

REGULAR CITY COUNCIL MEETING
July 25, 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 Charboneau, Muschell, Boardman, Tebo, Chlopan, Riddle and McCauslin

Councilman Charboneau led the Pledge of Allegiance to the Flag.

Approval of Agenda and Receive and File all Communications

Mayor Muschell noted an addition to the agenda under Communications and Petitions, 7.E. Request from Cheboygan Farmers Market to use the Opera House parking lot each Saturday from August 5 to October 28, 2006 from 8:00 a.m. to 1:00 p.m.

Councilman Tebo moved to approve the agenda as amended and receive and file all communications. Seconded by Councilwoman Riddle. Motion carried unanimously.

Correction and Approval of Prior Meeting Minutes

- **Regular City Council Meeting – July 11, 2006**

Councilman McCauslin moved to approve the minutes of the July 11, 2006 Regular City Council Meeting as presented. Seconded by Councilman Charboneau. Motion carried unanimously.

Public Comments

Public comment portion of the meeting opened by Mayor Muschell.

- **Water Quality**

Mr. Walter Wing, Jr. introduced himself commenting that he is present to discuss the poor quality of the City water. He requested an update on replacing the water main on Duncan Avenue. Mayor Muschell noted that repairing the water main is in process. Mr. Wing stated that Wade Trimm also advised him that the grant the City was seeking to replace the water main was not approved. Mayor Muschell replied that one particular grant was denied but replacement is still in the process and funding is necessary in order to proceed. Mr. Wing commented that there was no shortage of funds for sewer mains on South Western Avenue or on Lafayette Avenue where no one lives and reiterated his frustration with the condition of the water.

- **Railroad Quit Claim Deed**

Mr. Hugh Archer introduced himself and related circumstances when purchasing his residence on Young Street that involved a 25 by 66 foot strip of land that was not recorded into his deed. He explained that the property along the Court Street railroad area was originally quit claimed to the City by the Railroad in 1975 and the City then quit claimed the land to residents along that area. Mr. Archer further explained that when Cheboygan Title attempted to meet with the underwriters the only documentation that they had claiming that the current residents owned the property was an Affidavit of Lost Deed which the underwriters would not accept. Mr. Archer stated he persisted with Cheboygan Title for approximately two years and finally was in contact with the Railroad who provided the original deed. He explained that he paid the \$250 fee for the original deed and a \$14

recording fee which resolved the issue with his property and that of everyone else residing along that area. Mr. Archer asked the City's position on possibly reimbursing him for his expenses to obtain the original deed from the Railroad, explaining that the quit claim deed that the City received from the Railroad and then subsequently quit claimed to the residents was lost in a flood and the deed was never properly recorded. City Manager McNeil stated he remembers the issues but not specific details although he thought the City went through some administrative procedure and legal expense to execute some documents regarding the property. Mr. Archer noted that was the Affidavit of Lost Deed but the underwriter would not accept that as a viable document. City Manager McNeil commented that it was his understanding that the Affidavit of Lost Deed made everyone whole and was accepted at that time. Mr. Archer noted that he has a copy of the deed transferring ownership of the property and a receipt from Cheboygan Title. Councilwoman Riddle asked if Mr. Archer contacted any of the residents along that area. Mr. Archer replied that he talked to his neighbors, explaining that some of the older neighbors have the original documents when the property was quit claimed to them and he is unsure if that was an issue when they sold their properties. He commented that the quit claim deed documents were lost by the City and not properly recorded with the Register of Deeds, adding that the City needed to go to the Railroad and obtain another deed rather than go through the whole process of an Affidavit of Lost Deed. City Manager McNeil stated that the City Attorney would look into the matter.

Public comment portion of the meeting closed by Mayor Muschell.

Communications and Petitions

- **Request from Downtown Development Authority & Downtown Cheboygan Steering Committee to hold Tastin' the Blues Festival in Citizens National Bank Parking Lot on August 19, 2006 from 1:00 p.m. to 10:00 p.m.**

Councilman Charboneau moved to approve the request from the Downtown Development Authority & Downtown Cheboygan Steering Committee to hold Tastin' the Blues Festival in Citizens National Bank Parking Lot on August 19, 2006 from 1:00 to 10:00 p.m. Seconded by Councilman Tebo. Motion carried unanimously.

- **Letter of Thanks from J. K. Little, Commander of USCGC Mackinaw**

Mayor Muschell read the letter from J.K. Little, Commander of the U.S. Coast Guard Cutter Mackinaw in appreciation for the support that the City provided regarding the combined ceremony on June 10, 2006 of the decommissioned Mackinaw and the new Coast Guard Cutter Mackinaw.

- **Request from Cheboygan Area Chamber of Commerce to Use Portion of Backus and Main Streets for Downtown Riverfest Car Show on August 17, 2006 and to Close Main Street from State Street to Division Street and to Close Backus Street from Main Street to Huron Street**

Mr. Mike Grisdale, Executive Director of the Cheboygan Area Chamber of Commerce, introduced himself and commented that the request pertains to a car show on Thursday, August 17, 2005 which is the start of the Riverfest celebration. He explained that the car show has been held at Wheeler Motors for the past five years but has expanded beyond the capacity of their parking lot and therefore a request is being made to relocate the car show in the downtown area. Mr. Grisdale added that the event involves all four of the car dealerships in Cheboygan, the Cheboygan Area Tourist Bureau, the Downtown Development Authority, Citizens National Bank and the Chamber's Riverfest Committee. Mr. Grisdale also stated that the request is to use a portion of Main Street along with Backus Street

and would utilize a portion of the Citizens National Bank parking lot. Councilman McCauslin asked if there are any anticipated problems with closing Main Street and questioned the time of the event. Mr. Grisdale replied that the car show is between 11:00 a.m. and 6:00 p.m. but in talking with Chief Jones and DPW Superintendent LaCross, Main Street would have to be closed by approximately 7:00 a.m. to make sure the Street is clear of parked cars. Chief Jones added that there would most likely be no problem with closing a portion of Main Street in preparation of the car show.

Councilman McCauslin moved to approve the request from the Cheboygan Area Chamber of Commerce to use a portion of Backus and Main Streets for Downtown Riverfest Car Show on August 17, 2006 and to close Main Street from State Street to Division Street and to close Backus Street from Main Street to Huron Street, contingent upon approval by the Department of Public Safety and Department of Public Works as to methods of closure and times. Seconded by Councilman Tebo. Motion carried unanimously.

- **Request from Cheboygan Area Chamber of Commerce to Hold Sidewalk Sales on August 3, 4 & 5, 2006 and to use the Sidewalks and Parking Spaces along Main Street for this Event**

Mr. Grisdale explained that the request is to block off parking spaces along Main Street in front of stores participating in the Sidewalk Sales event. He added that only the parking spaces would be blocked without closing off the street to allow a safe area for people to walk around the merchandise that is displayed on the sidewalk in front of the stores. Councilwoman Riddle asked if barriers would be placed at the outside edge of the parking spaces as a safety feature between pedestrians and traffic. Mr. Grisdale noted that orange pylons would be placed between the parking spaces and roadway. He added that this has not presented a problem in the past with vehicular traffic or pedestrians.

Councilwoman Riddle moved to approve the request from Cheboygan Area Chamber of Commerce to Hold Sidewalk Sales on August 3, 4 & 5, 2006 and to use the Sidewalks and Parking Spaces along Main Street for this Event. Seconded by Councilman McCauslin. Motion carried unanimously.

- **Request for use of Opera House Parking Lot from August 5 to October 28, 2006 from 8:00 a.m. to 1:00 p.m. for Cheboygan Farmers Market**

Mayor Muschell read the letter from Ben Bartlett, Cheboygan County MSU Extension Director on behalf of the Cheboygan Farmers Market requesting the use of the Opera House parking lot each Saturday morning from August 5 to October 28, 2006 from 8:00 a.m. to 1:00 p.m.

Councilman Chlopan moved to approve the request for the use of the Opera House parking lot each Saturday morning from August 5 to October 28, 2006 from 8:00 a.m. to 1:00 p.m. for the Cheboygan Farmers Market. Seconded by Councilman Charboneau. Motion carried unanimously.

Boards and Commission Reports

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

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

- **Regular Planning Commission Meeting – July 17, 2006**

City Manager McNeil commented that the Planning Commission had one action issue which pertained to a proposed amendment to the site plan for Faith Baptist Church but prior to addressing that, he wanted to report that the Planning Commission is beginning to take a more detailed look at

riverfront development and the planning review process. He explained that as previously reported the Commission divided the River into three different sections: the area of the River lying north of the State Street Bridge being one section, another section from State Street Bridge to the Lincoln Avenue Bridge and the third section under review is south of the Lincoln Avenue Bridge. City Manager McNeil stated that the Planning Commission will be working on a Mission Statement or a development principle as a reference to guide them as they review and develop a Riverfront Development Plan which they have been directed to do based on the City's Strategic Plan.

Consideration of Amendment to Site Plan for Faith Baptist Church

Mr. Jim Granger of Granger and Associates introduced himself, commenting he is representing Faith Baptist Church. He stated that the request for an amendment to the site plan has a number of factors but the most overriding factor is the Attorney General's Opinion which ruled that the County Storm Water Ordinance is invalid and not enforceable. Mr. Granger explained that the concept behind a pond for storm water run off is to ensure that the receiving storm water system would not be overloaded by controlling the rate of discharge off the property, which is what the pond is doing. This particular case is unique in that the storm water system that is there was originally designed to carry flow from Lincoln Avenue and all the homes extending to Loomis Street including the Coast Guard housing. Mr. Granger explained that all of the water used to flow across the Faith Baptist Church property and into the drainage system along Western Avenue and then down to Taylor Street then easterly to the River, so it was designed to accommodate all that run-off. Over the years improvements have been made in that Lincoln Avenue was built with curb and gutter, and storm sewers as well as Coast Guard Housing with the same, and therefore a significant portion of storm water run off was removed from going into that ditch and storm sewer. Mr. Granger indicated that capacity is not an issue, explaining that the ability of the storm system to receive the run-off directly from the Church property will not in any way exceed the capacity of volume that used to flow down through there. He added that the only reason the drainage pond was put there is because of an Ordinance that was thought to be valid but is actually invalid. Mr. Granger noted the liability issues for the Church and significant investment in building the pond as well as an additional investment in fencing and anticipated increased insurance premiums. He commented that the preferred alternative is to remove the pond and therefore an amendment to the site plan is requested. Councilwoman Riddle asked if when the parking lot was built, graded and sloped, was the anticipation that the water flowing off the parking lot was going to go into the pond. Mr. Granger noted that is correct. Councilwoman Riddle also asked if the water would go into the ground and saturate that area and possibly back up along that whole stretch. Mr. Granger indicated it would not, explaining that pipes running into and out of the pond must be connected. Councilwoman Riddle asked if there is an area in the parking lot that would funnel the water to where that pipe is. Mr. Granger noted that is correct, adding the water will still continue to flow in that direction and the ditch area will replace the pond in terms of water run-off. Councilman McCauslin asked if the ditch along Western Avenue has been cleaned out and the culverts verified clear for that eventuality. City Manager McNeil replied that it the ditch was cleaned possibly two or three years ago and still has its original capacity. Councilwoman Riddle asked if there were issues with the ditch when construction of the Church was underway. City Manager McNeil commented that there were some issues that pertained to the water line and fire hydrant and service to that fire hydrant. Councilwoman Riddle asked if that situation has been corrected. City Manager McNeil noted he believes the issues were resolved. City Manager McNeil clarified that Mr. Granger is before Council even though the Attorney General's opinion basically says that counties were not granted the authority to regulate storm water in cities, villages and townships. None the less, the criteria for retention basin and storm water run off was included as part of the site plan approval and thus came under City control and jurisdiction because it was part of

the site plan approval. Councilwoman Riddle asked who has the engineering expertise that would make the determination on whether there is an adequate deterrent in the storm water system and that it would not cause a problem. City Manager McNeil replied that now becomes the City's next challenge in light of the Attorney General's opinion in that the City must develop its own Ordinance and criteria. He added that the City has none and in fact, it is his opinion to the Planning Commission that the City should not do anything with this until criteria is established. City Manager McNeil noted that the Planning Commission did cite some criteria and some issues in their recommendation to approve this amendment request, such as the large capacity ditch and the vegetation in the ditch to assist with any environmental concerns. He added that the Planning Commission will be working on developing a proposed ordinance and criteria right away and he suspects that he will have to enlist the City engineers to evaluate whatever the developers show us on their plans based on the criteria that is developed.

Councilwoman Riddle moved to table consideration of this amendment until a report is provided to Council from the engineer that advises whether there are adequate deterrents in place to do what was initially meant in allowing run off in proper fashion.

Mr. Granger noted that tabling consideration presents a problem for the Church in that the contractor working on the South Western Avenue sewer project is willing to provide, transport and place his excess fill dirt to the site without any cost to the Church and a delay would eliminate that opportunity. He explained that what is unique about this project is that the water run-off is going into a drainage system that was large enough to accommodate all of the run-off from Lincoln Avenue and the Coast Guard project. Mr. Granger added that the capacity is there as it was built there many years ago. Additionally, the ditch has been cleaned and maintained and he requests if possible that the project be considered on its own merits independent from anything else because the situation is unique. Councilwoman Riddle asked if the Church is willing to make changes if a problem arises. Mr. Granger replied that the Church would make changes, adding that he is very comfortable that there are no problems with what is being proposed.

There was no support to the motion made by Councilwoman Riddle. Motion failed.

Mayor Muschell asked if City Manager McNeil has received any incite on how this would be handled by the City in comparison to other communities that are all faced with the same problem. City Manager McNeil replied that he does not have any additional incite at this particular time, adding that is something he will have to gather information on in preparation of the next Planning Commission meeting. Mayor Muschell commented that the retention of the storm water has gotten very complex and getting more so every day because of additional requirements with regards to settlement and removal and disposal of pollutants and debris. City Manager McNeil agreed, commenting that clearly the City has to be concerned as cities like us continue to develop, that we do not overtax our infrastructure, in this case our storm sewer systems. Mr. Ray Lofgren asked if contractors now are not going to have to include rain water run-off engineering on projects. Mayor Muschell replied that contractors will have to do that in the City, adding that the County does not have the authority to enforce it and neither does the City and does not have the capacity yet but that is what we are trying to cover for the future as soon as we can because it is an important issue. Mr. Granger noted there are actually two things that tie together and what Mr. Lofgren is referring to is soil erosion and sedimentation control and that law is still in effect at the County level and nothing has changed. The storm water run-off is the issue, not the erosion. Mayor Muschell agreed that is another issue.

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Councilman Tebo moved to approve the Amendment to the Site Plan for Faith Baptist Church as presented. Seconded by Councilman Charboneau.

City Manager McNeil recommended that the motion be amended to cite the Planning Commission's recommendation which includes criteria specific to this site to avoid any broad reaching precedent setting issues. Mayor Muschell agreed.

The motion was amended to approve the Amendment to the Site Plan for Faith Baptist Church, based on the recommendation of the Planning Commission to allow elimination of the detention pond due to the existence of other storm drainage mitigation factors included in the plan and a large capacity open and vegetated ditch which is immediately available to the site.

Yes votes: Councilman Boardman, Charboneau, Chlopan, Tebo, McCauslin and Muschell

No votes: Councilwoman Riddle

Motion carried.

- **Regular Human Relations Board Meeting – July 17, 2005**

City Manager McNeil stated that the Human Relations Board reviewed the original memorandum of understanding between the Chamber of Commerce, City of Cheboygan and Coast Guard.

Additionally, a report was provided by a Board member relative to a meeting he attended downstate that was put on by the Michigan Department of Civil Liberties and further discussion was held with regards to the upcoming Martin Luther King Day event. City Manager McNeil commented that Council will note that Dr. Hergt will not be seeking an additional term on the Human Relations Board and that his current term expires in October. He recommended that Dr. Hergt be provided a letter of appreciation regarding his service to the Human Relations Board.

Councilman Tebo moved to have City Manager McNeil draft a resolution of appreciation thanking Dr. Hergt for his service on the Human Relations Board to be signed by Mayor Muschell and all City Council Members and to be presented to Dr. Hergt at a public meeting. Seconded by Councilman Chlopan. Motion carried unanimously.

General Business

- **Review of Meeting Minutes – Approval of Smoking of Fish at Preseau Fish Market**

City Manager McNeil noted that pursuant to Council's request is a copy of the City Council meeting minutes relative to the approval of the smoking of fish at the Preseau Fish Market. He noted that Council conditioned the approval that the equipment be installed and maintained according to factory specifications. Mr. Bob Boyea commented that as he stated at the last City Council meeting, the catalytic converter cannot possibly work properly because Mr. Preseau's ovens operate at 200 degrees and 500 degrees is required for the equipment to work properly. He referred to the City Council Meeting minutes of February 14, 2006 where "Mr. Preseau replied that the unit would be the eight inch model which is the size of the chimney that he used which would accommodate a larger combustor and reiterated that with the operation he has, the eight inch model would guarantee that there would be no smoke or no odor existing or exiting the chimney." Additionally at the bottom of page three, "Mr. Preseau commented that the unit is a state of the art system that has to be in place, adding that in smaller communities such as this one around northern Michigan it is not noticed as much because the unit is not required. In larger communities the smoking process was infringing on the peacefulness of others and therefore laws were implemented to address that." Mr. Boyea noted

that in a sense, Council has laws that should have addressed that; one is the Zoning Ordinance, adding that the Preseau Fish Market is a Light Industrial (L-1) business in a Tourist Service (T-1) zoned district. He referred to meeting minutes that indicate, “Mr. Preseau stated that he runs a clean operation and that he wants to keep everyone happy, and if there is a problem, he will immediately address the issue personally and eliminate the use of the equipment.” Mr. Boyea stated that when the issue was about to be voted on, Councilman McCauslin stated that “if the product works as it claims there should be no problem and there is already public comment from the business owner Mr. Preseau stating that if the product does not work he will eliminate the equipment.” Mr. Boyea commented that statement pretty much says it all. Mr. Boyea noted that there would be more people at this meeting but in talking with them, some are disgusted with the way most of the Council has handled this and that they know it has been wrong pretty much the whole process. He commented on articles in the newspaper and letters to the editor regarding the fish market and that people are not getting all the information and have no idea what is going on with this whole process until he explains it to them. Mr. Boyea also referred to the semi-trailer parked behind the fish market, commenting that he drove to some of the Tourist Service (T-1) areas and not one business has a refrigerated tractor trailer as part of their business. He added that he feels Mr. Preseau did not mention that he was going to include a refrigeration unit. Mayor Muschell asked if there were any other comments from the public. There were none. He asked if City Manager McNeil had any additional information. City Manager McNeil noted he did not, commenting that certainly Council and the City has the ability to, by whatever means, verify that the equipment is being operated according to specifications and installed the same way. Additionally, there continues to be investigation with regards to the semi-trailer that is parked there and any nuisance that might fall under the Nuisance Ordinance relative to the odors and the operation as approved by Council. Councilwoman Riddle referred to the minutes of the February 14, 2006 City Council meeting, specifically, a letter from Todd Preseau requesting recommendation of proposed smoking/cooking of fish at Preseau Fish Market. She noted that Mr. Preseau referred to the sketch of his proposed smoke house which is designed in the same manner using a catalytic converter combustor installed in the chimney for the smoke-free, odorless operation that should not be offensive to any neighbors. He further goes on to note there would be no activity outside of the building. Councilwoman Riddle stated that a tractor trailer outside of the building is activity outside the building and therefore Mr. Preseau is not following through with that statement. Councilwoman Riddle also referred to Mr. Preseau’s statement that the eight inch model would guarantee that there should be no smoke or odor exiting the chimney. Additionally, the only recommendation from the manufacturer is to inspect and clean the unit about every 500 hours to ensure that the equipment is working properly. The minutes also reflect that Councilmember Riddle questioned what other ways the unit indicates that it needs to be cleaned, asking if the unit emits a more toxic smoke from the stack and Mr. Preseau stated that it does, adding that it is immediately noticeable however the smoke would not be emitted from the stack because the honeycomb designed unit is clogged and therefore the smoke backs up into the building. Councilwoman Riddle also noted that the minutes reflect that Mr. Boyea introduced himself commenting that one of the stipulations for allowing the fish market was that smoking fish would be prohibited and that he is unsure why the Council would ever consider this request. Additionally a question was raised by Ms. Jill Jewett asking what will happen if the system does not work and will someone regulate the situation if there is odor from the smoked fish. Councilwoman Riddle commented that the minutes also state that Mr. Nathan Rose expressed concern about the fence that was supposed to be erected behind the fish market that did not take place and asked what happens if the proposed fish smoking equipment does not work. Additionally, Mr. Rose commented that the Fish Market issue is a continuous battle citing the request to build a fish market which was approved and now Mr. Preseau requests the ability to smoke fish. Councilwoman

Riddle noted that there continues to be more concerns raised by all of the residents but what repeatedly came out of this is that if there was to be a problem with the smoking of the fish and that the equipment did not work correctly, Mr. Preseau would discontinue the operation. She added that if it is determined that the equipment is definitely not working correctly and that Mr. Preseau is not following the guidelines set up by the City Council, then Council has no recourse but to request that the smoking of fish be disallowed on that location.

Councilwoman Riddle moved to direct City Manager McNeil and Chief Jones to continue any investigation that they have done into the property and if it is found that improper situations are occurring, that the request be made that Mr. Preseau discontinue smoking fish at his operation. Seconded by Councilman Chlopan.

Councilman Chlopan commented that this does not mean that Council will automatically ask Mr. Preseau to remove the equipment and that Council will have to see what the report says. Councilwoman Riddle agreed commenting that the investigation should continue and a report should be provided. Councilman Chlopan noted that Council allowed a person to start the business with the presumption that this was all going to work out and Council certainly should make sure that it is not working out if Council is going to do anything. He added that he has not seen anything concrete that tells him it is not working out although there have been some comments. Councilman Chlopan commented that Council should obtain a definitive report and if the report is not definitive then Council should take that into consideration.

Yes votes: Councilman Chlopan, McCauslin, Boardman, and Councilwoman Riddle

No votes: Councilman Tebo, Muschell and Charboneau

Motion carried.

- **Consideration of Traffic Control Order No. 004-06**

Councilman Boardman moved to approve Traffic Control Order No. 004-06. Seconded by Councilman McCauslin. Motion carried unanimously.

- **Next City Council Meeting Agenda re: Water Situation on Duncan Avenue**

Mr. John Woiderski introduced himself and requested to be included on the next City Council Meeting agenda regarding the water situation on Duncan Avenue. Mayor Muschell noted that he could be included under Public Comments. Mr. Woiderski explained that through telephone calls and conversations with Wade Trim, he was advised that the water mains are not being replaced. Councilman Tebo stated that Wade Trim does not speak for the City. City Manager McNeil stated there has been a miscommunication, explaining that the City has a written Action Plan and schedule of when the recommendations from Wade Trim will be accomplished. Among them is capital replacement actually naming Duncan Avenue and the alphabet streets. City Manager McNeil stated that the City is aware of another grant application opportunity coming up and is working on that now. He noted that in the Action Plan there is going to be an evaluation of capital improvements to include Main Street, the south alphabet streets and Duncan Avenue, and a recommendation with regards to estimated costs and financing will be provided to the City Council. City Manager McNeil commented that Wade Trim may have said the City is not proceeding with the project this year which would be accurate. Mr. Woiderski stated that the newspaper stated that Wade Trim recommended that during their audit that the City replace the pipes. City Manager McNeil agreed, commenting that the City is still investigating that recommendation. Councilwoman Riddle stated the City applied for

a grant and was unsuccessful. City Manager McNeil explained that was a public works grant through MEDC which is coming around again and the City is going to apply again. Over and above that, if the City does not prevail on that grant application, there will still be evaluation of financing opportunities along with cost estimates and all that information will be presented to Council along with how that debt can be paid for.

Mr. Woiderski stated that one more issue is that in talking to the staff at the Wastewater Treatment Plant, residents cannot test their own water. He asked if there is a local resource to test water because he was advised by the City staff that his water is perfectly fine however the water is rusty. Mr. Woiderski noted that residents are receiving conflicting reports and he would like to have the water tested at each water main into each house. He commented that residents are paying for water that legally should not even be used. Mayor Muschell stated that the City is fully aware of the situation and is working on the problem.

City Clerk's and Treasurer's Comments

There were no comments.

City Manager's Report

- **DDA to Continue Discussion Regarding Former Woolworth Building**

City Manager McNeil stated that the DDA Board will meet again on the first Tuesday in August and their primary topic of discussion will be relative to inducing redevelopment or getting involved in redevelopment of the former Woolworth site. Council Members or anyone else with interest should attend as the DDA Board would appreciate the input. City Manager McNeil added that he will be attending the Public Information Officers training and will not be available in the office during regular hours for the next two days.

Messages and Communications from Mayor and Council Members

- **Water Situation**

Mayor Muschell commented that the solution to the water problem is extremely important not only for the citizens that are here now but for the potential of an increase or other developments that are on the horizon for the community.

- **Kingston Theater Marquee Repairs**

Councilman McCauslin asked if there has been any discussion or move by Kingston Theater to repair the front of their marquee. City Manager McNeil stated that inquiries were made because of some safety concerns and that the City was advised that repairs will begin next week.

- **Storage Building**

Councilman McCauslin referred to property on the 200 block of South D Street, noting there was a judgment that required the property owner to conform to his original plans with regards to a pole building. City Manager McNeil stated that the building was approved as is, but that he would check the record. Councilman McCauslin stated that his concern is that the property owner purchased the adjacent property on the corner of D and Sixth Streets, removed the house, built a fence and now has two large trailers there and is adding more. City Manager McNeil replied that he will look into the situation.

- **Water Main Information from Wade Trim**

Councilman Tebo asked if City Manager McNeil would contact Wade Trim to request that any inquiries regarding the water main situation be referred to the City office to ensure that accurate information is provided. City Manager McNeil stated that he felt that Wade Trim has provided good assistance and that he is in contact with them quite frequently.

Closed Session

- **Update – POLC Collective Bargaining**

Councilman McCauslin moved to adjourn the meeting to closed session at 8:13 p.m. for an update on the POLC collective bargaining agreement. Seconded by Councilman Tebo. Motion carried unanimously.

Councilman McCauslin moved to reconvene the City Council meeting at 8:33 p.m. Seconded by Councilman Tebo. Motion carried unanimously.

Adjournment

Councilman Boardman moved to adjourn the meeting at 8:34 p.m. Seconded by Councilman McCauslin. Motion carried unanimously.

Mayor James Muschell

City Clerk Kenneth J. Kwiatkowski

Councilman Scott McCauslin

Councilman Gerald R. Boardman

Councilwoman Winifred L. Riddle

Councilman Charles Charboneau

Councilman Leslie A. Tebo

Councilman William E. Chlopan