

**JANUARY 10, 2017
REGULAR MEETING**

RECORD OF THE PROCEEDINGS OF THE REGULAR BOYNE CITY COMMISSION MEETING DULY CALLED AND HELD AT BOYNE CITY HALL, 364 NORTH LAKE STREET, ON TUESDAY JANUARY 10, 2017

CALL TO ORDER

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

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

Absent: None

Staff: Cindy Grice, Scott McPherson, Michael Cain, Jane Halstead, Barb Brooks and Jeff Gaither

Others: There were 45 citizens in attendance.

**CONSENT AGENDA
MOTION**

2017-01-001
Moved by Sansom
Second by Grunch

Approved of the December 13, 2016 City Commission regular meeting minutes as presented

Approved of the recommendation of the Board of Review to reappoint Bob Carlile to the Board of Review for a three year term expiring January 31, 2020

Approved of the recommendation of the Boyne City Historical Commission to appoint Syrina Dawson to fill a term vacancy ending June 30, 2018

Approved of the recommendation from the Main Street board to reappoint Rob Swartz to the Main Street Board for a four year term expiring January 18, 2021

Approved of the recommendation from the Main Street Board to appoint Becky Harris to the Main Street Board for a four year term expiring on January 18, 2021

Approved to join the MParks membership at the Premier Agency level at a cost of \$495 and authorize the City Manager to execute the documents

Ayes: 5
Nays: 0
Absent: 0
Motion carried

CITIZENS COMMENTS

None

CORRESPONDENCE

None

**CITY MANAGERS
REPORT**

City Manager Cain reported:

- While we were gone over the Holidays, City crews were hard at work. Boyne City noted a fire taking place in downtown Charlevoix and called it in. Boyne City Fire and EMS responded to that fire to assist keeping people and property safe. The Police Department tracked down and recovered a stolen gun. Water/Wastewater personnel cleaned out a clogged and long unused sanitary sewer main for someone who just moved into their house. DPW crews have been out almost daily starting at 4 or 5 am, clearing roads, parking lots and

sidewalks. These are just some of the examples of how our staff makes a real and positive difference in other people's lives every single day of the year.

- The Boyne City Main Street program hired Kelsey Duff-King as their Executive Director. She starts Monday, January 30, 2017.
- The Joint Board & Commission meeting will be held on January 17th at 6:00 p.m. at City Hall.
- On January 18, the clock and bell towers for the new City Facilities project are scheduled to arrive and be set in place by a crane.
- The Chamber of Commerce will be holding their annual awards dinner on Thursday, January 19th at Boyne Mountain.
- MML has opened registration for their Capital Conference in Lansing. We usually go on the 2nd day of the event which is March 22nd. Please let us know if you are interested in attending.
- \$7,000 in grant funds from DTE for tree planting have been received.
- Barb Brooks has submitted two grants to the Grand Traverse Band of Ottawa Indians. One for EMS patient monitor telecommunication devices and the second for \$15,000 to assist with remodeling costs of the River Mouth restrooms.
- The first Michigan Mountain Biking Festival will be held at Boyne Mountain and here in Boyne City. This is expected to bring several hundred visitors to our areas to learn about the sport and what we have to offer in our region.
- By the end of this week, a proposal will have been submitted, in conjunction with Boyne Mountain to bring the annual City Manager's group back here in either 2018 or 2019, bringing another great opportunity to showcase the Boyne region to others from across the state and beyond.

REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

Draft Minutes of the December 01, 2016 Parks & Recreation Board meeting; the December 19, 2016 Planning Commission meeting; of the December 19, 2016 Historical Commission meeting and the December 29, 2016 Main Street Board meeting minutes were received and filed.

Ted Macksey Rezoning Request Second Reading

Consideration of a second reading and approval to refer back to the Planning Commission a rezoning request from Ted Macksey for rezoning parcels located on Jefferson Street from Rural Estate District to Multiple Family Residential District to allow the applicant to provide a conditional rezoning application for their consideration and recommendation.

Planning Director Scott McPherson discussed the rezoning application that was submitted by Ted Macksey to rezone parcels 15-051-026-005-00 and 15-051-026-004-15 from Rural Estate District (RED) to Multiple Family Residential District (MFRD). The parcels are located at 600 Jefferson Street and total approximately 30 acres. The 30 acre tract is one of the few undeveloped large pieces of land left if the City limits and its proximity to City water and sewer make it more cost effective for development. The master plan future land use map designates the property as Residential Open Space, however, the plan does not provide for the consideration of parcels not specifically designated as multi-family on a case by case basis.

The Planning Commission conducted a Public Hearing and recommended approval that the proposed zoning amendment be submitted to the City Commission for a first reading on November 15, 2016. The proposed ordinances were reviewed and the Commission scheduled a second reading.

Given the variety of uses that could be permitted under the MFRD, many of which are not being considered by the developer, a conditional rezoning application appears to be a more appropriate application in this case. The applicant has consulted with staff and has indicated a more focused application would be a better option. Based on this understanding, it is being recommended that the application be referred back to the Planning Commission to allow the applicant to provide a conditional rezoning application for their consideration and recommendation.

Developer Ted Macksey said he has met with Scott to further define the multi-family residential zoning and is asking the City Commission if they agree to refer this back to the Planning Commission for a conditional rezoning request.

Staff Comments: None

Citizens Comments: Jim Leismer inquired about the type of residents coming forward to rent the properties. Are they going to be asked to have a lease and security deposit so you don't have transit people that just come for the summer?

Jerry Leismer said Boyne City is the best community in the Country. People make good decisions. 30 acres is a huge chunk of land and he is concerned there is no plan. He is concerned with changing the zoning on a broad scale. He added that his preference is to see housing integrated throughout the community and that Boyne City be a community for all the citizen.

Don Lockman said he and his brother own twenty acres that look down on that parcel. The value of property for the people who live here seems less than important. Boyne City residents should not have to lose their way of life. There will be more traffic. Has the developer obtained a wetlands permit? Vegetation has already been moved.

Charley Johnson asked if this is his problem or someone else's problem. Boyne City needs housing for those who help this City run. Define what an affordable house is. The people that would need the housing are the workforce. It's not up to the elected people or the people of Boyne City to change the rules to ensure the profit for the developer. Whose problem is this?

Kevin Lockman said his property line is on the Boyne City limits border. He is in strong opposition of the rezoning request. The developer wouldn't make as much money if the property isn't rezoned. Why should the neighbors in that area be negatively impacted? He added that he hasn't seen any impact statements yet. Boyne City has adopted the Home Town Feel, Small Town Appeal motto and we could lose that. If you lived on that corner, you wouldn't want that in your back yard. He sees more negative than positives.

Penny Hardy said it's a quiet, residential neighborhood. She thinks rezoning this would be reckless. 200 units is way out of line and 300 units is worse. Consider very little change to the zoning. When the developer goes to the Planning Commission, he needs to be very specific with a plan and costs. She would set the limit at 150 units. Once you change it for one, anyone else will want their density changed, also. What we value are quiet neighborhoods, enjoying wildlife and not a lot of lights.

Alicia Williams said it seems to her the rezoning wouldn't do as much for the town as it seems. People like the rural feel and it seems the rezoning wants to fit more like Petoskey.

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Rod Cortright said if the City is going to even consider this, he encourages the City Commission to look at conditional rezoning.

Aaron Theodore said he owns a lot in the Parkside association. If this is approved as is, his plans to develop his lot are hampered and changed. He knew that property was for sale, but also knew what the zoning was. If it's approved without details, his project would not be developed.

Barb Brooks said she appreciates the residents in this area. Mr. Macksey has said that he is interested in pursuing conditional rezoning and when we think of what workforce housing is, there is a market and this would serve that also.

Fawna Theodore said her concerns with the large amounts of housing are that there is already no parking in the summer. Bringing in this many more families would overcrowd the schools. She has already moved her kids to Concorde because there are already too many students in each class. This affects children in schools. It's a good thing that Boyne City brings in so many families. Does this fix a problem or create a problem? Do we need this on both sides of the City? How much is too much?

Leslie Neilsen said she has served on the Chamber Boards. She always says that we need affordable housing. The housing rentals are weekly rentals. Apartments are not the answer. Why aren't children being taught how to get into a house? Our young people need \$80,000 to \$100,000 houses. As far as our schools, we will add classrooms. The last thing we need are rental units.

Becky Harris said that we have the extra school already. Where are the jobs going to come from?

Jim Howard said he is not against reasonable development in Boyne City, but asking to take 120 units to 300 units is not responsible growth. It will turn a beautiful town into "what the heck is that". He accepts reasonable growth and added that he wants kids to go to college, come back and do great things.

Ashley Cousens said employers have listed housing as a barrier for employees.

Kyle Noble said he has a personal concern for those walking on that street. He also wants to make sure that his property values are ok.

Justin Weisler stated he understands that we do need housing. There is a need for 75 units based on the Northern Lakes Economic Alliance study. He doesn't think there's enough information before any rezoning happens. What do you consider affordable? We need to be clear what the direction is. Be clear on all aspects. Communication is really big.

Nelson Olstrom said the traffic alone would negatively impact him. There are already a lot of vacant lots in town.

Denny Jason said he is concerned about the traffic and is hoping the community looks at the overall development of the City. It's what is best for the community.

Ted Macksey said he did his own traffic study and so did the City. In terms of 300 sites, that concern was looked at. In order to develop that property to get 200 sites, you would have to build 500 square foot houses. Realistically they are talking about defining the density to be around 200 to 210 units. He understands the concerns. Our tax base is stagnant in the community. The community is growing but the housing base is falling apart. We are in a critical situation of quality, affordable housing.

Board Discussion: Commissioner Grunch said he supports the recommendation to refer this back to the Planning Commission to apply for conditional rezoning for clarity and further development. Is the best application for this case. Mayor Pro-Tem Towne thanked everyone for being here and understands the concerns. He is good with Scott McPherson's recommendation. Commissioner Sansom also thanked everyone for attending. There is some need for development, done properly. She is also in favor of conditional rezoning as well as understands the need for housing. Commissioner Conklin said we all have the same kind of interest. We need housing. It's our top goal. He did research on this developer and their project in Flint was a huge success and people are very complimentary about it. He paid all of his bills on the project. We as a community need to come together. We have a problem. Ted is your neighbor. Commissioner Conklin added that he really hopes we can reframe this and come up with a better project that works. We all need to work together. Mayor Neidhamer is in favor of moving forward in some way of rezoning this project. It's a City goal. By going thru a conditional rezoning, we can have the same goal of creating a quality neighborhood. Our goal is not to make Ted rich, but our community better. We can talk about buffers. We can make this goal by working together. We know what data makes for a good neighborhood.

2017-01-002

Moved by Grunch

Second by Towne

MOTION

To approve to refer back to the Planning Commission a rezoning request from Ted Macksey for rezoning parcels located on Jefferson Street from Rural Estate District to Multiple Family Residential District to allow the applicant to provide a conditional rezoning application for their consideration and recommendation

Ayes: 5

Nays: 0

Absent: 0

Motion carried

Alley Vacation

Consideration to proceed with the Public Way Vacation request from Darrel and Marcella Hill to vacate the alley between two parcels at 419 E Lincoln Street

Planning Director Scott McPherson discussed the application of a public ways that was submitted by Darrel and Marcella Hill of 419 E Lincoln Street. They are requesting the alley located between their two parcels be vacated

The alley is 16.5 feet wide and 330 feet in length and runs between Lincoln Street and the undeveloped portion of Cedar Street east of Grant Street. The alley is undeveloped, not maintained and contains no infrastructure. There is a steep slope on a significant portion of the ally so it is unlikely that the alley would be developed for access in the future. All of the adjacent property owners have signed a petition in support of the vacation. The proposal has been reviewed by City staff and no issues or concerns have been identified with the request. The Planning Commission reviewed the request and recommended that the alley be vacated as requested. If the City Commission determines the application should proceed, staff would be directed to schedule a public hearing and distribute notice in accordance with the required procedures.

Staff Comments: None

Citizens Comments: None

Board Discussion: All Commissioners are in support of the recommendation.

MOTION

2017-01-003

Moved by Towne

Second by Sansom

To approve to proceed with the Public Way Vacation request from Darrel and Marcella Hill to vacate the alley between two parcels at 419 E Lincoln Street

Ayes: 5

Nays: 0

Absent: 0

Motion carried

Leadership Charlevoix County Project

Consideration to approve the recommendation from the Parks & Recreation Commission to accept the proposal from the Leadership Charlevoix County Class to allow the purchase and installation of at least one boot brush cleaning station at Avalanche with the exact location to be determined and consider to purchase and install a second station to possible be installed by the LCC participants at the same time or by City Staff.

Barb Brooks discussed the proposal from the Leadership Charlevoix County class of 2017 to participate in their community service project that was presented and approved for recommendation to the City Commission by the Parks and Recreation Board. The proposal is to install a Boot Brush Cleaning Station at Avalanche to reduce the introduction of invasive species into the park. The station consists of the ground mounted brush, a stone/gravel collection box around the perimeter of the brush and an education sign. Their partner organization is the Charlevoix-Antrim-Kalkaska-Emmet Coordinated Invasive Species Management (CAKE CISMA). This would be fully funded and installed through LCC participants and CAKE CISMA would assist the City with any future maintenance and/or replacement. The cost of the station is approximately \$500 and the Parks & Recreation Board thought maybe the City could fund a second location to cover two locations on the property. There is still time to finalize plans and determine the exact locations as installation wouldn't take place until Spring. LCC class member Ashley Cousens spoke in support of the project and added this is more of a prevention measure.

Staff Comments: None

Citizens Comments: Nathan (no last name given) said he lives across from Avalanche and this would be a useful thing to have. He enjoys the view and would like to keep it that way. Penny Hardy said it will also help make everyone aware.

Board Discussion: Commissioner Sansom said this is a good idea. Commissioner Conklin agrees that is a good idea and also discussed placement of the sign, because of all of the bike trails. All other Commissioner

MOTION

2017-01-004
Moved by Towne
Second by Sansom

To approve the recommendation from the Parks & Recreation Commission to accept the proposal from the Leadership Charlevoix County Class to allow the purchase and installation of at least one boot brush cleaning station at Avalanche with the exact location to be determined and consider to purchase and install a second station to possibly be installed by the LCC participants at the same time or by City Staff.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Museum Building Cost Savings

Consideration to approve cost saving measures approved by the Boyne City Historical Commission for the new museum and authorize the cost savings funds to be applied towards museum planning services and authorize the City Manager to execute the recommendations

City Manager Cain discussed the recommendation from the Boyne City Historical Commission for the approved cost savings for the new museum such as removal of the platform, eliminating both walls and showcase. The board approved using these costs savings towards museum planning services. Commissioner Sansom said everyone on the historic Board was in favor and thinks this will reenergize the entire museum.

Staff Comments: None

Citizens Comments: Penny Hardy asked if any of the local historians have been contacted. Becky Harris asked if this professional planning service will be to design and was informed yes.

Board Discussion: All Commissioners are in support of the recommendation. Commissioner Conklin also offered thanks to Kecia Freed who has been working very hard on this project.

MOTION

2017-01-005
Moved by Towne
Second by Conklin

To approve cost saving measures approved by the Boyne City Historical Commission for the new museum and authorize the cost savings funds to be applied towards museum planning services and authorize the City Manager to execute the recommendations

Ayes: 5

Nays: 0

Absent: 0

Motion carried

Marina Dock Extension Engineering Services

Consideration to approve the contract with Abonmarche to provide engineering services on a time and materials basis with a not too exceed \$5,000 amount for a "T" shaped pier/dock at the end of the current main pier at the marina and allow the City Manager to sign the required documents

Harbormaster Barb Brooks stated the 2016 Boyne Thunder event was extremely successful. In the fall, as the Boyne Thunder committee members recapped the event and discussed finances, one of the subjects that came up is how we could we re-invest some of the proceeds into the event to improve on future events. A sub-committee was formed to research ideas and report back to the full committee for consideration. The sub-committee, which I served on, vetted ideas such as an addition to the shoppers dock, boat launch improvements and providing some form of additional dock space, both temporary and permanent. After much discussion, the Boyne Thunder committee decided that adding a permanent "T" shaped pier/dock to the end of the current main pier made the most sense. It will add 50' to the length of the current pier heading south with a 30' and 50' finger pier extending each direction, east and west (layout of the marina is attached to this memo for a visual). It is anticipated that this configuration would allow for minimally 8-10 more boats to be put in the water for the event and would be installed prior to the 2017 event. The cost of accomplishing this is at a minimum \$40,000 plus engineering fees. After being fully vetted, the committee voted unanimously to invest up to \$35,000 towards the project to improve the event. The committee then approached the Main Street Board for additional financial support. Main Street agreed to provide \$8,000 in financial support. The marina's investment will be to take on the responsibility of engineering costs. I reached out to representatives at Abonmarche, which is the firm the City has been working with on all aspects of the marina expansion and projects such as dredging, shoppers dock replacement and finger pier replacements that took place a couple years ago. Generally when we contract for engineering services, we ask for a proposal with the amount they require to complete or see the project through. In this case, Abonmarche believes it would be in the City's best interest to contract with them on a time and material basis. Their reasoning is that it is a relatively small project and they feel that outside of the engineering and preparing the bid documents, city staff will be able to manage the rest; however they want to leave the door open in case we find ourselves needing additional assistance. The contract as proposed by Abonmarche was provided. In order to complete the project before the first of July, 2017, engineering should take place over the next month, bids should be advertised and received during the month of February and awarded in March.

Staff Comments: City Manager Cain said he is comfortable with Abonmarche and the time and material basis proposal.

Citizens Comments: None

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

MOTION

2017-01-006

Moved by Towne

Second by Conklin

To approve the contract with Abonmarche to provide engineering services on a time and materials basis with a not too exceed \$5,000 amount for a "T" shaped pier/dock at the end of the current main pier at the marina and allow the City Manager to sign the required documents

Ayes: 5

Nays: 0

Absent: 0

Motion carried

Historical Marker Approval

Approval of the recommendation from the Main Street Board to approve the application for, and installation of an Historical Marker by the Boyne City Main Street program as proposed.

City Manager Cain discussed the recommendation from the Main Street Board to apply to the Historic Marker Program. The program will designate that the Boyne City Downtown be listed on the National Register of Historic Places. There is a \$250 application fee and the approval process typically takes one year to complete. A large marker, dimension of 42" x 54" with text on each side is recommended and the cost will be \$3,900. The suggested location for the market is at the corner of Ray and South Lake Streets.

Citizens Comments: None

Staff Comments: None

Board Discussion: All Commissioner are in favor of the recommendation.

MOTION

2017-01-007

Moved by Sansom

Second by Conklin

To approve the recommendation from the Main Street Board to approve the application for, and installation of an Historical Marker by the Boyne City Main Street program as proposed

Ayes: 5

Nays: 0

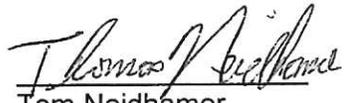
Absent: 0

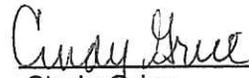
Motion carried

None

Good of the Order

Motion by Mayor Neidhamer seconded by Commissioner Sansom to adjourn the Regular City Commission meeting of Tuesday, January 10, 2017 at 9:21 p.m.


Tom Neidhamer
Mayor


Cindy Grice
Clerk / Treasurer

ADJOURNMENT