

REGULAR CITY COUNCIL MEETING

March 9, 2021

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

Roll Call:

Present: Johnston, Tebo, Mallory, Kwiatkowski, Raab, Brandt and Hocquard

Absent:

Approval of Agenda and Receive and File All Communications:

- Mayor Pro Tem Johnston moved to approve the agenda and receive and file all communication, seconded by Councilwoman Raab. Motion carried unanimously.

Approval of Prior Meeting Minutes:

- Councilwoman Brandt moved to approve the Regular City Council Meeting minutes of February 23, 2021 as presented, seconded by Mayor Pro Tem Johnston. Motion carried unanimously.

Public Hearings:

- Consideration of an Application for a Commercial Rehabilitation Exemption Certificate as Authorized by Public Act 210 of 2005.
 - The Public Hearing was opened at 7:03 p.m.
 - City Manager Eustice explained this exemption freezes the taxable value for local taxes for up to ten years. The DDA has recommended an abatement for ten years based on the investment in the project.
 - Mr. Roger Kopernik voice his support for granting the Rehabilitation Exemption Certificate.
 - Ms. Sharen Lange urged Council to hold the DDA accountable for repairs to the bunny wall.
 - Mr. Rick Bauers commented that he is happy to see things moving forward with the Historic Resource Commission. He hopes Council can find a City Manager who cares about people and not just corporations.
 - Mr. William Horntvedt commented he is support of granting the exemption.
 - Councilman Mallory commented that he is in support of the exemption
 - Councilman Mallory moved to close the Public Hearing, seconded by Councilman Hocquard. Motion carried unanimously.
 - Councilman Hocquard moved to approve the application for Commercial Rehabilitation Exemption Certificate for 10 years as Authorized by Public Act 210 of 2005 for Cheboygan 409 Main LLC located at 409 & 411 Main Street Cheboygan, MI, seconded by Councilwoman Raab. A roll call vote was taken, motion carried unanimously.
- Consideration of a Request from Blaine Lavigne to Vacate a Portion of Benton Street.
 - City Manager Eustice explained this is an undeveloped street right-of-way.
 - Mr. Roger Kopernik commented he is support of the vacation.

- Ms. Sharen Lange recommended that Council ask Planning Commissioners on the call for clarification.
- Mr. Ray Lofgren commented he is support of the vacation.
- Mr. William Horntvedt discussed the rezoning of this property in the fall of 2020. He also commented that the Planning Commission did not make any recommendation to vacate the street. He inquired what the controls are to insure the quality of the development.
- Ms. Tracie Kolhoff, a neighbor kitty corner from the property, is concerned this development will negatively impact property values.
- Mr. Blaine Lavigne, one of the property owners, discussed their plans for the development.
- Council discussed if requesting a site plan would be appropriate.
- Councilman Hocquard moved to close the public hearing, seconded by Councilman Mallory. Motion carried unanimously.
- Mayor Pro Tem Johnston moved to deny the request from Blaine Lavigne to vacate a portion of Benton Street via Resolution, described as follows: 66-foot street right-of-way (Benton Street) in the PLAT of PATTERSON'S ADDITION TO CHEBOYGAN VILLAGE (NOW CITY), Block No's. 3 and 4 – bound on the north by the north boundary line of the Plat on the west by the east line of lots 1-8 of Block 4 of said Plat, bound on the east by the west line of lots 9-16 of Block 3 of said Plat and bound on the south by the north right-of-way line of State Street. The right of way is 66' wide by 488' long, seconded by Councilman Hocquard. A roll call vote was taken. Yes votes: Tebo, Mallory, Kwiatkowski, Raab, Hocquard and Johnston. No votes: Brandt.
- Consideration of a Request from Blaine Lavigne to Vacate an Alley in Block 4 of Patterson's Addition 1.
 - Mr. Roger Kopernik commented he is support of the vacation and clarified that at the Planning Commission meeting there two motions in favor of the vacation that failed due to lack of support and one motion to deny the vacation that failed.
 - Mr. Rick Bauers commented that he wants what's best for Cheboygan.
 - Mr. William Horntvedt reiterated the comments he made in the prior public hearing.
 - Mr. Blaine Lavigne explained that the alley runs right down the center of his property, he owns on property on either side.
 - Councilwoman Raab moved to close the public hearing, seconded by Councilman Mallory. Motion carried unanimously.
 - Mayor Pro Tem Johnston moved to deny the request from Blaine Lavigne to vacate an alley in Block 4 of Patterson's Addition 1 via Resolution, described as follows: 20-foot-wide alley right-of-way in the PLAT of PATTERSON'S ADDITION TO CHEBOYGAN VILLAGE (NOW CITY), Block No. 4. The alley is 20- wide by 488' long, seconded by Councilman Mallory. A roll call vote was taken. Yes votes: Tebo, Mallory, Kwiatkowski, Raab, Hocquard and Johnston. No votes: Brandt.

Bills and Disbursements:

- Prepaid Bills and Disbursements for the Month of February 2021.

- Councilwoman Brandt moved to approve the prepaid bills and disbursements for the month of February 2021 in the amount of \$620,036.00, seconded by Councilman Kwiatkowski. A roll call vote was taken, motion carried unanimously.
- Unpaid Bills and Disbursements for the Month of February 2021.
 - Councilman Kwiatkowski moved to approve the unpaid bills and disbursements for the month of February 2021 in the amount of \$55,955.70, seconded by Councilwoman Raab. A roll call vote was taken, motion carried unanimously.

Unfinished Business:

- Consideration to Approve a Land Division and Take Bids to Sell City Owned Property on Western Avenue.
 - City Manager Eustice explained the proposed division and recommended minimum bid of \$4,900/acre per a market analysis by a realtor.
 - Councilman Mallory moved to approve the division of City owned Property on Western Avenue and the taking of sealed bids for Parcel A on Western Avenue, with a minimum bid of \$15,000.00/acre and bids due to the City no later than end of business March 31, 2021. A roll call vote was taken, motion carried unanimously.

General Business:

- Consideration of City of Cheboygan Policy and Procedures for Principal Residence Exemption Denials.
 - Mayor Pro Tem Johnston moved to adopt the City of Cheboygan Policy and Procedure for Principal Residence Exemption Denials, effective March 9, 2021, seconded by Councilwoman Raab. A roll call vote was taken, motion carried unanimously.
- Discussion-City Manager Job Posting.
 - City Manager Eustice reported that to date he has received three resumes from City Manager candidates. He discussed the two bids he received from recruiting agencies.
 - Councilman Mallory moved to hire M & M Metrics and COG Group to seek City Manager candidates, seconded by Councilwoman Raab. A roll call vote was taken. Yes votes: Brandt, Kwiatkowski, Raab, Johnston, Tebo and Mallory. Abstained: Hocquard.
 - Councilman Hocquard moved to approve the City Manager to reach out to the candidates that have applied to date seconded by Councilman Mallory. A roll vote was take, motion carried unanimously.

City Clerk's and Treasurer's Comments:

- Revenue & Expense by Fund as of February 28, 2021.
- Clerk/Treasurer Brown reported that the Deficit Elimination Plan for the Ice Pavilion was approved the State of Michigan on March 5, 2021.
- Clerk/Treasurer Brown reported that there would an election on May 4th for a Cheboygan Otsego Presque Isle School District millage renewal and permanent absentee voter applications were being mailed out.
- Clerk/Treasurer Brown also reported that the first round of delinquent water/sewer letters were being mailed. These include any delinquent amounts more than 6 months past due as of March

1, 2021. The current delinquency is approximately \$142,000 compared to \$184,000 this time last year. She explained these amounts would be added to the summer tax bills if not paid.

City Manager's Report:

- City Manager Eustice reported that the design phase of the fishing pier project is complete with the project likely to start in the fall.

Public Comments:

- Cliff commented that he was one of the investors who inquired about purchasing property on Western Avenue. He is still interested in Cheboygan but needs property that is reasonably priced.
- Mr. Roger Kopernik commented that he is against the proposed licensing fee in the Rental Registration Ordinance.
- Ms. Sharen Lange thanked everyone for pushing boundaries and asking difficult questions.
- Ms. Connie Rieger thanked everyone for their service and commitment. She also hopes that the Council is welcoming and accommodating for all businesses.
- Mr. Louis Vallance commented on the water level in the ditches. He also inquired about the status of the grant application for the cleaning of the drains on the east side of town.
- Mr. Rick Bauers commented that he is available to help with any historical buildings around town.
- Mr. Todd Preseau commented that they are right back to where they started with the property line issues off Mackinaw Avenue. He inquired if the whole property should be resurveyed.
- City Manager Eustice reported that Jerry Malloy with Cheboygan Title should have an answer regarding Mr. Preseau's property line issues.
- Council agreed to ensure that the property line issues would be resolved for Mr. Preseau.
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- Mr. Ray Lofgren commented that the Mayor is in charge. He also asked that council do extra work if the job requires it, not charge it to the taxpayers and he does not agree with increasing tax millages.

Council Response to Public Comments:

- Councilwoman Raab thanked Mr. Lofgren and Mr. Bauers for their comments and all comments, she appreciates the input.
- Mayor Pro Tem Johnston commented that she would be tendering her resignation from city council tonight.

Committee Updates:

- Councilman Mallory reported that the DDA adopted the Michigan Main Street branding package. He also reported that Councilwoman Brandt would be organizing an Easter Egg Hunt.
- Councilwoman Raab commented that the Historic Resource Commission will likely meet on April 1st - the first Monday of April and CCE 911 would be next week.
- Councilman Kwiatkowski reported that the Finance Committee is meeting on Thursday the 11th following the call with EGLE at 9:30 a.m.

- Councilwoman Brandt reported that the Easter Egg Hunt is scheduled for March 28th with more information to be posted soon.

Messages and Communications from Mayor and Council Members:

- Mayor Tebo commented that it would have been helpful to know that the Planning Commission had denied the rezoning of the property for Lavignes. He is also working with Ms. Lange to approach Meijer.

Adjournment

- Meeting adjourned at 9:30 p.m.

Mayor Leslie A. Tebo

Clerk/Treasurer Bridget E. Brown

Councilman Brett Mallory

Councilwoman Ashley Brandt

Councilman Ken Kwiatkowski

Mayor Pro Tem Sara Johnston

Councilwoman Diane E. Raab

Councilman Kasey Hocquard