

**REGULAR CITY COUNCIL MEETING**  
**March 20, 2018**

The Regular City Council Meeting was called to order by Mayor Bronson in the Council Chambers at City Hall at 7:00 p.m.

**Roll Call:**

Present: Couture, Kwiatkowski, Lavender, Bronson, Temple, King and Riddle

Mayor Pro Tem Couture led the Pledge of Allegiance to the Flag.

**Public Comments:**

Ms. Trudy Lofgren introduced herself asking if there are any plans of repainting the Lincoln Avenue Bridge. City Manager Eustice replied yes, he is trying to get a couple of quotes on it, noting he has talked with a couple of painters. It is not going to be cheap, stating our Recreation Department tried to brush and roller paint, but it needs to be power washed and spray painted. Ms. Lofgren asked if it is likely anybody locally can do the painting. City Manager Eustice replied the inside of the Bridge would be fine, but it is the face of the Bridge that is going to be difficult and you would have to hang over the side of the Bridge somehow or do it from a barge or man lift. It is time to have it painted, but we need to find the funding to be able to do that.

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

Councilman King moved to approve the Agenda and receive and file all communications; supported by Councilwoman Kwiatkowski. Motion carried unanimously.

**Approval of Prior Meeting Minutes:**

Councilman Lavender moved to approve the Regular City Council Meeting Minutes of February 27, 2018 as presented; supported by Councilman King. Motion carried unanimously.

**Public Hearings:**

■ **Consideration to Schedule a Public Hearing for April 10, 2018 at 7:00 p.m in the City Council Chambers to Repeal Chapter 96 Parks and Recreation Department §96.52 (A) of the City Code of Ordinances and Add a New §96.52 (A) that: There shall be no less than five nor more than seven Commissioners appointed by the Mayor, the appointments subject to the approval of the Council** - Mayor Bronson asked if this will change for quorum requirements. City Manager Eustice replied yes, noting there has been some concerns/issues with having quorums for the Recreation Commission and by going to seven members we can add a couple members that will help us get to a four member quorum. Councilwoman Riddle asked how many members are on the Commission now. City Manager Eustice answered it is a five member Commission by Ordinance and to change the Ordinance requires a public hearing. Councilwoman Riddle asked with a seven member Commission how many would make a quorum. City Manager Eustice replied four. We are hoping to add two new members that will be in attendance all the time. Councilman Temple asked what the average is of members showing up to the meetings. City Manager Eustice answered there are two members that are in attendance on a consistent basis. Councilwoman Riddle commented there have been some health concerns with some of the members. City Manager Eustice stated he and the Mayor are going to talk about the make-up of the Commission at this point and going forward. The

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Mayor asked him about how membership can change. In the Ordinance there is a way to dismiss members for lack of attendance. Mayor Bronson asked to do the dismissal if it required a hearing and if it is in the by-laws of the Commission. City Manager Eustice replied no hearing is required and the dismissal procedure is in place, with the Mayor making the final decision. Mayor Bronson stated they have been talking about this for a while.

Councilwoman Riddle moved to schedule a Public Hearing for April 10, 2018 at 7:00 p.m in the City Council Chambers to Repeal Chapter 96 Parks and Recreation Department §96.52 (A) of the City Code of Ordinances and Add a New §96.52 (A) that: There shall be no less than five nor more than seven Commissioners appointed by the Mayor, the appointments subject to the approval of the Council; supported by Councilman King. A roll call vote was taken; motion carried unanimously.

■ **Consideration to Schedule a Public Hearing for April 10, 2018 at 7:00 p.m. in the City Council Chambers to Repeal Chapter 155, Historic Resources Commission §155.03 (B), first sentence, Membership and terms, of the City Code of Ordinances and Add a New §155.03 (B), first sentence: The Commission consists of seven members who are residents of the County of Cheboygan** – City Manager Eustice stated currently the Ordinance requires that you be a City resident to sit on the Historic Resource Commission and we would like to change it to being a County resident, as we have a lot of talented historians that do not live in the City that he thinks could help us on this Commission going forward. He thinks the change will be helpful to the members. Right now it is a seven member Commission and there are at least three people who do not live in the City, but have property and are business owners who want to be part of the historic preservation of the City and thinks they will be quality candidates for the Commission. Mayor Bronson stated they don't reside but own property and are not eligible right now. City Manager Eustice replied that is right, as they must be a City resident to be on the Commission now. Mayor Bronson asked if these members are appointed by the Mayor, also. City Manager Eustice replied yes. Councilwoman Riddle asked what other commissions do not have City residents. City Manager Eustice answered the Planning Commission, which the membership is established through the Planning Enabling Act; the Brownfield Board also has non-City residents; and the DDA. Members on the DDA Board have some type of interest in properties in the DDA District; a lot of the members on the DDA Board do not live in the City or the DDA District. Councilwoman Riddle said on the DDA Board you have to have a business or live in the District or be on the Council? City Manager Eustice clarified there are positions on the DDA Board that are not business owners and they must be approved by the DDA and the Mayor.

Mayor Pro Tem Couture moved to schedule a Public Hearing for April 10, 2018 at 7:00 p.m. in the City Council Chambers to Repeal Chapter 155, Historic Resources Commission §155.03 (B), first sentence, Membership and terms, of the City Code of Ordinances and Add a New §155.03 (B), first sentence: The Commission consists of seven members who are residents of the County of Cheboygan; supported by Councilwoman Kwiatkowski. A roll call vote was taken; motion carried unanimously.

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### **Bills and Disbursements:**

#### ▪ **Prepaid Bills and Disbursements for the Month of February 2018.**

Ms. Trudy Lofgren inquired on the expenditure to Digital Ally, Inc. for video systems. Clerk/Treasurer Kwiatkowski stated the City recently purchased two new vehicles for the Department of Public Safety and that is video systems for those vehicles. Ms. Lofgren then inquired on the payment to Lindsay & Lindsay, stating she believes those services are more than normal, asking if this is because of the ongoing Inverness Township project. Clerk/Treasurer Kwiatkowski explained this is according to the agreement that was signed and is a quarterly payment.

Councilman King moved to approve the prepaid bills and disbursements for the month of February 2018 in the amount of \$361,902.72; supported by Mayor Pro Tem Couture. A roll call vote was taken; motion carried unanimously.

#### ▪ **Unpaid Bills and Disbursements for the Month of February 2018.**

Mayor Pro Tem Couture asked what Quill Corporation is. Clerk/Treasurer Kwiatkowski explained Quill Corporation is basically an office supplier; we order online from them and there are no shipping charges and we find that basically everything we order for all of the offices is less expensive than what we can get locally. City Manager noted the monitors in the Council room came from Quill, along with a new laptop for the City Council Chambers.

Councilwoman Riddle moved to approve the unpaid bills and disbursements for the month of February 2018 in the amount of \$26,592.80; supported by Councilman Temple. A roll call vote was taken; motion carried unanimously.

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

#### ▪ **Department of Public Safety Monthly Statistics, February 2018 - Received and filed.**

▪ **Planning Commission Minutes, February 19, 2018 - Received and filed.** City Manager Eustice then informed Council at last night's Planning Commission meeting there was a preliminary site plan review for the former Cheboygan True Value Hardware, adjacent to the State Street Bridge. Brian and Wendy Fleming are the owners and Bruce Johnston is with a company called Revitalize LLC and he is helping them with the project. They gave the Commission a preliminary rendition of what it is going to look like. It is very nice with the focus on the River front; they are going to develop four high end condominiums on the main floor. There will be retail floor space on the bottom floor, which is basically a basement above ground. There will be two other smaller apartment type units; one in the building of the former Dive Center and a ground floor apartment in the back of the main building. There will be six residential rental units in there and maybe as many as four retail floor spaces on the ground floor. City Manager Eustice went on to state they are going to repair and replace the dockage and piling; they already have a couple of retail tenants that are looking at going in there. Mayor Pro Tem Couture asked what their timeframe is. City Manager Eustice replied as far as being open for use it is going to be this time next year; they are going to get some brownfield tax incentives because there is some contamination there; they are likely to go through the Obsolete Property Rehabilitation Act (OPRA) and may get some tax abatements there; and they are hoping to start late summer or fall and do all the exterior renovations and all the interior work through the winter. Councilman King asked if the lot between the Northern Care Center and the Dive Shop is that part of that development. City Manager Eustice replied yes,

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stating they have not purchased it yet they will be purchasing at least a portion of it, in addition to other property behind it, as well. The entrance will be from Water Street to get to the complex; there will be no access from State Street. Most of the retail floor space and parking will be on the River side, south side of the building. Mayor Bronson commented the changes in the Zoning Ordinance are already scheduled for hearing. City Manager Eustice stated that is correct and the public hearing is set for March 27 and he hopes to have a clean copy by tomorrow and that will be e-mailed to Council. There were some minor changes made at the last Planning Commission meeting and those are being edited right now. A copy will be available for the public before the public hearing and he will get copies to the Council. Mayor Bronson stated the Master Plan will be next, asking if the City Manager has a timeframe on that. City Manager Eustice answered they are going to start editing and reviewing that at the Planning Commission meeting in April. We have a draft copy that really hasn't been reviewed for about three years so we will need to go back and edit that and get that up to speed. Mayor Bronson asked if there will be a committee set up to work on that. City Manager Eustice replied yes, adding initially they were not going to open it up to the public, but we are going to have to because it needs some major updates. We don't have to have a public hearing, but we need to have a public participation forum to get public input on what the Master Plan should look like. This will be done at a Planning Commission meeting. Mayor Bronson then asked if the City Manager had an anticipated time when that would be done. City Manager Eustice replied probably not until late summer. Mayor Bronson also asked if the Master Plan is part of the Redevelopment Ready Communities process, because there would be pressure to get that done. City Manager Eustice replied yes and we may be able to move it along quicker once we start reviewing it.

### **Resolutions:**

■ **Consideration of Approval of Consumers Energy Form 548 (Standard Lighting Contract) to Furnish Lighting Service within the City of Cheboygan for a Period of One Year Beginning August 1, 2017** - Mayor Bronson asked if the date was correct. City Manager Eustice replied yes. Clerk/Treasurer Kwiatkowski stated the agreement extends from year to year and really doesn't need action by Council unless for some reason you don't want Consumers providing that service. The other point as to why this has to be passed is the LED lights that are going to be installed and the \$30,000.00 plus credit that we will get against the bill; they cannot give us the credit unless this is approved and signed by Council.

Councilman King moved to approve Consumers Energy Form 548 (Standard Lighting Contract) to furnish lighting service within the City of Cheboygan for a period of one year beginning August 1, 2017 AND adopt the Resolution for the same, and authorize the City Manager and City Clerk to sign the same; supported by Councilwoman Kwiatkowski. A roll call vote was taken; motion carried unanimously.

■ **Consideration of Local Government Approval for a Special License for Beer, Wine and Liquor for the Pool Tournament at the Ice Rink/Pavilion on April 20, 21 and 22, 2018** - City Manager Eustice informed Council the weekend of April 20, 21 and 22 is a scheduled pool tournament and Rink Manager Craig Coxe is managing this operation. We are going to apply for a liquor license for that weekend, which first needs local government approval before applying. We have had liquor licenses there before for events, so this is not something new. However, this is a full liquor license with beer, wine and liquor; in the past there has only been

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beer and wine licenses. Mayor Bronson asked if somebody comes in to tend the bar. City Manager Eustice answered Rink Manager Coxe already has volunteers set up for managing the bar and so forth. Mayor Bronson commented he was not sure if it came in with the pool tables. City Manager Eustice stated it will be a separate operation; we will be renting the pool tables and so forth. This event is all run by the City and Rink Manager Coxe is taking charge. Mayor Bronson commented there was something similar to this but an organization brought all the pool tables in. City Manager Eustice stated it is basically the same organization but now we are leasing the pool tables and then the City of Cheboygan is acquiring the liquor license. There have been other non-profit organizations who have in the past. Councilman King mentioned having an insurance policy. City Manager Eustice replied yes.

Mayor Pro Tem Couture moved to approve a Special License for beer, wine and liquor for the Pool Tournament at the Ice Rink Pavilion on April 20, 21 and 22, 2018; supported by Councilman Temple. A roll call vote was taken; motion carried unanimously.

### **General Business:**

■ **Discussion – Policy for Purchase of Supplies & Equipment and Procurement of Contracted Services** – Mayor Bronson stated this is a follow-up to a discussion we have been having to clarify the Purchase Policy for supplies, equipment and contracted services. He noted there is a letter from City Attorney Stephen E. Lindsay with a recommendation and the current Policy. City Manager Eustice stated this is for discussion at this point and is something he would like to put on the agenda for next Tuesday as far as the policy change, if that is what the Council would like to do. The scenarios that Attorney Lindsay refers to, which basically put an emphasis on this Policy and what we should do for contracted services, are two contracts that are basically employment contracts – one being the Cemetery and Gracie Larson manages the Cemetery under contract and instead of sending out request for proposals we would like to extend that contract. The other contract is the Assessor, Clayton McGovern, who wishes to continue as the Assessor with no additional monies. Again it is an employment related contract and he would like the opportunity to extend that contract without sending out request for proposals. City Attorney Lindsay gives the scenario of how that can be done, but it has to be in the Policy and our Policy does not allow that at this point. If the Council wishes to be able to do that, we need to put it into the Policy and that we can extend those contracts by the Council without sending out request for proposals. Mayor Bronson asked if this would include the auditing company and City Attorneys. City Manager Eustice stated it could. Mayor Bronson commented they could be extended for another term without going out for proposals if it meets all the conditions in the opinion from Attorney Lindsay. Mayor Pro Tem Couture asked if the City Manager was requesting that it comes in front of the City Manager and the City Manager would make that decision and not that the City Manager would request it of Council and have Council make that decision. City Manager Eustice stated it has to go to Council; it would be a recommendation from the City Manager to Council. The Council can make a motion to deny it. Mayor Pro Tem Couture then stated it would go out for bids if Council feels at that time it is time to relook at that. City Manager Eustice replied yes. Mayor Pro Tem Couture stated he is okay with that as long as we have policy that we adhere to; if we have a policy that is what we should go by. Mayor Bronson said the other question they were talking about is the thresholds and when it must be bid and that is pretty well spelled out. He noted that the City Manager has authority that doesn't exceed \$5,000.00, and then there is another set of criteria between \$5,000.00 and \$10,000.00, and then if it is above \$10,000.00

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there is another set of criteria. Mayor Bronson said he thinks \$5,000.00 is plenty and is a good base, i.e. that is one copier and does Council want to approve a copy machine. Mayor Pro Tem Couture commented at some level we need to have a little more scrutiny on the budget; it needs to be a little more transparent on what is spent. He is not saying that is not something the City Manager should be able to get a copy of every once and a while, but as long as somewhere it shows that. Every Department Head and Manager should have budgetary responsibilities to have it transparent. Mayor Bronson commented the Policy says the City Manager is authorized up to \$5,000.00; it does not say anything about Department Heads. Mayor Bronson stated this document does not address if the Department Heads must have a certain purchase, asking the City Manager if the Department Heads must discuss that with him. City Manager Eustice stated to spend up to \$5,000.00 is his discretion. Councilman Lavender asked if the City Manager is going to recommend a purchasing policy at the next Council meeting for Council to adopt and with that you are going to add continuation of contracts under the City Manager's authority to continue to approve contracts on an annual basis for up to two years. City Manager Eustice replied two extensions. Mayor Pro Tem Couture asked if that is without coming to Council. Mayor Bronson stated that the City Manager would bring a contract extension to Council for Council to approve the extension of a contract, and the Council could then say no and bid it out. City Manager Eustice said that should be the Council's prerogative and say it is time that we bid that out and seek request for proposals. Mayor Bronson commented they have sort of done it that way before where Council has extended contracts and then the question came up should they have been doing that. City Manager stated the Charter specifically says that the Council will make those decisions based on the policy that is in place for purchases and contracts. It is City Attorney Lindsay's opinion that the City cannot extend contracts with the current Policy. Councilman King commented on having more transparency with each department with the Asset Management Program, which is in the beginning stages at the Water Department. It would be a tremendous help as far as budgeting. Mayor Pro Tem Couture asked if there has been any discussion with department heads on implementing that at other department levels. City Manager Eustice stated they have not had an official meeting, but they have had some discussions. He has not had a department head meeting and discussed that this is what we need to do. Mayor Pro Tem Couture asked him, as City Manager, if he feels the Asset Management that DPW Director Karmol presented to the Council and the City Manager, is a helpful tool. City Manager Eustice replied absolutely. Mayor Pro Tem Couture said he feels to be consistent department wise for the City Manager and his budgeting and for Council's transparency on that in the same regards would be crucial; the Asset Management Plan would have to be updated every year for budgeting if that is plausible. City Manager Eustice stated this is something the Department of Environmental Quality requires that all municipalities had to do that and it is a nice template. It is something we can spread to all departments. He then informed Council that the Tribune's article, Kortney Hahn's, on this was in the Rural Water from DPW Director's Karmol's presentation on Asset Management. He went on to say he got a call from a town supervisor in the State of New York that wanted to know if she could use the template DPW Director Karmol had telling him she read it in the Rural Water magazine. Councilman King commented DPW Director Karmol took ideas from other but built it himself. City Manager Eustice stated it is the City's property, as he is an employee of the City. Councilman Kings stated he thinks DPW Director Karmol could really help implement that in the other departments. Mayor Pro Tem Couture stated at the next Council meeting, the City Manager will bring Council a policy to adopt. City Manager Eustice stated he will get with City Attorney Lindsay in the next day

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or two. Mayor Pro Tem Couture asked if the City Manager wants a consensus from Council as to what to put in the policy or if everybody is happy with what the City Attorney is talking about. City Manager Eustice stated he would like to hear if there are any objections to what they talked about tonight. Mayor Pro Tem Couture asked the City Manager if he had an understanding with what Council is looking for. City Manager Eustice replied yes. Mayor Bronson stated it is basically authorizing what we have been doing. Councilman Lavender stated at the time we approve the contracts that we could add that language, because he thinks from time to time contracts deny the ability of other people to perform those contracts that may change during a contract cycle or we might discover that knowledge after the fact and then it might be good to put bids out for the same services. Mayor Bronson agreed, stating that is why he thinks it should come back to Council to say yes or put it out for bid. City Manager Eustice stated he will work with City Attorney Lindsay on a policy and if it does not look right, the Council can table it and discuss it further.

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

▪ **Certification of Six Month Delinquent Water/Sewer Bills (no action required)** – Clerk/Treasurer Kwiatkowski stated that is the initial list and there is \$102,000.00+ in delinquencies that if it were tax time they would go on the roll. Ms. Herring will be sending out letters to all these accounts and typically that amount will be reduced by about 30%. The average that goes on as tax liens is anywhere from \$70,000.00 to \$75,000.00. Mayor Bronson asked so this amount is not unusual. Clerk/Treasurer Kwiatkowski replied no.

▪ **Credit Cards** - Councilman Temple asked for the situation on taking credit cards because he thinks we would not have a lot of the delinquencies if people could pay with a credit card. City Manager Eustice stated that would help and we do have a couple options and we are looking at the County system as far as what they use. Councilman Temple said he knows we have been talking about it for two years and he has not really heard anything. City Manager Eustice commented he thinks we are pretty close to having some type of credit card system here. Mayor Pro Tem Couture stated the 30-day window/timeline was last week, noting a Council motion he believes, asking City Manager Eustice to expand on what the options are now or in the City Manager's Report so a decision can be made prior to tax bills going out. Clerk/Treasurer Kwiatkowski stated the County has Point & Pay and what they have to do every two or three days is someone has to go online in whatever bank they are using and actually move money. What happens when the City gets payments for a summer tax payment, you are looking at five different stand-alone accounts – three debt funds, an agency fund and the City's operating fund. Someone has to go in when those monies are received by credit card and move those monies and it's got to be extremely accurate. We are not talking \$5,000.00 to \$10,000.00 – we are talking \$100.00 to \$100,000.00 a week. That is going to be up to whoever takes his place but he is telling Council right now it is extremely time consuming and you really have to be on the ball as far as that goes. Mayor Pro Tem Couture commented we can't be the only place that doesn't take credit cards. Clerk/Treasurer Kwiatkowski stated he agrees but right now is not an optimum time. Mayor Pro Tem Couture stated opportune time and understands that, but until you are gone it's you. Clerk/Treasurer Kwiatkowski commented no because before the next tax season he will be gone. Mayor Bronson stated we know lots of places do it and we need to decide what company to go with and work with our accountants. Clerk/Treasurer Kwiatkowski stated the County has BS&A, too, and are willing to work with the City. Actually Ms. Sanders (Judy) has kind of taken the

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bull by the horns and she is getting information for him, so there has to be something some type of report in the BS&A software that we could print out a report that just shows credit card payments over a period of time and if we can do that then whoever is going to be moving that money around it shouldn't be real complicated. Mayor Pro Tem Couture asked if we pay BS&A an annual fee, so if we have questions is there somebody we could call and walk us through that. Clerk/Treasurer Kwiatkowski replied yes we pay them for software support for every one of our applications and you can call them anytime. Mayor Pro Tem Couture then asked if we have called them. Clerk/Treasurer Kwiatkowski replied yes and we actually have gotten a proposal from them. The other thing that BS&A can do is called remote assistance and they can remote right into your screen and move your cursor. Mayor Bronson said so a lot of that can be done online, but also there will be a slice card or scanner and a phone line in house. City Manager Eustice explained not necessarily; with BS&A software it is as though you are online yourself. Mayor Bronson said so we are almost there. City Manager Eustice replied he thinks so, we just need to choose which option we are going with and learn how to move that money and put it in the right bucket. Councilman Lavender said he was trying to figure out that concept because if he pays with a check, that check has to go to the bank and disbursed between funds anyway; but if it was a credit card it would automatically deposit and he is trying to figure out the difference between the two and how a credit card payment would be more work than depositing a check. Clerk/Treasurer Kwiatkowski explained during tax season on any given day you've got five different funds that these tax payments are divided into cash, money orders and checks. We bundle them and then make up all the deposit slips and the total of the cash, checks and money orders equal the amount of the deposit slips. The other way, everything actually physically goes into one account, so you have to move it. City Manager Eustice stated we can receipt cash here like for a tax bill and it puts it in the right bucket, but if somebody makes a tax payment online with a credit card, it just goes to the bank. Clerk/Treasurer Kwiatkowski commented it goes to the City's Operating Fund and then from there you have to pull it all and put in the three debt funds and trust & agency. Mayor Bronson stated somehow you have to match up the invoice number of the tax bill with the credit card amount. Clerk/Treasurer Kwiatkowski clarified the tax bill to the credit card amount.

▪ **Discussion on Upcoming Retirement of Kenneth J. Kwiatkowski, Clerk/Treasurer** - Clerk/Treasurer Kwiatkowski stated the Council has to decide what to do with his position. He does not believe the City can hire a Clerk/Treasurer - he has had 19 years assimilating all those duties with the new accounting and auditing standards and everything that has been piled on as far as all the new regulations as far as elections and things, he does not think there is anyone that is going to come in and do all of that because he thinks they will just struggle. When he came here there was a separate Treasurer and separate Clerk and he thinks that is the only way to go, but Council can do what they want. We have to get something out there soon. Mayor Bronson asked Clerk/Treasurer Kwiatkowski when he was talking with other municipalities is anybody else using the model that we are. Clerk/Treasurer Kwiatkowski replied yes; he just did the sheet for their benefit so they would know what the cost would be. Mayor Bronson stated Council has a list of duties from the Clerk/Treasurer but he does not know how much time or what times the duties are done. He thought he could come in and talk to the Clerk/Treasurer about it. Clerk/Treasurer Kwiatkowski commented there are things on there that he does every day, quarterly, audit which starts before the end of the fiscal year and goes for two to three months into the ensuing fiscal year, insurance claims against the City are sporadic, but there is monthly reporting he does to our retirement program, and quarterly he does with the State and Feds,. Mayor Bronson stated this is some of the information he would

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like to have, i.e. what are daily duties, what are quarterly, what happens at the end of the year, etc. Clerk/Treasurer Kwiatkowski said the other thing he can say is that there are areas that he is responsible for that have suffered because of the day-to-day demands and believe me when I say day-to-day; the City Manager and I do not have office doors we have revolving doors and it is amazing how many times you get interrupted by an employee, a phone call or a business person and you have to drop everything and you have to switch gears. Mayor Pro Tem Couture asked if the process of putting it out there is on them as a Council or is the City Manager going to hire someone and need some of our input. In his opinion this is a crucial time for the City Manager to restructure how he feels necessary as to what job duties go where. He does not know if there are limitations on that due to Union contracts and what can be broken into on that level. City Manager Eustice commented it all comes into play. Mayor Pro Tem Couture stated he knows the City Manager is going to need the Mayor and Council's input, but building a job description and hiring someone is the City Manager's responsibility and is someone who is going to work for you essentially. City Manager Eustice stated that is kind of where we are right now; his responsibility is to do the recruiting process. He just needs to know who we are going to recruit. Are we going to recruit a Clerk/Treasurer or just a Treasurer and a separate Clerk; he needs to know this in order to start the recruiting process. We can use the Michigan Municipal League or other multiple resources. He knows the Mayor has talked to Mr. Jeff Rahmberg, of Rahmberg Stover, who is going to help us with some of that, as well. There is no question that budget wise if we separate those positions and go to a full-time Clerk and full-time Treasurer we are probably going to add an additional \$60,000.00 to budget. Mayor Bronson noted what Clerk/Treasurer Kwiatkowski provided the Council is only part of the picture of the cost. Mayor Pro Tem Couture stated he does not know the number of how much the taxpayers pay for the Clerk/Treasurer's position. He does not know how much that cost; not how much the salary is, but with the fringe how much does that position cost. That is your starting point and maybe we have to spend more or maybe we can spend less, whatever that ends up being. In order to have a starting point, we have to know where we are and then it is essentially the delegation of job duties that are currently Clerk/Treasurer Kwiatkowski's and then you can start eliminating what's on the plate for who we have to hire; what position do we have to fill and is it a Clerk/Treasurer or both. If the City Manager needs his help for that he thinks it would be beneficial to maybe do a committee to start diving into that. It might help having more than one mind diving into that. Councilwoman Riddle asked if this position is split into a Treasurer position and Clerk position, what is the more important position to fill first. Mayor Bronson commented it depends on which day of the week is more important. Clerk/Treasurer Kwiatkowski stated when you have the Clerk's position you have the Cemetery and elections, those are extremely important; you take care of the short and long term disability; all the insurances; and work a lot with the new hires. Mayor Bronson stated we are going to have a job ad for whatever we do out there pretty soon because his date is coming. If we want to form a committee, we need to get a group together soon and meet weekly or more than weekly, but at least get a job ad out. Councilwoman Riddle commented we need to look for both positions simultaneously if we decide to split them. Clerk/Treasurer Kwiatkowski stated he would recommend if Council is going to split the positions that Council get the Treasurer's notice out very quickly. What comes through the City every day as far as all the revenues and everything going out as far as all the expenses, you can't miss a day. Mayor Pro Tem Couture asked what his end date is. Clerk/Treasurer Kwiatkowski replied the end of May right now. Mayor Bronson stated we should at least get ads out there by the beginning of April. Clerk/Treasurer Kwiatkowski stated

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the two things you want are proficiency and BS&A software. You need someone who has a background in municipal accounting and Excel. Councilman Temple asked if we hire someone for his position that is when they are not going to settle with that amount of money, asking the Clerk/Treasurer how long he has been here. Clerk/Treasurer Kwiatkowski replied 23 years. Councilman Lavender stated he does not think it is feasible to split them – Rogers City has a combined City Clerk/Treasurer, East Tawas has the same thing; Alpena does have a Clerk/Treasurer combined also, but they are a lot bigger budget than we are. His opinion is that it is not feasible for our City, the size and our tax revenue to split those positions. Mayor Bronson stated it would be interesting to see in those merged positions some salary ranges for those, if he can get them for Council. Clerk/Treasurer Kwiatkowski said another thing that would be interesting to see is how long those individuals have held those positions. Mayor Bronson stated there is probably a market there for people who have done the merged positions. Councilwoman Riddle asked if it is also possible if there are activities that you have taken on, such as working the budget. Clerk/Treasurer Kwiatkowski stated he does not have the budget anymore. Councilwoman Riddle then explained things that the Clerk/Treasurer has in his current position that could conceivably go somewhere else that he has taken on because of his expertise. Clerk/Treasurer Kwiatkowski asked if she was saying taken on internally or externally. Mayor Bronson replied internally. Clerk/Treasurer Kwiatkowski then stated the City is going to be dealing with the Unions. Mayor Bronson stated that is sort of what he talked to Rahmberg about, our consultant. Looking at those positions and descriptions, the timing of it is not good because they are just starting to get geared up. He asked them to put this in front of their list. Mayor Pro Tem Couture commented this is kind of the reason we started looking into this. Councilwoman Riddle stated one of the things she is thinking of is Clerk/Treasurer Kwiatkowski working with the Cemetery. That is something that you took on a few years ago and it wasn't initially your responsibility. Clerk/Treasurer Kwiatkowski stated he actually had that since he became Clerk. Councilwoman Riddle stated she did not know that. Clerk/Treasurer Kwiatkowski said there is no good time in the entire year for him to retire. At the end of the year there is tax season. Mayor Bronson asked the City Manager if a committee should be appointed tonight. City Manager Eustice replied that would be great. Mayor Bronson then asked for volunteers from Council. Councilman King and Councilman Lavender volunteered, who along with Mayor Bronson, will comprise the committee. Mayor Bronson commented they will try and meet before the end of the week. City Manager Eustice said that would be wise.

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

- **Development Project** – City Manager Eustice reported they are in mediation and likely will not meet again with the County and County Administrator Jeff Lawson until the first week of April, noting there is no set date yet. They are going to have another mediation session that week. There is nothing new to report. Councilman Temple asked for the reason we are waiting that long. City Manager Eustice replied mainly for Mr. Ron Neuman to get back from Florida. Mayor Pro Tem Couture commented there are more than two people on their Board. City Manager Eustice stated he knows. Councilman Lavender stated he would love to see a timeline on what we have done so far because we initially passed a resolution to cooperate and come up with agreement with Inverness Township; then we gave them a 425 and a Utility Service Agreement and they said no to each of those; and then we tried to just bypass it and do a franchise agreement with Meijer's themselves and they turned that down, too. He would love to see a timeline with all that on there as to what we proposed and when it was declined.

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He went on to state he does not think we have gotten an actual proposal from them at all. Various responses were no, not one. City Manager Eustice informed Council that the City's Committee basically has a plan of action right now, but we are going to sit for the next mediation. He does not want to disclose the details of that. Mayor Bronson commented they are not just waiting until the first week of April for anything to happen.

- **Cheboygan Yacht Club/MDNR Property** – City Manager Eustice stated there are members of the Cheboygan Yacht Club in attendance, stating there has been discussions about the property north of the County Marina. The property is available for either lease or purchase from the MDNR. He went on to state he has talked to Mr. Dave Stempky locally about the property and he has referred the City Manager to Mr. Rich Hill of the MDNR. There is also an individual, Mike Lincoln, in Lansing he needs to speak with and he is awaiting a return call to discuss with him as to how the lease agreement or purchase agreement would be handled before we make any kind of offer on it or take it to the Council to see if we would enter into a lease agreement or a purchase agreement. Mayor Bronson asked if he is working on that. City Manager Eustice replied yes, it is still available. Mayor Bronson then stated there is no seawall on that piece of property. City Manager Eustice replied there is just the River bank and a couple of wood pilings along there. Councilwoman Riddle asked what percentage of the property is wetlands. City Manager Eustice replied 35% is wetlands and 65% is uplands. Mayor Bronson said the City Manager is planning to get these questions answered and then bring a proposal to Council about moving ahead or not. City Manager Eustice replied exactly, adding the Cheboygan Yacht Club still has some interest in it and would lease it from the City once we got possession of it. There will be more discussion on this property once it comes back to Council.

- **W. State Street Power Lines** – City Manager Eustice stated that Mr. Dennis Lindeman brought up an issue at the DDA meeting regarding W. State Street and the power lines. The City has done some investigation on that and it appears that there are trees hanging on the lines, but they look like they are all communication lines, AT&T lines. We do not believe there are any that are Consumers Energy. There are some trees that are putting a lot of pressure on those lines, so Chief Jones and DPW Director Karmol are working with those organizations to determine what to do with them. It appears that most of the trees are on private property, except for one or two trees. DPW Director Karmol has dealt with the communication companies before and if the Consumer Power lines were in jeopardy they would come and get the trees out of there. AT&T is not so quick to respond. It is not a huge liability issue for them and the lines are pretty heavy and may be a fiber optic inside a casing so they are not likely to break. Councilwoman Riddle stated we still do not want disruptive service to the citizens. She likes that this is being looked into and we are trying to get some closure.

### Messages and Communications from Mayor and City Council Members:

- **Preliminary Budget/Capital Improvement Plan** – Councilman Lavender inquired as to when they can expect to see a Preliminary Budget. City Manager Eustice stated he is trying to get it done for next week. Councilman Lavender then inquired about the Capital Improvement Plan, asking if that will be a process like the Budget this year. City Manager Eustice stated it will be and the meeting we had with Ann Chastain will all be part of it.

- **Coyotes** – Councilwoman Kwiatkowski commented on the coyotes in Duncan Avenue in the daylight and out on the ice and wondered if there is any protocol or should they call the

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Chief or let it ride. Chief Jones replied the DNR should be contacted. If they become a nuisance they will probably trap them out, otherwise they will let them roam. Chief Jones then commented there are a lot of fox running around, too.

▪ **Parks & Recreation Commission Meeting** – Councilman King asked if there is another Parks & Recreation Commission meeting scheduled. City Manager Eustice stated it would normally be scheduled for tomorrow night but we did cancel it and we are going to try and get the new members on the Commission before we meet again. Mayor Bronson said once we get the new members on there, he thinks maybe they should start meeting more often to get things rolling again. Mayor Pro Tem Couture stated it might even be beneficial for a joint Council and Recreation Commission meeting to go on to develop a plan of attack for that Commission moving forward; so we can have an open forum conversation with everybody involved. Mayor Bronson commented it can get the new members oriented to what is happening, but also the Council can share their vision of what we want that group to be doing. Councilman King mentioned educating the Commission as to what the Commission is for. Mayor Pro Tem Couture stated discussion needs to happen because no plan of action ever seems to come out it. It is frustrating to sit there. City Manager Eustice said they discussed at the last Commission meeting the new Recreation Plan and we need to update our Recreation Plan, in general. It was last updated in 2012, so it has been six years. We need to get everybody together and we need to focus on what is the Recreation Plan and what direction we are going to go.

▪ **Sidewalk Bids** – Mayor Bronson asked City Manager Eustice if the sidewalks bids have gone out. City Manager Eustice replied they are working on that and how to finance it.

▪ **Merit** – Mayor Bronson asked if Merit, a fiber optic internet company, stopped to talk to the City Manager. City Manager Eustice replied absolutely and they will give the City some quotes. He commented the Library is already hooked up to the fiber. Councilwoman Riddle asked if this is for getting Wi-Fi. Mayor Bronson replied it could be part of that, adding what he likes about Merit is you have a bigger pipe and you can do more things with it, but also with the changes in FCC and the swaddling of internet servers, going with a non-profit like Merit you are not going to have them saying if you subscribe to this we will get you full access and if you don't subscribe we are going to increase the price. City Manager Eustice stated Merit will run fiber right to our building and the speeds are much higher. Mayor Bronson commented they are probably ten times as high as what you can get at home and there is no difference between downloading and uploading.

▪ **Survey for April 4, 2018 Public Participation Forum** – Mayor Bronson inquired about a survey for the April 4 public forum. City Manager Eustice stated that should be online tomorrow, noting NEMCOG basically put that survey together and it will be online. Mayor Pro Tem Couture inquired as to a survey for what. City Manager Eustice replied basically for the Public Participation Forum on April 4 soliciting new ideas and what the City should be working on in the future. The survey is a little more detailed and it goes through all the City services and what the community thinks about our services by each department. There are about 72 questions on the survey. You can just submit, if you want, just voice your opinion or idea. Mayor Pro Tem Couture asked if these are anonymous. City Manager Eustice replied yes. We will accumulate some of that information and NEMCOG at the end will basically take that information and sort it out and give us an opinion on collectively what people are saying, do some graphics and ratings on the survey. The Public Participation Forum is an open forum from 6:00 pm to 8:00 pm Wednesday night and you can come and speak, or you can just write down your ideas and the survey will be available, as well. Ms. Ann Chastain will

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moderate the Forum. Mayor Bronson added it is not a question and answer period, it is to solicit ideas. City Manager Eustice stated it is a listening period for the staff, Council and Commissioners to see what the public would like to see for the future of the City of Cheboygan.

▪ **Organizational Study** – Mayor Bronson stated he talked with Jeff Rahmberg, the consultant, and they are trying to get a survey for staff. City Manager Eustice stated that is the next step and he is not sure if they need any more information, but he is going to give them a call tomorrow. Mayor Pro Tem Couture asked when the City Manager’s last contact was with them, since he talked with them last. City Manager Eustice stated he talked to them last Monday, but he has e-mailed them a couple times back and forth and has been sending them information by e-mail. He thinks they have everything they need but is going to call and make sure they are okay with the data/information sent to them so they can get the survey out. They are going to survey the entire staff. Mayor Pro Tem Couture asked if that is an anonymous survey. City Manager Eustice replied he does not know as he did not ask that question. Clerk/Treasurer Kwiatkowski replied he hopes not. City Manager Eustice stated he will ask Mr. Rahmberg that question tomorrow. Mayor Bronson commented it all depends on what the survey is asking.

▪ **Ditches** – Mayor Bronson asked the status on the ditches. City Manager Eustice said we need to clean out the main Eastern drain and we are trying to get a grant from the Tip of the Mitt Watershed Council and thinks they will let that grant as soon as April 1 and then we will know if we will get some monies from them to help us clean those ditches out. Mayor Bronson noted he has not received any calls lately on this.

▪ **Redesigned Port of Cheboygan Website** - Councilman Lavender announced the redesigned Port of Cheboygan website is live now.

### **Adjournment:**

Councilman Temple moved to adjourn the meeting at 8:17 p.m.; supported by Mayor Pro Tem Couture. Motion carried unanimously.

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Mayor Mark C. Bronson

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Clerk/Treasurer Kenneth J. Kwiatkowski

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Councilman Joseph Lavender

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Councilwoman Winifred L. Riddle

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Councilman Vaughn Temple

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Councilman Nathan H. King

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Mayor Pro Tem Nicholas C. Couture

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Councilwoman Betty A. Kwiatkowski