

REGULAR CITY COUNCIL MEETING

June 23, 2020

The Regular City Council meeting was called to order by Mayor Bronson via teleconference at 7:00 p.m.

Roll Call:

Present: Raab, Ptasnik, Johnston, Bronson, Mallory, Temple, and Couture

Absent:

Public Comments:

- Ryan Disney, Chief Botanist for one of the largest outdoor growers in the State of Michigan, called in to offer his assistance with any Medical Marihuana questions.
- Pat Gildner is interested in hearing more about an at large seat on City Council for nonresidents.
- Ralph Farver inquired if there have been any considerations on how the ice rink will operate moving forward during the COVID pandemic.
- Ashley Brandt agreed with Pat Gildner's comments as a Downtown Business Owner.
- Brian Lange called in and discussed his lack of reappointment to the Downtown Development Authority Board of Directors.
- Sharen Lange discussed Council's recent decision to allow a temporary closure of a local street and reminded everyone that LARA is working on programs to allow for outdoor service. She also discussed the Charter Revision, how that process would work, and why she thinks it's necessary.

Approval of Agenda and Receive and File all Communications:

- Mayor Pro Tem Couture moved to approve the Corrected Agenda and receive and file all communications, seconded by Councilwoman Raab. Motion carried unanimously.

Approval of Prior Meeting Minutes:

- Councilwoman Johnston moved to approve the Regular City Council Meeting Minutes of June 9, 2020, seconded by Mayor Pro Tem Couture. Motion carried unanimously.

Public Hearing:

- Adoption of the Fiscal Year 2020-2021 Operating Budget for all Funds of the City of Cheboygan.
 - Public Hearing was opened at 7:18 p.m.
 - Sharen Lange commented that she was not able to locate the proposed budget, she was concerned that the public was not able to access the information prior to the meeting.
 - Clerk/Treasurer Brown responded that the proposed budget is available on the City website.
 - Public Hearing was closed at 7:23 p.m.
 - Councilwoman Johnston inquired if the budget figures represent the anticipated decrease to the State Revenue Sharing. Clerk/Treasurer Brown responded that the figures do represent a decrease to the State Revenue Sharing.

- Councilwoman Johnston moved to adopt the Fiscal Year 2020-2021 Operating Budget for all Funds of the City of Cheboygan, seconded by Councilwoman Raab. A roll call vote was taken, motion carried unanimously.

Communications and Petitions:

- Discussion of Charter Revisions
 - Mayor Bronson discussed the difference between an at large seat and having nonresidents sit on Council.
 - Councilman Mallory commented that he would like more viewpoints on the issue.
 - Councilwoman Raab discussed her concerns with business owner's downtown who can't serve on Council. She understands that the process to rewrite the entire Charter would be very lengthy but she is still in favor of an update.
 - Mayor Pro Tem Couture also has an issue with taxation without representation and is in favor of a nonresident seat but only if there is a need for additional councilmembers.
 - City Attorney Stephen Lindsay discussed the difference between a revision and an amendment to the Charter. The City of Cheboygan is a Home Rule City and the Michigan Constitution allows City Charters, which are used to manage municipal properties, administration and in general to advance the interest of city unless restricted by State or Federal law. A revision is a reexamination of the entire Charter without limits. The process is initiated by a 5/7 vote by the Council or a petition by at least 5% of the registered voters. A nine member commission must then be selected none of which can be current councilmembers or employee staff. He estimates the cost to be near six figures and a timeline of close to eighteen months. An amendment to the Charter is also initiated by a 5/7 vote of the Council or a petition by 5% of the registered voters and can address one issue or several issues. Once passed by Council and the Attorney General it is submitted to the voters.
 - Council discussed the process and cost of revising or amending the Charter. Criteria regarding the nonresident seat.
 - Councilwoman Johnston's opinion is that this is not a process that the Council should initiate, let the taxpayers petition if they want the Charter changed.
 - Mayor Bronson inquired if a nonresident seat is allowable in the State of Michigan.
 - City Attorney Stephen Lindsay will review the State law and report back to Council.

General Business:

- Consideration of the Annual 2019-2020 Fiscal Year Budget Amendments.
 - Clerk/Treasurer Brown explained that the final amendments are still not known at this time, the City will continue to pay expenses and receive revenue for prior fiscal year into at least August. Some of the larger expenses that will require budget adjustments include the repairs to the Opera House roof, the fire truck purchase, Sixth St Sewer Project and the North/Center St Water Project.
 - Councilwoman Johnston inquired if it was allowable to make budget adjustments after the fact. Clerk/Treasurer Brown responded that budget amendments can be made at any time.

- Councilman Mallory moved to approve the Annual 2019-2020 Budget Amendments and to authorize Clerk/Treasurer Brown to make appropriate 2019-2020 Fiscal Year Budget Amendments as required, seconded by Councilwoman Raab. A roll call vote was taken, motion carried unanimously.
- Consideration of Cheboygan County Humane Society 2020 Animal Control Appropriation in the amount of \$3,000.00 for the Fiscal Year beginning July 1, 2020.
 - City Manager Eustice explained that the Humane Society requested a \$4,000.00 appropriation after the 2020-2021 Proposed Budget was already set with a \$3,000.00 appropriation.
 - Councilwoman Johnston inquired if the City could possibly appropriate more in the future.
 - Mayor Bronson discussed his thoughts on the appropriation and whether the City could afford to appropriate more.
 - Councilwoman Johnston moved to approve the Cheboygan County Humane Society 2020 Animal Control Appropriation in the amount of \$3,000.00 for the Fiscal Year Beginning July 1, 2020, seconded by Councilman Temple. A roll call vote was taken. Yes votes: Johnston, Raab, Temple, Ptasnik, Mallory, and Couture. No votes: Bronson. Motion passed.
- Consideration to Place 6-Month Delinquent Water/Sewer Utility Bills as Liens on the 2020 Summer Tax Roll.
 - Clerk/Treasurer explained these are the final amounts that will be added as liens if certified by the Council and reflect any delinquent amounts as of September 1, 2019. There was an increase to the total lien amount but the number of accounts is one less.
 - Councilman Mallory moved to approve the placing of 6-month delinquent water/sewer utility bills as liens on the 2020 Summer Tax Roll and direct the City Assessor to spread these amount against the properties, seconded by Councilwoman Johnston. A roll call vote was taken, motion carried unanimously.
- Consideration of Recommended 2020-2021 Property-Tax Millage Rates for the Bonds and City Operation Requirements.
 - Clerk/Treasurer Brown discussed the report provided to Council how the millage amounts are calculated based on current fund balance and current taxable value compared to current debt service.
 - Councilwoman Johnston moved to approve the recommended property tax-millage rates for the bonds and operation requirements as presented, seconded by Councilwoman Raab. A roll call vote was taken, motion carried unanimously.
- Consideration to Schedule a Public Hearing for July 14, 2020 to Consider an Application to the Michigan Department of Environment, Great Lakes, and Energy (EGLE) for Funding Assistance through the Clean Water State Revolving Fund for the Proposed Wastewater Treatment Plant Improvements Project.
 - Water/Wastewater Director Jason Karmol explained that this application will allow the City to find out if we are eligible for any grant funding or principal forgiveness. An application may also be submitted to the USDA later to compare funding options.
 - Councilwoman Johnston moved to schedule a Public Hearing for July 14, 2020 to consider an application to the Michigan Department of Environment, Great Lakes, and

Energy (EGLE) for funding assistance through the Clean Water State Revolving Fund for the proposed Wastewater Treatment Plant Improvements Project, seconded by Councilwoman Raab. A roll call vote was taken, motion carried unanimously.

City Clerk's and Treasurer's Comments:

- Clerk/Treasurer Brown reported that the ballots for the August Primary are scheduled to arrive by the end of the week.
- Clerk/Treasurer Brown also reported that she has reached out to the City auditors, Gabridge & Company and will be setting up a date mid-September to begin gathering financial data. The audit this year will be completely offsite with general ledger backups sent electronically.
- Mayor Bronson questioned if the City would be able to locate enough election inspectors for the upcoming elections. Clerk/Treasurer Brown said that she will be reaching out to see who is still willing to work but has also recruited a couple of new workers.

City Manager's Report:

- City Manager discussed a proposed residential development project on South Western Avenue that will require the property to be rezoned. He will work on setting a public hearing. He is also working on funding sources to construct a road.
- City Manager reported that the upcoming ice season is still undetermined. A recreational plan will be developed to address how these activities will be managed going forward.

Committee Updates:

- Councilwoman Raab reported that the Historic Resource Committee met Monday with architect David Kimble. They will be doing a walk through of all the properties designated as historic. They are also discussing funding options.
- Mayor Pro Tem Couture inquired about the Police Union Contract. City Manager Eustice reported that there is a preliminary plan in place, and they will likely meet in early July. The Organizational Committee agreed to meet on Monday, June 29th to discuss Tom's succession plan.
- Councilwoman Raab reported on the recent meeting of the CCE 911 Board; they reviewed the current tower cell service contract.
- City Manager Eustice reported that regular meetings of the boards and commissions will start in July.
- Councilwoman Johnston inquired about the status of the Blight Committee and the Rental Registration Ordinance. City Manager Eustice responded that he would discuss with Chief Jones and set up a meeting.

Messages and Communications from Mayor and Council Members:

- Councilwoman Johnston inquired about the special meeting to discuss the order of applications for Medical Marihuana permits. She also inquired about rezoning of 123 E State St, she was under the impression that no zoning changes would be discussed regarding the Medical Marihuana Ordinances.

- Mayor Pro Tem Couture discussed the comments made by Brian Lange, he inquired where the Mayor’s authority to appoint board members is addressed. Councilman Raab added that she did not realize Mr. Lange wasn’t being reappointed.
- Mayor Bronson responded that Medical Marihuana Applications should be addressed in the order they were received. Councilwoman Johnston requested a Special Meeting be scheduled to discuss the Medical Marihuana applications. Mayor Bronson responded that he will work on setting up a meeting with City Attorney Stephen Lindsay.
- Mayor Bronson discussed adding an agenda item following Public Comments to allow for Councilmembers to respond. He also advised Councilmembers that they should be engaged and actively recruiting new Councilmembers.
- **Adjournment**
 - Meeting adjourned at 9:34 p.m.

Mayor Mark C. Bronson

Clerk/Treasurer Bridget E. Brown

Councilman Brett Mallory

Councilwoman Sara Johnston

Councilman Vaughn Temple

Mayor Pro Tem Nicholas C. Couture

Councilwoman Diane E. Raab

Councilwoman Ashley Ptasnik