

**APRIL 10, 2012  
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 10, 2012

**CALL TO ORDER**

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

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

Staff: Scott McPherson, Barb Brooks, Hugh Conklin, John LaMont, Andy Kovolski, Cindy Grice and Michael Cain

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

**CONSENT AGENDA  
MOTION**

2012-03-052  
Moved by Towne  
Second by Sansom

2012-03-052A  
Approval of the March 27, 2012 regular City Commission meeting minutes as presented

2012-03-052B  
Approval to commit to MIDeal to purchase 500 tons of road salt for the 2012/2013 Winter season

Ayes: 5  
Nays: 0  
Absent: 0  
Motion carried

**CITIZENS COMMENTS**

None

**CORRESPONDENCE**

None

**CITY MANAGERS REPORT**

City Manager Cain reported:

- There will be an awards ceremony in Lansing on May 2 for the 2012 Governor's Award for Historic Preservation for the Boyne City Water Works Building Rehabilitation project.
- The Planning Department has received a conditional rezoning application for Phase II of the Catt Development Project.
- Charlevoix County District Court judge has enforced the order for Devlon to remove the rubble from their site within 60 days from March 20
- Curb repairs are underway
- The Charlevoix County Road Commission's annual road cleaning started today

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

Draft Minutes of the March 1, 2012 Main Street Board Meeting; the March 19, 2012 Economic Development Corporation Meeting; the March 19, 2012 Local Development Finance Authority Meeting; the March 19, 2012 Planning Commission Meeting; the March 19, 2012 Historical Commission Meeting; and the March 22, 2012 Airport Advisory Board Meeting were received and filed.

Hugh Conklin stated the Kirtland Committee met with Janis Denman of the DEQ Air Quality Division and Kurt Childs, environmental analyst for the DEQ Cadillac District office. The meeting was very educational, informative and helpful. Both individuals said they would be willing to help in any way they could as we move forward, also offering to make other specialists in their office available to us. After the meeting, the committee met with Sentinel Systems of Fort Way and Kodiak Group of Grayling who did not submit a formal proposal but did send a letter expressing their interest in meeting with the committee. Both companies have many years of experience installing large industrial systems and plants throughout the country. Kodiak has done extensive work for the East Jordan Iron Works over the years. Following the interview, the committee discussed next steps. With a better understanding of the DEQ's role in the permitting process, the committee decided it would be best to separate the two issues. Addressing the issues separately will result in more firms having an interest in the project and more competitive proposals. The RFP was amended and distributed and proposals are due on April 12. The committee meets again later that day.

## **Kirtland Products Update**

Citizens Comments: None

## **Possible Proposed FYE 2012 Budget changes**

Staff Comments: None

Board Deliberation: All are pleased with the progress

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Consideration of possible proposed changes to the DDA / Main Street Budget

## **DDA / Main Street Proposed Budget changes**

Clerk / Treasurer Grice and City Manager Cain discussed the changes made to the proposed DDA / Main Street budget. The originally proposed budget overstated State Grant Revenues and minor changes were made to proposed expenditure line items. A spreadsheet was provided outlining the breakdown of the expenditures and revenues to support the line item budget changes.

Citizens Comments: None

Staff Comments: None

Board Deliberation: None

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Public Hearing to hear citizen comments regarding the General Appropriations Act as required by statutory regulations

## **Public Hearing – Proposed FYE 2013 Budget**

2012-03-053

Moved by Grunch  
Second by Towne

## **MOTION**

To open a Public Hearing at 7:43 p.m.

Ayes: 5

Nays: 0

Absent: 0

Motion carried

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City Manager Cain discussed the highlights of the budget. There is no proposed increase in the Millage rate. There will be a 1% increase in the Water / Sewer rates which is the first rate increase in many years.

No other public comments were heard.

Board Deliberation: Commissioner Neidhamer is in support of all of the budget. Mayor Pro-Tem Towne is concerned about the future of personal property tax revenues. Commissioner Gaylord said he would like the purchase of a skidsteer and several of its attachments to be considered. The skidsteer is a piece of equipment that we could get many uses of and save a large amount of money instead of replacing the front end loader. Commissioner Sansom said a lot of time has been spent on the budget and she is comfortable with it. Mayor Grunch stated it is a good thought on the skidsteer.

Public Hearing to hear citizen comments regarding the General Appropriations Act as required by statutory regulations

**MOTION**

2012-03-054  
Moved by Grunch  
Second by Towne

To close the Public Hearing at 7:55 p.m.

Ayes: 5  
Nays: 0  
Absent: 0  
Motion carried

**MILLAGE RATE REDUCTION**

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Consideration to adopt the Resolution to Establish a Millage Rate of 15.51 for the City of Boyne City FY 2012/2013

Citizens Comments: None

Staff Comments: None

Board Deliberation: All are in agreement.

**MOTION**

2012-03-055  
Moved by Towne  
Second by Gaylord

To adopt the Resolution to Establish a Millage Rate of 15.51 for the City of Boyne City FY 2012/2013

Ayes: 5  
Nays: 0  
Absent: 0  
Motion carried

**General Appropriations Act Resolution**

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Consideration to adopt the General Appropriations Act for FY 2012/2013 Resolution

Citizens Comments: None

Staff Comments: None

Board Deliberation: All are in agreement.

**MOTION**

2012-03-056  
 Moved by Towne  
 Second by Sansom

To adopt the General Appropriations Act for FY 2012/2013 Resolution

Ayes: 5  
 Nays: 0  
 Absent: 0  
 Motion carried

**Fee Schedule Resolution**

Consideration to adopt Fee Schedule for FY 2012/2013 Resolution

Citizens Comments: None  
 Staff Comments: None

Board Deliberation: All are in agreement.

**MOTION**

2012-03-057  
 Moved by Towne  
 Second by Gaylord

To adopt the Fee Schedule for FY 2012/2013 Resolution

Ayes: 5  
 Nays: 0  
 Absent: 0  
 Motion carried

**Marina Rules and Regulations Amendment**

Consideration to adopt the revised Rules and Regulations governing the harbor area, marina operations, marina facilities and boat launches

Harbormaster Barb Brooks discussed the proposed revisions to the Marina Rules and Regulations highlighted as follows:

Section I – 3 – Changing the day that we start collecting fees from May 15 to opening day giving us more flexibility to open, allow people to start using the marina and for us to collect fees early, when weather permits without a commitment to a specific date.

Section I – 4 – no change to the rule, just removing a date.

Section I – 7 – which is not a new rule, it is being removed from Section II of the Reservation Policy and added to the Marina so that it applies to all guests and is not specific to reservation.

Section I – 13 – Although, Camping on the Harbor area waterfront is prohibited, exceptions can be made for special events with prior consideration and permission from the City Manager.

Section I – 7 – is being added as part of our Clean Marina program efforts and helps with keeping the marina clean and not attracting any unwanted

animals who might enjoy fish remains.

Section I – 18 – is also being added as part of compliance with the Clean Marina Program and to educate and encourage these practices with the boaters.

Section II – 9 – move this item to Section I – 7

Citizens Comments: None

Staff Comments: None

Board Deliberation: Commissioner Sansom asked if we have allowed camping and was informed no, but other events in Veteran's Park have had camping allowed in the North City Hall Parking Lot. Commissioner Gaylord asked if there have been a large number of requests for camping and City Manager Cain said no, this is just a housekeeping item to allow it to happen. Discussion of the Clean Marina program and our participation in and value of the program too place.

**MOTION**

2012-03-058

Moved by Towne

Second by Sansom

To adopt the revised Rules and Regulations governing the harbor area, marina operations, marina facilities and boat launches as presented

Ayes: 5

Nays: 0

Absent: 0

Motion carried

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Consideration to approve of proposed agreements with townships for EMS services

**EMS Interlocal Agreement**

EMS Director John LaMont discussed the proposed agreement with the townships for participation in EMS services. Several meetings with the individual townships have taken place working on this agreement. Changes to the agreement include: population determined by dwellings using a factor of 2.5 individuals per dwelling based upon the 2010 census; no SEV or Taxable Revenue included in this formula; utilization is based on three year average responses. This is a three – year contract, with an annual budget meeting in January.

City Manager Cain added that this was discussed in the budget hearings. Services in all communities are improved. This will still be a City operation, but is another step forward.

Bruce Giem with Boyne Valley Township said the feedback has been positive – we are trying to serve the people.

Staff Comments: None

Citizens Comments: None

Board Deliberation: Commissioner Gaylord inquired about the auto renewal

language. John LaMont said although the agreements are self renewing, they would be reviewed with the budget annually. City Manager Cain said both parties have the ability to opt out within a reasonable time frame. We will be looking at this on an annual basis. We do have the ability to get out. John LaMont added January is an important month for the townships for their budgets. Commissioner Gaylord said he is not a fan of auto renewal contracts. John LaMont stated there is a separate agreement that we have with Boyne Valley Township operating under one license. We are available 24 / 7 for the whole populations. City Manager Cain said not all the townships are the same size and have the same population. Commissioner Gaylord asked if we are now using land mass and City Manager Cain said no, we are using population.

Bruce Giem stated that three of the townships are only partially served by Boyne City. Commissioner Gaylord asked how the uncollectable accounts are distributed and John said they are all part of the overall expenses, as well as capital equipment.

Commissioner Sansom said regarding the 3 year auto renewal, any party can opt out in 180 days and that looks equitable. Commissioner Neidhamer and Mayor Pro-Tem Towne agree. Mayor Grunch said this agreement seemed to make the most sense. The main thing is the improved service to the Citizens, plus the reopener clause every January makes it a fair proposal. Commissioner Gaylord said he just wants to make sure to maximize the benefit for the Citizens of Boyne City and what is fair. We own the services and should call the shots. Mayor Grunch said part of the fairness allocation is the equipment replacement and back up available to our Citizens. Sharing resources and costs is the only way to go.

Bruce Giem added that we are getting approximately 40% more equipment with the agreement.

2012-03-059

Moved by Neidhamer  
Second by Sansom

**MOTION**

To approve of proposed agreements with townships for EMS services with Bay, Evangeline, Eveline, Hudson, Melrose and Bay Townships

Ayes: 4

Nays: 1, Commissioner Gaylord

Absent: 0

Motion carried

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Commissioner Gaylord said he has heard many positive comments about the proposed chicken ordinance amendment and asked how was the number of 4 chickens allowed determined? Scott McPherson said it is a standard number used. Commissioner Sansom said she has also spoken with citizens and hear 3 in favor and several said no way. There is a concern of attracting more wild animals in town among other reasons. Further discussion of the proposed amendment to allow chickens took place.

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**Good of the Order**

Moved by Mayor Grunch, seconded by Mayor Pro-Tem Towne to adjourn the regular City Commission meeting of Tuesday, April 10, 2012 at 8:50 p.m.

**ADJOURNMENT  
MOTION**

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Ron Grunch  
Mayor

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Cindy Grice  
Clerk / Treasurer

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