

REGULAR CITY COUNCIL MEETING
December 8, 2009

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

Present: Council Members Kopernik, VanFleet, Lepp, Jewell, Sangster and Couture
Absent: Councilman Bronson

Councilman Kopernik moved to excuse Councilman Bronson from the meeting. Seconded by Councilwoman Lepp. Motion carried unanimously.

Councilman Kopernik led the Pledge of Allegiance to the Flag.

Approval of Agenda and Receive and File all Communications

A revision in the total unpaid bills and disbursements was noted.

Councilman Kopernik moved to approve the agenda as amended and receive and file all communications. Seconded by Councilman Couture. Motion carried unanimously.

Correction and Approval of Prior Meeting Minutes

- **Regular City Council Meeting – October 27, 2009**

Councilman Couture moved to approve the minutes of the October 27, 2009 Regular City Council Meeting as presented. Seconded by Councilman Jewell. Motion carried unanimously.

- **Regular City Council Meeting – November 10, 2009**

Councilwoman Lepp moved to approve the minutes of the November 10, 2009 Regular City Council Meeting as presented. Seconded by Councilman Kopernik. Motion carried unanimously.

Public Comments

Public comment portion of the meeting opened by Mayor Sangster.

There being no comments from the public, the public comment portion of the meeting was closed by Mayor Sangster.

Bills and Disbursements

- **Pre-paid Bills and Disbursements for the Month of November 2009**

Councilman VanFleet questioned item 31 Firack's Fitness Solutions – annual membership, R. Hartman in the amount of \$200. Clerk/Treasurer Kwiatkowski noted that yearly membership at the fitness center is an option for police officers. Councilman VanFleet also questioned item 40 Kreis, Enderle, Hudgins & Borsos – GLT legal fees/grant reimbursable in the amount of \$13,588.05. City Manager McNeil indicated that the expense pertains to legal fees with regard to bankruptcy proceedings for Great Lakes Tissue, adding that the prior outstanding amounts were reimbursed to the City and the matter is still ongoing. Councilman VanFleet questioned item 60 UP Engineers & Architects – engineering fees/footbridge in the amount of \$2,983.20. City Manager McNeil noted that engineering fees should be minimal as the footbridge is very close to being wrapped up for this year although some items will be finished in the spring. Mayor Sangster questioned item 56 Rieth-Riley Construction – 2009 paving project in the amount of \$351,443. City Manager McNeil

explained that expense reflects the entire contract. Councilman Kopernik questioned item 5 AT&T remote reader – WWTP in the amount of \$246.60. Clerk/Treasurer Kwiatkowski explained the remote reader reads the sewage flows for the Inverness Sewer System. Councilman Kopernik also questioned items 22 and 23 City of Cheboygan payroll accounts. Clerk/Treasurer Kwiatkowski explained that is a separate account for payroll expenses.

Councilman Couture moved to approve the pre-paid bills and disbursements for the month of November 2009 in the amount of \$914,661.67. Seconded by Councilman Kopernik. A roll call vote was taken. Motion carried unanimously.

- **Unpaid Bills and Disbursements for the Month of November 2009**

Councilman Couture moved to approve the unpaid bills and disbursements for the month of November 2009 in the amount of \$26,277.92. Seconded by Councilwoman Lepp. A roll call vote was taken. Motion carried unanimously.

Department, Boards and Commission Reports

- **Regular Human Relations Board Meeting – November 19, 2009**

City Manager McNeil reported that the Human Relations Board continues to work toward the Martin Luther King, Jr. Day event as well as discussions regarding the Native American Heritage Day.

- **Regular Downtown Development Authority Board of Directors Meeting – Dec. 1, 2009**

City Manager McNeil stated that the DDA in conjunction with the Downtown Enhancement Administrator is looking to partner more with the Cheboygan Economic Development Group in efforts of recruiting more retail businesses downtown. The DDA has formed a committee to investigate a retail rental incentive program where the DDA may subsidize rent provided conditions such as pre-qualification would exist for new business to become established downtown. Additionally, the DDA purchased a sidewalk vacuum for the downtown area and heard a fairly extensive report from the engineer relative to the footbridge construction. Council discussed the sidewalk vacuum, an update on the footbridge construction, the façade improvement incentive program for businesses, and an update on the former Woolworth building site.

General Business

- **Consideration of Bids, Four-Wheeler with Plow for Sidewalks**

DPW Director Gall reported that three bids were received on the four-wheeler with plow for sidewalks. He recommended the low bid from Lofgren Sales at \$5,800. Director Gall noted that the DDA approved the purchase and will pay half, or \$2,900 for the equipment. City Manager McNeil pointed out that the budget line item for this equipment is \$2,500 and Council would need to acknowledge the change in that budget line item to \$2,900. Council discussed the current snow blower, access to the new equipment, and snow removal on City sidewalks

Councilman Kopernik moved to award the purchase of a four-wheeler with a plow for sidewalks to Lofgren Sales in the amount of \$5,800. Seconded by Councilman Jewell. A roll call vote was taken. Motion carried unanimously.

- **Consideration of Bids to Refurbish Existing Grit Dewatering Screw at Wastewater Treatment Plant**

DPW Director Gall reported that one bid was received with regard to the refurbishing of the existing grit dewatering screw at the Wastewater Treatment Plant. He recommended approval of the bid from

KWS, Inc. in the amount of \$8,800. Director Gall noted the additional \$340 expense for external bearing and seal for a total project cost of \$9,140.

Councilman Couture move to award the refurbishing of the existing grit dewatering screw at the Wastewater Treatment Plant to KWS, Inc. in the amount of \$8,800 and \$340 for the external bearing and seal for a total of \$9,140. Seconded by Councilman Jewell. A roll call vote was taken. Motion carried unanimously.

- **Consideration to Purchase Turkey/Ham Gift Certificates for Council, Members of Boards & Commissions and City Employees**

City Manager McNeil commented on concerns whether issuing the certificates is legal and given the current financial constraints he recommends if Council wants to do this that certificates are given only to Board and Commission members who are not otherwise compensated. Council discussed the positive and negative aspects of providing the gift certificates.

Councilman Jewell moved to approve the purchase of turkey/ham gift certificates for Council, members of Boards & Commission and City employees. Seconded by Councilwoman Lepp. A roll call vote was taken.

Yes votes: Council Members Lepp, Sangster, VanFleet, Jewell and Couture

No votes: Councilman Kopernik

Motion carried.

- **Consideration of Marketing Tag Line/Slogan**

City Manager McNeil provided an update relative to activities of the Marketing Committee. He noted that the objectives with regard to updating the website and other types of advertising within each of the action items in order to accomplish some of those goals requires a slogan or tag line to be used along with it. Additionally, welcome signage is another issue under consideration. City Manager McNeil noted that the Committee has worked on ideas and are submitting two tag line suggestions for consideration which include “Fun and Opportunities” and “A Great Place To Be”. He added that Council could choose from one of the two suggestions or send the issue back to the Marketing Committee for further consideration. Council discussed the suggested tag lines.

Councilman Kopernik moved to approve “A Great Place To Be” as the marketing tag line/slogan for the City of Cheboygan. Seconded by Councilwoman Lepp.

Yes votes: Council Members Lepp, Kopernik, Sangster and Jewell

No votes: Council Members VanFleet and Couture

Motion carried.

- **Consideration of Independent Contractor Agreement for Maintenance, Interments and Sexton Services at Pine Hill Cemetery (Amended)**

Clerk/Treasurer Kwiatkowski stated that a Committee comprised of Council Members VanFleet and Kopernik as well as himself and City Manager McNeil met several times over the past three months and on one occasion Mr. Ellis Olson was included. He outlined each of the proposed revisions, noting that changes are minimal. A lengthy discussion was held regarding drainage and erosion issues, weed spikes, grass cutting, an update on the work along the fence-line of the new section, the possibility of using a chemical spray in the spring for weed prevention depending on cost, removal of leaves in spring and fall, the written complaint and resolution procedure, and an annual review each March to determine if contracted issues have been met. Mr. Ray Lofgren commented on lost burial

documents, the State Statute language included in the contract with regard to burial records, the cost associated with spraying for weed control, drainage issues in the new section of the Cemetery, minimal grass cutting in the old section of the Cemetery, and reconsidering the date of the annual March review to later in the burial season to better address issues. Mr. Olson commented on the 2007 and 2008 burial records, drainage issues and resolution in the new section of the Cemetery, seasonal removal of leaves, ulterior motives for complaints, providing maintenance activities beyond the October 31 contract deadline, and his satisfaction with the revised language in the amended contract. Council discussed the March review date and determined that a review at the end of the burial season would be more appropriate.

Councilman Jewell moved to approve the Independent Contractor Agreement for Maintenance, Interments and Sexton Services at Pine Hill Cemetery Amended with the amendment in the contract that the annual review will take place in November of each year and authorize the Mayor and Clerk/Treasurer to sign the same on behalf of the City of Cheboygan. Seconded by Councilman Couture. A roll call vote was taken. Motion carried unanimously.

City Clerk's and Treasurer's Comments

- **Annual DDA TIF Financial Report for City's Fiscal Year Ended June 30, 2009**

Clerk/Treasurer Kwiatkowski outlined a financial report pertaining to the Downtown Development Authority that he provides annually to the Auditing Division of the State Department of Treasury. He reviewed revenue and expenses for the 2008/2009 fiscal year, capital outlay, outstanding debt, and a breakdown of tax increment financing monies. Mayor Sangster clarified that expenses associated with the footbridge were paid solely from DDA funds and that future maintenance will be the responsibility of taxpayers in and outside the DDA District. City Manager McNeil concurred noting that revenue was generated solely from property within the DDA District. Council discussed DDA funds and tax increment financing.

City Manager's Report

- **MSU Department of Landscape Architecture Presentation of Final Major City Park Master Plan Concepts – Thursday, December 10, 2009 at 6:00 p.m.**

City Manager McNeil reported that presentation of the final conceptual Major City Park Master Plan by the MSU Department of Landscape Architecture has been postponed to early January 2010. He noted that January 5, 6 or 7 is under consideration as possible dates for the presentation and Council will be notified once the date is confirmed.

Messages and Communications from Mayor and Council Members

- **Outdoor Ice Rink**

Councilman Kopernik commented on providing an outdoor ice rink. City Manager McNeil noted an outdoor rink was provided last year at the Cheboygan County Fairground grandstand and that he believes Parks and Recreation Director Hancock plans to initiate that again this winter. He also commented on the possibility of providing an outdoor rink downtown if the grant funding for redevelopment of the former Woolworth site is available.

- **Snow Removal**

Councilman Jewell commended Director Gall and the DPW staff for their efforts regarding snow removal on Main Street in preparation of the annual Christmas Parade.

- **Temporary Absence**

Councilman Jewell commented on an opportunity in his professional career that would require him to be absent from the community and City Council meetings for approximately two months this winter. He questioned if Council prefers to excuse him temporarily or would rather replace him. Council discussed the matter and agreed to excuse Councilman Jewell.

- **Cheboygan County Community Development Director**

Mayor Sangster expressed concern that the Community Development Director for Cheboygan County resides in Charlevoix which he feels may not be practical. Councilman VanFleet agreed, noting the situation may pose a possible conflict of interest. City Manager McNeil commented on City staff that do not reside within the City of Cheboygan.

Adjournment

Councilwoman Lepp moved to adjourn the meeting at 8:20 p.m. Seconded by Councilman Couture. Motion carried unanimously.

Mayor Richard B. Sangster

City Clerk Kenneth J. Kwiatkowski

Councilman Nicholas C. Couture

Councilman William K. Jewell

Councilwoman Theo Lepp

Councilman Mark Bronson

Councilman Michael J. VanFleet

Councilman Roger Kopernik