

**REGULAR CITY COUNCIL MEETING**  
**November 10, 2015**

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, Lavender, Bronson, Temple, King, Riddle and Couture

Councilwoman Kwiatkowski led the Pledge of Allegiance to the Flag.

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

Mayor Pro Tem Couture moved to approve the Agenda and receive and file all communications; supported by Councilman Temple. Motion carried unanimously.

**Approval of Prior Meeting Minutes:**

▪ **Regular City Council Meeting Minutes – October 27, 2015.**

Councilwoman Kwiatkowski moved to approve the Regular City Council Meeting Minutes of October 27, 2015 as presented; supported by Mayor Pro Tem Couture. Motion carried unanimously.

**Communications and Petitions:**

▪ **Presentation by Joanne Cromley, Resident of Cheboygan County – re: Enbridge Line 5** – City Manager Eustice stated Ms. Joanne Cromley asked to be on the Agenda to speak about the Enbridge Line 5 that runs through Cheboygan County. He noted Council can ask any questions when her presentation is completed.

Ms. Joanne Cromley introduced herself, stating she resides in Kohler Township, Cheboygan County, and is here tonight to ask the Council to please consider telling the Governor and the Attorney General to restrict Line 5 to non-oil cargo by January 1, 2016. This is both a simple and an ethical act and one that the Governor has the authority to do. This restriction will not affect the people in the U.P. heating their homes with propane; it will ensure that their service continues. This simple act preempts the imminent threat this 62 year old pipeline poses to not only the Straits of Mackinac but the Burt Lake, Mullett Lake and Cheboygan River watershed. It is not good enough to trust a new PR campaign Enbridge has embarked on that tells us we are safe from a Line 5 oil spill. There is no reason to trust their assurances given the following facts: (1) the 2010 Line 5 pipeline burst in the Kalamazoo River dumped approximately one million gallons of heavy tar sands oil and that community is still cleaning up; overall only 20% to 30% of oil is retrieved from any oil spill and clean-up; (2) the recent emergency drill only collected 30% of the oil; an interesting question to ask is why were Mackinaw City and the City of Cheboygan not invited to be part of the emergency drill; since 1988 Enbridge has had 15 known failures on Line 5, spilling about 260,000 gallons of oil with several breaks near the Mackinac line; and (3) the number of Enbridge spills has gone from 50 spills per year from 1999 to 2004 to an average of 90 spills per year from 2010 to 2014; there is no reason to trust anything Enbridge says in light of this evidence.

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Ms. Joanne Cromley went on to state that, in addition, the University of Michigan's 2014 study determined that the Straits of Mackinac is the worst possible place for an oil spill in the Great Lakes. Further, this past April the U.S. Coast Guard Commandant testified before Congress and indicated he is not comfortable with the current contingency plan for the worst case spill in the Great Lakes. In fact, the Straits are on the top of the Coast Guard list for high risk oil recovery. She then stated tonight she is asking each of Council to vote to adopt a resolution that would keep the Great Lakes and its watershed free from oil, because it is the prudent and right thing to do and because it is the proactive thing to do for our local economy, tourism, boating, fishing and agriculture industries and the overall health of our environment. An important thing to note is, according to the Laborers International Union of North America, Enbridge employs roughly 260 full-time employees in the State of Michigan, but according to the MSU Extension one out of every five jobs in Michigan is linked to the high quality of fresh water in the Great Lakes. She asked Council to remind the Governor that he has the authority to stop 23 million gallons of oil flowing through the line each day and he has the authority to restrict Line 5 by January 1, 2016 – tell him he must do this now.

Ms. Karen Martin of Cheboygan commented on Enbridge and how well you can trust them or not. With regard to the Kalamazoo River incident, Enbridge knew five years prior to that they needed to do some maintenance and repair and did not do it. It leaked for 17 hours, and they kind of knew something was wrong through their equipment. Ms. Martin went on to state she hopes Council realizes how important this is to Cheboygan because Cheboygan can't take a hit like a spill and believes it would devastate Cheboygan. We need to send a message to our Governor to make our Straits safe.

Ms. Linda Rogers of W. U.S. 23 Hwy., Cheboygan, stated she is simply here as a citizen and feels the Council needs to absolutely vote in favor of the Resolution.

Mr. Jim Little stated he is a vacationer and spends a lot of time and effort to support this community, noting Pure Michigan, and feels very strongly that it's not a matter of if the line breaks – it's a matter of when. It was designed to last four years and is now 62 years old. The vacationers come up here because of the beautiful waters, boating and fishing, and feels very strongly that when the line breaks that will end our way of life up here.

Mr. David Martin stated he is a City of Cheboygan citizen and would also like to second what Mr. Little said. It's more of when it will happen and when it does happen our way of life is done. There will be no livelihood left and jobs will go away, including the environment.

Mr. Bruce Gauthier, Cheboygan County Commissioner, informed the Council that the Resolution will be on the County Agenda in two weeks, noting if the City Council passes it, it will go a long way to it passing at the County level. As far as he is concerned, there is no reason for oil to be pumped under the Straits of Mackinac, which is the biggest body of fresh water in the world and is a world treasure.

Councilman King stated he has followed this matter and it has been clear to him, as someone who grew up in the area, that most of our economy is based on tourism and fresh water, including recreational activities on the water such as fishing. He commented on the age and condition of the line. He is definitely in favor of the Resolution.

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Councilwoman Kwiatkowski commented that fresh water is a treasure and that we need to protect it.

Councilman King moved to adopt the Resolution to Limit Enbridge Line 5 across the Straits to LPG as presented; supported by Councilwoman Kwiatkowski. A roll call vote was taken; motion carried unanimous.

### **Bills and Disbursements:**

#### ▪ **Prepaid Bills and Disbursements for the Month of October 2015.**

Ms. Trudy Lofgren inquired on the payment to Otis Elevator Co. for west elevator service. Clerk/Treasurer Kwiatkowski replied this is another additional bill. Councilman King inquired on the payment to Carlisle/Wortman Associates, Inc., asking what the status of this project is. City Manager Eustice responded a conference call is scheduled for tomorrow morning with a sub-committee of the Planning Commission, being Chairperson Kronberg and Commissioner Granger, along with himself and Mr. Richard Carlisle. He noted that Mr. Carlisle has finalized all the edits that the Planning Commission did over the last year, and these will be reviewed tomorrow. Mr. Carlisle will then be in Cheboygan in January; however, they are hopeful of finalizing the Zoning Ordinance before that. The Master Plan will be finalized in January. He is hoping that the Zoning Ordinance and Master Plan are finished by mid to the end of January. Councilwoman Riddle stated in speaking of the Master Plan that is the area where the River is designated into the area north of the State Street Bridge and the area in the business district and then the more residential area. City Manager Eustice commented what she is speaking about is the approved Riverfront Development Plan, noting the ideas are incorporated into the development of the true Master Plan. Councilwoman Riddle then asked if Council will have those two documents when they are done. City Manager Eustice replied yes, noting changes are needed to the Master Plan to include the Port property.

Councilman King then inquired on the payment to The Bank of New York Mellon for the 2006 Refunding Bond Debt Payment. Clerk/Treasurer Kwiatkowski stated this is a 2.7 million dollar bond, originally voted on in 1997. Nine years later the interest rates were very good so we refinanced the Bond. This was for water and sewer improvements. Mayor Bronson asked how often this payment is made. Clerk/Treasurer Kwiatkowski answered there are two payments on most bonds; one being interest only and the other is interest and principal.

Ms. Trudy Lofgren asked for additional information on the Otis Elevator expense she asked about. Clerk/Treasurer Kwiatkowski stated this expense was for the west elevator, which has been serviced before. Ms. Lofgren asked if this will be a problem forever. Clerk/Treasurer Kwiatkowski responded they hope not and Otis is still looking into whether or not these elevators should have been part of a recall. The fact that we have never had a problem with the east elevator gives us some hope. They may have to replace the piston assembly, but feels little by little they will get to the end of it. Ms. Lofgren then asked if the City will get reimbursed. Clerk/Treasurer Kwiatkowski stated that remains to be seen. He then commented that next month on the prepaid bills there will be a payment for \$3,400.00 for the elevators, which is a required three year full load test/pressure relief valve test. This is a requirement for every elevator in the State.

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Councilman Lavender inquired as to the payment to Northern Michigan/Northnet for monthly e-mails service. Clerk/Treasurer Kwiatkowski replied this is a \$3.00 a month bill from NMO, noting the two staff members that have that e-mail service are the City Assessor and himself. Councilman Lavender then commented on paying for e-mail service when there are free services available. Clerk/Treasurer Kwiatkowski stated they have this for several years and is something they have grown accustomed to.

Councilman King moved to approve the prepaid bills and disbursements for the month of October 2015 in the amount of \$648,905.12; supported by Councilwoman Kwiatkowski. A roll call vote was taken; motion carried unanimously.

### ▪ **Unpaid Bills and Disbursements for the Month of October 2015.**

Councilman Lavender moved to approve the unpaid bills and disbursements for the month of October 2015 in the amount of \$45,512.12; supported by Councilman Temple. A roll call vote was taken; motion carried unanimously.

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

#### ▪ **Port Commission Meeting, November 2, 2015** - *(Received and filed.)*

▪ **Downtown Development Authority Board Meeting, November 3, 2015** – City Manager Eustice reported they are still seriously working on the trip hazard and are trying diligently to rectify that situation. Mr. Dennis Lindeman and other DDA members, as well as himself, are going to seriously look at it and see what the remedy could be there. The right fix is very costly, which would be to take out the concrete and level it off. We are probably going to develop some kind of removable barrier so when we have events people are not walking over the lip area. Councilwoman Kwiatkowski asked if it can't be sloped. City Manager Eustice stated according to the engineers we would have to cut out a large area of concrete for it to work properly, as you can't grind it down. Councilman Temple stated as far as events the barriers will work, but wondered about the everyday traffic that goes through there. City Manager Eustice replied they have discussed this and we may have to leave barriers up all the time. The question is if we place a chain or rope, will people disconnect them. These are all concerns. Councilwoman Riddle suggested having benches. City Manager Eustice stated this idea has been discussed. Councilwoman Riddle the benches could have the names of different businesses in town, noting the benches would also create seating for events. City Manager Eustice stated this would depend on whether or not the benches have backs, noting for the Farmer's Market the vendors like to back up to the edge of the Pavilion and unload. If we had removable benches that would work. Councilwoman Riddle commented she thought the Farmer's Market was not going to use Festival Square. Mayor Bronson stated this is changing due to discussion within the group. City Manager Eustice stated they want to utilize it more and more, other than when we have weekend events, and on Wednesdays, 9:00 am to 1:00 pm or 6:00 pm. Mayor Bronson stated they cannot meet at Walgreen's anymore due to a directive from Walgreen's Corporate Office, which also impacted the Fleetwood's business. Councilwoman Riddle stated if they place a table in front of the benches, then they would have a place to sit down. Councilman King said there is one sloped access into the Pavilion and nothing on the other side. When there is a beverage truck at an event that is where most of the traffic goes and that is where the lip is. It is also difficult for anyone on a scooter or in a wheelchair. He added he does not understand why it wasn't done in the original plan.

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City Manager Eustice informed the Council the other issue is the sound system for Festival Square. Mr. Dan Buday from Buday Sound Advice is trying to get us under our budget of \$19,000.00 for a quality sound system. The DDA decided to forego the building because we can put the amplifier system in the Opera House. The initial cost to run speaker wire from the Opera House to Festival Square was cost prohibitive for Mr. Buday, but he does have a new speaker system that has amplifiers on the speaker, and is looking at running fiber optic now. City Manager Eustice then stated it is not likely that it will be up for the winter season, but certainly will have something in place by spring. Clerk/Treasurer Kwiatkowski inquired from City Manager Eustice if the money for the sound system will come out of the Festival Square fund. City Manager Eustice replied yes, the money is there from the grant and the cupcake sale. Councilwoman Kwiatkowski asked if this is just for music in Festival Square or will it include music on Main Street. City Manager Eustice stated we would use typically Sirius satellite radio. Councilwoman Kwiatkowski inquired about moving the money to take care of the trip hazard and do it correctly, adding it seems like it should be done right. Then if they want music in there, it could be started later. City Manager Eustice stated the only issue is the right fix for Festival Square is a couple hundred thousand dollars. Mayor Bronson stated the City Manager can get estimates on some of the other options to see if they are in the realm of the money we have left over. Councilman King asked if there is the capability of a couple wireless microphones that could broadcast through that system for community events to make announcements, etc. City Manager Eustice replied that is part of the system.

### Resolutions:

#### ▪ **Resolution to Appoint Certifying Officer and Environmental Review Officer for the**

**Downtown Cheboygan Façade Project** – City Manager Eustice stated through the Northern Lakes Economic Alliance (NLEA) and DDA we have submitted the application for the Façade Program and have six participants in the City. The Façade Program is funded through the Michigan Economic Development Corporation (MEDC). We have been working on this most of the year. The appointing of the Certifying Officer and Environmental Review Officer is part of the process and has to be a City Official. The NLEA drafted this Resolution and suggested that he be the official and it doesn't require him to be certified environmentally. City Manager Eustice explained the environmental review is basically a more visual impact, noting it's not soil sampling, etc. It is just basically a summary of what the changes in the buildings may have in the downtown area. He will work through the NLEA to provide the summary as part of the process to the MEDC. The application goes to the State Historic Preservation Office (SHPO) and they look at it and they want to qualify it as to what it might have looked like in its original state, so they don't want new materials that have an environmental impact on the downtown. It is just a qualification of the application.

Mayor Pro Tem Couture moved to adopt the Resolution to Appoint Certifying Officer and Environmental Review Officer for the Downtown Cheboygan Façade Project; supported by Councilwoman Kwiatkowski. A roll call vote was taken; motion carried unanimously.

### Unfinished Business:

#### ▪ **Discussion of Policy for Purchase of Supplies & Equipment and Procurement of**

**Contracted Services** – City Manager Eustice stated this was discussed at the October 27 meeting. Ms. Sanders did help him get information from other municipalities on purchasing policies. He informed Council he would like to draft a purchase policy based on what he

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reviewed and bring it to Council at the November 24 meeting. Councilwoman Riddle asked why figures are in bold in the current Policy. City Manager Eustice replied those are the current figures that will be considered for change. A brief discussion was held. Clerk/Treasurer Kwiatkowski informed Council one thing that was discussed, as far as the Staff goes, it really would be difficult to put together a list of contractors, etc. His suggestion is that we put ads in the local newspaper stating that the City of Cheboygan is looking to develop a contractor list for these types of services; in other words, let them come to us. If we try to put the list together and we miss someone, Council will end up with people in front of them.

### **General Business:**

▪ **Consideration to Take Requests for Proposals:** Mr. Jason Karmol, DPW Director, explained to Council that he selected three non-routine items that if contractors were to help us it would free the staff up to do reoccurring items. He explained he would like to begin replacing the hydrants and we do not need certified operators to do a hydrant replacement, but will require follow-up work by staff. There are quite a few hydrants that need to be replaced and we already have hydrants in stock. These are things that didn't get done because they weren't leaking at the time and we couldn't get to them before the winter. He would like to contract this service. DPW Director Karmol went on to explain for this project and the other two projects he would like to run them through a fiscal year, but since we are half way through a fiscal year these would be done in six months. He went on to state that all three projects need to be looked at annually and run through a full fiscal year. He then explained to Council he would like the contractors to give him a price for labor to replace a hydrant, which would allow us to select which ones we can do, which ones we can't do, and which ones they can help out with. If we can replace a hydrant we will, but it would be beneficial to have a contractor with a known price help us execute this. We haven't been replacing them as fast as they are breaking, which is his concern. DPW Director Karmol stated the City will provide the hydrant and all the paperwork, but need someone to do the actual excavation. Councilman Temple asked how long it takes to set a new hydrant. DPW Director Karmol stated he takes approximately four hours if everything goes good. Councilman Temple asked how many employees are at the Wastewater Treatment Plant. DPW Director Karmol replied there are four employees in the Water and Wastewater Departments, noting there are also four in the Street Department (DPW). He noted there are 280 plus hydrants. Mayor Bronson asked is this to catch us up, and then the City crew should be able to schedule the work. DPW Director Karmol explained we need to get caught up first and replace them with top notch hydrants; ones that we won't be back bandaging. He then stated they are going to recruit another employee to bring the staff level up to what it was. Councilman Temple stated within the last 12 months X-Treme Asphalt was hired to do a lot of patching at a cost of \$72,000.00. DPW Director Karmol stated this is something he looked at when he came in and he is not sure even if everything went right, that he could do that under that dollar amount with our staff, equipment, etc. Then he would still have some concerns about not having tandem axles and when Levering is open, and he might have to do a group of patches together. You might see water repairs that go a month, because he will have to stack all them up so he can make it worth one load. It would change the dynamic of how we fix them; it would leave more gravel patches in lieu of having eight or ten to do and having the crew to do it. Councilman Temple suggested maybe we need to figure out what it would cost to hire some part-time people to help get some of this stuff caught up. If we don't have that many people to get the job done, then we should look at getting some part-time help. City Manager Eustice stated he is unclear Union wise how that would work. DPW Director Karmol commented we invested a lot of money in a PASER Study that tells us

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how we should prioritize the street paving. This is something we will be talking about in the spring. You have not seen him throw a lot of band aid money on the roads, because we already paid a lot of money for a study that tells you how to do it. All he is going to do is tell you what they said. He does not want to put a lot of money in the roads, but every time he opens up a hole he has to put something back on it. He thinks in the best case scenario we may have saved the City on the order of 10% on that bill if we would have done it ourselves, but we also run the risk of going over if we have any issues with not having tandem hauling or whether the Levering plant is open or if there are any issues with equipment sitting in the garage. These are all things that could take us over the \$72,000.00 figure. Mayor Pro Tem Couture stated to interrupt the City crew daily duties to do these, which is something they don't do, he can see where there could be some potential for contracting some of the work. DPW Director Karmol stated when he looked at hydrant replacement, the City would be at it about 14 days a years (using this year as an example), but that is not the procedure he would like to move forward. What he would like to move forward with is looking at the areas of town that need infrastructure and road and getting a commitment to go through the whole thing – water, sewer (either new or relined), curb and gutter and curb stops all the way through. Take out everything that is abandoned and start going blocks at a time. He understands there is going to be some compromises with that because things are going to have to be band aid while we go through it. At some point we need to go through and start addressing the worst areas and making them the strongest. Mayor Pro Tem Couture inquired as to a timeline on this, noting he knows it comes down to funds. DPW Director Karmol replied it comes down to funds and what kind of financial commitment. If all we can commit to next year is two blocks, then let's do it; or do more if we can. Then we will move along as we can afford it and recommends that we start on both sides of town and do it the way the studies have recommended. He won't be saying anything new; he will be putting all of the City's studies together and trying to get the City to look at not putting anything in that is going to be temporary. He went on to state the figure in his mind is that we start to do \$250,000.00 in paving, then we really need to look at doing some of that ourselves. As long as we are at \$100,000.00 or less, he is not sure it is beneficial to contract it. They already work on small margins and the people that worked for them don't make a lot of money and it's hard to undercut that kind of work. And it's the same with meter installation; that's actually priority one in his mind – getting an accurate accounting for billing and getting accurate reads every month, and getting every drop of water that we produce accounted for. Part of that is getting meters in places that we need meters. It doesn't just stop at that commitment. That is just hiring plumbers to do it on the house side. He wants to buy the meter pits/curb stops and get everybody's services six feet down. That is a commitment on our side; he is just not asking for meter installation – his crew will be outside burying the meter pit down. This is something he needs licensed people to do on our side with the plumbers working on their side. That will help coordinate something that might take us much longer if we didn't have that coordination. We can go ahead and bury a curb stop and install a meter later. DPW Karmol explained he is slightly changing the biosolids hauling. The meters and hydrants the City Council has probably not seen before. These are specific things that we need done through this fiscal year to help catch us back up. Depending on how this goes, he does not see the meter installation or biosolids going away next year. As the Mayor pointed out hydrant replacement might go away next year and will be annually looked at.

Councilwoman Riddle asked if we currently have meters on hand. DPW Director Karmol answered we have two pallets of top-of-the-line meters that need to be installed as fast as we can. Clerk/Treasurer Kwiatkowski stated when we did the 2011 watermain project, we purchased

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\$14,000.00 worth of meters. Councilwoman Riddle commented when Earth Tech was here we stockpiled a lot of meters then, asking if we have gone through all of those earlier meters. DPW Director Karmol stated we have not touched any of the new meters. Councilman Temple asked if these are the meters that go on the house. DPW Director Karmol replied they go in the house because the Badgers are maintenance free but that's not necessarily the way we would like to continue. They have meters now that can be purchased that are more accurate, and would rather be inside and are not made to be two foot away from the ground. This is why he has been reluctant for anyone to put in a meter other than a house installation. They are made to last a long time inside. Mayor Pro Tem Couture asked when you put a meter inside the house, is it at the expense of the homeowner. DPW Director Karmol stated right now if they have a working meter we want to change them out for accurate billing. The only people charged so far are for new meters. When we have a chance to go in and take a working meter out and replace it with a new meter we have. One of the hurdles with this is getting access to the home. Councilwoman Riddle stated she had a meter installed inside the house that hooked up to the outside faucet so she would not be paying sewer for watering the lawn, asking if this is the type of meter that would not freeze. DPW Director Karmol stated he is not sure what kind of meter was installed. He explained whenever someone has a meter installed for irrigation, there is a charge for water only. Councilman Lavender asked if the monies to pay for the Requests for Proposals is currently in the Water and Wastewater Budgets, or would this be an additional General Fund expenditure. Clerk/Treasurer Kwiatkowski replied by law it has to come out of the utility, but we would have to amend the water and/or sewer budgets. We know for a fact with the amount of water we are generating, we are losing thousands and thousands of dollars in revenue every year because of a lot of places that don't have meters. Mayor Pro Tem Couture asked if the City will start with those with no meters. DPW Director Karmol replied yes, noting the people with no meters know they are getting a benefit. Mayor Pro Tem Couture stated it should be both sides - you get what you pay for and you get paid for what you provide. There is no other option.

DPW Director Karmol commented on the City's purchasing policy, stating sometimes it is helpful to him to tell the Council ahead of time of what he is about to quote and what he is looking for, because he would like all the questions to come to him before he purchases, so he doesn't have to justify his purchase. He noted he has examples for the next Council meeting on what he is purchasing so Council can ask their questions on any of the bid processes and what the bids are. His Department has a lot of proprietary stuff, so it is really difficult to get three quotes when there is only one supplier and one manufacturer for parts for a piece of equipment. Some of the quotes he is trying to get are to get us out of proprietary stuff, which is a little bit harder because now he needs to look at multiple different manufacturers and then who he is going to get stuck with later. There is some equipment that needs to be updated so we are not paying too much to feed the dinosaur. He needs to get us into newer equipment so he can get quotes and parts from three different places to show Council. Even though he could fix some of the pumps down at Wastewater through the proprietary that shows one quote, there are several things to look at, such as buying a new pump to get us out of the proprietary. DPW Director Karmol stated these are the things he would like to talk to Council about before he purchases because later he does not want Council to ask him why he spent twice as much for a repair then to buy this pump. He wants those questions before the invoice. He will provide for the next Council meeting some pre-empted quotes so Council has the opportunity to ask him questions. Mayor Pro Tem Couture commented with all the department heads, including the City Manager, are the ones running the operation – the Council approves it based on being shown this is what needs to be done. At the

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moment there appears to be some questions marks on the procedure. He does not have questions marks on the people making the decisions, but just the procedure. Mayor Pro Tem Couture stated the same goes with DPW Director Karmol being an integral part of where our infrastructure needs to be. He noted that a Master Plan is a major part of this. It also comes to the budget and what we can commit to. Not what we want to, but can we commit to. If there is more we need than what we can commit to, where do we go to find the funds? He thinks within the next 12 months we need to figure that out. There is no doubt on everybody's mind when they simply drive on the streets into town, not only visually but the damage it does to people's vehicles. DPW Director Karmol stated he agrees but he can't go over and patch something that needs infrastructure underneath. It would not be good for him to tell the Council that and would not be good if he was the first one to cut into the street after it was fixed. This is why he wants to fix everything underneath before. Mayor Pro Tem Couture stated he is excited to hear that and how that is going to work, adding he agrees that is how it should be done. Councilman Temple stated the corner of Ball and Mackinaw Avenue had to be fixed, even if there is stuff under the ground that has to be fixed; otherwise, we would lose a car there. DPW Director Karmol stated they have also identified some areas that have newer infrastructure underneath and he is okay with fixing; but then his concern is how does he split so everybody gets a little bit of the new pavement and the new stuff. That will have to be talked about. How do we divvy up the new parts that get done and how do we prioritize the low grade streets and infrastructure and who gets the first shot at getting the new stuff. He would like to stay away from that final decision and would like to give Council all of the options. Councilwoman Riddle asked if this is not where the PASER Study came in, adding the roads that are worse that have infrastructure below the road to be replaced, it makes sense that this would be a high priority because the whole thing is in bad condition, so it gives us a starting point. DPW Director Karmol stated it is estimated at 10 million dollars for water improvements below the streets. It really needs to a combination of a blend between the condition of the streets and the condition of the infrastructure underneath. The easiest way is to weigh it on a graded scale to say that the infrastructure underneath is just as important as the road and the surface above. Mayor Pro Tem Couture stated there will be necessary band aiding along the way.

City Manager Eustice commented he, DPW Director Karmol and City Engineer Granger are currently working on analyzing the PASER Study and the Water Reliability Study to determine what we can do and at what cost. We are going to make some significant improvements next year and beyond.

Councilman Temple inquired about the status of the corner of Lincoln Avenue and Main Street. City Manager Eustice stated this will not get done this year. MDOT is getting the funding in this quarter but won't actually do the work until spring. Councilman Temple asked if there is any way we can cut a little bit out and put in new blacktop. City Manager Eustice stated there is a pretty big hole there right now. Councilwoman Riddle asked if the snowmobiles cross there. City Manager Eustice stated they cross on both sides, but they are usually on the sidewalk and are not in the road. He added that he and DPW Director Karmol will look at this tomorrow. DPW Director Karmol noted we only have asphalt availability until November 15. Councilwoman Kwiatkowski stated the PASER Study is a start but it's not the end all. City Manager Eustice replied it is just a tool to evaluate what we need to do. DPW Director Karmol stated it's a tool and a recent tool, noting the City has a PASER Study, Water Reliability Study, Master Plan and State recommendations that all point to a lot of the same thing. Actually he would not

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recommend any more studies until we at least follow through on some of the stuff the studies have said. Until we have taken care of what they have recommended, he is not sure he wants to read another study. Councilwoman Riddle stated it is a good thing we can use some of the studies we have had done. Councilman Temple asked if the City Manager could put something in the paper, preferably on the front page, that the State is liable for the corner of Lincoln Avenue and Main Street and are going to fix it next year. City Manager Eustice replied certainly. Councilman Temple commented there is not a day that goes by that someone doesn't complain to him about that spot, noting he already told them the State was going to fix it this year because they said they were. City Manager Eustice said that the City will try and temporarily fix it for the winter because he has sat on that corner for a half hour during school and thinks every bus in our school system goes across that intersection at one time or another; adding, it needs attention.

Councilwoman Kwiatkowski asked if DPW Director Karmol has been down by the Duncan Bay Marina to see the raised manholes, wondering if snow plows can get through there. DPW Director Karmol stated he is unsure he can sink those and they are looking at going around them because the asphalt is sunk. He commented that when all of our infrastructure is still there and the street is sunk, we are now talking about cutting away concrete to lower our manhole. We have even seen this under driveways where customers have asked them to lower the curb stop. Sometimes we are successful and sometimes we're not. Most of the fixes are temporary that we have done and won't last that long. Councilwoman Kwiatkowski stated she wanted DPW Director Karmol to be aware because we could lose a plow. DPW Director stated he is not sure there is an easy fix for Marina Drive other than paving it up.

### **Hydrant Replacement:**

Councilman King moved to approve the Request for Proposals for hydrant replacement, labor only; supported by Mayor Pro Tem Couture. A roll call vote was taken; motion carried unanimously.

### **Meter Installations:**

Mayor Bronson inquired as to "parts used on customer's side to" on DPW Director Karmol's handout. DPW Director Karmol replied it should read "parts used on customer to complete the service". He stated we want the plumber to understand that, after the meter, if there is stuff to repair on the customer side, we will not be supplying parts. If there are parts to replace on the City's side he will be happy to provide them parts. If the plumber is concerned on the installation that the customer's plumbing won't hold he should talk to DPW Director Karmol. DPW Director Karmol stated he wrote the RFP for Council so they could understand before he writes the final proposal because he would like to address some of the questions the plumber is going to ask.

Councilman Lavender moved to approve the Request for Proposals for meter installations, labor only; supported by Councilman King. A roll call vote was taken; motion carried unanimously.

### **Biosolids Hauling:**

Councilman Lavender moved to approve the Request for Proposals for biosolids hauling, labor only; supported by Mayor Pro Tem Couture. A roll call vote was taken; motion carried unanimously.

**Public Comments:** *(None.)*

## Regular City Council Meeting – November 10, 2015

### City Clerk/Treasurer's Comments:

- **Audit** – Clerk/Treasurer Kwiatkowski stated the auditors were in last week and he spent four days working with them. There were no adjusting entries, which means everything was in the right place and properly accounted for. A couple of things they were really interested in were the Port property acquisition and the transfer of the pool money to the Ice Arena. Clerk/Treasurer Kwiatkowski stated they are e-mailing back and forth additional information. There will be an MD&A (Management's Discussion and Analysis), which he does every year for the City and is the first part of the Audit; they are looking at the presentation of the Audit the first meeting in December.

### City Manager's Report:

- **Parking Lot across from Former Junior High School (now NCMC & Digital Works)** – City Manager Eustice informed Council he did get a couple of estimates to blacktop the City parking lot and the cost is \$19,000.00 (24 additional spaces). This is not something we can do this year and we have to send out requests for proposals. The City will try and get some gravel down there at least for the winter months, as it is used during the winter months, so there is a hard surface to park on. He will come to the Council with the request for proposals to pave it. Some people are on the fence whether the City should pave it, even though it is their parking lot; or should we partner with North Central Michigan College or other entities to help fund it. These things will have to be discussed. Councilwoman Riddle stated if the City can get the parking lot done, maybe we can partner on the lighting.
- **Downtown Signs** – City Manager Eustice stated he has not called Mr. Cireillo back but Mr. Jason Bodell, Road Management Engineer for MDOT, will be here next week to look at the signage (and Lincoln Avenue).
- **Street Light** - Councilman King inquired about the street light that is on but barely gives any light by Great Lakes Tissue. City Manager Eustice stated he will call Consumers Energy in the morning and see if they can't put in a higher power light in.
- **Bois Blanc Township Agreement** - City Manager Eustice reported there is a pending Purchase Agreement from Bois Blanc Township and City Council has been given a copy. The City's Attorney, Steve Joppich, will be reviewing the Purchase Agreement this week and give us his opinion. Thus, this is still really in a negotiation phase and will keep Council informed.
- **Port Property Offer** – City Manager Eustice stated he also has confidential document for Council, which he will give to each member after the meeting that is protected by Attorney/Client privilege at this point.

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

- **Website** – Councilman Lavender asked for the status of the City's new website. City Manager Eustice stated he is holding it up, basically. It is basically ready as far as the design and so forth; he needs to get them more information as to what he wants it to look like. He thinks before the end of the year it will be ready to launch.
- **Restrooms at the Trailhead** – Mayor Bronson inquired as to whether City Manager Eustice has spoken to the DNR about the restrooms at the Trailhead. City Manager Eustice stated he talked with Mr. Dave Stempky, our local DNR official, he wanted to close them for the winter due to the cost to heat them. It sounds like the main DNR office in Lansing does not want to do that and they are going to come up with the funding to keep them open. He noted last year it cost

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the DNR \$500.00 per month to heat the restrooms. Mr. Stempky is looking at the heat sources in the restroom. The DNR also wanted to turn them over the City, and then we would have to pay to heat them, but that is not happening. City Manager Eustice stated it would be very unfortunate for the snowmobilers to have the restrooms closed.

▪ **Sidewalk Repair/Replacement at Former Carnegie Library** – Mayor Bronson inquired as to the repair of the sidewalks at the former Carnegie Library that was to be completed by the end of October. City Manager Eustice reported this issue will go to the Planning Commission on November 16, 2015 for their recommendation to the City Council. Mr. Cunningham has asked for an extension into next summer to repair the sidewalk. This has been discussed with City Attorney Stephen Lindsay and his opinion will go the Planning Commission for review.

**Adjournment:**

Councilman Temple moved to adjourn the meeting at 8:32 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