August 13, 2024
REGULAR MEETING

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

CALL TO ORDER

Present: Mayor Tim Nemecek, Mayor Pro-Tem George Lasater, Commissioners Marty Moody, Sandy Pritchard and Bob Farrell

ROLL CALL

Absent: None

Staff: Jessica Puroll, Kevin Spate, Scott McPherson, Doug Varney, and Jennifer Eads

Others: There were approximately 3 citizens in attendance.

CONSENT AGENDA
MOTION

2024-08-145
Moved by Nemecek
Second by Moody

-Approve the July 23, 2024 regular meeting minutes as presented.
-Approve the July 30, 2024 special meeting minutes as presented.
-Authorize the City Manager and staff to purchase five floor mats from Commercial Mats & Rubber for $704 and twenty floor mats from Uline for $2,009 all to be placed in various city facility buildings, for a total amount not-to-exceed $2,713.04.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

CITIZENS COMMENT

None

CORRESPONDENCE

Received and filed.
-Boyne City Road Non-Motorized Trail - Erosion Photos from Doran Davis
-Charlevoix County Planning Department - July 23, 2024
-Charlevoix County Community Foundation – 2023 Annual Report – July 25, 2024
-Michigan Liquor Control Commission – Water Street Café, LLC – August 2, 2024
-Marina Permit Update – August 7, 2024

*Pritchard requested marina permit update be placed as an item under new business for discussion. All Commissioners agree.

CITY MANAGERS REPORT

City Manager Michael Cain reports:

-The pavement marking project has been completed.
-Last week's primary election process went very smoothly here in Boyne City. Kudos to City Clerk/Treasurer Jessica Puroll and her team.
-Despite the wet and cooler than normal weather last weekend Boyne City hosted baseball tournament games at the Waterfront Field of

Dreams/Little League field, Sidewalk Sales, the Fire Department's car show, flea market and food sales, and, of course, Pirate Fest, in addition to a lunch time concert in Sunset Park and a couple of Farmers Markets. Other than the weather, all events seemed to go pretty well with no major problems reported.

-The Front Street repaving project which began last week put new the new pavement down today. Weather and finding much more existing pavement, 7 inches versus an expected 3 inches, to remove and replace with gravel were the main reasons it was pushed back from Monday. We experienced more traffic than usual on some of the nearby streets (Elm, Terrace and McKinley) as a result of the road closures. To help reduce that we have placed saw-horses at those street entrances to partially block them off.

-Last week we received a couple of complaints about noise from the pump being used for the Dilworth Hotel project. The pump is being used to dewater the ground below the Dilworth so that new storm water and sanitary sewer lines can be placed below the basement floor, which is mostly being removed and replaced. They are doing the work in three phases to avoid compromising the building's foundations. Pumping for the first phase is expected to be completed Thursday, August 15th at which time the pump will be shut off until they are ready to start working on the next phase, probably sometime next week. The process will repeat itself until done. The pump has been moved to behind the building and surrounded with hay bales to minimize the noise from the pump.

-The Main Street board has completed their portion of the annual Accreditation review and we look forward to feedback and guidance from both the National and state-level organizations.

-Our new DPW dump truck is currently getting all its equipment installed at Truck and Trailer. Our new one-ton pickup truck has arrived at Bob Mather's Ford and will soon be heading to Truck and Trailer for similar work. We hope to have both trucks ready in time for snow season.

-On Monday, August 12th our Police cadet, Kyle Wagenshutz was sworn in and started his first official day as a Boyne City Police Officer. He graduated from the Grand Valley State University academy last week. A formal swearing in will take place at the successful end of his training period.

-Progress continues to be made on the Fire Department's aerial truck. We hope it will be back here and in service at the end of this week or next.

-Our DPW will be putting up new snow fencing along the southerly shoreline of the Open Space in an effort to reduce the number of geese that we are experiencing on the site. The majority of the geese seem to be entering the site from the beach area towards the south end, which will be fenced off.

-This is the last week for providing information to the Main Street board through their Pulse Poll. Please check Main Street's Facebook or web page for a link to complete the poll. This information is used in a variety of ways but most importantly provides information for their annual Impact Report.

-I have reached out to Boyne Valley Township Clerk Lynn Sparks to open negotiations on the EMS contract. This was reported at their Township Board meeting last night and they said they would be getting back in touch with us.

-Main Street is looking for a part-time Administrative Assistant for the office. Feel free to call the office or check out the job posting on Indeed.
-There are four more Stroll the Streets left for the rest of the season. The last one will be on Friday, August 30th at the start of the Labor Day weekend. This week's Stroll the Streets will be having their Community Kids event in Sunset Park with giveaways, music and fun for everyone from 6:00 p.m. to 8:00 p.m.
-We approved a couple hour street closure for a block party before the next Commission meeting. The request was supported by all the homes with driveways in that section of street. We don't get many of these requests so I wanted to publicly mention that we will support such requests whenever possible if others may be interested.
-A ribbon cutting has been scheduled for the new section of trail along the Boyne City Road for Tuesday, August 27th at 10:00 a.m. at the Bay Township Hall in Horton Bay. All are welcome to attend. The ribbon cutting will proceed whether not the paving of the trail is complete. Our next City Commission meeting is at noon that day.

REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

Received and filed.
-Planning Commission Special Meeting Minutes – July 15, 2024
-Planning Commission Regular Meeting Minutes – July 15, 2024

None

OLD BUSINESS
DTE Foundation/ReLeaf Michigan Tree Planting Program

2024-08-146
Moved by Nemecek
Second by Moody

Approve Tree Location Option C, planting five trees in the Open Space, nine trees along the parking lot in Peninsula Beach, and two trees in the Right of Way on the Division Street side of Maple Lawn Cemetery, and to authorize the City Manager and staff to proceed with the process.

Staff Comment: None
Public Comment: None
Board Discussion: All agree with the recommendation.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

NEW BUSINESS
Stiggs on Premises Tasting Room Permit Request – 112 South Park Street
MOTION

2024-08-147
Moved by Nemecek
Second by Moody

Approve Local Government Approval for On-Premises Tasting Room Permit resolution for Stiggs at 112 South Park Street as part of their efforts to obtain a Microbrewery license, Small Winery, and Small Distillers license to replace their existing Class C license.

City Manager Michael Cain begins the discussion regarding Stiggs on premises tasting room permit request at 112 South Park Street. The City received a request from Stiggs for the City to approve a resolution supporting their application in the Michigan Liquor Control Commission (MCLL) to change their existing Class C license to a Microbrewery License, Small Winery, and Small Distillers license through the establishment of an On-Premises Tasting Room Permit. We have reviewed this request with Stiggs, and they have informed us that this change will have little to no impact on their current operations as perceived by City or the public will notice from their current operations.

Derek Shankland, agent for Stiggs, reports that they are trying to move from a Class C license to a Microbrewery License to have an onsite tasting room. This licensing is the first step.

Staff Comment: None
Public Comment: None
Board Discussion: All agree with the recommendation.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Housing Commission Payment in Lieu of Taxes (PILOT) Ordinance Amendment Request
MOTION

2024-08-14
Moved by Nemecek
Second by Farrell

Approve the first reading of the proposed amendment of Chapter 62 – TAXATION, Article II-Service Charges In Lieu of Taxes, Section 62.19 City senior housing development and schedule a second reading at the Commission's September 24, 2024 meeting.

City Manager Michael Cain discusses the Housing Commission payment in lieu of taxes (PILOT) ordinance amendment request. When originally established Deer Meadows primarily served senior citizens and the ordinance was written to reflect that. The Housing Commission is requesting that the ordinance be revised to also include the proposed new Litzenburger Manor building and that the wording also be modified so that residents in either of the buildings could either be senior citizens or low income individuals as defined by the State Housing Development Act. The Housing Commission, in their pursuit of funding for the Litzenburger Manor project, needs to be able to show the State that the City, through the PILOT, is supportive of the project.

Staff Comment: None
Public Comment: None
Board Discussion: All agree with the recommendation.
Commissioners discuss their concerns regarding seniors and low income families being mixed due to the need for senior privacy. There is discussion of ensuring the need for senior housing is still prioritized.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Printer/Copier Replacement
MOTION

2024-08-149
Moved by Moody
Second by Farrell

Approve to authorize the City Manager and City staff to facilitate and execute a contract with Ricoh IM C451 for option 6 for a lease for a term of 60 months for a monthly fee of approximately $413.36 for an annual fee of approximately $4,900 or less.

Executive Assistant Jennifer Eads discusses the printer/copier replacement. The City currently pays approximately $480 per month for toner and maintenance for its current machine purchases on January 31, 2017. This machine is outdated and our current vendor, Visual Edge, suggested that we look into purchasing a new machine. $7,200 was budgeted from account 101-277-730.000 for a multi-function machine upgrade. Because our current machine is outdated, the parts are no longer being manufactured. Eventually there will come a day when necessary parts will simply no longer be available.

Staff Comment: None
Public Comment: None
Board Discussion:
Commission discusses leasing versus purchasing options. All agree that leasing is the better option.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Bullet Proof Glass – Administration Area
MOTION

2024-08-150
Moved by Nemecek
Second by Pritchard

Approve Insulgard Security Products out of Brighton, MI to install bullet proof glass windows in the administration area of City Hall at a price not-to-exceed $14,544.

City Clerk/Treasurer Jessica Puroll discusses the bullet proof glass for the administration area. Currently the City has Plexiglas that was installed during Covid-19. During the budgeting session $10,000 was budgeted in general ledger 470-040-970.000. The funds in this general ledger are monies left over from the construction of City Hall that can only be utilized for City Hall building expenses.

Staff Comment: None
Public Comment:
Steve Persons questions if there is already bullet proof glass in the administration area.
Board Discussion: All agree with the recommendation.

Commission question the pricing and discuss the concern of going over the budgeted amount.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

2024 Streets Projects MOTION

2024-08-151
Moved by Nemecek
Second by Farrell

Approve to reject the recent bids from Reith-Riley for the 2024 Streets Project and re-bid the project in the fall for spring 2025 construction.

Director of Public Works and Utilities Doug Varney discusses the 2024 street projects. The City, working with, C2AE, was awarded a $250,000 grant for the funding of a Category B Street Project through the Transportation and Economic Development Fund that was termed the 2024 Streets Project. The bid came in approximately 43% higher than the engineer's estimate of $538,480.70. C2AE does not believe the bid reflects an accurate value of the work to be performed. C2AE's recommendation is that the City reject the bid and re-bid the project in the fall for work to be conducted in the spring. C2AE has confirmed with MDOT that this is allowable.

Staff Comment: None
Public Comment: None
Board Discussion: All agree with the recommendation.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Communication Repair for Level Sensor in South Storage Tank MOTION

2024-08-152
Moved by Nemecek
Second by Farrell

Approve to award the contract with Windemuller to replace the failed south water tank level signal communication line with a cellular system for the amount of $7,275 plus the subscription cost of approximately $150 to $200 dollars per year, to be based on the data need.

Director of Public Works and Utilities Doug Varney discusses the communication repair for the level sensor in the south storage tank. The current communication wire for a level sensor at the South Reservoir located at Avalanche has been compromised and is no longer functioning properly. Although our own communications cable has provided very reliable operation for decades we cannot justify going with that system when we are assured that a cellular based replacement system would provide us the necessary reliability and at a much lower cost.

Staff Comment: None
Public Comment: None
Board Discussion: All agree with the recommendation.

Ayes: 5
Nays: 0
Absent: 0
Motion carried

Clean Water State Revolving Funds (CWSRF)

Review the materials provided and discuss this further at a future meeting when further information is available.

City Manager Michael Cain states that there isn't any additional information to share, but is trying to put all the different pieces together and provide it to the Commission prior to having to make a decision. There is no action required at this time.

Nemecek questions the change of project scope with the sewer find. Questions how staff sees engaging homes in the existing areas. Is not comfortable going forward not knowing what the consequences are if 50% of homes do not connect.
Moody clarifies there are 56 homes to door knock.
Pritchard believes EGLE is trying to keep the door open. Supports an assessment.
Farrell agrees there needs to be a commitment to move forward.
Lasater questions the survey deadline, and what it would look like to go door to door.
Pritchard questions the concern to go forward with the full amount and then not using it if the commitment isn't there.
Nemecek questions Cain if he has contacted EGLE directly.

All Commissioners agree that more will be determined after the bond closing documents are received on August 19th. A special meeting to for discussion may be necessary.

Marina Permit Update

Pritchard questions if this has been posted on the City website. States that it needs to be posted and publicized more timely. Questions if the permit application is different than the one expiring.
Nemecek agrees that it needs to be posted right away, and questions if the public input timeline can be extended.

Good of the Order

Farrell questions if the Frankfort visit has been scheduled.
Pritchard questions the results of the Rivermouth restroom July 24th testing, and if we have billed back labor cost to C2AE.
Nemecek questions how we can get into closed session to go over legal rights.

Announcements

-The next regular City Commission meeting is scheduled for August 27, 2024 at 12:00 p.m.
-City Hall will be closed on Monday, September 2, 2024 in observance of Labor Day.

ADJOURNMENT

Motion by Mayor Nemecek, second by Commissioner Farrell to adjourn at 9:44 p.m.

Tim Nemecek
Mayor

Jessica Puroll
City Clerk/Treasurer