

City of Boyne City
Founded 1856

319 N. Lake Street

Boyne City, Michigan 49712
www.boynecity.com

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

**BOYNE CITY
CITY COMMISSION REGULAR MEETING
Boyne City Hall
319 North Lake Street
Tuesday, May 14, 2013 at 7:00 pm**

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 April 23, 2013 City Regular City Commission meeting minutes as presented
 - B. Approval to re-appoint Pat Kubesh to the Zoning Board of Appeals with a term to expire on September 1, 2016
 - C. Approval to re-appoint Roger Reynolds to the Zoning Board of Appeals with a term to expire on September 1, 2016
 - D. Approval to appoint Jo Bowman to the Parks & Recreation board to fill a board vacancy with a term to expire on December 31, 2014
4. HEARING CITIZENS COMMENTS (on non-agenda items; 5 minute limit)
5. CORRESPONDENCE
 - A. Correspondence from Susan Sharp / Boyne City Middle School
6. CITY MANAGER'S REPORT
7. REPORTS OF OFFICERS, BOARDS, AND STANDING COMMITTEES
 - A. Draft Minutes of the April 4, 2013 Main Street Board Meeting
 - B. Draft Minutes of the April 11, 2013 Parks & Recreation Commission Meeting
 - C. Draft Minutes of the April 15, 2013 Special LDFA Meeting
 - D. Draft Minutes of the April 15, 2013 Special EDC Meeting
 - E. Draft Minutes of the April 15, 2013 Planning Commission Meeting
8. UNFINISHED BUSINESS

An Equal Opportunity Provider and Employer

Hometown Feel, Small Town Appeal

9. NEW BUSINESS

- A. William H White House Project
Consideration of Northern Homes' request of City Support of William H White – 417 Boyne Avenue house restoration
- B. Charlevoix County Foreclosed property
Consideration to decline Charlevoix County's current offer of properties to the City of Boyne City and authorize staff to respond accordingly while also informing the County the City's desire that the 417 Boyne Avenue be added to the County's land bank for reuse as outlined by Northern Homes or something similar
- C. Michigan Mountain Mayhem Request
Consideration to approve the request by the Michigan Mountain Mayhem and Magnum Hospitality to serve alcohol in accordance with the rules of the Liquor Control Commission during the pre-event registration party from 5 to 9 pm on June 7, 2013
- D. Property Donation
Consideration to approve acceptance of property located behind the Johnson Oil gas station at 209 and 211 South Lake Street donated from Dr. Dennis Kirkby and authorize the City Manager to execute the documents
- E. Cemetery Tree Removal
Consideration to accept the bid from All Aspects Forestry from Boyne City in the amount of \$9,500 to remove the marked trees and grind the stumps and remove all wood, brush and wood chips, utilizing approximately \$7,000 from the Cemetery Fund balance and authorize the City Manager to execute the documents.
- F. Marina Renovation Permit
Consideration to accept the conditions set form in the draft permit from the MDEQ for the marina renovation of the fixed docks and shoppers dock and authorize the City Manager to execute the necessary documents

10. GOOD OF THE ORDER

11. ANNOUNCEMENTS

- The Special City Commission / Planning Commission meeting is scheduled for Tuesday, May 28, 2013 at 6:00 p.m.
- The next regular City Commission meeting is scheduled for Tuesday, May 28, 2013 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



*Scan QR code or go to
www.cityofboynecity.com
click on Boards & Commissions for complete
agenda packets & minutes for each board*

**APRIL 23, 2013
REGULAR MEETING**

RECORD OF THE PROCEEDINGS OF THE REGULAR BOYNE CITY COMMISSION MEETING DULY CALLED AND HELD AT BOYNE CITY HALL, 319 NORTH LAKE STREET, ON TUESDAY APRIL 23, 2013 AT NOON

CALL TO ORDER

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

Present: Mayor Ron Grunch, Mayor Pro-Tem Gene Towne, Commissioner Laura Sansom

Absent: Commissioner Neidhamer and Commissioner Gaylord (who arrived at 12:31 p.m.)

Staff: Andy Kovolski, Michael Cain, Hugh Conklin, Kevin Spate, Leslie Meyers, Dan Meads, Barb Brooks, and Cindy Grice

Others: There were 6 citizens in attendance, including representatives from the Charlevoix County News and Petoskey News Review

**EXCUSE COMMISSIONER
NEIDHAMER
MOTION**

2013-04-050
Moved by Grunch
Second by Towne

To excuse Commissioner Neidhamer from today's meeting.

Ayes: 3
Nays: 0
Absent: 2
Motion carried

**CONSENT AGENDA
MOTION**

2013-04-051
Moved by Towne
Second by Sansom

To approve the April 9, 2013 Regular City Commission meeting minutes as presented

Ayes: 3
Nays: 0
Absent: 2
Motion carried

CITIZENS COMMENTS

Chris Glassford made a formal request to have something permanent done to the alley between his home and Cindi Franco's. The gravel is always a mess. It is a busy alley, very dusty and has deep furrows in it.

CORRESPONDENCE

Correspondence from the Michigan State Housing Development Authority regarding recapture and closeout of Grant # MS-2011-6409-HO (Cancelled Kruzel apartment project); the Michigan Department of Natural Resources regarding 2013 DTE Energy Tree Planting Grant; the Michigan Department of Transportation regarding road funding; a Public Notice for the upcoming the Charlevoix County Local Road Task Force Public Hearing and a copy of MML letter to Governor Rick Snyder regarding the Economic Vitality Incentive Program were received and filed.

Mayor Grunch called for a moment of silence for the father of Police Chief Jeff Gaither who passed away last week and for Evelyn Dodds, mother of City retiree Richard Dodds, who also passed away.

MOMENT OF SILENCE

City Manager Cain reported:

CITY MANAGER'S REPORT

- Plans for the Classic Instrument Expansion project have been approved.
- The City Manager and Hugh Conklin were panelists for the Creating Entrepreneurial Communities conference.
- Free seedlings will be available on Thursday, April 25 for Arbor Day.
- Beginning on April 25 and running through May 15, the water department will be flushing hydrants.
- Leaf pick up begins this Friday.

The March 2013 Financial Statement was received and filed.

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

2013-04-052

Moved by Grunch
Second by Sansom

To move the Fireworks Ordinance and Budget Amendment agenda items to the end of the meeting awaiting Commissioner Gaylord's arrival.

Ayes: 3
Nays: 0
Absent: 2
Motion carried

Consideration to approve the FYE 2012/2013 Wilson Township Planning and Zoning Contract for \$36,931.67 and the Evangeline Township Planning and Zoning Contract for \$25,576.62.

**Township Planning and
Zoning Contracts**

City Manager Cain discussed the proposed contracts that have been approved by the Townships and include a 2% increase over last year.

Citizens Comments: None

Staff Comments: None

Board Deliberation: All are in agreement

MOTION

2013-04-053

Moved by Grunch
Second by Sansom

To approve the FYE 2012/2013 Wilson Township Planning and Zoning Contract for \$36,931.67 and the Evangeline Township Planning and Zoning Contract for \$25,576.62

Ayes: 3
Nays: 0
Absent: 2
Motion carried

Douglas Street Bids

Consideration to approve the Douglas Street Construction bid to Tri County Excavating in the amount of \$287,406.95 and authorize the City Manager to execute the documents

City Manager Cain discussed the upcoming project. Construction timeframe is July 7 thru August 10.

Citizens Comments: None
Staff Comments: None

Commissioner Gaylord arrived at 12:31 p.m.

Board Deliberation: All are in agreement with the recommendation.

MOTION

2013-04-054
Moved by Grunch
Second by Sansom

To approve the Douglas Street Construction bid to Tri County Excavating in the amount of \$287,406.95 and authorize the City Manager to execute the documents

Ayes: 4
Nays: 0
Absent: 1
Motion carried

Pavement Marking

Consideration to approve a bid for pavement marking services to M & M Pavement Marking for an estimated amount of \$20,320.10 and authorize the City Manager to execute the documents

Andy Kovolski discussed the pavement bid received in response to our second bid request for pavement marking. The only bid received from the original request was for \$41,843.75. After seeking bids again because the first bid was over two times the cost of last year's services, we received a quote from M & M Pavement Marking for an estimated amount of \$20,320.10. This contractor is on the MDOT pre-approved contractor's list.

Citizens Comments: None
Staff Comments: None

Board Deliberation: All are in agreement.

MOTION

2013-04-055
Moved by Grunch
Second by Sansom

To approve bid for pavement marking services to M & M Pavement Marking for an estimated amount of \$20,320.10 and authorize the City Manager to execute the documents

Ayes: 4
Nays: 0
Absent: 1
Motion carried

Consideration to accept a grant from the Michigan DNR and Waterways Commission, adopt the authorizing resolution and authorize the City Manager to sign the necessary documents and move forward with the project

Waterways / DNR Grant Agreement

Harbormaster Barb Brooks presented the grant agreement for the 2013 Emergency Dredging plan. This grant calls for 100% funding. Grant funds are intended to cover the cost of permitting, engineering, dredging and disposal. As previously indicated, we will dredge what we can with the funds we have. We are unclear, but have seen references to Boyne City funds at \$105,000.

Staff Comments: None

Citizens Comments: None

Board Deliberation: Commissioner Gaylord inquired about the sediment testing results. Harbormaster Brooks stated three locations tested higher levels and we are awaiting MDEQ response how to handle this. Commissioner Gaylord also discussed the Attorney General opinion regarding funding and Harbormaster Brooks said it sounds like it won't impact us. Mayor Pro-Tem Towne said he believes it needs to be done and fully supports it. Commissioner Sansom said she is concerned that \$105,000 is not enough. Mayor Grunch supports the recommendation.

2013-04-056

Moved by Towne

Second by Sansom

MOTION

To accept a grant from the Michigan DNR and Waterways Commission, adopt the authorizing resolution and authorize the City Manager to sign the necessary documents and move forward with the project

Ayes: 4

Nays: 0

Absent: 1

Motion carried

Consideration to authorize the purchase of a 2013 F25 pickup truck from Bob Mathers' Ford in the amount of \$21,534.52 and authorize the City Manager to execute the documents

Water / Wastewater Departments Pick-up Truck Purchase

WWW Superintendent Dan Meads discussed the replacement of the 2002 pick up truck during FYE 2014. This item has been budgeted. Bob Mathers Ford has matched the pricing we can get through the MIDeal program and has provided good service when needed.

Staff Comments: None

Citizens Comments: None

Board Deliberation: All are in agreement. Commissioner Sansom likes we are purchasing locally. Commissioner Gaylord said the age of the prior vehicle goes to show we are not replacing just because. The 2002 vehicle will then be sold.

2013-04-057
Moved by Gaylord
Second by Towne

MOTION

To authorize the purchase of a 2013 F25 pickup truck from Bob Mathers' Ford in the amount of \$21,534.52 and authorize the City Manager to execute the documents

Ayes: 4
Nays: 0
Absent: 1
Motion carried

2013-04-058
Moved by Grunch
Second by Towne

**Brief Recess
MOTION**

To recess for five minutes at 1:00 p.m.

Ayes: 4
Nays: 0
Absent: 1
Motion carried

2013-04-059
Moved by Grunch
Second by Towne

**Return to Meeting
MOTION**

To reconvene the meeting at 1:06 p.m.

Ayes: 4
Nays: 0
Absent: 1
Motion carried

Consideration to approve the FY 2012/2013 budget amendments in compliance with accounting and budgeting standards

**FY 2012/2013 Budget
Amendments**

Clerk / Treasurer Grice presented the proposed amendments to the FYE 2013 budget.

Staff Comments: None

Citizens Comments: None

Board Deliberation: All are in agreement.

2013-04-060
Moved by Towne
Second by Gaylord

MOTION

To approve the proposed FY 2012/2013 budget amendments in compliance with accounting and budgeting standards

Ayes: 4
 Nays: 0
 Absent: 1
 Motion carried

Consideration of revised draft ordinance for possible approval.

Fireworks Ordinance

Assistant Planner Leslie Meyers discussed the proposed fireworks ordinance amendments. Police Chief Gaither had provided a memo with information from the state law stating that while the City does have the authority to regulate the use of fireworks by minors, it cannot regulate that use on the day preceding, the day of, or the day after a national holiday. His memo also added that section 34.114 of the proposed ordinance should also be removed. If the intent of the City Commission is to prohibit the use of fireworks other than on the holidays and the day before and after, it would not be necessary to specifically regulate minors outside of the holiday exceptions because consumer fireworks use would be prohibited by everyone. It is also recommended that Section 34.113 to allow for use of consumer fireworks with a permit from the City Commission. Section 34.113 would read; a person shall not ignite, discharge or use consumer fireworks except for the day preceding, the day of, or the day after a national holiday, or by permit from the City Commission.

Staff Comments: None

Citizens Comments. Jim Baumann said this state law was poorly conceived legislation.

Board Deliberation: Mayor Pro-Tem Towne said his views haven't changed. We have to live with the 3 day holiday period. He has been approached by citizens who would like to see this ordinance passed. Commissioner Gaylord said he remains steadfast and opposes any additional regulations other than what the state has. Commissioner Sansom expressed concerns about no age limits. How does a 4 year old light a firework when they are not even allowed to purchase matches or a lighter? She is not happy with the state ordinance. Mayor Grunch said he has had citizens approach him also. We need to take control of our fireworks and he supports the proposed amendments.

2013-04-061
 Moved by Towne
 Second by Grunch

MOTION

To approved the Fireworks ordinance revisions as proposed, removing section 34.114, removing the word " special" from section 34.115 and in section 34.112, eliminate section F. In conjunction with all above, renumber accordingly.

Ayes: 4
 Nays: 0
 Absent: 1
 Motion carried

Commissioner Sansom urges everyone to keep an eye out where

Good of the Order

Consumers will be cutting trees and questioned the legitimacy on the tree removals. We should all be vigilant. Mayor Grunch said he agrees and is somewhat dismayed with the process and very poor planning.

Moved by Mayor Grunch, seconded by Commissioner Gaylord to adjourn the regular City Commission meeting of April 23, 2013 at 1:31 p.m.

ADJOURNMENT

Ron Grunch
Mayor

Cindy Grice
Clerk / Treasurer

DRAFT

Leslie Meyers
319 N. Lake Street
Boyne City, MI 49712
(231) 582-0337
(231) 582-6506 fax
lmeyers@boynecity.com

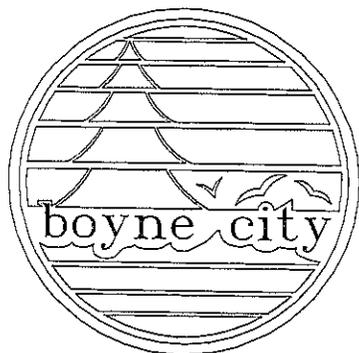


Memo

To: Michael Cain, City Manager *MC*
From: Leslie Meyers, Assistant Planning Director *LAM*
Date: May 8, 2013
Re: Re-appointment of ZBA Members Pat Kubesh and Roger Reynolds

The terms of Pat Kubesh and Roger Reynolds are due to expire on September 1, 2013. Both members have indicated that they are willing to serve another three year term. After board discussion, a motion was made to recommend to the City Commission the reappointment of Pat Kubesh and Roger Reynolds to a three year term on the Zoning Board of Appeals to expire on September 1, 2016.

Planning staff also recommends reappointment to the Zoning Board of Appeals.



CITY OF BOYNE CITY

MEMO

To: Michael Cain, City Manager *Mc*

From: Barb Brooks, Executive Assistant *BB*

Date: May 8, 2013

Subject: Parks and Recreation Board Member Appointment

At the Thursday, May 2, 2013 meeting of the Parks and Recreation Board, the board unanimously voted to recommend to the City Commission the appointment of Jo Bowman to the Parks and Recreation Board to fill a board vacancy left by Lou Awodey. This is a remainder of a four year term, expiring 12/31/2014.

*The board reviewed volunteer board applications from Jo Bowman and Jason Biskner. Both Mr. Biskner and Ms. Bowman was in attendance of the meeting. Ms. Bowman stated that she has been coming to Boyne City for over 20 years and is very excited to be retired and here full-time. She enjoys the outdoors, has a passion for the parks and recreation and would like to be more involved in the community. Mr. Biskner stated that he had been visiting the area prior to moving here a few years ago. Part of his family's decision to relocate in Boyne City was based on our beautiful parks and the recreation opportunities. Mr. Biskner has two young children and the family enjoys our parks on a regular basis. The board was thrilled to have two willing and competent citizens to choose from. Both candidates seemed to be a good fit. After board discussion, based on the time commitment and meeting availability, **Swift moved, Sheean seconded, Passed Unanimously** to recommend the City Commission appoint Jo Bowman to the Parks & Recreation Board with a term expiration of December 31, 2014.*

BCMS
1026 Boyne Ave
Boyne City, MI
49712

Hasler
04/24/2013
US POSTAGE

Agenda Item 5A

FIRST-CLASS

\$00.46⁰⁰



ZIP 49712
011D11635596

City of Boyne City
319 N. Lake St
Boyne City, MI
49712

Dear Andy et al.,

Thanks so much for delivering the load of compost to our middle school garden. We are almost ready to plant. We appreciate the generous support of the city, especially during these difficult financial times. Stop by & pick some veggies this summer!

Sincerely,
Susan Sharp

Approved: _____

**Meeting of
 April 4, 2013**

MINUTES OF THE BOYNE CITY MAIN STREET BOARD REGULAR MEETING HELD ON THURSDAY, APRIL 4, 2013 AT 8:30 A.M. IN THE COMMISSION CHAMBERS AT CITY HALL, 319 NORTH LAKE STREET

Call to Order

Chair Swartz called the meeting to order at 8:30 a.m.

Roll Call

Present: Bob Carlile, Michelle Cortright, Jim Jensen
 Larry Lenhart, Pat O'Brien, and Rob Swartz and Robin Berry Williams
 Absent: Jodie Adams (arrived 8:33) and Mike Cain (arrived 8:36)

**Meeting
 Attendance**

City Staff: Main Street Manager Hugh Conklin, Assistant Planner Leslie Meyers
 Harbor Master Barb Brooks, DPW Supervisor Andy Kovolski and
 recording secretary Karen Seeley

Public: There were two people in attendance

**Approval of Minutes
 MOTION**

O'Brien moved, Williams second PASSED UNANIMOUSLY to approve the March 7, 2013 regular meeting minutes

Citizens Comments

None

Correspondence

None

**Main Street Committee
 Reports**

In addition to the committee reports included in the agenda packet Main Street Manager Conklin reported on a few items:

- The 10th anniversary Boyne City Main Street celebration is set for June 19th, starting at 6 pm in Old City Park.
- Buff up Boyne is Saturday, May 4th 9-Noon
- The Grain Train is considering opening a satellite location at 104 Park St. in Boyne City there will be an informational meeting at the location and Conklin encouraged the Main Street board to attend.

City Manager Cain shared an ink pen that was sent to the City with the new slogan "Where Life Meets Lake". He feels this is a great promotional tool and could have multiple uses such as: Mayor's exchange, 10th Anniversary giveaway, volunteers, etc. At 39 cents a piece it is a good value to get our brand out there. The board made no decision.

Manager's Report

Main Street Manager Conklin reported on:

- Presented a façade rendering of the Boyne Theatre and informed the board a meeting has been set with the owner for April 12.
- Holiday decorations are down.
- The applications for the Sunset Park intern are due Friday, April 5th
- The Small Town Conference will be held at Crystal Mountain April 22-24.
- A Creating Entrepreneurial Community conference will be held April 22. Boyne City and two other communities have been asked to be on the panel, to share how their communities have sustained the energy and been successful.

- He attended the Challenge Mountain board meeting to discuss the proposed partnership with Boyne Thunder. The board members were fine with the proposal and will survey its membership before making a formal commitment.
- The white house at 417 Boyne Ave is in tax foreclosure and has gone back to the county. The Michigan State Historic Preservation folks will be here Monday to tour the property with Northern Homes.
- The city marina, Main Street and the farmer's market are partnering to bring WiFi to most of Veteran's Park. The network will be utilized by the marina, the Farmer's Market and users of the park. The network is expected to be operational by May 1.
- Gave the board an overview, along with Andy Kovolski, DPW Supervisor, of the meeting with MDOT regarding changes to the intersections of East & Water and Main Street and M-75. At Main Street the thought is to narrow the intersection by purchasing portable curbs to try. Their goal is to make the streets more pedestrian friendly. The city's proposed FYE 2014 budget includes monies to purchase a portable speed reading sign and traffic counters.
- Reported that Bob Gibbs of the Gibbs Planning Group has withdrawn his proposal.

Unfinished Business

Consideration to adopt 2013-2014 Main Street Budget:

- The board received a copy of their budget (received and filed) in the City format. There were no changes from the budget presented at last month's meeting. A public hearing on the budget will take place at the City Commission's April 9th meeting. **Adams moved Carlile PASSED UNANIMOUSLY** seconded to accept the 2013-2014 Main Street Budget as presented.

MOTION

Local Façade Grant Program:

- The board reviewed the revised draft policy for a Main Street funded façade grant program. After the discussion at the March meeting, several changes were made to make the process simpler and more streamlined. The creation of a façade program is included in the DDA Development Plan, and in recent years the Design committee has discussed creating a program to assist with local projects that didn't qualify for MEDC or MSHDA façade grants. Concerns have been expressed about using DDA "tax-increment" funds to support a private property owner. A possible solution is to use funds raised from Boyne Thunder to support the program. After discussion, the board decided to ask the Design Committee to refine the policy proposal.

New Business

Boyne City Marina Presentation: Update on upcoming activities

- Harbor Master Barb Brooks informed the board that the City has received \$105,000 for dredging with no local match. We are in the process of doing sentiment sampling and applying for the proper permits. We will dredge what we can, with what money they are giving us. If it doesn't happen this year, we will still be able to operate, and may lose two or three slips. We have grants to enhance our current marina & boat launch and renovate the current shoppers dock.

Sidewalk café alcohol service:

- On March 25th Planning Director Scott McPherson and Conklin held a community informational meeting to discuss the issues surrounding alcohol service at sidewalk cafes. Rob Bacigalupi, deputy director of the Traverse City DDA, where limited alcohol service is allowed in its central business district, attended and provided valuable insight. Overall, many of those attending the meeting support allowing alcohol service as long as it is

managed correctly. The request is now being presented to the Main Street Board for its consideration. The Planning Commission will also consider the request prior to it being presented to the City Commission. A brief power point was presented. Board discussion/questions: What does the existing ordinance allow? Seasonal permits for outdoor cafes (April-October). This is limited to the Central Business District. Would this change fall under the existing ordinance or would we adopt a free standing ordinance? McPherson suggested taking it out of the existing ordinance, as it prohibits alcohol. A four foot wide pathway on the sidewalk would need to be left. Would we have design standards or would every business pick out their own fencing/barrier? There would be design standards. **Adams moved Jensen seconded** to approve the concept, address the time restrictions and define a cohesive physical barrier.

Discussion regarding defining the physical barrier, we are only approving the concept, not setting the guidelines at this time. Adams amended her motion to read to approve the concept, and address a time restriction. Jensen agreed with the amendment. Not everyone will adhere to the rules, what if there are problems? This should be considered a privilege. We should try it for year, and then make adjustments as necessary. **MOTION CARRIES.**

MOTION

Downtown Planning Grant Application:

- The Michigan Economic Development Corporation is accepting applications for a downtown development planning grant. This opportunity was announced in early March and the phase 1 grant application is due April 26th. There are areas on Lake Street that are prime candidates for this grant application: The Boyne Theatre and Lakefront Square Mall-Boyne Arts Collective building. It was the MEDC's recommendation that we should include just one property in this grant application. Considering the work already completed on the theatre project as well as the fact that downtown theatres are a funding priority, Conklin recommends moving forward with a grant application for the Boyne Theatre project. It would allow the feasibility study to be completed with funding assistance through the MEDC Community Block Grant Program. The grant requires a cash match equal to the funds received. Board discussion followed: The theatre is a priority in our community. How much would we apply for? \$40,000-\$50,000. This is the same grant we used for the Dilworth. **Cain moved Cortright seconded PASSED UNANIMOUSLY** to authorize Main Street Manager Conklin working with city staff to submit an application for the Michigan Community Development Block Grant Program Planning Grant as outlined, with the first priority being the Boyne Theatre.

MOTION

STROLL THE STREETS WAGON RIDES:

- Boyne Valley Equine Tours and Services have requested permission to offer horse-drawn wagon rides this summer during Stroll the Streets. The Boyne business has provided wagon rides at Holiday Open House, Winter Fest and Winter Farmers Market. While details of the route have not been worked out, the rides would be in the heart of the downtown area, and would average between 15 and 20 minutes in length. The proposed fee is \$2.00 per person, \$3.00 couple and \$5.00 family. Board discussion: Would any of the revenue come back to the city? Concerned with giving up parking spaces during such a busy time, the route may vary. Concerned with waste. What happens if someone else comes along and wants to offer rides? There are a lot of details to be worked out. **Cain moved Cortright seconded PASSED UNANIMOUSLY** that Main Street Manager Conklin continue to explore the concept for wagon rides for Stroll the Streets and work with city staff to work out details in a letter of understanding with Boyne Valley for the board's consideration at its May meeting.

MOTION

**GOOD OF THE
ORDER
Adjournment
MOTION**

The owners of the building housing the Free Clinic are donating it to them.

Cain moved Williams seconded PASSED UNANIMOUSLY to adjourn the April 4, 2013 meeting of the Boyne City Main Street Board at 10:39 am.

Karen Seeley, Recording Secretary

Approved: _____

**MEETING OF
APRIL 11, 2013**

RECORD OF THE PROCEEDINGS OF THE **REGULAR BOYNE CITY
PARKS AND RECREATION COMMISSION MEETING** HELD AT
6:00 P.M. AT CITY HALL ON THURSDAY, APRIL 11, 2013.

CALL TO ORDER

Meeting was called to order by Chair Sheets at 6:00 p.m.

ROLL CALL

Present: Jerry Swift, Heath Meeder, Marie Sheets, Darryl Parish and Bill Kuhn

**MEETING
ATTENDANCE**

Absent: Gail Van Horn and Mike Sheean (Sheean participated in the discussion via teleconference)

City Staff: City Manager Michael Cain, Streets/Parks & Recreation Superintendent Andy Kovolski and Recording Secretary Barb Brooks

Public Present: One

**EXCUSED ABSENCES
MOTION**

Kuhn moved, Meeder seconded PASSED UNANIMOUSLY, a motion to excuse Gail VanHorn from the February 7, 2013 Meeting, Daryl Parish from the March 28, 2013 special meeting and Darryl Parish and Jerry Swift from the April 7, 2013 meeting.

**APPROVAL OF
MINUTES
MOTION**

Kuhn moved, Meeder seconded, PASSED UNANIMOUSLY, a motion to approve the:

- February 7, 2013 meeting minutes as presented
- March 26, 2013 special meeting minutes as presented
- March 28, 2013 special meeting minutes as corrected (Sheean to be noted as absent but participating in the discussion via teleconference)

CITIZENS COMMENTS

None

DIRECTOR'S REPORT

Parks will open up shortly; Veterans Park is generally the first as soon as the weather breaks. Park and trail clean up will continue at Riverside Park.

CORRESPONDENCE

None

REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

Park Inspections

- Kuhn reported he has noticed some of the rocks along the riverbank in Old City Park are no longer on the bank but in the river. This is most likely due to individuals climbing on or over the rocks while fishing, accidentally knocking them loose. Kuhn also noted that he found a piece of trim from the Gazebo down by the river and offered to fix it.
 - Meeder brought to the boards' attention that there are quite a few downed branches on the walking trail at Avalanche. Some of them are sizeable and/or dangerous. Swift asked if citizens were allowed to cut these branches and remove them when they come across them on the trails. Kovolski indicated that was not a good idea and citizens should contact staff to have the problem addressed. The board also questioned whether the tree clearing project on the face of Avalanche was going to happen this spring as it didn't get taken care of last fall. Kovolski stated that he would be in contact with the guys from the tree removal service.
 - Sheets reported that in conjunction with Buff Up Boyne, she has organized a clean-up of Riverside Park. She is working with the school to get student volunteers.
-

UNFINISHED BUSINESS

2013/14 FY Budget

The Parks and Recreation budget was included in the agenda packet. Kovolski indicated that the City Commission adopted the budget as presented at their commission meeting on Tuesday.

Avalanche Trail Signage update
MOTION

The committee has been working with the police department, Andy and the Wood Shop to finalize the verbiage that will be placed on the signs. The board felt that they did not need to further review the sign proposal for the minor changes that may take place. **Meeder moved, Swift Seconded, PASSED UNANIMOUSLY** for the signage committee to move forward and work with staff on a recommendation of the proposed signage to present to the City Commission for consideration and implementation.

Dog Park

VanHorn was not present to give any update on the proposed dog park. Kovolski stated that hopefully the committee can meet and get things back on track.

Boyne City/Charlevoix Rd. Trail Update

Sheean reported that the trail has gone from a 3 phase plan to a 5 phase plan due to funding. The shortened version of phase 2 will start in Charlevoix and go to approximate Quarterline Rd. where the Little Traverse Nature Conservancy owns land that could be used as a trail

head. Phase 1 of the project, Boyne City to Park of the Pines is behind schedule due to paperwork from the County to the residents along the trail were not sent in a timely manner and will now make fall construction highly unlikely.

Boyne City to Boyne Falls Trail Update

Sheean reported that there isn't anything new on the forefront. The committee continues to persevere and remain optimistic.

Board Member Recruitment

Brooks reported there is still one vacancy on the board (the remainder of Low Awodey's term). There are currently two applications on file. One from Jason Biskner and Jo Bowman. Ms. Bowman attended the February board meeting to get a feel for the board and then turned in an application. After reviewing Ms. Bowman's application, it was revealed that she did not have one full year of residency at the time; however she will have in May (according to her voter registration card). Mr. Biskner's application has been reviewed by the board on other occasions and the board was concerned that his passion might not be parks & rec. as he indicated an interest in serving on other boards. Brooks stated that Mr. Biskner did mark several boards that he had an interest in but they were not in any priority order of first and last choice. Brooks also stated that in recruiting a new board member the board should consider attendance availability so we do not continue to have issues with ensuring a quorum to hold meetings. The board requested that Brooks contact the two potential board members and invite them to the next meeting. Kuhn stated that he thought he had another potential board member who is a young adult and has an interest in disc golf.

NEW BUSINESS

Horse Trail Ride Services at Avalanche Request

Boyne Valley Equine Tours and Services, LLC is requesting permission to utilize Avalanche to provide horse trail rides to the public. Business owner Mr. Don Cowell stated they are looking at charging a fee of \$35 and \$5 of the fee would be donated back to the City for Parks and Recreation. The rides would be offered 6 days a week on an on call appointment basis with three to eight people riding at one time. There could potentially be several rides on any given day or none if there is no demand. The trail being proposed is mostly all flat land and is not part of the walking or biking trail. There are a few locations that it runs close to or crosses the path of the disc golf. A separate trail would not have to be cut although some tree trimming and pruning would be necessary. Mr. Cowell also stated the placing woodchips on the path may help with compaction and he would be happy to participate in having it done.

Board and Staff discussion:

- Concern was expressed regarding a business using a City Park

for profit. It was discussed that this happens more often than anyone realizes. Some events are non-profit and sometimes non-profits will bring in other vendors to their even that are for profit. Examples given were; Mushroom Festival carnival, arts and craft vendors, farmers market, organized bike ride events, food vendors, etc. Also, some of the groups we look at as non-profits are not non-profits under the 501c3 of the Federal Government. For profit proposals should be looked at on a case by case basis and not give a blanket approval.

- Kovolski stated that he has conferred with his parks supervisor Keith Hausler and they are open to giving it a try as long the City can pull the plug at anytime if there are problems that can't be resolved.
- There was quite a bit of discussion regarding concerns over potential conflicts with the disc golf users, stray discs, etc. and the need for more substantial separation. Kuhn stated that his experience with the disc golf users are that they are generally always courteous to other trail users; letting walkers pass and waiting for the area to clear before throwing. He expects this would be the case with horseback riders. Mr. Cowell stated that would go both ways, they would expect to be courteous to the disc golfers on their rides, such as if they see golfers taking off, give them ample time to get ahead before they start their trail ride, waiting at the tees, watching at crossings, etc. Mr. Cowell invited the board to take a ride along the proposed trail so there could be more informed discussions about the possible conflicts and impacts. Some of the board members were very interested and it was suggested that the invitation be extended to the City Commission. Saturday, April 20 at noon.
- Trail cleanup was a concern - Mr. Cowell understood the expectation of keeping the trail clean and stated they have no problems going back to clean up after each trail ride.
- City Manager Cain added that unless the board feels there are some really solid reasons to prevent this proposal, we may want to consider continue to explore it, try it and see how it goes instead of saying no out of fear of the unknown. Adjustments can be made along the way to address issues and if we find it can't be worked out, we pull the plug. The board needs to weigh the opportunity and the concerns to decide if the concerns are great enough to prevent the opportunity. Cain also referred to the Avalanche Master Plan where horseback riding had been discussed but ultimately was not listed as either an acceptable or unacceptable trail activity. The plan simply does not address this subject either way.
- There were further discussions about the possibility of starting

the rides at the 1910 Building and if any other public or private locations have been considered. Also giving opportunities for the local children to ride for free.

No action was taken and the item will be placed on the May agenda for further discussion.

4-H Swim School
program Support
Request

****MOTION**

Kovolski went over the request by the 4-H swim school board. He stated that the board has supported this cause in previous years and there was money ear marked in the budget. The board feels that with being a lakefront community it is important for the kids to learn to swim. **Kuhn moved, Meeder seconded, PASSED UNANIMOUSLY**, to recommend the Boyne City Parks and Recreation monetarily contributes to the 4-H Swim School program.

Outdoor Board Meeting
Schedule May - October

Each year the Parks & Recreation board meets at various parks to hold their board meetings. Locations are as follows:

- May - Avalanche (outside or warming house in case of bad weather)
- June - Rotary Park
- July - Veterans Park
- August - Old City Park
- September Riverside Park
- October - TBA

In case of inclement weather, the meetings will be moved back to City Hall with the exception of May.

NEXT MEETING

The next regular meeting of the Parks and Recreation Board is scheduled for Thursday, May 2, 2013 at 6:00 p.m. at Avalanche.

ADJOURNMENT
****MOTION**

The April 11, 2013 meeting of the Parks and Recreation board was adjourned at 7:24 p.m. Moved by Swift, seconded by Kuhn, **PASSED UNANIMOUSLY**.

Barb Brooks, Recording Secretary



Approved _____

**MEETING OF
APRIL 15, 2013**

MINUTES OF THE **BOYNE CITY ECONOMIC DEVELOPMENT CORPORATION** SPECIAL MEETING DULY CALLED AND HELD ON MONDAY, APRIL 15, 2013, AT 12:00 NOON, AT CLASSIC INSTRUMENTS 826 MOLL DRIVE, BOYNE CITY.

CALL TO ORDER

Vice Chair Copeland called the meeting to order at 12:00 p.m.

ROLL CALL

Present: Pat Anzell, Kelly Bellant, Michael Cain, Richard Copeland, Michelle Cortright
Absent: Pete Friedrich (arrived 12:05 pm.) Marilea Grom (arrived 12:10 pm.)
Ralph Gillett
Staff: Recording Secretary Karen Seeley
Public: Four

NEW BUSINESS

Classic Instruments Final Site plan review:

At this time Josette Lory has asked to be excused from the discussion, board approved. Ron Hannah of Classic Instruments reviewed the updated site plans with the board. The expansion will be 80'x100' and a rendering of the building was reviewed by the board. They will add 22 additional parking spaces. Board discussion/questions: What is the estimated completion date? August 2013. Will you continue the façade across the addition? No plans at this time to include that. Board would like to see continuation of the façade. At this point, the covered bays get in the way of unloading trucks. There are functionality issues and added costs with the continuation of the facade. \$20,000 in façade improvements versus a part time person may not be money well spent at this time. The board also suggested using low sodium lighting. **Friedrich moved Cain seconded** to recommend some design elements to tie the buildings together along Moll Drive and to use LED lighting and stay away from down packs. Lory abstained **MOTION CARRIED.**

MOTION

**EXCUSED ABSENCE
MOTION**

Cortright moved Grom seconded to excuse Ralph Gillett from today's meeting. **MOTION CARRIED**

The April 15, 2013 Economic Development Corporation meeting was adjourned at 12:43 p.m.

**ADJOURNMENT
MOTION**

Karen Seeley, Recording Secretary



Approved: _____

MEETING OF
APRIL 15, 2013

MINUTES OF THE BOYNE CITY LOCAL DEVELOPMENT FINANCE
AUTHORITY SPECIAL MEETING DULY CALLED AND HELD ON MONDAY,
APRIL 15, 2013

CALL TO ORDER

Vice Chair Copeland called the meeting to order at 12:43 p.m.

ROLL CALL

Present: Pat Anzell, Kelly Bellant, Michael Cain, Michelle Cortright, Richard
Copeland, Pete Friedrich, and Josette Lory

Absent: Ralph Gillett

MEETING ATTENDANCE

Staff: Recording Secretary Karen Seeley

Public: Four

NEW BUSINESS

Discussion regarding a possible grant application to the MEDC to help purchase and equip a Mobile Training lab and serve as the applying agency:

Tom Erhardt, NLEA Entrepreneurial Director and Sara Richards, Economic Development Specialist shared a slide show of a Mobile Training Lab. This would be a 40' mobile classroom with two slide outs for equipment. He shared the figures he had gathered to help purchase and equip the training lab: Total project is \$350,000 (lab plus equipment); \$250,000 CDBG grant from MEDC (Precision Edge has committed to hiring 40 people over the next two years); \$90,000 Little Traverse Bay Band of Odawa Indians; \$10,000 Northern Michigan College. The applying agency for the CDBG job training grant has to be a local unit of government. The NLEA will help with the grant writing with the funds coming through the City. The lab can accommodate twelve students per semester with ten high schools involved throughout Charlevoix and Emmet Counties. Board discussion regarding the amount of training each student would receive. The lab will be housed at NCMC, but will visit each high school 3.5 hours, 4 periods per week, mornings and afternoons. (Cortright out at 1:28 pm.) Will there be any consideration coming towards Boyne City with Precision Edge committing to jobs and the city being the applying agency? Yes, Precision Edge will be at the top of the list to get their employees trained. (Lory out at 1:28 pm.) What is the difference between the training program just set up at the schools and this one? This takes that training to the next level. The board feels this is a great concept. **Friedrich moved Copeland seconded PASSED UNANIMOUSLY** for City Manager Cain to investigate this further, and if things don't look right, let us know. If they do, move forward.

MOTION**NEXT MEETING**

The next meeting of the Local Development Finance Authority is scheduled for Monday, May 13, 2013

ADJOURNMENT

The April 15, 2013 Local Development Finance Authority meeting was adjourned at 1:34 p.m.

Pete Friedrich, LDFA Secretary

Karen Seeley, Recording Secretary

Approved: _____

**Meeting of
April 15, 2013**

Record of the proceedings of the Boyne City Planning Commission meeting held at Boyne City Hall, 319 North Lake Street, on Monday, April 15, 2013 at 5:00 pm.

Call to Order

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

Roll Call

Present: Gretchen Crum, George Ellwanger, Chris Frasz, Jim Kozlowski, Jane MacKenzie, Lori Meeder, Tom Neidhamer, Aaron Place and Joe St. Dennis
Absent: None

Meeting Attendance

City Officials/Staff: Planning Director Scott McPherson, Main Street Manager Hugh Conklin, City Manager Michael Cain and Recording Secretary Pat Haver
Public Present: Two

Consent Agenda

2013-03-18-3
Ellwanger moved, St. Dennis seconded, PASSED UNANIMOUSLY, a motion to approve the consent agenda. Approval of the March 18, 2013 Planning Commission minutes as presented.

**Comments on
Non-Agenda Items**

None

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

None

Unfinished Business

None

New Business

**Classic Instruments
Final Site Plan Review**

Planning Director McPherson reviewed the staff report included in the agenda packet. In September of 2011, Classic Instruments was before the board for proposed expansion and improvements to their lot. Those plans were reviewed and approved, with a condition they return when they get ready for construction so the board can review building elevations. They have some minor alterations to that site plan; they will be removing the breezeway that was proposed to connect the two buildings. The EDC/LDFA reviewed their proposal this afternoon. Classic Instruments is here tonight for final site plan approval.

Ron Hannah: Classic Instruments representative - In 2011 we originally proposed a 60 x 60 foot addition connected by a breezeway. This proposal is to have the east wall extended 80 feet, and expanded back 100 ft. for the additional space that they will need for continued growth. The east wall addition will be flush with the existing building, and materials and trim will match what is there now, with side wall building materials as steel for ease of removing for possible additional expansion in the future. The proposed building elevation will stay on the same floor level as the existing building. We have requested from our contractor to utilize local sources as much as possible. Twenty - two additional parking spaces will be created out the back of the building. This parking lot will be the first permeable lot in Northern Michigan. It is a risk, but one we are willing to take as no additional retention ponds will be needed, however, there will be a regular concrete pad at the delivery doors for the limited truck traffic we get. The dumpster has been established at the edge of the parking lot, and will be on a pad screened with trees, we would like to keep it as natural as possible. We will have a sign placed on the existing posts, which will not be illuminated. Size to be approximately 8 ½ feet by 3 feet. The roof will be a single slope with a rubberized

membrane over steel which will run out towards the back parking lot. We will have 15 feet width of drain tile and plants next to the building. Pedestrian entrances will be at the ends of the buildings, with entrance lights only. We are not proposing any parking lot lights. We will be working with Tip of the Mitt Watershed Council on our landscape plan. Again, we would like to keep this as natural as possible, so will follow their lead with the suggestions of plantings.

Meeder – You mentioned a court yard where will that be?

Hannah - On the west side, the current overhang with a concrete pad will extend down to the L-shape of the addition.

Meeder – Is there still problems with the loading dock and the water?

Hannah – It is better now, a culvert was put in down at the corner and grading has been done next door. A 6” culvert will be put in at the end of our driveway to go into the drainage system. We have been talking about adding 18” in the truck well to raise it up a bit.

Meeder – You talked about possible expansion, where would that go.

Hannah – What is presented pretty much takes care of the current site, however, we have the option on the adjoining lot as first right of refusal.

City Manager Michael Cain – The LDFA met on site this afternoon, excited about their expansion. We talked about lighting, encouraged them to stay away from wall packs and high pressure sodium, and encouraged LED. LDFA asked them to take a look at possible decorative elements for the east side wall addition; Classic Instruments is taking a look at that. Everyone is very excited about the expansion.

MacKenzie – There is a check list for this?

McPherson – This is follow-up to the approval previously given in 2011. I copied the section of the ordinance for criteria, which is pretty minimal; I believe these changes meet the spirit and intent of the ordinance.

Frasz – Is it just the landscaping around the dumpster and end of the parking lot that is going to be new?

Hannah – It is pretty much all going to be new, will be putting trees out along M-75, and waiting on the input from the Tip of the Mitt for the final landscaping plan.

Frasz – Leaving town on the left side, the large size of the west end wall wondering how that is going to look, will you use landscape there?

Hannah – Trying to stay away from the building, because we will use that as our court yard for car shows, however, will be bringing in trees along the roadway and use the rise as apart of the landscape plans which will soften the look of the building.

Kozlowski – Will there be any mechanical elements on the roof for heating or air conditioning?

Hannah – It will be heated with a forced air system, and if there is a unit on the roof, it will be on the Southwest corner, to eliminate the site line from Moll Dr. if at all possible.

****MOTION**

With no further board discussion, **motion by Ellwanger, seconded by Crum PASSED UNANIMOUSLY** that the findings are in compliance with the architectural requirements of section 22.30 of the zoning ordinance; the plans as presented tonight.

Review and recommendation on a proposed Sidewalk Café Ordinance to allow alcohol for outdoor cafés on public sidewalks

Planning Director McPherson reviewed the staff report included in the agenda packet. The city received a request from Magnum Hospitality to serve alcohol outside in front of their businesses, one that is in the Waterfront Residential District. The current ordinance specifically prohibits alcohol sales on public sidewalks, so a permit could not be issued. There have been meetings held with the City Commission, the Main Street board, and a public presentation. It seems to

be moving forward, and a stand alone draft ordinance proposal was submitted in your packet. An ariel photo and slides were viewed showing the different widths of sidewalks in the downtown area, those businesses that currently have a liquor license along with businesses with the ability to serve food outdoors. It also showed the sidewalks with tables, benches, trees, signs, merchandise displays and other items out on the walk. A couple of the slides portrayed other communities and how they delineate their outdoor service areas. The current zoning ordinance regulates uses on the public sidewalk, and McPherson fundamentally disagrees with that. If it is in a public domain it should be controlled under any other type of ordinance; if you want to eliminate it at a later date because it does not work, you do not have to worry about grandfathering things in the public domain. Approach would be to eliminate that aspect in the zoning ordinance, and allow outdoor dining on private property with minimal requirements. Building on a new stand alone ordinance, a lot of requirements were removed from the current ordinance section, and some things were added. If you want to move forward, a public hearing would need to be held.

Hugh Conklin: Main Street Manager - Have had a community information meeting, and the Main Street board has discussed this and they have not received any negative feedback. The board feels that this could be a good thing to continue to bring vibrancy to the downtown. Have talked to a lot of different communities, and those who have started this type of program, have not had any problems. Chief Gaither has had an opportunity to speak with other communities, and if they had any problems, they have been able to deal with them. Main Street has some concerns about the hours, and they don't want it to bother the neighbors. They don't want it to be a "bar scene" only to have alcohol served with dinner.

Michael Cain: City Manager - Go back and think of how the downtown side walk uses have evolved in the last 12 years. The most popular times are when there is a lot going on downtown. We have not been able to locate any communities with concerns. Local concerns have been expressed with alcohol use on the sidewalks. The uses would be contained, and must stay within specified boundaries. Things could go wrong, but the attitude of Boyne City is to try something if it is reasonable, with rules and regulations. If it does not work, we could go on to something else, or revise it. Taking appropriate risks has gotten our community where we are, and I believe it is worthy of further consideration.

McPherson - This would be a free standing ordinance that would need to be adopted by the City Commission. He went through the draft ordinance that was included in the agenda packet with board discussion. Concerns the board had was the 4 foot wide clear public walk able area, that could be a "serpentine" pathway if one business had their merchandise/tables at the façade and others at the curb, retail stores would want easy access into the stores, and to see the store front windows for as long as possible, try to eliminate the impact for non-food businesses, and safety for pedestrians who may be unsteady and do not like to walk next to the curb. The board liked the idea of providing insurance coverage naming the City as additionally insured, however, did not like the 30 day written notice to the permittee to have the license revoked if they did not comply with the conditions of the ordinance.

(At this point, there was technical difficulty with the tape recorder, it was fixed and recordings started again. Approximately 3 minutes of the meeting was not recorded)

Cain - If there is a safety hazard, could the city manager revoke immediately?

McPherson - Yes.

Cain - If they did not like the decision, they could appeal to the ZBA?
McPherson - If they appealed to the ZBA, there are no real clear parameters for them to use to make their decision. It would be an appeal of an administrative decision. As a stand alone ordinance does not come under the jurisdiction of the zoning ordinance, I don't know what they would/could base their decision from. I would not put in an appeal process.
Neidhamer - Leave it up to the City Manager, keep it simple.
The board has requested staff to revise/develop language and schedule a public hearing for next month.

Review proposed striping and intersection reconfiguration for Boyne Avenue

Michael Cain: City Manager - Board was looking at the rendition in the agenda packet. The City and MDOT have had ongoing discussions about M-75 as it goes through town and safety concerns with pedestrian traffic, at the intersections of M -75 and East St. near the post office, and across the street on the Dilworth side. They propose to define traffic movement with white lines. Additional lines would be put down and these could be used as a bike lane continuing out towards the schools. The intersection on the Dilworth side is the worst one in town. Staff has looked at the possibility of making this a one way street going south only. The other awkward intersection is at Main St. and M-75 (Boyne Avenue). MDOT has made some suggestions to remove the large "throat" areas at the intersection, by creating a 90 degree intersection. We could try temporarily for a season and get input, and see how it works. It would eliminate the straight through traffic across M-75 from Main St. The board feels that it would definitely help in those areas of concern.

Recommendation for Planning Commission re-appointments of Lori Meeder, Aaron Place, and Joe St. Dennis

With confirmation that all members are willing to remain **motion by Crum, seconded by Ellwanger, PASSED UNANIMOUSLY** to recommend the reappointment of Lori Meeder, Aaron Place and Joe St. Dennis to the Planning Commission for an additional 3 year term expiring May 31, 2016.

****MOTION**
Redevelopment Ready Community Presentation
****MOTION**
Staff Report

Motion by Place, seconded by Crum, PASSED UNANIMOUSLY, to schedule a special joint Redevelopment Ready Community presentation with the City Commission for May 28th, at 6:00 pm.

None

Good of the Order

Ellwanger - What is the status of Kirtland?
McPherson - The attorneys are still working on this.
Cain - There was a hearing on Friday, April 12th. reviewed records. Kirtland has 28 days to file a brief; we have 21 days to respond. Unknown time line.

Adjournment

The next meeting of the Boyne City Planning Commission is scheduled for May 20, 2013 at 5:00 pm in the Auditorium.

****MOTION**

2013-04-15-10
St. Dennis moved, Frasz seconded, PASSED UNANIMOUSLY a motion to adjourn the April 15, 2013 meeting at 7:09 p.m.

Jane MacKenzie, Chair

Pat Haver, Recording Secretary



Date: May 10, 2013

To: Michael Cain, City Manager 
Ron Grunch, Mayor and Boyne City City Commissioners

From: Jane MacKenzie,
Executive Director
Northern Homes Community Development Corporation

RE: 417 Boyne Avenue, William H. White House

History

William H. White had a major influence on the development of Boyne City from his arrival in 1882 to his death in 1934. I have attached the description of 417 Boyne Avenue from the National Register Historic District nomination that provides details about the home and William H. White's accomplishments in Boyne City. (Attachment 1)

The Project

Northern Homes CDC plans to purchase and rehabilitate the William H. White House. The house has been abandoned since 2008-2009. Attached is a postcard photo of the William H. White house from 1903. (Attachment 2) Our goal is to rehab the exterior of the house to closely resemble the postcard photo. We will remove the stucco and install a cement-fiber siding and replace the porch to match the photo. We have met with the State Historic Preservation Officer (SHPO) to review our plans and tour the house. SHPO pointed out important architectural features that we should preserve or copy.

The building is currently divided into 5 apartments. We will do extensive renovation to the interior and change it to 4 apartments (3 one-bedroom and 1 two-bedroom). The apartments will be rented to seniors age 55 or older. The income and rent will be restricted so that two of the apartments will be rented to households earning less than 50% of the Area Median Income and two apartments will be to households earning less than 80% of the Area Median Income.

The Funding

Northern Homes CDC with the help of Northwestern Bank is applying to the Federal Home Loan Bank of Indianapolis for their Affordable Housing Program Grant (FHLBI AHP Grant). The grant application is due June 14 with awards announced September 27, 2013. It is a very competitive grant. The FHLBI awards each grant application points based on criteria established by the FHLBI. Qualified applications with the

most points are awarded grant funds. The maximum amount of the grant is \$500,000 and Northern Homes will be applying for the full \$500,000. The FHLBI will monitor the project for 15 years to ensure Northern Homes CDC is complying with terms of the grant, including following the income and rent restrictions on the renters.

In addition Northern Homes CDC is requesting the City of Boyne City apply for CDBG Rental Rehabilitation funds from MSHDA. MSHDA staff has reviewed the project location and plans and have agreed to also accept an application for this project. The FHLBI-AHP application will achieve a higher score if the MSHDA CDBG Rental Rehab grant is approved prior to June 14.

Status of Ownership

In April 2013, the property was tax foreclosed by Charlevoix County. The Charlevoix County Treasurer has sent a letter to Boyne City to notify the City of the property's availability.

Requests

- 1) Northern Homes requests the City to notify the County Treasurer that the City is not interested in purchasing 417 Boyne Avenue and request the property be placed in the Charlevoix County Land Bank to sell to Northern Homes CDC subject to grant funds being awarded. Acquiring property from a land bank gives us 5 points on the FHLBI AHP Application.
- 2) Northern Homes requests the City apply to MSHDA for \$140,000 Rental Rehabilitation program funds and \$14,000 for grant administration. In addition, Northern Homes requests entering into a Third Party Administration Agreement between the City of Boyne City and Northern Homes CDC to administer the grant funds.
- 3) The FHLBI application will award up to 5 points if we can show that this project is an important part of a community improvement plan and that the project has the capability of fundamentally changing the character of a neighborhood or community. 417 Boyne Avenue is in the DDA, Main Street District, Local Historic District and National Register Historic District therefore the project should be eligible for the points. The grant application requires "a narrative or statement by a community representative that has direct knowledge of this comprehensive plan." Northern Homes is requesting a letter that thoroughly outlines local plans, how this project furthers the goals of the plans, other funding commitments that have been made to implement those plans including private and public investment and that expressing the City's general support of this project. This shows the FHLBI that this project is part of a broader community plan that is being implemented.

Let me know if you have any questions. I can be reached at jane@northernhomes.org or on my cell phone at 231-675-5457.

417. William H. White House (ca. 1900)

The house at 417 Boyne Avenue is sited on a triangular corner lot at the intersection with Pearl Street and East Water Street (Boyne being essentially an extension of Water Street) offering an unimpeded view of the central business district. It is a variant of a two-story cross-gabled dwelling that includes two cross-gabled units on the rear elevation. The house rests on a coursed ashlar stone foundation, is clad in stucco, and is shielded by an asphalt shingle roof. The façade features two entries, the most prominent in the gable-front unit that is accessed through a round-arch roof supported by square pillars, and a second in the ell that is shielded by a hipped roof porch with turned columns. Fenestration is varied, and is composed of double hung sash, sliding, and fixed pane windows, almost all of which are replacements. Projecting two-story squared or box bay windows are centered on and comprise the fenestration of the gabled bays of the façade, on the Boyne Avenue elevation, and in one of the gabled rear units. Most of the surviving details of architectural interest are confined to the upper section of this house. Each of the box bays terminates in a projecting closed gable embellished by decorative diagonal truss struts, a device that is repeated in a small gable above the entrance in the ell's entry porch and in the gabled dormer above. The gable ends above the box bays are all clad in decorative shingles in diamond and key pattern motifs. Finally, a decorative bargeboard without bracing survives largely intact on all gables. All windows have been replaced, although most window voids have not been altered from their original size.

An early 1900s post card reveals that this house was originally clad in clapboard, and was distinguished by a full-width hipped roof porch, which rested on a decorative apron, and continued from the ell and across the front-gabled bays. The roof ridge line was also punctuated with finials. The strongest architectural affinities of this house appear to be to the Queen Anne and Eastlake styles, which were popular during the late nineteenth century. Hallmarks are its asymmetry, multiple gabled roof, squared bay windows, and use of patterned shingles, decorative truss gables and bargeboards.

This house was built by 1903 by William H. White on Lot 1 of "Wm. H. White & Co.'s Subdivision of Lot No. 35 of Beardsley's Second Addition to the Village," which was platted in 1902. Pearl Street, which bisects this plat, is named after White's daughter, and many of the houses in the subdivision were soon occupied by White's business associates and family members. W.H. White, "the Lumber Baron of Boyne City," had the house built during the period when he had achieved prominence and sufficient economic success to construct a suitable and impressive residence. The house was described by a contemporary as a "beautiful family home, known as a center of generous but unostentatious hospitality" (Powers 1912: 1229). White lived in the house from its construction in 1903 until 1931, just three years before his death in 1934. His wife, Mary Louise White, continued to reside in the home at least through 1940, according to city directories. The house was renovated and converted into a 5-unit apartment building during the 1970s.

William H. White arrived in Boyne City in 1882 to sell general store goods. He used the proceeds to buy a broom handle factory in 1883, which he parlayed into purchase of the Sheboygan Chair Company mill, the "big mill" that eventually was designated as White Mill No. 1. With his brothers he formed W.H. White & Co. in 1889. He founded the Boyne City and Southeastern Railroad in 1893 to connect his interests in Boyne City to the Grand Rapids and Indiana main line at Boyne Falls. He eventually expanded this railroad into the Boyne City, Gaylord & Alpena Railroad, Michigan's only independent cross-state road, which reached Alpena in 1918. In 1894 he founded the White Transportation Steamship Line, a lake steamer transport company, to carry lumber from his mills through the Great Lakes. In 1902 White and his brothers organized the Boyne City Lumber Co., with its Mill #1, Mill #2, Mill #3 and Mill #4.

He also organized the Badger Wooden Ware Co. He was also president and majority shareholder in the local group that constructed the Wolverine Hotel in 1912, Boyne city's finest, located within the historic district. White also directly influenced city development through other activity. In 1902 he recorded the W.H. White & Co. Subdivision of Part of Lot 35, including 20 lots laid out along Pearl Street (named for his daughter) at the east end of the historic district, where he built this home, and where his daughter, other relatives, and close business associates also built fashionable residences.

White served as a primary catalyst for the growth and development of Boyne City, and it may be argued that without White Boyne City could have remained an economic backwater. Without his impact, the city would not have experienced the boom that witnessed the population of Boyne City rise from just over 912 in 1900 to 5218 (US Census, Bowen 1916: 144) in 1910 – reputedly ranking as the fast growing city in the nation for that decade. Outside of his own businesses, in 1901 White induced W.S. Shaw to come to Boyne City and establish Boyne City Tanning Co., which developed into one of the city's major employers (and was the county's largest employer until it ceased operation in 1969). He negotiated and succeeded in convincing investors to move an iron furnace from St. Ignace to Boyne City, establishing the Charcoal Iron Co. of America, and he also induced a group of Grand Rapids financiers to start the Boyne City Electric Co.

At one time or another, among his other positions, White was President and General Manager of W.H. White & Co., President and General Manager of the Boyne City Lumber Co., President and General Manager of the Boyne City & Alpena Railroad, President of the Boyne City State Bank, First Vice President of the Boyne City Chemical Co., Secretary of the Elm Cooperage Co., Treasurer of the Michigan Maple Co., President of the Boyne City Board of Trade, First Vice President of the National Hardwood Association, and President of the Beulah Farm for Boys. His influence on the community extended beyond the economic. From the turn of the twentieth century he would write editorials informing residents of Boyne City how they should vote in upcoming presidential elections, which the *Boyne Citizen* newspaper published on its front page. In 1913, overextended by both railroad construction and acquisition of west coast timber lands, W.H. White & Co. went into receivership. The company was reorganized and White managed to continue operation of some of his mills into the 1920s and the railroad into the 1930s. Contributing.



ARREST DWELLING

30
31



City of Boyne City

MEMO

Agenda Item 9B

Date: May 10, 2013
To: Mayor Grunch and the Boyne City City Commission
From: Michael Cain, City Manager *Mc*
Subject: Foreclosed Properties Offer

Attached for the City Commission's review and consideration is the latest version of the County Treasurer's regular communication offering the City properties they have foreclosed on due to unpaid taxes. This time there are five properties being offered to us for the cost of the back taxes and fees. A map showing the locations of the properties and other information regarding them is attached.

Although the City has used this process in the past to acquire properties that was determined would be of benefit to the community if the City owned them, there are none in this current batch that we see any significant value for the City to acquire. The only possible exception is the one addressed by the previous item on today's agenda dealing with the W.H. White house at 417 Boyne Avenue (#1 on the map). Staff supports that house going to the County's land bank for reuse as outlined in the memo from Jane at Northern Homes, or something similar.

If there are any questions or comments on any of the properties please feel free to let me know. I have spoken with Marilyn and she is fine with us responding after our May 28th meeting, if we feel we need additional time to consider these properties.

Recommendation: That the City Commission respectfully declines the County's current offer of properties to us and authorize staff to respond accordingly while also informing the County's the City's desire that the 417 Boyne Avenue be added to the County's land bank for reuse as outline by Northern Homes, or something similar.

Options:

- 1) Decline the properties without any recommendation on 417 Boyne Avenue.
- 2) Purchase one or more of the properties.
- 3) Postpone the matter for further consideration.
- 4) Other option(s) as determined by the City Commission.



A MICHIGAN HISTORICAL SITE

MARILYN COUSINEAU
Charlevoix County Treasurer

301 STATE ST./COUNTY BUILDING
CHARLEVOIX, MICHIGAN 49720

Telephone 231-547-7202
Fax 231-547-7252

April 19, 2013

City of Boyne City
319 N. Lake St.
Boyne City, MI. 49712

Dear City Council:

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

A public auction of these properties is tentatively scheduled for August 6, 2013. Minimum bids have been established and will include all delinquent taxes, fees, penalties, and interest plus any costs of preparing for and conducting the auction. The enclosed list includes a minimum bid for each auction item.

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

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

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

I have enclosed 2 forms one is if you decided you don't want the parcel and the other is if you decided you want the parcel. Please fill out whichever form applies and return it to me no later than May 24, 2013.

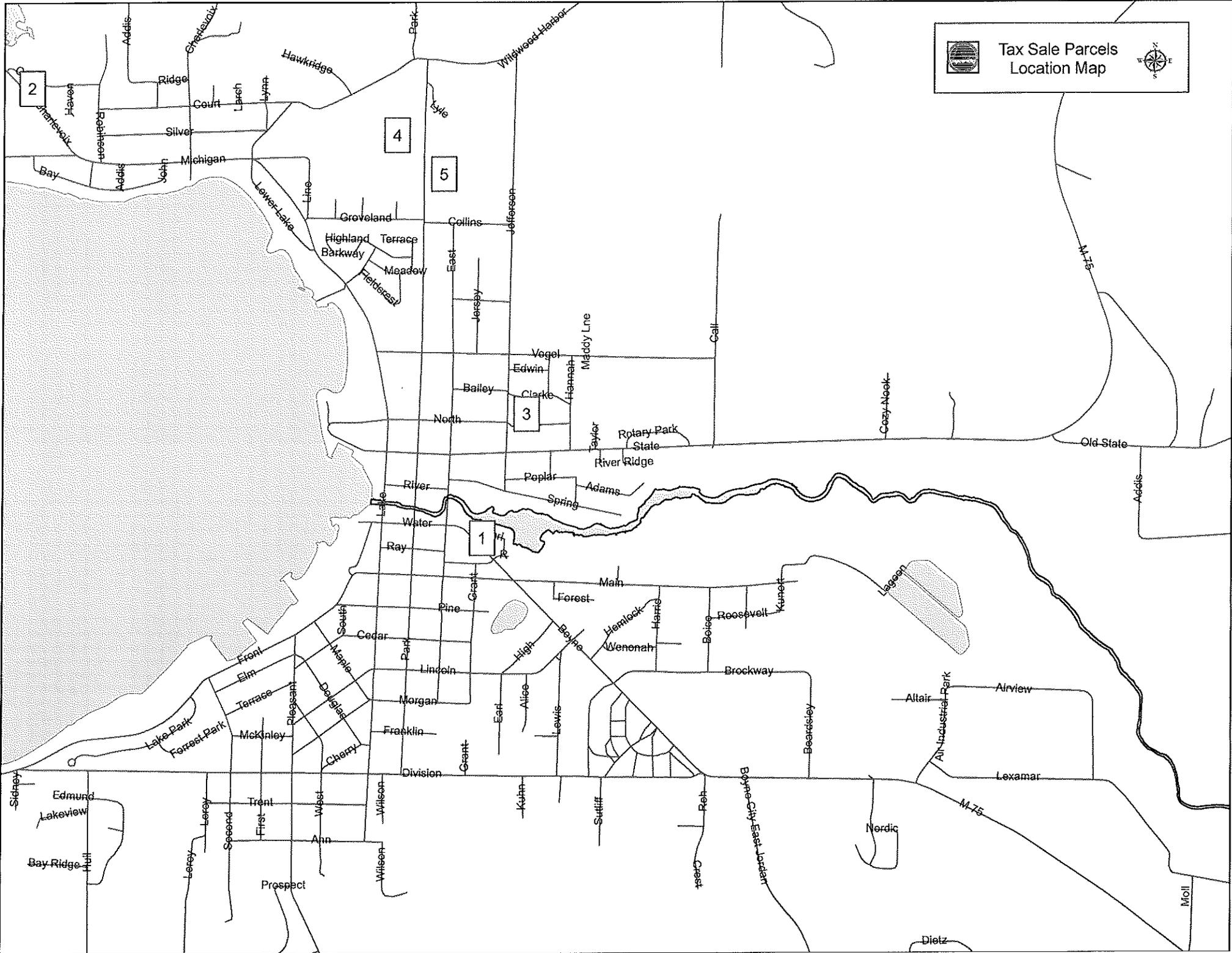
If I don't receive a reply I will assume that you don't want the parcel and it will go to auction.

Sincerely,

A handwritten signature in cursive script that reads "Marilyn Cousineau". The signature is written in black ink and is positioned above the typed name.

Marilyn Cousineau
Charlevoix County Treasurer

 Tax Sale Parcels
Location Map 



CHARLEVOIX DELINQUENT TAX NOTICE

①



MARILYN COUSINEAU
 CHARLEVOIX COUNTY TREASURER
 301 STATE ST
 CHARLEVOIX MI 49720

DELINQUENT TAXES DUE

231-547-7202
 WWW.CHARLEVOIXCOUNTY.ORG

417 BOYNE AVENUE LLC

888 TROMBLEY

GROSSE POINTE PARK, MI 48230

TAX YEAR	BASE TAX	TOTAL DUE	TOTAL DUE	TOTAL DUE
		IF PAID BY 03/31/13	IF PAID BY 04/30/13	IF PAID BY 05/31/13
2012	4,389.75	4,609.24	4,653.14	4,697.03
2011	5,316.00	6,775.26	6,855.00	6,934.74
2010	5,515.91	8,135.02	8,217.76	8,300.50
2009	10,744.60	16,492.96	16,654.13	16,815.29
2008	6,576.77	10,884.56	10,983.21	11,081.85
2007	5,927.89	10,537.01	10,625.93	10,714.85
2006	6,578.34	12,465.95	12,564.62	12,663.31
TOTAL		85,143.09	85,893.74	86,644.37

PROPERTY INFORMATION

Property Number: 051-345-001-00
 School Dist: BOYNE CITY PUBLIC SCHOOLS
 Property Address:
 417 BOYNE AVE
 BOYNE CITY

LEGAL DESCRIPTION:

DDA CITY OF BOYNE CITY WM H WHITE & CO SUBD OF A PART OF LOT 35 OF BEARDSLEYS 2ND ADD TO VILL OF BOYNE LOT 1 EX THAT PART LYING NWLY OF A LI DESC AS BEG AT A POINT ON SWLY LI SD LOT1 40 FT SELY FROM MOST WLY COR SD LOT THNELY TO POINT OF ENDING ON NLY LI SD LOT SD POINT OF ENDING BEING 45 FT ELY OF MOST NLY COR SD LOT 1 AS DEEDED TO MDOT L324 P703

2012 PROPERTY TAX IS SUBJECT TO FORFEITURE MARCH 1, 2014. OCTOBER 1, 2013 A \$15 DOLLAR FEE IS ADDED TO PARCEL. MARCH 1, 2014, PROPERTY IS FORFEITED TO COUNTY TREASURER, A FEE OF \$175 PLUS RECORDING FEE(S) IS ADDED AND INTEREST IS INCREASED FROM 1% PER MONTH TO 1.5% INTEREST PER MONTH BACK TO THE DATE TAXES BECAME DELINQUENT. OTHER FEES MAY ALSO BE ADDED WITHOUT PRIOR NOTICE. BETWEEN JANUARY 30TH AND MARCH 10, 2015 CIRCUIT COURT ENTERS A JUDGMENT OF FORECLOSURE. FROM DATE OF JUDGMENT, PROPERTY OWNERS HAVE UNTIL MARCH 31ST TO PAY THE TAXES OR LOSE THEIR PROPERTY. REDEMPTION RIGHTS EXPIRE ON MARCH 31ST OF THE YEAR THE COURT ENTERS THE ORDER FORECLOSING ON THE PROPERTY, THE OWNER LOSES ALL RIGHTS TO THE PROPERTY AND CLEAR TITLE TO THE PROPERTY PASSES TO THE COUNTY. DELINQUENT TAXES PRIOR TO 2011 HAVE ALREADY INCURRED THE FORFEITURE FEES.

PARTIAL PAYMENTS ARE ACCEPTED.

PROGRAMS ARE AVAILABLE FOR HARDSHIP CASES.

IF YOU ARE IN BANKRUPTCY, THIS NOTICE IS FOR INFORMATION ONLY AND NOT AN ATTEMPT TO COLLECT.

ANY PERSON HOLDING A LEGAL INTEREST MAY LOSE THAT INTEREST AS A RESULT OF FORFEITURE AND SUBSEQUENT FORECLOSURE PROCEEDING. THIS NOTICE HAS BEEN SENT TO THE PEOPLE WHO MAY HAVE LEGAL INTEREST IN THIS PARCEL.

Please detach along perforation. Keep the top portion for your records.

Pay this tax to:

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT. THANK YOU.

MARILYN COUSINEAU
 CHARLEVOIX COUNTY TREASURER
 301 STATE ST
 CHARLEVOIX MI 49720

Delinquent Tax for Property Number:
 051-345-001-00

TAXPAYER NOTE: Are your name & mailing address correct? If not, please make corrections below. Thank You.

Due if paid by 03/31/13	85,143.09
Due if paid by 04/30/13	85,893.74
Due if paid by 05/31/13	86,644.37

Property Address:
 417 BOYNE AVE

Make check payable to:
 CHARLEVOIX TREASURER

417 BOYNE AVENUE LLC

Amount Remitted: _____

888 TROMBLEY
 GROSSE POINTE PARK

MI 48230

.35 Acres



CHARLEVOIX DELINQUENT TAX NOTICE

②



MARILYN COUSINEAU
 CHARLEVOIX COUNTY TREASURER
 301 STATE ST
 CHARLEVOIX MI 49720

231-547-7202
 WWW.CHARLEVOIXCOUNTY.ORG

WORDEN JEFFREY

1616 LAURIE RD
 BOYNE CITY, MI 49712

DELINQUENT TAXES DUE

TAX YEAR	BASE TAX	TOTAL DUE	TOTAL DUE	TOTAL DUE
		IF PAID BY 03/31/13	IF PAID BY 04/30/13	IF PAID BY 05/31/13
2012	2,096.39	2,201.21	2,222.18	2,243.14
2011	2,095.45	2,797.88	2,829.31	2,860.75
2010	1,151.62	1,639.54	1,656.81	1,674.09
TOTAL		6,638.63	6,708.30	6,777.98

PROPERTY INFORMATION

Property Number: 051-176-006-00
 School Dist: BOYNE CITY PUBLIC SCHOOLS
 Property Address:
 673 PINE POINTE TRL 2
 BOYNE CITY

LEGAL DESCRIPTION:

UNIT 6 PINE POINTE CONDOMINIUMS AS RECD L387 P257
 -258 1ST AMEND TO MASTER DEED & 2ND AMEND TO
 MASTER DEED RECD L406 P021-P034 CX CO R/D 5.5687%

ANY PERSON HOLDING A LEGAL INTEREST MAY LOSE THAT
 INTEREST AS A RESULT OF FORFEITURE AND SUBSEQUENT
 FORECLOSURE PROCEEDING. THIS NOTICE HAS BEEN SENT
 TO THE PEOPLE WHO MAY HAVE LEGAL INTEREST IN THIS
 PARCEL.

2012 PROPERTY TAX IS SUBJECT TO FORFEITURE MARCH 1, 2014.
 OCTOBER 1, 2013 A \$15 DOLLAR FEE IS ADDED TO PARCEL. MARCH
 1, 2014, PROPERTY IS FORFEITED TO COUNTY TREASURER, A FEE OF
 \$175 PLUS RECORDING FEE(S) IS ADDED AND INTEREST IS INCREASED
 FROM 1% PER MONTH TO 1.5% INTEREST PER MONTH BACK TO THE DATE
 TAXES BECAME DELINQUENT. OTHER FEES MAY ALSO BE ADDED WITHOUT
 PRIOR NOTICE. BETWEEN JANUARY 30TH AND MARCH 10, 2015
 CIRCUIT COURT ENTERS A JUDGMENT OF FORECLOSURE. FROM DATE OF
 JUDGMENT, PROPERTY OWNERS HAVE UNTIL MARCH 31ST TO PAY THE
 TAXES OR LOSE THEIR PROPERTY. REDEMPTION RIGHTS EXPIRE ON
 MARCH 31ST OF THE YEAR THE COURT ENTERS THE ORDER FORECLOSING
 ON THE PROPERTY, THE OWNER LOSES ALL RIGHTS TO THE PROPERTY
 AND CLEAR TITLE TO THE PROPERTY PASSES TO THE COUNTY.
 DELINQUENT TAXES PRIOR TO 2011 HAVE ALREADY INCURRED THE
 FORFEITURE FEES.

PARTIAL PAYMENTS ARE ACCEPTED.

PROGRAMS ARE AVAILABLE FOR HARDSHIP CASES.

IF YOU ARE IN BANKRUPTCY, THIS NOTICE IS FOR INFORMATION ONLY
 AND NOT AN ATTEMPT TO COLLECT.

Please detach along perforation. Keep the top portion for your records.

Pay this tax to:

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT. THANK YOU.

MARILYN COUSINEAU
 CHARLEVOIX COUNTY TREASURER
 301 STATE ST
 CHARLEVOIX MI 49720

Delinquent Tax for Property Number:
 051-176-006-00

TAXPAYER NOTE: Are your name & mailing address correct? If
 not, please make corrections below. Thank You.

Due if paid by 03/31/13	6,638.63
Due if paid by 04/30/13	6,708.30
Due if paid by 05/31/13	6,777.98

Property Address:
 673 PINE POINTE TRL 2

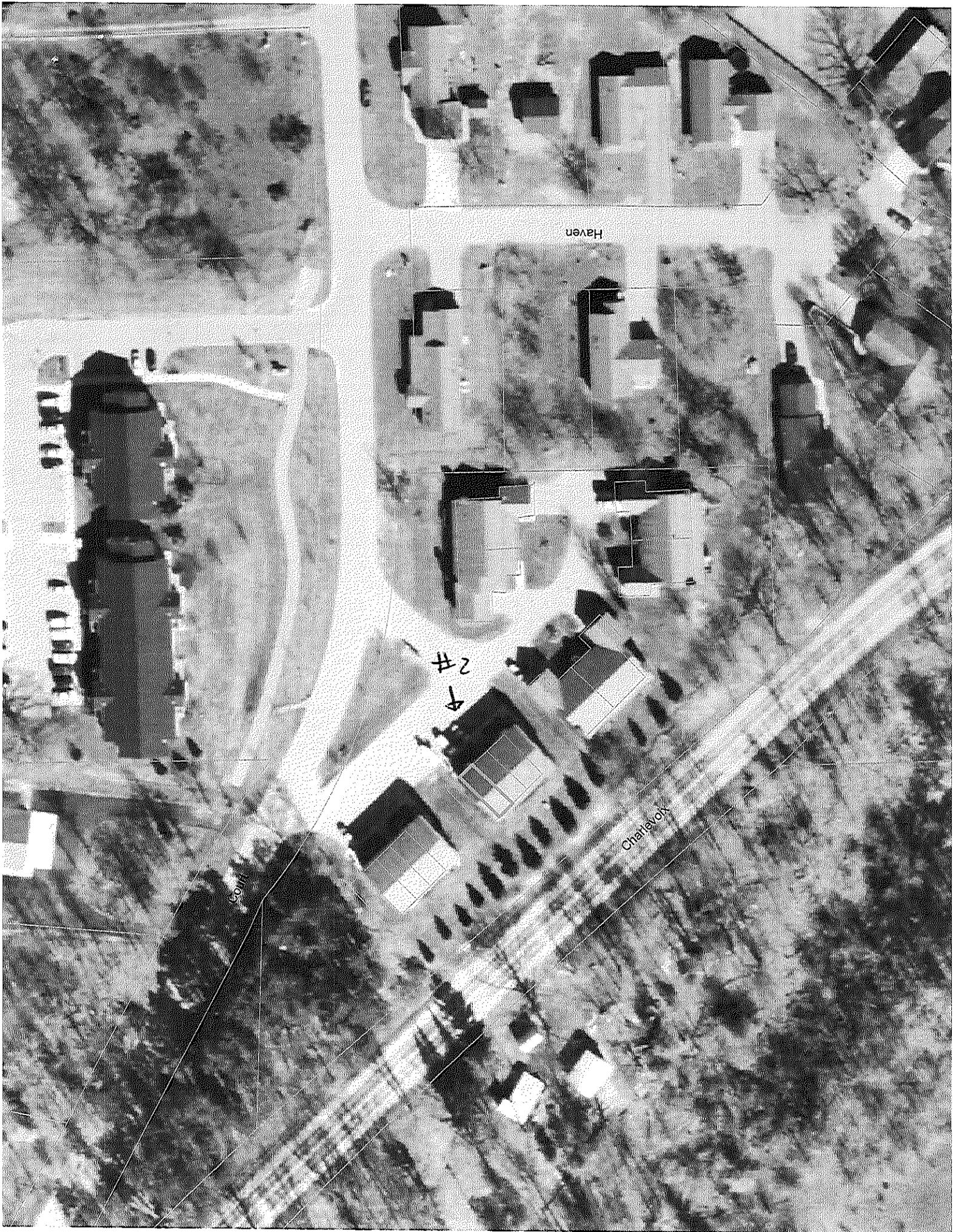
WORDEN JEFFREY

1616 LAURIE RD
 BOYNE CITY

MI 49712

Make check payable to:
 CHARLEVOIX TREASURER

Amount Remitted: _____



Haven

#2



SOUTH

Charlottesville

CHARLEVOIX DELINQUENT TAX NOTICE

③



MARILYN COUSINEAU
 CHARLEVOIX COUNTY TREASURER
 301 STATE ST
 CHARLEVOIX MI 49720

DELINQUENT TAXES DUE

231-547-7202
 WWW.CHARLEVOIXCOUNTY.ORG

CITIZENS BANK

100 EAST CHICAGO RD, MC 60097
 STURGIS, MI 49091

TAX YEAR	BASE TAX	TOTAL DUE IF PAID BY 03/31/13	TOTAL DUE IF PAID BY 04/30/13	TOTAL DUE IF PAID BY 05/31/13
2012	414.69	435.43	439.57	443.72
2011	425.86	735.93	742.32	748.71
2010	449.06	965.42	972.16	978.89
TOTAL		2,136.78	2,154.05	2,171.32

PROPERTY INFORMATION

Property Number: 051-265-060-10
 School Dist: BOYNE CITY PUBLIC SCHOOLS
 Property Address:
 JEFFERSON ST
 BOYNE CITY

LEGAL DESCRIPTION:

2002SP012002 FROM 265-060-00 CITY OF BOYNE CITY,
 LEWIS'S ADDITION LOT 60

2012 PROPERTY TAX IS SUBJECT TO FORFEITURE MARCH 1, 2014. OCTOBER 1, 2013 A \$15 DOLLAR FEE IS ADDED TO PARCEL. MARCH 1, 2014, PROPERTY IS FORFEITED TO COUNTY TREASURER, A FEE OF \$175 PLUS RECORDING FEE(S) IS ADDED AND INTEREST IS INCREASED FROM 1% PER MONTH TO 1.5% INTEREST PER MONTH BACK TO THE DATE TAXES BECAME DELINQUENT. OTHER FEES MAY ALSO BE ADDED WITHOUT PRIOR NOTICE. BETWEEN JANUARY 30TH AND MARCH 10, 2015 CIRCUIT COURT ENTERS A JUDGMENT OF FORECLOSURE. FROM DATE OF JUDGMENT, PROPERTY OWNERS HAVE UNTIL MARCH 31ST TO PAY THE TAXES OR LOSE THEIR PROPERTY. REDEMPTION RIGHTS EXPIRE ON MARCH 31ST OF THE YEAR THE COURT ENTERS THE ORDER FORECLOSING ON THE PROPERTY, THE OWNER LOSES ALL RIGHTS TO THE PROPERTY AND CLEAR TITLE TO THE PROPERTY PASSES TO THE COUNTY. DELINQUENT TAXES PRIOR TO 2011 HAVE ALREADY INCURRED THE FORFEITURE FEES.

PARTIAL PAYMENTS ARE ACCEPTED.

PROGRAMS ARE AVAILABLE FOR HARDSHIP CASES.

IF YOU ARE IN BANKRUPTCY, THIS NOTICE IS FOR INFORMATION ONLY AND NOT AN ATTEMPT TO COLLECT.

ANY PERSON HOLDING A LEGAL INTEREST MAY LOSE THAT INTEREST AS A RESULT OF FORFEITURE AND SUBSEQUENT FORECLOSURE PROCEEDING. THIS NOTICE HAS BEEN SENT TO THE PEOPLE WHO MAY HAVE LEGAL INTEREST IN THIS PARCEL.

Please detach along perforation. Keep the top portion for your records.

Pay this tax to:

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT. THANK YOU.

MARILYN COUSINEAU
 CHARLEVOIX COUNTY TREASURER
 301 STATE ST
 CHARLEVOIX MI 49720

Delinquent Tax for Property Number:
 051-265-060-10

TAXPAYER NOTE: Are your name & mailing address correct? If not, please make corrections below. Thank You.

Property Address:
 JEFFERSON ST

Due if paid by 03/31/13	2,136.78
Due if paid by 04/30/13	2,154.05
Due if paid by 05/31/13	2,171.32

CITIZENS BANK

100 EAST CHICAGO RD, MC 60097
 STURGIS MI 49091

Make check payable to:
 CHARLEVOIX TREASURER

Amount Remitted: _____

.2 Acre



North

#3

Lafayette

CHARLEVOIX DELINQUENT TAX NOTICE

④



MARILYN COUSINEAU
 CHARLEVOIX COUNTY TREASURER
 301 STATE ST
 CHARLEVOIX MI 49720

231-547-7202
 WWW.CHARLEVOIXCOUNTY.ORG

LAFEBERE MICHAEL LEE
 1000 BERTRAND
 MANHATTAN, KS 66502

DELINQUENT TAXES DUE

TAX YEAR	BASE TAX	TOTAL DUE IF PAID BY 03/31/13	TOTAL DUE IF PAID BY 04/30/13	TOTAL DUE IF PAID BY 05/31/13
2012	88.97	93.42	94.31	95.20
2011	86.62	316.97	318.27	319.57
2010	86.38	452.24	453.53	454.82
TOTAL		862.63	866.11	869.59

PROPERTY INFORMATION

Property Number: 051-105-030-00
 School Dist: BOYNE CITY PUBLIC SCHOOLS
 Property Address:
 PARK ST N
 BOYNE CITY

LEGAL DESCRIPTION:
 CITY OF BOYNE CITY COLLINGS & CRANES ADDTO VILL
 OF BOYNE LOT 30-31 BLK 5.

2012 PROPERTY TAX IS SUBJECT TO FORFEITURE MARCH 1, 2014. OCTOBER 1, 2013 A \$15 DOLLAR FEE IS ADDED TO PARCEL. MARCH 1, 2014, PROPERTY IS FORFEITED TO COUNTY TREASURER, A FEE OF \$175 PLUS RECORDING FEE(S) IS ADDED AND INTEREST IS INCREASED FROM 1% PER MONTH TO 1.5% INTEREST PER MONTH BACK TO THE DATE TAXES BECAME DELINQUENT. OTHER FEES MAY ALSO BE ADDED WITHOUT PRIOR NOTICE. BETWEEN JANUARY 30TH AND MARCH 10, 2015 CIRCUIT COURT ENTERS A JUDGMENT OF FORECLOSURE. FROM DATE OF JUDGMENT, PROPERTY OWNERS HAVE UNTIL MARCH 31ST TO PAY THE TAXES OR LOSE THEIR PROPERTY. REDEMPTION RIGHTS EXPIRE ON MARCH 31ST OF THE YEAR THE COURT ENTERS THE ORDER FORECLOSING ON THE PROPERTY, THE OWNER LOSES ALL RIGHTS TO THE PROPERTY AND CLEAR TITLE TO THE PROPERTY PASSES TO THE COUNTY. DELINQUENT TAXES PRIOR TO 2011 HAVE ALREADY INCURRED THE FORFEITURE FEES.

PARTIAL PAYMENTS ARE ACCEPTED.
 PROGRAMS ARE AVAILABLE FOR HARDSHIP CASES.

IF YOU ARE IN BANKRUPTCY, THIS NOTICE IS FOR INFORMATION ONLY AND NOT AN ATTEMPT TO COLLECT.

ANY PERSON HOLDING A LEGAL INTEREST MAY LOSE THAT INTEREST AS A RESULT OF FORFEITURE AND SUBSEQUENT FORECLOSURE PROCEEDING. THIS NOTICE HAS BEEN SENT TO THE PEOPLE WHO MAY HAVE LEGAL INTEREST IN THIS PARCEL.

Please detach along perforation. Keep the top portion for your records.

Pay this tax to:

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT. THANK YOU.

MARILYN COUSINEAU
 CHARLEVOIX COUNTY TREASURER
 301 STATE ST
 CHARLEVOIX MI 49720

Delinquent Tax for Property Number:
 051-105-030-00

TAXPAYER NOTE: Are your name & mailing address correct? If not, please make corrections below. Thank You.

Due if paid by 03/31/13	862.63
Due if paid by 04/30/13	866.11
Due if paid by 05/31/13	869.59

Property Address:
 PARK ST N

LAFEBERE MICHAEL LEE

1000 BERTRAND
 MANHATTAN

KS 66502

Make check payable to:
 CHARLEVOIX TREASURER

Amount Remitted: _____

33 Acres



CHARLEVOIX DELINQUENT TAX NOTICE

5



MARILYN COUSINEAU
 CHARLEVOIX COUNTY TREASURER
 301 STATE ST
 CHARLEVOIX MI 49720

DELINQUENT TAXES DUE

231-547-7202
 WWW.CHARLEVOIXCOUNTY.ORG

TAX YEAR	BASE TAX	TOTAL DUE	TOTAL DUE	TOTAL DUE
		IF PAID BY 03/31/13	IF PAID BY 04/30/13	IF PAID BY 05/31/13
2012	198.80	208.74	210.73	212.71
2011	204.40	462.44	465.51	468.57
2010	224.49	647.65	651.02	654.39
TOTAL		1,318.83	1,327.26	1,335.67

110 N EAST ST
 BOYNE CITY, MI 49712

ZELENOCK BOB

PROPERTY INFORMATION

Property Number: 051-103-019-00
 School Dist: BOYNE CITY PUBLIC SCHOOLS
 Property Address:
 CRANE ST
 BOYNE CITY

LEGAL DESCRIPTION:
 COLLINGS & CRANES ADD TO VILL OF BOYNE LOT 19 BLK 3.

2012 PROPERTY TAX IS SUBJECT TO FORFEITURE MARCH 1, 2014. OCTOBER 1, 2013 A \$15 DOLLAR FEE IS ADDED TO PARCEL. MARCH 1, 2014, PROPERTY IS FORFEITED TO COUNTY TREASURER, A FEE OF \$175 PLUS RECORDING FEE(S) IS ADDED AND INTEREST IS INCREASED FROM 1% PER MONTH TO 1.5% INTEREST PER MONTH BACK TO THE DATE TAXES BECAME DELINQUENT. OTHER FEES MAY ALSO BE ADDED WITHOUT PRIOR NOTICE. BETWEEN JANUARY 30TH AND MARCH 10, 2015 CIRCUIT COURT ENTERS A JUDGMENT OF FORECLOSURE. FROM DATE OF JUDGMENT, PROPERTY OWNERS HAVE UNTIL MARCH 31ST TO PAY THE TAXES OR LOSE THEIR PROPERTY. REDEMPTION RIGHTS EXPIRE ON MARCH 31ST OF THE YEAR THE COURT ENTERS THE ORDER FORECLOSING ON THE PROPERTY, THE OWNER LOSES ALL RIGHTS TO THE PROPERTY AND CLEAR TITLE TO THE PROPERTY PASSES TO THE COUNTY. DELINQUENT TAXES PRIOR TO 2011 HAVE ALREADY INCURRED THE FORFEITURE FEES.

PARTIAL PAYMENTS ARE ACCEPTED.
 PROGRAMS ARE AVAILABLE FOR HARDSHIP CASES.

IF YOU ARE IN BANKRUPTCY, THIS NOTICE IS FOR INFORMATION ONLY AND NOT AN ATTEMPT TO COLLECT.

ANY PERSON HOLDING A LEGAL INTEREST MAY LOSE THAT INTEREST AS A RESULT OF FORFEITURE AND SUBSEQUENT FORECLOSURE PROCEEDING. THIS NOTICE HAS BEEN SENT TO THE PEOPLE WHO MAY HAVE LEGAL INTEREST IN THIS PARCEL.

Please detach along perforation. Keep the top portion for your records.

Pay this tax to:

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT. THANK YOU.

MARILYN COUSINEAU
 CHARLEVOIX COUNTY TREASURER
 301 STATE ST
 CHARLEVOIX MI 49720

Delinquent Tax for Property Number:
 051-103-019-00

TAXPAYER NOTE: Are your name & mailing address correct? If not, please make corrections below. Thank You.

Due if paid by 03/31/13	1,318.83
Due if paid by 04/30/13	1,327.26
Due if paid by 05/31/13	1,335.67

Property Address:
 CRANE ST

ZELENOCK BOB

110 N EAST ST
 BOYNE CITY

MI 49712

Make check payable to:
 CHARLEVOIX TREASURER

Amount Remitted: _____





Date: May 14, 2013

To: Michael Cain, City Manager
and City Commissioners

Handwritten initials "MC" in black ink, positioned to the right of the recipient information.

From: Hugh Conklin, program manager

RE: Michigan Mountain Mayhem

Overview

Started four years ago, the Michigan Mountain Mayhem has grown into one of the signature bicycling events in Michigan. From its first year with 400 riders, the Mayhem has grown to 1,500 riders. Registration opens in January and within days the event is at capacity.

The event organizer is Paul Nicholls, a local cyclist and owner with his wife Leslie of Inspired Living in downtown Boyne City. He has done an excellent job building the event and putting Boyne City on the map in the cycling world. The event, which offers various lengths and degrees of difficulty, begins at Boyne City High School and ends at Peninsula Beach where a post-event party has been held. Not one to rest on his laurels, Mr. Nicholls is always trying to find ways to make the event even better.

The first three years of the event, a pre-race registration party was held. As a sponsor of the Mayhem the party was held at North Country Cycle. To accommodate the festivities the 100 block of South Park Street from Water to alley was closed. With North Country Cycle now relocated around the corner to Water Street, Mr. Nichols would like to move the pre-race event to Water Street. As a result he is requesting that the 100 block of Water Street between Park and Lake streets be closed from 3 to 9 p.m. on Friday, June 7. The event is scheduled to run from 5-9 p.m. but two hours will be needed to clear the streets and for setup. In addition to the registration area for the more than 1,500 registered riders, there will be live music and an Expo, which Mr. Nicholls describes as an opportunity for all businesses and non-profits to set up displays, similar to the Boyne Area Chamber of Commerce business expo held last month at the old Carter's building. There will be no fee for participation in the expo.

Working with Magnum Hospitality, Mr. Nicholls is also requesting permission to set up an area in the 100 block of Water Street to sell alcohol. The proposed area would be enclosed with orange fencing and would run from Red Mesa to Local Flavor on the north side and North Country Cycle to Schraw and Associates on the south side of Water

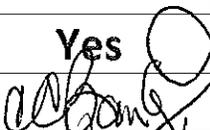
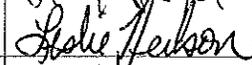
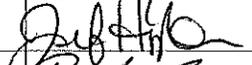
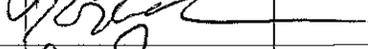
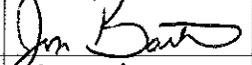
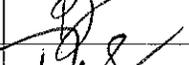
Street. The fencing would be set up curb-to-curb. The sidewalk on either side will remain open for pedestrian traffic. It would be the responsibility of Magnum Hospitality to obtain the required license from the Liquor Control Commission. While selling alcohol at the pre-race event is new, alcohol has been available at the Peninsula Beach post-event party for the past two years with no issues.

Mr. Nicholls has met with businesses along Water Street and nearly all of them are supportive. (A list of the businesses contacted is included with this memo). Mr. Nichols and representatives from Magnum Hospitality also met with Police Chief Jeff Gaither and me to review their plans.

It is my opinion that there are no more capable and responsible business owners and operators in our community than Magnum Hospitality and Mr. Nicholls and I have trust they will effectively manage the event. They have proven themselves. This is a great event and Mr. Nicholls is looking for ways to make it even better.

Recommendation

The City Commission approve the request by Michigan Mountain Mayhem and Magnum Hospitality to serve alcohol in accordance with the rules of the Liquor Control Commission during the pre-event registration party from 5-9 p.m. on June 7.

I would support a fenced in area serving alcohol (see attachment)			
Friday June 7th, from 5 - 9p.m. for the MMM			
Business	Yes	I don't care	No
Local Flavor			
Huff Pharmacy			
inspired living			
Red Mesa Grill			
North Country Cycle Sport			
Boynes' Beyond Borders			
Dilworth Yacht Brokers			
Logo Pros			
Schraw & Associates			

May 10th, 2013

To Whom It May Concern,

The last 3 years Michigan Mountain Mayhem and North Country Cycle Sport have closed down Park Street in front of North Country Cycle Sport and had a pre-ride party for the Michigan Mountain Mayhem (MMM) riders. This has created lots for business for them from the out of town riders. Now that they have moved to Water Street we would like to close down Water Street from Park Street to Lake Street and have an expo for the riders. We believe this would generate extra sales for the local merchants. I have attached a petition that shows every business wanted this street closure and feels it is a good idea. The one exception is Boyne Country Provisions who feel it could negatively impact their business due to people parking in their 15 minute parking for longer than 15 minutes. That being said, they also have an entrance on Park Street and the same owners own The Wine Emporium and thought it would benefit that store. Over all they didn't mind either way, but wanted it to be noted they were concerned about parking and the impact it would have on the party store. We plan on have many cycling related businesses put up tents to get their product in front of the cyclist. We also would welcome any business or organization from the Boyne area to come down as well. There will be no charge for vendors or participants. We also would have a band during the event and music will be kept at a respectable level. This would be a great way to start Stroll the Streets off one week early.

Many pre-ride expos have alcohol for sale and we would like to do this as well. Red Mesa would pull the proper permits from the state and serve the drinks. The alcohol would only be allowed in the enclosed area see attached map. I also have a petition from the businesses in direct contact with the fenced in area and they are all 100% in favor.

Thank-you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paul D. Nicholls', with a long horizontal flourish extending to the right.

Paul D. Nicholls
Event Coordinator
Michigan Mountain Mayhem





319 N Lake Street

Boyer City, Michigan 49712

Phone 231-582-6597

www.boynecity.com

Fax 231-582-6506

Request for Temporary Street Closure

Date: 5-7-13

Name and/or Organization: Michigan Mountain Mayhem

Address: 119 Water St

Phone Number: 231-675-0780 Fax Number: _____

Request to have Water St closed
(Name of Street)

From the intersection of Park to lake

Date(s) of closure: June 7th 2013

Time(s) of closure: 3-9 PM for 5-9 Party

Reason for closure: Cycling Expd

Signature of Applicant: [Signature]

It is the responsibility of the applicant to coordinate necessary barricades, etc., with the Police Department, Public Works Department, and Safety/Maintenance Department.

Reviewed and approved by:

- Main Street Manager
- DPW Superintendent
- Safety/Maintenance Director
- Police Chief
- Fire Chief

City Manager granted /denied request on: _____
Date Initials

I would support the 100 block of Water Street being closed
 Friday June 7th, from 3-9p.m. for the MMM

Business	Yes	I don't care	No
Boyne Country Provisions			Kin B
The Wine Emporium & Market	Kin B		
Local Flavor	CC Bann		
Huff Pharmacy	R Huff		
inspired living	Ladie Nelson		
Red Mesa Grill	Juan C		
Water Street Café	J. Lopez		
Boyne River Trading Company	Ernie Schmitt		
en vogue	Al Agell		
Sunburt Marine	Peter Long		
Pat O'Brien	[Signature]		
North Country Cycle Sport	[Signature]		
Boynes' Beyond Borders	[Signature]		
Dilworth Yacht Brokers	W.D. Dilworth		
Logo Pros	[Signature]		
Schraw & Associates	[Signature]		
Subway	[Signature]		
The Bird's Nest	[Signature]		
Arner	[Signature]		
Radio Shack	[Signature]		
Ralph Gillette	[Signature]		
Thick & Juicy	[Signature]		
Kilwin's	[Signature]		



Date: May 14, 2013

To: Michael Cain, City Manager
and City Commissioners

From: Hugh Conklin, program manager *HJC*

RE: Property donation

Overview

As part of last year's project to move utility lines underground along Ray Street, there was a need to find a location for the new electric box at the west end of Ray Street. The desired location was behind the Johnson Oil gas station. The property is owned by Dr. Dennis Kirkby, who also owns the building at 209 and 211 S. Lake St. He purchased the property about two years ago from Phil Johnson.

A meeting was held with Dr. Kirkby to see if he would grant an easement to the City next to the sidewalk on the north end of the parking lot to locate the new electrical box. Not only did Dr. Kirkby agree to the easement but he offered to give to the city the entire piece of property running parallel along the alley, which has a total of 13 parking spaces.

This seemed like a win-win situation for the City and Dr. Kirkby. For the City this allowed it to move forward in placing the new utility box and it also created possible opportunities to expand public parking in the downtown area. For Dr. Kirkby, he felt the area was already being used as a public parking area, despite signs to the contrary, and he thought it was a fair exchange to give the City the property and in return he would save maintenance costs and property taxes. In addition, the City years ago was given a 15-foot easement through the property to create a wider alley off Ray Street.

The plan to donate the land to the city, however, hit a snag. In reviewing the January 1996 site plan approved when the 209 and 211 S. Lake St. building was built and the parking area established, a stipulation was discovered that prohibited it from being donated. The site plan was approved with the condition that the parcel proposed for the 17 parking spots behind the building be recorded with the Register of Deeds as one contiguous parcel to the main parcel at 207-209 South Lake St., meaning the two parcels were combined as one unless the Planning Commission amended the site plan.

A request to do that was presented to the Planning Commission at its November meeting and by a unanimous vote the commission amended the original site plan in the following way:

1. That the parking area not be combined with the main parcel at 209 South Lake St.
2. The 17 parking space requirement for the building be waived.

With this action taken, the Main Street Board considered Dr. Kirkby's offer to donate the property at a meeting earlier this year and unanimously voted to accept the property. The issue was also presented in concept to the City Commission earlier this year and the commission indicated its support. It is now returning to the Commission for its formal approval.

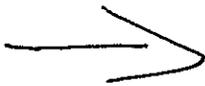
Recommendation

The City Commission allow City Manager Michael Cain to take the necessary steps to accept property behind 209 and 211 South Lake St. as a donation from Dr. Dennis Kirkby.

Main Street
1/10/2013
Minutes

that we should not continue to move forward.

Boyne City Mushroom Festival: The Mushroom Festival is expecting changes in leadership after this year's event. Key members of the committee have indicated they will be stepping down. Paul Nichols and Tony Williams were present to share their insights and discuss what role if any Main Street should play in the transition. Paul explained that there is a core of six people on the Executive Committee and five are leaving after this year. They would like to be able to train their replacements during their last year. The Lions Club will not be doing the competitive hunt any longer. However, the committee will continue with the guided and private hunts. Board discussion that this is a great festival and has been ongoing for many years. A suggestion of a community meeting to inform the citizens of the need for volunteers for this event and others. Board consensus that this would fall under the Organization Committee and agreed to forward to them with the suggestion they work with the Chamber to hold a community meeting.



Property donation: As part of the project to move utility lines underground along Ray Street, there was a need to find a location for the new electric box at the west end of Ray Street. The desired location was behind the Johnson Oil gas station. The property is owned by Dr. Dennis Kirkby, who also owns the building at 209 and 211 S. Lake Street. A meeting was held with Dr. Kirkby to see if he would grant an easement to the City next to the sidewalk on the north end of the parking lot to locate the electrical box. Dr. Kirkby not only agreed to the easement but he offered to give the city the entire piece of property running parallel along the alley, which has a total of 13 parking spaces, and also creates possible future opportunities to expand public parking in the downtown area. A request to the Planning Commission to amend the site plan which called for the two parcels to be combined into one was approved by unanimous vote at its November meeting as follows:

1. That the parking area not be combined with the main parcel at 209 South Lake St
2. The 17 parking space requirement for the building be waived.

MOTION

Board discussion that this is a win-win situation for Main Street. Maybe in the future we could acquire the piece of property next to the carwash and combine the two for public parking.

Cortright moved O'Brien seconded PASSED UNANIMOUSLY that the Main Street Manager proceed and work with city staff to take the necessary steps to accept the property behind 209 and 211 South Lake St. as a donation from Dr. Dennis Kirkby.

MOTION

Board member appointments: Six candidates applied for the two open seats on the Main Street Board. The seats are currently held by Kathy Anderson and Rob Swartz. All candidates were interviewed by organization committee members Bob Alger, Bob Carlie, Mike Cain and Michelle Cortright.

After discussion the Organization Committee voted to recommend Rob Swartz and Jim Jensen to four year terms on the board. **Carlile moved, O'Brien seconded PASSED UNANIMOUSLY** to recommend the City Commission approves the appointments of Rob Swartz and Jim Jensen to the Main Street board with terms expiring January 18, 2017.

MOTION

Good of the Order

Election of Officers: The Organization Committee voted to nominate Rob Swartz to serve as board Chair and Pat O'Brien to serve as Vice Chair beginning February 2013 through January 2014. **Carlile moved, Cortright seconded PASSED UNANIMOUSLY** to accept the nominations of the OR Committee.

Planning Commission
11/19/12
Minutes

abatement, so will use as screening only. A driver on M-75 is the only way to see the equipment. The zoning ordinance article talks about landscaping requirements for existing facility landscaping requirements, which is 30% of landscaping required for a new facility. The amount of 12 proposed trees exceeds that requirement, to put in more, serves no purpose to screen from M-75. Looking at MSU planting guidelines.

St. Dennis - It is going to take 60 - 70 years to get to a 35' diameter when you start with a 3' caliber tree.

Neidhamer - I have a concern with 618 feet and only 12 trees.

St. Dennis - In the previous plan the next door property owners, Car Quest, Carter's building were considered, not just the view corridor, I was thinking much larger buffer than 12 trees.

McPherson - Because this was a conditional use, with outside storage, landscaping for screening was apart of that consideration. Noise attenuation was mentioned. As Mike indicated, it was not going to do anything, so now is visual only.

MacKenzie - Would like to look at this with your proposal.

McCahan - Should have protection for the neighboring properties.

McPherson - What I am hearing is this is not quite accurate, and need more screening between the properties.

Neidhamer - I would like to see a complete proposal in 30 days at the next meeting, along with the emissions report.

New Business
209 S. Lake Street
Development plan
amendment

Planning Director McPherson reviewed the staff report that was included in the agenda packet. In 1996 the original site plan was approved for a commercial building with apartments above, with 17 parking spaces being adequate for the use, however, there is no way 17 cars could be parked there. In reality it is used for a public lot, even though it was established for the building and uses. With recent reconstruction in the area, Mr. Kirkby wanted to give the lot to the city for the purpose of underground utilities box placement. However, during the site plan approval, the parking lot area was tied to the business/apartment building. In order to accept the property and continue with the current use and future development of potential uses, a couple of actions are required; the first is to waive the parking requirement and to rescind the previous tying of the two properties together. In the CBD, Planning Commission does have the ability to waive parking taking in other parking factors, and building use. It is an alley, and there is a easement over a portion of that lot, already.

Cain - It will benefit the city for downtown area beautification projects that are under way and there are adjacent spaces available for parking.

****MOTION**

With no additional board discussion, **motion by Kozlowski, seconded by Crum** to approve the proposal as presented by:

1. Waiving the required 17 space parking requirement and
2. Rescind the requirement that the parking lot (parcel number 051-341-138-10) be combined with 209 S Lake Street (parcel number 051-055-063-00)

2012-11-19-7A

Roll Call:

Aye: Crum, Ellwanger, Frasz, Kozlowski, MacKenzie, McCahan, Neidhamer, St. Dennis.

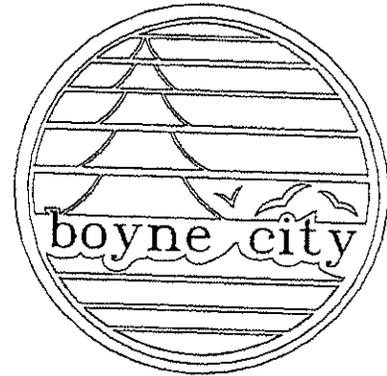
Nay: None

Absent: Meeder

Motion Carries

CITY OF BOYNE CITY

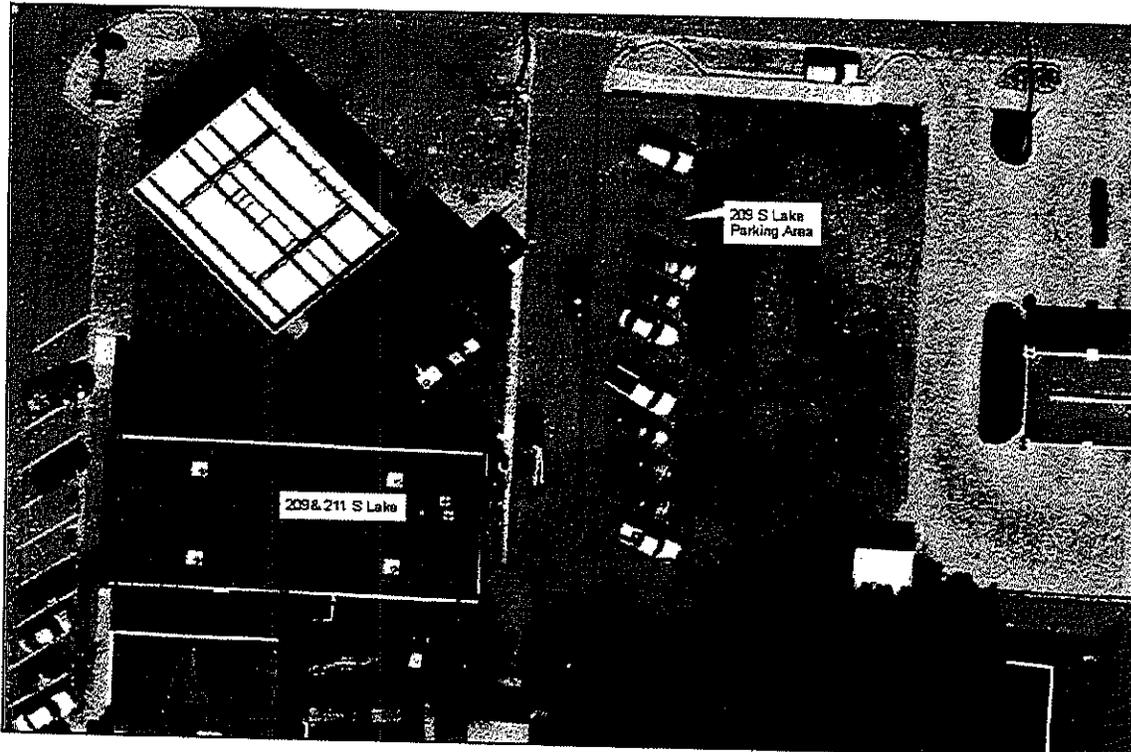
To: Chair Jane MacKenzie and fellow Planning Commissioners
From: Scott McPherson, Planning Director
Date: November 19, 2012
Subject: 209 S Lake Street



BACKGROUND

In 1996 the Boyne City Planning Commission approved a site plan for 209 S Lake Street for construction of a 42' x 96' 2 story commercial building. Boyne Valley Printing was located in the ground floor of the building and 4 apartments were constructed in the 2nd story of the building. Since that time the ground floor of the building has changed uses and it is now occupied by Dunagain's Antiques and Collectibles.

Prior to the site plan approval by the planning commission the zoning board of appeals made a determination that 17 parking spaces would be adequate for the use. Unfortunately I do not know rational used to make this determination. When looking at the site, it appears a maximum of 13 cars could be parked in the parking lot. It is my guess that a calculation was made using a parking space width of 8 feet was used to calculate the amount of available parking to arrive at the 17 spaces.



DISCUSSION

With the consent of Dr. Kirkby, the proposal for the site plan amendment is being initiated by the City Main Street Program. As outlined in the attached memo from Hugh Conklin, the proposed amendment can provide significant benefits to the property owner and the City and may provide future opportunities for the City to address downtown parking needs. While there may be concerns about eliminating parking requirement for this uses, it is the opinion of staff that very little will change if the City acquires the property. Currently the property is basically used as a public parking lot, and while the property is signed, it is not enforced. It is anticipated the parking lot will continue to be used in the same way if the City acquires the property. Some additional maintenance will be required if the property is obtained but this would be minimal additional obligations. The property is currently adjacent to an alley that is maintained and plowed by the City and the City has an easement over a portion of the parking lot which it has already agreed to maintain and plow.

Process

The proposed request would be an amendment to an approved development plan. The City of Boyne City Zoning ordinance provisions for requesting and approving amendments to an approved development plan are contained in section 19.65 Amendments to Approved Development Plans which is as follows:

Section 19.65 Amendments to Approved Development Plans.

The development plan, if approved, shall become part of the record of approval, and subsequent actions relating to the activity authorized shall be consistent with the approved development plan unless a change or addition conforming to this Ordinance receives the mutual agreement of the landowner and the Planning Commission. Incidental and minor variations of the approved development plan, with written approval of the Administrator, shall not invalidate prior development plan approval. Amendments to the approved final development plan may occur only under the following circumstances:

- A. An applicant or property owner who has been granted final development plan approval shall notify the Planning Director of any proposed amendment to such approved development plan.
- B. Minor changes may be approved by the Administrator upon certification in writing to the Planning Commission that the proposed revision does not alter the basic design, compliance with the standards of this Ordinance, nor any specified conditions of the plan as agreed upon by the Planning Commission. In considering such a determination, the Administrator shall consider the following to be a minor change:
 1. For residential buildings, the size of structures may be reduced, or increased by up to five percent (5%), provided that the overall density of units does not increase.
 2. Square footage of nonresidential buildings may be decreased or increased by up to five percent (5%) or one-thousand (1,000) square feet, whichever is smaller.
 3. Horizontal and/or vertical elevations may be altered by up to five percent (5%).
 4. Movement of a building or buildings by no more than ten (10) feet.
 5. Designated Areas not to be disturbed may be increased.
 6. Plantings approved in the final development plan landscape plan may be replaced by similar types and sizes of landscaping which provides a similar screening effect on a one-to-one or greater basis, provided they comply with the landscaping standards of this Ordinance, with approval of the Planning Director.

7. Improvements to site access or circulation, such as inclusion of deceleration lanes, boulevards, curbing, pedestrian/bicycle paths, etc., which conform to the requirements of this Ordinance.
 8. Changes of building materials to another of higher quality, as determined by the Planning Director.
 9. Changes in floor plans which do not alter the character of the use.
 10. Slight modification of sign placement or reduction of size.
 11. Relocation of sidewalks and/or waste receptacles.
 12. Internal rearrangement of parking lot which does not affect the number of parking spaces or alter access locations or design.
 13. Changes required or requested by the City for safety reasons shall be considered a minor change.
- C. Should the Planning Director determine that the requested modification to the approved final development plan is not minor; the Planning Commission shall be notified in writing that the development plan has been suspended, and, if construction has initiated, a stop work order shall be issued for the section of the project deemed not to be in compliance. Thereafter, the applicant may revise the development plan and submit to the Administrator for resubmission to the Planning Commission.
- D. Should the Planning Commission determine that the modifications to the final development plan significantly alter the intent of the preliminary development plan, a new submittal shall be required.
- E. Any deviation from the approved final development plan, except as authorized in this section, shall be considered a violation of this Ordinance and treated as such.

Process

If the Planning Commission determines that the proposed amendment does not significantly alter the intent of the approved plan, and is in conformance with the Ordinance standards the requested amendment may be approved through the mutual agreement of the landowner and the Planning Commission. To approve the proposal as presented the Planning Commission must take the following two actions:

1. Waive the required 17 space parking requirement
2. Rescind the requirement that the parking lot (parcel number 051-341-138-10) be combined with 209 S Lake Street (parcel number 051-055-063-00)

Options

The Planning Commission can agree to the changes presented and approve the amendment; the Planning Commission can decide not to agree to the changes as presented and not approve the amendment; or, modifications to the proposed amendment that the applicant and the Planning Commission mutually agree on can be made and the proposed amendment with modifications can be approved by the Planning Commission.



City of Boyne City

319 N. Lake Street

Boyne City, Michigan 49712

Phone 616-582-6566

FAX 616-582-3677

Prepared: 2-1-96

Approved: _____

MEETING OF JANUARY 15, 1996

MINUTES OF THE BOYNE CITY PLANNING COMMISSION MEETING
DULY CALLED AND HELD ON MONDAY, 15 JANUARY 1996, AT 5:00
P.M. IN THE COMMISSION CHAMBERS OF CITY HALL.

CALL TO ORDER

Vice Chair Knurick called the meeting to order at 5:00 P.M.

ROLL CALL

Present: Chair Pat Kubesh (arrived at 5:05), Jim Knurick, Mark Kowalske, Jack McLeod, Alison Mellon, Tom Neidhamer, Cindi Place, Joe St.Dennis, and Todd Wright.

Staff City Manager W. Randolph Frykberg, City Attorney Timothy Arner, City Clerk Sue Hobbs, Commissioners Thelma Behling, William Grimm, Sandra Stanley, and recording secretary Josette Lory.

MEETING ATTENDANCE

There were approximately 20 people in attendance.

APPROVAL OF MINUTES

Neidhamer moved, Kowalske seconded a motion to approve the minutes of the Boyne City Planning Commission meeting held 11 December 1995 as presented.

At the request of petitioners, and with no objection from Safe Lake I, the public hearing items were addressed first.

209 SOUTH LAKE SITE PLAN - JOHNSON

Site plan review requested from Beverly and Phil Johnson, 207 South Lake Street, for construction of a 42'x 96' commercial building on the vacant lot at 209 South Lake Street. The existing Boyne Valley Printing facility will be relocated to the proposed site, with the existing structure being sold for commercial use. The interior layout of the proposed structure will be similar to the existing facility with consideration of a center wall enabling half of the lower floor to be leased out for retail use. It appears the site plan meets all City zoning requirements.

On 9 November 1995 the Zoning Board of Appeals interpreted that seventeen (17) parking spaces is adequate parking for the proposed construction at 209 South Lake Street, approving a parking variance to accommodate the relocation of existing business. Should apartments be built, two parking spaces per apartment will need to be designated.

Chair Kubesh opened the public hearing at 5:05 P.M.

Phil Johnson noted the proposed structure will conform to the City's Victorian style. The rear of the building may be colored block (alley side) and the side adjacent to the smaller building (southside) will either be vinyl or block.

No public comment.

Public hearing closed at 5:07 P.M.

SITE PLAN REVIEW

Wright asked if the petitioner had any plans for the upstairs portion of the proposed structure. Johnson noted with the ZBA parking variance he would be able to have up to three apartments in the upstairs.

The rear parking area will be maintained by the property owner.

No dumpster is planned, weekly pick up of bagged refuse.

Dust free parking is required.

Vinyl siding to comply with Victorian theme.

Plan to use same signage.

Projected move in date of July 1996.

The board discussed the need to have the rear parking area connected to the main lot (209 South Lake Street). The parcel proposed for parking should be recorded with the Register of Deeds as one contiguous parcel to the main lot, and the area will be maintained for parking only. Johnson assured the board he would take care of this in July when the construction is complete.

**

Knurick moved, Wright seconded approval of the site plan as presented with a condition for the rear parking area (across from alley) to be combined and recorded as one parcel with the primary building at 209 South Lake Street within a one year time frame.

ROLL CALL

Aye: Kubesh, Knurick, Kowalske, McLeod, Mellon, Neidhamer, Place, St.Dennis, Wright.

Nay: None.

Abstain: None.

Absent: None.

MOTION CARRIED.

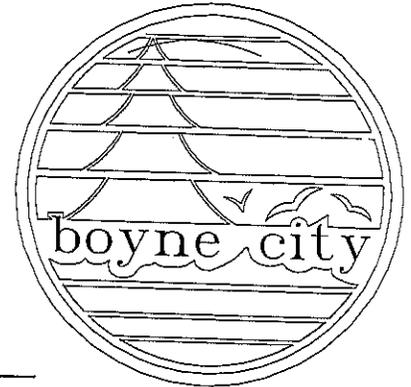
900 FRONT STREET HARBORAGE RENAISSANCE COMPANY

Site plan review to amend a previously approved site plan for Harborage Renaissance Company, for one single family home replacing a previously approved four unit building in the 900 block of Front Street, lying between said street and Lake Charievoix.

The petitioner requests consideration of amending the 20 June 1994 site plan for the four unit building. The petitioner agrees this single family dwelling will meet the existing requirements placed on the Harborage Shores site plan approved 17 July 1995 for six single family homes.

CITY OF BOYNE CITY

To: Michael Cain/City Manager *Mc*
 From: Cindy Grice, City Clerk/Treasurer *cg*
 Date: May 10, 2013
 Subject: Cemetery Tree Removal



Dennis Amesbury and Andy Kovolski recently discussed with me about several trees in the Maple Lawn Cemetery that need to be removed. It has been determined these trees are too large for our City crews and equipment and will need to be removed by professional tree removers. Andy Kovolski contacted two services requesting proposals to remove the trees and stumps. Al & Jim's tree service, who has done tree removals for the City in the past, quoted \$13,355 and All Aspects Forestry provided us with an estimate of \$9,500 to do the work.

We currently have \$26,000 in our Contracted Services line item in the FYE 2014 budget in the Cemetery Fund - \$21,000 to pay our maintenance contractors and \$5,000 which was set aside for weed and grub control. The Repairs and Maintenance line item has \$2,500 which gives us \$7,500 and would not leave any room left for any other needs that may come up. The \$12,000 in Capital Outlay is planned for Cemetery Gates of which over \$9,788 are funds donated specifically for gates. I anticipate a fund balance at FYE 2013 of approximately \$7,400.

I apologize for not anticipating this type of tree removal and bringing this forward at this time but feel that the weed and grub control project needs to proceed along with the tree removal. I anticipate this will eliminate my fund balance during this budget year if we are approved to proceed with the tree removal project.

RECOMMENDATION

At this time, I am recommending approval to accept the bid from All Aspects Forestry from Boyne City in the amount of \$9,500 to remove the marked trees and grind the stumps and remove all wood, brush and wood chips, utilizing approximately \$7,000 from the Cemetery Fund balance and authorize the City Manager to execute the documents.

Other options:

- A) Hold off on weed and grub control until the Spring of 2014
- B) Other suggestions the Commissioners may have

Estimate

All Aspects Forestry

4275 Hardwood Rd.

Boyne City, MI

49712

Joe Hauger: (231) 499-2310

or

Aj Spaay: (231) 675-3930

Customer	Date
Maple Lawn Cemetery	05/03/2013

Address
Boyne Ave., Boyne City, MI 49712

Description	Charge
All trees marked with red and yellow ribbon are to be taken down.	
Removal of all wood and brush.	
Estimated Total	\$7,500.00
Stumps are to be ground and chips are to be removed from premises.	
Estimated Total	\$2,000.00

Thank you!

Al and Jim's Tree Service
 P.O. Box 80
 Harbor Springs, MI 49740
 526-5123 or Fax 526-7340

ESTIMATE

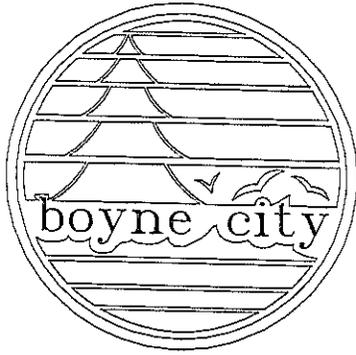
DATE	ESTIMATE NO.
5/7/2013	1146

NAME / ADDRESS
City Of Boyne City 319 N. Lake Street Boyne City, Mi 49712 ATTN: Andy

P.O. NO.

DESCRIPTION	TOTAL
Remove 25 trees, take down, chip brush, haul wood and grind stumps Labor & Equipment	11,355.00
Crane Rental if needed to take down big white pines Labor & Equipment Approximately	2,000.00
TOTAL	
	\$13,355.00

We are now accepting Master Card, Visa, Discover and American Express!



CITY OF BOYNE CITY

MEMO

To: Michael Cain, City Manager *Mc*

From: Barb Brooks, Executive Assistant / Harbormaster *BB*

Date: May 10, 2013

Subject: Marina Renovation Permit

Marina Renovation Permit - The City has been working with MDEQ for several years through the contested case process since the 2009 denial of our MDEQ / USACE joint marina permit application. In November of 2012 we hired Abonmarche to assist us with finalizing this process; which included finalizing overall plans, obtaining a permit and engineering, bidding and overseeing the fixed docks and shoppers' dock renovation project.

In February of 2013 the commission approved moving forward with a scaled back version of the permit application that only included the replacement and extension of the shoppers dock and renovation of the fixed finger piers to fixed adjustable. This scaled back version of the original permit is allowable under the contested case that we were working through with the DEQ from our original permit that was denied.

At this time we have a draft permit that has been issued by the DEQ. The draft permit addresses only the docks to be replaced not an overall marina expansion/renovation and requires approval from the City accepting the terms and conditions presented, once it is signed and returned they will move forward with issuing an official permit for the project.

After the permit process for this and the dredging are finalized, we will turn our attention back to the plans and permit for the overall expansion and renovation of the marina. These plans will be presented by Abonmarche to the commission and public prior to a permit application being submitted.

The draft permit is attached for your review and consideration.

Marina Renovation Permit Recommendation: Accept the conditions set forth in the draft permit from the MDEQ for the marina renovation of the fixed docks and shoppers dock and authorize the City Manager execute the necessary documents.

Options: Decline the draft permit for marina renovation



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
GAYLORD FIELD OFFICE



DAN WYANT
DIRECTOR

April 23, 2013

City of Boyne City
Attn: Michael Cain
319 North Lake Street
Boyne City, Michigan 49712

Dear Mr. Cain:

SUBJECT: Draft Permit for Countersignature
File Number: 07-15-0002-P
County: Charlevoix

The Michigan Department of Environmental Quality's (MDEQ's) Water Resources Division (WRD) has reviewed the above-referenced application for permit pursuant to Part 301, Inland Lakes and Streams, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. We have determined that the project as proposed can be permitted. Enclosed is a draft permit, requiring a countersignature.

Carefully review and fully understand the draft permit and all of its associated terms and conditions. As the permittee, you are responsible for assuring that the project is completed as authorized and in compliance with permit requirements. **If you agree to all of the terms and conditions, sign the draft permit in the space provided, initial each of the drawings, and return the entire document to our office within 30 days of the date of this letter.**

This permit is not valid until signed by an official of the WRD. Upon return of the signed and initialed document from you, the WRD will issue the permit in a timely manner and return a signed copy to you. Construction activity is not authorized to begin until a valid permit is held at the project site. If you do not return the signed and initialed document by the required date, an Application Denial letter will be sent to you.

If you have any questions or concerns regarding the specifics of this draft permit, please contact me at 989-705-3442; merrickr@michigan.gov, or MDEQ, WRD, Gaylord Field Office, 2100 West M-32, Gaylord, Michigan 49735-9282. Please reference your file number 07-15-0002-P, in your response.

Sincerely,

Roxanne Merrick
Water Resources Division

Enclosure

cc/enc: Mr. Dan Dombos, Abonmarche



**MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER RESOURCES DIVISION
PERMIT**

ISSUED TO:

City of Boyne City
Attn: Michael Cain
319 North Lake Street
Boyne City, MI 49712

Permit No.	07-15-0002-P
Issued	DRAFT
Revised	
Expires	x5 years after issuance

This permit is being issued by the Michigan Department of Environmental Quality (MDEQ) under the provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), and specifically:

- | | |
|-------------------------------------------------------------------------|-------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Part 301, Inland Lakes and Streams | <input type="checkbox"/> Part 315, Dam Safety |
| <input type="checkbox"/> Part 325, Great Lakes Submerged Lands | <input type="checkbox"/> Part 323, Shorelands Protection and Management |
| <input type="checkbox"/> Part 303, Wetlands Protection | <input type="checkbox"/> Part 353, Sand Dunes Protection and Management |
| <input type="checkbox"/> Part 31, Floodplain/Water Resources Protection | |

Permission is hereby granted, based on permittee assurance of adherence to State of Michigan requirements and permit conditions, to:

Renovate and improve existing City marina facility on Lake Charlevoix by replacement of the five existing three foot wide docks of varying length with four 50' X 5' new adjustable docks and one 24' X 5' new fixed dock attached to the end of the existing sheet pile wall. Remove the 155' X 55' by eight foot wide existing L-shaped floating Shoppers dock with a new L-shaped floating Shoppers dock having 180 feet long by eight foot wide dock installed perpendicular to the shoreline with 55 feet long by 10 foot wide dock extension installed parallel to the shoreline. Additionally, remove and replace 10 wood piles to facilitate safe wharfage and remove and replace as necessary some of the existing rock riprap to facilitate the removal and installation of the replacement docks. All work shall be done in accordance with the following conditions and attached plans dated 2/21/2013.

Water Course Affected: Lake Charlevoix, **Property Location:** Charlevoix County, City of Boyne City, Section 35 Town/Range 33N, 6W **Property Tax Number:** 15-051-240-001-00 & 15-051-236-083-00

Authority granted by this permit is subject to the following limitations:

- A. Initiation of any work on the permitted project confirms the permittee's acceptance and agreement to comply with all terms and conditions of this permit.
- B. The permittee, in exercising the authority granted by this permit, shall not cause unlawful pollution as defined by Part 31, Water Resources Protection, of the NREPA.
- C. This permit shall be kept at the site of the work and available for inspection at all times during the duration of the project or until its date of expiration.
- D. All work shall be completed in accordance with the approved plans and specifications submitted with the application and/or plans and specifications attached to this permit.
- E. No attempt shall be made by the permittee to forbid the full and free use by the public of public waters at or adjacent to the structure or work approved.
- F. It is made a requirement of this permit that the permittee give notice to public utilities in accordance with Act 53 of the Public Act of 1974 and comply with each of the requirements of that Act.
- G. This permit does not convey property rights in either real estate or material, nor does it authorize any injury to private property or invasion of public or private rights, nor does it waive the necessity of seeking federal assent, all local permits, or complying with other state statutes.
- H. This permit does not prejudice or limit the right of a riparian owner or other person to institute proceedings in any circuit court of this state when necessary to protect his rights.
- I. Permittee shall notify the MDEQ within one week after the completion of the activity authorized by this permit, by completing and forwarding the attached preaddressed postcard to the office addressed thereon.
- J. This permit shall not be assigned or transferred without the written approval of the MDEQ.

- K. Failure to comply with conditions of this permit may subject the permittee to revocation of permit and criminal and/or civil action as cited by the specific state act, federal act, and/or rule under which this permit is granted.
- L. All dredged or excavated materials shall be disposed of in an upland site (outside of floodplains, unless exempt under Part 31, and wetland).
- M. In issuing this permit, the MDEQ has relied on the information and data that the permittee has provided in connection with the submitted application for permit. If, subsequent to the issuance of a permit, such information and data prove to be false, incomplete, or inaccurate, the MDEQ may modify, revoke, or suspend the permit, in whole or in part, in accordance with the new information.
- N. The permittee shall indemnify and hold harmless the State of Michigan and its departments, agencies, officials, employees, agents and representatives for any and all claims or causes of action arising from acts or omissions of the permittee or employees, agents, or representatives of the permittee undertaken in connection with this permit. This permit shall not be construed as an indemnity by the State of Michigan for the benefit of the permittee or any other person.
- O. Noncompliance with these terms and conditions and/or the initiation of other regulated activities not specifically authorized shall be cause for the modification, suspension, or revocation of this permit, in whole or in part. Further, the MDEQ may initiate criminal and/or civil proceedings as may be deemed necessary to correct project deficiencies, protect natural resource values, and secure compliance with statutes.
- P. If any change or deviation from the permitted activity becomes necessary, the permittee shall request, in writing, a revision of the permitted activity from the MDEQ. Such revision request shall include complete documentation supporting the modification and revised plans detailing the proposed modification. Proposed modifications must be approved, in writing, by the MDEQ prior to being implemented.
- Q. This permit may be transferred to another person upon written approval of the MDEQ. The permittee must submit a written request to the MDEQ to transfer the permit to the new owner. The new owner must also submit a written request to the MDEQ to accept transfer. The new owner must agree, in writing, to accept all conditions of the permit. A single letter signed by both parties which includes all the above information may be provided to the MDEQ. The MDEQ will review the request and if approved, will provide written notification to the new owner.
- R. Prior to initiating permitted construction, the permittee is required to provide a copy of the permit to the contractor(s) for review. The property owner, contractor(s), and any agent involved in exercising the permit are held responsible to ensure that the project is constructed in accordance with all drawings and specifications. The contractor is required to provide a copy of the permit to all subcontractors doing work authorized by the permit.
- S. The permittee is cautioned that grade changes resulting in increased runoff onto adjacent property is subject to civil damage litigation.
- T. Unless specifically stated in this permit, construction pads, haul roads, temporary structures, or other structural appurtenances to be placed in a wetland or on bottomland of the waterbody are not authorized and shall not be constructed unless authorized by a separate permit or permit revision granted in accordance with the applicable law.
- U. Work to be done under authority of this permit is further subject to the following special instructions and specifications:

This permit shall become effective on the date of the MDEQ representative's signature. Upon signing by the permittee named herein, this permit must be returned to the MDEQ's Water Resources Division, Attn: Roxanne Merrick at 2100 West M-32, Gaylord, Michigan 49735 for final execution.

Permittee hereby accepts and agrees to comply with the terms and conditions of this permit.

 Permittee Date

 Printed Name and Title of Permittee

1. The activity authorized in this draft permit is an agreed settlement of the pending contested case concerning the initial application. By signing this document and returning it to the MDEQ for final execution, the applicant acknowledges this permit will result in the dismissal of the pending contested case.
2. Authority granted by this permit does not waive any jurisdiction of the United States Army Corps of Engineers (USACE) or the need for a federal permit, if required. For information on USACE jurisdiction, please contact Ms. Kristi DeFoe at 313-226-7718 at the Detroit Office and please reference file number LRE-2007-184-41.
3. Authority granted by this permit does not waive permit requirements under Part 91, Soil Erosion and Sedimentation Control, of the NREPA, or the need to acquire applicable permits from Charlevoix County. Please contact Mr. Marc Seelye at 231-547-7236.
4. Dredging is not authorized by this permit.

5. During removal or repair of the existing structure, every precaution shall be taken to prevent debris from entering any watercourse. Any debris reaching the watercourse during the removal and/or reconstruction of the structure shall be immediately retrieved from the water. All material shall be disposed of in an acceptable manner consistent with local, state, and federal regulations.
6. Additional attachments to permitted structures, including but not limited to roofs, sidewalls, handrails, benches, decks, docks, piers, or extensions thereof, are not authorized by this permit.
7. No boat shall extend beyond the end of the authorized dock or slip length. Swim platforms, bow sprits, and/or pulpits must be factored into total length of the boat. No other structures such as boat hoists or spring piles shall extend beyond the end of the authorized dock or slip length.
8. This permit is limited to authorizing the construction as specified above and carries with it no assurances or implications that associated wetland or floodplain areas can be developed and serviced by the structures authorized by this permit.
9. This permit is being issued for the maximum time allowed under Part 301, Inland Lakes and Streams, of the Natural Resources and Environmental Protection Act, PA 451 of 1994, as amended, including all permit extensions allowed under the administrative rule R 281.813. Therefore, no extensions of this permit will be granted. Initiation of the construction work authorized by this permit indicates the permittee's acceptance of this condition. The permit, when signed by the MDEQ, will be for a five-year period beginning at the date of issuance.
10. This permit placard shall be kept posted at the work site, in a prominent location at all times for the duration of the project, or until permit expiration.

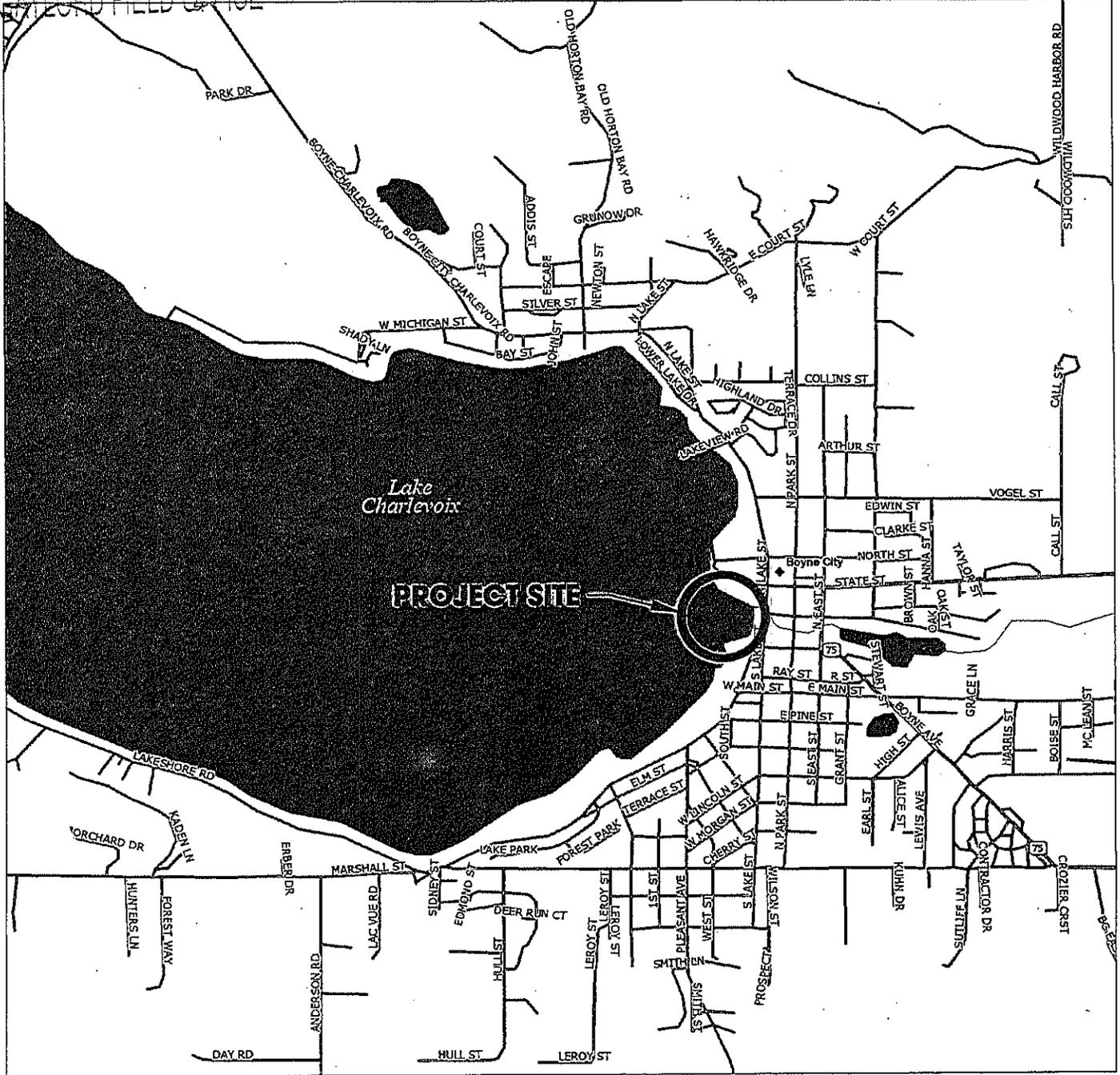
By: _____

Roxanne Merrick
Water Resources Division
989-705-3442

cc: State Office of Administrative Hearings and Rules
Kristi DeFoe, USACE, Detroit (LRE-2007-184-41)
Marc Seelye, Charlevoix CEA
Dan Dombos, Abonmarche
Mr. William Larsen, DEQ

FEB 28 2013

GAYLORD FIELD OFFICE



LOCATION MAP
NOT TO SCALE



95 West Main Street
 Benton Harbor, MI 49022
 T 269.927.2295
 F 269.927.1017

Manistee, MI
 South Haven, MI
 South Bend, IN
 Portage, IN

Engineering
 Architecture
 Land Surveying
 Marina/Waterfront
 Community Planning
 Landscape Architecture
 Development Services

PREPARED FOR:
BOYNE CITY MUNICIPAL MARINA

SCALE: NTS
 JOB #: 12-0842

SHEET 1 OF 7

Received
WRD/DEO

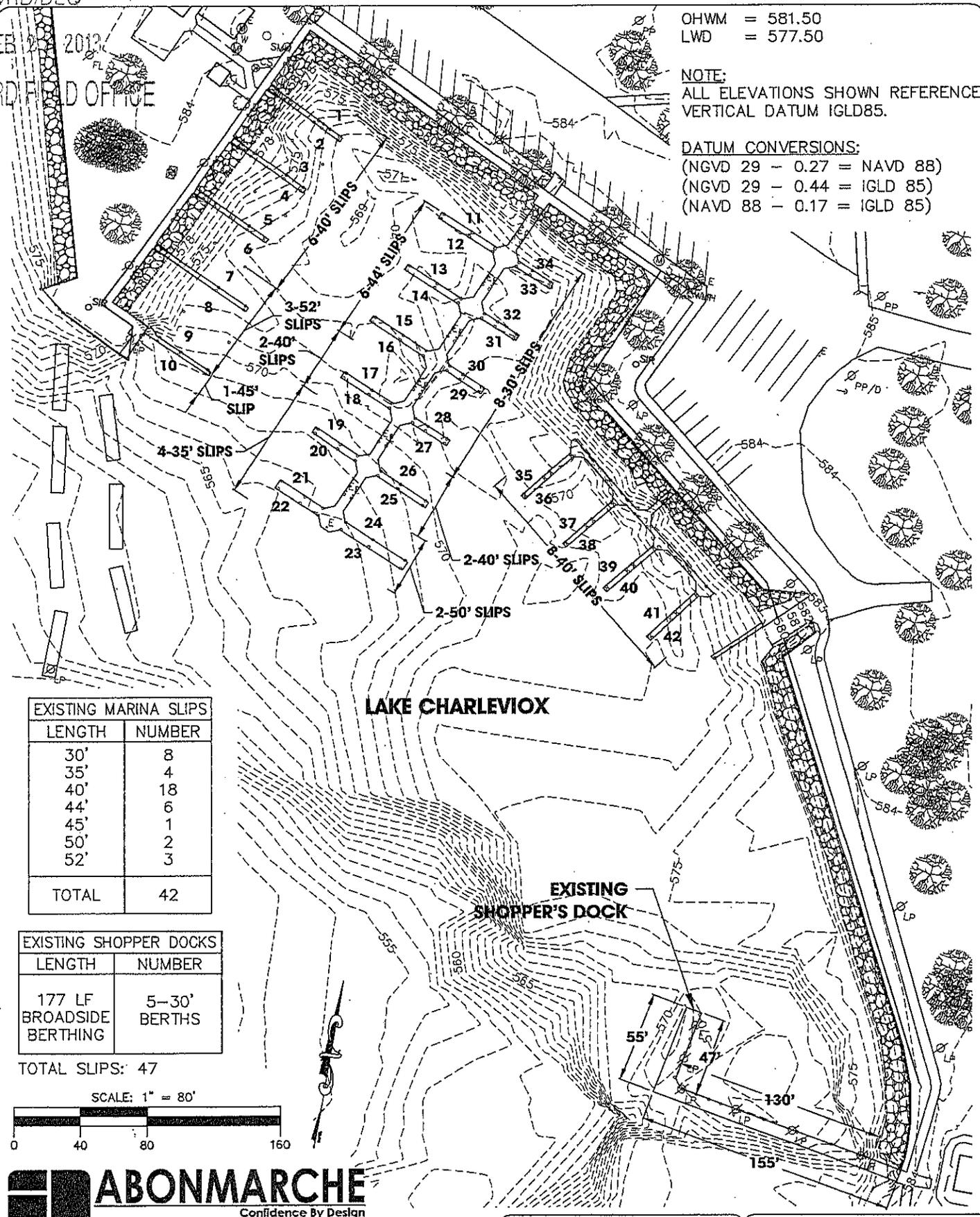
FEB 23 2013

GAYLORD FIELD OFFICE

OHWM = 581.50
LWD = 577.50

NOTE:
ALL ELEVATIONS SHOWN REFERENCE
VERTICAL DATUM IGLD85.

DATUM CONVERSIONS:
(NGVD 29 - 0.27 = NAVD 88)
(NGVD 29 - 0.44 = IGLD 85)
(NAVD 88 - 0.17 = IGLD 85)

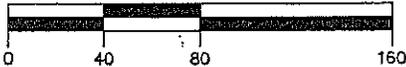


EXISTING MARINA SLIPS	
LENGTH	NUMBER
30'	8
35'	4
40'	18
44'	6
45'	1
50'	2
52'	3
TOTAL	42

EXISTING SHOPPER DOCKS	
LENGTH	NUMBER
177 LF BROADSIDE BERTHING	5-30' BERTHS

TOTAL SLIPS: 47

SCALE: 1" = 80'



ABONMARCHE
Confidence By Design

95 West Main Street
Benton Harbor, MI 49022
T 269.927.2295
F 269.927.1017

Manistee, MI
South Haven, MI
South Bend, IN
Portage, IN

Engineering
Architecture
Land Surveying
Marina/Waterfront
Community Planning
Landscape Architecture
Development Services

PREPARED FOR:
**BOYNE CITY MUNICIPAL MARINA
PHASE I
EXISTING CONDITIONS**
COPYRIGHT 2013-ABONMARCHE CONSULTANTS, INC.

SCALE: 1"=80'

JOB #: 12-0842

SHEET 2 OF 7

E:\CIVIL_3DENGL12-0842 BOYNE CITY.dwg 12-0842 PHASE I.dwg, EX COUNTS 8-5x11, 2/21/2013 12:49:43 PM, djarson, 1:1

Received
WRD DEC

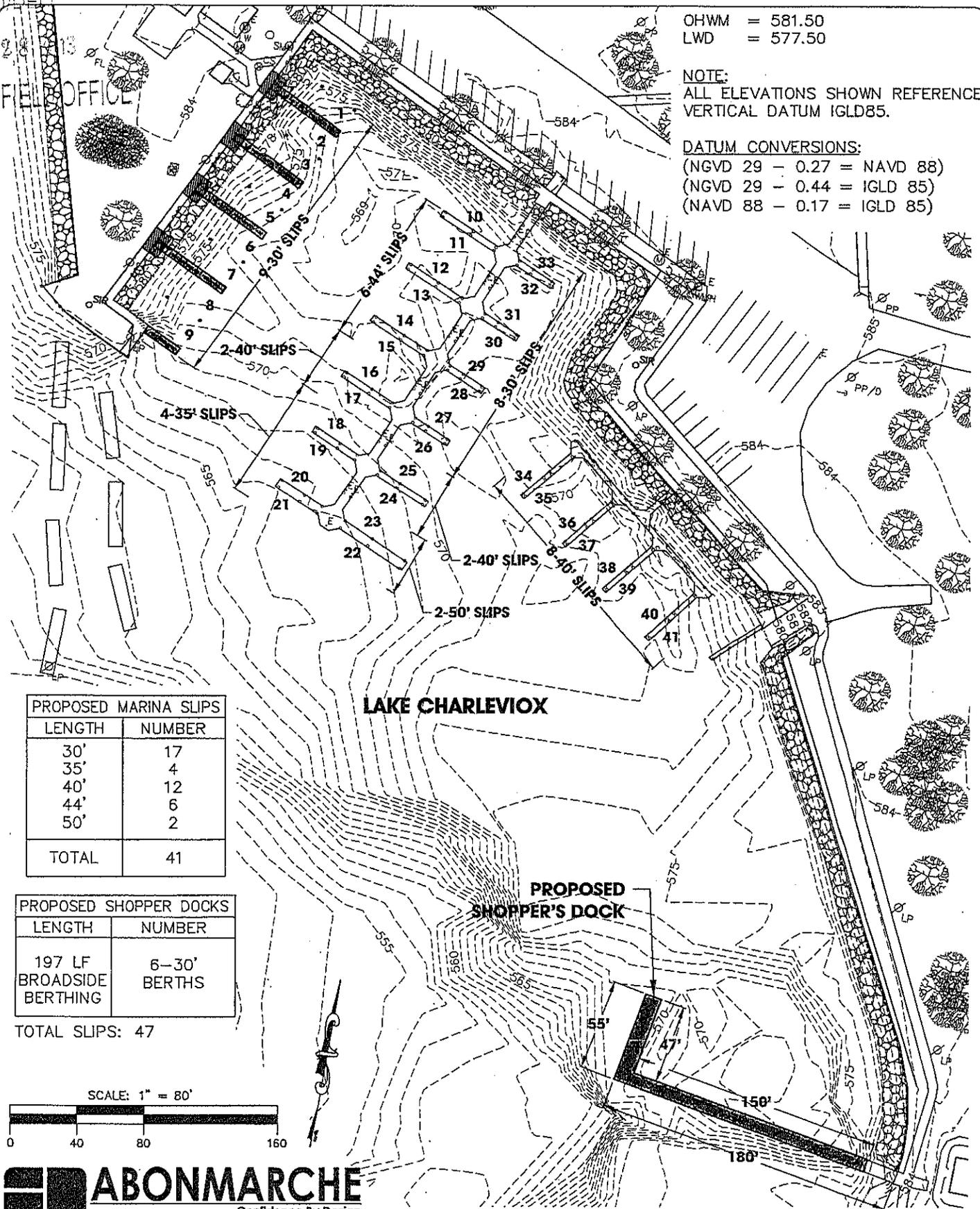
FEB 28 2013

WYLDORF FIELD OFFICE

OHWM = 581.50
LWD = 577.50

NOTE:
ALL ELEVATIONS SHOWN REFERENCE
VERTICAL DATUM IGLD85.

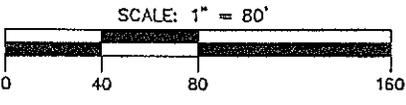
DATUM CONVERSIONS:
(NGVD 29 - 0.27 = NAVD 88)
(NGVD 29 - 0.44 = IGLD 85)
(NAVD 88 - 0.17 = IGLD 85)



PROPOSED MARINA SLIPS	
LENGTH	NUMBER
30'	17
35'	4
40'	12
44'	6
50'	2
TOTAL	41

PROPOSED SHOPPER DOCKS	
LENGTH	NUMBER
197 LF BROADSIDE BERTHING	6-30' BERTHS

TOTAL SLIPS: 47



95 West Main Street
Benton Harbor, MI 49022
T 269.927.2295
F 269.927.1017

Manistee, MI
South Haven, MI
South Bend, IN
Portage, IN

Engineering
Architecture
Land Surveying
Marina/Waterfront
Community Planning
Landscape Architecture
Development Services

PREPARED FOR:
**BOYNE CITY MUNICIPAL MARINA
PHASE I
PROPOSED CONDITIONS**
COPYRIGHT 2013-ABONMARCHE CONSULTANTS, INC.

SCALE: 1"=80'
JOB #: 12-0842
SHEET 3 OF 7

E:\CIVIL\3DEN\12-0842_BOYNE CITY\dwg\12-0842_PHASE I.dwg, PROF COUNTS 8-5x11, 2/21/2013 12:49:47 PM, dlarson, 1:1

Received

GAYLORD FIELD OFFICE

OHWM = 581.50
LWD = 577.50

NOTE:
ALL ELEVATIONS SHOWN REFERENCE
VERTICAL DATUM IGLD85.

DATUM CONVERSIONS:
(NGVD 29 - 0.27 = NAVD 88)
(NGVD 29 - 0.44 = IGLD 85)
(NAVD 88 - 0.17 = IGLD 85)

EXISTING FIXED DOCKS
SEE SHEET 5 FOR PROPOSED

EXISTING SHOPPER'S DOCK
SEE SHEET 6 FOR PROPOSED

LAKE CHARLEVIOX

SCALE: 1" = 80'



ABONMARCHÉ

Confidence By Design

95 West Main Street
Benton Harbor, MI 49022
T 269.927.2295
F 269.927.1017

Manistee, MI
South Haven, MI
South Bend, IN
Portage, IN

Engineering
Architecture
Land Surveying
Marina/Waterfront
Community Planning
Landscape Architecture
Development Services

PREPARED FOR:

**BOYNE CITY MUNICIPAL MARINA
PHASE I
EXISTING CONDITIONS**

COPYRIGHT 2013-ABONMARCHÉ CONSULTANTS, INC.

SCALE: 1"=80'

JOB #: 12-0842

SHEET 4 OF 7

EA:\CIVIL_3D\ENG12-0842_BOYNE CITY.dwg\12-0842 PHASE 1.dwg, PROP 8-5x11, 2/21/2013 12:49:54 PM, dlarson, 1:1

Received
WRD/DEO

FEB 28 2013

OHWM = 581.50
LWD = 577.50

NOTE:
ALL ELEVATIONS SHOWN REFERENCE
VERTICAL DATUM IGLD85.

DATUM CONVERSIONS:
(NGVD 29 - 0.27 = NAVD 88)
(NGVD 29 - 0.44 = IGLD 85)
(NAVD 88 - 0.17 = IGLD 85)

GAYLORD FIELD OFFICE

EXISTING MARINA
BUILDING

REPLACE TEN (10)
WOOD SPRING PILES

REMOVE AND REPLACE DOCK
ABUTMENTS AND RIP-RAP TO
ACCOMMODATE DOCK
REPLACEMENT

LAKE CHARLEVOIX

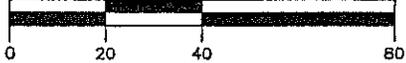
9 - 30' SLIPS

AREA OF IMPROVEMENTS

REPLACE FOUR (4) FIXED DOCKS
WITH FOUR (4) NEW
ADJUSTABLE-FIXED DOCKS

REPLACE ONE (1) FIXED DOCK WITH
ONE (1) NEW FIXED DOCK ABUTTING
EXISTING SHEET PILE WALL.

SCALE: 1" = 40'



95 West Main Street
Benton Harbor, MI 49022
T 269.927.2295
F 269.927.1017

Manistee, MI
South Haven, MI
South Bend, IN
Portage, IN

Engineering
Architecture
Land Surveying
Marina/Waterfront
Community Planning
Landscape Architecture
Development Services

PREPARED FOR:
**BOYNE CITY MUNICIPAL MARINA
PHASE I
PROPOSED PLAN**
COPYRIGHT 2013-ABONMARCHE CONSULTANTS, INC.

SCALE: 1"=40'
JOB #: 12-0842
SHEET 5 OF 7

Received
WRD/DEQ

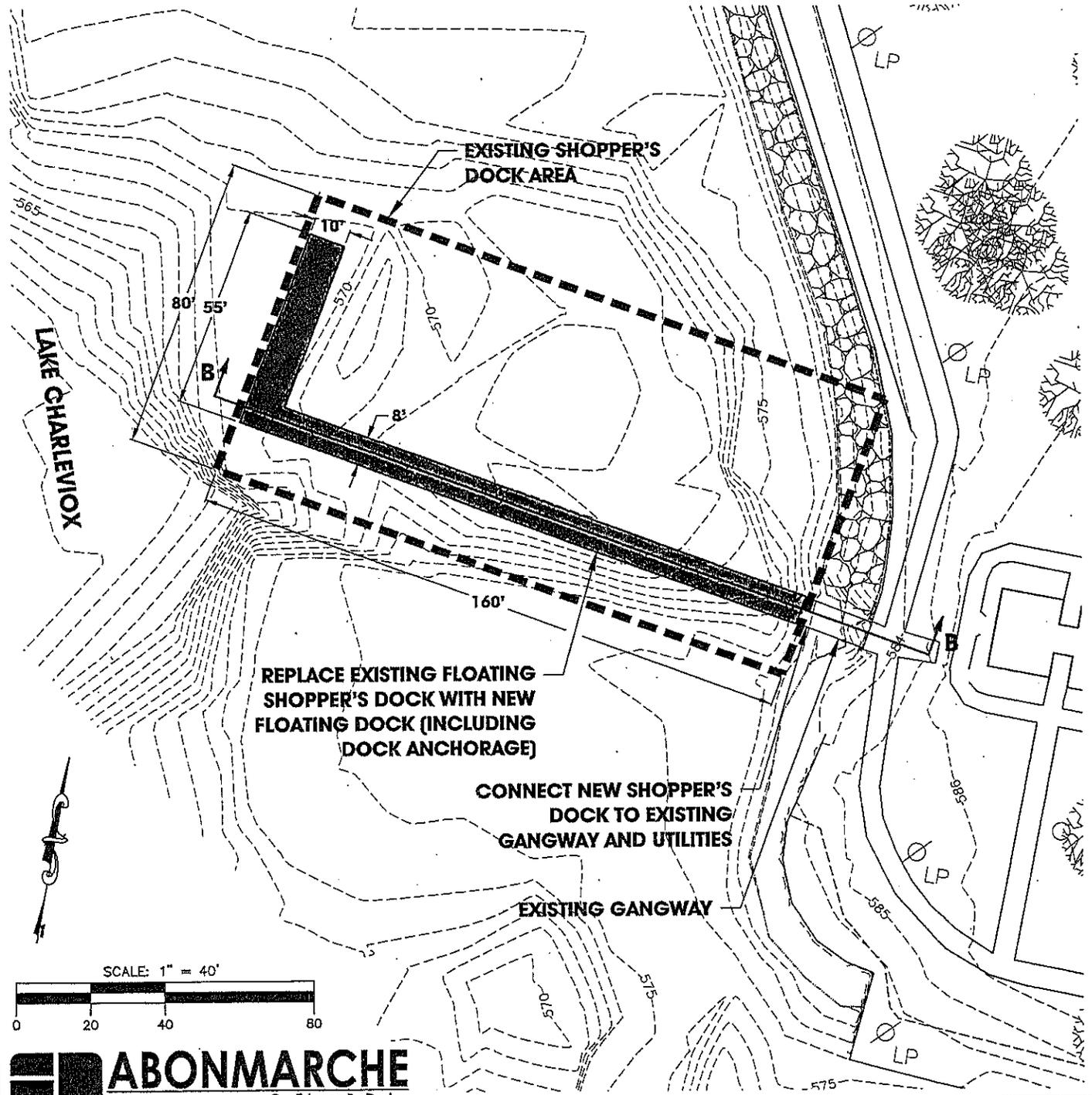
OHWM = 581.50
LWD = 577.50

FEB 28 2013

NOTE:
ALL ELEVATIONS SHOWN REFERENCE
VERTICAL DATUM IGLD85.

GAYLORD FIELD OFFICE

DATUM CONVERSIONS:
(NGVD 29 - 0.27 = NAVD 88)
(NGVD 29 - 0.44 = IGLD 85)
(NAVD 88 - 0.17 = IGLD 85)



SCALE: 1" = 40'



ABONMARCHE
Confidence By Design

95 West Main Street
Benton Harbor, MI 49022
T 269.927.2295
F 269.927.1017

Manistee, MI
South Haven, MI
South Bend, IN
Portage, IN

Engineering
Architecture
Land Surveying
Marina/Waterfront
Community Planning
Landscape Architecture
Development Services

PREPARED FOR:
BOYNE CITY MUNICIPAL MARINA
PHASE I
PROPOSED PLAN

COPYRIGHT 2013-ABONMARCHE CONSULTANTS, INC.

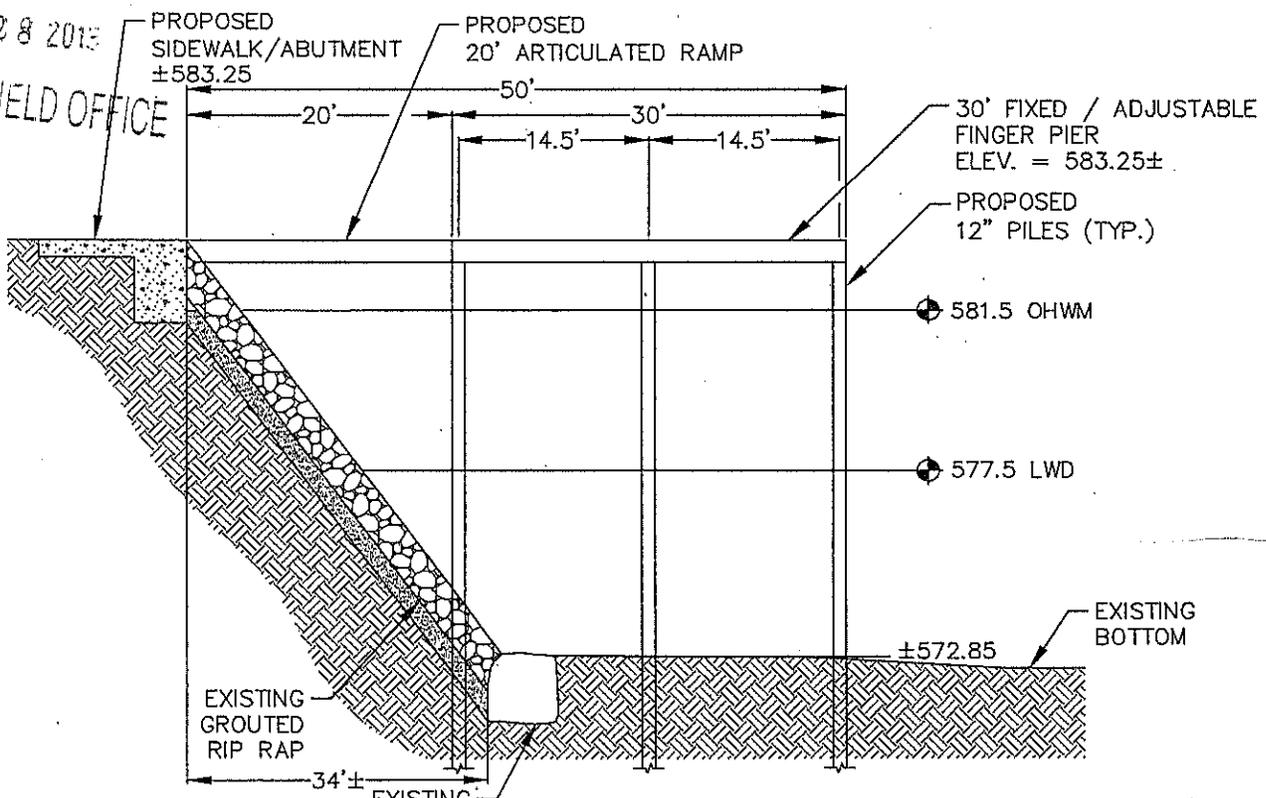
SCALE: 1"=40'

JOB #: 12-0842

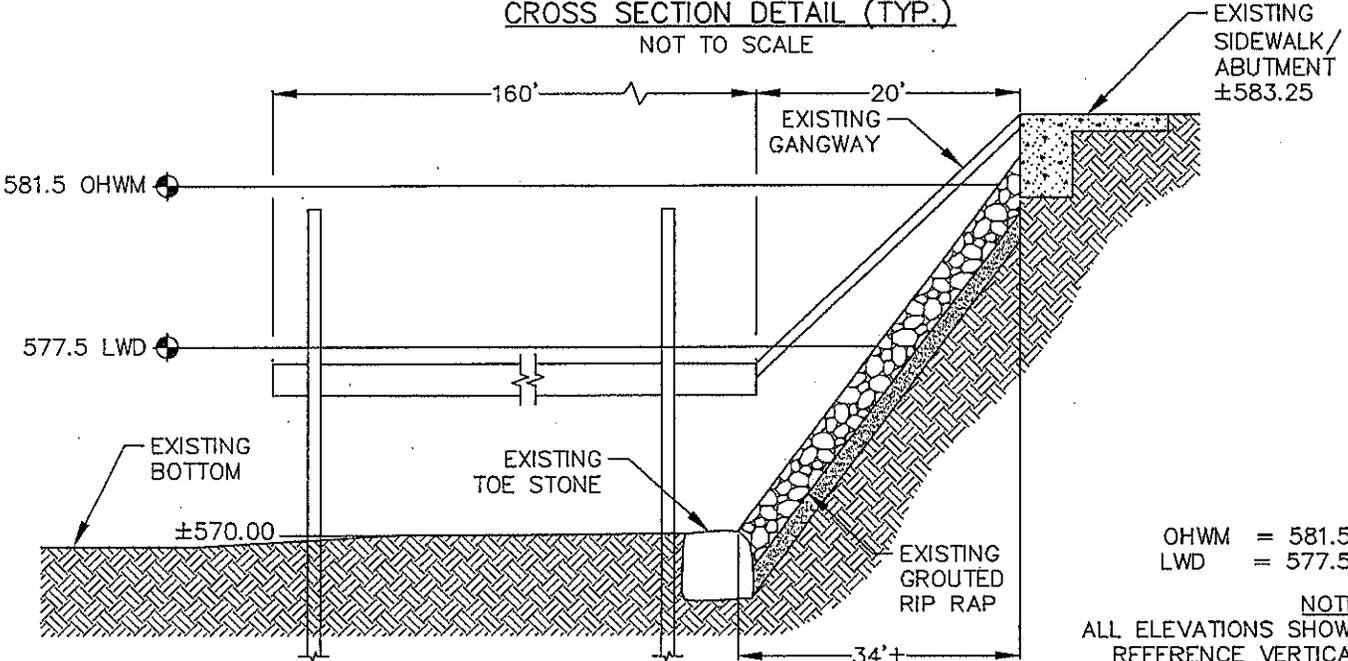
SHEET 6 OF 7

Received
VRD DEO

FEB 28 2013
GAYLORD FIELD OFFICE



SECTION A-B
PROPOSED FIXED / ADJUSTABLE DOCKS
CROSS SECTION DETAIL (TYP.)
NOT TO SCALE



SECTION B-B
PROPOSED FLOATING DOCKS
CROSS SECTION DETAIL (TYP.)
NOT TO SCALE

OHWM = 581.50
LWD = 577.50

NOTE:
ALL ELEVATIONS SHOWN
REFERENCE VERTICAL
DATUM IGLD85.

DATUM CONVERSIONS:
(NGVD 29 - 0.27 = NAVD 88)
(NGVD 29 - 0.44 = IGLD 85)
(NAVD 88 - 0.17 = IGLD 85)



95 West Main Street
Benton Harbor, MI 49022
T 269.927.2295
F 269.927.1017

Manistee, MI
South Haven, MI
South Bend, IN
Portage, IN

Engineering
Architecture
Land Surveying
Marina/Waterfront
Community Planning
Landscape Architecture
Development Services

PREPARED FOR:
**BOYNE CITY MUNICIPAL MARINA
PHASE I
PROPOSED PLAN**
COPYRIGHT 2013-ABONMARCHÉ CONSULTANTS, INC.

SCALE: NTS
JOB #: 12-0842
SHEET 7 OF 7

E:\CIVIL_3D\ENGIN\12-0842 BOYNE CITY.dwg 12-0842 PHASE 1.dwg, SECTIONS 8-5x11, 2/21/2013 12:50:00 PM, diaason, 1:1

May 2013

May 2013							June 2013						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
5	6	7	8	9	10	11	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	29
							30						

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
		May 1	2	3	4
		Hydrant Flushing			
		8:00am Farmers Market	8:30am Main Street Board mtg. 6:00pm Parks & Rec	11:30am NLEA Annual Mtg.	8:00am Buff Up Boyne 8:00am Farmers Market
					Hydrant Flushing
6	7	8	9	10	11
		Hydrant Flushing			
	School Election 5:00pm ZBA 5:00pm ZBA	8:00am Farmers Market			8:00am Farmers Market
					Hydrant Flushing
					Mother's Day (United States)
13	14	15	16	17	18
	Hydrant Flushing		Mushroom Fest		
	7:00pm City Commission	Marina Open 6:30am Ride of Silence 8:00am Farmers Market			Run for Their Lives 5k run/walk 8:00am Farmers Market
					Mushroom Fest
20	21	22	23	24	25
5:00pm Planning Commission	7:00pm Historic District	8:00am Farmers Market	5:30pm Airport Advisory Board		DARE 5k/1mile Fun Run/Walk Motorcycle Rally - American Legion More Items...
27	28	29	30	31	
City Hall Closed Memorial Day Parade/Events (Unit)	12:00pm City Commission	8:00am Farmers Market			

June 2013

June 2013							July 2013						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
2	3	4	5	6	7	8	7	8	9	10	11	12	13
9	10	11	12	13	14	15	14	15	16	17	18	19	20
16	17	18	19	20	21	22	21	22	23	24	25	26	27
23	24	25	26	27	28	29	28	29	30	31			
30													

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
					June 1 8:00am Farmers Market
					2
3	4	5	6	7	8
	5:00pm ZBA	8:00am Farmers Market	8:30am Main Street Board mtg. 6:00pm Parks & Rec		8:00am Farmers Market 9:00am Michigan Mountain 4:00pm Mark Madness
					9
10	11	12	13	14	15
	7:00pm City Commission	8:00am Farmers Market	5:00pm County Wide BAH	Flag Day (United States) 5:30pm Stroll the Streets	Golf Outing-Humane Society 5:30am Pink Ribbon Ride More Items...
					16
					Father's Day (United States)
17	18	19	20	21	22
5:00pm Planning Commission 7:00pm Historical Commission		Main Street 10th Anv. 8:00am Farmers Market		5:30pm Stroll the Streets	8:00am Farmers Market
					23
24	25	26	27	28	29
	12:00pm City Commission 5:30pm Douglas St. Mtg.	8:00am Farmers Market 5:30pm Evenings at the Gazebo	5:30pm Airport Advisory Board	SOBO Arts Festival 5:30pm Stroll the Streets	8:00am Farmers Market
					30

July 2013

July 2013							August 2013						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
7	1	2	3	4	5	6	4	5	6	7	1	2	3
14	8	9	10	11	12	13	11	12	13	14	15	16	17
21	15	16	17	18	19	20	18	19	20	21	22	23	24
28	22	23	24	25	26	27	25	26	27	28	29	30	31

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
July 1	2	3	4	5	6
	5:00pm ZBA	4th of July Activities 8:00am Farmers Market 5:30pm Evenings at the Gazebo	Independence Day (United States) 8:30am Main Street Board mtg.	5:30pm Stroll the Streets	8:00am Farmers Market
8	9	10	11	12	13
12:00pm EDC/LDFA	7:00pm City Commission	8:00am Farmers Market 5:30pm Evenings at the Gazebo		Boyne Thunder 5:30pm Stroll the Streets	Airport Open House / Aviation Day 8:00am Farmers Market
15	16	17	18	19	20
5:00pm Planning Commission		8:00am Farmers Market 5:30pm Evenings at the Gazebo	6:00pm Parks & Rec	5:30pm Stroll the Streets	8:00am Farmers Market 9:00am Pooch Fest
22	23	24	25	26	27
	12:00pm City Commission	8:00am Farmers Market 5:30pm Evenings at the Gazebo	5:30pm Airport Advisory Board 6:30pm Dancin in the Street	Flywheelers 5:30pm Stroll the Streets	8:00am Farmers Market
29	30	31			
		8:00am Farmers Market 5:30pm Evenings at the Gazebo			