

REGULAR CITY COUNCIL MEETING
March 28, 2006

The Regular City Council Meeting was called to order by Mayor Muschell in the Council Chambers in the City Hall at 7:00 p.m. The proceedings were as follows:

Present: Council Members McCauslin, Temple, Charboneau, Muschell, Boardman, Tebo and Riddle

Council Member McCauslin led the Pledge of Allegiance to the Flag.

Council observed a moment of silence on behalf of Fire Chief David Lloyd.

Approval of Agenda and Receive and File all Communications

Mayor Muschell noted one additional communication which will be presented under Public Hearings.

Council Member Riddle moved to approve the agenda as amended and receive and file all communications. Seconded by Council Member Charboneau. Motion carried unanimously.

Correction and Approval of Prior Meeting Minutes

- **Regular City Council Meeting – March 14, 2006**

Council Member McCauslin moved to approve the minutes of the March 14, 2006 Regular City Council Meeting as presented. Seconded by Council Member Boardman. Motion carried unanimously.

Public Comments

Public comment portion of the meeting opened by Mayor Muschell.

- **South Western Avenue Sanitary Sewer Project**

Mr. Ray Lofgren introduced himself and presented Council with a property diagram of the South Western Avenue area. He referred to the sanitary sewer project for South Western Avenue that was approved by the City Council at the March 14, 2006 meeting. Mr. Lofgren pointed out property owned by Straits Corporation which is the railroad, as well as property owned by Francis Bur and Bay Development. He noted that South Cuyler Street is on the east side of the railroad grade which would service the rear of the Health Care Center in his opinion. The remainder of the property, approximately 25%, is owned by CPA Mike Konicki. Mr. Lofgren explained that he feels that proceeding with the sanitary sewer project is a gross misuse of taxpayer money and that the project should not have been presented to the Planning Commission or progressed this far. He also commented that he assumes it is too late to look at this again however, the information he has is available for Council's inspection. Mr. Lofgren indicated that he wanted to present this to Council and have on record this evening again that the railroad company has more money than the City of Cheboygan and taxpayers should not be paying for any development of a sewer, and that he feels it is a misconduct use of taxpayer money that should never have progressed this far.

Public comment portion of the meeting closed by Mayor Muschell.

Public Hearings

- **Consider a request from Walgreen's to rezone the following described property located on S. Main Street (former Citizens National Bank building; portion of property of the owners of the Fleetwood Motel; and Franklin Street (Carl McRae, Jr. property), Cheboygan, Michigan from Tourist Service (T-1) and One-Family Residential (R-1) to General Business (B-3): Commence at the intersection of the Nly ROW of Franklin Street and the Ely ROW of S. Main St (M-27) for a POB; th N 27 deg. 31 min. 06 sec. W along Ely ROW Main Street 369.57 ft; th N 63 deg. 56 min. E 150.0 ft; th S 32 deg. 30 sec. E 224.5 ft; th W 86 deg. E 16.5 ft; th Sly 26 deg. 30 sec E 50 ft; th S 86 deg. E 86.5 ft; th S 0 deg. 11 min. E 103 ft; th S 87 deg. E 80.0 ft; th S 0 deg E 60 ft m/l to Nly ROW of Franklin St; th Wly along Nly ROW of Franklin St 285.0 ft to POB**

Public hearing portion of the meeting opened by Mayor Muschell.

City Manager McNeil explained that the purpose of this public hearing is to consider rezoning that is in conjunction with a proposed Walgreen's Store. The rezoning under consideration is from Tourist Service (T-1) and Single Family Residential (R-1) to General Business (B-3) zoning. This rezoning consideration comes to Council by way of recommendation of the Planning Commission who has indicated the rezoning is consistent with the Land Use Plan. Mr. Vince Rogala introduced himself, commenting that he owns a residence at the end of Franklin Street and that he has several questions to direct to representatives of Walgreen's. He referred to the Zoning map, questioning if accommodations will be made for a green area near the proposed wall that will separate the properties. Mr. Rogala stated that he feels that Franklin Street is the beginning of the residential area and is something that should be protected. He commented that he would like to see a green area of evergreens and hardwoods so that this valuable property is not hindered by a cement wall and a parking lot, and requested that Council consider his request for more green area. Mr. Chuck Maziasz introduced himself, commenting that as a business owner in Cheboygan for over 30 years, he has some concerns regarding land use. He explained that Walgreen's is an establishment that brings in a pharmacy and there are already many pharmacies in Cheboygan. Mr. Maziasz questioned if bringing in such a business is really advantageous to Cheboygan. Mr. James Gilbert introduced himself, commenting that he is in favor of the proposed Walgreen's development, adding that this is a favorable location and as a nearby and adjacent landowner he is in favor of the rezoning and hopefully in the future more business will be developed in that area. Mr. David Campbell introduced himself, explaining that he represents the developer, Retail Development who is handling this proposed site for Walgreen's. He referred to comments made by Mr. Maziasz, noting that generally, most communities are very excited to see Walgreen's come in. Mr. Campbell described the brick and limestone building, and that Walgreen's will work through City Manager McNeil's office regarding the requested green area. He noted that no alcohol, wine, beer, or lottery tickets are sold and typically about 25-35 customers are served per hour. Mr. Campbell explained that at the present time, there is a parking lot with a closed bank and drive-through facility at that location, and when the proposed Walgreen's is completed, the entire landscape and entrance will improve the area tremendously. Mr. Campbell noted that Walgreen's tries to do everything possible to accommodate a majority of people. Mayor Muschell asked Mr. Campbell what his experience has been with regard to Walgreen's as a company drawing from other communities to a particular area. Mr. Campbell replied that is hard to say here in the north, but typically, Walgreen's does not create a lot of traffic congestion because most of the customer base comes from within an approximate 1 1/2 to 2 mile radius. He commented that for him to say that Walgreen's will draw from areas such as St. Ignace and Mackinaw City would be speculative but their studies indicate this is a very strong market.

Council Member Tebo asked if Walgreen's will be open 24 hours and the number of people that will be employed. Mr. Campbell indicated he is unsure if the decision to remain open 24 hours has been made at this point. He added that an estimated 35-45 people, which is a combination of full and part time, would be employed. Council Member Tebo noted that is 35-45 new jobs for Cheboygan and basically the work force will come from the Cheboygan area other than possibly the pharmacist. Additionally, the tax base will bring in more tax dollars because the building will be worth much more than the idle bank that is there now. Council Member McCauslin stated that Council received a letter from one of the neighborhood residents and of the numerous points she addressed, there is only one that he is uncertain of and that is the type of lighting that will be used in the southeast corner of the parking lot which will be in a residential section. He questioned what type of lighting will be utilized to present a minimal impact on neighbors. Mr. Campbell explained that he would defer to City Manager McNeil who has had extensive dialogue with the architects and engineers in going over the site plan, commenting that he is aware that the lighting issue was addressed by staff and the Planning Commission. City Manager McNeil explained that the designers of the site and the engineers who put together the specifications are aware that the City's Ordinance requires the lights to shine down on the site only and to keep the lighting off of adjacent sites. Council Member McCauslin stated he is also in favor of the Walgreen's project, commenting that Walgreen's does have a national network with regard to the pharmacy and any visitors to the area would be able to utilize that service. Mr. Ray Lofgren introduced himself, commenting that although Mr. Campbell is a competent attorney who deferred to City Manager McNeil for some opinion on lighting, he feels that the questions that have been posed such as those from Mr. Rogala should be addressed by the owner and developer of the property. Mr. Lofgren stated that it is his understanding that nothing has been addressed directly to the Planning Commission other than through submitting the engineer drawings and Mr. Campbell appearing twice. He noted that he is concerned that a resident should have the owner of the project address these questions. Mr. Lofgren also commented that aside from that, he has not heard anyone talk about safety, referring to the amount of traffic at the intersection that the bank generated in comparison to the proposed Walgreen's. He added that he does not disagree with Mr. Maziasz or with the adjoining property owner, Mr. Gilbert. Mr. Lofgren stated he would like to hear from the Safety Director regarding safety on that corner. Mr. Vince Rogala noted that after living there for a number of years, it is difficult getting out of Franklin Street and it appears that the main entrance to Walgreen's will not be on Franklin. Mr. Campbell stated that is correct. Mr. Rogala commented that with regard to parking, the lot is a substantial size and all night lighting is a concern. He suggested the possibility that all the lights could be shut off in the back half of the parking lot from midnight until 6 a.m. and that Walgreen's would still have half of the parking lot available. Mr. Campbell stated that Walgreen's is open to whatever the community would like. He added that the plan has been thoroughly reviewed by staff and the Planning Commission and that site plan approval has been granted. Mr. Rogala commented that his primary concerns relate to parking lot lighting and a green area, adding that there would have to be some type of changes. Council Member Riddle questioned the location of the entry to Walgreen's in relation to the traffic light. City Manager McNeil explained that the entry to the Walgreen's will remain approximately where the entry to the bank is now and there is also an entry/exit at the north end of the property as well as a secondary entrance on Franklin Street. Council Member Temple stated that he agrees with Council Members Tebo and McCauslin in that Walgreen's will bring in more jobs and increase the tax base. He commented that in the past, Cheboygan has tried to keep businesses out and that is why businesses such as Walgreen's are needed. City Manager McNeil stated that the usual process when a plan is submitted to the City is that it first goes to staff. The Water and Wastewater, Public Works and Public Safety Departments review the plan and make comments, and that approximately half of the time there are changes made at that point. Then the plan is submitted to the Planning

Commission for review and then to Council for review. In this particular case, that process has gone full circle with site plan review contingent upon rezoning. Mayor Muschell stated he attended the Planning Commission meeting and felt the plan was gone through very thoroughly. Council Member Riddle stated that in the past Council has addressed where a business is going to locate adjacent to a residential area and there have been concerns regarding noise level and those kinds of things. Council has made special stipulations that a green belt be provided. She asked if this was discussed in any of the meetings. City Manager McNeil noted that he does not recall that issue coming up adding that the wall is there because Ordinance requires it wherever a business zone borders a residential district. There may have been instances in the past where a green belt may have been added in certain areas, but in this particular case he does not recall that discussion. Council Member Tebo stated that he feels Mr. Campbell is aware of Council's concerns and will convey those concerns accordingly. Council Member Riddle questioned the portion that is primarily being rezoned, asking if the entire parcel or only the portion where the house is located is under consideration for rezoning. City Manager McNeil stated that the entire legal description that covers the proposed Walgreen's site is proposed for rezoning. The only portion of that area that is residential is the southeast section where the house is located now. Mr. Rogala questioned that if this rezoning is approved, then is this site plan the approved site plan or does it go back for any further discussion. City Manager McNeil explained that the site plan has already been approved however, some concerns may be able to be addressed.

Public hearing portion of the meeting closed by Mayor Muschell.

Council Member Tebo moved to rezone the described properties located on S. Main Street (former Citizens National Bank building; portion of property of the owners of the Fleetwood Motel; and Franklin Street (Carl McRae, Jr. property), Cheboygan, Michigan from Tourist Service (T-1) and One-Family Residential (R-1) to General Business (B-3): Commence at the intersection of the Nly ROW of Franklin Street and the Ely ROW of S. Main St (M-27) for a POB; th N 27 deg. 31 min. 06 sec. W along Ely ROW Main Street 369.57 ft; th N 63 deg. 56 min. E 150.0 ft; th S 32 deg. 30 sec. E 224.5 ft; th W 86 deg. E 16.5 ft; th S 26 deg. 30 sec E 50 ft; th S 86 deg. E 86.5 ft; th S 0 deg. 11 min. E 103 ft; th S 87 deg. E 80.0 ft; th S 0 deg E 60 ft m/l to Nly ROW of Franklin St; th Wly along Nly ROW of Franklin St 285.0 ft to POB from Tourist Service (T-1) and One-Family Residential (R-1) to General Business (B-3) for the proposed Walgreen's based on the following: (1) that the rezoning is consistent with the policies and uses proposed for that area in the City's Master Land Use Plan; (2) that all of the uses allowed under the proposed rezoning would be compatible with other zones and uses in the surrounding areas; (3) that any public services and facilities would not be significantly adversely impacted by a development or use allowed under the requested rezoning; and (4) that the uses allowed under the proposed rezoning would be equally or better suited to the area than uses allowed under the current zoning of the land. Seconded by Council Member Temple. Motion carried unanimously.

- **Consideration of an Ordinance to Amend the City Code by Adding a New Chapter 53, "City Sewer Service" which shall Define Relevant Terms, Mandate Use of the Public Sewers, Regulate Private Sewage Disposal and Septic Tank Cleaners, Require a Permitting Process for Building Sewers and Connections for all Other Purposes under the Chapter and a Penalty for Violation of any Provision**

Public hearing portion of the meeting opened by Mayor Muschell.

City Manager McNeil stated that although a public hearing is being held as if the City is adding a new chapter, this in reality is a previous Ordinance within the City of Cheboygan. A couple years ago, the City went through all of its Ordinances and the re-codification process which Council adopted. The portion under consideration of being added and calling new is actually a portion that was there before but was inadvertently omitted during the codification process, and it is the portion of the Ordinance that provides for specifications relative to septic systems and connections to the public sewer system.

Public hearing portion of the meeting closed by Mayor Muschell.

Council Member McCauslin moved to amend the City Code by Adding a New Chapter 53, “City Sewer Service” which shall Define Relevant Terms, Mandate Use of the Public Sewers, Regulate Private Sewage Disposal and Septic Tank Cleaners, Require a Permitting Process for Building Sewers and Connections for all Other Purposes under the Chapter and a Penalty for Violation of any Provision. Seconded by Council Member Charboneau. Motion carried unanimously.

Communications and Petitions

There were none.

Reading of Ordinances

- **Second Reading - An Ordinance to Amend Chapter 95 “Nuisances: of the Cheboygan City Code of Ordinances by Repealing the Entire Chapter 95 and Enacting a New Chapter 95**

City Manager McNeil stated that as mentioned before this proposed amendment is an upgrade of the City Nuisance Ordinance. He explained that part of the City’s Strategic Plan and direction resulting from the citizens’ survey which was reviewed during the strategic planning process indicate that residents want the City to control issues of blight in a better manner than in the past. This amended Ordinance gives the City the tools needed to address that. City Manager McNeil noted that Chief Jones has spent quite a bit of time on this along with Officer Frazier the Code Enforcement Officer, the City Attorney and himself. There were some concerns from Council at the last meeting with regards to a section that was meant to control the number of vehicles, campers and trailers, etc. on a property and some concerns relative to the way that type of property would be regulated so we went back to that and what is before Council now attached to the front of the proposed Ordinance is a proposed reworking of that language where reference to single-family and two-family properties has been eliminated and instead is referred to simply as a dwelling. City Manager McNeil commented that the City Attorney has not responded yet with regard to rewording of this one particular section. Chief Jones noted that this is a draft and the City Attorney has not provided a final review. Council Member Riddle questioned the portion that the City Attorney is responding to. City Manager McNeil stated the proposed reworking of Section 95.06 (C) (7). Council Member McCauslin referred to the section regarding prohibiting the burying of refuse asking if this includes pet waste. Chief Jones stated that this pertains only to trash, rubbish or garbage. He asked if there were any other questions or comments regarding the rest of the Ordinance. City Manager McNeil recommended tabling the issue until the City Attorney can provide a final form and not set a public hearing at this time.

Council Member McCauslin moved to table scheduling a public hearing for April 11, 2006 at 7:00 p.m. to consider an Ordinance to Amend Chapter 95 “Nuisances: of the Cheboygan City Code of Ordinances by Repealing the Entire Chapter 95 and Enacting a New Chapter 95 until the next

Regular City Council Meeting, pending the final draft from the City Attorney. Seconded by Council Member Temple. Motion carried unanimously.

- **First Reading – An Ordinance to Amend Sections 51.67(D)(1-4) of the Cheboygan City Code of Ordinances by Repealing Section 51.67(D)(1-4) and Enacting New Sections 51.67(D)(1-4) which Provides for Payment of Water and/or Sewer Disposal Services Charges in Rental Arrangements, Deposits, Liens, Shutting Off Service, Reconnection Fees and Remedies in the Event of Non Payment of Tenants and/or Landlords**

Clerk/Treasurer Kwiatkowski explained that he worked with the City Attorney to strengthen the language in the Ordinance with regard to landlord/tenant arrangements pertaining to water and sewer bills. He commented that this Ordinance provides for the current deposit of \$100, requires a 20-day written notice of vacation, and sets forth releasing the landlord from having any lien placed on their property by way of filing an affidavit or true copy of the lease with the City that is properly dated and signed. Clerk/Treasurer Kwiatkowski stated that the proposed Amendment also provides for in the event that the lease lapses, a stipulation that the billing will immediately revert back to the landlord's name and become subject to tax liens. He further explained that if the City has a true copy of the lease and the renter leaves, the City is left with pursuing the unpaid balance because the unpaid portion cannot be added as a lien on the property taxes.

Council Member Charboneau moved to schedule a public hearing for April 11, 2006 at 7:00 p.m. to consider an Ordinance to Amend Sections 51.67(D)(1-4) of the Cheboygan City Code of Ordinances by Repealing Section 51.67(D)(1-4) and Enacting New Sections 51.67(D)(1-4) which Provides for Payment of Water and/or Sewer Disposal Services Charges in Rental Arrangements, Deposits, Liens, Shutting Off Service, Reconnection Fees and Remedies in the Event of Non Payment of Tenants and/or Landlords. Seconded by Council Member McCauslin. Motion carried unanimously.

Boards and Commission Reports

- **Department of Public Safety Monthly Statistics – February 2006**

Council received and reviewed the Department of Public Safety Monthly Statistics for February 2006.

- **Regular Brownfield Redevelopment Authority Board – March 13, 2006**

City Manager McNeil reported that although there were no actions required, the Brownfield Redevelopment Authority met on March 13, 2006 and discussed some basic issues as well as their upcoming annual meeting in June where the Authority will again elect a Chairman and Vice Chairman. Additionally, Mr. Brian Duvalle who has been serving on the Brownfield Redevelopment Authority Board and whose term expired has indicated that he will not be seeking another term so there is a vacancy that needs to be addressed.

- **Regular Human Relations Board – March 16, 2006**

City Manager McNeil stated that the Human Relations Board for the past couple meetings has had on their agenda to critique and strengthen the Martin Luther King Day event. Additionally, the Board wants to review their Mission Statement and authority provided by Ordinance. City Manager McNeil commented that although there has been a quorum, the Board wants full participation when discussing the Mission Statement and authority, and consideration of possibly some other programs and therefore in that regard, the Board has not made any accomplishments.

- **Regular Planning Commission – March 20, 2006**

City Manager McNeil stated that as Council recalls, the Planning Commission spent quite a bit of time looking at conditional rezoning which is a new law in the State of Michigan that would allow municipalities with zoning authority to consider negotiating an agreement with the developer that would outline the conditions of rezoning and the uses that would be within that agreement. He noted that there have been many concerns from real estate attorneys and planners in the State with regards to that particular law and that there may be too much that has not been figured out yet and could possibly subject communities to lawsuits in the future. In any event, the Planning Commission did favor the flexibility of this law and as such reviewed the Planned Project Ordinance and is now taking a look at Planned Unit Development Ordinances in other communities and it is possible they will be providing a recommendation to Council in the future. Additionally, the Planning Commission also completed its study of entrance corridors and provided a proposed action plan for Council's consideration, and also based on the City Council's direction, the Commission is now starting to look at waterfront development plans, which is expected to take a considerable amount of time to complete.

Resolutions

- **Authorization to Issue Bonds – re: Lincoln Avenue Bridge Replacement**

City Manager McNeil referred Council to a calculation used to develop his recommendation to issue bonds in the amount of \$475,000 in order to produce sufficient funds to meet the City's estimated obligation for replacement of the Lincoln Avenue Bridge. Pursuant to that, Council has a bond authorizing resolution as developed by bond counsel for consideration and recommended approval. Mayor Muschell noted that the \$475,000 is the City's obligation and the other portion of the \$4 million will come from the Critical Bridge Fund. City Manager McNeil indicated that is correct, commenting that Council will note in his calculation that based on the Critical Bridge Program, the City is responsible for 5% of the construction cost and all of the engineering cost that is figured in based on the proposal from Rowe Engineering. Additionally, he has included the estimated bond issuance cost as well as a contingency, and he feels all aspects are well covered. City Manager McNeil commented that Council will also note that he deducted the cash on hand from the funds that Council set aside previously, to render his estimate and recommendation for this bond.

Council Member McCauslin moved to adopt the Resolution for Authorization to Issue Bonds in the amount of \$475,000 in order to finance the Lincoln Avenue Bridge Replacement Project. Seconded by Council Member Boardman. Motion carried unanimously.

Unfinished Business

- **Consider a request to rezone the following described property in Cheboygan, Michigan: Property on E. State Street (U.S. 23 East) from One-Family Residential (R-1) to General Business (B-3): Commence at SW intersection of Eastern Avenue and U.S. 23 (E. State Street); thence S'ly along the W'ly ROW of Eastern Avenue 630.0 feet for a POB; thence continue W'ly 1287.0 feet to E'ly line of Block 3, Supervisor's John B. Dufresne's First Addition to the City of Cheboygan; thence S'ly along E'ly line of said Block 3 700.0 feet; thence E'ly parallel to Gerow Street and U.S. 23 (E. State Street) a distance of 4400.0 feet; thence N'ly and at right angles to U.S. 23 (E. State Street) 700.0 feet; thence E'ly 3116.0 feet, more or less, to POB**

- **Consideration of an Ordinance to amend the Zoning Ordinance of the City of Cheboygan, Michigan, by adding new provisions 154.034 – 154.042 “Adult and Sexually-Oriented Businesses”**

City Manager McNeil explained that Council has before them consideration to rezone property that lies parallel to and south of East U.S. 23. He referred to the zoning map, commenting that the zoning recommendation is part and parcel with consideration of an Ordinance that would control the location of Adult and Sexually Oriented Businesses. He stated that he is recommending that this matter be tabled as the maps relative to the rezoning have been reviewed and it has since been discovered that property owners of parcels under consideration for rezoning that lies westerly of Eastern Avenue were not properly notified pursuant to Council policy. City Manager McNeil stated that this does not require a new public hearing since the legal descriptions and all other information is the same but it is his recommendation that the matter be tabled until the next City Council meeting in order to satisfy notification requirements pursuant to Council policy and as such he is also recommending that Council table further consideration of the Ordinance as well regarding the location of Adult and Sexually Oriented Businesses because they pertain to each other. Mr. Ray Lofgren questioned if he is included among those that should receive notification. City Manager McNeil replied that Mr. Lofgren should not have received notice.

Council Member Charboneau moved to table this rezoning request and consideration to amend the Zoning Ordinance of the City of Cheboygan, Michigan, by adding new provisions 154.034 – 154.042 “Adult and Sexually-Oriented Businesses” until April 11, 2006. Seconded by Council Member McCauslin. Motion carried unanimously.

General Business

- **Consideration to Take Proposals for Independent Audit Services for Fiscal Years Ending June 30, 2006, June 30, 2007 and June 30, 2008**

City Manager McNeil referred Council to a request for proposals with regards to audit services. He explained that due to the City’s upcoming budget constraints the City is exploring options not previously considered. City Manager McNeil commented that as stated at the last City Council meeting although the current auditing firm has provided a great value to the City and has done an excellent job, none the less, the City must consider cost aspects as well as professionalism of those that provide services. He deferred the matter to Clerk/Treasurer Kwiatkowski who has put together the proposal form before Council. Clerk/Treasurer Kwiatkowski emphasized that the City is requesting proposals rather than bids and that an evaluation of the technical ability will be done separately from the cost. He noted that some of the proposal requirements include qualifications of the audit firm, work record, compliance with applicable peer review and continuing professional education, training on single audit, understanding the requirements of the City’s audit, scope of services included in the contract, proposed timetable of events, soundness of technical approach and qualifications of the audit team and internal controls. Clerk/Treasurer Kwiatkowski noted that an entrance interview will be scheduled before the audit and he and staff will work with the auditors when the audit occurs, and that an exit interview with the auditors, City Manager McNeil and himself will also take place. Clerk/Treasurer Kwiatkowski stated that an ad will be placed in the local newspaper and a copy of the proposal will be sent to local audit firms. Additionally, the City Assessor will provide this information on the City’s website. Clerk/Treasurer Kwiatkowski noted that the request for proposals would need to be submitted by 2:00 p.m. on Friday, April 28, 2006 and that he would review the information and provide a recommendation for Council’s consideration in approximately two weeks, and that he anticipates the audit will be awarded at the first City Council meeting in May. Clerk/Treasurer Kwiatkowski related an experience with another community

whose Council accepted the low bid for audit services only to discover the firm was not qualified and serious repercussions ensued as a result. He outlined the numerous reports involved with the City audit including the financial reports for the year, debt service, retirement, required schedules and other very in-depth information. City Manager McNeil added that the audit is a very important document that is filed with the Treasury Department and anyone reviewing the City's finances such as the bond attorney. He added that the this proposal has basically been put together by Clerk/Treasurer Kwiatkowski from models from other cities and Cheboygan County.

Council Member McCauslin moved to take proposals for independent audit services for fiscal years ending June 30, 2006, June 30, 2007 and June 30, 2008. Seconded by Council Member Tebo. Motion carried unanimously.

- **Consideration of Color Scheme for Lincoln Avenue Bridge**

City Manager McNeil referred Council to the color scheme regarding the Lincoln Avenue Bridge. He noted that the landscape architect has offered three options and that Option A is probably closest to those schemes presented on the original concepts. City Manager McNeil requested direction from Council in order to finalize and submit plans to the Department of Transportation to be finalized by mid-April.

Council Member Tebo moved to approve Option A as the color scheme for the Lincoln Avenue Bridge. Council Member Riddle mentioned that she favors a combination of Options A and B. Seconded by Council Member Charboneau. Motion carried unanimously.

City Clerk's and Treasurer's Comments

There were no comments.

City Manager's Report

- **Lincoln Avenue Bridge Replacement Update**

City Manager McNeil deferred to Mayor Muschell with regards to an update on the Lincoln Avenue Bridge Replacement project. Mayor Muschell stated that the recent article in the newspaper regarding possible construction delays due to the presence of protected fish spawning in the Cheboygan River was reviewed by DEQ staff who has since tentatively advised that there would be no restrictions on the fish, which provides a very positive outlook with regard to previously considered construction delays. He noted that information was provided to the U.S. Coast Guard pertaining to a list of names and addresses of property owners within a half mile radius of both bridges to initiate the public hearing process, adding that the time schedules and public hearings for the Army Corps of Engineers and DEQ are separate. Mayor Muschell commented that no advertisement for the project can commence until all requirements are met. He added that the anticipated June letting may not materialize because of Coast Guard requirements but initially prior to this as on the previous bridge, up until relatively recently, the Coast Guard only had to review and consider lighting for the navigation and now they seem to have also taken over the environmental aspects and do not rely solely on the DEQ. Mayor Muschell stated that the City is also subjected to the Coastal Zone Management which is another agency needing approval but so far that has not affected the Lincoln Avenue Bridge as with the proposed footbridge. City Manager McNeil stated that it has been indicated to him that final submittal of the plans is April 14th and hopefully the other requirements that the Mayor has alluded to will be satisfied at that time. He added that there is a four

or five week advertising requirement so if that were to fall into place after mid-April, the City would be looking at advertising during that period, which is one reason for a possible June letting.

- **Activity of the Economic Development Corporation of the County of Cheboygan**

City Manager McNeil stated that with regards to his activities with the Economic Development Corporation of Cheboygan County, as Council is aware, inter-governmental cooperation and economic development activity is one of the objectives of the City's Strategic Plan. He commented that in relation to that he is honored in being selected President of the Cheboygan County Economic Development Corporation. City Manager McNeil explained that the Cheboygan County EDC has been working very hard to develop a recommendation for the Cheboygan County Board of Commissioners relative to bringing a pro-active economic development program to the County. He noted that today, pursuant to a recommendation from the EDC Board, he made a presentation to the Cheboygan County Board of Commissioners with a recommendation to enter into discussions with the Northern Lakes Economic Alliance which is a current economic development inter-governmental alliance that involves Emmet, Charlevoix and Antrim Counties. City Manager McNeil explained that this is a result of a fairly in-depth evaluation by the EDC Board with regards to the different options available for conducting economic development. He added that the EDC Board felt that the proven track record, the economy of scale, and excellent staff and everything else that comes with extensive membership, the Northern Lakes Economic Alliance might be the best and first option, so the County Board gave approval for the EDC to begin discussions with officials of the Northern Lakes Alliance in consideration of a future partnership that would add Cheboygan County.

Messages and Communications from Mayor and Council Members

There were no further messages or communications.

Adjournment

Council Member Charboneau moved to adjourn the meeting at 8:15 p.m. Seconded by Council Member Temple. Motion carried unanimously.

Mayor James Muschell

City Clerk Kenneth J. Kwiatkowski

Councilman Scott McCauslin

Councilman Gerald R. Boardman

Councilman Vaughn M. Temple

Councilwoman Winifred L. Riddle

Councilman Leslie A. Tebo

Councilman Charles Charboneau