

REGULAR CITY COUNCIL MEETING
March 22, 2016

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

Mayor Bronson led the Pledge of Allegiance to the Flag.

Approval of Agenda, and Receive and File all Communications:

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

Approval of Prior Meeting Minutes:

▪ **Regular City Council Meeting Minutes – March 9, 2016.**

Councilman King moved to approve the Regular City Council Meeting Minutes of March 9, 2016 as presented; supported by Mayor Pro Tem Couture. Motion carried unanimously.

Department, Board and Commission Reports:

▪ **Port Commission Meeting, March 7, 2016** – City Manager Eustice reported this was an uneventful meeting. Discussion was held on the Ryba Purchase Agreement, which Council acted on at their last meeting. They are working with Kokosing on an offer on the north end, as well. He went on to report that on April 1, 2016 Steven Joppich, City Attorney, will be in Cheboygan to finalize the title work for the Ryba purchase and then he wants to have discussions with the City Manager and a committee, including the Mayor, with regard to the Kokosing offer. City Manager Eustice stated he has talked with Mr. Joe VanAntwerp of Kokosing and informed him that we are going to sit down with them to review the offer that is in place or make a counter-offer, noting there is a lot to the agreement with Kokosing because they are going to be the Port operators and there are a lot of things we need to iron out and Kokosing is willing to do that. This should be done that day, as well. Councilwoman Riddle inquired as to setting up a committee. Councilman Lavender asked what time Attorney Joppich will be here. City Manager Eustice stated he will be here all day. Councilman King noted the schools' spring break starts the following Monday. Councilman Temple asked what time the meeting is scheduled for. City Manager Eustice stated they will probably be going to Cheboygan Title in the morning, noting Mr. Dick Carlisle of Carlisle Wortman is also coming here that day to finalize the Zoning Ordinance and review the Master Plan, indicating that meeting is at 10:30 a.m. He then stated Attorney Joppich can sit in on this meeting, as well. He thinks the review of the Kokosing purchase agreement will probably be in the afternoon. Councilwoman Riddle indicated she is able to attend in the afternoon. Councilman Lavender then indicated he is also available. Mayor Bronson then stated the committee to review the Kokosing offer will consist of himself, Councilman Lavender and Councilwoman Riddle, in addition to the City Manager.

General Business:

▪ **Consideration of Awarding bid for Lawnmower for Parks & Recreation Department** – Mr. Scott Hancock stated they would like to get the lawnmower from Taylor Power & Supply of

Regular City Council Meeting – March 22, 2016

Cheboygan. One of his workers has operated the same mower and says it is an awesome piece of equipment. There are a couple bids that are less money but they are less h.p. than what they want. The other bids are more expensive. Mr. Hancock explained they do a lot of grass cutting with two Ferris' and a small one he uses around the ballfield and Recreation Center. The newest lawnmower is 7 years old and the other one is probably 10 or 11 years old. The small one is 11 or 12 years old. Last year they were lucky to keep two lawnmowers running at the same time, noting the mechanic does a great job. Mr. Hancock then stated his Department also does overtime cutting for yards that are not kept up and the mowers are being pushed hard. He stated he would like to keep the purchase in Cheboygan and the h.p. is a big thing for as much as the lawnmowers are run.

Councilman Temple moved to award the bid for the lawnmower for the Parks & Recreation Department to Taylor Power & Supply in the amount of \$9,116.20; supported by Councilwoman Kwiatkowski. A roll call vote was taken; motion carried unanimously.

▪ **Consideration to Take Bids for Dead and Dying Tree Removal in Pinehill Cemetery** – Clerk/Treasurer Kwiatkowski informed Council that in the fall of 2014 there were 17-19 dead or dying oak trees in Pinehill Cemetery. At that time he talked to City Attorney Lindsay about the use of perpetual care funds for that project and he felt that was a very good use. He talked to City Attorney Lindsay last week and he reiterated that. In the fall of 2014 the former City Manager left and last summer nothing was done. During the course of last winter two big oaks fell. There are some pretty good size branches that fell and he has not been able to look to see if there is any damage. Clerk/Treasurer Kwiatkowski stated the City has quite a liability at Pinehill Cemetery. He is going to do a walkthrough the first part of April and put together something and get it in the paper (put it out for bids). We want to identify and mark all the trees so that anyone that wants to bid can go through there and see exactly what they are looking at. Councilwoman Riddle asked if he is talking about the older portions of Pinehill. Clerk/Treasurer Kwiatkowski replied yes. Councilwoman Riddle then asked if there are any open areas that do not have gravesites right close to them where replacement trees could be placed, noting part of the nice quaintness about an older cemetery is it has shade and trees and does not look so institutionalized like a lot of newer cemeteries are looking. She then stated we could replace trees with trees that would not create issues. Clerk/Treasurer Kwiatkowski stated his recommendation would be to wait until after the trees are gone and the stumps ground and removed. A lot of gravesites in the old part over the years have become unusable because of these trees with the roots encroaching. Councilwoman Riddle asked if this will also address trees that have come up in the little creek that runs through the graveyard or is this something that would have to be addressed with the DNR, because there is quite a bit of overgrowth in that little creek and it looks pretty tacky. Mayor Bronson stated the creek overgrowth may have to be different funds. Clerk/Treasurer stated the creek goes through the cemetery but what Councilwoman Riddle is talking about is growing on the banks and is unsure if this is a project that the City DPW could do. City Manager Eustice stated we can ask the DNR. Clerk/Treasurer Kwiatkowski suggested the City Manager contact Dave Stempky.

Councilwoman Kwiatkowski moved to take bids for the dead and dying tree removal in Pinehill Cemetery; supported by Mayor Pro Tem Couture. A roll call vote was taken; motion carried.

Regular City Council Meeting – March 22, 2016

Public Comments:

Kiwanis Park Project - Ms. Mindy Jewell of the Cheboygan Kiwanis Club gave Council an update on the Kiwanis Park project. They recently received a grant from Kiwanis International for \$25,000.00. They are working on Public Places Community Places grant through MSHDA and Pure Michigan and also a Crowdfunding grant. They have a couple other small grants in the works and feel they are on track to have playground equipment in Kiwanis Park by the end of August. City Manager Eustice stated this will be a much needed improvement for that area. Councilwoman Riddle asked if Kiwanis are still going with the plan they presented to Council. Ms. Jewell stated yes, with the only change being they are trying to add parking spots. She then informed Council she will e-mail them a copy of the new drawings next week, hopefully. She stated they have a portion of what they need already pledged to match the Crowdfunding Grant. Once they received the first grant, everything else is falling into place. Councilman Temple asked if the pavilion is coming down. Ms. Jewell replied yes, another pavilion will be put up farther off the road and more in the Park area. Councilman King inquired about the clown. Ms. Jewell stated they are keeping the clown and the three little pigs, which will all be refurbished and the clown will be hung as close to the street as they can. Councilman King thanked Ms. Jewell for all their work.

City Clerk/Treasurer's Comments:

- **Tax Settlement** - Clerk/Treasurer Kwiatkowski commented the last two weeks he has been working with Linda Cronan, County Treasurer, on the City settlement for summer and winter taxes. He thinks everything was pretty much ironed out today.
- **Vacation** – Clerk/Treasurer Kwiatkowski informed the Council he will be on vacation the first week of April. Also, barring any more meetings this month he had planned on running payroll tomorrow for Council and checks will be available for pickup tomorrow late morning.

City Manager's Report:

▪ **MDOT Bridge Project** - City Manager Eustice stated the Little Black River Bridge Project on Mackinaw Avenue may start as early as next Monday. He stated MDOT and Anlaan Corporation of Grand Haven, Michigan, the contractor, along with himself are trying to sort out how to best get the project done before summer. One of the things MDOT and Anlaan want to do for a period of time is work through the night. There is a City Ordinance that no construction can take place between 10:00 pm and 7:00 am. They want to move it up to 6:00 am and not work through the night. They can get this project done much sooner if they can have at least two, two week periods where they can work 24/7. City Manager Eustice stated the City Manager can allow them to do that. He is contemplating that and has talked with some of the property owners in the area, including Mr. Barry LeDuc of LeDuc's Motel who has a major concern of business loss if they work through the night; however, Anlaan has stated they are going to stay at LeDuc's Motel. Councilwoman Riddle asked if traffic is going to be diverted. City Manager Eustice answered he will know tomorrow, noting the original plan was to have one lane open all the time and rebuild one-half the bridge at a time, which is much more time consuming. Councilwoman Riddle asked the location of the road that pie-shapes off. City Manager Eustice stated it is on the other side of the bridge, adding part of the problem with that area is that it is difficult to detour around it. He stated Anlaan would like to shut the bridge down for the length of the project to get it completed before the 4th of July. Mayor Pro Tem Couture commented he does not think we want to shut the bridge all the way down, noting we get a lot of traffic before the 4th of July. Mayor Bronson stated an option is to use Slade Road, which MDOT would have to pave. Councilman Temple

Regular City Council Meeting – March 22, 2016

expressed that we would lose traffic through downtown if there is a detour using Slade Road, noting traffic would come out on Court Street. City Manager Eustice stated the Slade Road detour was MDOT's offer initially, but there are no asphalt plants operating yet. Mayor Bronson commented then there is concern for businesses along Mackinaw Avenue. Councilwoman Riddle asked if there is not going to be a big detour on M-33. City Manager Eustice stated yes, noting this is a long project, as well. Mayor Bronson asked what the timetable is to close the bridge and work 24/7. City Manager Eustice stated they think they can get done by June 10, adding they are not certain they can get it done before July 4th with one lane closure. He then commented another concern with Slade Road is there is a bridge on Slade Road and MDOT was going to check the engineering on it to see if it could handle a semi-truck.

- **New Employee** – City Manager Eustice informed Council that new hire Mr. Ben Sproul began work in the Water Department yesterday. Mayor Bronson asked how long that job has been open. City Manager Eustice replied close to two years. A brief discussion was held on Meijer's and the City's new water tower.

- **March Board of Review** – City Manager Eustice stated the March Board of Review was completed last week for the 2016 assessment roll, noting there is about a 1% increase. He then stated the DDA got some help from the Straits Area Federal Credit Union, along with the Bishop Motors purchase and the expiration of the Obsolete Property Rehabilitation which expired December 31, 2015. He noted the tax is all captured by the DDA, which will help as there are DDA projects going on. Councilman Temple asked what amount these brought to the DDA. City Manager Eustice stated it is probably \$15,000 to \$20,000.

- **Bois Blanc Township Port Purchase** – Councilman King asked if anything came in from the Township before the deadline set by Council. City Manager Eustice replied nothing and there really has been no response. He then stated City Attorney Steven Joppich has spoken with the Township's attorney.

Messages and Communications from Mayor Pro Tem and Council Members:

- **Extension of Stempky Street** – Councilwoman Riddle asked if we have looked any further into the extension of Stempky Street to ease the traffic situation at the schools. City Manager Eustice replied he thinks about it every day, noting this is a situation of how do we pay for it. He added the Mayor asked him for the cost last week and we would also have to put in water and sewer making the total cost at 2.1 million dollars, noting the quote was from six years ago. The school system has no money to help with the cost. City Manager Eustice commented we have so many other roads and infrastructure that need to be repaired, so it is hard to justify spending 2.1 million dollars on the extension of Stempky Street. Councilwoman Riddle asked if the City only has a right-of-way or is there additional property on each side of the right-of-way. City Manager Eustice replied the City owns the land. Councilwoman Riddle then stated this property would be developable for houses. City Manager Eustice explained the east entry into the school is Loomis Street (right-of-way) and it intersects with the property that the City purchased which would extend Stempky Street. He noted the Stempky family owns vacant land on the north side and the south side is Inverness Township. Councilwoman Riddle asked if there are any grants available for proposed development, stating the City is landlocked with the Townships all around us and we have very little area for new building, unless we take older structures down. For the City to be in growth and increasing our budgetary value, then we want to get some new building or structure. City Manager Eustice stated grants for this type of development are not typically available. A private investor could want to develop that into a residential development, noting the property is

Regular City Council Meeting – March 22, 2016

soft clay and a little better than property on the east side. If a developer came in, the City would typically ask the developer to put the road in.

▪ **Tree Cutting** - Councilman Temple asked the City Manager if Williams Tree Service has started cutting trees again in town. City Manager Eustice stated not yet, adding he may have somebody else do that. They got a couple quotes for specific trees that are a little high so they are looking at a couple other options. Councilman Temple commented the tree on Mr. Terry Willey’s property today and there are a lot of branches laying in the front yard. City Manager Eustice stated he spoke with him last week. Councilwoman Riddle commented on the tree between the church and the home on S. Huron Street (across from the Credit Union) that has some trimming done, noting a good portion the tree is split and does not look healthy. Mayor Bronson noted this tree is not on City property. City Manager Eustice explained part of the tree fell over in a windstorm. Mayor Pro Tem Couture asked about the tree on Mackinaw Avenue that fell on the house. Councilman Temple asked if this falls under the Blight Ordinance. City Manager Eustice replied it could, adding the home is in the name of a mortgage company and they need to get somebody to remove it. Councilwoman Riddle asked Chief Jones about the home on Cuyler Street that looks like it doesn’t have a roof anymore and wondered if they are taking the home down. Chief Jones replied yes. Chief Jones then stated he has someone coming to take the tree down on Mackinaw Avenue, noting the home is in foreclosure, and the City has also cut the property last summer. Councilman Lavender asked if there is a possibility of condemning the home. Chief Jones stated no. Councilman King inquired about the condemned properties near Alcott’s Market. Chief Jones replied these are on notice, too. He added there are several properties on notice.

Adjournment:

Councilman Temple moved to adjourn the meeting at 7:43 p.m.; supported by Mayor Pro Tem Couture. 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