



BOYNE CITY
CITY COMMISSION REGULAR MEETING
Boyne City Hall
319 North Lake Street
Tuesday, June 10, 2014 at 7:00 p.m.

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 corrected May 13, 2014 City Regular City Commission meeting minutes as presented
 - B. Approval of the May 27, 2014 City Regular City Commission meeting minutes as presented
 - C. Approval of the May 27, 2014 City Facilities Public Meeting minutes as presented
 - D. Approval to purchase 10 new Discraft Baskets for the disc golf course at Avalanche Park from Discraft in the amount of \$3,077 and authorize the City Manager to execute the document
4. HEARING CITIZENS COMMENTS (on non-agenda items; 5 minute limit)
5. CORRESPONDENCE
6. CITY MANAGER'S REPORT
7. REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES
 - A. Draft Minutes of the May 1, 2014 Main Street Board Meeting
 - B. Draft Minutes of the May 1, 2014 Parks & Recreation Advisory Board Meeting
 - C. Draft Minutes of the May 5, 2014 Historic District Commission Work Session
 - D. Draft Minutes of the May 6, 2014 Zoning Board of Appeals Meeting
 - E. Draft Minutes of the May 12, 2014 Economic Development Corp Meeting
 - F. Draft Minutes of the May 12, 2014 LDFA Meeting
 - G. Draft Minutes of the May 19, 2014 Planning Commission Meeting
 - H. Draft Minutes of the May 22, 2014 Airport Advisory Board Meeting
8. UNFINISHED BUSINESS
 - A. City Attorney fluoride vote opinion

9. NEW BUSINESS

- A. Jervis B Webb Company Industrial Facilities Exemption
Public Hearing and consideration to approve the recommendation from the Economic Development Corporation Board to approve a twelve year Industrial Facilities Exemption request (IFEC) from Jervis B Webb Company and authorize the City Manager and City Clerk/Treasurer to sign and submit the documents necessary to execute the abatement as requested
- B. Airport Improvement Plan
Consideration to approve the revised Airport Capital Improvement Plan
- C. Marina Phase I Renovation
Consideration to approve the additional concrete and bracing work by R B Lyons Inc (materials and labor) for the fixed finger pier reconstruction project at the marina at a cost of \$7,400 and authorize the City Manager to execute the documents
- D. Marina Pedestal Replacement
Consideration to authorize the purchase of up to 15 pedestals from Advance Electric for \$395 each with an added allowance of up to \$400 for 50 amp upgrade on four pedestals and \$23 for LED lighting upgrade on all 15 to a total estimated maximum purchase cost of \$6,670 and authorize the City Manager to execute the documents
- E. Marina Pedestal Electric
Consideration to review the estimates to be provided, decide if the costs appear reasonable and possible award the work to a contractor on a time and material basis on the estimate provided
- F. Cemetery Entrance Closures
Consideration to close off the two entrances to Maple Lawn Cemetery on Boyne Avenue as noted on the attached map at a cost of \$1,827.50 and authorize the City Manager to execute the documents; in addition, authorize staff to create a green space where the roads and entrances exist at an approximate cost of \$1,000
- G. Safe Routes To School Grant Proposal
Consideration to approve a resolution to establish a request for funding, designate an agent, attest to the existence of funds to carry out various infrastructure projects, and commit to implementing a maintenance program for infrastructure funded by the Safe Routes To School program
- H. Marvin Loding Award
Consideration of recommendation that the Planning Commission annually review potential candidates for the Marvin Community Pride award, considering awards for industrial, business and residential land use categories as outlined
- I. Police Chief Salary
Consideration of increase in Police Chief Jeff Gaither wages

- J. City Facilities Public Hearing
Consideration to schedule a public hearing at the July 8, 2014 City Commission meeting to receive input on City Facilities and the concepts presented by Environment Architects
- K. June 24, 2014 Meeting Time
Consideration to change the start time of the June 24, 2014 City Commission meeting from noon to 7:00 pm
- L. Request of the City Manager to go into closed session regarding Attorney/Client Privilege document as provided in MCL 15.268 (h) of the Michigan Open Meetings Act (PA 267 of 1976)
10. GOOD OF THE ORDER
11. ANNOUNCEMENTS
- The next regular City Commission meeting is scheduled for Tuesday, June 24, 2014
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

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**MAY 13, 2014
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 MAY 13, 2014

CALL TO ORDER

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

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

Staff: Michael Cain, Cindy Grice, Scott McPherson, Jeff Gaither, Barb Brooks, Dan Meads, John Lamont, Kyle Smith, Kevin Spate, Annie Doyle, Andy Kovolski and Hugh Conklin

Others: There were 49 citizens in attendance including representatives from the Petoskey News Review, Charlevoix County News and Boyne Gazette

**CONSENT AGENDA
MOTION**

2014-05 061
Moved by Towne
Second by Sansom

2014-05 061A
Approval of the April 22, 2014 City Regular City Commission meeting minutes as presented
2014-05 061B
Approved City Manager Michael Cain to sign the necessary documentation to accept the Charlevoix County Community Foundation grant for the SOBO Arts Festival

Ayes: 5
Nays: 0
Absent: 0
Motion carried

CITIZENS COMMENTS

Gene Barfield presented to and requested the City Commission approve a resolution in support of the 200th birthday of the National Anthem. City Manager Cain said he has read the proposed resolution and would recommend approval.

2014-05 062
Moved by Sansom
Second by Gaylord

To adopt a resolution of support of the 200th Anniversary of the National Anthem and create and adopt a appropriate version of the resolution for the City of Boyne City

Ayes: 5
Nays: 0
Absent: 0
Motion carried

John Mccahan said he is happy to hear that the City is now putting together a noise ordinance. He now sees two for-sale signs on the Thirsty Goat and Movie Theater and would like to see the City or Main Street buy the Theater. He would be opposed to the 2nd floor being leased back to bar owners, etc.

Par Kujawski provided the Commission with information regarding groundwater from Division Street on her property on Earl Street.

Ron Crozier discussed the Memorial Day Schedule.

Chip Hansen from the Charlevoix County Community Foundation presented a check for \$4,900 of which \$1,900 is for the SOBO Arts Festival Big Band, and \$3,000 for the Dog Park from the IMI Community Fund.

CORRESPONDENCE

Mayor Grunch proclaimed May 11 – 17, 2017 as National Emergency Medical Service Week, National Police Week and National Public Works Week.

Police Chief Jeff Gaither presented a Certificate honoring Police Officer Kyle Smith for his assistance to a mother delivering a baby in an emergency situation. Mother and infant are doing very well.

City Manager Cain reported:

CITY MANAGERS REPORT

- Happy New Fiscal Year
- Construction began last week on the One Water project.
- Work has begun on the first phase of Division and Pleasant streets.
- Advertisement for the position of Main Street Director has begun. Applications are due on June 4th.
- The last day for the Army Corp to accept comments on the marina expansion is today
- The marina is scheduled to open May 15
- The Mushroom festival is this coming weekend.

Draft Minutes of the April 3, 2014 Parks & Recreation Advisory Board Meeting; the April 10, 2014 Main Street Board Meeting; the April 15, 2014 Historic District Meeting; the April 21, 2014 Planning Commission Meeting and the April 23, 2014 Airport Advisory Board Meeting were received and filed.

REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

Consideration to approve Ridge Run as the name of the Dog Park located on Ridge Street, and direct staff to proceed with implementation of the proposed dog park rules after any input from the City Commission and Police Department.

Dog Park-Name and Implementation of Rules

DPW Superintendent Andy Kovolski presented the Commission with a request to name the Dog Park to Ridge Run Dog Park and also a list of recommended rules and regulations. The Parks and Recreation Board members unanimously supported the recommendation of the name and proposed rules.

Food Truck Discussion

Staff Comments: None

Citizens Comments: Scott MacKenzie said we are blessed to have the individuals who have helped.

Board Deliberation: Commissioner Sansom likes the name. Commissioner Gaylord said he does not recommend approval. Mayor Pro-Tem Towne said the rules are self explanatory and he supports the recommendation. Commissioner Neidhamer said the names and rules are the natural progression. Lots of hours and people have been involved and a reflection on the community when good things can happen in a goal. He is in full approval. Mayor Grunch also supports the recommendation and thanked everyone involved.

2014-05 063

Moved by Neidhamer

Second by Towne

To approve Ridge Run as the name of the Dog Park located on Ridge Street, and direct staff to proceed with implementation of the proposed dog park rules after any input from the City Commission and Police Department.

Ayes: 4

Nays: 1, Commissioner Gaylord

Absent: 0

Motion carried

Mobile Food Vending

Consideration that the City Commission review the proposed ordinance language and fee schedule and introduce this ordinance and set a second reading and a public hearing on June 24th.

Assistant Planner Annie Doyle presented the draft ordinance language for mobile food vending in Boyne City. As a result of public comments, staff has amended the recommendations to include a 50 foot buffer zone around operating restaurants. This setback would not allow mobile food truck vendors to operate within 50 feet of the property line of an operating restaurant in the designated private property areas. A proposed fee schedule was also presented as follows: A \$25 application fee (for all applicants), an \$840 permit fee for operating on public and private locations. A \$420 permit fee for operating on private property only and \$0 permit fee if applicant owns an operating restaurant on City tax rolls.

Staff Comments: Planning Director Scott McPherson said a lot of effort, communication and listening went into this. He encourages the Commission to consider this. Hugh Conklin said the Main Street board is fully supportive of this and also appreciate the business community members that have been involved in this.

Citizens Comments: Gayle Harbaugh of Kilwins inquired how the 50' was determined. 50 feet wouldn't protect her business she is hoping that it would be 100 to 150 feet. Also, her sales went down when another like business came in 3 years ago.

Mike from Thick & Juicy said Hugh and Annie were great to work with. 93 feet gives him a safe buffer. 100 feet would still not cover Kilwins. If Mather's Ford chooses to use their lot, the 50 feet wouldn't protect the BRI. Those are 2 private parking spots the 50 feet limit wouldn't protect.

50 feet is just not enough. He added he thinks the fees were more than fair.

Brian Fround, an ice cream truck owner, said he doesn't feel like he is true competition. He can only make 150 scoops of ice cream per day and hopes this allows the ice cream people more leeway. He added he thinks there are enough ice cream sales for all of us.

Shelly Bush, a mobile ice cream vendor said the fees are a lot for a 4 month per year vendor. There's room for everyone. Maybe there can be a concession a day a week. Where would these fees go? Could they be invited by someone during Stroll the Streets. She doesn't want to be downtown, but in a park. It's a safety issue and there should be a designated area so people would know where they want to go. She just recently put \$4,000 in the business and thru depreciation has already lost money on her trailer which will depreciate every year. If you treat your customer right, they're going to go there. Maybe the Farmer's Market could extend hours. Not many people will buy hot dogs and ice cream before noon.

Jim Baumann said the Chamber has not taken a formal stand, but he thinks the proposal is a good one. There are a lot of options and he thinks two public locations are good ones.

Chris Meyer, who owns a brick and mortar business said he thinks this is a well crated proposal.

Board Deliberation: Commissioner Neidhamer inquired how the 50 vs 100 foot setback was looked at and is 100 feet too prohibitive? Annie said they looked at other communities and their setbacks and the 100 feet is definitely more so. Commissioner Neidhamer said he is in support of this; staff has brought forward a justified and fair fee schedule. Let's try 50 feet. Mayor Pro-Tem Towne asked if any consideration was given for truck size and number of them allowed and was informed only four could open on public property, no limit on private. Mayor Pro-Tem Towne said he supports.

Commissioner Gaylord said he was the one who asked for the maps. This topic has been an extreme balancing act. He feels no less than a 50 foot setback, but between 50 and 100 feet. If someone wants to, they could petition and we could discuss it. He has struggled with the concept of food trucks in downtown where the restaurants are and strongly encourages 100 feet. He inquired why the Chamber hasn't taken a stand and was informed that no one vehemently objected but the board has not taken a stand. Commissioner Gaylord asked Shelly Bush if she had a back up plan. One of our businesses in town already donates money to the Little League. Where is it described in the ordinance the locations? He sees that the ordinance has gone beyond licensed vehicles allowed. His research shows most community have spots that are first come, first service. It should be clear that we are limiting spots. Language should be for a motor vehicle licensed for roads and we're looking for a self-contained mobile food truck.

Commissioner Sansom said she doesn't care for the "other device" terminology and is in favor, but in a limited way. If it doesn't affect current businesses, she would like to see 100 feet.

What about truck length? Annie said it could be considered. Commissioner Sansom said in general, it's a well stated ordinance. Commissioner Grunch said he is in support of the recommendation if be brought back for a second reading. He added that anything under a 100 foot setback could be a disadvantage to a brick and mortar business.

Commissioner Gaylord said he already knows he's going to hear that we are giving away parking with regards to Park Street and are we moving forward with language including licensed motorized vehicles only? Commissioner Neidhamer said he doesn't want to be too restrictive and doesn't have a problem with a food cart.

2014-05 064
 Moved by Towne
 Second by Neidhamer

To review the proposed ordinance language and fee schedule and introduce this ordinance and set a second reading and a public hearing on June 24th.

Ayes: 5
 Nays: 0
 Absent: 0
 Motion carried

Consideration that the City Commission maintains the City's current fluoridation levels of 0.7 mg/l.

Water Fluoridation

Water/Wastewater Superintendent Dan Meads discussed the recently raised question regarding fluoridation of the Boyne City public water system. Fluoridation is voluntary and not mandated in Michigan. On May 8, 1973 an ordinance rejecting the addition of fluoridation of the City of Boyne City's water system. In November of 1973, a ballot proposal to add fluoride to the City's water system was approved by voters. We are presently still adding fluoride and operating the water system in compliance with all current regulations. The amount of fluoride that is in our water has been consistently reported in our annual Water Quality Reports.

Fluoridation of public water systems was undertaken over a half century ago as a benefit to public health. Most of the major health and dental organizations are still strongly in support of the program. The recent availability of fluoridated toothpaste, mouthwash and other products has raised the question as to whether the public was getting too much fluoride and if this could be a potential health risk. The Center for Disease Control began a review and in 2011 issued a recommendation lowering the recommended dosage in drinking water from the 1 to 1.1 mg/l limit at that time to the present limit of 0.7 mg/l. We have a natural fluoride level of 0.35 mg/l in our north well field and with the new recommended limit, we have no problems maintaining that level. That natural fluoride level at our south well field is generally less than 0.15 mg/l. So we will always have some fluoride in our water, but if we cease supplementing the naturally

occurring fluoride, we will have what many consider a non-effective dosage for improving dental outcomes. Many communities in our area add fluoride to their water, but Petoskey, Gaylord and Kalkaska do not.

There have been strong opinions on both sides of fluoridation of the public water supplies since its beginning. Information has been collected representing both the pro- and anti-fluoride groups and from the state, federal and medical agencies involved. It is being recommended to maintain our current levels of fluoridation at 0.7 mg/l which is no change to our program at this time.

Citizens Comments: Dr. John Meyerson, Medical Director of the Health Department of Northwest Michigan and also a pediatrician said he agrees with maintaining the level of 0.7 that we currently use. We are at the right place. There are a lot of misconceptions about fluoride. It's not a medication. It's a natural element or nutrient we need to some extent. It's found in ground water all over the world. Community programs adjust that level to the ideal concentration for public health. You need it at some concentration to be beneficial. Like, other things, too much is not good. There can be toxic levels. Just like a lot of vitamins you can't live without, there are toxic levels. Studies have repeatedly and consistently shown that fluoride efficiently reduces tooth decay. The Center for Disease Control says that community water fluoridation is one of the 10 greatest additional to health care. Looking at school screening data and those children who need to be referred because of tooth decay, Gaylord currently does not fluoridate and has a 28% dental referral rate in children. Mancelona does not fluoridate their water and have a 30 % referral. East Jordan and Boyne City who do fluoridate their community water have an 8% referral rate. The health department is seeing it make a difference; it's a passive public health intervention. Vitamin D is added to milk, folic acid is in flour and cereals. It's the same sort of deal. For every dollar spent on water fluoride, \$38 is saved in dental costs. He urges the commission to look at what the research says, what the benefit is. He respects those who don't want it added to their water. Dr. Meyerson added that he doesn't know of any dentist, physician or scientist organizations that don't agree to support community water fluoridation. He provided a letter of support from two doctors at Boyne Area Medical Center also supporting to continue community water fluoridation.

Dr. Tom Veryser, a public health dentist said this is his back yard and what he does. He operates 22 clinics that serve at-risk kids and their parents. It all started here in Charlevoix County. In doing so, he can appreciate the severity of the problem. We're talking about a disease and he is speaking as a person who sees the suffering children go thru and to deny them the opportunity of wellness when perhaps their parents won't or can't help is a mistake. He added that he prays the people in the decision making power will see the wisdom of the science, that in safe dosages, this is a safe product.

Mitchell Heick, said he doesn't drink fluoride, they have well water. He was taught good dental hygiene and now uses natural, no fluoride toothpaste. A lot of his information came from the internet

and he has seen studies showing the negative effects. Referring to a study done at Harvard, higher concentrations show lower IQ levels in kids. Fluoride is a neurotoxin. There's a huge difference between vitamins. Fluoride sodium leaches calcium from your bones. It is forced medication on the public. It's an industrial waste by-product causing way more detrimental effects than good effects. You shouldn't put what is proven to be a poison in public water.

Josh Grove, said he is a local business owner and said to take fluoride out of the water. If you agree fluoride is good for your teeth, common sense is to use fluoride toothpaste. Taking it out of the water is the main thing. Mr. Grove provided information from the Mosaic Company that sells what Boyne City puts in the water supply. It's a by-product of phosphate fertilizer industry. Its not natural fluoride. Primary use, it's an industrial chemical that is corrosive to the skin, eyes and mucous membranes thru direct contact. We're taking showers in this water. Causes severe irritation and burns. Mr. Grove read further information regarding the product and its adverse effects.

Scott MacKenzie said he lives in Boyne City and drinks the water. Did you know if you drink too much water, you can drown? The things Josh is talking about are in large quantity. The bottom line is its a health benefit for our community in small amounts. Anything in excess is not good. Trust the folks putting it in. Bottom line, it's good for our community and good for our health and children.

Justin Weisler said his major concern is freedom of choice. We have plenty of choices in fluoride availability. He doesn't feel like he should have to have it added in the water. How many students are in the city limits? He doesn't feel 100% of the study either way. Why have it when there are other ways to get it.

Dr. Richard Fish, a dentist, said when he moved to Boyne City, there was no fluoride. Tooth decay is literally non-existent now. He would question the study done in China. Enamel is the hardest substance in the body. The application of topical solution does prevent decay. We see high school kids who have no cavities at all. You can make a case that any amount is too much. If you're going to do away with fluoridated water, you might as well do away with mumps and measles vaccines. Here we have the greatest tool available to the community. Dr. Fish added he feels strongly about this. You pulled me out of retirement to help fight this. Please help us get thing thru and leave it alone.

Dr. Jennifer Larson, a dentist said she commends everyone that came here on both sides of the issue. Everyone here has good intentions. We all want what's best for our families and our community so to care enough to come here is commendable. She said both sides have passion supporting their thoughts. As far as her professional opinions on the matter, a lot of the negative is flawed science. On the other hand, we have the benefits of properly conducted scientific research. She added that she read an excerpt of the Harvard study that has been referenced and it didn't adhere to research protocol that makes a study valid. She is backing up the

reputable associations like the ADA, American Medical Association, World Health Organization and others. It's not time to stop trusting them now. We have the benefit of looking at real life experience that started in Grand Rapids in 1945. We are also looking at real life study. Proper dosage so it's not a neurotoxin, is important so teeth will come in strong.

Kathy Kipapa said it's well known in the medical field that a proper diet causes us to have good teeth and good bones. Without that, just like in the middle east they have bad health. We live on processed foods. The studies don't include what people are consuming. We are one of the sickest countries in the world. We take 50% of all pharmaceuticals in the whole world. When you talk about fluoride, its common sense that when someone tells us to take a chemical, 25 percent of it remains. You are absorbing it under your tongue. It's in your water and absorbed in your feet. It's not natural at all. The chemical waste companies have decided that we can pay them to get rid of their waste. When we can have a government even in the smallest amount tell us its okay to consume. It's being dumped in the water system ground and becomes toxic. Every time you do your laundry or wash your dishes, it's slowly builds up into the ground and becomes toxic to the earth. Hitler had fluoride in his death camps in the water. It's a well known fact. Syria used sodium fluoride to kill a population. It's a chemical weapon people. She added she doesn't care what the doctors say. They have passed so many drugs, like agent orange. This is really one sided.

Brian Thurston, MDEQ District Engineer said the form at which the City purchases is 25%. The chemical as you put it into your water is very concentrated. Adding it to the water is done with precise equipment. Oversight is provided to the community. He encourages the community to continue to add fluoride.

Jinny Heick, said fluoride is more toxic than lead and slightly less than arsenic. It's an industrial waste product that saves billions of dollars per year. This is a very depressing story It goes back to the Manhattan Project. Its' the science of deceptions. She referred to "The Fluoride Deception" It is agent orange science. Aluminum creates fluorides. They had massive tons of fluoride that poisoned many people. Bringing fluoride in is a con on the American people because the government got with big business. So many people were becoming sick and so many lawsuits were looming. To this day, it benefits big business. They don't pay a penny and dump it in our water. Maybe it does reduce cavities, but let me decide. She doesn't buy it, she did her research. Her pediatrician gave her sons fluoride. Oral hygiene is what we need. It's the long term effects no one talks about. What worries her is the amount of chemicals from the big industries that are in our water, in our food. Lab studies reveal all information that was suppressed. If you want to drink it, get the pill. It's a democracy issue. It's a green tree city because trees clean the air. If you want it, take it yourself, but don't put it on us.

Rose Straebel, the oral health coordinator for the health department said fluoride is a naturally occurring mineral extracted from phosphorous rock. It's not a chemical. When she does oral exams

on these kids at age 5, 6, 7 and 8 year old kids, they aren't using the fluoride toothpaste like we think they are. They forget. They aren't doing the things they need to do. When she was a kid, she didn't brush her teeth like she should have. These kids don't do this. We're doing this for our next generation.

Hugh Conklin said he drinks city water and is a little confused, why are we even talking about this? Looking at the list of goals, he doesn't see fluoride anywhere on it. Is this an appropriate discussion? Are you comfortable as a City Commission making this decision? After listening to the science do you feel that's your role to be doing this? If we spent our time and energy on things, why don't we look at street crossings where kids are trying to get to school? There are other things we should be doing. Why don't we try to improve a swimming beach for the kids? Why are we ripping ourselves apart? We should be spending time and energy on other goals. He questions the ability to do it when there are certain people who wanted to do this before there was an opportunity for the public to get involved. He added he is completely at a loss.

Ben Hanson said they're going thru this in Traverse City. They are going thru this very discussion in Traverse City in about a month. He represents Fluoride Free in TC. He says he just can't sit here and hear doctor after doctor saying fluoride is natural. Talk about a deception. That is unconscionable. There is no excuse.

Dan Meads said regarding the IQ issue brought up, most of Europe fluoridates their water thru their salt, not their water.

City Manager Cain said he didn't know too much about fluoride before we got into this process. The information Dan gathered here has been enlightening. He supports the recommendation from Dan. We are a low and moderate income community. A lot of our residents don't have access to the high level of dental care the dentists are providing thru their facilities. All Doctors take an oath to do no harm. Dentists today are talking against their own self interest. Looking back at magazines with early pictures, he can picture what Dr. Fish is talking about. People who didn't live thru the problems, don't see the benefit. We're talking about something that many American forget about how bad things were. We now have something economical and very efficient and something we should maintain. He thinks it is a direct benefit to our community. It's good that people are having a discussion. When an opinion is taken as fact he thinks there are real problems with that. He agrees with Hugh. He thinks it's a distraction from the goals the Commission has established. The evidence provided by professionals from the surgeon general on down supports the action Boyne City has taken since the 1970s. He added he can only imagine what Thelma Behling is thinking right now, a public health nurse that worked with the children of our community and helped bring fluoride to the City of Boyne City. Give us wisdom Thelma as you're looking down on us today. This is a very important decision and in his mind, the facts speak for themselves, not the passion of the issue. This Commission has an important issue for the future and implications in regards to generations of people ahead. For those who live here year

around and the youngsters. It's an emotional one for him, he has four daughters and wants to give them every opportunity to give them a good and healthy life. Glad that Boyne City has the water system that it does and thinks depending on the decision this commission makes, it may have an implication on how people look at Boyne City.

Board Discussion: Commissioner Neidhamer said he appreciates this topic. They're not experts as Commissioners, but it does fall in their lap to make this decision. He appreciates the staff preparing the 110 pages. He googled every author and also thanked the Boyne City Gazette, citizens and local professionals. 75% of Americans have fluoridated water. 90% of Michigan residents. Listed are the American Dental Assoc, AMA, American Assoc. of Pediatrics, and many other associations including local professionals who are a very impressive support of water fluoridation. In contrast, after hours of research, the opposing organizations are few, very few. There are many articles opposed, but credentials, expertise of local, national and international. I cannot in good conscious disregard the professionalism, knowledge and expertise of local, national and Michigan experts. He read the Harvard report, watched 14 videos, but they do not hold the credentials of medicine he just mentioned. He weighs the opinion of the professionals and he is in support of maintaining the current level of fluoridation.

Mayor Pro-Tem Towne read all of the documentation. He read the pro documentation from the American Dental Association. If you ingest more, you could be at risk. What he does believe is that this should all come down to choice. If there is any chance by adding it could cause any problems, his choice would be to not have it in the water. If he chooses to use fluoride he could get it in toothpaste or mouthwash. It should all come down to choice.

Commissioner Gaylord stated that this is part of their duties of representatives of the City of Boyne City. He wanted to apologize to Commissioner Sansom for dismissing it the first time she brought it up. When it was brought up again, it was worth a look and he started to research. While they're not doctors or dentists, when we look at a topic like this he looks at his core beliefs and that its individual responsibility and freedom of choice. Regards to the topic, we can replace fluoride with everything. Its a personal choice. Yes, as Dr. Meyerson said you can go get a filtration system but it's a thousand or two thousand dollars. Those who have the financial ability can choose to invest in that if they choose to not have fluoride but has heard people say they can't afford those filters. He goes back to a matter of choice of the individuals. As Dr. Veryser can confirm, for individuals who are not financially able, his organization does provide help which is a fantastic thing and it's great that we have that. He encourages individuals who may not have the means to take advantages of those services. But it goes back to a matter of choice. Bottled water gets very expensive if you want to avoid fluoride. Of all the phone calls and correspondence he did receive, he didn't receive any calls from anyone saying to keep fluoride. It has been mentioned on both sides of the aisle of different types of fluoride. It's an element, not a vitamin. If we are adding calcium

chloride, that may change the discussion a little bit. Nobody has disputed on either side of the aisle that its a by-product, not naturally occurring. It's a different chemical compound than that which is naturally occurring. If there was just one report or study on both sides of the aisle, what are we left with? He added that he appreciates the comments and respects the positions and titles. Both have valid claims and are passionate about it. If the one other study presents information about potential negative health affects. Education, studies and data collection change and we see that nationwide. He looks at this as not passionate but looking at all of the information from all sources and is in agreement with Commissioner Towne that he cannot support the artificial fluoridation of our water system.

Commissioner Sansom said there is a lot of information from both sides and has also spent countless hours researching both sides. She thanked Dan for all of the information she provided. She has received some phone calls. She has a background where she has a different issue and different take on all of this. She has a chemical sensitivity, and while not being passionately as personally her, but being in that kind of state, she has done a lot of research, she has taken courses studying toxins and their effects. She has taken a lot of courses at Berkley studying toxins we put in our body. When it comes to the type of fluoride we put into our water system, it is a chemical, toxic waste hazard that we put into our body. The benefit for teeth for preventing cavities is true. Fluoride is attracted to areas of calcium in the body. It is also destructive to the bones. The whole idea of aging is not so much as getting older and deteriorating, but a buildup of toxins of all kinds we accumulate in our system. We absorb them, we breath them, come into our skin. She opposes to ingesting any toxin, even in small amounts. Believes in the freedom of choice. There are many products to get fluoride, black tea, grapes. You can't control the amount you are receiving in total, you really don't know. Dan does a great job in keeping it at the right levels. She added she respectfully disagrees with some of the information presented. We want to have our kids have healthy teeth, but at the same time she doesn't want to see any other detrimental issues on the other end. Fluoride also causes fluorosis. The United States uses 50% of all fluoride. Commissioner Sansom listed several cities who have done away with adding fluoride.

Mayor Grunch said he thinks it is a mistake to take it out of our water and is a step in the wrong directions. Those most vulnerable will suffer the most. He has done a lot of reading on this for last three – four weeks and does not want to remove it from the water system.

2014-05 64

Moved by Sansom
Second by Gaylord

MOTION

To cease adding fluoride the water immediately in the City of Boyne City.

Further Discussion: After the motion was made, Commissioner Neidhamer stated we are taking a step backwards and is amazed we

are not listening to our professionals. It's beyond the comprehension that we think we know more than the local dental and doctor opinions. He added that with all due respect to Commissioner Sansom that a lot of the things she stated, he totally found the counter argument to. As far as choice, he thinks that Dr Fish made it perfectly clear that it needs to be chemically ingested as the body grows from infancy on up to chemically bond. You don't ingest toothpaste. He is saddened that we re possibly taking a step in the wrong direction.

Ayes: 3
 Nays: 2, Mayor Grunch and Commissioner Neidhamer
 Absent: 0
 Motion carried

2014-05 65
 Moved by Grunch
 Second by Towne

**BRIEF RECESS
 MOTION**

To take a brief recess at 9:58 p.m.

Ayes: 5
 Nays: 0
 Absent: 0
 Motion carried

2014-05 66
 Moved by Grunch
 Second by Towne

**RECONVENE
 MOTION**

To reconvene the meeting at 10:10 p.m.

Ayes: 5
 Nays: 0
 Absent: 0
 Motion carried

Consideration that the City Commission advise staff on which option they would like to proceed with and authorize the City Manager to sign the required documents.

**Lower Lake Street
 Storm Outfall**

Public Works Superintendent Andy Kovolski discussed the solution from C2AE for the erosion problems at the Lower Lake outfall. Two different preliminary plans were provided as solutions. The only real difference between the two proposals is the length of the pipe extension added and the amount of Rip Rap Stone required. City Manager Cain added the public will still have the opportunity to use this space. Larry Fox with C2AE discussed the proposals with the Commissioners. Either proposal will require permit applications.

Citizen Comments: None

Staff Comments: None

Board Discussion: Commissioner Gaylord said it is pretty clear that something needs to be done. We have to look at the potential liability issues. He is in support to take the pipe out as far as we can. All other Commissioners support option 2.

2014-05-067

Moved by Neidhamer

Second by Gaylord

MOTION

To follow Option Two as presented to resolve the erosion problems at the Lower Lake Outfall.

Ayes: 5

Nays: 0

Absent: 0

Motion carried

Consideration that the City Commission approves the proposal with the low bidder, Tri-County Excavating for the amount of \$18,900 and authorize the City Manager to sign the required documents.

**Division Street
Drainage**

Public Works Superintendent Andy Kovolski discussed the standing water issue on Division Street at the entrance to Parkview Apartments. On the east side of the entrance is a depression that is currently holding a large amount of water. City crews have pumped water from this depression many times and it fill back in within a very short period of time. City resident Bill Kuhn owns properties adjacent to this area and has had flooding occur in a crawl space at one of his homes. It should also be noted that other residents in this area have reported water issues that are much worse this year than in past years.

Proposals to install a temporary coffer dam to stop water flow to the low point of the depression; install a perforated drain structure in the bottom of the depression with the structure to also have a beehive lid; and to install an 8 inch CPP pipe to catch basin at the south edge of Division Street were received. Tri County Excavating provided the low bid in the amount of \$18,900.

Staff Comments: None

Citizens Comments: Pat Kujawski, who lives on the south end of Earl Street said she is concerned that its all the south side of Division. Is it going to eliminate what's on the north side of Division? Andy said he is not sure, there is a possibility that it may. Bill Kuhn said Mrs. Kujawski's drainage problems have gotten worse in the last year and he is hopeful this will help everyone. This is a good starting point.

Board Deliberation: All are in agreement with the recommendation.

2014-05-068

Moved by Towne

Second by Gaylord

MOTION

To approve Tri-County Excavating for the amount not to exceed of \$18,900 to and authorize the City Manager to sign the required documents

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Consideration that the City Commission to review the draft plans on the Ray-East streets project and authorize City staff to proceed to final design.

East and Ray Street Design

Public Works Superintendent Andy Kovolski presented the City Commission the preliminary design plans from C2AE for the East and Ray Streets project. The City is receiving a DIG grant from the MEDC for \$583,519 for the project. The total project cost is estimated at \$833,600 and includes Ray Street between South Lake and South East Streets, one block of South East Street between Ray and East Main Streets and one block of alley running parallel between Water and Ray Streets, between South Park and South Lake Streets. The plan as presented maintains the layout of Ray and East Street and consists of water and sewer improvements; storm water installation; street reconstruction including curb and gutter; sidewalk improvements, burial of overhead utility lines; and streetscape elements such as decorative lighting and landscape trees. The design phase is approximately 75% complete and one more public

Citizens Comments: None

Staff Comments: None

Board Discussion: Larry Fox of C2AE discussed the project with Commissioners. Parking issues were discussed, and questions regarding layout were answered. This project schedule is to begin construction in mid-August with a mid-October completion. Discussion was focused on the parking and sidewalk.

2014-05-069
Moved by Towne
Second by Sansom

MOTION

To review the draft plans on the Ray-East Streets project and authorize City staff to proceed to final design.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Consideration that the City Commission approve the Resolution of Support for the continued participation in the RRC program. Planning Director Scott McPherson discussed the proposed resolution of support for continued participation. This resolution is required as part of the Redevelopment Ready Communities is

Redevelopment Ready Communities Resolution

required within 30 days of receiving the presentation.
Representatives from the MEDC gave their presentation on the Final Report of Findings at the April 22, 2014 City Commission meeting.

Citizens Comments: None

Staff Comments: None

Board Deliberation: Commissioner Gaylord said he maintains that he doesn't feel it's necessary and we don't need to conform. All other Commissioners are in agreement with the proposed resolution.

2014-05-070

Moved by Neidhamer

Second by Towne

MOTION

To review the draft plans on the Ray-East Streets project and authorize City staff to proceed to final design.

Ayes: 4

Nays: 1, Commissioner Gaylord

Absent: 0

Motion carried

Consideration that the City Commission approves the purchase a 2015 Ford Police Interceptor from Bob Mathers Ford for the price of \$24,750.

**Police Car Purchase-
2015 Ford Police
Interceptor**

Police Chief Jeff Gaither presented information regarding the purchase of a new patrol car for the Police Department. At this time, we currently have 3 patrol cars and the proposed new vehicle would replace the 2010 Ford Crown Victoria which has over 99,000 miles and is close to the point of replacing some big ticket items like steering and suspension. The proposed Taurus uses significantly less fuel overall which has provided a substantial savings for the Department and City. It is all wheel drive which provides a much safer platform for patrol and receives rave reviews by our officers for winter mobility, safety and performance.

Staff Comments: None

Citizens Comments: None

Board Discussion: All are in support. Commissioner Gaylord said he understands fleet management. This winter was the test.

2014-05-070

Moved by Towne

Second by Gaylord

MOTION

To approve the purchase a 2015 Ford Police Interceptor from Bob Mathers Ford in the amount of \$24,090

Ayes: 5

Nays: 0

Absent: 0

Motion carried

Consideration that the City Commission approve the increase of the City Manager's pay to \$92,809 effective May 1, 2014

**City Manager
Compensation**

Mayor Pro-Tem Towne and Commissioner Sansom proposed a pay increase to City Manager Michael Cain in the amount of 3% to bring his current salary in line with what has been previously negotiated for other City Employees, to an annual salary of \$92,809 to be effective May 1, 2014.

Staff Comments: None

Citizens Comments: None

Board Discussion: All are in support

2014-05-071

Moved by Sansom
Second by Towne

MOTION

To approve the increase of the City Manager's pay to \$92,809 effective May 1, 2014

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Commissioner Gaylord inquired about a water drainage situation.

Good of the Order

2014-05-071

Moved by Grunch
Second by Gaylord

**Closed Session
MOTION**

To approve the request of the City Manager to go into closed session to consider strategy connected with the negotiation of a collective bargaining agreement as provided in MCL 15.268 (c) of the Michigan Open Meetings Act (PA 267 of 1976) at 11:47 p.m.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

2014-05-072

Moved by Grunch
Second by Neidhamer

**Return to Open
Session
MOTION**

To return to open session at 12:30 a.m. on Tuesday, May 14, 2014

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Moved by Mayor Grunch, seconded by Mayor Pro-Tem Towne to adjourn the regular City Commission meeting of Tuesday, May 13, 2014 at 12:30 a.m. on May 14, 2014

**ADJOURNMENT
MOTION**

Ron Grunch
Mayor

Cindy Grice
Clerk / Treasurer

DRAFT

**MAY 27, 2014
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 MAY 27, 2014

CALL TO ORDER

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

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

Staff: Michael Cain, Cindy Grice, Scott McPherson, Jeff Gaither, Barb Brooks, Dennis Amesbury, Annie Doyle, Andy Kovolski and Hugh Conklin

Others: There were 8 citizens in attendance including representatives from the Petoskey News Review and Charlevoix County News

**CONSENT AGENDA
MOTION**

2014-05 073
Moved by Gaylord
Second by Towne

2014-05 073A
To approve of the recommendation from the Planning Commission to reappoint Jim Kozlowski to the Planning Commission for a three year term expiring May 31, 2017

2014-05 073B
To approve of the recommendation from the Planning Commission to reappoint Jane MacKenzie to the Planning Commission for a three year term expiring May 31, 2017

2014-05 073C
To approve of the recommendation from the Planning Commission to reappoint Jason Biskner to the Planning Commission for a three year term expiring May 31, 2017

2014-05 073D
To approve of the Planning and Zoning Service contracts for Evangeline Township in the amount of \$26,088.15 and Wilson Township in the amount of \$37,669.74 and authorize the City Manager to execute the documents

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Commissioners Gaylord and Sansom discussed corrections to the May 13, 2014 draft minutes which were pulled from this agenda. The draft minutes will be presented at the next meeting.

CITIZENS COMMENTS

Ron Crozier said it was a good Memorial Day. He thanked the Police Chief for their assistance and also thanked the marina staff for their mowing of the Veteran's Memorial. It is Boyne City's memorial and we need to keep it clean, in order, and remember those who gave their lives. There have been more dog droppings in the memorial.

Bob Foit said he read the paper and was shocked to see that fluoride has been taken out of the water. He is concerned about what it says

about our community. Every major health organization is essentially for fluoride in the water. It is appalling for a community, and the face it's going to put out for us, is not the as progressive community he thinks we would like to be seen. He is expressing his dismay and hoping there's a way to overcome it. There's always some type of opposing view. Are we going to ask our physicians to not inoculate for polio because of outlying position that has some other views.. He added he doesn't think this is the place to remake science. He added he believes it does make us look bad.

Howard Newkirk said the fluoride removal is a regrettable decision. His understanding that fluoride was put into use by public referendum. Can we get a legal opinion whether or not we can overcome the vote? He asked what it is that the public has to do to overturn this terrible decision? Is that something for the City Manager to do? Mayor Grunch said the Commission would have to act on that as a whole.

Arch Wright said he has been told the charter said nothing about the action the City took. He said he has spoken to three attorneys. All 3 were of the mind that the removal of the fluoride is an illegal action on the part of the Commission. He spoke with the Mayor of another community who is an attorney who felt the action taken was not legal. He added the failure to get an opinion from the City Attorney is derelict to the City. Its not going to cost that much and certainly it's going to cost less than litigation.

Dr. Tom Verysen said since the City Commission has acted on this, he's been contacted by the American Dental Association and the Michigan Dental Association all wondering what's going on. He added he can tell us the disease they will start to see in the next 3 – 5 years will be amazing. This is absolutely wrong. The cost to society in addition to the pain and suffering to children and families is just horrendous. I wish you would think again.

Mayor Grunch said we have been questioned as a Commission regarding the legality of what took place, whether they have the right to overturn the public referendum. He asked for a motion to direct the City Manager for clarity and to consult our legal firm Plunkett & Cooney. Commissioner Neidhamer said he agrees and thinks we need to address the legality of the issue. We need to consult our legal firm. Commissioner Gaylord asked do you have any information other than what was provided via email. Mayor Pro-Tem Towne said he is not changing his mind about what he said about choice, but it would be ok to see if this is legal and to check with the attorney.

2014-05 074

Moved by Grunch
Second by Gaylord

MOTION

To direct the City Manager to consult with our legal firm to look into the legality issue of whether the City Commission can override a vote of the people and provide clarity

Ayes: 5

Nays: 0

Absent: 0

Motion carried

CORRESPONDENCE

Correspondence from the State of Michigan Department of Community Health regarding fluoride and the May 13, 2014 Resolution Recognizing the 200th Anniversary of the National Anthem of the United States of America were received and filed.

CITY MANAGERS REPORT

City Manager Cain reported:

- Boyne City was well represented at last week's national Main Street meeting in Detroit.
- The new and extended shoppers dock is ready for use.
- Three of our fixed docks at the marina have been removed and are being replaced with new adjustable height docks.
- The last of the marina dredging spoils have been removed from the parking area west of the Little League field and the area is again open to the public
- Work on the Pleasant and Division Street improvement project continues to make progress. Work on the new storm sewer lead o Division Street to drain the wet area east of the Parkview Apartments is scheduled to begin Wednesday.
- Much of the pavement marking around town has been completed with mainly the parking space lines yet to be done.
- Our three weeks of spring household rubbish collection begins this week.

**RECOGNIZE ORAL
SUTLIFF FOR 52 YEARS
OF SERVICE TO THE
BOYNE CITY FIRE
DEPARTMENT**

Mayor Grunch and the City Commissioners presented a certificate of appreciation to Oral Sutliff for his 52 years of dedication to safety of the Citizens of Boyne City and the Boyne City Fire Department. Oral and his wife Eleanor Sutliff shared stories with the Commissioners and audience.

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

None

Noise Ordinance Report

Discussion and possible consideration to direct staff to develop a noise ordinance for the City of Boyne City.

Planning Director Scott McPherson discussed the noise ordinance. For many years the City has had a noise ordinance in effect. In 2009, in response to complaints stemming from music being played at what was then 220 Lake Street, a citation was issued to their operator for violation of the noise ordinance. A hearing on the matter was held in the Charlevoix County District Court in September of 2009. In the Court's opinion, the noise ordinance was unconstitutionally vague due to the subjective nature of violations and the Court dismissed the City's claims against the operator. Given this opinion, the Boyne City Police Department has not issued any subsequent citations for violation of Section 31.141 Noise, Article V, Offenses Involving Public Peace and Order. The Boyne City Police Department does receive noise complaints on a regular basis. A compilation of those complaints were presented.

Since the district court decision, the City Commission has received requests from the public for the City to adopt a new noise ordinance. Given the statistics provided by the police department, it appears there is a need for some type of noise ordinance that can be applied to these types of complaints. City Staff has researched and reviewed a variety of noise ordinances and types can be classified into two general categories: ordinances that establish specific decibel limits for various districts, and ordinance that identify the violations by types of activities and rely on

Officer's discretion to determine a violation. The typical type of ordinance found in northern Michigan communities relies on the discretion of the office. It stipulates that it is a violation to make continued excessive or unusually loud noise that annoys, disturbs or injures others and lists various types of activities and noises that would be in violation. Staff recommends the City Commission direct staff to develop a draft ordinance based on the City of Mason model, which does not use decibel limits.

Staff Comments: Chief Gaither concurs with the recommendation.

Citizens Comments: None

Board Discussion: Commissioner Sansom inquired of the complaints filed, how many were repeat offenders. Does this direction cover annoying noises other than decibel levels, and is subject to interpretation. Commissioner Gaylord said he is not sure why it's before them at this point. Only two issues have been brought before the board since he's been on the Commission. The vast majority comes from music from the Central Business District. Are we going to create an ordinance and let the judge figure it out? It's foolish thinking, let's go back to the facts. How many were fireworks related complaints. He needs that data. The ordinance presented seems ridiculous. Commissioner Gaylord added that he predicts if this model was adopted that bars and restaurants that have entertainment as part of their livelihood would ask for waivers. If we reject that, we are affecting the monetary business. Are we going to shut Stroll the Streets down? Is that what we want? I don't think so. He added it appears this is a feel good response to one individual who has been approaching the Commission. The decibel one eliminates all subjectivity. The evidence speaks for itself. He is absolutely against the subjective thing. Is a judge going to uphold this?

Mayor Pro-Tem Towne said he agrees with fellow commissioners. He is okay with developing an ordinance and have it come back. Commissioner Neidhamer said Commissioners Sansom and Gaylord brought up good points. Any ordinance will take care of 90% of the complaints. That would be common sense. He thinks every police action has subjectivity to it.

Police Chief Gaither said he would not be happy with adopting the Mason Ordinance, but could add or subtract to work for Boyne City. The Police Department is responsible for keeping peace in the community.

Commissioner Neidhamer said he does agree that two big issues are the ones we lost in court, but we need a tool that will help in 90% of the situations.

Mayor Grunch said do we not have a disturbance of the peace ordinance that could be amended rather than create a new ordinance?

City Manager Cain said the City Attorney was involved in this. As options show, we gave staff recommendations. We want to let the Commissioners know, based on what we've heard in the community.

Commissioner Neidhamer said the Police Chief is asking for a tool. The lawyer is asking for a tool. He would like to proceed and it be brought back to them. Mayor Pro-Tem Towne agrees.

Commissioner Gaylord said he is requesting we tread extremely lightly in moving forward.

2014-05 075
 Moved by Neidhamer
 Second by Towne

MOTION

To direct staff to work on a draft noise ordinance for the City based on the City of Mason model, not the decibel mode.

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

Consideration to approve a contract for beach testing at Peninsula Beach only with the Health Department of Northwest Michigan for 2014 and authorize the City Manager to sign the required documents.

**Beach Water Quality
 Monitoring Program**

Public Works Superintendent Andy Kovolski discussed the proposal received from the Health Department of Northwest Michigan to provide seasonal testing of the water at beaches at the cost of \$1,000 per beach. It is being recommended that we test the water at Peninsula Beach, the city's only official beach.

Staff Comments: None

Citizens Comments: None

Board Discussion: Commissioner Gaylord said it is a worthwhile matter. We need to improve the actual sand area. Clearly people need to know the water is safe. Perhaps the Lake Charlevoix Association could kick in funds. All other Commissioners support the recommendation

2014-05 076
 Moved by Neidhamer
 Second by Towne

MOTION

To approve a contract for beach testing at Peninsula Beach only with the Health Department of Northwest Michigan for 2014 and authorize the City Manager to sign the required documents.

Ayes: 5
 Nays: 0
 Absent: 0
 Motion carried

Discussion and direction for the disposition of City properties, identifying any parcels that should be disposed of and direct staff to proceed with completing the transactions for the sale of any identified properties.

**Sale of Excess City
 Property**

Planning Director Scott McPherson discussed the request we received from the property owner of 427 Lewis in regards to purchasing the City owned lot adjacent to her. The parcel is located near the corner of Lincoln and Lewis Street and located in the traditional residential zoning district and is approximately 8,600 square feet with 130 feet of frontage on Lewis Street. It is irregularly shaped but meets ordinance criteria for lot area and frontage. Water service is available but sanitary sewer is not. It does not have a current assessed value as it is owned by the City. Scott also provided the City with a map showing other city owned lots that staff has reviewed and determined they are suitable for future development. It is recommended that the City Commission identify any parcels that should be disposed of and direct staff to proceed with completing the transactions for the sale of any identified parcels.

Staff Comments: None

Citizens Comments: None

Board Discussion: Mayor Pro-Tem Towne said he is okay with selling lot 7 and ok with putting others on the market and back on the tax rolls. Commissioner Neidhamer said some lots may not be worth much. Commissioner Sansom inquired how we acquired that in the first place. Commissioner Gaylord is in favor of putting the Lewis Avenue lot for bid. Mayor Grunch agrees.

2014-05 077

Moved by Gaylord

Second by Sansom

MOTION

To direct staff to obtain fair market value pricing and put the parcel located on Lewis, near the corner of Lincoln out for bid.

Ayes: 5

Nays: 0

Absent: 0

Motion carried

Consideration to proclaim June 2 – 5, 2014 Smart Commute Week in the City of Boyne City

**Smart Commute Week
Proclamation**

Assistant Planner Annie Doyle discussed the Smart Commute Charlevoix County Week. This is a weeklong event designed to increase awareness of and demonstrate the ability to use alternative methods of commuting that provide health, economic and environmental benefits. It is organized by a volunteer steering committee and is partners with the Top of Michigan Trails Council to bring this event to Charlevoix County. It's a friendly competition to encourage co-workers and friends to bike, walk, car-pool or use public transit to get to work. Participants track their preferred method and a trophy will be presented to the team with the highest percentage of employees commuting within their division.

Staff Comments: None

Citizens Comments: Jim Baumann, is on the Smart Commute

committee said he would appreciate the support of the proclamation.

Board Discussion: Commissioners Sansom and Neidhamer are in full support. Commissioner Gaylord said it seems like a good idea, who could be against smart commuting. He recommended that the City and Main Street could pick up the tab for those who choose to use the County Transit during that time for City residents. Jim Baumann said the Transit has already thought of it. Maybe the City could donate \$100 to be a sponsor of the program. Mayor Pro-Tem Towne said it would be great to offer free transit rides on the County Transit.

2014-05 078

Moved by Neidhamer
Second by Towne

MOTION

To proclaim June 2 – 5, 2014 Smart Commute Week in the City of Boyne City

Ayes: 5
Nays: 0
Absent: 0
Motion carried

2014-05 079

Moved by Gaylord
Second by Neidhamer

MOTION

To provide a sponsorship on behalf of the citizens of Boyne City for an up-to cap of \$200 to the Charlevoix County Transit usage for the Citizens of Boyne City for the Smart Commute Week of June 2 – 5, 2014 for all forms of alternative transportation

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Mayor Pro-Tem Towne asked if a dead end sign could be installed on Second Street. He also inquired if donations to Stroll the Streets are down since food trucks have been discussed. Hugh Conklin said they will be pretty equal to what they were last year.

Good of the Order

Commissioner Gaylord inquired about the drainage issue on Jefferson Street. He also inquired about language on e-mail content from the City Manager to the Commissioners and what it meant.

Moved by Mayor Grunch, seconded by Commissioner Gaylord to adjourn the regular City Commission meeting of Tuesday, May 27, 2014 at 2:28 p.m.

ADJOURNMENT
MOTION

Ron Grunch
Mayor

Cindy Grice
Clerk / Treasurer

**MAY 27, 2014
SPECIAL MEETING**

RECORD OF THE PROCEEDINGS OF THE CITY FACILITIES
PRESENTATION TO THE BOYNE CITY COMMISSION MEETING DULY
CALLED AND HELD AT BOYNE CITY HALL, 319 NORTH LAKE
STREET, ON TUESDAY MAY 27, 2014

CALL TO ORDER

Mayor Ron Grunch called the meeting to order at 6:15 pm followed by the Pledge of Allegiance.

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

Staff: Michael Cain, Cindy Grice, Scott McPherson, Jeff Gaither, Barb Brooks, Dennis Amesbury, Annie Doyle, Andy Kovolski and Hugh Conklin

Others: There were 43 citizens in attendance including representatives from the Petoskey News Review, Boyne Gazette and Charlevoix County News

Ray Kendra of Environment Architects presented the existing facilities along with a description of the current conditions of each building.

Four plans were presented for improvement and new facilities. All included moving the DPW facilities to the North Boyne Site and moving the Emergency Services to the City Hall Complex at 319 N Lake Street. Estimated costs were also presented. Plan D is the plan with all new construction which would be the most energy efficient.

These plans will be available for view at City Hall and on the City's website.

Moved by Mayor Grunch, seconded by Commissioner Gaylord to adjourn the regular City Commission meeting of Tuesday, May 27, 2014 at 7:10 p.m.

Ron Grunch
Mayor

Cindy Grice
Clerk / Treasurer

DRAFT

MEMORANDUM**TO: MICHAEL CAIN; CITY MANAGER** *Mc***FROM: ANDREW KOVOLSKI; PUBLIC WORKS SUPERINTENDENT** *AK***DATE: 6/6/14****RE: DISC GOLF BASKET PURCHASE**

As you may recall during budget review with the City Commission we discussed the purchase of 10 new Discraft Baskets for the Disc Golf Course at Avalanche Park. These baskets will replace the ones on the original nine holes of the course and also allow for the installation of a "practice green" much like you would find on a regular golf course. The original baskets purchased are showing their age and are rusting out and falling apart. They were not galvanized steel. The new would match the 9 that are on the expanded section of the course put into service in 2004. The Discraft Baskets purchased then are still in excellent condition.

Attached to this Memorandum you will find a quotation from Disc Craft of Wixom, MI for the purchase of the new Baskets in the amount of \$3,077.18.

RECCOMENDATION:

It is my recommendation that the City Commission approve the purchase of 10 new Discraft Baskets from Discraft for the amount of \$3,077.18 and authorize the City Manager to sign the required documents. Funds for this work are available in this year's Parks and Recreation Department budget.

OPTIONS:

1. That the matter be postponed for additional information or consideration.
2. That the matter be approved subject to some revisions
3. Any other option as determined by the City Commission



Quote

Quote Date Quote #
5/19/2014 210453

29592 Beck Road, Wixom MI 48393 USA Voice: 248-624-2250 Fax: 248-624-2310 www.discraft.com discraft@discraft.com

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Approved: _____

Meeting of May 1, 2014 MINUTES OF THE BOYNE CITY MAIN STREET BOARD REGULAR MEETING HELD ON THURSDAY May 1, 2014 AT 8:30 A.M. CITY HALL, 319 NORTH LAKE STREET

Call to Order Chair Swartz called the meeting to order at 8:31 a.m.

Roll Call Present: Jodie Adams, Robin Berry Williams, Michael Cain, Michelle Cortright, Larry Lenhart, Rob Swartz, and Ben Van Dam

Meeting Attendance Absent: Pat O'Brien and Jim Jensen
 City Staff: Main Street Manager Hugh Conklin, Assistant Planning, Zoning Administrator Annie Doyle, and Recording Secretary Karen Seeley

Public: Five

Excused Absences MOTION Cain moved Cortright second **PASSED UNANIMOUSLY** to excuse Jim Jensen and Pat O'Brien.

Approval of Minutes MOTION Cain moved Van Dam second **PASSED UNANIMOUSLY** to approve the April 10, 2014 regular meeting minutes and the April 15, 2014 meeting as presented.

Citizens Comments None

Main Street Committee Reports

- The board reviewed the committee reports included in the agenda packet and Main Street Manager Conklin added:
- Two of the bike racks were in the Chambers for the board to view. The fork does not fit adult bikes and they have been in contact with the company to rectify the problem. Ben Van Dam offered for his shop to make it higher.
- The Design committee has received two Façade grant applications; Bill Noblet and Chris Franz have both submitted their paperwork.
- The SoBo arts festival has received the grant from the Charlevoix County Community Foundation for \$1900 to hire the Bay Area Big Band.

Managers Report

- Buff up Boyne Saturday, May 3 9am –noon
- Our request for Drogheda Ireland as our sister city will be considered after their elections in May.
- We had a meeting with most of the folks attending the National Main Street Conference and the plans are coming together.
- Main Street Manager Conkin announced his retirement effective August 1st.
- Will be on vacation for the June 5th meeting

Unfinished Business
 Boyne Volunteer Network-update
 Lori Meeder updated the board on the progress of the Volunteer Network. This is a joint effort between the Chamber, Library, the schools and the City. The committee is working on event descriptions/job descriptions. She presented each board member with a business card for "Boyne Volunteer Network" www.boynevolunteers.org for them to check out the form that the volunteers are asked to fill out and submit.

Food Truck Ordinance

Assistant Planner Annie Doyle reported:
At their April 22nd Commission meeting, the commission made a recommendation allowing staff to move forward with preparing a draft ordinance. The board received a draft copy (received and filed) of the proposed definitions and proposed parameters the staff has been working on. They are working on where the allowable locations will be (private property zoned for restaurants) and two public properties. There will be two food vendors allowed on each public property. There will be a 50 foot “buffer” in place around existing restaurants. They are still working on a “fair fee”. The revised ordinance language will be presented to the City Commission on May 13th at 7:00 p.m. **Adams moved, Cortright seconded PASSED UNANIMOUSLY** that the Main Street board supports the concept with any necessary provision that the City deems necessary.

New Business

Walkabout Sculpture Show-presentation

MOTION

Martha Sulrick spoke with the board about a Walkabout-Sculpture show. This would be a yearly event; with an on going public art event. She gave them a copy of the business plan (received and filed); which includes their Mission Statement, and goals and objective. The only thing that may be need to be purchased would be two bases for placement. After board discussion, **Cortright moved Cain seconded PASSED UNANIMOUSLY** that the Design Committee proceed with the concept and has the support of the Main Street Board.

Request for horse drawn wagon rides during Stroll the Streets

MOTION

Boyne Valley Equine Tours and Services is requesting permission to offer horse-drawn wagon rides during Stroll the Streets this summer. This the second year the company has made the request. The Boyne business is owned by Becky Kuebler and Don Crowell and in addition to Stroll the Streets last summer, it has provided wagon rides at the Boyne City Holiday Open House, Winter Fest and Winter Farmers Market. The business is being sponsored this summer by Re/Max and they are requesting the two parking places in front of the new Re/Max office on South Lake Street be the staging area. Board discussion if two spaces would be enough room? Maybe three?
Adams moved Cortright seconded PASSED UNANIMOUSLY the Main Street Board approve the 2014 agreement with Boyne Valley Equine Tours and Services to provide rides during Stroll the Streets and other special events.

Mission and Vision Statements-update

Main Street Conklin reported: In our year-end evaluations by the Michigan Main Street Program, it is strongly recommended we regularly update our program’s vision and mission statements. A draft of the vision statement and mission statement for your review is in your packet. The vision statement reflects minor changes I recommend, while the mission statement reflects changes the Organization Committee discussed and agreed upon during our 2014 planning session. The organization committee encourages board members to review the vision and mission statements and comment on any changes. The updated statements should be approved no later than the June board meeting. If the board desires, they can also be approved at Thursday’s meeting.

Graphic Design Services

Kecia Freed Design has provided graphic design services for the Main Street Program for the past nine years. The relationship with Kecia has been very productive and her work has been an important ingredient to the program’s success. The work Kecia does for the program includes event posters, banner

designs, advertising, downtown map directory, and other brochures.

The request is that her contract be renewed at the same fee as the current year.

MOTION

Adams moved, Cortright seconded PASSED UNANIMOUSLY that the Main Street Board approves the graphic design services contract for the fiscal year 2014-15 with *Kecia Freed Design* for \$3,600.

T-Shirt Design

The Design committee has created couple designs for T-shirts for those going to the National Main Street Conference. Board discussion/suggestion of adding our QR Code somewhere.

**Good of the Order
MOTION**

The final phase of irrigation is being installed in Sunset park between the Boyne River and State Street

The work on Division and Pleasant will begin May 5th and will be done by July 4th

The East and Ray Street project is moving forward and is set to start in August

Cain moved Adams seconded PASSED UNANIMOUSLY to reschedule the June 5th meeting to June 12.

With the retirement of the Main Street Manager a Executive search committee, headed by Chair Rob Swartz will begin the search for a replacement.

**ADJOURNMENT
MOTION**

Cain moved Williams seconded PASSED UNANIMOUSLY to adjourn the May 1, 2014 meeting of the Boyne City Main Street Board at 10:12 am.

Karen Seeley, Recording Secretary

Draft



Approved: _____

**MEETING OF
MAY 1, 2014**

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, MAY 1, 2014.**

CALL TO ORDER

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

ROLL CALL

Present: Mike Sheean, Bill Kuhn , Gail VanHorn, Darryl Parish and Marie Sheets

Absent: Jo Bowman, Jerry Swift and Heath Meeder (Swift & Meeder arrived at 6:12)

**MEETING
ATTENDANCE**

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

Public Present: Two

**APPROVAL OF
MINUTES ****MOTION****

VanHorn moved, Parish seconded, PASSED UNANIMOUSLY, a motion approving the April 3, 2014 meeting minutes as presented.

CITIZENS COMMENTS

None

DIRECTOR'S REPORT

Kovolski reported that the irrigation has been installed in the southern portion of Veterans Park (between State St. and the river) and the bathrooms at Veterans and Rotary Parks have been opened for the season. Recording secretary Brooks indicated that she had received some inquiries regarding when the new signage was going to be installed at Avalanche. Kovolski will follow up with the Wood Shop.

CORRESPONDENCE

None

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

Park Inspection Reports - None. Sheets will coordinate with board members to do a spring Park inspection of all parks and road ends.

Disc Golf

Forrest Omland from the Boyne Valley Club reported that the snow is pretty much gone and they are able to play a full 18. They have been picking up trash and will be swapping out the bags and coordinating

with Keith for trash pick-up. They intend to have an organized clean-up day on May 3rd which will include raking some of the areas around the baskets and tees. Leagues will also be starting up soon. He also inquired about having a key that they could check out at City Hall for occasional use of the warming house for meetings and events. They have another tournament scheduled for fall as last year was pretty successful. Lastly, he wanted to know when and if the new baskets were going to be ordered. Kovolski indicated that they were in the budget and would be ordered.

Trail(s) Updates

Chair Sheean reported:

BC/Charlevoix Trail - Still scheduled for this summer. This is a County project and you can reach out to our district representative with questions, concerns or suggestions.

Boyne Valley Trail - Has a new website and brochures about the project that was handed out at the Boyne Business Expo.

Trail Town - Nothing new to report, waiting to hear back from the consultant.

UNFINISHED BUSINESS

Mountain Bike Trail at Avalanche

Still waiting for all of the snow to melt. Sheean will coordinate a meeting around the 2nd week of May with interested parties and City staff to assess the washouts, erosion locations, trees, branches, etc. and will report back at the June meeting.

Tree Removals at Avalanche

Kovolski reported that this was going out to bid next week.

NEW BUSINESS

Dog Park

Dog Park Committee Chair Michele Carter introduced a proposed name for the park and recommended rules. Through an informal facebook survey they asked people to suggest names for the park. The committee reviewed all of the suggestions and all agreed on "Ridge Run" Dog Park. The proposed rules were distributed to the board for review and suggestions.

Board Discussion: The only addition the board suggested was to possibly determine a size/weight of what constitutes a large dog versus a small dog and that it should be posted. The general consensus was they thought the name was fitting.

****MOTION**

Meeder moved, Swift seconded, PASSED UNANIMOUSLY to recommend that the City Commission consider approval of the Dog Park rules as presented with possibly adding language to distinguish small vs. large dog.

****MOTION**

Sheets moved, Parish seconded, PASSED UNANIMOUSLY to recommend the City Commission considers naming the dog park "Ridge Run" Dog Park.

GOOD OF THE ORDER

Kuhn reported Archery Targets will be going up this week
Parish inquired about a skate park in Boyne City; Chair Sheean gave some background on previous skate park discussions/proposals for the benefit of all of the new board members.
Discussion about looking into additional/improved kayak launches.

NEXT MEETING

The next regular meeting of the Parks and Recreation Board is scheduled for Thursday, June 5, 2014 at 6 pm at Veterans Park.

ADJOURNMENT

The May 1, 2014 meeting of the Parks and Recreation board was adjourned at 6:47 p.m.

Barb Brooks, Recording Secretary

Draft

Boyne City Historic District Commission
Work Session
May 05, 2014 minutes

Call to Order Chair Bandy called the meeting to order at 2:05 pm

Roll Call

Present: Chris Bandy, Marie Sheets, Chris Glassford, Kelly Martin.

Absent: Jeff Wellman

Staff: City Manager Michael Cain, Michele Hewitt, Scott Mcpherson.

Guests: Michigan Historic Preservation Network Field representative Amanda Reintjes, Sharon Ferraro- Trainer.

Training Reintjes handed out training manuals to everyone in attendance. Ferraro did a review of the Michigan Open Meeting Acts rules. Ferraro did a review of the Secretary of the Interior's Standards for Rehabilitation, board discussion and a brief question and answer period followed.

Sheets arrives 2:21pm

Adjournment Sheets motioned to end the meeting at 4:30pm, Martin second, all ayes.

Approved: _____

Meeting Of
May 6, 2014

Record of the proceedings of the regular Boyne City Zoning Board of Appeals meeting held at Boyne City Hall, 319 N. Lake Street, on Tuesday, May 6, 2014 at 5:00 p.m.

Call To Order

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

Roll Call

Present: Bob Carlile, Pat Kubesh, John McClorey, Lynn Murray and Roger Reynolds
Absent: None

Meeting Attendance

City Officials/Staff: Recording Secretary Pat Haver
Public Present: None

Approval of the Minutes
MOTION

ZBA 2014-05-06-2
Murray moved, Reynolds seconded, PASSED UNANIMOUSLY, a motion to approve the November 5, 2013 minutes as presented.

Hearing Citizens Present

None

Correspondence(s)

None

New Business

Motion by McClorey, seconded by Murray to leave the slate of officers as they currently are, with Pat Kubesh as Chair and Bob Carlile as Vice Chair of the Zoning Board of Appeals.

Election of Officers

MOTION

ZBA 2014-05-06-5A
Roll Call
Ayes: Carlile, Kubesh, McClorey, Murray and Reynolds
Nays: None
Absent: None
Motion carries

Old Business
Reports of Officers, Boards
and Standing Committees
Good of the Order
Announcements

None

Next Meeting

The next meeting of the Boyne City Zoning Board of Appeals is scheduled for June 3, 2014 at 5:00 p.m.

Adjournment
MOTION

ZBA 2014-05-06-10
McClorey moved, Murray seconded, PASSED UNANIMOUSLY a motion to adjourn the Tuesday, May 6, 2014 Boyne City Zoning Board of Appeals meeting at 5:03 p.m.

Patrick Kubesh, Chair

Pat Haver, Recording Secretary



Approved _____

Request for meeting change

At this time it was requested that the board open the LDFA meeting first, so the school kids representing the Robics Team could return to school.

**MEETING OF
MAY 12, 2014**

MINUTES OF THE BOYNE CITY ECONOMIC DEVELOPMENT CORPORATION MEETING DULY CALLED AND HELD ON MONDAY, MAY 12, 2014.

CALL TO ORDER

Chair Gillette called the meeting to order at 12:47 p.m.

ROLL CALL

Present: Kelly Bellant, Michael Cain, Michelle Cortright, Pete Friedrich, Ralph Gillett

Absent: Pat Anzell, Marilea Grom and Josette Lory

Staff: Planning/Zoning Administrator Scott McPherson and Recording Secretary Karen Seeley

Public: Five

EXCUSED ABSENCE

Cain moved Bellant seconded PASSED UNANIMOUSLY to excuse Pat Anzell, Marilea Grom and Josette Lory

**MINUTE APPROVAL
MOTION**

Cain moved Friedrich seconded PASSED UNANIMOUSLY to approve the minutes of March 14, 2014 as presented.

**HEARING CITIZENS
COMMENTS**

None

CORRESPONDENCE

None

**UNFINISHED
BUSINESS**

There has been some interest in the Federal Screw Works building.

**Park Business update
NEW BUSINESS**

IFEC Jervis B Webb

Jervis B Webb IFEC request: Jim Izzard from Jervis B Webb and Sarah Christensen from NLEA were present to answer any questions the board may have. Mr. Izzard stated that this is to purchase a \$500,000 piece of equipment. They will retain the 37 employees they have. After review of the application, the board scored the criteria section, with a total of 90 points, for a twelve year abatement. Cain explained that this property falls in the Industrial Development District, **Friedrich moved Cortright second, PASSED UNANIMOUSLY** to approve a recommendation to the City Commission that a 12 year IFEC be

MOTION

approved for Jervis B. Webb.

Proposed Kennel in Air Industrial Park

Barbara Green has inquired about the possibility of developing a dog kennel in the Air Industrial Park. She is specifically looking at the property owned by Christopher Furness, 1441 Lexamar Drive. Plans for the project are only conceptual at this point. In addition to housing dogs inside, outdoor cages and exercise areas would be developed. She presented the board with a proposal for complete canine care (received and filed). Board questioned Planning/Zoning Administrator Scott McPherson on the noise ordinance. Staff is working on replacing the noise ordinance. The board feels they have to do their “due diligence” and think about present and future neighbors. Suggestion of site visits or contact of other kennels. McPherson informed the board that once a formal application is submitted this will come back before the EDC board.

Board Application

The item was tabled; waiting for additional applications to be submitted.

ADJOURNMENT

The May 12, 2014 Economic Development Corporation meeting was adjourned at 1:53 p.m.

Karen Seeley, Recording Secretary



Approved: _____

**MEETING OF
May 12, 2014**

**MINUTES OF THE BOYNE CITY LOCAL DEVELOPMENT FINANCE
AUTHORITY MEETING DULY CALLED AND HELD ON MONDAY, MARCH 10,
2014**

CALL TO ORDER

Chair Gillette called the meeting to order at 12:01 p.m.

ROLL CALL

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

**MEETING
ATTENDANCE**

Staff: Planning/Zoning Administrator Scott McPherson, DPW Supervisor Andy
Kovolski and Recording Secretary Karen Seeley
Public: Seven

**EXCUSED ABSENCES
MOTION**

Cortright moved, Bellant seconded PASSED UNANIMOUSLY to excuse Pat Anzell,
Richard Copeland, and Josette Lory

**APPROVAL OF
MINUTES
MOTION**

Cain moved Friedrich seconded, PASSED UNANIMOUSLY to approve the March 14, 2014
minutes as presented.

UNFINISHED BUSINESS

Cain moved Friedrich seconded PASSED UNANIMOUSLY to move 7a to the beginning
of the meeting, so the students may return to school.

**NEW BUSINESS
Boyne City Robotic
Presentation**

Katlin Skornia and Jacob Brewer gave the board an overview of the history of the robotic
team. There are 278 robotic teams in Michigan. Part of their mission statement is to foster
a variety of valuable life skills, such as innovation, self confidence, leadership, inspiration
and communication - the same skills needed to become the creative scientific and
technological leaders of the future. After board discussion **Friedrich moved Bellant
seconded PASSED UNANIMOUSLY** to support a \$1000 yearly contribution to the Boyne
City Robotic Team with an extra \$500 if they qualify for states.

MOTION

**UNFINISHED BUSINESS
Drainage study update**

Drainage study update: Larry Fox of C2AE talked with the board regarding about the three
phases of the project. The estimated cost of the whole project is 825,000 with a 10%
contingency. As the board had not received any material on the project at this time, it was
decided to at least get the project started. **Friedrich moved Cortright second PASSED
UNANIMOUSLY** to retain C2AE and approve the design phase of 44,800.

MOTION

**Resignation
MOTION**

Gillette read a letter of resignation from Richard Copeland. **Cain moved Friedrich
seconded PASSED UNANIMOUSLY** to accept the letter of resignation from Richard
Copeland with regret.

Board Member Application

The item was tabled; waiting for additional applications to be submitted.

Fab Lab update

The Fab Lab has held two functions at North Central Michigan College, with their training lab, and has been utilized at Precision Edge and the high school. It is available to any business to utilize for training. It will be rolled out to the public at an upcoming Stroll the Streets.

GOOD OF THE ORDER

None

NEXT MEETING

The next meeting of the Local Development Finance Authority is scheduled for Monday, July 7, 2014.

ADJOURNMENT

The May 12, 2014 Local Development Finance Authority meeting was adjourned at 1:09 p.m.

Pete Friedrich, LDFA Secretary

Karen Seeley, Recording Secretary

Approved: _____

**Meeting of
May 19, 2014**

Record of the proceedings of the Boyne City Planning Commission meeting held at Boyne City Hall, 319 North Lake Street, on Monday, May 19, 2014 at 5:00 pm.

Call to Order

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

Roll Call

Present: Jason Biskner, Chris Frasz, Jane MacKenzie, Lori Meeder and Tom Neidhamer
Absent: George Ellwanger, Jim Kozlowski, Aaron Place and Joe St. Dennis

**Excused Absence(s)
MOTION

2014-5-19-02
Meeder moved, Neidhamer seconded, PASSED UNANIMOUSLY, a motion to excuse the absences of Ellwanger, Kozlowski, Place and St. Dennis

Meeting Attendance

City Officials/Staff: Planning Director Scott McPherson and Recording Secretary Pat Haver
Public Present: Six

Consent Agenda

Tabled until next month.

**Comments on
Non-Agenda Items**

John McCahan wanted to applaud the board for their work at continuing to look at replacing our noise ordinance. He wanted to bring the information that he has obtained from K & S Engineers, Inc. who are consultants in acoustics, noise and vibration from downstate, back to them for review and to make copies if desired. He reviewed the previous agenda packet/minutes and found that in 2012 -2013 there was music noise complaints reported to the police department, which he indicated had not come from the Atrium Inn. He felt that the leading authority on community noise ordinances was Rutgers University, in which the Traverse City ordinance was modeled after. He encouraged the board to work diligently at getting an ordinance established, and hope they would consider his document in their preparations.

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

The Trail Town committee continues to meet; they have preliminary findings which are being reviewed for comment. Hopefully we can get a draft to look at shortly.

Unfinished Business

None

New Business

Planning Director Scott McPherson advised that every May the election of officers must be held. As there were no additional nominations from the floor:

**Election of Officers
MOTION

2014-5-19-7A (1)

Motion by Meeder, seconded by Neidhamer, PASSED UNANIMOUSLY, to elect Jane MacKenzie as Chair.

2014-5-19-7A (2)

Motion by Meeder, seconded by Biskner, PASSED UNANIMOUSLY, to elect Chris Frasz as Vice Chair.

**McDonald's Development
Plan Amendment**

2014-5-19-7B

With confirmation that all members are willing to remain **motion by Meeder, seconded by Frasz, PASSED UNANIMOUSLY**, to recommend the reappointment of Jason Biskner, Jim Kozlowski and Jane MacKenzie to the Planning Commission for an additional 3 year term expiring May 31, 2017.

Planning Director McPherson reviewed the request that was included in the agenda packet. McDonald's is before the board today for an amendment to their development plan. In addition to the earlier approved amendment for the expanded drive through lanes, they were thinking about upgrading their building in 2016, and decided instead to complete the work earlier. They are proposing a 1,032 sq foot addition to the existing building which would allow them to enclose the freezer, storage area, and manager's office on the south side, and increase the seating area on the north side. With this request, the two "waiting" parking spaces in the front will be eliminated and outdoor seating will be situated there. With this request, the exterior of the building will be painted and upgraded to match the current branding of the franchise. A new façade, a third drive through window, entrance/exit doors, interior renovations, windows, and sidewalks are being proposed. The existing free standing signs will not be touched, possibly ask them to look at the entrance/exit sign flood lights, and encourage them to change to interior lighting. New signage will be installed, however, it is not included with this proposal, they will be seeking approval for signage at a later date.

Dave Evans - WD Builders: Schedule to have the drive through completed by August/September of 2014; and the building expansion completed by the following February 2015. Just over 1,000 sq ft expansion on three sides; update to multi use restrooms, expand to 20 seats in the dining room with a net impact of 85 people. Exterior rebranding to corporate standards. Signage company will submit signs and the internal illumination of the signs, at a later date. The new parapets will be 18 ft tall, which will help to shield the roof top units. The exterior windows will be clear with energy efficient films. As stated we will have outdoor seating out front, a couple of tables (1) will be handicapped accessible, along with garbage containers.

McPherson - The plans have been submitted to the DPW, Fire and Police Departments, and no one had any concerns as proposed.

Biskner - Will there be any additional lighting? **Evans** - We do not have any plans for anything additional, however, there will be a couple of sconces over each of the doors and drive through windows which will be LED, and the yellow canopies will have a string of LED lights that shine downward. The yellow architectural design element will have LED upwards lights, not internally lit. No additional security lights at the back.

Neidhamer - Scott, does everything fit?

McPherson - Building is a little over 3,000 square feet, have more than enough parking to meet requirements, no changes to entrance and exit drives, all set backs are fine, and are in compliance with all applicable standards.

After board discussion, **motion by Meeder, seconded by Neidhamer** to approve the development plan amendment as presented.

2014-5-19-7C

Roll Call:

Aye: Biskner, Frasz, MacKenzie, Meeder, and Neidhamer

Nay: None

Absent: Ellwanger, Kozlowski, Place and St. Dennis

Motion Carries

The board would like to encourage the entrance and exit signs to change from the exterior illuminated flood lights to interior illuminated lighting. Staff willing to work with the company for this change. **Evans** – I'm sure corporate would like to switch out if they can.

417 Boyne Ave. LLC sketch plan review

The sketch plan review for 417 Boyne Ave. LLC has been tabled until next month. The board had just enough members for a meeting quorum prior to this item's discussion; however, Chair MacKenzie is directly involved with this project and would need to step down from the board, leaving a lack of quorum for discussion.

Pre-application for review of proposed kennel in the Air Industrial Park

Planning Director McPherson reviewed the request that was included in the agenda packet for the possibility of a dog kennel in the Industrial Park. Looking at the ordinance, a dog kennel is not a listed use in this district, or listed use in the deed restrictions for the park. Both the Economic Development Corporation (EDC) and the Planning Commission have some discretion in this area, EDC can allow uses that are not specifically prohibited, of which this would not be, and the PC can look at uses, not listed and approve if they are not contrary to the uses of the district. The EDC and Local Development Finance Authority (LDFA) reviewed this request this last week were generally were supportive and encouraged her to move forward.

Barbara Green - It has a lot to do with all the things Boyne City has to offer, this is one thing that is not offered. This location seems like an ideal situation for this use, they will be playing outside during the day, and will be ready to go to sleep at night, so noise should not be an issue.

Meeder – Didn't we approve the Humane Society concept in the park?

McPherson – It was agreed to donate some land to them, so this is not a new concept. The All American Pet Resorts model is to re-develop unused buildings in Industrial parks. They have a number of facilities in SE Michigan. One of the facilities abuts a residential neighborhood and they have not had any complaints on noise, they do have condition on hours of 8 – 5 for the dogs outside, and a solid fence between.

Meeder – I believe this sits at the back of the park with the current neighbor being a vacant lot, and a ridge and ravine that is open space with a trail that will never be developed. I love the thought of re-developing an unused building, and there is a huge need.

Green – We are looking at employing 10 – 15 people, between day care, grooming, kenneling, training, we could employ more.

McPherson – In the ordinance, kennels are an allowed use in the commercial district, which are the Glen's complex and the Fall Park Rd. and Boyne Avenue area. When you look at that, which is the better spot?

Biskner – Will there be long term kenneling?

Green – Will we offer short term stays of a couple of days, board and train programs that the dogs will be with us for a 6 week period, and long term stays.

Biskner – How many animals for a full house?

Green – Will need to work out the layout, hope to start with 20 kennels, and hope to add an additional 20 at a later date, in addition to daily day care.

Frasz – What is your outdoor play area vision?

Green – Lighting haven't given it a lot of thought, except for a last trip outside, they won't be outside at night. Will be coming and going from 7:00 am to 7:00 pm. Looking at 6 foot fenced in areas that animals can come and go themselves. Then there will be 3 or 4 separate fenced in play areas for different size dogs. Would be putting in a privacy fence.

McPherson – There are setbacks that will need to be adhered to, and a 10 foot utility easement that must be observed. The EDC/LDFA board has encouraged them to move forward. The next steps will be to submit a formal application, conditional use consideration, site plan approval, EDC/LDFA blessings and a public hearing.

Staff Report

- I have recently had an inquiry regarding Group Day Care. In the ordinance it specifies family day care home, group day care home, and facilities. A family daycare home is any under 6 kids, protected by state law, anyplace with residential use, must allow. Group day care is defined as between 6 and 12 kids. It is defined in our ordinance, but I can't find any spots specifically permitting them. Is this something we want to look at and categorize them? They are not that different from family day care homes, but they do have some additional requirements. Staff feels that it is worthy of discussion by the board.
- City facilities presentation/unveiling will be Tuesday, May 27th at 6:00 pm at the Senior Citizen Center.

Good of the Order

None

Adjournment

The next meeting of the Boyne City Planning Commission is scheduled for June 16, 2014 at 5:00 pm in the Auditorium.

****MOTION**

2014-5-19-10

Neidhamer moved, Meeder seconded, PASSED UNANIMOUSLY a motion to adjourn the May 19, 2014 meeting at 6:00 p.m.

Jane MacKenzie, Chair

Pat Haver, Recording Secretary



Approved: _____

**MEETING OF
May 22, 2014**

**RECORD OF THE PROCEEDINGS OF THE REGULAR MEETING OF THE
BOYNE CITY AIRPORT ADVISORY BOARD HELD MAY 22, 2014**

CALL TO ORDER

Chair Schmidt called the meeting to order at **5:30 p.m.** followed by the pledge of allegiance.

ROLL CALL

Present: Richard Bouters, Jerry Schmidt, Oral Sutliff , Leon Jarema*
Rod Cortright*

ATTENDANCE

Absent:, Jim Kozlowski* Larry Trumble* Bud Chipman* Roger Reynolds
Ed Hennessy

**Ex Officio Members*

Citizens: Ron Ludgin

Staff: Airport Manager/City Manager, Michael Cain

**EXCUSED ABSENCES
MOTION**

Sutliff moved Bouters seconded PASSED UNANIMOUSLY to excuse Ed Hennessy and Roger Reynolds.

**APPROVAL OF MINUTES
MOTION**

Sutliff moved Bouters seconded PASSED UNANIMOUSLY to approve the **April 23, 2014** minutes as written.

CORRESPONDENCE

NONE

UNFINISHED BUSINESS

A. Airport Capital Improvement Plan – Mike Borta:

Mike Borta from Qoe Consulting reviewed the current ACIP (Airport Capital Improvement Plan) with the board. (*see attached*) This plan outlines Airport Improvements over the next 10 years. Board members considered the plan and discussed revisions. **Bouters moved Sutliff seconded PASSED UNANIMOUSLY** to recommend that the City Commission approve the revised ACIP (Airport Capital Improvement Plan).

B. Interior Design – Laura Gray:

Laura Gray from *plum tree interiors* presented the board with a floor plan (*see attached*) and idea list for upgrades to the Airport Terminal. After discussion, the board asked Laura to bring back a prioritized list including pricing for consideration.

C. Animal Encounters: The board reviewed a letter from a local pilot regarding animal encounters at the Airport. Currently the City has permits for Deer removal and waiting for similar permits for Geese.

D. Hangar Inquires/ Leasing: Currently no new inquires to report.

- E. **Business After Hours** – Update: Rod Cortright reported that the Business After Hours schedule is booked for 2014 and he has put us on the list for fall of 2015.
- F. **Goals/Priorities:** Currently nothing new to report.

NEW BUSINESS

- A. **Hangar Inspections – June 2014:** Michael Cain will set a date for inspections.
- B. **Other:** No new reports.

GOOD OF THE ORDER

*Fuel price is \$5.73 per gallon as of May 7, 2014.

ANNOUNCEMENTS
NEXT MEETING
MOTION

*The next regular Airport Advisory Board meeting is scheduled for Thursday, June 26, 2014 at 5:30pm in the Airport Terminal.

ADJOURNMENT

Chair Schmidt adjourned the Airport Advisory Board meeting at **6:54pm**.

Richard L. Bouters-Secretary



MEMORANDUM

TO: Michael Cain, City Manager
City Council

FROM: James Murray
jmurray@plunkettcooney.com
(231) 348-6413

Rhonda Stowers
rstowers@plunkettcooney.com
(810) 342-7003

DATE: June 6, 2014

RE: Fluoridated water issue

FILE NO. 06056.60760

The City of Boyne City asked for a legal opinion concerning the validity of a recent motion to stop fluoridation of its water supply. For the reasons stated below, we have concluded that the City acted in a legal manner with regard to this issue and the decision of the Commission is valid.

In 1973 when the fluoridation issue was first considered by Boyne City, Michigan law required municipalities to add fluoride to the public water supply unless an ordinance was adopted to the contrary. MCL 325.192. The applicable statute, passed in 1968, provided in pertinent part as follows:

Every county, city, township or village or any combination thereof supplying water to the public, to which water fluoride is not presently added and which may be consumed by humans, **shall** add fluoride to such water, in a manner and amount to be prescribed by the department of public health, within 5 years after the effective date of this act, unless such addition of fluoride shall have been rejected by an ordinance of the local governing body or by a majority of the electors of such county, city, township or village voting thereon.

Ordinance A-47 and the implementation of the state mandate to fluoridate the city's water supply pursuant to MCL 325.192.

In 1978, a new Public Health Code was adopted and the prior Act was repealed. The new statutory provision concerning fluoridation of water supplies made the addition of fluoride optional, rather than mandatory. The statute now states, in pertinent part:

A county, city, township, village or any combination thereof which supplies water to the public **may** add fluoride to the water, in a manner and amount to be prescribed by the department, unless the addition of fluoride is rejected by an ordinance or by a majority of the electors of the county, city, township, village or any combination thereof. MCL 333.12721 (emphasis added).

As the addition of fluoride became optional in 1978, the City was no longer required to add fluoride to its water supply. Recently, it resolved to stop the practice, which was permissible under the revised Michigan law. Absent an ordinance or vote precluding fluoride use, it may add fluoride back to its water again in the same manner.

The prior vote by the electorate did not render this action impermissible.³ Although Article 2, § 9 of the Michigan Constitution of 1963 provides: "No law as to which the power of referendum properly has been invoked shall be effective thereafter unless approved by a majority of the electors voting thereon at the next general election," this Section of the Constitution concerns state, rather than local, action and is not applicable in this instance. See Settles v. Detroit City Clerk, 169 Mich. App. 797, 802 (1988); Korash v. Livonia, 388 Mich. 737, 742, n. 3 (1972); Renne v. Oxford Twp., 5 Mich. App. 415, 421 (1966) aff'd, 380 Mich. 39 (1968). As earlier stated, the decision was one permitted by the revised statute, which does not require that the decision be made in a particular fashion. There is no provision in the Charter or any ordinance that prohibits the action taken.⁴

We therefore conclude that the City of Boyne City acted legally with regard to this issue. Should the citizens decide that it is in the health, safety and welfare of the City to fluoridate the water, they could pass an Ordinance through the initiatory procedures in accordance with the Charter provisions or exercise other political means to achieve this end.

We trust that this answers your questions. Please feel free to contact us if further clarification is needed.

³ This interpretation is further strengthened by the fact that the earlier vote was to fluoridate the water "as provided for in Act 346 of Public Acts of the State of Michigan for 1968." Since Act 396 of 1968 has been repealed, and its amended version does not require fluoridation, the City's action is arguably appropriate even if the prior vote had legal effect on its recent decision.

⁴ It should be noted that the Home Rule City Act does not require a city to provide the right of initiative or referendum. These are permissible Charter provisions, only. MCL 117.4i(g).

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City of Boyne City

MEMO

Date: June 3, 2014
To: City Manager Michael Cain *Mc*
From: Karen Seeley *ks*
Subject: Jervis B Webb Tax Abatement Request

At its regular meeting held Monday, May 12, 2014, the City's Economic Development Corporation (EDC) considered a tax abatement application for Jervis B Webb. Enclosed for the City Commission's review and consideration are the application and supporting materials provided by Jervis B. Webb for that meeting. This property falls in the Industrial Development District.

Based upon their review of the criteria related to the request the EDC Board approved a motion recommending twelve (12) year abatement, the maximum abatement period allowable. Factors considered were the number of jobs proposed or retained, stability of the jobs, the amount of the investment in new or rehabilitated plant or equipment (\$499,500), type of industry, whether new utilities are required (they are not), building appearance and an overall catch-all category.

The project is to be reevaluated every two years to help insure that the project continues to meet the required criteria.

Notices for tonight's Public Hearing have been sent to the other affected taxing jurisdictions to allow them to comment on this request. As of the time this memo was prepared we have no comments from other jurisdictions.

RECOMMENDATION: The Economic Development Corporation recommends that the City Commission approve the tax abatement request of the Jervis B Webb for a period of twelve (12) years and authorizing the City Manager and City Clerk/Treasurer to sign and submit the documents necessary to execute the abatement as requested.

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form or would like to request an informational packet, call (517) 373-2408.

To be completed by Clerk of Local Government Unit	
Signature of Clerk <i>Cindy L. Bice</i>	Date received by Local Unit <i>3-11-14</i>
STC Use Only	
Application Number	Date Received by STC

APPLICANT INFORMATION

All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility) Jervis B. Webb Company		1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 3644	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 1254 Boyne Avenue, Boyne City, MI, 49712		1d. City/Township/Village (Indicate which) City of Boyne City	1e. County Charlevoix
2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Transfer (1 copy only) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(1)) <input type="checkbox"/> Research and Development (Sec. 2(9))		3a. School District where facility is located Boyne City	3b. School Code 15020
4. Amount of years requested for exemption (1-12 Years) 12 Years			

5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed.

See attached.

6a. Cost of land and building improvements (excluding cost of land).....	▶ \$0.00
* Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	Real Property Costs
6b. Cost of machinery, equipment, furniture and fixtures.....	▶ \$499,500.00
* Attach Itemized listing with month, day and year of beginning of installation, plus total	Personal Property Costs
6c. Total Project Costs.....	▶ \$499,500.00
* Round Costs to Nearest Dollar	Total of Real & Personal Costs

7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.

	<u>Begin Date (M/D/Y)</u>	<u>End Date (M/D/Y)</u>	
Real Property Improvements ▶	_____	_____	▶ <input type="checkbox"/> Owned <input type="checkbox"/> Leased
Personal Property Improvements ▶	12/13/13	1/31/14	▶ <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased

8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. Yes No

9. No. of existing jobs at this facility that will be retained as a result of this project. 37	10. No. of new jobs at this facility expected to create within 2 years of completion. 0
--	---

11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.

a. TV of Real Property (excluding land).....	_____
b. TV of Personal Property (excluding inventory).....	_____
c. Total TV.....	_____

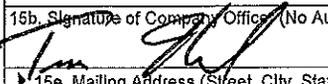
12a. Check the type of District the facility is located in:
 Industrial Development District Plant Rehabilitation District

12b. Date district was established by local government unit (contact local unit) 3/17/98	12c. Is this application for a speculative building (Sec. 3(8))? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
--	---

APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has compiled or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name Sara Christensen	13b. Telephone Number (231) 582-6482	13c. Fax Number (231) 582-3213	13d. E-mail Address sara@northernlakes.net
14a. Name of Contact Person Sara Christensen	14b. Telephone Number (231) 582-6482	14c. Fax Number (231) 582-3213	14d. E-mail Address sara@northernlakes.net
▶ 15a. Name of Company Officer (No Authorized Agents) Tim Hund			
15b. Signature of Company Officer (No Authorized Agents) 		15c. Fax Number (231) 582-6590	15d. Date 2/28/2014
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 1254 Boyne Avenue, Boyne City, MI 49712		15f. Telephone Number (231) 582-6558	15g. E-mail Address thund@daifukuamerica.com

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit <input type="checkbox"/> Abatement Approved for _____ Yrs Real (1-12), _____ Yrs Pers (1-12) After Completion <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Denied (Include Resolution Denying)	16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Original Application plus attachments, and one complete copy <input type="checkbox"/> 2. Resolution establishing district <input type="checkbox"/> 3. Resolution approving/denying application. <input type="checkbox"/> 4. Letter of Agreement (Signed by local unit and applicant) <input type="checkbox"/> 5. Affidavit of Fees (Signed by local unit and applicant) <input type="checkbox"/> 6. Building Permit for real improvements if project has already begun <input type="checkbox"/> 7. Equipment List with dates of beginning of installation <input type="checkbox"/> 8. Form 3222 (if applicable) <input type="checkbox"/> 9. Speculative building resolution and affidavits (if applicable)
16a. Documents Required to be on file with the Local Unit Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Notice to the public prior to hearing establishing a district. <input type="checkbox"/> 2. Notice to taxing authorities of opportunity for a hearing. <input type="checkbox"/> 3. List of taxing authorities notified for district and application action. <input type="checkbox"/> 4. Lease Agreement showing applicants tax liability.	
16c. LUCI Code	16d. School Code
17. Name of Local Government Body	▶ 18. Date of Resolution Approving/Denying this Application

Attached hereto is an original and one copy of the application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time.

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e. Telephone Number	19f. Fax Number	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

State Tax Commission
Michigan Department of Treasury
P.O. Box 30471
Lansing, MI 48909-7971

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

Instruction for Completing Form 1012, Industrial Facilities Tax Exemption (IFT) Application

The completed original application form 1012 and all required attachments, plus two additional copies, **MUST** be filed with the clerk of the local unit of government where the facility is or will be located. Complete applications must be received by the State Tax Commission by October 31 to ensure processing and certification for the following tax year. Applications received after the October 31 deadline will be processed as expeditiously as possible.

Please note that attachments listed on the application in number 16a are to be retained by the local unit of government, and attachments listed in number 16b are to be included with the application when forwarding to the State Tax Commission (STC).

(Before commencement of a project the local unit of government must establish a district, or the applicant must request in writing a district be established, in order to qualify for an IFT abatement. Applications and attachments must be received by the local unit of government within six months of commencement of project.)

The following information is required on separate documents attached to form 1012 by the applicant and provided to the local unit of government (city, township or village) in triplicate. (Providing an accurate school district where the facility is located is vital.)

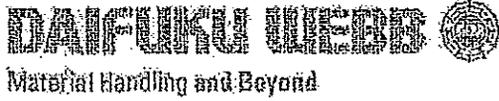
1. Legal description of the real property on which the facility is or will be located. Also provide property identification number if available.
2. Personal Property Requirements: Complete list of new machinery, equipment, furniture and fixtures which will be used in the facility. The list should include description, beginning date of installation or expected installation by month/day/year, and costs or expected costs (see sample). Detail listing of machinery and equipment must match amount shown on question 6b of the application. Personal property applications must have attached a certified statement/affidavit as proof of the beginning date of installation (see sample).
3. Real Property Requirements: Proof of date the construction started (groundbreaking). Applicant must include one of the following if the project has already begun; building permit, footings inspection report, or certified statement/affidavit from contractor indicating exact date of commencement.
4. Complete copy of lease agreement as executed, if

applicable, verifying lessee (applicant) has direct ad valorem real and/or personal property tax liability. The applicant must have real and/or personal property tax liability to qualify for an IFT abatement on leased property. If applying for a real property tax exemption on leased property, the lease must run the full length of time the abatement is granted by the local unit of government.

The following information is required of the local unit of government: [Please note that only items 2, 4, 5, 6, & 7 below are forwarded to the State Tax Commission with the application, along with items 2 & 3 from above. The original and one complete copy are required by the STC. The remaining items are to be retained at the local unit of government for future reference. **(The local unit must verify that the school district listed on all IFT applications is correct.)**]

1. A copy of the notice to the general public and the certified notice to the property owners concerning the establishment of the district.
2. Certified copy of the resolution establishing the Industrial Development District (IDD) or Plant Rehabilitation District (PRD), which includes a legal description of the district (see sample). If the district was not established prior to the commencement of construction, the local unit shall include a certified copy or date stamped copy of the written request to establish the district.
3. Copy of the notice and the certified letters to the taxing authorities regarding the hearing to approve the application.
4. Certified copy of the resolution approving the application. The resolution must include the number of years the local unit is granting the abatement and the statement "the granting of the Industrial Facilities Exemption Certificate shall not have the effect of substantially impeding the operation of (governmental unit), or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in (governmental unit – see sample).
5. Letter of Agreement (signed by the local unit of government and the applicant per P.A. 334 of 1993 (see sample).

5. Operations at the Boyne City facility of Daifuku Webb include efforts associated with the marketing, selling, estimating, engineering, manufacturing, shipping, storing and distribution of standard or custom material handling systems. The facility also fabricates parts for our heavy duty roller conveyor and automatic guided vehicle systems product lines. Manufacturing and office facilities are housed in the same building, consisting of 72,000 and 5,000 square feet respectively. An automatic wash system was recently purchased for this facility that provides cleaning of parts for our powder coating process.



JERVIS B. WEBB COMPANY
1254 Boyne Avenue
Boyer City, MI 49712 USA
Phone: (231) 582-6558 Fax: (231) 582-6590
www.daifukuwebb.com

Industrial Facilities Exemption Application

Affidavit of Project Begin Dates

I do swear and affirm by my signature below that the personal property project begin date associated with the Application for Industrial Facilities Tax Exemption under P.A. 198 of 1974, in the amount of \$499,500.00 filed with the City of Boyne City for a facility located at 1254 Boyne Avenue is as follows:

Personal property project begin dates: 12/13/13

Applicant name: Jervis B. Webb Company

Signature: _____

Jim Vizzard, Plant Manager, Boyne City

Jervis B. Webb Company

<u>ITEM</u>	<u>New or Used?</u> <u>Purchase or Lease?</u>	<u>Cost</u>	<u>Date item will be installed</u>
Powder Coat System	New - Purchase	\$ 499,500.00	January 6, 2014
	TOTAL:	\$ 499,500.00	

Jervis B. Webb Company
1254 Boyne Avenue, Boyne City, MI 49712

Legal Description:

#051-301-006-00

IFT CERTIFICATE NO: 98-566 . BEG ON N LI OF SEC 1 T32N R6W 909.3FT E OF NW
COR OF SD SEC TH S PARA WI W LI SD SEC 663FT TH W PARA WI N LI SD SEC 272.
45FT TO C/L OF CO RD TH SELY AL SD RD LITO N1/8 LI SD SEC TH E AL SD N1/8 LI
TO W1/8 LI SD SEC TH N AL SD W1/8 LI TO N LI SD SEC TH W AL SD SEC LI TO POB
BEINGPT OF NW1/4 OF NW1/4 SEC 1-32-6 EX: N 45FT THEREOF DEEDED TO MDOT
FOR M-75 L327 P286

#051-301-004-00

CITY OF BOYNE CITY SEC 1 T32N R6W W1/2 OF W 32.25A OF NE1/4 OF NW FRL1/4
SEC 1 9.2A EX: 200FT OFF E SIDE ALSO EX: N 45 FT THEREOF DEEDED TO MDOT
FOR M-75 HWY



City of Boyne City

319 N. Lake Street

Boyne City, Michigan 49712

Phone 616-582-6561

FAX 616-582-6561

Minutes of a regular weekly meeting of the City Commission of the City of Boyne City, County of Charlevoix, State of Michigan, held in the City on the 17th day of March 1998, at 12:00 o'clock noon, Eastern Standard Time.

The following resolution was offered by Commissioner Stanley, and supported by Commissioner Stackus:

**CITY OF BOYNE CITY
COUNTY OF CHARLEVOIX**

Resolution No. 3-17-98

ESTABLISH AN INDUSTRIAL DEVELOPMENT DISTRICT

WHEREAS, pursuant to Act No. 198 of the Public Acts of 1974, as amended, the Boyne City Commission has the authority to establish an Industrial Development District within Boyne City; and

WHEREAS, Control Engineering Company has petitioned the Boyne City Commission to establish an Industrial Development District on its property located in Boyne City hereinafter described; and

WHEREAS, construction, acquisition, alteration, or installation of a proposed facility has not commenced at the time of filing the request to establish this district; and

WHEREAS, written notice has been given by mail to all owners of real property located within the district, and to the public by newspaper advertisement in *The Citizen* and public posting of the hearing on the establishment of the proposed district; and

WHEREAS, on Tuesday, March 17, 1998, a public hearing was held at which all of the owners of real property within the proposed Industrial Development District and all residents and taxpayers of Boyne City were afforded an opportunity to be heard thereon; and

WHEREAS, the Boyne City Commission deems it to be in the public interest of Boyne City to establish the Industrial Development District as proposed;

THEREFORE, BE IT RESOLVED BY the Boyne City Commission that the following described parcels of land situated in Boyne City, Charlevoix County, and State of Michigan, to wit:

051-301-006-00

DEV AREA BC TIFA II BEG ON N LI OF SEC 1 T32N R6W 909.3 FT EOF NW COR OF SD SEC TH S PARA WI
W LI SD SEC 663 FT TH W PARA WI N LI SD SEC 272.45 FT TO C/L OF CO RD TH SELY AL SD RD LI TO N
1/8 LI SD SEC TH E AL SD N 1/8 LI TO W 1/8 LI SD SEC TH N AL SD W 1/8 LI TO N LI SD SEC TH W AL SD
SEC LI TO POB. BEING PART OF NW 1/4 OF NW 1/4 SEC 1-32-6 EX N 45 F1 THEREOF DEEDED TO MDOT
FOR M-75 HWY L327 P286.

#15 051-301-004-00

DEV AREA OF BC TIFA II CITY OF BOYNE CITY SEC 1 T32N R6W W1/2 OF W 31.25A OF NE1/4 OF NW
FRL1/4 SEC 1 9.2A EX 200 FT OFF E SIDE ALSO EX N 45FT THEREOF DEEDED TO MDOT FOR M-75 HWY,

be and here are established as an Industrial Development District pursuant to the provision of Act No. 198 of the
Public Acts of 1974 to be known as Boyne City Industrial Development District No. 4.

ROLL CALL

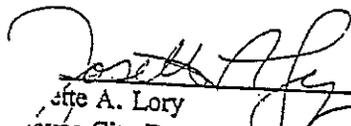
Aye: Stackus, Stanley, Behling, Ruggles.

Nay: None.

Abstain: None.

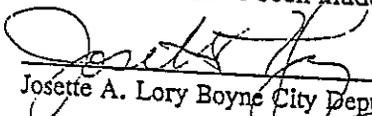
Absent: Moody.

RESOLUTION DECLARED ADOPTED.



Josette A. Lory
Boyne City Deputy Clerk

I, Josette A. Lory, Deputy City Clerk of the City of Boyne City, County of Charlevoix and State of Michigan, hereby certify that
the above is a true and complete copy of certain proceedings taken by the City of Boyne City at its regular weekly meeting held
Tuesday, March 17, 1998, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full
compliance with the Open Meetings Act 267 of the Public Acts of Michigan of 1976, and the minutes of said meeting were kept
and will be or have been made available as required by said Act.



Josette A. Lory Boyne City Deputy Clerk

Date 9/21/98

CITY OF BOYNE CITY
COUNTY OF CHARLEVOIX
Resolution 2013-06-XXX

**APPROVING APPLICATION OF JERVIS B WEBB COMPANY FOR
INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR
NEW EQUIPMENT**

WHEREAS, pursuant to P.A. 198 of 1974, M.CL 207.551 et seq., after a duly noticed public hearing held on July 23, 1985, the Boyne City Commission by resolution established Boyne City Industrial Development District No. 2, and

WHEREAS, Jervis B Webb Company has filed an application for an Industrial Facilities Exemption Certificate with respect to new machinery and equipment to be acquired and installed within the Industrial Development No. 2; and

WHEREAS, before acting on June 10, 2014, Boyne City Hall, 319 North Lake Street, Boyne City, Michigan at 7:00 pm. at which hearing the applicant, the Assessor and representatives of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and

WHEREAS, installation of new machinery and equipment had not begun earlier than six (6) months before March 11, 2014, the date of the acceptance of the application for the Industrial Facilities Exemption Certificate; and

WHEREAS, completion of the proposed equipment installation is calculated to and will at the time of issuance of the certificate have the reasonable likelihood to retain, create or prevent the loss of employment in the City of Boyne City; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Boyne City, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

NOW, THEREFORE, BE IT RESOLVED BY the City Commission of the City of Boyne City that:

1. The Boyne City Commission finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974 and Act No. 255 of the Public Acts of 1978, shall not have the effect of substantially impeding the operation of the City of Boyne City, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the City of Boyne City.
2. The application of Jervis B Webb Company for an Industrial Facilities Exemption Certificate with respect to new equipment and machinery to be acquired and installed on the following described parcel of real property situated within the Boyne City Industrial Development District No. 2, to wit:

Refer to attached legal description
Exhibit A

be and the same is hereby approved.

3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force and effect for a period of 12 years after completion.

ROLL CALL

Aye: 5
Nay: 0
Abstain: 0
Absent: 0

RESOLUTION DECLARED CARRIED

Cindy Grice, Boyne City Clerk/Treasurer

I, Cindy Grice, City Clerk/Treasurer of the City of Boyne City, County of Charlevoix and State of Michigan, hereby certify that the above is a true and complete copy of a resolution adopted by the City of Boyne City at its regular meeting held Tuesday, June 10, 2014, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act 267 of the Public Acts of Michigan of 1976, and the minutes of said meeting were kept and will be or have been made available as required by said Act.

Cindy Grice, Boyne City Clerk/Treasurer

Date



City of Boyne City

MEMO

Agenda Item 9B

Date: June 5, 2014
To: City Manager Michael Cain
From: Karen Seeley
RE: Airport Capital Improvement Plan

At their May 22, 2014 the Airport Board meeting, Mike Borta from Qoe Consulting reviewed the current ACIP (Airport Capital Improvement Plan) with the board. This plan outlines Airport Improvements over the next 10 years. Approval of the CIP will make it easier to obtain grants in the future. Board members considered the plan and discussed revisions.

Bouters moved Sutliff seconded PASSED UNANIMOUSLY to recommend that the City Commission approve the revised ACIP (Airport Capital Improvement Plan).



Boyne City, Michigan

MICHIGAN AIRPORT DEVELOPMENT PROGRAM PACKAGE

FIVE YEAR AIRPORT CAPITAL IMPROVEMENT PLAN

Fiscal Years 2014 - 2019

BOYNE CITY MUNICIPAL AIRPORT

Boyne City, Michigan

Submitted By: City of Boyne City

Date: _____

MAP Meeting Date: _____

Revision Date: _____

Prepared By:



MICHIGAN STATE BLOCK GRANT PROGRAM
TEN-YEAR AIRPORT CAPITAL IMPROVEMENT PROGRAM (CIP) FY-2014* to FY-2023

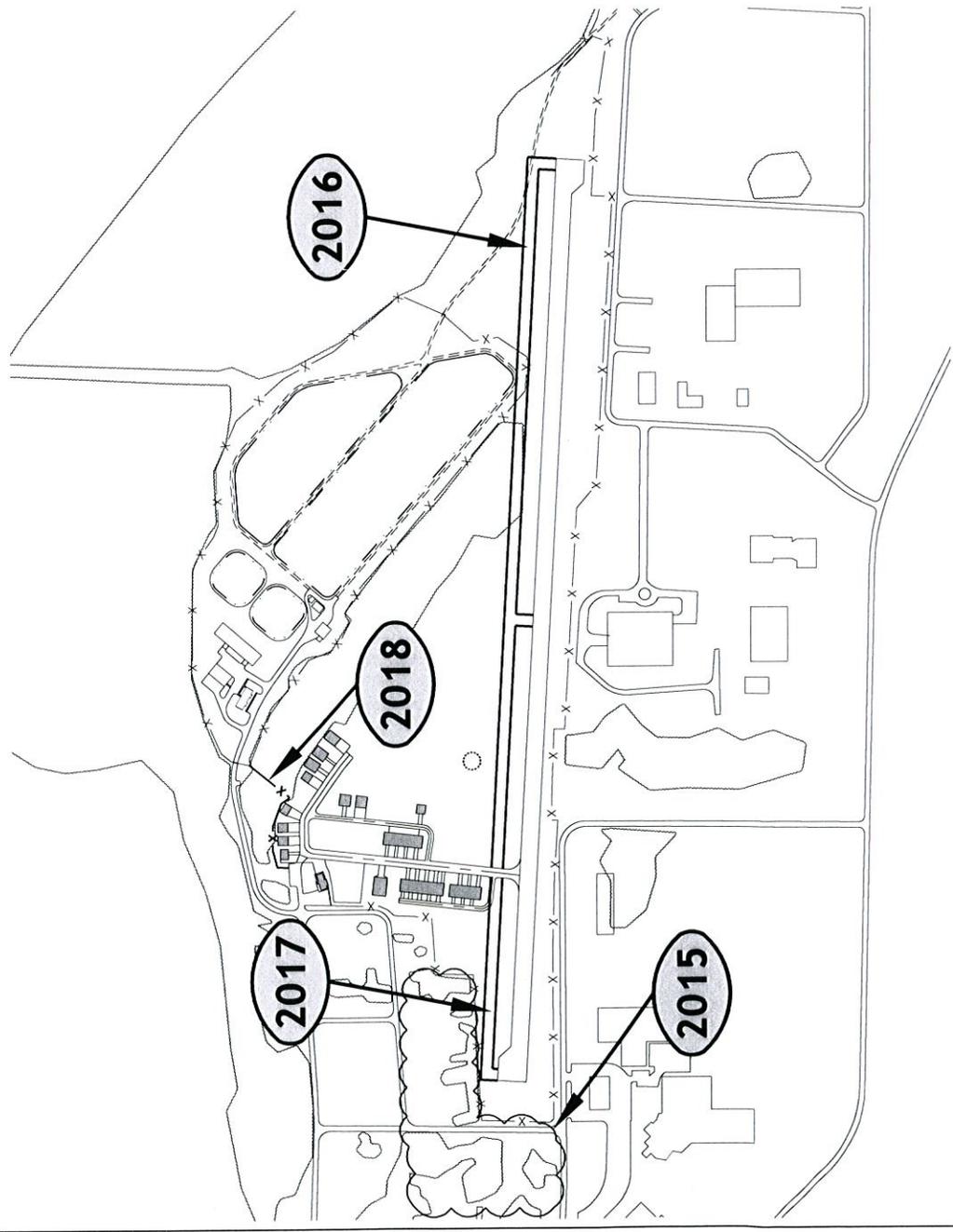
*ACIP includes current development year (2014 already programmed - minor changes acceptable)

Airport Name: Boyne City Municipal Airport	Date prepared: 07/12	Revised: 4/15/14; 5/22/14
Associated City: Boyne City	Prepared By:	QoE Consulting
Sponsor: City of Boyne City	Sponsor email address & phone: mcain@boynecity.com (231) 582-6597	
Airport Identifier: N98	FINAL ACIP due to MDOT AERO: ASAP	

Development Year	Project Description	Shown on ALP? (Yes or No)	ACIP Code**	NPIAS Priority Rating**	State	Local	Total	Remarks/Item Justification - Provide as much detail as possible.
2014	Update Airport Layout Plan (ALP)	NA	62	PL/PL/MA	72,000	8,000	80,000	The current ALP does not meet Federal standards and was done to have a 'plan on file'. An updated ALP is needed to obtain airspace review of future projects.
2015	Land acquisition in west runway approach	Yes	41	ST/LA/SZ	540,000	60,000	600,000	Property is needed to clear trees at existing residences in the west runway approach in order to reduce the Runway 9 displaced threshold. An estimated 18 residences may be involved. Approach survey during the ALP Update and Rwy. 9 threshold location decisions made during the update will determine the specific number of easements needed.
2016	Construct Parallel Taxiway - Phase I (3,440'± x 35')	Yes	56	CA/TW/CO	630,000	70,000	700,000	Phase I of the parallel taxiway (broken into two phases to reduce annual construction costs). Ph I will be taxiway from the N-S connector taxiway to the east runway end. Per 2012 MI Airport Directory Boyne City Municipal Airport has 13 based aircraft, 2,629 local ops, 6,573 itinerant ops (9,202 total ops).
2017	Construct Parallel Taxiway - Phase II (1,240'± x 35')	Yes	56	CA/TW/CO	247,500	27,500	275,000	Phase II of the parallel taxiway is to reduce back-taxiing and improve airport safety. Ph II will be taxiway from the N-S connector taxiway to the west runway end.
2018	Airport security fencing (3,000')	Yes	38	ST/EQ/SE	112,500	12,500	125,000	Fencing is needed to control pedestrians, ATVs, and snowmobile traffic, as well as reduce deer incursions on the runway
2019	Rehabilitate Runway 9-27	Yes						Estimates not yet prepared, but must be a consideration in the upcoming years.
2020								
				TOTALS:	1,602,000	178,000	1,780,000	

*Proposed airport development must be shown on current FAA-approved ALP prior to funding project.

**In accordance with FAA Order 5100.39A, Appendix 6 - Fields need to be completed
(Refer to Airport Code spreadsheet provided on MDOT Aeronautics website under Block Grant Program for specific airport code)



- 2014. ALP UPDATE
- 2015. LAND ACQUISITION (EASEMENTS) AND CLEARING
- 2016. PARALLEL TAXIWAY - PHASE I
- 2017. PARALLEL TAXIWAY - PHASE II
- 2018. AIRPORT SECURITY FENCING



4100 Capital City Blvd., Fr-2
Lansing, MI 48206
Tel: 517.327.1980 / Fax: 517.327.1462
GoEConsulting.com

File Name: N:\Boys\City\ACIP\05-2014\ACIP.dwg - 1.rpt
Modified By: May 22, 2014 11:42:52 AM / kmh
Printed By: May 22, 2014 11:43:34 AM / Scott Smith

BOYNE CITY MUNICIPAL AIRPORT

ACIP FY-2014 TO FY-2018

AIRPORT CAPITAL IMPROVEMENT PLAN

MAY 22, 2014



QoE Consulting
 4100 CAPITAL CITY BLVD., FLR 2
 LANSING, MI 48906

P: 517-327-1980
F: 517-327-1982

ITEM SHEET

ITEM	Planning
	Update Airport Layout Plan

FUNDING YEAR	
Local Plan:	2014
Mtg. Decision:	

ESTIMATE COST	
Total:	\$80,000
Federal:	\$0
State:	\$72,000
Local:	\$8,000

ITEM IS ON ALP? YES
 NO

FAA Approval Date:	5/31/2007
--------------------	-----------

Instructions:

List all reasons/need for this project, including detailed descriptions of existing conditions, i.e. pavement age, thickness, distresses, increase in aircraft/vehicle weight and/or usage, etc. Use additional sheets as needed.

Boyne City Municipal Airport (N98) is planning a capital improvement program that includes approach acquisition (west approach), security fencing (control deer and ATVs) and infrastructure (parallel taxiway). The initial step in support of this program is updating the Airport Layout Plan (ALP). The current ALP, dated 10/27/98 has not been FAA airspace reviewed, does not depict east approach land acquisition and does not depict a parallel taxiway.



QoE Consulting
 4100 CAPITAL CITY BLVD., FLR 2
 LANSING, MI 48906

P: 517-327-1980
F: 517-327-1982

ITEM SHEET

ITEM	Land Acquisition
	in West approach to enable
	obstruction (tree) removal

FUNDING YEAR	
Local Plan:	2015
Mtg. Decision:	

ESTIMATE COST	
Total:	\$600,000
Federal:	\$0
State:	\$540,000
Local:	\$60,000

ITEM IS ON ALP? YES
 NO

FAA Approval Date:

Instructions:

List all reasons/need for this project, including detailed descriptions of existing conditions, i.e. pavement age, thickness, distresses, increase in aircraft/vehicle weight and/or usage, etc. Use additional sheets as needed.

Tree obstructions in Runway 9 approach cause the landing threshold to be displaced 600' (4,000' runway with a 3,400' landing length from the west). This is indicative of tree(s) being approximate 30' obstructions. Information from the FAA 5010 report indicates trees approximately 50' tall in the residential area west of the airport create the displaced threshold. Additionally, Boice Rd., crossing the Runway 9 approach, is an approximate 19' obstruction 220' from the physical end of pavement - meaning that even with tree removal in the approach, a displaced landing threshold of approximately 160' will exist. The estimated cost for land acquisition is based on acquiring Avigation Easements and topping/removing obstructing trees. More specific and detailed easement requirements will be defined after completion of approach survey.



QoE Consulting
 4100 CAPITAL CITY BLVD., FLR 2
 LANSING, MI 48906

P: 517-327-1980
F: 517-327-1982

ITEM SHEET

ITEM	Design and Constrcuton
	Parallel Taxiway - Phase I

FUNDING YEAR	
Local Plan:	2016
Mtg. Decision:	

ESTIMATE COST	
Total:	\$700,000
Federal:	
State:	\$630,000
Local:	\$70,000

ITEM IS ON ALP? YES
 NO

FAA Approval Date:

Instructions:

List all reasons/need for this project, including detailed descriptions of existing conditions, i.e. pavement age, thickness, distresses, increase in aircraft/vehicle weight and/or usage, etc. Use additional sheets as needed.

Boyne City Municipal Airport does not have a parallel taxiway system. It is proposed to construct a parallel taxiway in projects over two (or more?) years to eliminate back-taxiing and improve safety of aircraft operations. Phase I taxiway construction will be the portion of the parallel taxiway system from the N-S connector taxiway to the east runway end (approximately 3,450' x 35', including one cross-over taxiway).



QoE Consulting
 4100 CAPITAL CITY BLVD., FLR 2
 LANSING, MI 48906

P: 517-327-1980
F: 517-327-1982

ITEM SHEET

ITEM	Perimeter fence
	3,000'± along north boundary

FUNDING YEAR	
Local Plan:	2018
Mtg. Decision:	

ESTIMATE COST	
Total:	\$125,000
Federal:	
State:	\$112,500
Local:	\$12,500

ITEM IS ON ALP? YES
 NO

FAA Approval Date:

Instructions:

List all reasons/need for this project, including detailed descriptions of existing conditions, i.e. pavement age, thickness, distresses, increase in aircraft/vehicle weight and/or usage, etc. Use additional sheets as needed.

The airport has deer encroachment problems and is looking to install 'deer' fence (10' chainlink, or similar) to lessen deer on the Air Operation Areas. A secondary benefit of new fence will be reducing incursions from ORVs (i.e. snowmobiles). This proposed 2018 project is expected to be the first of several fencing projects that will result in full perimeter fencing.



CITY OF BOYNE CITY

MEMO

To: Michael Cain, City Manager *Mc*
From: Barb Brooks, Executive Assistant / Harbormaster *BB*
Date: June 4, 2014
Subject: Marina Phase 1 Renovation –Contract 1 additional work

Construction on the fixed finger piers is well underway and going smoothly. Demolition is complete and reconstruction has begun. During demolition, where the contractor could get a better look at the concrete abutments and steel framing, he suggested that we add some supplemental bracing to stiffen the dock connection to the abutment. The engineer reviewed this proposal and felt that it would be beneficial to the longevity of the docks and the cost proposed by the contractor to perform the additional work was within reason. The cost of this additional work is \$7,260.

There is also 10 sq ft. of additional concrete work on the sidewalk to replace a section of sidewalk that is in poor condition (previous to this project) that should be replaced as it will probably crack and or break during the saw cut process if we choose not to replace it. The cost for this addition is \$140.00

The original budget for the entire project (shoppers dock and fixed pier renovation) was \$210,500. Because the bids came in higher than anticipated, we reduced the scope of the project and brought the cost down to \$205,184.68 leaving \$5,315.32 that was originally budgeted for the project. The total cost of the additions is \$7,400; with this amount I would have to add an additional \$2,084.68 out of the marina budget to cover the cost of the additional work. There are sufficient funds within the marina budget to do this.

Recommendation: to approve the additional concrete and bracing work (materials and labor) for the fixed finger pier reconstruction project in the amount of \$7,400 to R.B. Lyons, Inc.

Other Options:

- approve just the additional concrete in the amount of \$140
- approve just the additional bracing in the amount of \$7,600
- move forward with the project as originally approved
- request additional information from staff



CITY OF BOYNE CITY

MEMO

To: Michael Cain, City Manager *Mc*
From: Barb Brooks, Executive Assistant / Harbormaster *BB*
Date: June 4, 2014
Subject: Marina Pedestal Replacement

During our spring inspection of the marina facilities, we found several of our pedestals that supply power, water and nightlights to the docks on the main floating pier in poor shape. It is possible that the current pedestals may be the original that was installed when the docks were built.

Some of them are aesthetically unattractive due to normal wear, fading and brittleness from UV rays. Most importantly there are some that are cracked, lights not working and covers that are missing. Due to the age of the units, it is very difficult and sometimes impossible to get parts for them.

Andy Driver, owner of Advance Electric noticed them a couple years ago and offered to sell the marina some that he had sitting in his warehouse that were brand new but never installed. At the time I had declined his offer. After Andy Kovolski informed that he was having difficulty ordering replacement parts for our current units, I contacted Mr. Driver to ask if he still had his pedestals. He indicated he did and was willing to sell them to the City at a discounted price.

The proposed cost of each pedestal with two 30 amp circuits is \$395 each. If we wanted to convert a couple of them to include a 50 amp circuit would be an additional \$100 each. (If we chose to do this we would only convert a couple of them.) We are also looking at converting all of them to LED at a cost of \$23 for each unit purchased. I have shopped for comparable units online and found prices from a low of \$550 on up to over \$1,200 each.

Mr. Driver has 23 pedestals for sale and is willing to sell us as many as we need. We currently have 13 units on the dock. Having an extra one or two on hand that could be used for parts or to ensure matching if a full replacement was necessary due to damage. I am hopeful these new pedestals will be able to be used for many years even if we upgrade or replace the docks.

This is not something that I specifically budgeted for during this fiscal year; however I always allow extra funds under maintenance and repairs for unexpected issues that may arise. While we don't have audited results from the last fiscal year available yet and do not know all that this year will bring there should be more than enough marina funds available based on the estimated fund balance developed during our recent budget process. Despite this, I explained to Mr. Driver that it is the beginning of our fiscal year and I am a little leery of spending this much money not knowing what the rest of the year might bring. He offered to deliver the units now for installation and will accept payment one year from now, interest free. This can be used to free up funds to pay the electrical contractor for installation, which is an additional cost.

Recommendation: To authorize the purchase of up to 15 pedestals from Advance Electric for \$395 each with an added allowance of up to \$400 for 50 amp upgrade on four pedestals and \$23 for LED lighting upgrade on all 15 to a total estimated maximum purchase cost of \$6,670.

Other Options:

- Purchase and replace only the damaged pedestals
- Continue to use current pedestals
- Get quotes from other vendors

Quote

Quote expires
July 5, 2014 12:00 am

Ticket #: 11152
Ticket date: 6/5/14
Station: 2



846 carpenter street, gaylord, mi 49735
ph: 989-732-2485, fx: 989-732-7141
800-732-0242
www.advanceelectric.com

Sold to: CITY OF BOYNE CITY
319 N. LAKE ST.
BOYNE CITY, MI 49712
1-231-582-0375
EMS # 231-582-9535

Ship to:

Customer #: 437
Sls rep: STYX
Customer PO#: DOCK PEDESTALS II

Ship date:
Location: 1

Ship-via code:
Terms: NET 10TH PROX.

Quantity	Item #	Description	Price	Selling unit	Ext. price
11.00	VXBBZEMW	DOCKPRO 2/L5-30R, 2-PH/CBL, LT	553.34	EACH	6,086.74
1	DETAILS:	MODIFIED 60 AMP VERSION:	0.00	EACH	0.00
2.00	VXBBZEMW	DOCKPRO 2/L5-30R, 2-PH/CBL, LT	671.58	EACH	1,343.16

factory Pricing

User: STYX

Total line items: 3

Sale subtotal:

Tax:

Total:

~~7,429.80~~

~~445.79~~

~~7,875.60~~



Quote

Quote expires
July 5, 2014 12:00 am

Ticket #: 11140
Ticket date: 6/5/14
Station: 2



846 carpenter street . gaylor, mi 49735
ph: 989-732-2485 . fx: 989-732-7141
800-732-0242
www.advanceelectric.com

Sold to: CITY OF BOYNE CITY
319 N. LAKE ST.
BOYNE CITY, MI 49712
1-231-582-0375
EMS # 231-582-9535

Ship to:

Customer #: 437
Sls rep: STYX
Customer PO#: DOCK PEDESTALS

Ship date:
Location: 1

Ship-via code:
Terms: NET 10TH PROX.

Quantity	Item #	Description	Price	Selling unit	Ext. price
11.00	VXBBZEMW	DOCKPRO 2/L5-30R, 2-PH/CBL, LT	395.00	EACH	4,345.00
1	DETAILS:	MODIFIED 50 AMP VERSION	0.00	EACH	0.00
2.00	VXBBZEMW	DOCKPRO 2/L5-30R, 2-PH/CBL, LT	495.00	EACH	990.00
1	DETAILS:	LED LIGHT OPTION	0.00	EACH	0.00
13.00	S9035	9.8A19/OMNI/LED/3500K	23.00	EACH	299.00
1	DETAILS:	1 YEAR PAYMENT TERMS	0.00	EACH	0.00

*Discounted pricing
with Add-ons for each unit*

User: STYX	Total line items: 6	Sale subtotal:	5,634.00
		Tax:	338.04
		Total:	5,972.04





CITY OF BOYNE CITY

MEMO

To: Michael Cain, City Manager *Mc*
From: Barb Brooks, Executive Assistant / Harbormaster *BB*
Date: June 4, 2014
Subject: Marina Pedestal Electrical

If we chose to move forward with the purchase of new dock pedestals at the marina, we will have to contract with a contractor for installation. I spent several hours on the phone with various local contractors to see if anyone had the time and expertise to complete the job.

I have a few contractors that are interested in the job but I can't meet with them until Monday as I am out of the office on Friday. They were very leery of providing an estimate without taking a look at the project first and receiving the detail sheet on the new pedestals.

Timing of installation is critical being we are less than one month away from the 4th of July which is our busiest time at the marina. Waiting until the June 24th commission meeting is not feasible to complete the job before the holiday.

It is my intent to provide estimates and or quotes for your review as soon as I get them which may not be until Tuesday prior to the meeting.

Recommendation: to review the estimates that will be provided, decide if the costs appear reasonable and possible award the work to a contractor on a time and material basis based off the estimate provided.

Other Options:

- Delay the project and go out for a more formal bid
- Delay the project for further discussion or information from staff
- Place a cap on the total amount and install as many units as we can within that amount
- Other options as may be determined by the City Commission.



CITY OF BOYNE CITY

To: Michael Cain, City Manager *McCain*
 From: Cindy Grice, City Clerk/Treasurer *CG*
 Date: June 5, 2014
 Subject: Maple Lawn Cemetery Entrance Closures

At their December 13, 2013 meeting, the City Commission directed staff to meet with the Cemetery Fence Advisory Committee regarding entrance closures and a more elaborate presence of the main entrance into Maple Lawn Cemetery. We currently have \$10,308 in donations for Cemetery Gates from donations in memory of Jim Stackus along with other contributions.

The Cemetery Fence Committee met in May and has recommended that two entrances on Boyne Avenue be closed permanently (see attachment A). I obtained a proposal from Harbor Fence Company, the company who installed Phase II and III of the fence for this project. The proposed cost to close the entrance, including materials and installation is \$1,827.50. Public Works Superintendent Andy Kovolski estimates the cost of materials and labor to create a green space, where the roads and entrances existed, at approximately \$1,000. Harbor Fence anticipates the work could take place in about 6 weeks, which would work with the DPW schedule as well. This project will be paid for from funds donated.

The Cemetery Fence Committee will meet in the future for further discussion on the remaining main entrance.

RECOMMENDATION:

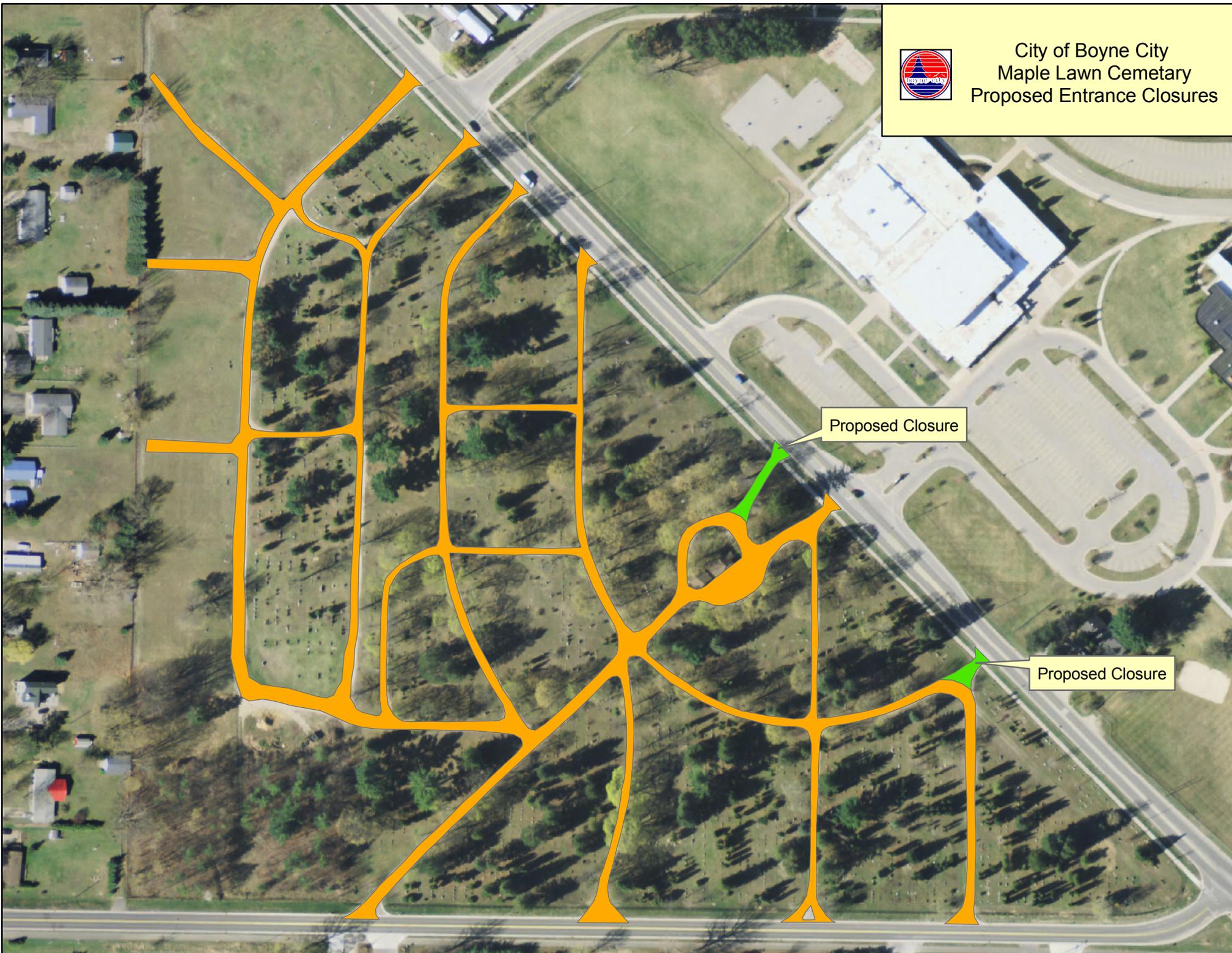
To close off the two entrances to Maple Lawn Cemetery on Boyne Avenue as noted on the attached map at a cost of \$1,827.50 and authorize the City Manager to execute the documents; in addition, authorize staff to create a green space where the roads and entrances exist at an approximate cost of \$1,000

OPTIONS:

- Do nothing
- Postpone for further consideration and / or information
- Other options as determined by the City Commission.



City of Boyne City
Maple Lawn Cemetary
Proposed Entrance Closures



Proposed Closure

Proposed Closure

CITY OF BOYNE CITY

To: Michael Cain, City Manager *McCain*
From: Cindy Grice, City Clerk/Treasurer *CG*
Date: June 5, 2014
Subject: Maple Lawn Cemetery Entrance Closures



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The Cemetery Fence Committee will meet in the future for further discussion on the remaining main entrance.

RECOMMENDATION:

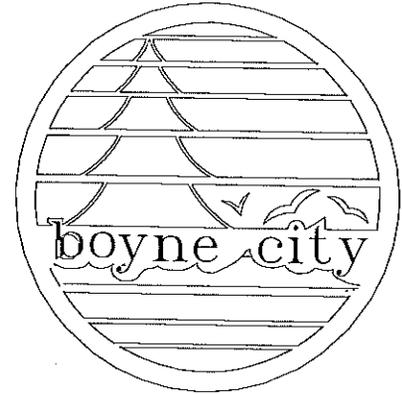
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OPTIONS:

- Do nothing
- Postpone for further consideration and / or information
- Other options as determined by the City Commission.

CITY OF BOYNE CITY

To: Michael Cain, City Manager *Mc*
From: Scott McPherson, Planning Director *SM*
Date: June 10, 2014
Subject: Safe Routes to School Grant Proposal

**BACKGROUND**

The federal Safe Routes to School (SRTS) program was created by Section 1404 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), which was signed into public law (P.L. 109-59) on August 10, 2005. The Program provides funds to the States to substantially improve the ability of primary and middle school students to walk and bicycle to school safely.

The purposes of the program are:

1. to enable and encourage children, including those with disabilities, to walk and bicycle to school
2. to make bicycling and walking to school a safer and more appealing transportation alternative, thereby encouraging a healthy and active lifestyle from an early age; and
3. to facilitate the planning, development, and implementation of projects and activities that will improve safety and reduce traffic, fuel consumption, and air pollution in the vicinity (approximately 2 miles) of primary and middle schools (Grades K-8).

Each State administers its own SRTS program and develops its own procedures to solicit and select projects for funding. In Michigan the SRTS program is administered by the Office of Economic Development of the Michigan Department of Transportation. The program establishes two distinct types of funding opportunities: infrastructure projects (engineering improvements) and non-infrastructure related activities (such as education, enforcement and encouragement programs). Each elementary and middle school is eligible for funding up to \$200,000 per school for infrastructure improvements and eligible for up to \$8,000 per school for educational programs.

DISCUSSION

To be eligible for SRTS funds the community must first complete a community assessment. With the assistance of Northwest Michigan Health Department, representatives from the community, Boyne City Schools and City staff completed the community assessment in 2011. Based on the community assessment Action Plans for the Boyne City Elementary School and Boyne City Middle School have been developed. The Action plans identify priorities and action items under the categories of Education, Encouragement, Enforcement and Engineering.

With the community assessments and action plans completed the City is eligible to submit a grant request. Based on the Action plans the City could submit a grant request for projects identified in the Engineering category. Funding for infrastructure projects is 100%. While no local match is required engineering costs associated with infrastructure projects and on going maintenance programs are not eligible for funding.

Under the Engineering category there are 5 priorities that have been established and those are: 1. Improve safety at M-75 crossing; 2. Improve on-campus accommodations and safety for walking and biking; 3. Expand sidewalk system; 4. Improve existing sidewalks; 5. Keep sidewalks accessible.

Working with Susan Pulaski, Community Health Coordinator who is coordinating the Boyne City SRTS grant program, City staff and representatives from Boyne City Schools have been working towards developing specific projects based on the Action Plan priorities. In developing the projects an assessment of student locations was completed. The location of students within a 2 mile radius was mapped and projects were developed to maximize the number of students that could be benefited from the investment. Based on this assessment the following list of projects was identified.

Priority 1. Improve safety at M-75 Crossing

1. Install pedestrian activated crossing near M-75 Brockway intersection
2. Reduce speed limit from 35 to 25 on M-75 in front of school 30 minutes before and after school
3. Install changeable illuminated speed reduction signs.
- 4 Install thermo plastic zebra stripping at M-75 pedestrian crossing

Priority 2. . Improve on-campus accommodations and safety for walking and biking

1. Designate and Construct Centralized Bike Parking area
2. Install Bike Racks
3. Construct Bike Shelter
4. Improved Sidewalks
5. Install Signage for student pick up drop off areas

Priority 3. Expand Sidewalk System

1. Install New Sidewalk on Lewis Street

Priority 4. Improve Existing Sidewalks

1. Replace Sidewalks in Poor Condition

Priority 5. Keep Sidewalks Assessable All Year

1. Snow plowing on main sidewalks Lincoln, along HWY 75, Brockway St., E. Main St, Harris Street

The next steps in process is to have the City Commission pass a resolution which would establish a request for funding, designate and agent, attest to the existence of funds to carry out various infrastructure projects and commit to implementing a maintenance program for infrastructure funded by the SRTS program. With the passage of the resolution staff will complete and submit the grant application which is due on July 28, 2014. A decision date on the grant is anticipated in October 2014 and if approved construction on infrastructure projects could begin in spring of 2015.

RECOMMENDATION

Approve a resolution to establish a request for funding, designate an agent, attest to the existence of funds to carry out various infrastructure projects and commit to implementing a maintenance program for infrastructure funded by the SRTS program.

OPTIONS

1. Do not approve the resolution.
2. Postpone action pending further information.
3. Other action as determined by the Commission.

**CITY OF BOYNE CITY
RESOLUTION NO. XXX**

A RESOLUTION TO ESTABLISH A REQUEST FOR FUNDING, DESIGNATE AN AGENT, ATTEST TO THE EXISTENCE OF FUNDS TO CARRY OUT VARIOUS INFRASTRUCTURE PROJECTS AND COMMIT TO IMPLEMENTING A MAINTENANCE PROGRAM FOR INFRASTRUCTURE FUNDED BY THE SAFE ROUTES TO SCHOOL PROGRAM

Minutes of a regular meeting of the City Commission of the City of Boyne City, Charlevoix County, State of Michigan, held in the city hall, 319 N. Lake St., in said City, on June 10, 2014 at 7:00pm.

PRESENT:

ABSENT:

The following preamble and resolution were offered by Commissioner (name), and supported by Commissioner (name).

Whereas, the Safe Routes to School program, a federally funded program administered in Michigan by the Michigan Department of Transportation (MDOT).

Whereas, the City of Boyne City, in partnership with the Boyne City School District, is applying for funds through MDOT from the Safe Routes to School program to construct certain infrastructure projects throughout the City, including new and improved sidewalks, crosswalk improvements, signage, bike racks and bike shelter, to enable and encourage children to safely walk and bike to school.

Whereas, MDOT requires a formal commitment from the public agency that will be receiving these funds and will be implementing and maintaining these infrastructure projects.

NOW, THEREFORE, BE IT RESOLVED THAT, THE City has authorized Michael Cain, City Manager, to act as agent on behalf of the City to request Safe Routes to School funding, to act as the applicant's agent during the project development, and to sign a project agreement upon receipt of a funding award.

BE IT FURTHER RESOLVED THAT, the City attests to the existence of, and commits to, the funds necessary to carry out the project, including engineering for design and construction, permit fees, administration costs, and cost overruns.

BE IT FURTHER RESOLVED THAT, the City commits to owning operating, funding and implementing a maintenance program over the design life of the facilities constructed with Safe Routes to School funding.

PRESENT:

NAYS:

ABSENT:

RESOLUTION DECLARED ADOPTED

Cindy Grice
Clerk/Treasurer
City of Boyne City

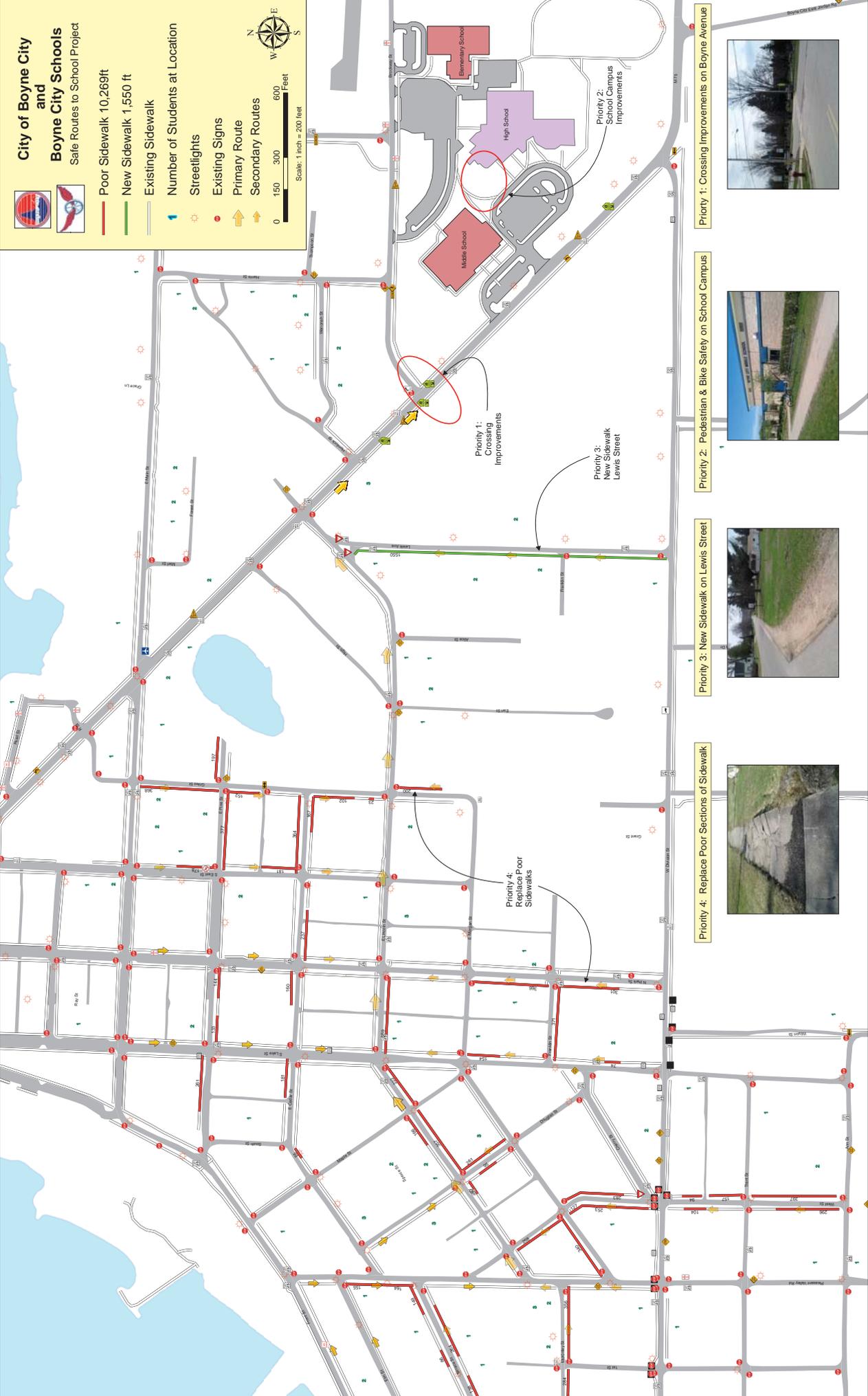
CERTIFICATION

The forgoing resolution was certified at a regular meeting of the City Commission of the City of Boyne City, held on June 10, 2014.

Cindy Grice
Clerk/Treasurer
City of Boyne City

City of Boyne City and Boyne City Schools
Safe Routes to School Project

-  Poor Sidewalk 10,269ft
-  New Sidewalk 1,550 ft
-  Existing Sidewalk
-  Number of Students at Location
-  Streetlights
-  Existing Signs
-  Primary Route
-  Secondary Routes



Priority 1: Crossing Improvements

Priority 3: New Sidewalk Lewis Street

Priority 4: Replace Poor Sidewalks

Priority 2: School Campus Improvements



Priority 1: Crossing Improvements on Boyne Avenue



Priority 2: Pedestrian & Bike Safety on School Campus



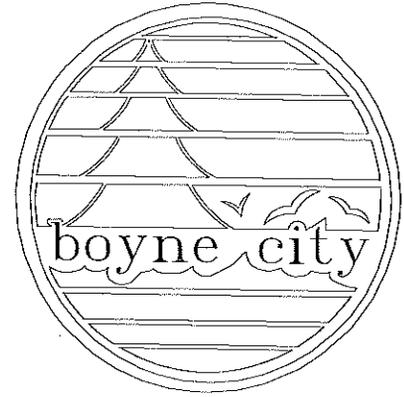
Priority 3: New Sidewalk on Lewis Street



Priority 4: Replace Poor Sections of Sidewalk

CITY OF BOYNE CITY

To: Michael Cain, City Manager *Mc*
From: Scott McPherson, Planning Director *SM*
Date: June 10, 2014
Subject: Marvin Loding Award

**Background Information**

The Marvin Loding Community Pride Award was established in 1986 and was designed to recognize individuals, businesses and industry for community pride and excellence. Awards were based on physical appearance of property which included landscaping, renovation, appearance, maintenance and harmony with the neighborhood. Over time the award was expanded to include nominations for community spirit which included community involvement, civic contributions, leadership qualities or special contributions to the City.

Since its inception the award was given out annually by the Planning Commission. Nominations could be submitted by anyone and the Planning Commission would review the nominations and vote on the awardees by a secret ballot. From 1987 to 2006 approximately 64 awards were given out to various individuals, groups, businesses and industries. Since 2007 the award has not be given out. In 2013 the City Commission meeting inquired the status of the award and the issue was brought to the Planning Commission for discussion and direction. At its regular meeting on September 16, 2013, the Planning Commission reviewed and discussed the award and believed that potential recipients should be reviewed each year and the award should only be given out if there are deserving candidates. The Planning Commission also discussed the timing of the award and believed that nominations for the award should be considered in August and awards presented in September instead of June and July allowing for projects to be completed through the summer construction season. In October 2013 the City Commission discussed the recommendation and postponed making a decision. The Commission referred the issue back to staff for addition information regarding the original intent and purpose of the award.

Discussion

The minutes from the Planning Advisory Board from July 21, 1986 shows first discussion of an award. The original intent of creating the award was to recognize businesses and industries who do a outstanding job in promoting and keeping Boyne City a beautiful place in which to live, work and play. At that meeting a committee was established to research the idea and make a recommendation on criteria for the award. At the October 1986 Planning Advisory Board meeting the committee recommended that the award be given out annually for three categories which were industrial, business and residential. The award was originally deemed the "Community Pride Award". It was suggested at the November 1986 Planning Advisory Board meeting that the award be named the Marvin Loding Community Pride Award to honor a citizen active in community development and who was a member of the planning commission and zoning board of appeals. Criteria for judging the awards were to be based on landscaping, structural design, appearance, maintenance and which was harmonious with the neighborhood.

Recommendation

It is recommended that the Planning Commission annually review potential candidates for the Marvin Loding Community Pride award. The Planning Commission should consider awards for industrial, business and residential land use categories and the award should only be given out for clear examples of meeting the established award criteria. Award nominations should be considered by the Planning Commission in August and any award(s) given should be presented by the City Commission in September.

Options

1. Do not resume award considerations
2. Postpone determination based on further information
3. Other action as determined by the Commission

sign, which is not more than two (2) square feet and which shall be attached to the building.

City Attorney McTaggart made the suggestion that permission for a Home Occupation cannot be given unless a Site Plan Review application is made and approved for an exterior building.

Sandra Stanley, Ruegsegger-Stanley Insurance Agency, 106 East Water Street, advised from an insurance point of view, most home owners' policies excludes home occupations in connection with coverage. Therefore, should a problem occur, there is no insurance coverage.

Dr. Frykberg pointed out that the reason for concern in having a home occupation in a building detached from the home itself is that it could encourage automobile repairs or other such potentially annoying type of business which would not be residential in nature and could be detrimental.

ROLL CALL: All Ayes by those present.

At the next meeting, a Public Hearing will be held to discuss this subject and receive more public input.

IX. NEW BUSINESS.

- A. Mr. Parsons brought up the aesthetics surrounding Bendix-Courter Operation and, as the Planning Board is a positive force, should request a cleanup of the premises of all properties owned by Bendix-Courter Operation.

He suggested that an annual award be given by the City to recognize businesses and industries who do an outstanding job in promoting and keeping Boyne City as a beautiful place in which to live, work and play. The following committee will meet to provide more ideas and a criteria by which this award may be judged:

Dale Parsons,
Leigh Woodbury, and
William Casper.

Dr. Frykberg thought it would be better to have this contact made by the City Manager rather than as a formal proposal made by the Planning Board. He will report at the next meeting.

- B. Mr. Parsons inquired if the City had investigated a location where middle-income single-family dwellings could be built. With the additional employment being provided by LexaMar and other industries in the Boyne City Air/Industrial Park, he felt this is a need which the City should provide. He also thought, as an incentive, the City could provide water and sewer at a reduced cost to such a sub-division.

*Formation of
Committee*

It was felt the addition of the words "or duplex" in the first sentence of the 3rd paragraph would be appropriate. The sentence would then read:

"The space in which the home occupation is conducted shall be within the area of the dwelling used as living quarters by the family and the dwelling shall have the appearance of a single family dwelling or duplex."

Chair Parsons suggested that the last sentence of the first paragraph should read as follows:

"Such home occupation shall not have more than one (1) employee outside the family members residing in the dwelling."

Chair Parsons noted the second to last paragraph might present a problem legally since the Planning Board may not have the power to do this but it should be the City Commission's responsibility. It should be worded that the Planning Commission shall recommend to the City Commission, following a hearing thereon, to order a limit of the hours of operation, impose conditions of operation, or, if deemed necessary, order a complete termination of the activity.

At what point shall such a business be considered a "nuisance" - certainly not by reason of a neighbor's complaint. It is hoped the public hearing would develop enough facts to make this determination.

* A motion was made by Kowalske, seconded by Bowman, to authorize the scheduling of a Public Hearing for the next Planning Board Meeting to consider an amendment to the Boyne City Zoning Ordinance concerning "Home Occupations".

ROLL CALL: All Ayes by those present.

VI. MISCELLANEOUS.

- A. Chair Parsons reported on the meeting held by the special committee concerning the Community Pride Award Project (Casper, Woodbury, and Parsons). He advised they agreed that the improvements to the City as far as aesthetics are concerned warranted recognitions by an awarding of a plaque by the Mayor with appropriate publicity for 3 categories (residential, commercial, and industrial).

The Planning Board Members would present their recommendations by July 1 of each year, the Board would then vote at the August Meeting, and presentation to the City Commission would be made in September.

17. Mr. Gabrielsen suggested that the Public Hearing be held for consideration of rezoning the former A & W Root Beer Property, 364 North Lake Street, from General Commercial (GC) to Planned Industrial District (PID) for the purpose of Allied Bendix-Courter to expand and operate their business. This would allow comments to be heard from those in attendance. He also suggested, because the Site Plan has not been approved, that the Planning Board take no action.

- a. Chair Parsons opened the Public Hearing at 7:05 p.m.
- b. There was no public input.
- c. Chair Parsons declared the Public Hearing closed at 7:06 p.m.
- d. Chair Parsons tabled any recommendation to the City Commission by the Planning Board until Allied Bendix-Courter Operation submits a site plan for that area east of North Lake Street. It is presumed this will be submitted at the next Planning Board Meeting scheduled for December 15, 1986 at 5:00 p.m. in the Office of the City Manager at City Hall.

VII. OLD BUSINESS.

A. The Community Pride Award Project Committee (Casper, Woodbury, Stanley, and Parsons) met and developed some ideas regarding this award.

- Planning Advisory Board
11/17/1986*
1. The suggested name, which has been approved by Mrs. Doris Loding, will be the Marvin Loding Community Pride Award to honor a citizen active in community development and was a member of the Boyne City Planning Commission as well as the Boyne City Zoning Board of Appeals.

There will be 3 divisions - Business, Industrial, and Residential.

The Criteria for Judging will be:

- a. Landscaping.
- b. Structural Design.
- c. Appearance.
- d. Maintenance.
- e. Harmonious with Neighborhood.

The Selection Process will be:

- a. Step 1 - By June 1, Nominations will be made to the Planning Board by any citizen of Boyne City. The Nomination Form will be available at City Hall and the Chamber of Commerce.

- b. Step 2 - At the July Meeting, the Planning Board makes the selections and recommends the winners to the City Commission. Mrs. Loding will also be included in the selection and awarding process.
- c. Step 3 - The City Commission votes on the selections by the first week of August and publicizes their selections.
- d. Step 4 - The Mayor announces the winners and presents the awards in August with their photograph being taken in front of their establishment.

Dr. Frykberg questioned whether it was possible, according to the Open Meetings Act, to hold a Planning Board Meeting for selection of the winners without it being a Public Meeting.

After consideration, it was determined that the Committee would make the selection and then present same to the Planning Board.

Chair Parsons questioned Lynn Moore, Petoskey News Review Reporter, how Petoskey's awards were determined.

She did not know. However she suggested, because there is only one winner in each category, the remaining nominations could be cited as Honorable Mention for their efforts.

Since this should be a Planning Board decision, it was suggested that Step 3 should read as follows:

Step 3 - The City Commission approves the selections by the first week of August and publicizes these selections.

*

Moved by Paul, seconded by Woodbury, to approve the Marvin Loding Community Pride Award Project as presented with corrections.

ROLL CALL: All Ayes By Those Present. MOTION CARRIED.

VIII. MISCELLANEOUS.

- A. City Manager Frykberg reported on the recent DNR Public Hearing held November 5 concerning McIntyre's Boat Works Marina Expansion Project.

Because of the concern by the Planning Board and legal counsel, the statement presented by the City indicated that the City is opposed to any such expansion until such time as the requirements of the Boyne City Zoning Ordinance are adhered to and also mention was made of the City's concern because of the inadequate disposal of sewage which exists in that area.

Sign Permits

All Size Signs \$15.00

Public Hearings for:

Zoning Board of Appeals \$100.00
 Planing Board (Site Plans) 100.00
 Conditional Uses 100.00
 Variances 100.00
 Rezoning 125.00
 Ordinance Amendments 100.00
 Lot Splits 100.00
 CFEC's & IFEC's 125.00
 Street Closures 100.00/
 Plus Court Costs
 Alley Closures 100.00/
 Plus Court Costs

CC
 MAY 5, 1987

NOMINATIONS FOR
 MARVIN LODING
 COMMUNITY PRIDE
 AWARDS

The City Manager noted that the first annual Marvin Loding Community Pride Award, sponsored by the Planning Advisory Board, is now taking nominations for well-kept homes, businesses, and industries for both landscaping and structural beautification. Applications for nominations are available at various banks and at City Hall. More details will be forthcoming from the Planning Advisory Board.

APPROVE ARTS AND
 CRAFTS SHOW

Moved by Moody, seconded by Grimm, to allow the Chamber of Commerce to sponsor an Arts and Crafts Show on the 4th of July in the park area south of the south entrance to Veterans Memorial Park between that point and the Boyne River.

ROLL CALL: All Ayes. MOTION CARRIED.

ORDINANCE ON
 SKATEBOARDS

Gloria Anderson, Boyne Area Chamber of Commerce Director, brought up the subject of skateboards and bikes being ridden in the downtown area. She suggested that an Ordinance be developed to cover these devices.

The Mayor stated that this type of Ordinance is now being developed as directed several months ago.

DISCUSS 4TH OF
 JULY ACTIVITIES

Gloria Anderson also outlined some of the Annual 4th of July Celebration activities. The location where to shoot off the fireworks was also discussed. The Boyne City Fire Department is still looking at sites.

ACTIVITIES FOR
 MUSHROOM FESTIVAL

Carl Dulin, representing the Boyne Valley Lions Club, announced that all activities are completed for the Annual Mushroom Hunting Contest to be held this week. Many other activities for children and adults are being planned. He invited everyone to participate in this event.

ADJOURNMENT

Moved by Grimm, seconded by Moody, to adjourn the meeting at 12:27 p.m.

ROLL CALL: All ayes. MOTION CARRIED.

cc 8/11/1987

City Treasurer Carl Dulin said that he would implement as many of the suggested internal controls and goals as soon as possible or for the next budget.

The report on the audit ended at 7:35 p.m.

FINANCIAL REPORT

The City Manager presented the Monthly Financial Report for the month of July, 1987. The report was ordered filed.

CITY MANAGER REPORT

City Manager Frykberg updated the City Commission on present activities:

1. The Michigan Department of Transportation (MDOT) denied our request to install a lighted overhead 4-way "Stop" sign at the time the intersection of Highway M-75 (State Street) and North East Street is made a 4-way stop street.
2. The three homes at the intersection of South East and Water Streets have changed ownership and cleanup of these homes will be pursued by the new owners. However, at this time, the City or Police Department have no legal means to enforce cleanup.

PRESENTATION OF THE MARVIN LODING COMMUNITY PRIDE AWARDS

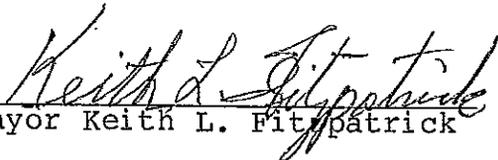
Mrs. Marvin Loding and her son, Mark, took the floor and presented plaques to the winners of the first annual Marvin Loding Community Pride Award given in three categories for landscaping, structural design, appearance, maintenance and being harmonious with the neighborhood:

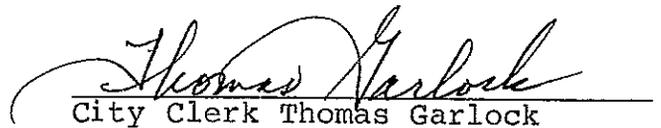
- Residential - Leigh and Loretta Woodbury, 337 State Street
- Business - The Atrium Mall, East Water Street
- Industrial - LexaMar Corporation, Air/Industrial Park

ADJOURNMENT

Moved by Grimm, seconded by Moody, to adjourn the meeting at 7:43 p.m.

ROLL CALL: All Ayes. MOTION CARRIED.


Mayor Keith L. Fitzpatrick


City Clerk Thomas Garlock

WEEKLY MEETING
AUGUST 18, 1987

RECORD OF THE PROCEEDINGS OF THE WEEKLY MEETING OF THE BOYNE CITY COMMISSION DULY CALLED AND HELD IN THE OFFICE OF THE CITY MANAGER ON AUGUST 18, 1987, AT 12:00 NOON.

ROLL CALL

Present: Mayor Keith Fitzpatrick; Commissioners Thelma Behling, Austin Sevenser, and Steven Moody.

ABG880



City of Boyne City

MEMO

Agenda Item 9I

Date: June 6, 2014
To: Mayor Grunch and the Boyne City City Commission
From: Michael Cain, City Manager *Mc*
Subject: Police Chief Wage Increase

It is hard to believe that it is just a little over a month until the second anniversary of Jeff Gaither becoming Boyne City's Police Chief. Jeff became our Police Chief on July 16, 2012. Under Jeff's leadership our fine Police Department has gotten even better. With quality new hires, expanded training, improved equipment and better coordination with other departments, both in the city and in the area our Department is thriving. Whether it is in his daily operations, lending a hand with or before our ambulance crews arrive on a scene or just being out and about in our community Jeff's approachable leadership style has garnered many favorable comments.

Despite many years of law enforcement background with the Michigan Department of Natural Resources Jeff had never operated a local police department before becoming our Police Chief. That factored into the initial wage of \$55,000 that was negotiated with Jeff which was, and currently is, much less than what his predecessor made and much less than other Police Chiefs in the area.

Thru his actions and direction with the department Jeff has more than demonstrated that not only is he fully capable of running our department in a way that benefits our community, its citizens and visitors but that he has done an excellent job doing.

As such I believe that it is time to bring his wages more in line with we have traditionally paid for this position and what other Police Chiefs in the area earn.

After discussions with Jeff I am recommending that his wages be increased as follows:

- a) \$5,000 per year increase effective as of 1/1/14
- b) Receive same 3% increase as other non-union employees effective 5/1/14 (already provided) making total annual wage \$62,799 (current wage without \$5,000 increase is \$57,799).
- c) Same general wage increase given other non-union employees (does not include any out of ordinary wage adjustments that may be provided other employees, if any) effective 5/1/15.
- d) \$2,000 per year wage increase added on top of #3 above effective 5/1/15.

RECOMMENDATION: That the City Commission approve increasing Police Chief Jeff Gaithers wages as outline above.

Options:

- 1) Postpone the matter for further consideration and/or information.
- 2) Deny the request and leave wages as is.
- 3) Other options as determined by the City Commission.



City of Boyne City

MEMO

Date: June 6, 2014

To: Mayor Grunch and the Boyne City City Commission

From: Michael Cain, City Manager *Mc*

Subject: City Facilities Public Hearing

At a May 27th public meeting held at the Boyne Area Senior Center Environment Architects (EA) presented four concepts to address the City's facilities needs to address City Hall, Police, Fire, EMS and DPW operations. Those concepts are available for review at City Hall and on the City's website. At the May 27th meeting EA stated that they would be providing additional information related to their concepts. I anticipate receiving that information prior to Tuesday's meeting. When it arrives it will be provided to the City Commission and added to the City's website on this matter.

To keep the process moving I would encourage the City Commission to schedule a public hearing to obtain public comments on this topic and the concepts presented. After receiving that input the Commission may wish to consider recommendations regarding selecting a concept to move forward with. Such a determination could take place at that or subsequent Commission meeting.

Looking at our calendar I would recommend scheduling a public hearing of the City Facilities for our Tuesday, July 8th meeting. This will avoid what may be a busy meeting on June 24th and allow us to publicize the meeting better using the upcoming City Newsletter, which goes in the mail on June 30th.

RECOMMENDATION: That the City Commission approve holding a public hearing to receive input on City Facilities and the concepts presented by Environment Architects.

Options:

- 1) Deny the request and leave starting time as is.
- 2) Other options as determined by the City Commission.



City of Boyne City

MEMO

Agenda Item 9K

Date: June 6, 2014
To: Mayor Grunch and the Boyne City City Commission
From: Michael Cain, City Manager *Mc*
Subject: June 24th meeting time

Our June 24th meeting is scheduled as a noon meeting. The 2nd reading for the food truck ordinance is scheduled to be considered at that meeting. On several occasions when we have had items of broad public interest, like the food truck ordinance, scheduled for a noon meeting we have switched them to a 7:00 p.m. starting time to encourage greater public participation. Unless there are some conflicts with City Commissioner's schedules I would recommend that our June 24th meeting start time be moved from noon to 7:00 p.m.

RECOMMENDATION: That the City Commission approve changing the start time for its June 24, 2014 meeting from noon to 7:00 p.m.

Options:

- 1) Deny the request and leave starting time as is.
- 2) Other options as determined by the City Commission.

June 2014

June 2014							July 2014						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7	6	7	1	2	3	4	5
8	9	10	11	12	13	14	13	14	15	16	17	18	19
15	16	17	18	19	20	21	20	21	22	23	24	25	26
22	23	24	25	26	27	28	27	28	29	30	31		
29	30												

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
					June 1
2	3	4	5	6	7
	ZBA-Cancelled	8:00am Farmers Market	6:00pm Parks & Rec		8:00am Farmers Market
					8
9	10	11	12	13	14
	7:00pm City Commission	8:00am Farmers Market 6:00pm Business After Hours	8:30am Main Street Board mtg.	6:00pm Stroll The Streets	Flag Day (United States) More Items...
					15
					Father's Day (United States)
16	17	18	19	20	21
Mayors Exchange in Frankenmuth 5:00pm Planning Commission 7:00pm Historical Commission		8:00am Farmers Market		6:00pm Stroll The Streets	Bike for Breast Cancer More Items...
					22
23	24	25	26	27	28
	12:00pm City Commission	8:00am Farmers Market 6:30pm Evenings at the Gazebo	5:30pm Airport Advisory Board	SOBO Arts Festival 6:00pm Stroll The Streets	8:00am Farmers Market
					29
30					

July 2014

August 2014

July 2014

S	M	T	W	T	F	S
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Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
	July 1 5:00pm ZBA	8:00am Farmers Market 6:30pm Evenings at the Gazebo	8:30am Main Street Board mtg. 6:00pm Parks & Rec	Independence Day (United States) 6:00pm Stroll The Streets	8:00am Farmers Market
7	7:00pm City Commission	8:00am Farmers Market 6:30pm Evenings at the Gazebo		6:00pm Stroll The Streets	8:00am Farmers Market
14 Mayors Exchange/Frankennuth in 12:00pm EDC/LDFA	15	8:00am Farmers Market 6:30pm Evenings at the Gazebo		6:00pm Stroll The Streets	8:00am Farmers Market
21 5:00pm Planning Commission	22 12:00pm City Commission	8:00am Farmers Market 6:30pm Evenings at the Gazebo	5:30pm Airport Advisory Board	6:00pm Stroll The Streets	8:00am Farmers Market
28	29 8:00am Farmers Market 6:30pm Evenings at the Gazebo				