

REGULAR CITY COUNCIL MEETING
March 27, 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: Kwiatkowski, Bronson, Temple, Riddle and Couture

Absent: Lavender and King

Mayor Bronson commented Councilman King and Councilman Lavender have both let us know they would not be here.

Mayor Pro Tem Couture moved to excuse Councilman King and Councilman Lavender; supported by Councilman Temple. Motion carried unanimously.

Councilwoman Kwiatkowski led the Pledge of Allegiance to the Flag.

Public Comments:

Ms. Susan Cheli said as a resident of Inverness Township she wanted to publicly apologize to the Council on the behavior and lack of behavior of the Inverness Township Board due to the roadblocks.

Mr. Joseph Chimner stated he wanted to talk about 5g hi speed internet antennas. They don't go very far and they are going to be putting them up in the right-of-way. There will be one antenna for every two to ten houses. There are going to be a lot of them in our town and now the Senate has passed Bill 637. From his understanding, this still takes a lot of your say on these antennas. Also this equipment is pretty good size, up to maybe the size of a small refrigerator. He thinks there is a perfect example across the street in the back of Speedway. He then commented on the radiation of these and they do not want one in their neighborhood, noting the companies are taking away the City's say on what you can have in the right-of-way and how you can do it. Mr. Chimner then stated the House is stuck in the Energy Committee and he hopes they get stuck there for a long; the House has not passed this yet. He stated this is on line and suggested the City find out if it is in the City's best interest. He then stated he has handouts for those who want them. Mayor Bronson commented Senator Smith will be at the Library on Monday. Mr. Chimner commented Senator Smith has not helped them one bit; Senator Colbeck who is running for governor has helped them a lot more, noting he was a NASA engineer. Councilwoman Riddle asked Mr. Chimner to give the City Manager the handout.

Approval of Agenda, and Receive and File all Communications:

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

Public Hearing:

First Reading - Ordinance to Repeal Chapter 152, Signs, and Chapter 154, Zoning, of the City of Cheboygan and Enacting a New Chapter 154, Zoning, of the City of Cheboygan: City Manager Eustice stated this is basically a new Zoning Ordinance and Sign Ordinance, which is now incorporated into the Zoning Ordinance. The Planning Commission has

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reviewed this significantly over the last three years and made a lot of changes and had a lot of conversation and made a recommendation to approve this Ordinance to the City Council in their February meeting. There were a couple of small edits, which are incorporated, and it is a lengthy document with a lot of information. The City Council can adopt it tonight, even though it does state “First Reading”. It does have a lot of information and Council can require a second public hearing if they so choose. He thinks the Planning Commission’s recommendation is satisfactory, but it is up to Council. City Manager Eustice went on to state his opinion is that this document is in its final stages and there is no editing that needs to be done, so it is his recommendation that it can be approved tonight unless Council has some reasons or questions and would like to prolong it a little longer. Councilwoman Riddle stated she would like to go through the Public Hearing and see if there are any questions, comments or concerns and make a decision after.

Councilman Temple stated a while back they talked about landlords being responsible for what their property looks like. He knows we ticket the renter, but they talked about putting it in the Ordinance that we are going to make the landlord responsible, asking if that ended up in the Ordinance. City Manager Eustice stated it is not in the Zoning Ordinance, it really is already incorporated in the Nuisance Ordinance, which is really where it should be regulated. Councilman Temple stated since it is already in the Nuisance Ordinance, are we ticketing any of these landlords because it does not seem to help ticketing the renters. If you ticket the landlord a couple times he is going to make sure his place is kept up. City Manager Eustice stated there is a provision that the landlord can be responsible for those things, but does not know if we ticketed the landlord themselves and thinks we have in some cases. Councilman Temple said we really need to because some of these places are terrible. Mayor Pro Tem Couture asked back to the landlord. Chief Jones replied yes a couple different landlords and got all but one’s attention. That one does not protest them, he just pays them. Councilwoman Riddle stated in the Ordinance we have R-1, One Family Residential; R-MH, Manufactured Homes; R-2, Two-Family Residential; and R-M, Multiple-Family Residential. She then asked do the rentals come under all these areas and does it address them in there, or where are we addressing a rental. City Manager Eustice replied this is a Zoning document and all of the Zoning Ordinances apply to rentals, there is nothing specific in the Ordinances that says it can be a rental or can’t be. Residential properties can be rented. Councilwoman Riddle said so this Ordinance is not addressing this at all and there is no verbiage saying anything about rentals. City Manager Eustice replied that is correct and it is not related to this Ordinance. Councilwoman Riddle then stated so rentals are addressed in the Nuisance Ordinance. City Manager Eustice replied yes, stating we have a Rental Ordinance, as well. Mayor Bronson stated the Zoning Ordinance is for if you are looking to build or doing something with a site plan to see what is allowed, how close they can be together, how high, etc. Mayor Pro Tem Couture stated because something is not in the Ordinance it does not mean you can or cannot do it, you just have to go to the Zoning Board. City Manager Eustice stated zoning variances would be based on this Ordinance. Councilwoman Riddle asked if there has been any work on the Rental Ordinance and the Nuisance Ordinance regarding the questions or concerns that Councilman Temple brought. City Manager Eustice answered we have not made any changes because 18 months ago we had some discussion with the Blight Committee and some discussions here with regards to charging a fee, but we never made any changes in that regard to charge a fee. Many communities have a rental fee of \$100.00 per year; there was a lot of discussion about that with the Blight Committee and Council and the public was not in favor of that. We have not edited the Rental Ordinance or charged the revenue fee. Mayor Pro Tem

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Couture stated maybe it is a good idea to go over that and bring it to the Council in a packet. Mayor Bronson commented the issue was that we have consistent blight and nuisance laws; the problem is having time to enforce them and having someone dedicated to enforcing them and doing the follow through. That is where the fee came in. From the fee money we could support a person doing those things. There was quite a bit of push back and the reason we have not gone forward with it; but it still does not mean that those laws aren't there to be enforced. Councilwoman Riddle stated the only reason she jumps on the back of Councilman Temple is because she knows he is on the Blight Committee, but she does not know when that Committee met the last time. She does know from the years she has been on the City Council that there are certain things that are not very popular with our constituents, but that doesn't mean they should not be done. A perfect example is our sidewalks and in 16 years nothing has been done with the sidewalks because it was not very popular and they still have not been done. You can't not do things simply because it is not popular. Mayor Pro Tem Couture said you cannot do things if you don't have the money though. Councilwoman Riddle stated that is true, but there was a possibility by having a fee that would give us the money to be able to take care of some issues that have not been taken care of in terms of rental properties. Mayor Bronson commented it sounds like there is some interest to bring that back, asking if that has gone to the Planning Commission or is there some objection because it never came to Council as far as the fees. City Manager Eustice stated there was some discussion at the Planning Commission level. Mayor Pro Tem Couture asked if the City Manager remembered what the consensus was. City Manager Eustice replied it was mixed, there were a couple of Planning Commission members that were actually against it and that a Planning Commission member spoke to Council, as well. Councilwoman Riddle apologized for getting off track.

Mayor Bronson stated he does not have a clean copy of the Ordinance, he was going by an older copy and that is why he wrote the City Manager earlier regarding fences and then he found it. City Manager Eustice stated as he investigated that there is some redundancy in the Zoning Ordinance with other Ordinances that we have and the fence ordinance is one of them. We have a fence ordinance under Nuisances, which does not conflict with this Ordinance and basically says the same thing that includes you cannot use barbed wire on fences, etc. Mayor Bronson also stated they can't be built in the City right-of-way. He then stated he has a similar question under the old Section about fencing around trash containers, asking if that got moved. City Manager Eustice answered it is under Section 10.05 (C), Landscaping, Screening of Trash Containers, noting some of the numbers are changed. Mayor Bronson then stated they were working on some of this when he was on the Planning Commission and knows they spent a lot of time and effort getting this tweaked and fine-tuned to get to the document we have today. City Manager Eustice replied absolutely; it's been a long time coming. Mayor Pro Tem Couture asked if this Zoning Ordinance fits into the Master Plan. City Manager Eustice replied it is a big part of the Redevelopment Ready Communities (RRC) Plan, but it does fit into the Master Plan, as well. The Master Plan is the next thing the Planning Commission is going to work on. We do have a draft Master Plan, but it needs to be significantly updated. The Zoning Ordinance ties to the Master Plan, but more critically are the Zoning Districts that tie to the Master Plan and they look at changing some of the Zoning District boundaries, which is a critical part of the Master Plan. These are all requirements of the Best Practices of Redevelopment Ready Communities. The Zoning Ordinance is a big part of it and the RRC requires that you have a user friendly document for investors because customer service is a big part of the RRC and that is why we are trying to get that certification and we are probably 70% through that process. We would have to have it done by September

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in order to get the certification this year and that might be a little bit of a stretch, but thinks by next year we can be RRC certified. The Zoning Ordinance and the Master Plan are a big part of it. Mayor Pro Tem Couture asked if this is the Public Hearing. City Manager Eustice stated we are in the Public Hearing. Mayor Bronson noted we can have another Public Hearing if we want to allow us enough time to look at this. City Manager Eustice said just for the process, if the Council adopts this tonight it's effective in 7 days and it has to be published in the local newspaper within 15 days. Mayor Pro Tem Couture asked if this is the whole thing. City Manager Eustice answered no; in the Zoning Enabling Act it gives a statement of what has to be published and that it be available for somebody to come here and look at it. We can also scan it and put it on line.

Ms. Trudy Lofgren stated she understands this whole new document is replacing another whole document out of the City book. City Manager Eustice replied basically. Councilwoman Kwiatkowski then stated it is putting this document in and taking the old one out. City Manager Eustice replied yes. Ms. Trudy Lofgren asked if this document has to go through Mr. Lindsay. City Manager Eustice replies yes, he will review it. Ms. Lofgren asked if that has been done already. City Manager Eustice replied not finalized and Mr. Lindsay will finalize it to put it in the right format.

Mr. Ray Lofgren commented on the statement that it does not all have to be published and he thought it did. He asked if the entire Ordinance is coming out and an entire new one going in. City Manager Eustice replied yes, the change is the whole Ordinance. Mr. Lofgren stated Ms. Lofgren was answered and led to believe the entire Ordinance is being changed. City Manager Eustice stated the Zoning Ordinance and Sign Ordinance are. Mr. Lofgren then asked why it would not have to be published. City Manager Eustice stated according to the Zoning Enabling Act there only has to be a statement published in the paper and it has to be available. Mr. Lofgren stated so it is the whole thing. Mayor Bronson commented we will have copies available but we are not going to publish the whole thing in the newspaper. Mr. Lofgren stated he was not aware of the whole Ordinance being changed. Mayor Bronson replied the entire Chapter 154. Mr. Lofgren asked if there is going to be another reading. Mayor Bronson stated that will be up to Council if they want to have another reading. Councilwoman Riddle stated she would rather have a motion after Mr. Lindsay has had the availability to make sure that everything is where it should be. Mayor Pro Tem Couture asked if this is something Mr. Lindsay can do before the second reading. City Manager Eustice replied yes. Mayor Pro Tem Couture then stated we can have a second reading and have the City Manager get this to Mr. Lindsay for his stamp of approval. Mayor Bronson then asked for a motion if there were no more comments.

Chief Jones stated under Section 10.04, top of page 10-12, last line, it states: "However, a person or entity may place such barbed wire at the top of a legal fence when placed not less than six feet from the ground." In the Nuisance section we eliminated barbed wire several years ago at the recommendation of our insurance carrier, so we should probably strike barbed wire out. Councilwoman Riddle inquired of Chief Jones about the Armory actually being closed and the barbed wire is still there on top of the fence. Chief Jones commented stated as long as it remains with the Government the barbed wire can stay until they change owners. City Manager Eustice stated the language is a little conflicting because it states no person or entity. Chief Jones stated he thinks we need to take out the last line that talks about you could put it on top of a six foot fence. Mayor Bronson asked if the Planning Commission wants this

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back. The answer was no. Mayor Bronson stated the Council should be able to make corrections of error and grammatical corrections. City Manager Eustice stated that is the reason for a public hearing.

Councilwoman Riddle moved to hold a second Public Hearing to adopt the Ordinance Rewrite and Amendment; supported by Mayor Pro Tem Couture. A roll call vote was taken; motion carried unanimously.

General Business:

■ **Consideration of Amended Policy for Purchase of Supplies & Equipment and Procurement of Contracted Services** – Mayor Bronson discussion was held at last week’s meeting about standardizing our rules about contracts and stated how to handle them. He then asked if the City Manager has a recommended change. City Manager Eustice said Council has a memo and the current policy for the Purchase of Supplies & Equipment and Procurement of Contracted Services. City Attorney Stephen Lindsay has amended this Policy and has a proposed Policy attached. He then referred Council to item 3C, which is the change in the language to the current Policy, and is the only thing that has been edited. Mayor Pro Tem Couture stated he believes that says that the City Manager has the ability to extend contracts that are currently contracts and a couple of the reasons it gives are that they are doing fine and without coming to Council approved up to 3% over the term of the previous contract. City Manager Eustice said if the current contracted official wants more than 3%, then it has to be sent out for request for proposals. That is the maximum they can ask for in an increase. He stated this does come to Council and is not just his decision; it can be his recommendation but Council has to approve it. Mayor Pro Tem Couture commented it does not state that in here. He stated if the City Manager is going to come to Council and make a recommendation then why do we need to change it. He thinks the City Manager or all should come and give the recommendation to Council on what they feel is the right move if it is to extend a contract for another period of years or year that is already there, great but it should come to Council. That doesn’t state that in here currently and he does not know what changed other than taking coming to Council out. Councilman Temple stated if the City Manager wants to extend some of these contracts it should come to Council for their recommendation because he just can’t go ahead and do it without Council. Clerk/Treasurer Kwiatkowski commented it should be subject to Council approval. Mayor Pro Tem Couture said he agrees there are certain aspects where the City Manager should be able to look at an existing contract and realize that it is the best fit to continue that service, then bring it to Council stating he thinks it should be done and it warrants a 3% increase and here’s why. City Manager Eustice agreed that is the way it should be. Councilwoman Riddle questioned a good place to put this language putting before “A purchase or service” the language of Subject to Council’s approval, a purchase or service...” Mayor Bronson stated we should send this back to City Attorney Stephen Lindsay to insert the language so after they are not on Council anymore the next group knows what it means. Mayor Pro Tem Couture added and another City Manager, if there ever will be one, that is what he will know, too. Clerk/Treasurer Kwiatkowski said he would put the language, subject to City Council approval after “may be renewed by the City Manager. Mr. Ray Lofgren stated this is your policy or code of honor and you are all up here because you represent us taxpayers. Everything that we purchase through you we trust that you are going to spend our money in the best way you can, but sometimes because of the contracting in him competitive bidding is great. Now he has a problem with this and it started way back in 2002 Bill Chlopan gave the Treasurer the authority to rewrite by extending a contract. That is not

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what is in the “bible”. You are not supposed to do that, whether it is a one year or three year contract; in other words he is talking about the Cemetery bid. In that particular year he thinks it was \$86,000.00 and he and Mrs. Lofgren objected and there was a lot going on with the Cemetery. Finally Mr. Olson, not to pick on Mr. Olson, but he said okay his equipment was paid for and he could now do it for one-half the price. The contract was not brought back but it was, and he does not want to say for sure, three times (but at least twice) it was signed over. Probably the body did not know anything about the cemetery contract being reinstated or something. However, the contract through our efforts of almost two years of complaining to the Council, and he does not know if Councilman Temple was on the Council at that time, but they complained an awful lot. Anyway, if the Council will remember two or three meetings ago Clerk/Treasurer Kwiatkowski said he does not have time to take somebody by the hand and lead them through a contracted Cemetery. Anybody that has to be taken by the hand and wants a contract that includes two or three pages of incidentals, cut the grass when it’s this high, go to that fence, go to that fence, don’t knock over the gravestones, etc. they shouldn’t even be bidding it. So, at that time if you look at something like that and it is going to cause a problem with the Manager or Treasurer to go out and hand manage it that is the person you don’t want. He does not have much more to say unless somebody has any questions, but we expect that the money is spent right and this book says that you are supposed to have consecutive honored bids that you can understand where the price of a product should be. Mr. Lofgren went on to state he has watched Council spend almost \$100,000.00, also, within 6 months and he has seen the machine out twice on our sidewalks. He believes that is foolishly spent money because you got equipment that could have done the same thing for a lot less than 80 some thousand dollars. That was brought to Council in what he thinks was a flash moment, noting he had no idea but maybe the City Manager knew about somebody wanting something at the DPW but all of a sudden we spent \$80,000.00 on some machine that is supposed to plow snow off the public rights-of-way and he really has only seen it out twice. The reason he saw it out is that he is out snowplowing and we look at other people’s work and the reason he says this is when our machine is out on the sidewalk it is at least two inches, if not three inches, from going down and cutting it clear. He has seen Scott Hancock’s crew coming behind and shoveling it. It does not make sense to him. Mr. Lofgren thanked Council for taking the review and he does not think the Ordinance has to be changed and does not think any City Manager, and he has said this before, should have the authority to write anybody a check, including himself. If he comes in and does a job for \$4,900.00 and comes in here he does not have to come in front of the Council and he does not understand that. He thinks no matter what the size or amount of the project is, whether it is a bid or anything, it should come for Council to give the nod. Mr. Lofgren then stated it is hard to read and awful tough to know everything that is in there. Chief Jones probably has quite the knowledge of what is in there. Mr. Lofgren then thanked the Council for sending the Policy back to Mr. Lindsay. Mayor Bronson stated Council would like to have another writing of paragraph 3C with the language added. He then asked for a motion.

Councilman Temple moved to table the Amended Policy for Purchase of Supplies & Equipment and Procurement of Contracted Services for a rewrite to add language; supported by Mayor Pro Tem Couture. A roll call vote was taken; motion carried unanimously.

▪ **Consideration of Fireworks for 2018** – City Manager Eustice stated this is for our annual fireworks display for the 4th of July and is something the City has for many years participated in and it is fully funded by the City’s General Fund. He then asked Chief Jones how many

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years it has been \$7,000.00. Chief Jones replied about 30 years. City Manager Eustice commented clearly the quality of the fireworks has not diminished from this company. We are looking for a motion to enter into an Agreement with the company to provide fireworks for the 4th of July.

Councilwoman Kwiatkowski moved to approve the Contract Agreement with Wolverine Fireworks Display, Inc. for the 2018 fireworks in the amount of \$7,000.00 and authorize the City Manager to sign the same; approve the 2018 Permit for Fireworks Other than Consumer or Low Impact and authorize the Mayor sign the same; and approve the City of Cheboygan/County of Cheboygan Hold Harmless Agreement and authorize the City Manager and Director of Public Safety to sign the same; supported by Mayor Pro Tem Couture. A roll call vote was taken; motion carried unanimously.

City Clerk's and Treasurer's Comments:

- **Cemetery** - Clerk/Treasurer Kwiatkowski commented if he had to go out there and tell someone how to mow or how to weed or do things like that, they wouldn't have a contract. What we have is that same person has to do burials and we have a person that worked 10 years with Ellis Olson and 3 years on her own and right now we have six burials in the Chapel and he is leaving. The City needs someone who can take that operation and run. It was determined by the Committee last Friday that when he leaves the person that is hired is going to be a combined Clerk/Treasurer. That person is not going to be equipped to spend their time out at that Cemetery and try and figure out where to bury people, and that is something he has done every year. Council can do what they want, okay, but it is not about the maintenance, it is really about the burials and working with the funeral home and so on. He wanted Council to know this. Mr. Ray Lofgren asked if the Sexton is not a part of the Contract. Clerk/Treasurer Kwiatkowski stated the Contract says Sexton. Mr. Lofgren commented the burial is separate.
- **City Code** – Clerk/Treasurer Kwiatkowski stated he wanted to put a bug in Council's ear that the next time the amendments go to our Code Company, it is going to be very costly to take the Zoning part of it and put it in the Code. His recommendation, and a recommendation only, is that Council have one or two hardbound copies of the Code. The Code is put on the City's website verbatim and the zoning portion will be on the City's website and it doesn't make a whole lot of sense to spend hundreds of dollars making Code books anymore because you can go to the City's website and print off whatever section of the Code you want. Mayor Bronson stated it would depend on what State Law says about it. Clerk/Treasurer Kwiatkowski stated what he would like to do with Council's permission is get a hold of the City's Attorney and have him research it. Mayor Bronson and Mayor Pro Tem Couture agreed. Mayor Pro Tem Couture asked if we can have him look at that and get a report back to Council whether Clerk/Treasurer Kwiatkowski is here or not. Clerk/Treasurer Kwiatkowski stated yes. Mayor Bronson commented he knows the State has been making changes to make electronic record keeping easier so he wants to make sure they have allowed this part of it.

City Manager's Report:

- **Clerk/Treasurer Job Advertising** – City Manager Eustice stated he provided Council just tonight with a job posting for the City Treasurer/City Clerk position and also attached a job description for their review and information. This posting for the City Clerk/Treasurer position is on the website currently, as is the job description. It is also posted with the Michigan Municipal League. It will be published in the Tribune and the Record Eagle. The Record Eagle will give us 7 days on Monster.com, a nation-wide publication. We are asking

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for resumes to be submitted by Friday, April 13, 2018, a little more than 2 weeks out. Once we get those resumes we will assemble them, noting there is a Committee put together and the Committee will be assembled and review the resumes and determine if we have a qualified candidate to move forward with interviews. We hopefully will get some good candidates. City Manager Eustice noted in the posting Council has there is no salary range; the Committee talked about a salary range and determined not to put a salary range in the posting so we can have room for negotiation with qualified candidates. Having a combination Clerk/Treasurer is a tough task. Councilwoman Riddle questioned how the interviewing process is going to transpire once we get the applications here. City Manager Eustice stated the Committee will discuss that further, but typically he can conduct the interviews but would like either the entire Committee or a couple members of the Committee, which is Councilman King, Councilman Lavender and Mayor Bronson. We are going to have to make a determination as to how many we are going to interview. We might get 25 to 40 resumes and will have to weed down to a small amount of people we are going to interview. Councilwoman Riddle asked if there is a plan to have fingerprinting because they are dealing with the City's money. City Manager Eustice replied absolutely. Councilwoman Riddle stated so that is all in process. Clerk/Treasurer Kwiatkowski stated once the interview process is done we have the Chief do a background check. City Manager Eustice stated they have to be bonded. Mayor Bronson said we wouldn't do that until we have an offer; it will not be done for every candidate. Mayor Bronson stated it would be nice if the Committee could help whittle down the stack if we get a stack. City Manager Eustice stated he thinks there are going to be quite a few locally and State-wide, mainly because we didn't publish the salary. We would not get qualified candidates to apply if they thought they would not get the salary they needed.

▪ **Preliminary Budget/CIP, April 10, 2018 Meeting** – City Manager Eustice informed Council he will have a Preliminary Budget next April 10, noting he is working on the Budget and the Capital Improvement Plan (CIP). We have the Public Participation Forum next Wednesday and that is going to help with the CIP and we may have some additions there once that program is done. The Public Participation Forum will help him with the CIP, but will not really help him with the Budget. The Budget will be done mainly in the format Clerk/Treasurer Kwiatkowski used to do but he is working on some other long-term budget planning for over the next five-years and he will have some charts and graphs. We will look at previous years and where we were and where we are today and where we are going the next five years. City Manager Eustice went on to state it doesn't look any different at this point unless we get some new business and growth as we are pretty stagnant. The revenues go up the rate of inflation, which is 2.1% this year and that was the best it's been in about 12 years, but it still doesn't really add anything to the Budget. The rate of the cost of doing business went up 2.1% also and there is not a lot you can do with that. City Manager Eustice said we probably should have a Budget Hearing before the April 24 Council meeting to have discussion on the Budget to see if there is anything the Council thinks should be any different. Really the only thing you can do as you look at a budget is make some drastic changes and it's not easy to do. Councilwoman Riddle asked if the budget meeting would be at 6:00 p.m. City Manager Eustice stated it will probably need more time, maybe 5:00 p.m. He then stated he will have a preliminary budget on April 10 for the Council to look over and hopefully he will give Council enough information on the 10th to give Council a good look at the upcoming budget for ideas and what to do with change. Mayor Bronson asked when the Budget has to be adopted so the public has time to look at it.

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Messages and Communications from Mayor and City Council Members:

- **Mandatory Let Water Run** – Councilwoman Riddle asked if we are to continue running water. City Manager Eustice replied we still have the water run on and this is something DPW Director Karmol will look at yet this week. The City of Gaylord removed their water run late last week. He explained when it gets warm out it drives down the frost, so just because it gets warm out it does not mean the ground is thawing. The rain we had last night and the little bit today can help. He will get with DPW Director Karmol to see if he is ready to stop the water run.
- **Rahmberg Stover Survey** – Mayor Pro Tem Couture asked if there is an update on the City Manager's conversation with Rahmberg. City Manager Eustice stated there is not; he thinks he has given him all the information he needs. The next step was to get us a survey and he has not seen that yet. Mayor Pro Tem Couture stated that is the same thing the City Manager told them last week. He then asked the City Manager to call him and find out where we are at and if he needs anything else just make sure he gets it. We were hoping to have something to help you with budgeting but that's obviously not happening. City Manager Eustice replied he is on his list to call and he will put him on top of the list and see what else he needs.
- **Credit Card Use** – Mayor Pro Tem Couture inquired as to any update on credit card capabilities. He knows that implementing it, if we come up with one, is going to take some time prior to use. City Manager Eustice stated he thinks the best option is to go with BS&A who has a program for \$3,500.00 a year. Mayor Pro Tem Couture asked if the City would pay \$3,500.00 a year. City Manager Eustice replied yes just for annual maintenance and software. We still have to go with Point & Pay to accept the credit card so there is a little timeframe to coordinate all that. The County uses the BS&A system and Point & Pay and it seems to be working pretty good for them. Mayor Bronson commented several cities use that software. He went on to state you have to coordinate it; implement a piece, test it; and then the next piece comes in and you test it. That is where he sees some time in this. Mayor Pro Tem Couture asked so when do we start. City Manager Eustice replied as soon as we order it, stating he would like to do this all under \$5,000.00. Also, in the BS&A quote BS&A has a program where it is a property look up program and that is less than \$1,500.00, so the total package is less than \$5,000.00. Again it is a \$1,500.00 annual fee and is an assessing program so you can look up your property and get your assessment, a picture of your house and sketch, and that sort of thing. It is good for appraisers and other assessors, but mainly for appraisers who are looking for property record cards and that sort of thing, so we are not inundated with phone calls. Councilwoman Riddle asked how frequently are the pictures of the homes updated because it is real easy for homes in the pictures to be outdated. City Manager Eustice stated that is a tough task, noting Clayton McGovern is doing a complete reappraisal of the residential properties so it is going to take him more than another year. Councilwoman Riddle stated so it is the City's information that goes to the program that people can use, right. City Manager Eustice replied yes. Councilwoman Riddle went on to state so the information is generated from us, so if it is wrong information it is our problem. City Manager Eustice answered yes, noting Mr. McGovern has updated a lot of pictures in the last two years. Mayor Pro Tem Couture stated we have a contract with Mr. McGovern asking when his contract is up. City Manager Eustice replied April 1 and that is kind of why we are trying to get the policy through to address his contract, as well as the cemetery contract. Mayor Pro Tem Couture asked when the cemetery contract is up. City Manager Eustice stated it is already expired. He then stated contract law basically allows you to automatically renew those contracts in absence of a new contract. Mayor Pro Tem Couture commented the same thing with a community contract they continue on. He went on to state he guesses until we get the language figured out

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and if we are going to change it, then it should come to us because our policy says to bring those to us for re-contract or rebid, right. City Manager Eustice replied yes, asking if Mayor Pro Tem Couture thinks he should bring it to Council before we get this policy in place. Mayor Pro Tem Couture said it is not up to him. City Manager Eustice stated that is the issue; our Ordinance says you have to have a purchase policy and procurement policy, but City Attorney Stephen Lindsay's opinion was that to extend contracts it has to be in the policy and it is not. He thinks, and most municipalities do this, that the Council has the power to extend those contracts, but he will ask City Attorney Lindsay about that. Councilwoman Riddle commented on Clerk/Treasurer Kwiatkowski's contract about the fact that he is leaving shortly and the person that is handling the cemetery right now knows how the process goes and knows what they are doing. She then asked if that was a three-year contract. Clerk/Treasurer Kwiatkowski replied yes. Councilwoman Riddle asked if there is the possibility of a second option of extending one year to get us through this rough period of time and then the contract comes up when the new Clerk/Treasurer is more acquainted with what is going on, which is another option. Mayor Bronson stated it would have to be in that language we are talking about. Mayor Pro Tem Couture stated respectfully and no pointing fingers at anyone that these contracts should be handled before they are expiring; they should come to us months before. If you know a contract is expiring, it seems very logical. Mayor Bronson stated they did approach him about the cemetery one and extending it, and he presumed we had done that in the past and he said go ahead. Then a conversation developed. They were on the ball before in bringing it to him. City Manager Eustice commented they wanted to be certain our policies are doing what the Council feels they are. Mayor Pro Tem Couture said there is no way he is saying that two people in question are not capable of continuing and if the right thing is not to extend them because he is trying to make sure we get this policy language clear and transparent and followed forever. Mayor Bronson stated it use to be that our attorney contracts were extended. Mayor Pro Tem Couture said until it is clear language, every contract that comes up should come to Council for a re-approval or a rebidding process, whatever the Council decides. He knows we have language stating otherwise in his opinion. City Manager Eustice replied he agrees.

▪ **Car Parts Company** – Councilman Temple asked if the City Manager has heard any rumors about another car parts company coming in. City Manager Eustice stated he has and does not know why they have not applied, but he has had some conversation with Auto Zone and cannot disclose that, but they are coming. Councilman Temple said the rumor he heard was that they approached Family Video. Mayor Pro Tem Couture inquired as to the process and would they need to apply for basic approval. City Manager Eustice stated they need to apply for a Land Use Permit. They have already asked us about signage, but they have not applied for a Permit. It appears to be a likely option.

▪ **Former K-Mart Building** – Councilwoman Kwiatkowski asked if the City Manager has heard a rumor about anything going into the former K-Mart building. City Manager Eustice replied not that he knows and he has not spoken to anybody in their corporate office, but we would love to fill that.

▪ **Mediation with County on New Development** – Councilwoman Riddle asked if there is any more information on the mediation with the County in terms of the new development. City Manager Eustice replied no and he does not know if they talked about it at the County Commissioners' Meeting today, but thinks they were going to have some conversation about when to set the mediation. Someone stated they said there has been conflicting schedules. City Manager Eustice stated that is up to the County as they are leading the mediation charge.

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Mayor Pro Tem Couture commented we don't have any other avenues to take at this point, so we are waiting.

- **New Police Officers** – Mayor Bronson asked Chief Jones if he had a couple new police officers. Chief Jones stated he will give the Council an update in their packet soon with all their information. Mayor Bronson stated that was his question. Chief Jones stated there has been three since July 1, noting Office Hartman has been promoted to Sergeant. Mayor Bronson inquired if there will be a bulletin on this. Chief Jones responded it will be a profile packet. Councilwoman Riddle asked when the Chief speaks from the back of the room is there a speaker back there so it goes in the information, and also people who speak from the audience and do not go up to the podium; their information may not go into the minutes because it may not be heard. Clerk/Treasurer Kwiatkowski stated that is correct. Chief Jones commented he thought the new machines would pick him up. Mayor Bronson commented there are speakers back there but no microphones.
- **Chicken Ordinance** – Mayor Bronson inquired if the Chicken Ordinance permits are renewable each year. City Manager Eustice replied yes. City Manager Eustice told Chief Jones they need to look at that. Mayor Bronson commented there were dozens last year.

Adjournment:

Mayor Pro Tem Couture moved to adjourn the meeting at 8:13 p.m.; supported by Councilman Temple. Motion carried unanimously.

Mayor Mark C. Bronson

Clerk/Treasurer Kenneth J. Kwiatkowski

Councilman Joseph Lavender

Councilwoman Winifred L. Riddle

Councilman Vaughn Temple

Councilman Nathan H. King

Mayor Pro Tem Nicholas C. Couture

Councilwoman Betty A. Kwiatkowski