

**REGULAR CITY COUNCIL MEETING**  
**May 22, 2007**

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

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

Councilman McCauslin 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 8, 2007**

Councilman Boardman moved to approve the minutes of the May 8, 2007 Regular City Council Meeting as presented. Seconded by Councilman McCauslin. Motion carried unanimously.

**Public Comments**

Public comment portion of the meeting opened by Mayor Muschell.

- **Traffic Congestion on State Street**

Mr. William Burnett introduced himself and commented on the traffic congestion on State Street. He requested that the schedule of the opening of the State Street Bridge be altered to accommodate the increased vehicular traffic.

- **Main Street Repairs**

Mr. Burnett asked if there is any way Main Street could be touched up with hot patch until the replacement project is underway in two years. City Manager McNeil replied that is a possibility and MDOT officials have been broached with that recommendation.

- **Ottawa Park**

Mr. Burnett questioned the ownership of the Ottawa Park and whether City employees maintain the Park. City Manager McNeil explained that the property is owned by the City of Cheboygan; however, the Ottawa Park project is undertaken primarily by the Friends of Ottawa Park non-profit organization. He added that Parks and Recreation staff maintains the lawn and the Department of Public Works staff have assisted with some excavation.

- **Footbridge Project**

Mr. Lee Lund questioned the Footbridge project, noting that discussion is not indicated on the agenda; however he understood through the local newspaper that the foot bridge would be addressed. City Manager McNeil replied that a brief report will be provided under City Manager's Report pertaining to his findings with regard to Council's ability to hold an informational meeting on the Footbridge project.

Public comment portion of the meeting closed by Mayor Muschell.

## Public Hearings

- **Consideration of an Authorizing Resolution Grant Application to the Michigan Economic Development Corporation for funding under the Michigan Community Block Grant Program's (CDBG) Economic Development Planning Project Grant in the amount of \$35,000 to help fund the "Wastewater Treatment Needs Assessment" to study the potential for upgrading the City of Cheboygan's wastewater treatment facility to accommodate waste from manufacturing facilities**

Mayor Muschell read the proposed Authorizing Resolution with regard to application for grant funding from the Michigan Economic Development Corporation under the Michigan Community Development Block Grant Program's (CDBG) Economic Development Planning Project program to help fund the "Wastewater Treatment Needs Assessment" project.

Public Hearing portion of the meeting opened by Mayor Muschell.

City Manager McNeil explained that the City has an opportunity to obtain grant funding from the Michigan Economic Development Corporation in order to conduct a study of the Wastewater Treatment Plant and develop recommendations on what kind of upgrades would be implemented in order to assist industrial users such as Great Lakes Tissue in processing industrial discharge. He stated that this is consistent with the City's Community Development Plans specifically with regard to economic development, business retention and environmental issues. City Manager McNeil stated that it is hoped that upon completion of the study with which Great Lakes Tissue will also participate, as their operation and discharge will be reviewed as well as how the City would receive and processes the discharge, the study would then identify recommendations on what physical upgrades would be required within the Wastewater Treatment Plant to meet that goal and objective and the cost involved. It is also hoped that the State of Michigan will also assist with grant funding in that regard as well. The requirements of the grant and those of the federal government where these funds originate require that the City hold a public hearing and allow community input and information with regard to the reasons for requesting the funding. City Manager McNeil commented that another reason the federal government believes that it is prudent to conduct public hearings is that there are some local funds that will match the grant application. The grant is for \$35,000 and the City of Cheboygan will commit \$17,500 from the Wastewater Fund with Great Lakes Tissue committing the remaining \$17,500 toward the matching funds.

There being no comments of Council or the public, the Public Hearing portion of the meeting was closed by Mayor Muschell.

Councilman McCauslin moved to approve the Authorizing Resolution Grant Application to the Michigan Economic Development Corporation for funding under the Michigan Community Block Grant Program's (CDBG) Economic Development Planning Project Grant in the amount of \$35,000 to help fund the "Wastewater Treatment Needs Assessment" to study the potential for upgrading the City of Cheboygan's wastewater treatment facility to accommodate waste from manufacturing facilities. Seconded by Councilwoman Lepp. Motion carried unanimously.

City Manager McNeil stated that the Grant Application was completed with the assistance of the Northern Lakes Economic Alliance, who will continue to be involved with helping the City with the administration of the grant and hopefully obtaining future grant funding. He noted that the recent partnership with the NLEA is bringing forth the benefits that were anticipated.

### **Communications and Petitions**

- **Request from the Covenant Church to use Washington Park on Sunday, June 24, 2007 from 5:00 p.m. to 7:30 p.m. for a Free Community Concert**

Councilman Tebo moved to approve the request from the Covenant Church to use Washington Park on Sunday, June 24, 2007 from 5:00 p.m. to 7:30 p.m. for a free community concert. Seconded by Councilwoman Riddle. Motion carried unanimously.

- **Letter of Resignation from Scott M. McCauslin, Mayor Pro Tem effective May 31, 2007**

Councilman Charboneau moved to accept with regret the resignation of Scott M. McCauslin, Mayor Pro Tem, effective May 31, 2007. Seconded by Councilwoman Lepp. Councilman McCauslin abstained from voting. Motion carried unanimously.

#### **- Establishment of Procedure for Appointment of Councilman to City Council**

City Manager McNeil recommended that a procedure be established for selection of an interim Councilman, commenting in the past, Council has proceeded in a couple different ways. He explained that requests for letters of interest were initiated and then candidates were later interviewed at a Special City Council meeting, or interviews were conducted as a prelude to a Regular City Council meeting. City Manager McNeil stated that some direction from Council is needed on what procedure to establish, noting that there is a 30-day timeframe to fill a vacancy on the City Council once official notification of resignation is received. He added that at the next available election, the replacement of the seat would be placed on the ballot for voters to select.

Councilwoman Riddle moved to advertise the request for interested parties wanting to serve on the City Council and to schedule a Special City Council meeting for June 19, 2007 at 7:00 p.m. to interview candidates. Seconded by Councilman Tebo. Motion carried unanimously.

- **Request from the Cheboygan County Council on Aging – Use of Washington Park on June 21, 2007 for its “1<sup>st</sup> Annual Summer Kick Off Barbecue in the Park” Fundraiser from 5:30 p.m. to 7:30 p.m.**

Councilman Charboneau moved to approve the request from the Cheboygan County Council on Aging – Use of Washington Park on June 21, 2007 for its “1<sup>st</sup> Annual Summer Kick Off Barbecue in the Park” Fundraiser from 5:30 p.m. to 7:30 p.m. Seconded by Councilwoman Lepp. Motion carried unanimously.

### **Boards and Commission Reports**

- **Department of Public Safety Monthly Statistics – April 2007**

The Department of Public Safety Monthly Statistics for April 2007 were received and reviewed.

### **General Business**

- **Consideration of Bids – re: 2007 Water Main Capital Improvement Project**

City Manager McNeil referred to a bid tabulation prepared by Wade Trim, Inc. regarding the 2007 Water Capital Improvement Project, indicating that Pete’s Contracting submitted the lowest base bid in the amount of \$1,069,823 and is being recommended for approval. He commented that alternative material as well as alternative directional drilling was also bid; however proceeding with the original base bid is being recommended. City Manager McNeil added that Wade Trim has reviewed and verified the bids for accuracy, and talked with the contractor, and is also recommending that the bid be approved and to proceed toward signing contracts. He noted for the benefit of the audience that

this is being funded by way of a \$750,000 Community Development Block Grant with matching funds coming from the City Water Fund.

Councilman McCauslin moved to approve the bid from Pete's Contracting in the amount of \$1,069,823.00 for the 2007 Water Main Capital Improvement Project. Seconded by Councilman Tebo. Motion carried unanimously.

- **Consideration of Construction Engineering Proposal – re: 2007 Water Main Capital Improvement Project**

City Manager McNeil noted that the portion of the engineering relative to construction as originally set forth in the grant application requires approval, adding that the amount of \$101,082.00 is consistent with the original grant application and is submitted in the same format as that which was approved for the design. He stated that approval from the City Council is recommended contingent upon the approval of the City Attorney.

Councilman Tebo moved to approve the Construction Engineering Proposal for the 2007 Water Main Capital Improvement Project from Wade Trim, Inc. and to authorize the City Manager to execute the same on behalf of the City of Cheboygan, pending approval by the City Attorney. Seconded by Councilman McCauslin. Motion carried unanimously.

- **Consideration of Design Proposals – re: Proposed Cheboygan Trailhead**

City Manager McNeil commented that a grant has been received from the Michigan Department of Natural Resources to design a trailhead facility at the former Center Tool site. He noted that a request for qualifications and proposals were sent out and two submittals were received from Gourdie-Fraser and C2AE, which is the former Capital Consultants of Gaylord as a result of that request. City Manager McNeil stated that the proposals were reviewed by a review team consisting of himself, Ms. Emily Meyerson, the Trailways Coordinator in Northern Michigan, and Ms. Annamarie Bauer, Trails Planning Specialist with the MDNR. He commented that the proposal from Gourdie-Fraser is recommended for approval based on design components and attention to detail, and although their not to exceed amount of \$27,750 is higher than C2AE, it is within the grant amount budget.

Councilman Tebo moved to award the design proposal for the proposed Cheboygan Trailhead to Gourdie-Fraser as presented but not to exceed \$27,750.00. Seconded by Councilman Boardman. Motion carried unanimously.

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

- **Water System Revenue Bonds**

Clerk/Treasurer Kwiatkowski commented that the closing for the Water System Revenue Bonds will be held tomorrow. He noted that he has been working with the bond attorney and the City will be receiving a wire transfer of the remainder of the funds some time tomorrow.

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

- **2007/2008 Budget Public Hearing**

City Manager McNeil stated that the public hearing for the 2007/2008 Budget will be held at the next City Council meeting and that the budget document will be presented to Council. He commented that

he will be proposing as much capital improvements as the budget can bear and that reductions to other services the City supports will be recommended.

- **Strategic Planning Update**

City Manager McNeil stated that the dates of June 27 and 28, 2007 have been secured for strategic planning sessions to be held at the Cheboygan Memorial Hospital meeting room. He explained that the first session will include a large group of stakeholders as well as the City Council and that the second day session will involve a core group consisting of staff, City Council, members of the Planning Commission and the Strategic Planning Task Force. City Manager McNeil stated that both sessions will be considered Special City Council Meetings and advertised as such, and open to the public pursuant to the Open Meetings Act. He noted that the core group session will gather the information from the stakeholder group and render that down into new priorities. Additionally, the Strategic Planning Task Force will be meeting at the end of this week to finalize the details.

- **Ottawa Park Dedication – Saturday, May 26, 2007 at 5:00 p.m.**

City Manager McNeil commented that the dedication for Ottawa Park will be held on Saturday, May 26, 2007 at 5:00 p.m.

- **Proposed Informational Meeting – re: Footbridge**

City Manager McNeil stated that with regard to an informational meeting on the footbridge, Council has proposed a town meeting format where information could be presented relative to the footbridge and questions could be answered. He explained that he researched the matter and consulted with the City Attorney on whether an official meeting of the City Council with the Downtown Development Authority Board or a joint meeting of both would be required to facilitate a meeting. City Manager McNeil further explained that he was advised that an informational session consisting of a panel of City Council and DDA members, as well as himself, could be held in order to present information and answer questions. He noted that the important issue is that no deliberation toward a decision takes place and that the panel is merely providing information and answering questions. City Manager McNeil stated that the informational meeting regarding the footbridge will be an agenda item for the next DDA meeting and some dates and times will be identified with anticipation of conducting the session at the Opera House. Mr. Lee Lund stated that he thought that a public meeting was being held tonight regarding the footbridge however, this is merely setting up the format where questions will be answered. He asked when a public discussion will take place. City Manager McNeil replied that several meetings have been held with one public hearing when the grant application was being considered. Mr. Lund questioned the Strategic Planning meeting being arranged at Cheboygan Memorial Hospital. City Manager McNeil replied that many private and public organizations will get together and decide what should be the priorities to work on. He noted that this could be done through various means such as the current plan to have a facilitator from Michigan State University Extension assist with that process. City Manager McNeil explained that the Strategic Plan will be reviewed at the Strategic Planning meeting to assess the current status, what has and has not been accomplished, and possibly what other issues should be addressed.

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

- **Nomination of Mayor Pro-Tem**

Councilman Charboneau moved to nominate Councilman Tebo for Mayor Pro-Tem. Seconded by Councilman Boardman. Mayor Muschell asked three times if there were any other nominations.

Councilman Charboneau moved to close the nomination. Seconded by Councilman McCauslin. Motion carried.

- **Mackinaw City Marina Wind Turbines**

Mayor Muschell stated that the State of Michigan is in the process of revamping the Mackinaw City Marina and one of the items under consideration is the installation of one or two wind turbines in that area to generate power and provide an ice suppression system. He noted that these smaller type turbines could be used for residential use or small farms and range between 30 and 60 feet in height. Mayor Muschell commented that the SkyStream Company has a wind turbine model that will be available for demonstration at the Mackinaw City State Dock and because of public interest, SkyStream officials would also like to demonstrate the turbine system in Cheboygan as well. He explained that a logical site for the demonstration is Gordon Turner Park; however, permission from Council and the public would be needed because the demonstration is through a private enterprise on public property. Mayor Muschell questioned if Council would like him to pursue the issue with the City Attorney and discuss the matter further at the next City Council meeting. Councilwoman Riddle commented that in the last couple years there have been rulings by the County with regard to wind turbines, and asked if this particular issue comes under that ruling. Mayor Muschell commented that this may be a different system than what the guidelines provide for through the County. Councilwoman Riddle recommended that the possibility of having a demonstration of the wind turbine system in Cheboygan be pursued with the City Attorney. City Manager McNeil noted that the City Attorney could be consulted with regard to what kind of agreements or regulations might be put in place. He commented that his primary concern is allowing public property to be used as a possible advertisement location for a private enterprise. City Manager McNeil stated that there is good information with regard to energy savings; however, the City needs to proceed with a great deal of caution when entering into this area.

Councilman Charboneau moved to proceed with consulting the City Attorney on whether providing a demonstration of the wind turbine system by the SkyStream Company at Gordon Turner Park is legally permissible and to review Cheboygan County Ordinances for compliance. Seconded by Councilwoman Lepp. Motion carried unanimously.

- **State and D Streets Water Main Leak**

Councilman McCauslin questioned the status of repair on the water main break at the corner of State and D Streets. City Manager McNeil replied that the water main repair is scheduled to be addressed tomorrow.

### **Closed Session**

- **Collective Bargaining**

Councilman Charboneau moved to adjourn to closed session at 7:51 p.m. regarding collective bargaining. Seconded by Councilman McCauslin. Motion carried unanimously.

Councilman McCauslin moved to reconvene the Regular City Council meeting at 8:22 p.m. Seconded by Councilman Tebo. Motion carried unanimously.

**Adjournment**

Councilwoman Lepp moved to adjourn the meeting at 8:23 p.m. Seconded by Councilman Charboneau. 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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Councilwoman Winifred L. Riddle

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Councilman Charles Charboneau

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Councilman Leslie A. Tebo

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Councilwoman Theo Lepp