

**FEBRUARY 27, 2018
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 FEBRUARY 27, 2018

CALL TO ORDER

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

Present: Mayor Tom Neidhamer, Mayor Pro-Tem Ron Grunch and Commissioners Hugh Conklin and Sally Page

Absent: Commissioner Dean Solomon

Staff: Cindy Grice, Michael Cain, Scott McPherson, Patrick Kilkenny, Michele Hewitt, Syrina Dawson, Kevin Spate, Andy Kovolski, Kelsie King-Duff

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

**EXCUSE
COMMISSIONER
SOLOMON
MOTION**

2018-02-013
Moved by Neidhamer
Second by Page

To excuse Commissioner Dean Solomon from attending today's meeting.

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

**CONSENT AGENDA
MOTION**

2018-02-014
Moved by Conklin
Second by Grunch

Approval of the February 8, 2018 Joint Board and City Commission meeting minutes as presented
Approval of the February 13, 2018 City Commission regular meeting minutes as presented

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

CITIZENS COMMENTS

None

CORRESPONDENCE

None

**CITY MANAGERS
REPORT**

City Manager Cain reported:

- With the current milder weather, construction is continuing on the Pavilion project.

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

The January 2018 Financial Statement was received and filed.

**Lake Charlevoix's
Association
Demonstration Garden**

Consideration to approve the placement of a Demonstration Garden at a proposed location in Sunset Park and authorize the City Manager to execute the project.

Public Works Superintendent Andy Kovolski introduced the Demonstration Garden proposed along the lakeshore on city owned property. Their specific area of interest is the west end of Sunset Park, from the mouth of the Boyne River south 220 feet. This would be close to where the sidewalk along the lakeshore and the one along the north side of Water Street intersect. This will be built by local landscape companies voluntarily.

Staff Comments: None

Citizens Comments: Members of the Lake Charlevoix Association discussed the project. Kecia Freed said she thinks the project sounds like a fantastic idea. Michele Hewitt commented about people using that area for fishing.

Board Discussion: Commissioner Conklin had questions about who was in charge of the project and who would be responsible to maintain it. All Commissioners are in agreement with the project.

MOTION

2018-02-15
Moved by Page
Second by Grunch

To approve the placement of a Demonstration Garden at a proposed location in Sunset Park and authorize the City Manager to execute the project

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

**Museum Phase II
Concept Design**

Consideration to approve the recommendation of the Boyne City Historical Commission to approve funding for the Museum Phase II Concept Design of the Museum with Projects Arts and Ideas in the amount of \$16,400 and authorize the City Manager to execute the documents.

Michele Hewitt discussed the request to approve a contract with Joe Hines of Project Arts & Ideas for Phase II concept designs. The Historical Commission approved the recommendation.

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Staff Comments: None

Citizens Comments: Kecia Freed of the Heritage Center Board said this is the second half of the ongoing Heritage Center project.

Board Discussion: All Commissioners are in agreement with the recommendation

MOTION

2018-02-016
Moved by Conklin
Second by Grunch

To approve the recommendation of the Boyne City Historical Commission to approve funding for the museum Phase II Concept Design of the Museum with Projects Arts and Ideas in the amount of \$16,400 and authorize the City Manager to execute the documents

Ayes: 4

Nays: 0

Absent: 1, Commissioner Solomon

Motion carried

**GFOA AWARD FOR FYE
2017**

Clerk/Treasurer Cindy Grice announced that the City of Boyne City has received the Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting Award for fiscal year ending 2017. This is the second year in a row and certainly an affirmation of the teamwork and dedication of the Commissioners and staff to continually strive to meet the high standards Boyne City deserves.

**North Lake Street
Engineering**

Consideration to approve a contract with C2AE for engineering North Lake Street Mill and Fill engineering in the amount of \$13,500 and authorize the City Manager to execute the documents

Public Works Superintendent Andy Kovolski discussed the proposed mill and fill project proposed for North Lake Street from State Street north to where the concrete curb and gutter ends by the north end of the Open Space property. This project is funded by State and Federal funding and we are required to utilize MDOT Local Agency Program guidelines and bidding.

Staff Comments: None

Citizens Comments: None

Board Discussion: All Commissioners are in agreement with the proposal.

MOTION

2018-02-017

Moved by Conklin

Second by Page

To approve a contract with C2AE for engineering North Lake Street Mill and Fill engineering in the amount of \$13,500 and authorize the City Manager to execute the documents

Ayes: 4

Nays: 0

Absent: 1, Commissioner Solomon

Motion carried

**Ordinance Amendments
First Reading**

Consideration of first reading to review proposed ordinance amendments and schedule a second reading for April 10, 2018

Planning Director Scott McPherson said as directed by the Planning Commission planning staff has developed draft amendments to address the issue of minimum dwelling sizes. Amendments to the definition of dwelling, the schedule of regulations and additional language to the TRD, WRD and RED districts is being proposed.

Proposed amendments for the definition of dwelling, Article III, Article IV, Article V and Article XX have been provided. Proposed additions are shown in *italics* and proposed deletions are shown with ~~strikethrough~~. The proposed amendment to the dwelling definition eliminates several of the qualitative minimum standards that are included in the definition such as the minimum dwelling width, foundation requirements and eave overhang. Some of these standards were either relocated into the design requirements for the Rural Estate District (RED) in section 3.40(H), the Traditional Residential District (TRD) section 4.40(A)(7) or Waterfront Residential District (WRD) section 5.40(A)(6) or incorporated into the schedule of regulations section 20.10. The changes to the design requirement sections in the residential district incorporated the requirements for the foundation, 1 foot overhang, and the prohibition of exposed towing mechanism, wheels or undercarriage. The proposed amendment to section 20.10, schedule of regulation included that addition of a minimum dwelling size width category with the inclusion of a minimum 24' width requirement for the RED, TRD and WRD districts. As discussed the minimum width for a single family dwelling located in the Multi-Family Residential District (MFRD) would be eliminated by this proposed amendment. To address the issue that was brought up by the Planning Commission in regards to lot size for a single family dwelling in the MFRD, a change is being proposed to section 2.30 note g. The current note g stipulates that: "Apartments shall comply with the applicable standards for the MFRD listed in Section 20.10. Single family detached dwellings shall comply with the applicable standards for the TRD listed in Section 20.10. All other uses shall comply with the applicable standards for the CBD listed in Section 20.20."

Staff sees several issues that should be addressed and is proposing several amendments to note g as follows:

~~"Apartments shall comply with the applicable standards for the MFRD listed in Section 20.10. Single family detached dwellings shall comply with the applicable *height, and setback*, standards for the TRD listed in Section 20.10. All other uses shall comply with the applicable standards for the CBD listed in Section 20.20."~~

The elimination of the first sentence that requires apartments in the MFRD meet the standards of Section 20.10 is being proposed as this stipulation is redundant. Apartments in the MFRD are required to meet the standards of 20.10 regardless of this statement. However, it is noted that in the Minimum Lot per Unit column of the MFRD district does not include a minimum area, only reference to note g is currently in the column. So while the current lot in the MFRD would have a minimum width of 100', there is not a minimum lot area, unless the property is being used for a single family dwelling. To address this oversight a minimum lot area of 21,780 square feet for a MFRD lot is being proposed.

The second proposed amendment to note g is the addition of the language that single family dwellings are subject to the *lot, height and setback standards* of section 20.10. This stipulation would require that single family dwellings in the MFRD must meet the TRD lot requirements of 50 width, area of 5,445 square feet, setbacks of front yard 10', sides yard minimum 5' total of 15', rear yard 15' and maximum height of 2.5 stories or 30 feet.

The third proposed change to note g is to eliminate the last sentence that stipulates all other uses (meaning anything but apartments and single family dwellings) comply with the standards for the CBD district listed in section 20.20. It should be noted that the only standards in section 20.20 for the CBD district are a minimum height of 3.5 stories or 45 feet, which is 1 story or 10 feet higher than permitted in the MFRD. The CBD district does not require any setbacks and permits 100% lot coverage. This stipulation does seem consistent with the MFRD district and its deletion is being proposed.

Some of the proposed changes relocate existing standards to other section of the ordinance that are more appropriate. The proposed changes would have the regulatory effect is the change establishing a minimum lot area for the MFRD, the elimination of the minimum dwelling width for a single family dwelling located in the MFRD district, and elimination of the provision that allows uses other than apartments and single family district to comply with the CBD requirements in section 20.20.

It is recommended the first reading of the proposed ordinance amendments be held today second reading scheduled for April 10, 2018.

Staff Comments: None

Citizens Comments: None

Board Discussion: All are in agreement with moving forward with a second reading.

2018-02-018
Moved by Conklin
Second by Page

MOTION

To approve the first reading to review proposed ordinance amendments and schedule a second reading for April 10, 2018

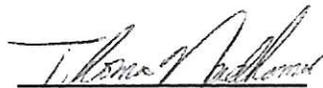
Ayes: 4
Nays: 0
Absent: 1, Commissioner Solomon
Motion carried

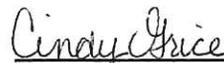
Good of the Order

None

ADJOURNMENT

Motion by Mayor Neidhamer seconded by Mayor Pro-Tem Grunch to adjourn the Regular City Commission meeting of Tuesday, February 27, 2018 at 1:06 p.m.


Tom Neidhamer
Mayor


Cindy Grice
Clerk / Treasurer