

## REGULAR CITY COUNCIL MEETING

November 12, 2019

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, Johnston, Bronson, Mallory, Temple and Raab

Absent: Couture

### Public Comments:

- Ms. Trudy Lofgren inquired about the sunken manholes on South Main Street and whether those are going to be fixed. She also discussed the issues her daughter is having with her property located off of Eastern Avenue and the commercial operations that are occurring.
- Mr. Jay Falkenberg discussed the Chicken Ordinance and the issues he has dealt with trying to obtain a permit for a coop.

### Approval of Agenda and Receive and File all Communications:

- Councilwoman Johnston moved to approve the Agenda and receive and file all communications, seconded by Councilman Temple. Motion carried unanimously.

### Approval of Prior Meeting Minutes:

- Councilwoman Johnston moved to approve the Regular City Council Meeting Minutes of October 22, 2019, seconded by Councilman Mallory. Motion carried unanimously.

### Public Hearings:

- Consideration to Adopt an Ordinance to Amend the Code of the City of Cheboygan by Adding Chapter 100, Article IX of the City Code, Re: MRTMA (Michigan Regulation and Taxation of Marijuana Act).
  - Public Hearing was opened at 7:26 pm
  - City Manager Eustice explained that this ordinance will opt the City of Cheboygan out of Recreational Marijuana. The issue can be revisited at a later date when the State of Michigan has made the regulations clearer.
  - Mr. Jay Falkenberg commented that he doesn't want the City to miss out on the 10% excise tax. He would like to see this issue revisited once the State of Michigan has clear guidelines.
  - Public Hearing was closed at 7:33 pm
  - Councilwoman Kwiatkowski moved to adopt an Ordinance to Amend the Code of the City of Cheboygan by adding Chapter 100, Article IX of the City Code, Re: MRTMA (Michigan regulation and Taxation of Marijuana Act), supported by Councilwoman Raab. A roll call vote was taken, motion carried unanimously.

**Bills and Disbursements:**

- Prepaid Bills and Disbursements for the Month of October 2019.
  - Motion by Councilwoman Johnston to approve the prepaid bills and disbursements for the month of October 2019 in the amount of \$817,773.52, seconded by Councilman Mallory. A roll call vote was taken, motion carried unanimously.
- Unpaid Bills and Disbursements for the Month of October 2019.
  - Motion by Councilwoman Johnston to approve the unpaid bills and disbursements for the month of October 2019 in the amount of \$60,906.80, seconded by Councilman Mallory. A roll call vote was taken, motion carried unanimously.

**Department, Boards and Commission Reports:**

- Parks & Recreation Commission Meeting, October 16, 2019.
- Planning Commission Meeting, October 21, 2019.
- Historic Resources Commission Meeting, November 4, 2019.

**Resolutions:**

- Consideration to Adopt a City of Cheboygan Resolution Authorizing Issuance of 2019 Capital Improvement Bonds and Other Matters Relating Thereto.
  - Councilwoman Johnston moved to adopt a City of Cheboygan Resolution Authorizing Issuance of 2019 Capital Improvement Bonds and Other Matters Relating Thereto, seconded by Councilwoman Raab. A roll call vote was taken, motion carried unanimously.

**General Business:**

- Consideration of City Council 2020 Regular Meeting Schedule.
  - Councilman Temple moved to approve the City Council 2020 Regular Meeting Schedule as presented, seconded by Councilwoman Raab. Motion carried unanimously.
- Consideration to Cancel Public Hearing for November 26, 2019, re: Chapter XI Business Regulations: Rental Dwellings, Adding a New Section 121 (Rental Registration).
  - Mr. Jim Conboy discussed the proposed ordinance and recommended that it not be passed unless there is a fee associated, if no fee is associated with the registration the City would be instituting an unfunded mandate.
  - Mr. Leo Chamberlain does not agree with the ordinance/fee. As a rental property owner he feels that landlords already pay the highest taxes.
  - Councilwoman Johnston moved to cancel the Public Hearing for November 26, 2019, re: Chapter XI Business Regulations: rental Dwellings, adding a new Section 121 (Rental Registration), seconded by Councilwoman Raab. A roll call vote was taken, motion carried unanimously.
- Consideration to Reschedule the Regularly Scheduled City Council meeting of December 24, 2019.

- Councilman Mallory moved to reschedule the Regular City Council meeting of December 24, 2019 for December 23, 2019, seconded by Councilwoman Johnston. Motion carried unanimously.

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

- Revenue & Expenses by Fund as of October 31, 2019.

**City Manager's Report:**

- City Manager Eustice reported that the 6<sup>th</sup> Street Sanitary Sewer Replacement Project is complete with the exception of the final coat of blacktop which will have to be completed in the spring.
- City Manager Eustice also reported that the Center/North Street Water Main Replacement is wrapping up with some asphalt down and the rest to be finished in the spring.
- City Manager Eustice discussed the recent sale of the Zany Kitchen building and the potential plan and also the possibility of a local investor being seriously interested in purchasing the property adjacent to the "Bunny Wall."

**Committee Updates:**

- The DDA/Main Street Committee will be meeting on Thursday, December 19, 2019 at 5:30 pm at the Cheboygan Area Public Library for the volunteer kick off.
- The Ordinance Enforcement Committee met is working on a fee schedule.
- The Organizational Analysis Committee is considering scheduling a meeting for November 26, 2019.

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

- Councilwoman Raab mentioned how pleased she was to be able to work for the City of Cheboygan.
- Councilwoman Kwiatkowski inquired about the status of Tammy Lofgren's road issue. City Manager Eustice reported that he had sent out an email regarding the issue a few weeks back and he would get that information to Councilwoman Kwiatkowski and Councilman Temple.
- Councilwoman Johnston discussed the permit that was issued by the City for the shipping container that is currently being used as a storage shed. Per Ordinance 95.02 shipping containers are prohibited and the permit should be revoked. Councilwoman Johnston also discussed how well the Invest Cheboygan night went. Lastly, Councilwoman Johnston requested a meeting with City Manager Eustice and Parks & Recreation Chairperson Schulz to discuss the James Felix Neighborhood Park.

**Adjournment**

- Meeting adjourned at 8:23 p.m.

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Mayor Mark C. Bronson

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Clerk/Treasurer Bridget E. Brown

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Councilman Brett Mallory

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Councilwoman Sara Johnston

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Councilman Vaughn Temple

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Mayor Pro Tem Nicholas C. Couture

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Councilwoman Betty A. Kwiatkowski

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Councilwoman Diane E. Raab