission is granted by the owners of that residential or multi-family area.
- (e) Municipal, School District and Hospital Equipment. This chapter shall not apply to sound made by municipal street and sidewalk maintenance equipment or snow removal equipment used by the City, a school district, a hospital or their agents.
- (f) Special Variances.
 - 1. The Noise Control Officer may, consistent with this section, grant special variances which may be requested.
 - 2. Any person seeking a special variance pursuant to this section shall file an application with the Noise Control Officer. The application shall contain information which demonstrates that bringing the source of sound or activity for which the special variance is sought into compliance with this chapter would constitute an unreasonable hardship on the applicant, on the community or on other persons. Any individual who claims to be adversely affected by the allowance of the special variance may file a statement to that effect with the Noise Control Officer containing any information to support his or her claim. If the Noise Control Officer finds that a sufficient controversy exists regarding an application, a public hearing may be held.
 - 3. In determining whether to grant or deny an application, the Noise Control Officer shall balance the hardships of the applicant, the community and other persons of not granting the special variance against the adverse impact on the health, safety and welfare of persons affected, the adverse impact on property affected and any other adverse impacts of granting the special variance. Applicants for a special variance and persons contesting the special variance may be required to submit any information the Noise Control Officer may reasonably require. In granting or denying an application, the Noise Control Officer shall place on public file a copy of the decision and the reasons for denying or granting the special variance.
 - 4. Special variances shall be granted by notice to the applicant containing all necessary conditions, including the time limit on the permitted activity. The special variance shall not become effective until all conditions are agreed to by the applicant. Noncompliance with any condition of the special variance shall terminate it and subject the person holding it to the provisions of this chapter regulating the source of sound or activity for which the special variance was granted.

(Ord. 505. Passed 8-7-00. Ord. 583. Passed 10-21-02.)

652.05.1 CONTINUOUS AND IMPULSIVE SOUND LEVELS THREATENING HEALTH AND WELFARE; ORDERS TO ABATE.

NOISE CONTROL

- (a) The Noise Control Officer shall order an immediate halt to any sound which exposes any person, except those excluded pursuant to subsection (b) hereof, to continuous sound levels or to impulsive sound levels which endanger or injures a person's health or safety. Following the issuance of such an order, the Noise Control Officer may remove or modify the source of the noise.
- (b) No order pursuant to subsection(a) here of shall be issued if the only person exposed to dangerous sound levels is exposed as a result of trespass, invitation upon private property by persons causing or permitting the sound or employment met by the person or by a contractor of the person causing or permitting the sound.
- (c) Any person subject to an order issued pursuant to subsection (a) hereof shall comply with such order until the sound is brought into compliance with the order, as determined by the Noise Control Officer, or until a judicial order has suspended the Noise Control Officer's order. No person shall violate an order issued pursuant to this section.

(Ord. 505. Passed 8-7-00.)

652.07 CIVIL ACTIONS.

Any person aggrieved by a violation of this chapter may commence a civil action on his or her own behalf against any person who is alleged to be in violation of Section 652.04. No provision of this chapter shall be construed to impair any common law or statutory cause of action, or legal remedy there from, of any person for injury or damage arising from any violation of this chapter or from other law.

(Ord. 505. Passed 8-7-00.)

652.08 TAMPERING WITH MEASURING DEVICES.

No person shall damage, interfere with or tamper with any sound measuring device used to enforce this chapter.

(Ord. 505. Passed 8-7-00.)

652.09 RETALIATION.

If there is any evidence of retaliation by any offender against any complainant or witness, such evidence shall be communicated to the District Court. When sentencing any violator, the District Court shall first examine the evidence of retaliation, and if such is shown, shall consider such acts and sentence the violator accordingly.

(Ord. 505. Passed 8-7-00.)

652.10 APPEARANCE TICKETS.

The Police Chief and the appointed officers of the Police Department, or such other officials as are designated by the City Manager, are hereby authorized to issue and serve appearance tickets with respect to a violation of this chapter pursuant to Section 1 of Act 147 of the Public Acts of 1968, as amended (MCL 764.9c(2); MSA 28.868(3)(2). Appearance tickets shall be in such form as determined by the City Attorney and shall be in conformity with all statutory requirements.

(Ord. 505. Passed 8-7-00.)

652.99 PENALTY.

- (a) A person found in violation of this chapter shall be guilty of a civil infraction and shall be fined not less than \$100 nor more than \$500.
- (b) A separate offense shall be deemed committed each day during or on which a violation or noncompliance occurs or continues.

NOISE CONTROL

(c) The minimum fine shall be doubled for a second violation and tripled for a third violation within any 90 day period.
(Ord. 505. Passed 8-7-00.)

MEMORANDUM

TO: MICHAEL CAIN; CITY MANAGER *Mc*

FROM: ANDREW KOVOLSKI; PUBLIC WORKS SUPERINTENDENT *AK*

DATE: 5/23/2014

RE: BEACH WATER QUALITY MONITORING

For many years the Health Department of Northwest Michigan has provided seasonal testing of the water at beaches throughout their coverage area for no charge. This was possible because of funding they received from the EPA and the MDEQ. This funding has recently dried up. Attached to this memorandum you will find correspondence from the Health Department explaining this in greater detail.

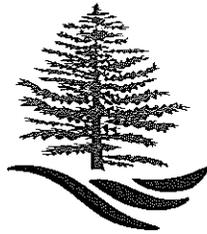
The Health Department is offering to provide this service going forward at a cost to the Beach owner of \$1,000.00 per year per beach. Peninsula Beach is the City's only officially designated beach; however testing has also been performed at the Tannery Park Road End because it is often used as a beach area. It would be my recommendation to only continue to test Peninsula Beach, the city's only officially designated beach, going forward.

RECCOMENDATION:

It is my recommendation that the City Commission approve this contract for Beach Testing at Peninsula Beach only with the Health Department of Northwest Michigan for 2014 and authorize the City Manager to sign the required documents. Funds for this work are available in this year's Parks and Recreation Department budget.

OPTIONS:

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



**HEALTH
DEPARTMENT**
of Northwest Michigan



Date: April 24, 2014

To: Lake Michigan Beach Operators – Antrim, Charlevoix and Emmet Counties

From: Scott Kendzierski, Director of Environmental Health Services
Health Department of Northwest Michigan

Re: **Tannery Beach and Peninsula Beach**

Subject: 2014 Beach Water Quality Monitoring Program

Dear Beach Operators:

For many years, the Health Department of Northwest Michigan has provided Beach Water Quality Monitoring for 31 Lake Michigan beaches within our district. This important work was made possible through grant funding from the United States Environmental Protection Agency (EPA) and the Michigan Department of Environmental Quality (MDEQ). Those who live on or near the lake, and seasonal tourists who visit and enjoy our unspoiled beaches, have come to trust that the water quality is being monitored for their safety. The monitoring program has been successful in protecting public health, and has also supported the economic benefit of having clean, safe swimming areas.

Unfortunately, due to severe EPA funding cuts, the Health Department will not be able to continue comprehensive sampling of these Great Lakes beaches without financial assistance. If you feel it's important for us to continue monitoring your beach areas as part of our 2014 Beach Water Quality Monitoring Program, we need your help.

We've developed a low-cost solution that will include 10 weeks of beach water quality sample collection and analysis, posting of beach water quality information on the state's publicly-accessible water quality website, and complete handling of any necessary advisories, closures and follow-up sampling. Our agency operates the Northern Michigan Regional Laboratory, a water quality laboratory with the ability to analyze samples at a very low cost and provide results quickly. The cost per beach has been established at **\$1,000** for the 2014 season.

If you would like to participate in the 2014 Beach Monitoring Program, please contact me at (231) 547-7651 or s.kendzierski@nwhealth.org for further details.

We hope 2015 will see a return of funding opportunities for this much needed and valued program. Best wishes for a safe and healthy 2014 Beach Season!

Sincerely,

Scott Kendzierski, MS, REHS
Director of Environmental Health Services

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

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

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

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

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

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

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

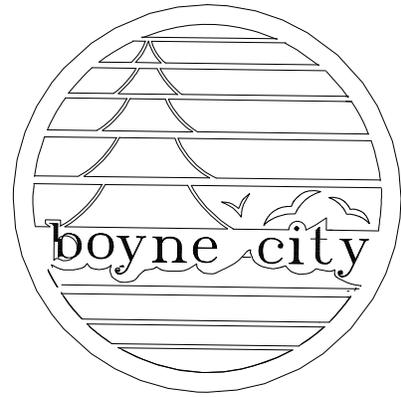
Northern Michigan
Regional Lab
95 Livingston Blvd.
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www.nwhealth.org



CITY OF BOYNE CITY

To: Michael Cain, City Manager
From: Scott McPherson, Planning Director
Date: May 27, 2014
Subject: Inquiry to Purchase City Property



Background

The City has been contacted by Ellen Hatch who owns 427 Lewis in regards to purchasing the City owned lot adjacent to her. The parcel is located near the corner of Lincoln and Lewis Street and is shown below.



The parcel is located in the Traditional Residential Zoning District and is approximately 8,600 square feet with 130 feet of frontage on Lewis Street. The parcel is irregularly shaped but it meets ordinance criteria for lot area and frontage. Water service is available to the parcel but sanitary sewer is not. As the parcel is owned by the City it does not have an assessed value. For comparison purposes the vacant parcel on the south side of 427 Lewis has a 2013 SEV of \$8,400 and a TCV of \$15,513.

Discussion

The City owns a variety of small lots and parcels throughout the City, 9 of which are shown on the attached maps. Each of the parcels shown on the maps has been reviewed by staff in terms of future use and suitability for future development. Based on this preliminary review parcels 2, 3, 4 and 6 are not currently being used but appear to be wet and/or are not suitable for development. Parcels 5 and 9 have been identified as having current or future use by the City. Parcels 1, 7 and 8 appear to be suitable for development and are not currently being used and a specific future use has not been identified.

Recommendation

This issue is being brought to the City Commission for discussion and direction for the disposition of City owned properties. It is recommended that the City Commission direct staff to research further the potential sale of unused and excess city owned properties and bring back recommendations to the City Commission.

Options

Do not pursue disposal of City owned properties

Postpone for further information

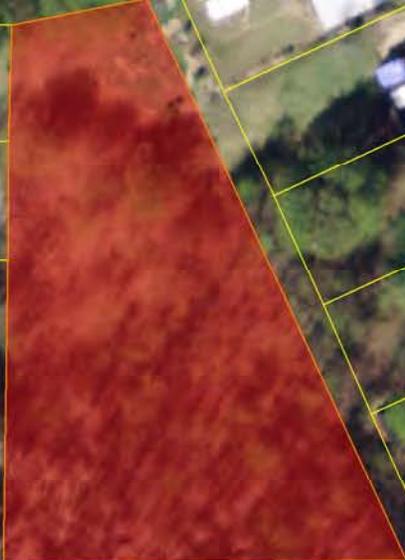
Other action as determined by the City Commission

Property 9

Timber

Pleasant

Smith





Thompson

Boice

Property 8

Property 7

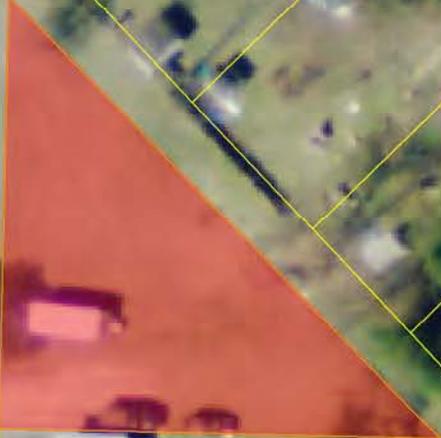
Lincoln

Lincoln/Lewis Cutoff

Lewis

Boyne

Hemlock



Property 6



Main

Grace

Forest

Hemlock

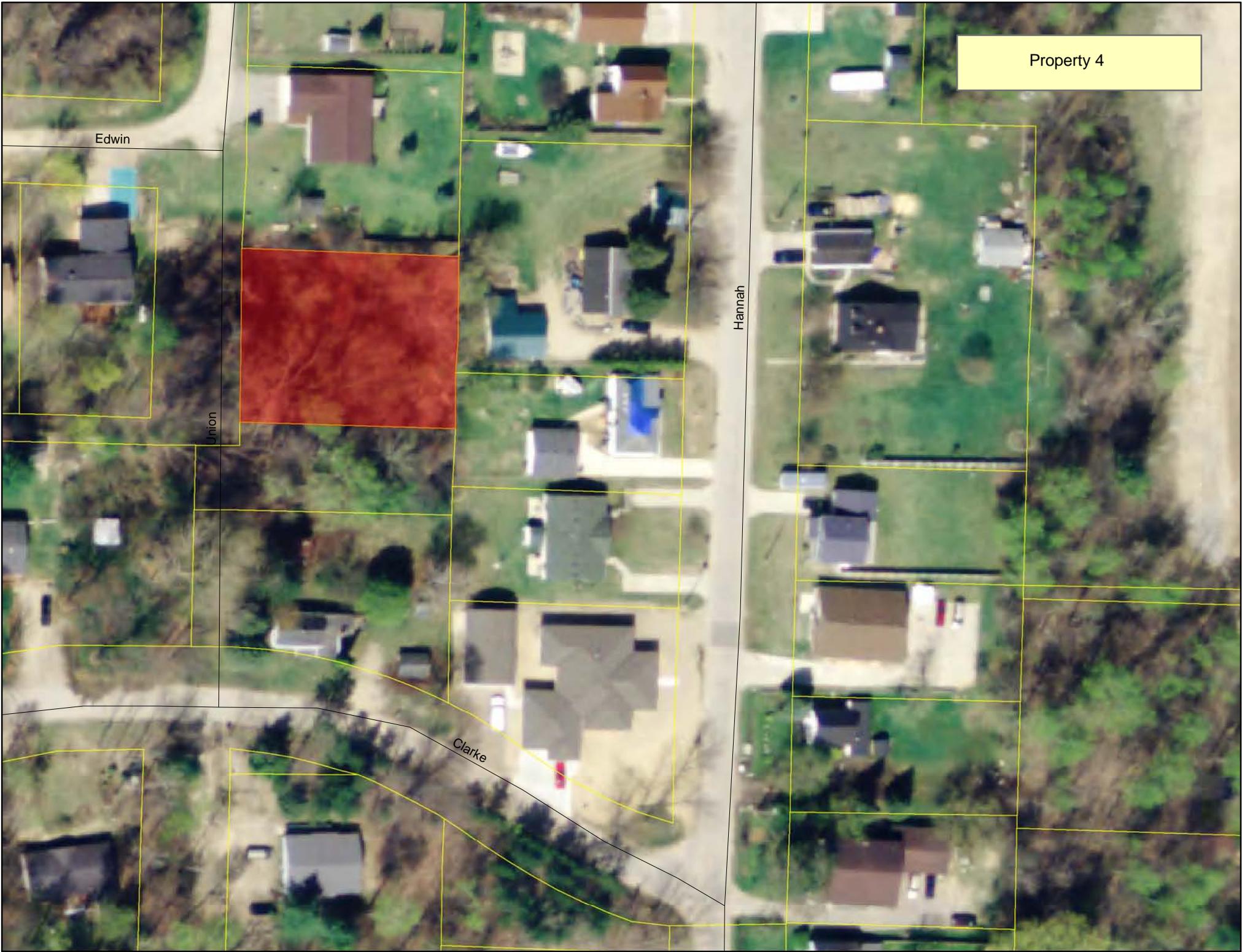


Main

Property 5

Boyne

High



Edwin

Union

Clarke

Hannah

Property 4

Property 3

Jefferson

Vogel

Union

Edwin



Property 2

Lyle

Park



Property 1

Charlevoix

Grunow

Hawkrige

Lynn

Ridge



**City of Boyne City****MEMO**

Date: May 23, 2014

To: Michael Cain, City Manager *Mc*

From: Annie Doyle, Assistant Planner *AD*

Subject: Smart Commute Week

Smart Commute Charlevoix County will take place June 2 – June 5, 2014. This is a week-long event designed to increase awareness of, and demonstrate the ability to use, alternative methods of commuting that provide health, economic and environmental benefits. Smart Commute Charlevoix County is organized by a volunteer steering committee and is partnering with Top of the Michigan Trails Council to bring this event to Charlevoix County.

It is a friendly competition to encourage co-workers and friends to bike, walk, car-pool or use public transit to get to work. Participants track their preferred method of smart commuting Monday through Thursday June 2 through June 5. There will be a trophy presented to the team with the highest percentage of employees commuting within their division, based on the overall number of employees. Registered participants get free breakfasts during the week at various locations in Boyne City, East Jordan and Charlevoix. This year Charlevoix County will be competing for the regional Smart Commute Challenge cup hoping to beat out Emmet County and Traverse City Community, TART Trails.

Recommendation

That the City Commissioners review the information regarding Smart Commute Charlevoix County and pass a resolution declaring June 2-5, 2014 as Smart Commute Week.

Options

1. Postpone for further consideration and/or information.
2. Revise the recommendation from staff.
3. Take no action.
4. Decide to not pass a resolution declaring June 2-5, 2014 as Smart Commute Week.
5. Other action(s) as determined by the City Commission.

**PROCLAMATION DECLARING
JUNE 2-5, 2014
AS
SMART COMMUTE WEEK**

WHEREAS, Smart Commute Charlevoix County is organized by a volunteer steering committee and has designated the week of June 2-5, 2014, as "Smart Commute Week"; and

WHEREAS, Smart Commute Charlevoix County is a county-wide event designed to increase awareness of, and demonstrate the ability to use, alternative methods of commuting that provide health, economic and environmental benefits through a fun-filled week of community engagement activities; and

WHEREAS, Smart Commute Charlevoix County is a friendly competition between businesses and organizations to encourage co-workers and frines to bike, walk, car-pool or use the Charlevoix County Transit to get to work; and

WHEREAS, this event, includes free commuter breakfasts every morning, a Smart Commute Clock award for winning teams, bicycle maintenance classes; and

WHEREAS, the City of Boyne City recognizes the need for creating a balanced and diversified transportation network; and

WHEREAS, the City of Boyne City has miles of bicycle and pedestrian friendly infrastructure, has constructed and has maintained sidewalks and non-motorized paths, has incorporated bike lanes on downtown streets, and has installed bicycle parking at numerous locations; and

WHEREAS, the City of Boyne City supports walking, biking and public transportation as healthy and efficient transportation options; now, therefore, be it

RESOLVED, that I, Ron Grunch, Mayor of the City of Boyne City, on behalf of the City Commission and City of Boyne City do hereby proclaim June 2 through June 5, 2014 as SMART COMMUTE WEEK and urge the citizens of the City of Boyne City to show their support of alternative transportation by participating in Smart Commute Week.

Ron Grunch, Mayor
City of Boyne City



TAKE THE CHALLENGE - GET YOUR WORKPLACE INVOLVED!
SIGN UP FOR
2014 SMART COMMUTE CHARLEVOIX COUNTY CHALLENGE
June 2 through June 5

Smart Commute Charlevoix County is a week-long event designed to increase awareness of, and demonstrate the ability to use, alternative methods of commuting that provide health, economic and environmental benefits through a fun-filled week of community engagement activities. Smart Commute Charlevoix County is being organized by a volunteer steering committee.

Feel like being smart even before you get to work?

Join the 2014 Smart Commute Charlevoix County Challenge! It is a friendly competition to encourage co-workers and friends to bike, walk, car-pool or use transit to get to work.

How does the Challenge Work?

Participants just track their preferred method of smart commuting Monday through Thursday June 2 through 5. The COVETED CLOCK goes to the team with the highest percentage of employees commuting within their division, based on the overall number of employees. Divisions are small, medium, large.

Why would you want to participate?

- Encourage healthy lifestyle habits & foster team spirit among colleagues
Reduce your carbon footprint and help preserve our environment
Free up parking for customers
Enjoy breakfast each morning from one of our breakfast sponsors
Enjoy interesting carpool discussions & SAVE MONEY

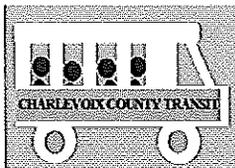
How to sign up?

Just fill out the registration on the back of this letter and send it in or drop it off, or fax, or email to Val at the Charlevoix Library, no fee required to participate.

Then what?

Once you register we will provide you with a staff sign-in sheet, poster, updates leading up to the Smart Commute Week, and breakfast tickets for your participants.

Contact Val, (231)237-7360 or val@charlevoixlibrary.org or fax (231)547-0678.



Breakfast Sponsors

Table with 3 columns: Day, Charlevoix, Boyne City, East Jordan. Rows for Monday, Tuesday, Wednesday, Thursday.

Find a new route... SMART COMMUTE!

Smart Commute Charlevoix County

Press Release

April 29, 2014

**Contact: Val Meyerson, 231-237-7360, val@charlevoixlibrary.org
Michelle Rick-Biddick, 231 224 6116, watchcharlevoix@gmail.com**

Smart Commute Charlevoix County (previously Smart Commute Charlevoix) will take place June 2 –June 5, 2014. This is a fun-filled week-long event designed to increase awareness of, and demonstrate the ability to use, alternative methods of commuting that provide health, economic and environmental benefits. Smart Commute Charlevoix County is organized by a volunteer steering committee and is proud to be partnering with Top of Michigan Trails Council to bring this event to Charlevoix County.

Join the 2014 Smart Commute Charlevoix County Challenge! It is a friendly competition to encourage co-workers and friends to bike, walk, car-pool or use transit to get to work. Participants track their preferred method of smart commuting Monday through Thursday June 2 through 5. There will be a traveling trophy of the "COVETED CLOCK" presented to the team with the highest percentage of employees commuting within their division, based on the overall number of employees. Divisions are small (1-4), medium (5-15), large (16+).

Registered participants get free breakfasts Monday June 2nd through Thursday June 5th at various locations in Boyne City, East Jordan, and Charlevoix. This year Charlevoix County will be competing for the regional Smart Commute Challenge cup hoping to beat out Emmet County and the Traverse City Community, TART Trails.

Make sure you are ready for commuter week by grabbing your bike and bringing it to an upcoming free bike maintenance and safety clinic. Revolution Bike of Charlevoix (102 Mason St.) will offer the class Wednesday, May 7, 2014 at 7pm, but please call 237-0900 to reserve your place today. North Country Cycle Sport of Boyne City (126 E. Water St.) will offer the class Tuesday, May 20, 2014 at 6pm with no pre-registration required.

Event sponsors include: Charlevoix County Transit, Roush CleanTech, Irish Boat Shop, Bay Winds Federal Credit Union, The Grain Train, Charlevoix Area Hospital, and Castle Farms, Revolution Bike, and North Country Cycle Sport. Breakfast sponsors include: Scovies, Johan's Café Charlevoix, Charlevoix Area Hospital, Harbor View Café, Safe Haven Ministries, Subway (Boyne City and East Jordan), Café Sante, Local Flavor/Wildwood Rush, Lake Street Market, Darlene's Restaurant, East Jordan Senior Center, and EJ.

To register a team, download registration forms at <http://www.smartcommutecc.com> or call Val Meyerson at 237-7360. Completed forms can be sent to the Charlevoix Library (220 W. Clinton St.) or emailed to Val at val@charlevoixlibrary.org, and there is no fee required to participate.

If you are interested in helping to sponsor this event, please contact Val Meyerson (231)237-7360, val@charlevoixlibrary.org or Michelle Rick-Biddick (231) 224-6116, watchcharlevoix@gmail.com.

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May 2014

| May 2014 | | | | | | | June 2014 | | | | | | |
|----------|----|----|----|----|----|----|-----------|----|----|----|----|----|----|
| S | M | T | W | T | F | S | S | M | T | W | T | F | S |
| | | | | 1 | 2 | 3 | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 4 | 5 | 6 | 7 | 8 | 9 | 10 | 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| 11 | 12 | 13 | 14 | 15 | 16 | 17 | 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 18 | 19 | 20 | 21 | 22 | 23 | 24 | 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 25 | 26 | 27 | 28 | 29 | 30 | 31 | 29 | 30 | | | | | |

| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
|------------------------------------|----------------------------------|---|--|--|--------|-----------------------------|
| | | | | May 1 8:30am Main Street Board mtg. 6:00pm Parks & Rec | 2 | 3 8:00am Buff Up Boyne |
| 4 | 5 | 6 5:00pm ZBA | 7 5:00pm Lower Lake St. Storm Water | 8 | 9 | 10 |
| 11 Mother's Day (United States) | 12 12:00pm EDC/LDFA | 13 7:00pm City Commission | 14 | 15 Marina Open | 16 | 17 8:00am Farmers Market |
| 18 | 19 5:00pm Planning Commission | 20 7:00pm Historic District | 21 8:00am Farmers Market | 22 5:30pm Airport Advisory Board | 23 | 24 8:00am Farmers Market |
| 25 | 26 Memorial Day Parade/Events | 27 12:00pm City Commission 6:00pm City Facilities (Senior Center) | 28 8:00am Farmers Market | 29 | 30 | 31 8:00am Farmers Market |

June 2014

| June 2014 | | | | | | |
|-----------|----|----|----|----|----|----|
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| 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 | 30 | | | | | |

| July 2014 | | | | | | |
|-----------|----|----|----|----|----|----|
| S | M | T | W | T | F | S |
| | | 1 | 2 | 3 | 4 | 5 |
| 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 27 | 28 | 29 | 30 | 31 | | |

| Sunday | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
|------------------------------|--|-------------------------|--|-------------------------------|--|---|
| June 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | ZBA-Cancelled | 8:00am Farmers Market | 6:00pm Parks & Rec | | 8:00am Farmers Market |
| 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| | | 7:00pm City Commission | 8:00am Farmers Market 6:00pm Business After Hours | 8:30am Main Street Board mtg. | 6:00pm Stroll The Streets | Flag Day (United States) Mountain Mayhem 8:00am Farmers Market |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| Father's Day (United States) | 5:00pm Planning Commission 7:00pm Historical Commission | | 8:00am Farmers Market | | 6:00pm Stroll The Streets | Bike for Breast Cancer Million Dollar Tribute Fund-ra 8:00am Farmers Market |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| | | 12:00pm City Commission | 8:00am Farmers Market 6:30pm Evenings at the Gazebo | 5:30pm Airport Advisory Board | SOBO Arts Festival 6:00pm Stroll The Streets 8:00am Farmers Market | |
| 29 | 30 | | | | | |