

REGULAR CITY COUNCIL MEETING
September 26, 2006

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

Present: Council Members Chlopan, Riddle, McCauslin, Charboneau, Boardman and Tebo

Absent: Mayor Muschell

Councilman Chlopan moved to excuse Mayor Muschell. Seconded by Councilman Tebo. Motion carried unanimously.

Councilman Chlopan led the Pledge of Allegiance to the Flag.

Approval of Agenda and Receive and File all Communications

Mayor Pro Tem McCauslin noted two amendments to the agenda which include an addition to the wording in the Resolution of Appreciation for Ms. Hecko under 7.A. and amendments to 9.D. and 9.E. which pertain to motions to reappoint Mayor Pro Tem McCauslin and City Manager McNeil to the Human Relations Board with terms to expire October 14, 2007, rather than 2009 as indicated.

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 – September 12, 2006**

Councilwoman Riddle moved to approve the minutes of the September 12, 2006 Regular City Council Meeting as presented. Seconded by Councilman Chlopan. Motion carried unanimously.

Public Comments

Public comment portion of the meeting opened by Mayor Pro Tem McCauslin.

- **Pinehill Cemetery**

Ms. Janet Gahn introduced herself and provided Council with photographs of burial sites at Pinehill Cemetery, specifically a burial that took place on September 15, 2006 directly behind her family plot. She noted that excavation equipment was placed on top of her grandparents' graves for the excavation of the grave site for Ms. Carol Spray and that the pads from the equipment were only inches from the headstone of her grandparents and appears to have been all over the area of the gravesites owned by her family. Ms. Gahn explained that excavation of the grave behind her family plot was done on top of or over the graves and headstones of her family resulting in the movement of her grandparents' headstone estimated to weigh approximately 300 pounds and chipping the front edge of the headstone. Ms. Gahn noted that the chip in the headstone is located high enough where the likelihood of the chip being done by lawn equipment is not probable and appears to have been done by excavation equipment. She commented that this should not have occurred and the headstone should have been put back into place immediately and her family notified. Ms. Gahn questioned if the City was notified. Clerk/Treasurer Kwiatkowski replied that he met with two of Ms. Spray's sisters regarding this issue and that he went to the Cemetery with them to look at the gravesites. He

added that he observed that a headstone was moved and there were indentations on some gravesites and advised Ms. Spray's sisters that he would obtain an explanation from Mr. Olson and request that the site be repaired and the headstone placed back into its original location. Clerk/Treasurer Kwiatkowski stated that he made contact with Mr. Olson several days later and was advised that he would take care of those issues. He added that Mr. Olson explained that two pieces of equipment were used in excavating the gravesite and that he needed to go across the gravesites for the excavation. Clerk/Treasurer Kwiatkowski stated that he discussed with Mr. Olson the need to be very careful and restore any site that is affected during excavation and that he provided telephone numbers of Ms. Spray's sisters which Mr. Olson indicated he would contact regarding the matter. Clerk/Treasurer Kwiatkowski stated that as far as how this affected Ms. Gahn, he was completely unaware until tonight that her family plot and headstones were affected or he would have addressed the matter with her. Mayor Pro Tem McCauslin referred to the plot map, noting that there is a six foot aisle-way that separates every two rows of gravesites. He asked if the aisle-way can accommodate the backhoe equipment. Clerk/Treasurer Kwiatkowski stated he is unsure without actually going to the Cemetery and having Mr. Olson demonstrate how the equipment must be positioned to excavate a gravesite and that he could obtain further information from Mr. Olson. Clerk/Treasurer Kwiatkowski commented that he would also check to ensure the gravesites are restored. Councilwoman Riddle commented that if there is not adequate space for the excavation equipment to be used without desecrating the gravesites, then the equipment should not be used and the site should be excavated by hand so as not to disturb the other gravesites. Councilman Tebo agreed, adding that Mr. Olson works for the City and should follow the City's directives and if he is reluctant to follow that directive, the City should explore other options. Clerk/Treasurer Kwiatkowski stated that he would convey Council's comments to Mr. Olson. He asked if Council has any objections should Mr. Olson wish to come before Council and address this matter. Council concurred there would be no objections. Clerk/Treasurer Kwiatkowski stated that he would request that Mr. Olson attend the next City Council meeting. City Manager McNeil stated that this is the first occasion that any of this information has come to his attention. Mayor Pro Tem McCauslin stated that although he does not mean to take anything away from Ms. Gahn or her family, it should not matter that this situation involves someone Council knows and that any citizen having family members buried in Pinehill Cemetery should be accorded the same rights and that is the respect of their loved ones. Councilman Tebo asked if in the meantime the City could ensure that Ms. Gahn's family plot is restored appropriately. City Manager McNeil stated that an investigation would be conducted as with any type of complaint that is issued. Councilman Tebo requested that Council retain the photographs. Ms. Gahn indicated agreement but that she would like the photographs returned to her at some point in time. She also requested the opportunity to finish addressing Council on the concerns of her family. Ms. Gahn noted that the top of her grandparents' headstone was covered with sand and there was debris from the excavation of the Spray gravesite as well. She referred to the portion of the contract with Mr. Olson under internments and dis-internments which state that the City would provide the independent contractor as necessary with tarps, greens, crib boards, plywood, top soil and sand-fill. The contract also states that the independent contractor shall straighten or reset headstones which have been moved by cemetery personnel. Ms. Gahn referred to the tire ruts depicted in the photographs provided to Council directly behind the headstones of her family which indicates that the contractor drove on 10-11 gravesites. The tire marks also indicate that the contractor drove across the flat grave markers. Ms. Gahn referred to the cemetery plots noting the six foot aisle-way off of which the excavation of the Spray gravesite could have been accomplished by the movement of Ms. Spray's pre-existing headstone, not over the top and on top of her family plot. Ms. Gahn questioned if the contractor could not have excavated without damaging and being on top of graves, why was the burial not done by hand. Additionally, she asked why equipment of this

magnitude is allowed on top of gravesites. Ms. Gahn commented that perpetual care is understood and that lawn equipment must be used on top of gravesites but excavation equipment and trucks are not right. Ms. Gahn referred to the City Cemetery Ordinance which states in part that certain recreational activities disruptive or disrespectful in nature to the intended purpose of the Cemetery are not permitted. She commented she would rather see someone ride a bicycle or jog through the cemetery on the roadways as opposed to someone intentionally doing what was done in this situation on top of the buried. She asked if the City should review and follow its own Ordinance to provide the best possible cemetery conditions and to provide for the sanctity of the grounds devoted to the burial of the dead. Ms. Gahn commented that she feels her family deserves and warrants an explanation from Mr. Olson as to the damage to the headstone, the holes from the equipment on top of her family gravesites, and why the headstone was not placed back by Mr. Olson and cleaned off of the soils dumped on it. She noted that Council may be wondering if she discussed this issue with City management, commenting that she did not because she does not want this swept under the carpet and feels that the City Council needs to be made aware. Additionally, her hope is that Council can stop this from happening to another family. Ms. Gahn commented that losing a loved one is hard enough without having to visit a gravesite and realizing the City has contracted with someone who shows no respect and total disregard for those who have passed on. She thanked Council for their time. City Manager McNeil stated that he takes exception to the inference that this issue would be swept under the carpet by management, commenting that nothing would be further from the truth. Additionally, he also does not like the idea of gravesites being run over and that the City will do an investigation on this matter, which as Clerk/Treasurer Kwiatkowski noted, has already been initiated. Management is aware of the contract language and knows the parameters. He reiterated that he takes exception to Ms. Gahn's comment, and other than that, he is in agreement with Ms. Gahn. Ms. Gahn stated she was at the Cemetery this evening with her sister who is here from Gaylord and they walked the aisles on the Spray side and Gahn side. She indicated that there has been absolutely no fill put in the holes on top of her family graves and nothing put in the ruts on top of the 10-11 graves that Mr. Olson drove over. Additionally, the large headstone was moved at least six inches. City Manager McNeil stated he has no reason not to believe Ms. Gahn and that the matter needs to be investigated and all the details documented. Ms. Gahn stated her uncle's headstone is smaller and sits only a few inches above ground, and had clay on top of it which she removed on Monday evening.

Mr. Bruce Spray introduced himself, commenting that he is present regarding the same issue as Ms. Gahn and also has photographs of the gravesites. He explained that he went to the gravesite to ensure that his sister's grave was dug and discovered holes across his parents' and younger brother's gravesites. He noted the trenches are approximately 4-5 inches deep directly across the graves and commented that is very disrespectful. Mr. Spray explained that he was at the gravesite today and the photographs were taken this morning. He also commented that when checking on his sister's gravesite there was a large tree limb across the road which he moved off to the side but the limb is still laying where he left it and was never picked up, and this was two weeks ago now. Mr. Spray conveyed that not only is Mr. Olson doing a bad job, he is not doing anything else there as far as he can see to take care of the cemetery and it looks like a cow pasture. He referred to the photographs commenting that it is really disrespectful especially when going there for a family member and seeing something like this. Mr. Spray noted that he hopes Council can do something about this situation, adding that he would appreciate if someone would get back with him.

Councilman Tebo questioned if anyone makes an inspection of the cemetery to make sure that independent contractors are keeping things up. City Manager McNeil stated he goes through the cemetery from time to time. Mr. Spray noted that his sisters talked to Clerk/Treasurer Kwiatkowski

after the funeral and was informed that Mr. Olson would fill in the ruts but that has been ten days now and nothing has been done. He referred to the photographs taken this morning, showing Council the various tracks and ruts over the gravesites. Mr. Spray commented that he was there when the vault was placed in the gravesite by a large truck from Cheboygan Cement, noting that the delivery crew advised him that they always use the aisle-ways and never drive over on top of the gravesites.

- **Manhole Clean up**

Mr. Bill Burnett introduced himself, commenting that he was very impressed when he saw one of the City workers out with the State Highway Department cleaning up all the manholes. He noted that the crew did an excellent job on most of the manholes although some still have vegetation growing out of them, and the City should not have too much problem with snow and rain this winter.

- **Circus Signage**

Mr. Burnett commented that he removed the directional signs from all the locations posted for the Circus when they were in town, which took approximately fifteen minutes and could have been done by the Circus personnel. He requested the mailing address of the Circus in order to send the signs back to them.

- **Weeds on Division and Huron Streets**

Mr. Burnett commented that the weeds and grass on Division Street are still there and higher than before and that the weeds behind Plaza 27 still need attention.

- **Nuisance Ordinance Amendment**

Mr. Burnett asked if the junk car portion of the Nuisance Ordinance could be amended to exclude those who are in the process of rehabilitating antique cars. City Manager McNeil stated that Council can change their regulations as they see fit but there would be some challenges to adopting some type of regulation that would allow what you want to allow yet disallow those things that you probably do not want, and it would be difficult to come up with the language to provide those protections. Mr. Burnett explained that he can understand a situation with someone having a car that has been in the yard for several years without ever being touched, but a friend of his has a vehicle that he has been working on and wants to completely restore with his son, and he has no garage to store it, so he is unsure what he will do, whether use a tarp or some type of cover over the vehicle. Mr. Burnett commented that there are four or five others in town that are doing the same thing in that they are restoring their antique cars and they have no garage to put them in. He noted that in some way he wishes the City could lax the law a little bit or change it some way.

- **Water Quality**

Mr. Burnett commented that he has not had a chance to read the water report yet but he is still getting black specks in his water and asked if Mayor Pro Tem McCauslin was also experiencing the same problem where he resides. Mayor Pro Tem McCauslin noted that the situation has been worse for about the last week. Mr. Burnett stated he is changing his water filter every week instead of once a month or every other month and the filter is brown/black when he takes the filter out after one week. He commented that something must be done.

Public comment portion of the meeting closed by Mayor Pro Tem McCauslin.

Communications and Petitions

- **Letter from Terry Hecko – Resignation from Recreation Commission**

Mayor Pro Tem McCauslin read the letter of resignation from Ms. Terry Hecko and the Resolution of Appreciation for Ms. Hecko for her service on the Recreation Commission. Councilwoman Riddle noted the typographical error on the Resolution. Clerk/Treasurer Kwiatkowski commented that he would bring the corrected Resolution back to Council at the next City Council meeting. City Manager McNeil noted that the Mayor's signature is needed as well.

Councilwoman Riddle moved to accept the resignation of Terry Hecko from the Recreation Commission effective September 13, 2006 and to approve the Resolution of Appreciation for Ms. Hecko. Seconded by Councilman Tebo. Motion carried unanimously.

- **Letter from Kenneth Pletcher – Resignation from Recreation Commission**

Mayor Pro Tem McCauslin read the letter of resignation from Mr. Kenneth Pletcher and the Resolution of Appreciation for Mr. Pletcher for his service on the Recreation Commission. He noted a typographical error on the Resolution that should be changed to state that Mr. Pletcher unselfishly or selflessly served on the City of Cheboygan Recreation Commission. City Manager McNeil commented that the wording has been corrected on the document to be signed.

Councilman Tebo moved to accept the resignation of Kenneth Pletcher from the Recreation Commission effective January 1, 2007 and to approve the Resolution of Appreciation for Mr. Pletcher. Seconded by Councilman Boardman. Motion carried unanimously.

City Manager McNeil commented that Council may recall that there is a policy that two of the five members from the Recreation Commission would be recommended by the Cheboygan County Board of Commissioners. Many of the recreational opportunities offered in the City are there for residents of the County as well and in recognizing that, it has been customary that the County Board of Commissioners provide a recommendation for consideration of appointment. Councilwoman Riddle asked if a quorum would be available even with the loss of two members or must the vacancies be filled before continuing to address recreation business. City Manager McNeil replied that a quorum would be available if all of the remaining members attend the meeting. He added that Mr. Pletcher's resignation is not effective until the first of the year, which was done to make sure that the Recreation Plan is done. City Manager McNeil commented that there would still be a quorum with the three members but it is far from an ideal situation. Mayor Pro Tem McCauslin asked if City Manager McNeil has been in contact with the County Board at this time. City Manager McNeil stated that he advised County Administrator Overton of the past custom and policy and requested a recommendation from the County Board of Commissioners. Mayor Pro Tem McCauslin questioned if it is expected that the County would provide a recommendation within the next three months. City Manager McNeil stated that he expects so and will be following up on that.

Boards and Commission Reports

- **Department of Public Safety Monthly Statistics – July 2006 (amended) and August 2006**

The Department of Public Safety Monthly Statistics reports for July and August 2006 were received and reviewed.

- **Regular Brownfield Redevelopment Authority Board Meeting – September 11, 2006**

City Manager McNeil reported that the Brownfield Redevelopment Board was provided an update with regards to the role that the Board will play concerning the EPA Assessment Grants Brownfield awarded to the County. Based on the work plan that has been developed, any sites identified within the City through that project that qualify for phase one work would basically be recommended or approved by the Brownfield Redevelopment Authority Board. City Manager McNeil commented that in other words, there could be a list of sites that can have this work done and based on the recommendation of the City of Cheboygan's Brownfield Redevelopment Authority, the Authority could decide which sites could be first to receive some of that funding. The Cheboygan County EDC serves in that capacity with regards to the remaining sites in Cheboygan County. Additionally, there was an update with regards to the Mariner's Village Project which was the reason that the Brownfield Authority was formed. City Manager McNeil stated he also advised the Board of the activities of the Cheboygan County EDC Board and the recommendation for Cheboygan County to join the Northern Lakes Economic Alliance. He foresees the possibility that as the Alliance begins working on behalf of Cheboygan County, there will be a great many benefits to the City of Cheboygan in that regard and he sees a possibility of interaction between the Northern Lakes Economic Alliance staff and the Brownfield Authority. City Manager McNeil commented that the Board also discussed the need to fill one vacancy on that Board and he believes there will be consideration for appointment in that regard on the next City Council agenda.

- **Regular Human Relations Board Meeting – September 21, 2006**

Mayor Pro Tem McCauslin stated that it was his honor in the capacity as Mayor Pro Tem to read and present a Resolution of Appreciation from the City Council to Board Member Klaus Hergt. He noted that Dr. Hergt is a long standing benefactor with many contributions to this community and has indicated a need to resign from the Board for health reasons. Mayor Pro Tem McCauslin stated that the Board is looking to fill the open seat with a high school student, adding that this has been considered for a couple months now to reflect that minority of our community comprised of teenagers. He noted that this is a group of individuals older than children but not yet adults, and if the Board can incorporate them into planning and discussions about Human Relations it would prove to shed light on some of the issues facing them today. Mayor Pro Tem McCauslin noted that Mrs. Rene Harrington commented under public comments that as a member of the Native American Culture Awareness group, she would like to inform the Board of upcoming events as well as be more closely associated with the Human Relations Board.

General Business

- **Presentation of City Audit for Fiscal Year Ending June 30, 2006 (Anderson, Tackman & Company PLC)**

Mr. Ken Talsma of Anderson, Tackman & Company introduced himself and thanked Council and Mayor Pro Tem McCauslin for having him here to present the 2006 City Audit results. He referred to the Audit Report noting the financial highlights during fiscal year July 1, 2005 through June 30, 2006. The first bullet indicates that at the close of the fiscal year, the assets exceeded liabilities. The City completed construction of the addition to the Department of Public Safety building. The City set aside funds for the cost of health insurance and payment of sick and vacation time, and at the end of the fiscal year the unreserved fund balance was 17% of the total General Fund expenditures and transfers. The City will receive funding from the Department of Transportation for the replacement of the Lincoln Avenue Bridge. The City is near completion of \$632,600 in improvements to the Riverfront at the Major City Park. The City completed an Energy Upgrade Project with significant

savings in energy costs anticipated at the upgraded facilities with the main savings realized at the City Hall facility. Additionally the City issued 2006 Refunding Bonds to retire its 1997 Water/Sewer Upgrade Bonds resulting in significant savings to the City taxpayers. Mr. Talsma also referred to the graphs showing how the City fared financially. He reviewed the Statements of Net Assets and Liabilities, Revenues and Expenditures of all Governmental Funds, Revenues and Expenditures for the General Fund, Revenues and Expenditures for the Sewer Fund, Revenues and Expenditures for the Water Fund and the Three Year General Fund Balance Comparison. Mr. Talsma commented that the graphs show that the City is in very good financial health. As far as accounting principles and opinion, everything is fine as far as generally accepted accounting principles and there were no compliance problems such as deficit fund balances and the budget came out really well. Overall a very good audit and he would like to thank City Manager McNeil and Clerk/Treasurer Kwiatkowski for their cooperation and making sure everything was ready. He commented he appreciates management and staff for all the hard work in making sure the audit was run well and prepared on a timely basis. Mr. Talsma indicated that he is available year round if Council has any questions.

Councilman Tebo moved to accept the City Audit Report for Fiscal Year ending June 30, 2006 as presented by Anderson, Tackman & Company, PLC. Seconded by Councilman Boardman. Motion carried unanimously.

- **Consideration of Terms for Grant of Easement from Lincoln Acres Condominium Association – re: Lincoln Avenue Bridge Replacement**

City Manager McNeil stated that he has been advised by City engineers of the need for an easement from the Lincoln Acres Condominium Association in order to properly reconstruct the Lincoln Avenue Bridge. What is under consideration is the right to enter upon and perform some grading and maintenance work in about a fifteen foot wide area adjacent to the street right-of-way on the southeast side of Lincoln Avenue. City Manager McNeil stated that he and Mayor Muschell attended an Association meeting and subsequently over the last few months have come to an agreement in negotiation of these terms. He explained that since the accumulative value of this exceeds his authority to approve, he is bringing this matter before Council for approval. He reviewed the terms recommended which include payment of \$3500 for the easement even though the easement only gives certain rights to the City; the public is not given any access right over the easement area; issues with regards to parking by employees and equipment on Riverside Drive; trees and shrubbery requiring removal would be replaced by the City; negotiated removal of a Chestnut Tree the Association does not want; the City will have the required documents prepared for the easement grant; and up to \$500 in reimbursement to the Association for their attorney fees regarding the easement. City Manager McNeil recommended that Council approve the terms for the Grant of Easement from Lincoln Acres Condominium Association.

Councilman Tebo moved to approve the terms for the Grant of Easement from Lincoln Acres Condominium Association for the Lincoln Avenue Bridge replacement as presented. Seconded by Councilman Boardman.

Councilwoman Riddle referred to item number 3 that states that the City will not allow any parking by construction employees or equipment on Riverside Drive. She asked if adequate parking is available in other areas. City Manager McNeil replied that there would be ample parking available along Lincoln Avenue and that the contractor will have to find an area to stage their equipment.

Motion carried unanimously.

- **Consideration of Reappointment of Rev. Harry (Budd) Wagner to the Human Relations Board – Term to Expire October 14, 2009**

Councilman Boardman moved to reappoint Rev. Harry (Budd) Wagner to the Human Relations Board, with a term to expire October 14, 2009. Seconded by Councilman Tebo. Motion carried unanimously.

- **Consideration of Reappointment of Mayor Pro Tem Scott McCauslin to the Human Relations Board – Term to Expire October 14, 2007**

Councilman Chlopan moved to reappoint Mayor Pro Tem Scott McCauslin to the Human Relations Board with a term to expire October 14, 2007. Seconded by Councilman Charboneau. Mayor Pro Tem McCauslin abstained from voting. Motion carried unanimously.

- **Consideration of Reappointment of City Manager Scott McNeil to the Human Relations Board – Term to Expire October 14, 2007**

Councilman Tebo moved to reappoint City Manager Scott McNeil to the Human Relations Board with a term to expire October 14, 2007. Seconded by Councilman Boardman. Motion carried unanimously.

City Clerk's and Treasurer's Comments

- **Annual DDA TIF Financial Report for City's Fiscal Year Ended June 30, 2006**

Clerk/Treasurer Kwiatkowski reported that as required by the State of Michigan Department of Treasury, there is an annual filing that must be done as well as two requirements which provide that the information must be presented to the City Council and published in the local newspaper which has already been done. He explained that the report lists the DDA revenue that was captured and the sources from which it was captured as well as where the funds were allocated and the current financial position. Clerk/Treasurer Kwiatkowski further explained that the Community Development expenditure pertains primarily to the various downtown activities during the year as well as payment for the Downtown Administrator and substantial outlay for the Ottawa Arts Park. He noted there is only one capital outlay item which is the engineering for the footbridge.

City Manager's Report

- **Update – County Action, re: Joining Northern Lakes Economic Alliance**

City Manager McNeil stated that the Cheboygan County Board of Commissioners adopted a resolution that provides for the process for Cheboygan County to join the Northern Lakes Economic Alliance. With that, he believes that will bring a well seasoned proactive economic development program and staff for Cheboygan County, and then Cheboygan County will join with Emmet County, Charlevoix County and Antrim County in economic development activities. He commented that the alliance is an excellent opportunity and will bring some additional resources to Cheboygan County and will be a great benefit to the City of Cheboygan. Additionally, the alliance will certainly add strength with regards to the regional aspect of the Northern Lakes Economic Alliance. City Manager McNeil stated that he was pleased to play a role in that and looks forward to some positive results.

- **First Quarter Update – re: Water Quality Action Plan**

City Manager McNeil referred Council to the first quarter report with regards to the Water Quality Action Plan, noting the items that have been put into place. He commented that the alternate testing

methods have been put into place and the evaluation of those testing methods is now ongoing. Additionally, the polyphosphate blend has been changed based on some analysis and that will take some time to see results. He explained that the treatment is at least a 12 month process and it will take a couple flushings to determine how the results of that will fare. City Manager McNeil stated that also under evaluation is the automatic flushing systems and in fact, there should be a request to purchase the systems with anticipation of initiating testing on Harrison Avenue and having some of those installed before winter. He explained that automatic flushing systematically and periodically flushes the system automatically and it is hoped that in areas that are conducive to that, the automatic flushing will improve the water quality as well. Mayor Pro Tem McCauslin asked if the automatic flushing system on Harrison Avenue will increase the flow down the Duncan Avenue water main. City Manager McNeil indicated that he is uncertain. Mayor Pro Tem McCauslin stated that the reason he asks is because that is the leading complaint and he knows people that live in the area and has seen their tap water, which is not drinkable. City Manager McNeil stated that area is one of the areas under consideration for water main replacement. One of the problems with the flushing systems is the availability of a storm drain or some type of storm drain facility in proximity such as an open ditch or something to utilize that and he is unsure if that opportunity exists in many areas within Duncan Avenue. Councilwoman Riddle questioned the timeline on the different problems being addressed and when results will be realized. City Manager McNeil replied that for the most part, the time frames are indicated in the report and will be updated accordingly, adding if those time frames vary, the reasons why will be provided. Councilwoman Riddle asked if the reports are generated from Wade Trim or are they internal. City Manager McNeil stated that it is his plan to update this report quarterly and will come from the staff through him to Council. He noted that Wade Trim plays a role in this and the City will be working with them with regards to an additional hydro-analysis as well. City Manager McNeil commented that the City has not heard back yet on the grant application and hopes to hear something soon. Mayor Pro Tem McCauslin referred to the cast iron mains causing poor water quality and the plans of action, asking if for the most part, the more severe problems have already been identified and if this is an ongoing search of other areas in the City that may either have limited problem or expected to be experiencing problems soon. City Manager McNeil explained that the objective is to begin identifying those areas that should be replaced for specific reasons. For instance, in the future, based on our Capital Improvement Plan, the City is looking at a street paving project in 2010 and therefore needs to identify which of those streets will be candidates for replacement and then build in the cost toward that almost immediately in the budget. City Manager McNeil commented that those are the kinds of things the City is trying to identify as well. There is data with regards to complaints on where to replace mains first but there is also other criteria that should spark replacement as well, such as paving streets, areas where there are duplicate water mains and such, and that is all being put into the Capital Improvement Plan. He added that the City has met with Wade Trim officials twice and that information is being refined as we speak. Councilman Chlopan commented on using a tap machine on the water line to access a section of the water line and determine the condition of the inside of the pipe. Mayor Pro Tem McCauslin stated that Mr. Brian Masterson and Water & Wastewater Superintendent Gary Good have mentioned in the past that modern treatment itself is not conducive to the black iron pipe and that certain chemical treatment as well as other things may be contributing factors to particulate matter in the water. He added that there is a lining or buffer that can be added to the water and the staff has been experimenting with that but the problem is not getting any better even with the polyphosphate. Councilman Chlopan recommended that if a section of pipe is taken off it should be tapped in order to look at the inside of the pipe before proceeding with replacement and pulling out a lot of good pipe and that it may be constructive to first look at the pipe. Mayor Pro Tem McCauslin referred to the plan of action pertaining to evaluate replacement of water mains on Main Street and in

the South alphabet streets areas and Duncan Avenue where a high level of complaints have been received and develop a cost estimate for replacement in consultation with Wade Trim engineers and evaluate financing and grant opportunities and revenue needs. He commented that most of that has been done. City Manager McNeil agreed, commenting that is indicated on the September status. If the grant does not come through then a determination will be needed on whether Council still wants to proceed with that project and consider a bond or some other means of funding. Mayor Pro Tem McCauslin commented that is an issue of when the matter will be addressed rather than if the matter will be addressed. City Manager McNeil stated that in the event the grant application is not approved, then those numbers will be presented to Council shortly thereafter.

- **MDOT to Conduct Public Forums on October 12, 2006 – re: Proposed 2009 Main Street Reconstruction**

City Manager McNeil stated that in preparation for the 2009 rehabilitation of Main Street which he believes is to take place from Nelson Street north to Mackinaw Avenue, the Department of Transportation will be holding its first public forum in that regard here in the Council Chambers on October 12, 2006 from 3-5 pm and 6-8 pm. He noted that MDOT officials will be able to talk with downtown business owners and property owners and others in general terms because there is likely no real design started yet but MDOT wants to obtain some feedback and opportunity to discuss issues with those that will be involved before the plans begin in earnest. Councilwoman Riddle commented on the downtown businesses with only front entrances off Main Street and those with limited rear exits. She asked if that has been addressed. City Manager McNeil replied that he feels not much of that has changed and that there are some businesses that simply do not have the opportunity of a rear entrance. He commented that he is aware that will be a concern and is hopeful that MDOT will be able to construct the project in such a way as to maintain some accommodation for traffic or at least stage it in ways that will have the least impact possible. Councilman Tebo asked if the Department of Public Works and Department of Public Safety department heads will have any input in this planning. City Manager McNeil indicated that they would have input.

Messages and Communications from Mayor and Council Members

- **South D Street Poor Water Quality**

Mayor Pro Tem McCauslin stated that water quality on South D Street is declining again. City Manager McNeil stated that fall hydrant flushing is scheduled to begin in approximately two weeks. Councilman Charboneau noted that he resides a block and a half from Mayor Pro Tem McCauslin and has very good water quality. Mayor Pro Tem McCauslin commented that he is unsure what causes the problem, although during certain times of the year the problem is worse. He explained that he installed new copper pipes in his wife's bathroom, although that does not seem to have eliminated the black iron at least not in the house, but there is still cast iron pipes in the street. Councilman Tebo recommended checking the water line from the meter to the house which may have something to do with the problem, adding that he did that and his water problem ended. Mayor Pro Tem McCauslin stated he has not replaced that. Councilwoman Riddle stated that when she moved into her residence everything from the street to the house had been taken care of and since she has been there she has taken care of everything in the house and has had no problems. Councilman Charboneau stated he has copper from the street to the house. Councilman Chlopan stated that one of the problems is that there are quite a few water main valves and in the past, left handed and right handed valves were installed making it difficult to know if the valve is turned on or off. He added that each time a valve is turned off that is believed to be on, there is in effect a dead end main and that is a problem. He commented he is unsure if that has been rectified or not. City Manager McNeil

noted that the problem is not entirely rectified, adding that valves have been replaced in many of the areas but not entirely.

Adjournment

Councilman Charboneau moved to adjourn the meeting at 8:22 p.m. Seconded by Councilman Boardman. 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