

**REGULAR CITY COUNCIL MEETING**  
**May 23, 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 Boardman, Tebo, Riddle, McCauslin, Temple, Charboneau and Muschell

Councilman Boardman led the Pledge of Allegiance to the Flag.

**Approval of Agenda and Receive and File all Communications**

Councilman McCauslin moved to approve the agenda as presented and receive and file all communications. Seconded by Councilman Charboneau. Motion carried unanimously.

**Correction and Approval of Prior Meeting Minutes**

- **Regular City Council Meeting – May 9, 2006**

Councilman Boardman moved to approve the minutes of the May 9, 2006 Regular City Council Meeting as presented. Seconded by Councilman Temple. Motion carried unanimously.

**Public Comments**

Public comment portion of the meeting opened by Mayor Muschell.

- **Mackinaw Maritime Museum**

Mr. Ray Lofgren introduced himself and referred to the Mackinaw Maritime Museum, asking for an update on what has occurred since notification of the relocation was provided and what steps have been taken. Mayor Muschell replied that nothing has occurred that he is aware of and the steps taken since then is to attempt to locate a benefactor through public comments and interviews. He added that the Waterways Commission offered assistance if possible to retain the decommissioned Mackinaw in Cheboygan but there has been no solution with regard to funding or available land. Mr. Lofgren asked if the City will take a sit-down approach on this issue or if there has been discussion with the Mackinaw Maritime Museum Committee. Mayor Muschell explained that the Committee's primary concern is raising enough funding to provide mooring and purchase land. Additionally, one of the drawbacks is that Committee members are required to sign as individuals as well as through a corporate structure for whatever loan is secured. Mr. Lofgren asked if there is action Council could initiate or if this is considered a dead issue. Mayor Muschell commented that Council would like to assist in some manner but there is no alternative in terms of funding and it is an impossibility to suggest that the City initiate a joint millage with the County. Council Member McCauslin commented that he spoke with Representative Bart Stupak and the President of the Mackinaw Maritime Museum Committee who have assured him that the Great Lakes Lighthouse Keepers Association has absolutely nothing to do with this move and that the move is considered temporary until such time as funds can be raised and permanent mooring in Cheboygan can be arranged. Additionally, the Committee anticipates that this would not take longer than three years and that they were in the process of securing permission from the DNR for the mooring site in Mackinaw City on a temporary basis until arrangements could be made to locate the Mackinaw in Cheboygan. Councilman McCauslin explained that what is delaying the fundraising is that the legislation is not entirely passed at this point and no one but the government has possession of the Mackinaw. He added that corporations are hesitant to provide major contributions because of the uncertainty that the

Mackinaw will be the possession of the Committee. Mr. Lofgren questioned if Representative Stupak mentioned there is more than \$5 million left in the budget after construction of the new Mackinaw and new mooring. Councilman McCauslin indicated that Representative Stupak did not share any information regarding funding for the new Mackinaw or anything of that nature and that all that was discussed was the retiring of the old Mackinaw. Mr. Lofgren commented on accessing the remaining \$5 million by having the proper authorities initiate some action with the Mackinaw Maritime Museum Committee and perhaps Mayor Muschell could have this conversation with Representative Stupak on how to address this issue. Mr. Lofgren added that there was also an indication on maintaining a readiness for duty status and that Representative Stupak mentioned there was a possible lucrative lease-back opportunity through the Government Services Administration. He commented that he would like Council to study this issue a little more and perhaps become active and not just let it go. Councilman McCauslin noted that Representative Stupak advised maintaining contact with Senator Jason Allen who will be working very closely on this issue and would have the most current information. Mr. Lofgren commented that it is a matter of asking for the money that is left in the budget. Mayor Muschell explained that is possible; however, it may be a circumstance where the funds may be specifically appropriated for the new Mackinaw and if that is the case, those funds could not be used for any other purpose.

- **Mr. Hoffman's Proposed Project**

Mr. Lofgren commented on the proposed development by Mr. Hoffman, referring to page 6 of the May 9, 2006 City Council Meeting minutes which indicates that Councilman McCauslin stated that when the City walked away from the proposed project, Mr. Hoffman walked away and the whole issue was dissolved. Mr. Lofgren stated he feels that says it in a nutshell and he is still unsatisfied with the correspondence between City Manager McNeil, Mr. Hoffman and whoever else was involved and that should at least be recorded for some kind of reprimand.

- **Additional Comments from Mayor Muschell**

Mayor Muschell stated he would like to respond to the potential movement of the decommissioned U.S. Coast Guard Cutter Mackinaw to Mackinaw City, commenting that there will not be a permanent mooring facility for the Mackinaw at the State Dock and that there are other plans for that location. Councilman Temple questioned if the old Mackinaw could be moored somewhere other than the State Dock in Mackinaw City. Mayor Muschell replied that he is not aware of any other location. Councilwoman Riddle questioned if the Committee involved with trying to retain the old Mackinaw in Cheboygan is still active. Mayor Muschell indicated the Mackinaw Maritime Museum Committee is still active and there is no change as far as he is aware. Councilwoman Riddle noted that Council has not received an update from the Committee recently. Mayor Muschell commented that it seems to have been difficult for Council to obtain information from the Committee and he is unsure of the reason. City Manager McNeil explained that the original legislation named the City and County to receive the ship; however, that legislation changed and the City and County are out of it now. He further explained that as the legislation is written now, the ship is to go directly to the Mackinaw Maritime Museum, Inc. who is designated to receive the ship and is the only source with the appropriate standing to make application to the Government Services Administration should that legislation not pass before the decommissioning occurs. City Manager McNeil stated that the Mackinaw Maritime Museum, Inc. is poised as a corporation to either receive the ship via the legislation that could pass before the decommissioning or if the decommissioning takes place and the legislation is not passed, the corporation can apply through the Government Services Administration to receive the Mackinaw. Councilwoman Riddle commented that when communication was before

Council a few months back, Council signed a Resolution supporting the concept of the Mackinaw staying in Cheboygan but the City could not support the project financially. Mayor Muschell recommended that Council maintain a closer relationship with the Maritime Museum Committee and have more communication and possibly provide more assistance even in contacting legislators. He added that there should be some facilities available to apply for public funding for something as important as the historical Coast Guard Cutter Mackinaw and the museum that is intended. Mayor Muschell requested that Council members assist him with maintaining a closer relationship with the Mackinaw Maritime Museum Committee.

- **Pinehill Cemetery**

Ms. Melody Budzinski introduced herself, commenting that she addressed Council two weeks ago regarding Pinehill Cemetery. She mentioned she wanted to thank DPW Superintendent LaCross for getting back with her. Ms. Budzinski stated that her main concern was a road being put in along side of gravesites that started out as a two track and now is a gravel road to accommodate the large tractor that Mr. Olson uses. She explained that what she is trying to do is prevent a road going in along side of her cemetery lots because she knows eventually a small two track will be widened to twelve feet or more to accommodate whatever machinery Mr. Olson brings in there. She asked what has to be done to prevent a road going in there. City Manager McNeil asked if Ms. Budzinski is concerned about encroachment on her gravesites. Ms. Budzinski stated that eventually the gravesites will be driven on just like the road going off Pinehill Avenue. She referred to a letter she received regarding the Cemetery, commenting that the letter says that Mr. Olson and his crew do have to move these items, meaning the headstones and monuments from time to time but they are always returned to their original position within a short period of time. Ms. Budzinski stated that is not true, explaining that in 2002 grave markers were moved and are still not put back where they were and the reason is because the road was widened from a small two track to something big enough to accommodate the large equipment being driven through there. She added that is a perfect example of what she does not want to happen to her gravesites. City Manager McNeil recommended that Clerk/Treasurer Kwiatkowski and Mr. Olson meet with Ms. Budzinski on site to take a look at the situation. Ms. Budzinski stated she has met with Mr. Olson and was shut down and that is why she is here. Clerk/Treasurer Kwiatkowski explained that he went to the Cemetery and drove the two-track and spoke with Mr. Olson a couple different times. The area where the two-track runs is between the gravesites and the watershed and that he did not observe encroachment on any gravesites. Clerk/Treasurer Kwiatkowski noted that the only way to access some of those gravesites for burial if the two-track is not used is by way of Pinehill Avenue at least according to what he saw. Ms. Budzinski agreed. Clerk/Treasurer Kwiatkowski stated that he feels the solution is to discuss the matter with Mr. Olson present and would prefer to meet at the Cemetery in order to get a good idea of what Ms. Budzinski wants the City to do. Ms. Budzinski also commented that the dirt piles should be moved over approximately two or three feet. Clerk/Treasurer Kwiatkowski explained that the piles have been there for at least eight to ten years and consist of top soil and sand for burials and then as the sites are excavated, clay and materials are dug up so there is also a pile of that type of material. Ms. Budzinski stated that branches, tree limbs and large pieces of cement are pushed right over the side as well as dirt and clay. Councilwoman Riddle asked if those materials are pushed into the watershed area. Ms. Budzinski indicated that the materials eventually get pushed into the watershed area. Councilman Tebo asked if Mr. Olson could transfer the branches, cement and other materials to where the City deposits yard debris, and clean up the Cemetery. It was noted that Department of Public Works staff could take care of that. Councilwoman Riddle asked if it would be advisable for a DEQ representative to inform the City on the responsibilities of what can and cannot

be done along that stretch. City Manager McNeil noted that the City already has a good handle on that issue. Ms. Budzinski referred back to the letter she received which states that Mr. Olson and his crew have operated in this fashion for many years and the City has received no previous complaints regarding this practice. She noted that she has complained to Mr. Olson a number of times and that she is not the only one to have complained. Councilwoman Riddle asked if Ms. Budzinski feels Council is not responding and reacting to her comments. Ms. Budzinski stated that she has not received very much response in the past but feels that Council is doing well now. She commented that she would like to see this resolved and thanked Council.

Public comment portion of the meeting closed by Mayor Muschell.

### **Communications and Petitions**

- **Letter from Linda A. Cronan, County Treasurer – re: City’s Interest in Purchasing Foreclosed Former Center Tool Property at 915 S. Western Avenue**

City Manager McNeil reported that the City received a letter from Cheboygan County Treasurer Linda Cronan on the availability of property as a result of foreclosure process due to non-payment of property taxes and the County is asking if the City is interested in obtaining that property for the minimum bid. He commented that he referred the matter to the City Assessor to provide an opinion with regards to property value, and that the City Assessor’s opinion is that the property is not worth the \$111,200.00 minimum bid amount. Additionally there is a process that could ultimately put this in a public auction process through the State. City Manager McNeil stated that as a result of this and because the property does not appear at this time to work through any plans of the City, it is his recommendation that the City sign the waiver and allow the property to continue through the auction process. Additionally, Council may recall that within the Trail System Master Plan for the Mackinaw to Hawks Trail there is proposed as a number one capital improvement project, a trailhead within the City of Cheboygan. City Manager McNeil explained that this property could play into that so he has advised Ms. Emily Myerson who is the Trail Planner for the DNR that this property is available and possibly a DNR grant could be issued to purchase the property. In so far as what County Treasurer Linda Cronan is asking the City Council to do, it is his recommendation to approve the waiver. Councilwoman Riddle asked if the former Woolworth building paid taxes to avoid foreclosure. City Manager McNeil indicated that is correct.

Councilman Tebo moved to authorize the City Treasurer to execute the Waiver of First Right of Refusal on the tax-foreclosed former Center Tool property at 915 S. Western Avenue. Seconded by Councilman McCauslin. Motion carried unanimously.

- **Request from the Cheboygan Lions Club to use Washington Park on July 4, 2006 from 7:00 am to 12:00 noon for a Pancake Breakfast**

Councilman Boardman moved to approve the request from the Cheboygan Lions Club to use Washington Park on July 4, 2006 from 7:00 am to 12:00 noon for a pancake breakfast. Seconded by Councilwoman Riddle. Motion carried unanimously.

### **Ordinances**

- **Final Reading – Ordinance to Amend Chapter 95 Nuisances: of the Cheboygan City Code of Ordinances by Repealing the Entire Chapter 95 & Enacting a New Chapter 95**

City Manager McNeil stated that the City of Cheboygan in its Strategic Plan has an objective to try to address issues of junk and blight which was one of the primary concerns listed on the citizen survey.

He added that in order to effectively deal with the junk and blight issues, the Nuisance Ordinance was reviewed with specific regard to regulation of junk and blight and as a result Council has this Ordinance in front of them to review. City Manager McNeil noted with that, the Director of Public Safety and Code Enforcement Officer have reviewed the Ordinance and added new language. Chief Jones stated that the item corrected from the last reading was an added amendment under Section 95.10 regarding abatement. He explained that Section 95.10 Subsection C. 3, 4, 5, 6 and 7 allows the City to recover the cost of cleanup or abatement through a lien on the real estate and collected in the same manner as general city taxes. Chief Jones noted that this pertains to instances where the nuisance is an immediate health hazard and/or most likely involves vacant property owners in rental situations or foreclosed property. Councilman Temple questioned the possibility of adding an Ordinance that controls the condition of parking lots especially in the downtown area, such as requiring blacktop to prevent unsightly and muddy conditions. He referred to the condition of the parking lots located between Alice's Restaurant and Big Dipper on Main Street, and on the corner of Pine and Main Streets. Chief Jones replied that he is not aware of any current language that addresses parking lots but that could be added to this Ordinance or perhaps within the Zoning Ordinance. City Manager McNeil added that the City Attorney would need to be consulted to determine if language could be added retroactively and that the matter would be looked into. Councilwoman Riddle asked if some of the muddy areas could be maintained naturally without the use of blacktop. Chief Jones noted the options could include a manicured lawn, pavement or concrete. Councilman McCauslin commented that stabilized gravel could be added to the lot between Alice's Restaurant and the Big Dipper to level off the area which would much improve the situation and still be considered maintaining the lot. Councilman Temple noted that the parking lot on the corner of Pine and Main Street which extends to Huron Street appears unsightly with weeds, grass and sand. Chief Jones commented that the Parks and Recreation crew have trimmed that area and the cost was applied to the tax bill. Councilman McCauslin commented the proposed Ordinance is very concise and that a public hearing should be set.

Councilman McCauslin moved to schedule a public hearing for June 27, 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. Seconded by Councilman Boardman. Motion carried unanimously. City Manager McNeil commented that issues with regard to parking lots could be provided as an amendment at a later time.

### **Departments, Boards and Commission Reports**

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

The Department of Public Safety Monthly Statistics for April 2006 were received and reviewed.

- **Regular Human Relations Board Meeting – May 15, 2006**

City Manager McNeil reported that the Human Relations Board continues to refine and improve the annual observance of Martin Luther King Day and is looking at the possibilities of other pro-active programs as well. The Board also reviewed their Mission Statement and their powers and requirements under the Ordinance.

- **Regular Planning Commission Meeting – May 15, 2006**

City Manager McNeil stated that pursuant to objectives of the Strategic Plan, the Planning Commission is starting to review riverfront development and taking the very first steps in what is believed to be a fairly long process in developing a land use plan or detailed development plan for the

riverfront. He explained that the Commission is beginning to undertake that project now by looking at current land uses where the public and private land is, what is developable, and what areas of the River have unique character. The Planning Commission has requested that City Manager McNeil produce more maps showing property ownership and the Commission will be reviewing aerial photos as well. City Manager McNeil noted that the Commission is also considering a new Planned Unit Development Ordinance hoping to add some flexibility with control for development of properties for mixed uses.

### **Resolutions**

- **Consideration of a Resolution of Appreciation for Mary Brown's Service on the Downtown Development Authority Board of Directors**

Councilman McCauslin moved to approve the Resolution of Appreciation for Mary Brown's Service on the Downtown Development Authority Board of Directors. Seconded by Councilman Charboneau. Motion carried unanimously.

### **General Business**

- **Consideration of Bids – Purchase of Equipment to Rehabilitate the Primary Settling Tank Sludge Collectors at the Wastewater Treatment Plant**

Water and Wastewater Superintendent Good stated that requests were made for separate bids to repair two and four of the primary settling tanks sludge collectors for the Wastewater Treatment Plant. He explained that the four tanks were originally installed in 1977 and that failures occurred on two of the tanks which are a critical part of the wastewater treatment system. Superintendent Good noted that the bids were quite complicated in that even though there was a very detailed list of what needed to be included, some of the bids were missing information. He commented that after evaluating all the bids he is recommending the bid from U.S. Filter and although the bid from Waterworks System was lower, there were items not included in the initial bid such as the adjusting mechanism. Councilman Charboneau questioned if the recommendation is to repair all four tanks. Superintendent Good stated that he would prefer to have all four tanks repaired, commenting that this equipment does need to be replaced and there is a \$3,500 savings if all four tanks are repaired at the same time. He explained that \$45,000 was in the Capital Improvement Fund to recondition two of those tanks in the next fiscal year but if it appears funds are running low, he suggests that the two tanks that are currently down could be reconditioned. Mayor Muschell questioned how the tanks failed. Superintendent Good stated that the adjusters deteriorated. Councilman McCauslin noted that the specifications state that where feasible, parts shall be constructed of non-metallic materials. He asked if those parts would interact with the stainless steel. Superintendent Good explained that the only function of the stainless steel is for hardware, for instance to connect the wear shoes and the flights to the chain, and that everything else is fiberglass or polyurethane.

Councilman Tebo moved to approve the purchase of four sets of equipment to rehabilitate the primary settling tank sludge collectors at the Wastewater Treatment Plant from U.S. Filter in the amount of \$43,300.00. Seconded by Councilman McCauslin. Motion carried unanimously.

- **Consideration of Bids – Painting of Metal Mansard Roof Surface at the City Hall/Opera House**

City Manager McNeil stated that as Council is aware the painting of the metal mansard roof surface project is in the Capital Improvement Plan and contained in the current budget. He explained that three bids were received and the bid from Trestain Painting, LLC of Cheboygan is the lowest at

\$29,500.00 and appears to be in order with all the documentation that was requested and that it is his recommendation that this bid be accepted. Councilman McCauslin commented that he noticed a couple corners on some of the overhangs appear to be deteriorating. He asked if this project is for painting only or does it include repair. City Manager McNeil replied the project is just for painting and if there is some repair needed as the painting progresses, the repairs would have to be taken care of on an as needed or time and materials basis. He added that a section on the front of the building is being repaired along with the brick and that contractor will be done before painting begins.

Councilman McCauslin moved to award the painting of the metal mansard roof surface at the City Hall/Opera House to Trestain Painting, LLC in the amount of \$29,500.00. Seconded by Councilman Tebo. Motion carried unanimously.

- **Consideration of Audit Proposals for the Fiscal Years Ending June 30, 2006, June 30, 2007 and June 30, 2008**

Clerk/Treasurer Kwiatkowski reported that the City received four proposals to perform the annual audit for the next three fiscal years, prepare all the financial statements, PA-51 and F-65 for the Department of Treasury, pre and post-audit interviews, Management's Discussion & Analysis as well as periodic consultations during the term of the agreement. He noted that the four companies submitting proposals include Anderson, Tackman & Co, PLC; Straley, Isley & Lamp; The Rehmann Group; and Dennis, Gartland & Niergarth, P.C. Clerk/Treasurer Kwiatkowski commented that the bids range from \$57,000 to \$67,500 for the three audits. He stated that one issue occurred subsequent to the April 28 deadline for submitting the proposals in that he was contacted by Mr. Michael Konicki of The Rehmann Group who cited the City's policy that if a tax paying business in the City of Cheboygan is within 5% of the lowest proposal, the business would be given consideration. He stated that he was unsure how to proceed and spoke to City Manager McNeil as well as the City Attorney who advised that it is a proposal and should therefore be presented to Council.

Clerk/Treasurer Kwiatkowski noted that his recommendation is to accept the local proposal from the Rehmann Group subject to negotiations downward within 5% of the lowest proposal. The reason is that the City has developed a good working relationship with the Rehmann Group over the years and no one knows the City and what is happening with the financial situation better than them. He added that as far the proposals, the Rehmann Group clearly exceeded all the others as far as the scope of work and the number of cities throughout the State for which they provide annual audits.

Clerk/Treasurer Kwiatkowski commented that another consideration is that midway through the fiscal year the accounting software system was changed from Versys to the new BS&A software and the Rehmann Group is familiar with both programs. He stated that his recommendation is that Council consider that the City continue working with the Rehmann Group with the provision the proposal rate is within the 5% range, and if not, then accept the proposal from Anderson, Tackman & Company, PLC. Councilman McCauslin mentioned that the proposal from the Rehmann Group was approximately 10% higher than Anderson, Tackman & Company, PLC and asked why the 5% is even an issue in that case. Clerk/Treasurer Kwiatkowski explained that the Rehmann Group would like to resubmit a proposal that would work out a fee within 5%. Councilman McCauslin noted the offer was after the fact and does not sound like good practice. He added that he understands that the Rehmann Group has a good history with the City and is very familiar with the software system and the recent changeover but resubmitting their proposal after the fact does not sound right.

Clerk/Treasurer Kwiatkowski explained that the Rehmann Group is trying to take advantage of the policy that Council adopted pertaining to the 5% threshold. Councilman McCauslin stated he understands but this is after the deadline of submitting proposals. Clerk/Treasurer Kwiatkowski

noted that is why he contacted the City Attorney who advised that Council did have the right to consider the offer. City Manager McNeil commented that he shares the same concerns as Council however, he also agrees with Clerk/Treasurer Kwiatkowski in that from a qualifications standpoint the Rehmann Group is certainly at the top. He clarified that these are proposals rather than bids and therefore, Council does have the opportunity to negotiate a different price with any of those submitting proposals. Councilman McCauslin noted that he is very uncomfortable with that and if Council is going to allow one audit company to readjust their proposal, then all must be provided that opportunity. Councilwoman Riddle asked the locations of each of the non-local audit companies. Clerk/Treasurer Kwiatkowski explained that Anderson, Tackman & Company, PLC is located in Kincheloe, Straley, Isley & Lamp is in Alpena and Dennis, Gartland & Neirgarth, PC is in Traverse City. He noted that the proposal from Straley, Isley & Lamp did not include much information pertaining to city audits, the Rehmann Group proposal was the most impressive, and the Anderson/Tackman proposal listed audit services for a few cities in the UP but primarily township audits. Councilman Tebo agreed that if the City renegotiates with the Rehmann Group then the other companies should also have that opportunity. Council Member Temple commented that he feels that Council should not negotiate and should select the company tonight.

Councilman Temple moved to award the City's audit for the fiscal years ending June 30, 2006, June 30, 2007 and June 30, 2008 to Anderson, Tackman & Co. PLC in the amount of \$57,000.00. Seconded by Councilman Charboneau. Motion carried unanimously.

- **Consideration of Quotes – Repaint Interior of Original Fire Department Garage at City Hall**

City Manager McNeil referred Council to quotes for repainting the interior of the original Fire Department Garage at City Hall, noting that Public Safety Director Chief Jones is recommending the proposal from C.H. Deroshia Painting, Inc. in the amount of \$4,178.00 to be paid for through the Public Safety Improvement Bond Fund.

Councilman Temple moved to approve the quote from C.H. Deroshia Painting Inc. to repaint the interior of the original Fire Department garage at City Hall in the amount of \$4,178.00. Seconded by Councilman Charboneau. Motion carried unanimously.

- **Consideration of Quotes for Turnout Gear Open Bay Lockers – Fire Department**

City Manager McNeil reported that Chief Jones received quotations for turnout gear open bay lockers and is recommending the low quote from Weld-Tech Unlimited, Inc. in the amount of \$5,760.00 to be paid for through from the Public Safety Improvement Bond Fund.

Councilman McCauslin moved to approve the quote from Weld-Tech Unlimited, Inc. for turnout gear open bay lockers for the Fire Department in the amount of \$5,760.00. Seconded by Councilman Charboneau. Motion carried unanimously.

- **Consideration to Take Bids – 2006 Seas on Bituminous Street Resurfacing**

City Manager McNeil stated that pursuant to the City of Cheboygan Capital Improvement Plan and the general practice to continue to issue debt to support repaving the streets as debt is retired, DPW Superintendent LaCross has put together an advertisement for bids as well as the street list which he is proposing for resurfacing. City Manager McNeil commented that when the preliminary budget for the next fiscal year was provided to Council, he reported to Council that there is debt service in that

budget to support issuing bonds for this project and it is therefore their recommendation the City go out for bids.

Councilman Tebo moved to authorize the taking of bids for the 2006 season bituminous street resurfacing. Seconded by Councilman McCauslin. Motion carried unanimously.

Councilman Temple asked if there are any gravel roads in residential areas that have not been paved. City Manager McNeil noted he is not aware of any but if there are, to please bring them to his attention. Councilman Temple commented on the condition of the street corner at Bailey and State Street that washes out every year and is patched, and that he feels the street should be cut out and repaired properly. City Manager McNeil stated he would bring that to Mr. LaCross's attention. Councilwoman Riddle asked the reason for the placement of pylons on Main Street. City Manager McNeil replied that asphalt was applied in the area where water main repair had taken place, adding that typically settlement occurs after water main repair is done and the DPW returns to repair the area. Additionally, the cross walk was being painted.

- **Consideration to Reappoint John Knaffla to the Downtown Development Authority Board of Directors – Term to Expire June 13, 2010**

Councilman Charboneau moved to reappoint John Knaffla to the Downtown Development Authority Board of Directors with a term to expire June 13, 2010. Seconded by Councilman Tebo. Motion carried unanimously.

- **Consideration to Appoint Matthew Pollard to the Downtown Development Authority Board of Directors – Term to Expire June 13, 2010**

Councilman McCauslin moved to appoint Matthew Pollard to the Downtown Development Authority Board of Directors with a term to expire June 13, 2010. Seconded by Councilman Charboneau. Motion carried unanimously.

- **Consideration to Reappoint Phil Porter to the Historic Resources Commission – Term to Expire March 25, 2009**

Councilwoman Riddle moved to reappoint Phil Porter to the Historic Resources Commission with a term to expire March 25, 2009. Seconded by Councilman Boardman. Motion carried unanimously.

- **Consideration to Appoint Two (2) City Council Members to the Northern Cheyogan County Intermunicipality Planning Committee**

City Manager McNeil stated that reflected in the memo but not on the agenda is the appointment of two Planning Commission members in addition to the appointment of two City Council members to the Northern Cheyogan County Intermunicipality Planning Committee. He explained that the Resolution that Council passed and the other municipalities involved in the Planning Committee also passed, calls for the City Council to appoint two members from the Planning Commission and two members from the City Council. City Manager McNeil stated that as a result of the last Planning Commission meeting, Commissioners Granger and Prieur are being offered for the Council's consideration as representatives from the Planning Commission. Councilman McCauslin asked when the Northern Cheyogan County Intermunicipality Planning Committee meetings are held. City Manager McNeil replied the meetings are the first Monday of each month at 7:00 p.m. Council Members McCauslin and Tebo volunteered to serve as Committee members.

Councilwoman Riddle moved to appoint Council Members Tebo and McCauslin as the Council Members to the Northern Cheboygan County Intermunicipality Planning Committee and approve the recommendation of the Planning Commission to appoint Commissioners James Granger and David Prieur to serve on behalf of the City of Cheboygan's Planning Commission. Seconded by Councilman Charboneau. Motion carried unanimously.

### **City Clerk's and Treasurer's Comments**

- **Rehmann Group Proposal to Renegotiate**

Clerk/Treasurer Kwiatkowski apologized for the unusual situation regarding the Rehmann Group proposal to renegotiate their original audit proposal. Councilwoman Riddle commented that the Rehmann Group proposal was over 10% and Council is fully aware of the option to go with the 5% prerogative for a local business. Mayor Muschell added that it is not an unusual procedure for professionals to negotiate proposals but generally, a contract is negotiated with each party separately along with their qualifications and then a selection is made.

### **City Manager's Report**

- **EPA Brownfield Assessment Grants**

City Manager McNeil stated that as Council is probably already aware, the City along with the County, received two different grants from the U.S. Environmental Protection Agency both in the amount of \$200,000 to conduct investigations and individual site determinations on Brownfield sites within the City and throughout the County. He explained that the different grants are for sites impacted by petroleum and hazardous materials. City Manager McNeil stated that Council may also recall that although the County is the applicant, the City through its Brownfield Development Authority and through himself as the Authority Director are proposed to be the Program Administrators. He noted that as soon as details are available through the EPA with regards to grant agreements, his understanding is that they will first proceed toward identifying a consultant to conduct the work based on the program put into the application.

- **Major City Park Riverfront Improvement Phase II Update**

City Manager McNeil stated that the Major City Park Riverfront Improvement Phase II project is almost complete. He encouraged Council to take a look at the improvements, adding that the project has gone fairly smooth as far as change orders other than final reconciliation for materials that had to be taken to a type II landfill. City Manager McNeil stated that as far as the Major City Park Master Plan, this project is a continuation of improvement of the riverfront at the north end of the Park and includes two additional fishing piers and a planned walkway which winds through the Park and the planned marina. He noted that the City received approximately \$450,000 in grant funding toward the \$560,000 project.

- **Public Hearing for Budget Review**

City Manager McNeil stated that the public hearing for official review of the budget will be at the June 13, 2006 City Council meeting and that he expects to have the budget document and report out to Council for review just prior to when the agenda is distributed.

### **Messages and Communications from Mayor and Council Members**

- **Lincoln Avenue Bridge Permits**

Mayor Muschell noted he is still working on the application for the Lincoln Avenue Bridge permit through the Michigan Historical Preservation.

- **Anonymous Letter**

Councilwoman Riddle presented Clerk/Treasurer Kwiatkowski with a letter she received which was unsigned with no return address. She noted because of that she is not bringing the information before Council but would provide the information to Clerk/Treasurer Kwiatkowski.

- **Kiwanis Park**

Councilman McCauslin stated that he was contacted by a resident on Mackinaw Avenue regarding Kiwanis Park. He explained that residents to the north of the Park have been doing a lot of clearing and cleaning up of the property and it is looking a lot better but all of the debris and tree limbs are put in their south drive and the residents are continuing to use the Kiwanis Park driveway as their circular drive. Councilman McCauslin commented that he drove past there yesterday and the Park was quite busy with young children. He noted the possibility of injury in the event a child runs into the driveway from behind the pavilion if the neighboring property owners next door continue to utilize the Kiwanis Park driveway. Additionally, there may have been a tree cut on City property directly behind the pavilion but he is unsure if the property in question is owned by the City or the neighboring property owner. City Manager McNeil noted that the property runs at a 45 degree angle and the tree that was cut may not be on City property. Councilman Tebo questioned the possibility of sectioning off the Kiwanis Park driveway area using utility pole markers similar to those at Gordon Turner Park. City Manager McNeil noted that is a possibility but the first objective is to obtain a survey of the property to determine property lines.

- **Project Oversight**

Councilman Temple asked who is responsible for ensuring that large projects in the City are being done the way they are supposed to, such as setbacks and other issues. City Manager McNeil replied that is ultimately his responsibility.

**Adjournment**

Councilman Charboneau moved to adjourn the meeting at 8:26 p.m. Seconded by Councilman McCauslin. Motion carried unanimously.

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Mayor James Muschell

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City Clerk Kenneth J. Kwiatkowski

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Councilman Scott McCauslin

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Councilman Gerald R. Boardman

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Councilman Vaughn M. Temple

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Councilwoman Winifred L. Riddle

\_\_\_\_\_  
Councilman Leslie A. Tebo

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Councilman Charles Charboneau