

**REGULAR CITY COUNCIL MEETING**  
**December 22, 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 Bronson, VanFleet, Lepp, Jewell, Sangster, Couture and Kopernik

Councilman Jewell led the Pledge of Allegiance to the Flag.

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

Mayor Sangster noted one correction and two additions to the agenda under General Business: Correction on the term of office expiration date from December 21 to December 31, 2012 and additions including Consideration of Approval of an Indoor Shooting Range Pursuant to Section 130.03 (C) and Consideration of Similar and no More Objectionable Character – Indoor Shooting Range within a Light Industrial (L-1) District.

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

**Correction and Approval of Prior Meeting Minutes**

- **Regular City Council Meeting – November 24, 2009**

Councilwoman Lepp moved to approve the minutes of the November 24, 2009 Regular City Council Meeting as presented. Seconded by Councilman Couture. Motion carried unanimously.

**Public Comments**

Public comment portion of the meeting opened by Mayor Sangster.

- **Traffic Lights**

Mr. Bill Burnett introduced himself and requested if the timing on the traffic lights at the Lincoln Avenue Bridge could be changed to allow better traffic flow. He also commented on traffic with regard to the State Street Bridge. City Manager McNeil commented on the sensor system provided by MDOT that regulates traffic flow at each location and noted he could request an explanation on traffic management considerations.

Public comment portion of the meeting closed by Mayor Sangster.

**Communications and Petitions**

- **Presentation by Ann Marsh of the U.S. Census Bureau**

Ms. Ann Marsh introduced herself as a recruiter for the U.S. Census Bureau and provided information regarding census jobs, established testing sites, and administration of pre-employment testing for the 2010 U.S. Census, as well as the history of collecting census data. Discussion was held regarding testing sites, number of census takers needed for this area, the various positions available, and the timeframe regarding hiring staff and conducting the 2010 U.S. Census.

- **Consideration of a Request from the Fallen Heroes Memorial Foundation to place Memorial in Washington Park**

Mr. Duane Swan introduced himself and Mr. Skip Bushart Coordinator of the Fallen Heroes Memorial Foundation. Mr. Bushart explained the goal of the Foundation to build, erect and maintain memorials in the hometown of fallen military personnel of Operation Iraqi Freedom and Operation Enduring Freedom. He requested that the City grant the Foundation an eight foot circular section of property within Washington Park for the sole purpose of building a memorial for the Fallen Soldiers of Cheboygan. Mr. Bushart described the proposed memorial, noting that all costs are paid through private funding. Discussion was held regarding the location of the memorial.

Councilman Jewell moved to approve the request from the Fallen Heroes Memorial Foundation to place a Memorial in Washington Park. Seconded by Councilman Couture. A roll call vote was taken. Motion carried unanimously.

- **Consideration of a Request from Cheboygan County United Way Walk for Warmth, 1<sup>st</sup> Annual Walk for Warmth – February 20, 2010**

Chief Jones outlined plans for the proposed Cheboygan County United Way Walk for Warmth program which includes a 1.25 mile route. He explained the effort is intended to raise funds to provide financial assistance with heating related expenses.

Councilman Couture moved to approve the request from the Cheboygan County United Way Walk for Warmth to hold its 1<sup>st</sup> Annual Walk for Warmth on February 20, 2010. Seconded by Councilman Jewell. A roll call vote was taken. Motion carried unanimously.

- **Presentation by Cheboygan Area Chamber of Commerce – Participation in Pure Michigan Campaign for Huron Coast**

Ms. Kim Pappas Executive Director of the Cheboygan Area Chamber of Commerce introduced herself and outlined the Pure Michigan Campaign which includes a coalition and partnership from the Tawas area north to Cheboygan that would feature a joint effort in advertising during a two season campaign running from March until August and September through November. She referred to the Northeast Coastal Communities known as the Sunrise Coast, noting this campaign would feature website links to Huron Shores Heritage Route as well as all of our locations but would not specifically promote Tawas, Rogers City or Cheboygan. Ms. Pappas outlined the positive impact this advertising has had on other communities and opportunities to work with a nationally recognized marketing campaign that would typically be out of reach financially with our own funds. She referred to the \$6,300 in funds needed to be raised, commenting she fully intends to approach the DDA, Tourist Bureau, and Cheboygan County for assistance in addition to the City. Ms. Pappas stated they are looking for a signed commitment letter no later than mid-January and there are no monies needing to be exchanged until February 15, 2010. She requested that Council consider whatever monetary donation could be provided by the City. Discussion was held on the tabulation of committed pledge results. Ms. Pappas explained that the tabulation is based on population. Discussion was also held regarding the trail between Alpena and Cheboygan. City Manager McNeil noted the target date for completion is 2012 and would include the same pathway as Gaylord to Cheboygan. He noted there is room in the marketing budget if this is something Council wants to do. Council discussed the merits of the advertising campaign and the specific amount that could be provided by the City. Ms. Pappas noted that a specific amount would not be needed at this time; only a commitment to participate.

Councilwoman Lepp moved to commit to participation in the Pure Michigan Campaign and approve an amount not to exceed \$3,000. Seconded by Councilman Kopernik. A roll call vote was taken. Motion carried unanimously.

### **Department, Boards and Commission Reports**

- **Department of Public Safety Monthly Statistics – November 2009**

The Department of Public Safety Statistics for the month of November 2009 were received and reviewed.

### **General Business**

- **Consideration of Reappointment of Daniel Nieland to the Hospital Finance Authority, Term to Expire December 31, 2012**

Councilman Couture moved to reappoint Daniel Nieland to the Hospital Finance Authority with a term to expire December 31, 2012. Seconded by Councilman Kopernik. Motion carried unanimously.

- **Consideration of Approval of an Indoor Shooting Range Pursuant to Section 130.03 (C) of the City of Cheboygan Code of Ordinances – General Offenses**

City Manager McNeil stated that Mr. Reinhardt Jahn is requesting approval to establish an indoor shooting range in buildings he owns in the Industrial Park, which involves a three part process. The first is to seek a recommendation from the Planning Commission relative to a similar and no more objectionable character use within the Light Industrial Zone. City Manager McNeil explained that the City's Zoning Ordinance does not contemplate shooting ranges as a particular use within any zoning district but there is language that allows us to make a similar character determination based on other uses within a district and in this case pertains to a Light Industrial (L-1) District. He added that the Planning Commission considered the request and is recommending Council's approval. City Manager McNeil referred to Section 130.03 (C) of the City Code of Ordinances which provides for an individual to be found disorderly for discharging a firearm within the City limits. He added that there is a provision that allows the City Council to approve a duly established shooting range within the City limits which would provide an exception to that rule and that Mr. Jahn is asking for that approval, and Council can also consider the similar character determination for that kind of use in an industrial zone. Discussion was held regarding other facilities, safety issues, noise, full-containment concrete block walls and ceiling with steel backstop that eliminate penetration of any stray shots. Mr. Jahn commented that the facility is for his own use and that he is not contemplating commercial use because of complicated governmental regulations as well as requiring outside engineering and another site plan to the Zoning Board that would be very cumbersome. He commented that the concrete walls and ceiling solve a large part of the noise problem and nothing out of character for an industrial park. Discussion was held regarding inspection and safety. City Manager McNeil recommended that Council condition approval upon final inspection approval of the facility by Chief Jones.

Councilman Jewell moved to approve the request of Mr. Reinhart Jahn for an indoor shooting range pursuant to Section 130.03 (C) of the City of Cheboygan Code of Ordinances – General Offenses for personal use pending the safety inspection by Chief Jones upon completion of the facility. Seconded by Councilman Kopernik. A roll call vote was taken. Motion carried unanimously.

- **Consideration of Similar and no More Objectionable Character – Indoor Shooting Range within a Light Industrial (L-1) Zoning District**

City Manager McNeil noted this applies to the land use consideration to allow an indoor shooting range to be placed within a Light Industrial (L-1) Zoning District of similar character for other uses.

Councilman Couture moved to approve the land use consideration of similar and no more objectionable character for an indoor shooting range in a Light Industrial (L-1) Zoning District with the contingency of passing the public safety inspection. Seconded by Councilman Jewell. A roll call vote was taken. Motion carried unanimously.

Mr. Bill Burnett commented on the shooting range within the lower level of the National Guard Armory that is constructed of a steel plate inside of a cement block building which results in very little noise and provides safety.

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

- **Report on City's Continuing Disclosure Undertaking for the Fiscal Year End June 30, 2009**

Clerk/Treasurer Kwiatkowski referred to the City's Continuing Disclosure Statement for the fiscal year ended June 30, 2009 which pertains to City bonds. He explained that bond information is sent annually to the State Information Repository as well as four national repositories for reference.

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

- **MSU Department of Landscape Architecture Presentation of Final Major City Park Master Plan Concept, Tuesday, January 5, 2010, 6:00 p.m., City Council Chambers**

City Manager McNeil reminded Council that the Michigan State University Department of Landscape Architecture will be presenting the final concepts for the Major City Park Master Plan on Tuesday, January 5, 2010 at 6:00 p.m. in the City Council Chambers.

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

- **Indoor Shooting Range**

Councilman VanFleet commented on the indoor shooting range and encouraged Mr. Jahn to consider a commercial development. He also commented on the complicated regulations and red tape with regard to a commercial development, adding that an indoor shooting range facility would provide jobs and bring people into the area.

- **Complaint Forms**

Councilman Jewell questioned the status of complaint forms and whether Council will receive copies of written complaints. He also questioned the procedure with regard to resolution and referred to a storm drain issue that may not be able to be addressed until spring. City Manager McNeil explained the complaint procedure, Council's desire to review complaint forms, and steps toward resolution.

- **Former Woolworth Building Site**

Councilman Kopernik questioned the status of the Woolworth property. City Manager McNeil stated that the City has been invited to submit a notice of intent which is a precursor to a full application. He commented on the preliminary plan that passed a couple review panels which may favorably impact the chances for funding. City Manager McNeil explained that the initial proposal will be reviewed with a subsequent request to submit a full application containing more details. He

further explained that the City is ultimately looking for funding to demolish the former Woolworth building and construct a pavilion that would allow an ice rink and many other amenities.

- **Councilman Jewell – Absence from Council**

Councilman Jewell commented that he is leaving the area on January 6, 2010 and will be absent until March.

- **Snow Removal**

Mayor Sangster commented that the snow removal has been great on what he is seeing downtown and people being able to get around. He thanked Mr. and Mrs. Lofgren for the Christmas card and wished everyone happy holidays.

- **Holiday Gift Certificate Donations**

Councilman Couture noted that he is donating his holiday gift certificate to the Salvation Army and if anyone else wants to do the same he will take the certificates there.

**Adjournment**

Councilwoman Lepp moved to adjourn the meeting at 8:08 p.m. Seconded by Councilman Jewell. Motion carried unanimously.

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Mayor Richard B. Sangster

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City Clerk Kenneth J. Kwiatkowski

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Councilman Nicholas C. Couture

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Councilman William K. Jewell

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Councilwoman Theo Lepp

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Councilman Mark Bronson

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Councilman Michael J. VanFleet

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Councilman Roger Kopernik