FEBRUARY 28, 2017 REGULAR MEETING

RECORD OF THE PROCEEDINGS OF THE REGULAR BOYNE CITY COMMISSION MEETING DULY CALLED AND HELD AT BOYNE CITY HALL, 364 NORTH LAKE STREET, ON TUESDAY FEBRUARY 28, 2017

CALL TO ORDER

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

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

Absent: Commissioner Ron Grunch

Staff: Cindy Grice, Scott McPherson, Andy Kovolski, Mark Fowler, Michele Hewitt, Kelsie King-Duff, Jeff Gaither, John Lamont and Barb Brooks

Others: There were seven citizens in attendance including a representative from the Petoskey News Review

Excuse Commissioner Grunch

2017-02-018
Moved by Neidhamer
Second by Towne

To excuse Commissioner Grunch from attending today's meeting

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

CONSENT AGENDA MOTION

2017-02-019
Moved by Conklin
Second by Sansom

2017-02-019A
Approved the February 14, 2017 City Commission regular meeting minutes as presented
2017-02-019B
Approved the February 16, 2017 Joint City Commission and Planning Commission Training Session meeting as presented

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

CITIZENS COMMENTS

None

CORRESPONDENCE

None

CITY MANAGERS REPORT

City Manager Cain reported:

- Significant progress continues on the new City Facilities
- City Manager Cain presented a check to the Boyne Area Free Clinic in the amount of $10,000 as a grant from the Grand Traverse Band of Ottawa and Chippewa Indians.

- A certificate of appreciation was read for Gary Dunlop who will be retiring on March 13, 2017 after 38 years of employment with the City wishing Gary the best in his retirement
- A certificate of appreciation was presented to Deputy Treasury Michele Hewitt in appreciation of 30 years of employment with the City of Boyne City

REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

The January, 2017 Financial Statement was received and filed.

South Lake Street Redevelopment Grant Close-Out Public Hearing

Consideration of a Public Hearing for the purpose of closing out the South Lake Street Redevelopment Project, MEDC CDBG #MSC 215015-ESB in which federal funds were used.

Mayor Neidhamer opened the Public Hearing at 12:20 p.m.

Sara Christensen, Grant Administrator with the Northern Lakes Economic Alliance discussed the process to complete the S. Lake Street Redevelopment project for the buildings at 202 and 210 S. Lake Street. The purpose of the grant was to eliminate instances of blight in historically significant properties in Michigan Downtowns. The CDBG funds for the project were $500,000 with a private match of $2,130,841. The CDBG funds were used for redevelopment of the buildings into new commercial and retail spaces.

Glen Catt, project developer said the project turned out very well. City Manager Cain added that this public hearing is a normal process to close out any of our grants.

Mayor Neidhamer closed the Public Hearing at 12:24 p.m.

Daycare Ordinance Amendment 2nd Reading

Consideration of a second reading and adoption of amendments to the Group Day Care Ordinance as presented.

Planning Director Scott McPherson discussed the need for day care facilities and options continues to grow in the Boyne City area, it has become more and more difficult to locate and secure services for many families. During the City's recent 2016 goal setting sessions, affordable housing, child care, and their lack of availability in our area were at the forefront of conversation. Some of Boyne City's major employers have cited recent concerns regarding affordable housing and day care options as reasons they are understaffed and unable to locate quality members to fill their workforce.

The Boyne City Zoning Ordinance (BCZO) defines Group Day Care Homes as: "a private home in which more than six (6) but not more than twelve (12) children are given care and supervision for periods of less than twenty four (24) hours a day unattended by a parent or legal guardian except children related to an adult member of the family by blood, marriage, or adoption. It includes a home that gives care to an unrelated child for more than four (4) weeks during a calendar year." Section 25.10 Conditional Use Requirements lists the following requirements for a group day care home:

1. *Sites shall have a minimum lot area of 20,000 square feet.*
2. *An on-site drive shall be provided for drop-offs and loading. This drive shall be arranged to allow maneuvers without affecting traffic flow on the public street.*
3. *There shall be a fenced, contiguous open space with a minimum area of*

5,000 square feet provided on the same premises as the group day care home. The required open space shall not be located within a required front yard.

In addition to the City requirements group day care homes are licensed and monitored by the State of Michigan which has a much more comprehensive set of rules and requirements. The State has no requirements for minimum lot area for a group day care home and has a minimum requirement of 600 square feet for a play area that can be on the property or within a reasonable walking distance.

To develop a new facility a private home must be on a parcel that far exceeds the minimum standards for the district. A typical conforming lot in any of the residential zoning districts does not meet this standard as the minimum lot sizes for residential districts ranges from 5,445 to 10,980 square feet. Currently in the City there are 5 existing state licensed group day care facilities. The lot area of these facilities ranges from 8,000 to 17,000 square feet with an average of 13,000 square feet.

Over the past year the planning office has received two applications for zoning approval for "group child care homes" as required by the Michigan Department of Licensing and Regulatory Affairs. Although group child care homes are an allowable conditional use per the ordinance, both applications were not eligible for consideration due to the fact that the applicant's lot area did not meet the 20,000 sq. ft. minimum, among additional requirements. This issue was reviewed by the Planning Commission at the August 15, 2016 regular meeting and planning staff was tasked with developing less restrictive zoning ordinance amendment language and associated requirements to better accommodate Group Day Care Homes.

To implement the Planning Commission recommendation text amendments are being proposed to be added to the following Articles: Article III, Section 3.20 as item J; to Article IV, Section 4.20 as item I, Article V, Section 5.20, item E; Article VI, Section 6.20, item E; Article X, Section 10.20, item CC; and Article XI, Section 11.02, item Q. The text amendment shall read as follows:

Group Day Care Home.

1. *Shall have a fenced outdoor play area of at least 1,200 Sqft located behind the front building line of the home.*

The deletion of the following language from Article XXV, Conditional Use Requirements, Section 25.10 is also required to implement the proposed change:

Group day care homes

1. *Sites shall have a minimum lot area of 20,000 square feet.*
2. *An on-site drive shall be provided for drop-offs and loading. This drive shall be arranged to allow maneuvers without affecting traffic flow on the public street.*

There shall be a fenced, contiguous open space with a minimum area of 5,000 square feet provided on the same premises as the group day care home. The required open space shall not be located within a required front yard.

Citizens Comments: None
Staff Comments: None

Board Discussion: Commissioner Conklin inquired how big the house could be on the lot to have adequate outdoor play area square footage? Scott said it depends on the house size, the square footage of outdoor play area could easily be achieved. Commissioner Conklin said he doesn't understand why we have to put a limit on outdoor play care area at 1200 sq. ft. when the State requirement is 600 sq. ft. and was informed that anyone can request a variance on that on a case by case basis. All Commissioners are in full support of the recommendation.

MOTION

2017-02-020
Moved by Towne
Second by Sansom

To approve the second reading and the Planning Commission recommended text amendments to be added to the following Articles: Article III, Section 3.20 as item J; to Article IV, Section 4.20 as item I, Article V, Section 5.20, item E; Article VI, Section 6.20, item E; Article X, Section 10.20, item CC; and Article XI, Section 11.02, item Q.

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

Main Street Master Level Agreement

Consideration to approve the Michigan Main Street Program Community Requirements and Expectations Agreement – Master Level, between Boyne City Main Street and the Michigan Economic Development Corporation as presented.

Main Street Executive Director Kelsie King-Duff discussed the agreement between the Boyne City Main Street and the Michigan Economic Development Corporation for the purpose of setting forth the MEDC/MMS Program requirements and expectations for the Community's Local Program, pursuant to its designation as a Master Michigan Main Street Community and pursuant to contractual arrangements between the NTHP NMSC and MEDC, so as to assist in the revitalization of the designated Local Program area of Boyne City. Special attention should be paid to item 17e of the agreement that specifies if Boyne City were to ever leave the program by our choice, we would be responsible for reimbursing the MEDC for the cost of all third party services provided by the MEDC to our community from the date the agreement is signed. The Main Street board unanimously approved the agreement be recommended for City Commission approval.

Staff Comments: None

Citizens Comments: None

Board Discussion: Commissioner Sansom said she doesn't care for the 17e item regarding termination or cancellation. All Commissioner are in favor of approving the agreement.

MOTION

2017-02-021
Moved by Sansom
Second by Towne

To approve the Michigan Main Street Program Community Requirements and Expectations Agreement – Master Level, between Boyne City Main Street and the Michigan Economic Development Corporation as presented.

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

Museum Planning and Design Bids

Possible consideration and action on a pending recommendation regarding the award of a contract for Museum Planning and Design Services.

Deputy Treasurer Michele Hewitt discussed the sealed bids received for exhibit planning and design for the museum in the new facilities. The search was narrowed to two, Facetime interviews took place and after much discussion and recommendations, the Historical Commission approved to recommend the City Commission approve to award a bid to Projects Arts & Design based on Phase 1 only at a cost of $16,400.

Staff Comments: City Manager Cain added that funds will come from the facilities construction contingency and he agrees with the recommendation.

Citizens Comments: Kecia Freed said she really wants to see the museum become active, engaged and set up so the displays can be fresh.

Board Discussion: Commissioner Conklin said he fully supports and appreciate what Michele Hewitt and Keisha Freed have done. He wants to find the funds to do this in the General Fund. Commissioner Sansom said she wholeheartedly supports this recommendation. All other Commissioners are in full support.

MOTION

2017-02-022
Moved by Conklin
Second by Sansom

To approve a contract with Project Arts & Design based on Phase 1 in the amount not to exceed $16,400 for exhibit planning and design for the new museum

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

Good of the Order

Commissioner Conklin inquired if there has been any feedback regarding the recent conditional rezoning training and City Manager Cain said he has heard positive feedback. Mayor Neidhamer asked if there were any updates to the Housing Task force and was informed that we will be moving forward with it.

ADJOURNMENT

Motion by Mayor Neidhamer seconded by Commissioner Grunch to adjourn the Regular City Commission meeting of Tuesday, February 28, 2017 at 12:57 p.m.

Tom Neidhamer
Mayor

Cindy Grice
Clerk / Treasurer