

**AUGUST 13, 2019
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 AUGUST 13, 2019

CALL TO ORDER

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

Present: Mayor Tom Neidhamer, Mayor Pro-Tem Ron Grunch, Commissioners Hugh Conklin and Dean Solomon

Absent: Commissioner Page

Staff: Cindy Grice, Scott McPherson Michael Cain, Mark Fowler, Tim Faas, Jeff Gaither, John Lamont, Barb Brooks and Kevin Spate

Others: There were 15 citizens in attendance, including a representative from the Petoskey News Review.

**Excuse Commissioner
Page
MOTION**

2019-08-089
Moved by Neidhamer
Second by Solomon

To excuse Commissioner Page from attending tonight's meeting

Ayes: 4
Nays: 0
Absent: 1
Motion carried

**CONSENT AGENDA
MOTION**

2019-08-088
Moved by Conklin
Second by Solomon

Approval of the July 23, 2019 City Commission regular meeting minutes as presented
Approval to schedule a City Commission work session on Tuesday, August 20th at 1:00 p.m. in the Parkview Room to discuss Marijuana public engagement opportunities
Approval to designate Mayor Tom Neidhamer as the official representative of the City of Boyne City to cast the vote of the municipality for the MML Election of Trustees at the annual meeting and to designate Mayor Pro-Tem Ron Grunch to serve as alternate
Approval of Amendment No. 2 to the contract with Rieth-Riley Construction for the 2019/2020 Road Rehabilitation Project in an amount not-to-exceed \$14,438.46 to reflect the final quantities; approve payment of a total amount of \$274,609.29 and authorize the City Manager to execute the documents

Ayes: 4
Nays: 0
Absent: 1
Motion carried

CITIZENS COMMENTS

John McCahan raised concerns about the condition of the property located at the corner of Main and Front Streets. There are weeds and it is in need of care.

CORRESPONDENCE

None

**CITY MANAGERS
REPORT**

A special presentation was made to representatives from Voices without Borders for their dedication into making the recent Twinning with Trim, Ireland a successful event.

City Manager Cain and Police Chief Jeff Gaither honored Craig Remsberg for his 39 years of commitment and service to Boyne City and wished him well in his retirement.

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

Draft minutes of the June 27, 2019 Airport Board Meeting; the July 15, 2019 Planning Commission Meeting and the July 25, 2019 Airport Board Meeting were received and filed.

**Boyne City to Boyne
Falls Non-motorized
trail contract**

Planning Director Scott McPherson discussed the bids received for the Boyne City to Boyne Falls Trail. The low bid was \$1,616,406.75 and \$159,313.34 (9.86%) over the engineer's estimate. To initiate the project the City and MDOT must execute a contract. Options have been looked at and it is best that we move forward with this project. Funds have already been spent.

Staff Comments: City Manager Cain also agrees with the recommendation.

Citizens Comments: Mike Sheean said the City should proceed with this project. His fundraising group is dedicated to getting the finances ready to support this project and are exploring other opportunities to move forward including a \$30,000 commitment. Sue Hobbs, supervisor of Boyne Valley Township said Boyne Valley didn't make a motion to move forward, but if they don't, this project could move backward. They don't want to lose the funds they have already spent. It is a very important project to the area. They are looking at ways to participate and won't sit back and watch the City take the whole bite. John McCahan said there have been a lot of efforts so far. This project needs to move forward.

Board Discussion: All Commissioners are in full support of this project moving forward.

MOTION

2019-08-089
Moved by Conklin
Second by Solomon

To approve the resolution for contract #19-5389 from MDOT for the City of Boyne City. to accept the contract bid from J & N for construction of the non-motorized trail project from Boyne City to Boyne Falls and authorize City Manager Michael Cain and Clerk / Treasurer Cindy Grice to sign the documents

Ayes: 4
Nays: 0

Absent: 1
 Motion carried

Edwin Street Vacation Request

Consideration of a street vacation from Charles Johnson to vacate the west 150.6 foot section of the undeveloped Edwin Street between Union and Jefferson Streets is being requested to be postponed to a future date.

Staff Comments: None

Citizens Comments: None

Board Discussion: None

MOTION

2019-08-090
 Moved by Solomon
 Second by Grunch

To postpone the request from Charles Johnson to vacate the west 150.6 foot section of the undeveloped Edwin Street between Union and Jefferson Streets to a future date.

Ayes: 4
 Nays: 0
 Absent: 1
 Motion carried

Rubbish Collection Change

Consideration to approve to change the fall rubbish collection program from three (3) days to two (2) days, namely August 28th and 29th (Week 1) and September 4th and 5th (Week 2)

Public Works Superintendent Tim Faas stated that in April 2019, the City Commission approved a one-year extension of a contract with American Waste for solid waste collection and disposal services including the spring & fall rubbish collection program. The approved budget for the annual rubbish collection program is \$65,000. At that time, the City Commission was advised that staff would work with American Waste on ensuring the approved budget is not exceeded.

Following the spring collection, I met with American Waste to review the hours, volumes and costs of the service. The table below shows a comparison of last year versus this year's data.

<u>Collection</u>	<u>2018</u>	<u>2019</u>	<u>Difference</u>
Spring Hours actual)	100	115	+15 (15% more -
Spring Cu. Yards actual)	600	675	+75 (13% more -
Spring Costs more - actual)	\$35,348	\$41,600	+\$6,252 (18%
Fall Hours	75	tbd	
Fall Cu. Yards	459	tbd	
Fall Costs	\$26,727	tbd	

Annual Hours	175	tbd	
Annual Cu. Yards	1,059	tbd	
Annual Costs	\$62,075	\$65,000	+\$2,925 (5% more – as budgeted)

Historically the City of Boyne City has offered a three (3) week long program in both the spring and the fall. Based on the increase in hours, volume and associated costs for the spring 2019 collection program, we would likely not have sufficient funds to offer a three (3) week long program in the fall and stay within the \$65,000 approved budget. My best projection would be that a three (3) week long collection program would cost an additional \$8,138 should the increase trend this fall be as it was this spring. As such, I would recommend we scale back the number of collection days from three (3) days to two (2) days for the fall collection program.

Staff Comments: None

Citizens Comments: None

Board Discussion: Commissioner Solomon inquired of other ways to manage these costs. All are in agreement with the recommendation

2019-08-091

Moved by Solomon

Second by Grunch

MOTION

To approve to change the fall rubbish collection program from three (3) days to two (2) days, namely August 28th and 29th (Week 1) and September 4th and 5th (Week 2)

Ayes: 4

Nays: 0

Absent: 1

Motion carried

GPS Units

Consideration to purchase two Eos Arrow 100 GNSS GPS units with optional accessories as quoted by infoGraphics for a cost not to exceed \$9,697.90 and authorize the City Manager to execute the documents.

Planning Director Scott McPherson discussed the request to purchase additional items that qualify for funding under the SAW grant. The purchase of two Eos Arrow 100 GNSS GPS units with option accessories will give the City the ability to provide one GPS unit for each of the Water/Wastewater Departments. These units will allow the personnel the capacity to collect highly accurate data point while in the field which can then be integrated into the City GIS system.

Staff Comments: None

Citizens Comments: None

Board Discussion: All are in agreement with the recommendation

MOTION

2019-08-092
 Moved by Grunch
 Second by Conklin

To approve to purchase two Eos Arrow 100 GNSS GPS units with optional accessories as quoted by infoGraphics for a cost not to exceed \$9,697.90 and authorize the City Manager to execute the documents.

Ayes: 4
 Nays: 0
 Absent: 1
 Motion carried

Tree Trimming Contract Amendment

Approval of a change order amending purchase order #5608 with All Aspects Forestry for the 2019/2020 Street Removal and Trimming work in an amount not-to-exceed an additional \$17,125 and authorize the City Manager to execute the documents

Public Works Superintendent Tim Faas stated that each year the Public Works Department has a list of locations where trees located in the public right-of-way require removal and/or trimming. Routinely maintaining the trees reduces the liability the City has along our streets. For the sixth consecutive year, the 2019 Contract was awarded to All Aspects Forestry LLC in an amount not-to-exceed \$25,000 based on the tree quantities provided by the City and an estimate of the required hours by the Contractor.

After the award of the contract, an additional 12 trees were added to the tree removal list as these trees were reported to the City of Boyne City during May and June. Once the removals were completed in July, the Contractor informed me that the hours spent on the original 38 trees plus the additional 12 trees totaled more than originally estimated.

The reasons the removal hours were more is as noted below:

1. The diameter of the trees cut in 2019 was substantially larger than past years, as many of the large dead trees reported in 2017 and 2018 for removal were deferred due to budget concerns. A detailed inventory of the trees was completed in the fall of 2018 by Mike Wiesner and Gow Litzenburger. Many of the trees cut in the past ranged from 4" diameter to 30" diameter which was the basis for the Contractor's estimate. The trees this year ranged from 6" diameter to 84" diameter for comparison.
2. Very few of the trees were in areas that had clear fall zones like the past several years. Most trees were around overhead electric & utility lines, so more care was required for safety reasons during the removal process.

Together with the Contractor, I have estimated the costs for the remaining work (trimming and stump removal) to be roughly \$17,125 as summarized on the attached spreadsheet.

At this time, the work is on-hold pending approval by the City Commission on a change order to PO #5608 to cover the additional \$17,125.

Staff Comments: None

Citizens Comments: None

Board Discussion: Commissioner Solomon inquired about the effect on the planting budget and was informed that this leaves \$20,000 for planting

MOTION

2019-08-093
 Moved by Conklin
 Second by Grunch

To approve of a change order amending purchase order #5608 with All Aspects Forestry for the 2019/2020 Street Removal and Trimming work in an amount not-to-exceed an additional \$17,125 and authorize the City Manager to execute the documents

Ayes: 4
 Nays: 0
 Absent: 1
 Motion carried

**Dump Truck #17
 Rebuild**

Approval to award a purchase order contract with Truck & Trailer Specialties of Boyne Falls for the rebuild of Truck #17 in an amount not-to-exceed \$43,503.87 and authorize the City Manager to execute the documents

Public Works Superintendent Tim Faas stated that Public Works has four (4) dump/plow trucks in the motor pool fleet. Three (3) of the trucks are about fifteen (15) years old. One unit (Truck #3) is scheduled for replacement this year which once ordered will take about a year for delivery. Another unit (Truck #17) is scheduled for replacement of the underbody scraper blade and salt/sand conveyer system. The estimated budget for this rebuild is \$27,000.

The Public Works Streets Foreman has been working out the detailed specifications with our contact at Truck & Trailer Specialties of Boyne Falls where the RDS truck box and attachments were originally purchased. The highest probable cost for the rebuild is summarized below:

Component	Cost
Rexroth Hydraulic Valve for Scraper	\$7,226.32
Monroe Scraper Blade	\$12,189.32
RDS Box and Conveyer Rebuild	\$24,088.23
Total	=\$43,503.87

The amount could be less once the truck body and existing scraper blade are removed from the International Truck chassis. Despite being more cost than what was budgeted, since the replacement of Truck #3 will not be charged until 2020 now, there is more than sufficient funds to pay for the rebuild of Truck #17 this fiscal year. During the year, the rental rates continue to be charged on all four trucks which should help bolster the revenues necessary for replacement in 2020. This equipment investment will outlive the remaining life of the truck chassis and can be re-used on a future chassis replacement.

The cost for this rebuild is included in the 2019/2020 motor pool budget as presented to the City Commission and would be charged to the following account: #661-040-970.000 (Motor Pool – Capital Outlay).

Staff Comments: None

Citizens Comments: None

MOTION

Board Discussion: All are in agreement with the request.

2019-08-094

Moved by Solomon

Second by Conklin

To approve to award a purchase order contract with Truck & Trailer Specialties of Boyne Falls for the rebuild of Truck #17 in an amount not-to-exceed \$43,503.87 and authorize the City Manager to execute the documents

Ayes: 4

Nays: 0

Absent: 1

Motion carried

Marina Lighthouse Painting Bid

Consideration to award a bid to Futurity19, Inc. in the amount of \$6,250 to clean, repair and paint the marina lighthouse and authorize the City Manager to execute the documents

Harbormaster Barb Brooks discussed the request for proposals to clean, repair and pain the lighthouse at the marina. No bids were received by the requested deadline. She reached out to several area contractors to get some feedback about this process and received some concerns about the condition of the stucco and how much repair might be required and the cleaning process. Bob Kroondyk of Kroondyk Construction submitted a proposal in 2018 for this work but not enough funds were budgeted to undertake the project. This year, Kroondyk's construction came in substantially higher than the 2018 bid. Bob resubmitted a proposal in the amount of \$7,860 with a later due date. Futurity19 could complete the project in August at a cost of \$6,250.

Staff Comments: None

Citizens Comments: None

Board Discussion: Commission Conklin had concerns regarding the cost difference and feels that it is minor enough to go with the local contractor. All other Commissioner are in agreement with the recommendation,

MOTION

2019-08-095
 Moved by Solomon
 Second by Grunch

To approve to award a bid to Futurity19, Inc. in the amount of \$6,250 to clean, repair and paint the marina lighthouse and authorize the City Manager to execute the documents

Ayes: 3
 Nays: 1, Commissioner Conklin
 Absent: 1
 Motion carried

**POLICE CHIEF
 RESIGNATION**

Police Chief Jeff Gaither announced his resignation from the City as of November 9, 2019.

**CLOSED SESSION
 MOTION**

2019-08-096
 Moved by Neidhamer
 Second by Grunch

To approve the request of the City Manager to go into closed session with our attorney regarding Attorney/Client Privilege document as provided in MCL 15.268 (h) of the Michigan Open Meetings Act (PA 267 of 1976) at 8:42 p.m.

Ayes: 4
 Nays: 0
 Absent: 1
 Motion carried

**RETURN TO OPEN
 SESSION
 MOTION**

2019-08-096
 Moved by Neidhamer
 Second by Grunch

To return to Open Session at 9:24 p.m.

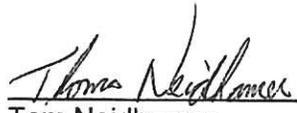
Ayes: 4
 Nays: 0
 Absent: 1
 Motion carried

Good Of The Order

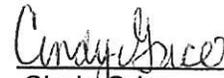
None

ADJOURNMENT

Motion by Mayor Neidhamer, second by Commissioner Conklin to adjourn the Regular City Commission meeting of Tuesday, August 13, 2019 at 9:24 p.m.



Tom Neidhamer
Mayor



Cindy Grice
Clerk/Treasurer