

**AUGUST 27, 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 AUGUST 27, 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, Commissioners Laura Sansom, Tom Neidhamer and Derek Gaylord

Staff: Cindy Grice, Michael Cain, Annie Doyle, Scott McPherson, Barb Brooks, Hugh Conklin, Dan Meads, City Attorney Jim Murray, Jeff Gaither and Andy Kovolski

Others: There were 9 citizens in attendance, including representatives from the Charlevoix County News and Petoskey News Review

**CONSENT AGENDA
MOTION**

2013-08-111

Moved by Gaylord
Second by Grunch

To move Items 3B & C regarding Traffic Control Orders from the Consent Agenda and place them under new business

Ayes: 5
Nays: 0
Absent: 0
Motion carried

MOTION

2013-08-112

Moved by Neidhamer
Second by Towne

To approve the August 13, 2013 City Regular City Commission meeting minutes as presented

Ayes: 5
Nays: 0
Absent: 0
Motion carried

CITIZENS COMMENTS

Ron Crozier discussed the lighting of the Cemetery statue. He got about \$1,600 of donations to put underground power in place to light the Civil War statue and flag in Maple Lawn Cemetery. We are awaiting Ed's electric to hook up the lighting. Ron Grunch asked if we could have a ceremony when the work is complete. Commissioner Neidhamer asked if Ron worked with the City regarding the type of lighting and was informed yes. It will not be as bright nor will it interfere with Boyne Avenue traffic. It will be a smaller bulb. Commissioner Gaylord thanked the volunteers for their help with this project.

CORRESPONDENCE

None

CITY MANAGERS REPORT

City Manager Cain reported:

- Judge Pajtas issued his decision on the Kirtland lawsuit a week ago today. We are reviewing that decision closely and

- determining what our options are.
- The recent power outage generated a lot of phone calls. We try to send out emails to update people as we get information. People can sign up for this free email service or get updates from our website.
 - The Douglas Street paving should take place this week, weather permitting.
 - We have been informed that we were not successful in obtaining the Placemaking grant for Old City Park.
 - We were, however, successful in obtaining a grant for up to \$12,500 for a Farmers Market planning grant that will allow us to look into the possibility of modifying the Veteran's Park pavilion to allow it to be used in the winter months.
 - The MEDC announced they will be accepting applications on a new round of DIG grants this fall. Staff is considering possible opportunities for consideration.
 - The new Lucky Seven Triathlon will be held Sunday morning starting at 8 am at Peninsula Beach. It looks to be another great event.
 - The Fall Rubbish collection begins on Wednesday, September 4.
 - We received our dredging permit from the MDEQ this morning.

City Manager Cain discussed and Mayor Grunch presented members from the Boyne Area Free Clinic a check for \$21,392.21. This grant was received from the Grand Traverse Band of Ottawa and Chippewa Indians. Commissioner Gaylord said he is glad we can be a part of the process to help the Clinic.

REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

The July 2013 Financial Statement was received and filed.

Request for Alley Vacation

Consideration to proceed with request to vacate the alley between Franklin Street and Division Street, west of Lewis Street and direct staff to schedule and notice the required public hearing.

Planning Director Scott McPherson discussed the application for the vacation of an alley that was submitted by Leon Dyer of Lewis Street. Mr. Dyer is requesting the alley located between Franklin Street and Division Street, west of Lewis Street, be vacated. The alley is 16.5 feet wide and 450 feet in length. Currently, the City does not maintain the alley and there are no utilities in that location. The request was reviewed by the City Street and Water and Sewer Departments and both foresee no future needs for the alley in regards to city infrastructure or utilities. The Planning Commission reviewed the request at their August 19, 2013 meeting and recommended the alley be vacated. The City Commission needs to determine if the application should proceed based on the report from the Planning Commission and, if necessary, will direct staff to schedule a public hearing and distribute public notification in accordance with the required procedures.

Citizens Comments: None

Staff Comments: None

Board Deliberation. Commissioner Sansom inquired how the property is located and was informed split in half based on length of property owned. Commissioner Gaylord said the process is in place. He is a fan of the process we have. Mayor Pro-Tem Towne said there are not utilities or infrastructure, so he is okay with this. Mayor Grunch and Commissioner

infrastructure, so he is okay with this. Mayor Grunch and Commissioner Neidhamer agree.

MOTION

2013-08-113

Moved by Towne

Second by Gaylord

To approve to proceed with request to vacate the alley between Franklin Street and Division Street, west of Lewis Street and direct staff to schedule and notice the required public hearing

Ayes: 5

Nays: 0

Absent: 0

Motion carried

Park Benches Purchase

Consideration to approve the purchase of five Scarborough benches from Landscape Forms in the amount of \$6,195 and authorize the City Manager to execute the required documents.

DPW Superintendent Andy Kovolski discussed the price he received to purchase 5 new six foot Scarborough benches from Landscape Forms of Kalamazoo at a cost of \$5,805, plus shipping charges of \$390.00. These are the same benches purchased for areas in the downtown. They are very durable and they will compliment the park.

Staff Comments: None

Citizens Comments: None

Board Deliberation: Commissioner Gaylord asked if we could send a crew to pick them up ourselves to save money on shipping. Andy said he doesn't think it would save funds. Mayor Pro-Tem Towne asked if we looked at other companies and are we going to bolt them to concrete pads. Andy said yes, we looked at other companies for pricing. City Manager Cain said we are discussing bolting the benches to the pads. Commissioner Neidhamer said the benches are definitely heavy. They are quality benches. Mayor Grunch said he is in support of the recommendation. Commissioner Sansom said she is in support of more than just five.

2013-08-114

Moved by Towne

Second by Gaylord

To approve the purchase of five Scarborough benches from Landscape Forms in the amount of \$6,195 and authorize the City Manager to execute the required documents.

Ayes: 5

Nays: 0

Absent: 0

Motion carried

Archery Targets

Consideration to approve the purchase of 12 new targets for the Avalanche Park Archery Range from the Rinehart Target Company for the amount of \$3,133 and authorize the City Manager to execute the required

documents.

DPW Superintendent Andy Kovolski presented a request to purchase archery targets for the Archery Range at Avalanche Park. Mark Fruge is trying to organize a new archery club and is seeking assistance from the Parks Department to improve conditions at the range. The current targets have been deteriorating for the past few years. The Parks & Recreation Commission also gave support for the purchase of the new targets. Rinehart Target Company provided pricing on 12 new targets. We also looked at purchasing blemished targets with slight flaws to get an additional 30% off along with the 10% off they are giving us for club pricing.

Citizens Comments: None

Staff Comments: None

Board Deliberation: Mayor Pro-Tem Towne agrees with the recommendation and is in support. Commissioner Neidhamer also supports and is in favor of making more use of Avalanche Park. Commissioner Sansom said she is fine with the archery, but is upset with two of the specific targets, the wolf or the moose. It upsets her and she is bothered by the images of these animals as targets. Andy Kovolski said it is about size and distance. These are what the archery clubs recommend. Commissioner Gaylord said he appreciates the opportunity to look at the blemished and discounted pricing. He understands the targets are not for everyone, it's about the skills. Mayor Grunch said he is in support. Commissioner Sansom said she would like to drop the wolves and wolverine from the list and find two other targets.

2013-08-115

Moved by Towne

Second by Gaylord

MOTION

To approve the purchase of 12 new targets for the Avalanche Park Archery Range from the Rinehart Target Company for the amount of \$3,133 and authorize the City Manager to execute the required documents

Ayes: 4

Nays: 1, Commissioner Sansom

Absent: 0

Motion carried

Consider to approve of Traffic Control Order #129 stating two-way traffic shall be allowed on the currently existing one-way eastbound alley immediately south of 310 South Lake Street between South Lake and Front Streets and Traffic Control Order #130 designating two hour parking zones on the East side of South Lake Street from Main Street south to alley immediately south of 309 South Lake Street

**Traffic Control Order #129
and #130**

City Manager Cain said these traffic controls have been in place temporarily since May, 2013 and were put in place in response to a request from residents in that area regarding the parking and the

use of the alley. Putting these orders in place seems to have calmed things down. Chief Gaither added that no complaints regarding these orders have been received. The new signage is there and already in effect. If something comes up in the future, we could amend or bring it back to the City Commission.

Staff Comments: None

Citizens Comments: Ron Crozier said since the new owner has taken over the residence next door, they have had problems backing the American Legion's float out of the lot and have to back it out into traffic.

Board Deliberation: Commissioner Gaylord asked why it was a one way alley to begin with and was informed that we do not know why. All Commissioners are in agreement.

2013-08-116

MOTION

Moved by Grunch

Second by Sansom

To approve of Traffic Control Order #129 stating two-way traffic shall be allowed on the currently existing one-way eastbound alley immediately south of 310 South Lake Street between South Lake and Front Streets and Traffic Control Order #130 designating two hour parking zones on the East side of South Lake Street from Main Street south to alley immediately south of 309 South Lake Street

Ayes: 5

Nays: 0

Absent: 0

Motion carried

Commissioner Gaylord inquired how many times we got the beach cleaner from Charlevoix this summer and was informed once. He also said he found a kayak next to the restrooms at the beach. Also where are we at with the fishing pier grant? Commissioner Sansom said she has heard good comments regarding the picnic tables around the parks. Mayor Grunch said he will not be attending the September 10, 2013 meeting.

GOOD OF THE ORDER

2013-08-117

CLOSED SESSION

Moved by Grunch

MOTION

Second by Gaylord

To approve the request of the City Manager to go into closed session with our attorney regarding Attorney/Client Privilege document as provided in MCL 15.268 (h) of the Michigan Open Meetings Act (PA 267 of 1976 at 1:09 p.m.

Ayes: 5

Nays: 0

Absent: 0

Motion carried

**RETURN TO OPEN SESSION
MOTION**

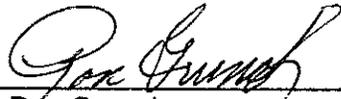
2013-08-118
Moved by Grunch
Second by Towne

To return to open session at 2:56 p.m.

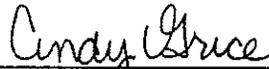
Ayes: 5
Nays: 0
Absent: 0
Motion carried

ADJOURNMENT

Moved by Mayor Grunch, seconded by Commissioner Gaylord to
adjourn the regular City Commission meeting of August 27, 2013 at
2:57 p.m.



Ron Grunch
Mayor



Cindy Grice
Clerk / Treasurer