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BOYNE CITY COMMISSION MEETING, OCTOBER 8, 2019

## City moves toward storm water management ordinance to protect Lake Charlevoix

BY KAREN WALKER

The Boyne City Commissioners started their October 9th regular meeting with a moment of silence to honor U.S. Army Staff Sgt. Kelly Richards. Staff Sgt. Richards, 32, died Wednesday, Sept. 25, 2019, during medic training at Camp Casey in Seoul, South Korea. Mayor Neidhamer said Richards was born in Petoskey and lived in Boyne City before moving to Grayling.

In their regular business,

Boyne City Commissioners introduced and voted to move forward with the adoption of a proposed storm water management ordinance. The City, in partnership with the Cities of East Jordan and Charlevoix, has been working with Tip of the Mitt Watershed Council to develop the new ordinance. The ordinance is part of the City's effort to further protect Lake Charlevoix's water quality.

The proposed ordinance is designed in part to manage the quantity and quality of

storm water runoff so that surface water and groundwater quality is protected and flooding potential is reduced, as well as providing rules and guidelines for enforcement. The ordinance also addresses wildlife habitat preservation, recreation, and wetlands protection.

The control and treatment of stormwater has been a priority for the City. Given increasing pressure for commercial development, the City recognizes the value and importance of having an en-

forceable ordinance in place. In his report to the City, Planning Director Scott McPherson recognized the City Commission has been proactive in maintaining the integrity of the waterfront areas. The City has already placed a filtration tank in Sunset Park where they recently removed several truckloads of debris captured by the system.

The proposed storm water management ordinance is scheduled for a second reading and potential adoption at

the Nov. 12, 2019 City Commission meeting.

A long awaited road improvement project is moving forward. Boyne City Commissioners voted to approve a contract through a Michigan Department of Transportation program to rehabilitate a portion of North Lake Street from approximately 250' south of Lakeview Drive near the City boat launch, northwest about one mile to West Michigan

See **Boyne Commission** - Page 5A

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## 41<sup>st</sup> Annual Apple Fest



**October 11-13**

Fall is in the air and northern Michigan orchards are busy harvesting bushels of fresh, ripe apples in preparation for the 41st Annual Apple Fest taking place downtown Charlevoix on October 11-13. The event will take place on Friday and Saturday from 10am-6pm, and on Sunday from 10am-

4pm. Apples are Michigan's largest and most valuable fruit crop and this year our apple trees are full to overflowing.

The festival will run Friday and Saturday from 10am-6pm, and Sunday from 10am-4pm in three locations of downtown Charlevoix: East Park, Bridge Park, and Mason Street! The event is free for all ages, and the perfect place for family and friends to gather and enjoy the fall color around Round Lake Harbor.

Area orchards will be set up downtown in East Park with more than 30 types of apples and a variety of fall harvest items and apple related goods, while local non-profit organizations will be onsite to tempt you with delicious hot food and tasty treats. The special Fall Farm Market is the perfect place to pick up your fresh bagels, mustard, honey, meat, baked goods, soup, maple syrup, crepes, cider, mums, pies, jam, and fall veggies - All locally grown and produced.



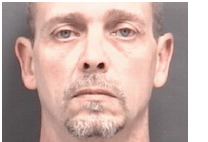
The 41st Annual Apple Fest taking place downtown Charlevoix on October 11-13. Photo by Tim Salmonson. The event is free for all ages, and the perfect place for family and friends to gather and enjoy the fall color around Round Lake Harbor. Photos by Tim Salmonson

And don't forget to stop by the Apple Fest booth on Bridge Street next to the clock tower to purchase your 2019 commemorative Apple Fest shirt - All proceeds from shirt sales benefit the Charlevoix High School Art Department.

See **Apple Fest** - Page 5A

## Second Man Sent to Prison for Eveline Twp. Property Destruction

October 2nd in the 33rd Circuit Court, Terry Lee McCall, 48, East Jordan,



TERRY LEE MCCALL

was sentenced to 18 to 180 months in prison for an incident that occurred in Eveline Township in September 2018.

Judge Roy C. Hayes issued the sentence. In December, Hayes had sentenced McCall's co-defendant Burton David Cortez to 38 to 90 months in prison for the same incident. Cortez was also convicted of assault with a dangerous weapon.

McCall had pleaded guilty to attempted malicious destruction of property \$1,000 or more but less than \$20,000 with a habitual offender, fourth enhancement. The maximum penalty for the offense was 15 years in prison.

According to an affidavit signed by police in the matter, on September 14, 2018, following a property line dispute earlier in the day, two individuals were attacked by McCall, Cortez and two others. Cortez used a knife to slash one victim's tires and stab him while McCall punched him and attempted to pull the victim out of his vehicle.

All four co-defendants combined to cause over \$4,000 in damage to the victim's car, resulting in the malicious destruction charge. Judge Hayes also ordered McCall to pay \$4,434.89 in restitution jointly with Cortez.

A misdemeanor assault charge was dismissed as part of a plea agreement, as was the original malicious destruction of property charge.

At sentencing, Hayes noted that McCall had already served two prior prison terms. Court records show that those terms were for prior convictions for breaking and entering an unoccupied building and breaking and entering with intent.

McCall was in prison on and off from 1994 to 2011 due to those sentences and subsequent parole violations. He was on probation in the 90th District Court at the time he committed the malicious destruction of property offense.

In a sentencing memorandum filed with the Court, Charlevoix County Prosecuting Attorney Allen Telgenhof quoted from the pre-sentence report prepared by the circuit court probation department which termed McCall's actions as a "convict mentality of righting wrongs or perceived wrongs via force and violence."

Submitted by Allen Telgenhof



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# News

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# East Jordan Pumpkin Festival is October 16

The 10th annual East Jordan Pumpkin Festival and Moonlight Madness promises to be bigger than ever! The event is scheduled for Wednesday, October 16, from 5 to 7pm in downtown East Jordan.

Vegetables, fruits and crafts along with other foods will be available from local vendors and businesses. Participating downtown businesses will be offering special sales and promotions at their businesses with special business hours. Enjoy face painting, pumpkins and early Trick-or-Treating at participating businesses. The fun will also include Twister Joe – Michigan's Favorite Balloon Artist, Castle Farms ride on train will be set up for rides, plus children's games plus much more.

The Pumpkin Festival is also the time to show East Jordan and the world your pie baking skills. Pull out those favorite fall pie recipes and ingredients to get ready to bake a winning entry for the 10th Annual East Jordan Pie Contest. The annual East



The 10th annual East Jordan Pumpkin Festival and Moonlight Madness promises to be bigger than ever! Courtesy photo

Jordan Pumpkin Festival & Moonlight Madness event scheduled for Wednesday, October 16 in downtown East Jordan, proudly sponsored by Save-A-Lot of East Jordan. Registration and pie drop off will be from 4 – 5:45pm in front of the Community Cen-



Lynn Carson, 2018 First Prize Winner & Mary Faculak, East Jordan Area Chamber of Commerce President, presenting the Save-A-Lot Gift Certificate. Courtesy photo



The fun will include Twister Joe – Michigan's Favorite Balloon Artist, Castle Farms ride on train will be set up for rides, plus police car, fire truck and EMS Vehicles will be on display and lots of activities for kids and adults alike. Courtesy photo

ter and the judging will take place from 6– 6:30pm. The \$100 First Prize, \$50 Second Prize and \$25 Third Prize Save-A-Lot Gift Certificates will be awarded at 6:45pm in front of the Community Center. The event is proudly hosted and judged by the East Jordan Senior Center.

In case of bad weather, the contest will be moved inside the Community Center. The Pie Contest is one of many

family friendly events being held in conjunction with the Pumpkin Festival & Moonlight Madness.

For more information please contact the East Jordan Area Chamber of Commerce Office at 231-536-7351 or info@ejchamber.org.

# MDOT plans major improvements to US 131 through Boyne Falls

BY KAREN WALKER

Major roadwork is planned for the Boyne Falls area next summer. At an informational open house hosted by Michigan Department of Transportation in Boyne Falls last week, MDOT officials shared details of the project to reconstruct US-131 through Boyne Falls from Cherry Street to Thumb Lake Road and resurface US-131 from Thumb Lake Road to Bear River Road. The improvements aim to correct ever increasing traffic congestion, as well as improve safety.

The first phase, and the most expensive part of the project, estimated at \$7.3 million dollars, will be a 1.25 mile total reconstruction of US-131 through the M-75 intersection. A center left turn lane will be added to US-131 and the right turn lane on southbound US-131 will be

moved slightly to the west to increase visibility. Portions of Main and Railroad Streets in Boyne Falls (about two city blocks) will also be rebuilt.

Railroad Street and Boyne Mountain Road will be used to reroute some of the traffic during construction although a spokesperson for MDOT said their engineers designed the project to not interfere with the Polish Festival. However, MDOT points out that US-131 traffic will be maintained through flag control, but some delays will be unavoidable.

A second phase of the project at an estimated \$2.6 million, is the repaving of US-131 from Thumb Lake Road to the north county line at Bear River Road. The new 8.5 mile long project includes milling the old asphalt (placed over the original old concrete) and

placing 3 separate layers of asphalt for a total of 7 inches of new blacktop.

Most of this 8.5 mile section was first built back in the 1930's under the Federal Government's Works Progress Administration (WPA). Although the WPA alignment mostly paralleled an original old road, the WPA alignment diverges considerably when nearing the intersection of M-75 at Walloon Lake, the old road going to the east through Clarion. Some of the old roadbed is still visible between the new alignment and the existing railroad grade. The new surface will improve the old concrete joints that have disintegrated and caused reflective cracking through the subsequent asphalt layers placed over the years.

MDOT intends to send both project out for bids early

next spring, with anticipated construction in Boyne Falls starting as early as late April, and continuing through late summer of 2020. The work from Thumb Lake Road north will take place mid to late summer and be finished in the early Fall.

The recent open house held at the Boyne Valley Township Hall was well attended. MDOT officials thoroughly explained the details of the extensive upgrades. Although plans and specifications were available for public viewing, MDOT reminds us there may be unforeseen conditions that could create minor changes in the scope of the project. When completed it is anticipated that drivers who use this corridor will welcome the improvements.

## U. S. MILITARY VETERAN OF THE MONTH



The Veteran of the Month of September 2019 is Luther "Luke" Patton. Born January 26, 1920 in a lumber camp in the Jordan River Valley to parents Leander and Mable Scott Patton. He attended the Turner school in Bellaire Michigan through the 8th grade. Leaving school as a young lad he worked on the family farm, and also freelanced as a mechanic. On 9 December 1941 at Fort Custer Michigan, Patton was inducted into the Armed Services. After receiving Basic and Advanced Military training, and qualifying with the M-1 Rifle, he was assigned as a Military Policeman. On 22 April 1942 Patton left the United States for the Pacific Theater of Operations, arriving on 14 May, 1942. He was involved in the New Guinea and Papuan Campaigns. On 11 July, 1944 he returned to the United States, and on 5 October 1945 received an Honorable Discharge having completed 3 years, 7 months, 6 days of Military Service and awarded these decorations: Asiatic Pacific Ribbon with two bronze Stars; Distinguished Unit Ribbon; American Defense Ribbon; Good Conduct Medal; Combat Infantry Badge. After returning back to Antrim County where he would remain the rest of his life, on 22 November 1947 in



Luther "Luke" Patton

Steuben County, Indiana, he married Marion Marcella Hayes, and returned to Antrim County to raise his family. Patton continued farming, and repairing anything mechanical, including tractors and lawn mowers. He enjoyed playing in euchre tournaments, and enjoyed company from family and friends. On 9 June 2002, Luther "Luke" Patton answered the final call and is being honored by his children and extended family.

To honor a veteran, call the program chairman at (231) 588-6067 or on Tuesdays call (231) 582-7811 between 3:30-8:30 p.m. The ceremony may be witnessed on the first Thursday of each month at The American Legion Post located on the corner of South Lake and Main streets in Boyne City, Mich. at 6:15 p.m.

## BOYNE CITY POLICE DEPT. INCIDENT REPORT

**Monday, September 23, 2019**  
1108 Found trailer plate dropped off at PD. Owner was in to retrieve.  
1053 Juvenile complaint in the 1000 block of Boyne Av  
1440 Intimidation complaint in the 400 block of N Lake St  
2113 Report of nude photos being sent through SnapChat.  
2222 Assist Sheriff Dept. on Tomkins Rd  
2226 Report of nude photos being received through SnapChat.  
2326 Arrested subject for Domestic Assault on Haven Ct.

scam call.  
1152 B&E reported in the 300 block of S Lake St.  
1338 Report of items left for sale in the open space lot. They were removed.  
1454 Citation issued for speed in the school zone.  
1557 Small child's bike found on West St  
1625 Private property damage crash in the 400 block of N Lake St.  
1753 Report of an intoxicated subject in the 200 block of S Lake St.  
1847 health and safety issue in the 600 block of W. Court St

**Friday, September 27, 2019**  
0025 Arrest subject on extraditable warrant from Mississippi  
0800 Driving complaint on Vogel St  
1012 Complaint about the protesters.  
0909 Juvenile complaint on Brockway.  
1103 Report of suspicious vehicle in the 400 block of N Lake St.  
1315 Found Scooter dropped off at PD.  
1315 Found pliers and a multi-tool dropped off at PD.  
1500 Suspicious vehicle reported in the 400 block of W Michigan.  
1541 Driving complaint on Vogel St.  
1649 Found property at Rotary field. Returned to owners.  
1816 Report of suspicious subjects in the 500 block of N Lake St

while backing horse trailer on to Park St.  
1444 Assist to Sheriff Dept. on Deer Lake Rd.  
1519 PR/Foot patrol at Harvest Fest.  
1644 PR at the Eagles for the Free Clinic benefit.  
1834 Assist Sheriff Dept. at Boyne Mountain.  
1937 Assist Sheriff Dept. on Old Horton Bay Rd.  
2156 Suspicious situation reported in the 600 block of Jefferson  
2211 Threats complaint from the 1400 block of Pleasant Ave.  
**Sunday, September 29, 2019**  
0047 Assist Sheriff Dept. on Old Horton Bay Rd.  
1542 PR at the high school for the fireman's concert.  
1634 Report of very loud knocking and yelling in the 300 block of E Division St.  
1844 Report of a fire in the 300 block of E Division St  
1947 Child exchange problems in the 300 block of E Division St.  
2025 Assist Sheriff Dept. on BC-EJ Rd

**Tuesday September 24, 2019**  
0812 911 hang up check in the 500 block of N Lake St.  
1322 Disturbance at W Cedar St. and S Lake St.  
1926 Dispute over parking in the 400 block of High St.  
2355 Assist EMS on Mountain Run Rd  
**Wed/Wednesday, September 25, 2019**  
1056 VIN inspection at the PD.  
1118 Report of grandchild

**Thur. Sept. 25, 2019**  
0005 Parking complaint in the 500 block of S Park St  
0133 Intoxicated subject on Main St.  
0838 Citation issued for Speed at Pleasant Ave. and Prospect St.  
0909 Citation issued for Speed at Pleasant Ave. and Timber Ln.  
0948 Vehicle unlock in the 400 block of N Lake St.  
1954 Assist EMS on W Water St

**Saturday, September 28, 2019**  
0930 Traffic detail from Rotary Park to Old State Rd.  
1138 Foot patrol at the Harvest Fest.  
1423 Assist citizen with traffic

## "Back to the Bricks" coming back Boyne City in 2020

Boyne City has been selected as a host city for the 2020 Back to the Bricks Promo Tour. The tour, which features up to 350 cars, will be making its way to downtown Boyne City on June 7, 2020.

"Boyne City Main Street looks forward to hosting Back to the Bricks next summer. There couldn't be a better way to kick-off the summer and bring people to downtown Boyne City," Boyne City Main Street Executive Director Kelsie King-Duff said.

According to the Back to the Bricks website, each June, the Promo Tour ushers in a summer of cruising and car shows, and offers an opportunity for adventure and camaraderie to hundreds of classic

car owners. The six-day tour has a dual purpose: (1) to promote Back to the Bricks®, and generate excitement for the August "Main Event" in downtown Flint, and (2) to showcase the unique features and boost the economy of each of the host cities selected for the tour.

The tour is in its 11th year, and will make stops in five host cities. The Back to the Bricks Promotional Tour stopped in Boyne City in 2015 as well.

More information on the time of the event and event details will be released soon.

For more information on downtown Boyne City visit www.boynecitymainstreet.com

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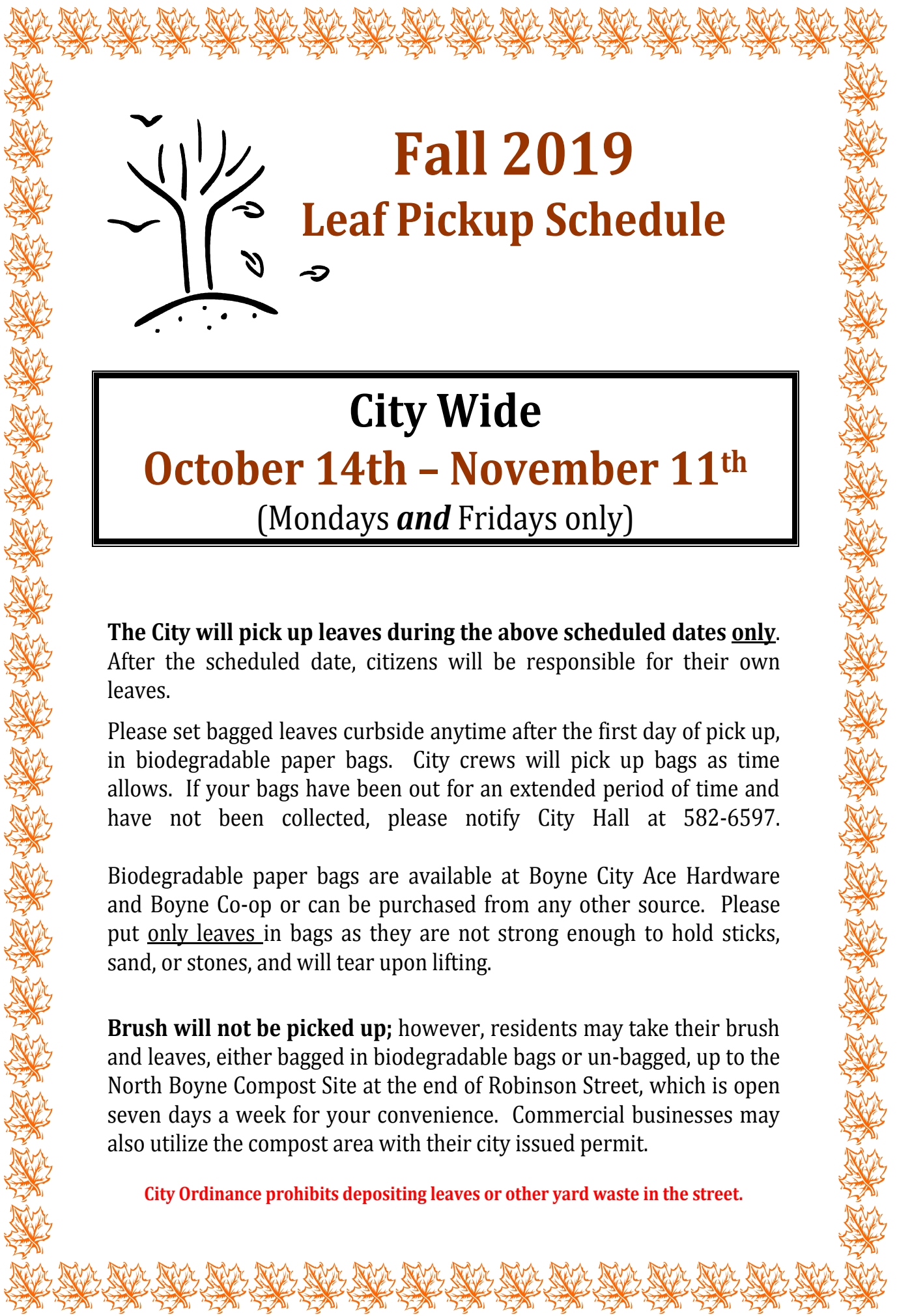
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# Fall 2019 Leaf Pickup Schedule

**City Wide**  
**October 14th - November 11th**  
(Mondays *and* Fridays only)

The City will pick up leaves during the above scheduled dates only. After the scheduled date, citizens will be responsible for their own leaves.

Please set bagged leaves curbside anytime after the first day of pick up, in biodegradable paper bags. City crews will pick up bags as time allows. If your bags have been out for an extended period of time and have not been collected, please notify City Hall at 582-6597.

Biodegradable paper bags are available at Boyne City Ace Hardware and Boyne Co-op or can be purchased from any other source. Please put only leaves in bags as they are not strong enough to hold sticks, sand, or stones, and will tear upon lifting.

**Brush will not be picked up;** however, residents may take their brush and leaves, either bagged in biodegradable bags or un-bagged, up to the North Boyne Compost Site at the end of Robinson Street, which is open seven days a week for your convenience. Commercial businesses may also utilize the compost area with their city issued permit.

**City Ordinance prohibits depositing leaves or other yard waste in the street.**



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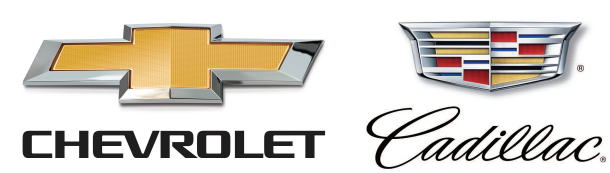
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 <p><b>2018 TOYOTA RAV 4</b> <b>\$23,950</b></p> <p><small>4WD, Low Tire Pressure Warning, Lane Departure Alert, Bluetooth, Remote keyless entry, only 36k miles.</small></p>	 <p><b>2018 CHEVROLET EXPRESS</b> <b>\$24,950</b></p> <p><small>CARFAX 1 owner, Rear view camera, Full vinyl floor covering, Descent control, Engine hour meter, Bucket seats.</small></p>	 <p><b>2016 SILVERADO 1500 LT</b> <b>\$29,950</b></p> <p><small>CARFAX 1 owner, 4WD, All Star Edition, Bluetooth, Bedliner, Leather heated seats, Rear vision camera.</small></p>	 <p><b>2019 DODGE RAM 1500</b> <b>\$36,950</b></p> <p><small>4WD, Back-Up camera, USB port, Satellite radio, Low tire pressure warning, Off-Road suspension.</small></p>	 <p><b>2018 CHEVY SILVERADO 2500HD</b> <b>\$38,950</b></p> <p><small>CARFAX one owner, Less than 6k miles!! Tow pkg., Snow plow prep pkg., 6.0L V8, Rear view camera.</small></p>	 <p><b>2018 GMC SIERRA 2500HD</b> <b>\$56,950</b></p> <p><small>CARFAX One owner, 4WD, 6.6L V8, Bluetooth, Heated leather seats, OnStar, Rear Camera, Bedliner.</small></p>

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