

**NOVEMBER 13, 2012
REGULAR MEETING**

RECORD OF THE PROCEEDINGS OF THE REGULAR BOYNE CITY COMMISSION MEETING DULY CALLED AND HELD AT BOYNE CITY HALL, 319 NORTH LAKE STREET, ON TUESDAY NOVEMBER 13, 2012 AT 7:00 PM

CALL TO ORDER

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

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

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

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

CONSENT AGENDA

2012-11-142

2012-11-142
Moved by Neidhamer
Second by Towne

2012-11-142A
Approval of the October 23, 2012 regular City Commission meeting minutes as presented

2012-11-142B
Approval of the October 30, 2012 City Commission Work Session minutes as presented

2012-11-142C
Approval to reappoint Marie Sheets to the Parks and Recreation board for a four year term expiring December 31, 2016

2012-11-142D
Approval to reappoint Bill Kuhn to the Parks and Recreation board for a four year term expiring December 31, 2016

2012-11-142E
Approval of resolution authorizing an annual Michigan Department of Transportation permit to perform routine maintenance of our utilities in MDOT right of ways.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

CITIZENS COMMENTS

Nate Napenthe said he reviewed our ordinances and they are broad, vague and blanketed. He addressed concerns that the original civil defense ordinance was removed and suggested the Commission spend some time researching and reviewing the old civil defense procedure.

CORRESPONDENCE

A copy of the Charlevoix County Board of Commissioner Resolution regarding United Nations Agenda 21 and correspondence from Kris Zatkoff, Hannah Street residence were received filed.

City Manager Michael Cain reported:

- Election season is over and congratulations to all winners.
- Both major road projects have been paved.
- The Radio Shack façade project has begun along with the continuation of Boyne Country Provisions project.
- Pat O'Brien has filled the Boyne City Housing Commissioner vacancy.

CITY MANAGERS REPORT

Draft Minutes of the September 27, 2012 Airport Board Meeting, the October 4, 2012 Main Street Board Meeting; of the October 4, 2012 Parks and Recreation Commission Meeting; of the October 4, 2012 Historical Commission Meeting; the October 15, 2012 Planning Commission Meeting; the October 25, 2012 Airport Board Meeting were received and filed.

REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

Commissioner Sansom said she thinks the Parks and Recreation dog park discussion would be good to move forward with.

Planning Director Scott McPherson stated that staff made contact with the Traverse City noise ordinance officer as directed by the Planning Commission. Traverse City has a noise ordinance in place and their officer was here last Thursday evening. In his findings, his measurements found that Kirtland would not be in violation of Traverse City's ordinance. Readings were taken on the various noise ordinance scales. The lower frequency noises are better monitored on the C scale. This data will be provided to the Planning Commission at their meeting on November 19.

Kirtland Update

Citizens: Carol McGinty had questions about the time of day readings were done and Scott McPherson provided those times along with the houses those readings were taken at and inside of.

Board Deliberation: Commissioner Sansom stated those levels still could create sleep disturbances. Commissioner Gaylord asked of Traverse City's ordinance is based on the A scale and RSG on the C scale. Even if we had a noise ordinance similar Traverse City, it would not resolve this issue. Scott stated that Mr. Maxim indicated most ordinances look at the A scale. Very few reference C scale unless it is specific to music. Commissioner Neidhamer said we still have our work cut out. Cooperation with the Planning Commission, Kirtland and eventually the City Commission. He added he thinks there are no easy answers and we are all committed to finding an answer.

Carol McGinty said before you have a business in the community, is there not a process you go thru to analyze, for example sounds. Going thru this difficulty now seems questionable or did somebody not do their homework. Commissioner Sansom said beyond sound, we still need to deal with the odor and particulate. Commissioner Gaylord inquired if the DEQ report is available yet and was informed no.

Tree Planting

Consideration to approve a contract with Robinson's Landscape and Nursery of Boyne City in the amount not to exceed \$11,070 to purchase and install 50 trees to be planted in City right of ways and authorize the City Manager to execute the documents

Andy Kovolski discussed the single tree planting bid received and recommended it for approval. Unit cost is less so there are 15 more trees planned than last year.

Staff Comments: None

Citizens Comments: None

Board Deliberation: Commissioner Sansom inquired if they would be planted this year – yes. Commissioner Sansom pointed out a few other areas where trees could be planted. The price sounds good, the trees sound great, we could spend up to the \$15,000 budgeted. Commissioner Gaylord said just because we have budgeted that amount doesn't mean we have to spend it. He would like to see a plan of where they should go. Andy said not is the optimal time to plant. Mayor Pro-tem Towne and Commissioner Neidhamer support the recommendation. Mayor Grunch inquired if any of the trees were planned for the Cemetery – no.

2012-11-143

Moved by Sansom

Second by Towne

To approve a contract with Robinson's Landscape and Nursery of Boyne City in the amount \$11,070 to purchase and install a minimum 50 trees and up to \$15,000 if we find other approved locations for trees to be planted in City right of ways and authorize the City Manager to execute the documents

Ayes: 4

Nays: 1, Commissioner Gaylord

Absent: 0

Motion carried

**Marina Consulting /
Engineering Firm Proposal**

Consideration to approve a proposal from Abonmarche to assist the City with renovation and proposed expansion of the City marina for an amount not to exceed \$31,240 and authorize the City Manager to execute the documents.

Harbormaster Barb Brooks discussed the proposals received from Marina Consulting firms for planning and engineering services to assist the City with marina renovation and expansion plans. Three proposals were submitted, two firms were interviewed and Abonmarche is being recommended. Due to the current low water level on Lake Charlevoix and the age and deterioration of some of our slips, it is imperative that we address some of these issues prior to spring and the boating season. Grant funds are currently available for this project if used and closed out prior to July 12, 2014.

City Manager Cain added this step is necessary for us to move forward and finish the application that was originally denied. Lower lake levels

may create additional repairs.

Staff Comments: None

Citizens Comments: None

Board Deliberation: Commissioner Neidhamer inquired if the road end usage is something that could be incorporated into a design and Barb said that would be looked at. Mayor Pro-Tem Towne stated we should move forward. City Marina improvement is important to the area and is also #4 on our list of goals. Commissioner Gaylord asked if the balance is already budgeted and was informed yes. Is it strictly for repairs and existing and Barb stated the only new with be the expansion of the shoppers dock.

City Manager Cain said when this project is done, we will have design work for repairs with the exception of the shoppers dock expansion. Also plans for the next phases if and when the City Commission wants to move forward. The permit is good for five years. Barb added we still have room for an extension after the five years. City Manager Cain said we have blessed with the arrangement with the One Water Street marina. There may come a time when that is not available for the City marina. Commissioner Sansom said her biggest concern is the low water levels.

2012-11-144

Moved by Towne

Second by Sansom

To approve a proposal from Abonmarche to assist the City with renovation and proposed expansion of the City marina for an amount not to exceed \$31,240 and authorize the City Manager to execute the documents.

Ayes: 5

Nays: 0

Absent: 0

Motion carried

Good of the Order

Mayor Pro-Tem Towne said he has heard good comments on the Hannah and Park Street reconstruction projects. Commissioner Gaylord asked if the United Nations Agenda 21 correspondence that we glossed over earlier is something we need to look into and join in with Charlevoix County. We need to make this an actual agenda item. He asked if we should have Greg MacMaster join us at the next meeting for questions and answers and it would behoove us to give due diligence to this. We definitely need to discuss more about it. Commissioner Gaylord asked if the Mayor had any input on it. There are two sides to the input of it. Mayor Grunch asked why, it is a United Nations proposal. It is a much higher level. Commissioner Gaylord said there is information out there and that Grand Rapids and Traverse City have signed on for this operation as a member of ICLEY. Commissioner Neidhamer said it is not worth discussing. It is against everything we do in local government and are some extreme views that are misinformed views that go against what we do as a local government. It is against planning, zoning and grant

money. Grant money has made Boyne City front and center. He doesn't think it is worth pursuing. Mayor Grunch added that Michigan is a home rule state. City Manager Cain said Boyne City has established itself with a lot of positive things going on here. One of the things we do very well is we listen to our citizens. We have a good reputation of going to the nth degree to make sure we listen and get input from our citizens. Our meetings, processes, in what we are doing, we are doing a lot of things right. City Manager Cain added sees no advantage of it to the City of Boyne City for bringing up this issue. It is a distraction and a partisan issue. We are a non partisan organization. We deal with the concerns of our Citizens of Boyne City and listen to all considerations and the Commission decides what is appropriate. We bring people in to public information meetings. We strive because we have good plans.

Carol and Kevin McGinty said we had better do our due diligence on this one way or the other. This is non partisan. Do your homework please.

Commissioner Sansom said she will do due diligence on this. Also, she has received positive comments on the Park Street project as well. Commissioner Gaylord asked if we have any documents from C2AE regarding the pavement stripping? City Manager Cain said yes.

ADJOURNMENT

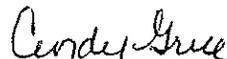
Moved by Mayor Grunch, seconded by Mayor Pro-Tem Towne to adjourn the regular City Commission meeting of ~~October 23~~, 2012 at 2:17 p.m.

November 13

cg



Ron Grunch
Mayor



Cindy Grice
Clerk / Treasurer