

REGULAR CITY COUNCIL MEETING

December 13, 2022

The Regular City Council meeting was called to order by Mayor Tebo in the Council Chambers at City Hall at 7:00 p.m.

Roll Call:

Present: Kwiatkowski, Tebo, Raab, Darling, Mills, Mallory and Bedwin.

Absent:

Approval of Agenda and Receive and File all Communications:

- Councilman Kwiatkowski moved to approve the amended agenda and receive and file all communications. Seconded by Councilwoman Mills. Motion carried unanimously.

Approval of Prior Meeting Minutes:

- Councilwoman Mills moved to approve the Regular City Council meeting minutes of October 25, 2022. Seconded by Councilwoman Darling. Motion carried unanimously.
- Mayor Pro Tem Mallory moved to approve the Special City Council meeting minutes of November 15, 2022. Seconded by Councilman Bedwin. Motion carried unanimously.

Departments, Boards and Commissions:

- Office of Emergency Management Monthly Report, October and November.
- Cheboygan Police Department Monthly Report, October and November.
- Cheboygan Fire Department Monthly Report, October and November.

Bills and Disbursements:

- Prepaid Bills and Disbursements for the Month of October 2022.
 - Councilwoman Darling asked about line item 94.
 - Executive Assistant Clear explained that is for our wastewater treatment plant. Once a month a pay request is sent, we pay that request and then we submit to the SRF fund for reimbursement.
 - Mayor Pro Tem Mallory asked if we know when the wastewater treatment plant would be finished.
 - Clear said she believes they are hoping to have it in service by the end of July 2023.
 - Councilwoman Mills moved to approve the prepaid bills and disbursements for the month of October 2022 in the amount of \$1,337,564.00. Seconded by Councilwoman Raab. A roll call vote was taken, motion carried unanimously.
- Prepaid Bills and Disbursements for the Month of November 2022.
 - Councilman Kwiatkowski asked regarding item number 45. What was the purchase of hockey sticks for.

- Clear explained that Craig Coxe, ice rink manager, came up with an idea to purchase some hockey sticks to resell at the ice rink.
- Councilwoman Mills asked regarding item number 2; the air gas tanks. What tanks do those supply.
- Clear responded that she can follow up with Karmol regarding that line item.
- Councilwoman Raab moved to approve the prepaid bills and disbursements for the month of November 2022 in the amount of \$2,598,980.01. Seconded by Mayor Pro Tem Mallory. A roll call vote was taken, motion carried unanimously.

Resolutions:

- Consideration of a Resolution to Authorize the Mayor to Execute an Amendment to the Employment Agreement with the City Manager.
 - Councilman Kwiatkowski said that he thinks this subject should be tabled. He does not agree with there not being a cap at the end of the year payout for earned time off (ETO). Thinks that needs to be negotiated.
 - Councilwoman Raab asked what the contract was.
 - Kwiatkowski responded that we usually follow the AFSCME and Police Union contracts. Typically, a “use it or lose it” policy with a 20-hour payout.
 - Clear stated that Sabolsky’s current contract and payout amount is 40 hours.
 - Council discussed the matter of Sabolsky’s ETO and current medical situation.
 - Mayor Tebo said that when Sabolsky started, he was considered a 30-year employee. But there was a mistake made and they put him down as a 20-year employee and Sabolsky didn’t catch that until later. Mayor Tebo is for giving Sabolsky those 308 hours.
 - Councilman Kwiatkowski expressed he has no problem giving Sabolsky the extra time, he doesn’t like the no cap payout situation presented to Council.
 - Sabolsky explained the situation regarding his contract confusion and how he was suppose to have more ETO but did not due to the 30-year, 20-year employee mix up. Sabolsky explained that he has no problem with a cap being put on his end of year payout. Now with his current medical situation, he would like the Council to approve this request so he can get the proper ETO.
 - Councilwoman Mills considered a maximum end of year payout of 120 hours.
 - Discussion continued regarding Sabolsky’s ETO request.
 - Sabolsky also noted that he does want a policy regarding ETO for department heads. For example, Clear cannot use ETO that she has saved due to Sabolsky’s current medical condition. With the current policy, she will lose it. Sabolsky doesn’t think that is fair to department heads that have difficulty taking the ETO due to work related reasons.
 - Councilwoman Mills suggested that Sabolsky get the 308 hours of ETO as presented and to change the cap of the ETO end of year payout to 120 hours.
 - Sabolsky asked if it could be worded with the option that he can either carry over the ETO or pay it out at the end of the calendar year.
 - Council agreed that that was a reasonable request.
 - Clear read the resolution back with the made changes.

- Councilman Kwiatkowski moved to authorize the Mayor to Execute an Amendment to the Employment Agreement with the City Manager as amended by Council. Seconded by Councilwoman Mills. A roll call vote was taken, motion carried unanimously.
- Consideration of a Resolution Authorizing the Submission of a Michigan DNR Sparks Grant Application (ARPA-0059) to provide Universal Access to Cheboygan River and Children’s Trail.
 - Clear explained that she has been working with our architect and engineer that has been working on the fishing pier project. There were 5 piers that were cut out of the project. Clear said about a year ago, we applied for a grant to get the Children’s Trail paved making it ADA accessible but unfortunately, we did not get that grant. These DNR Sparks Grants are funded through ARPA funding. It is a 100% grant, there is no match required. This will help Major City Park be more accessible.
 - Councilwoman Raab moved to authorize the Submission of a Michigan DNR Sparks Grant Application (ARPA-0059) to provide Universal Access to Cheboygan River and Children’s Trail. Seconded by Mayor Pro Tem Mallory. A roll call vote was taken. Motion carried unanimously.

General Business:

- Consideration of Appointment.
 - Councilwoman Raab moved to appoint Cheboygan Area Chamber of Commerce/Visitors Bureau Executive Director, Carole Yeck, to the Main Street Downtown Development Board of Directors. Seconded by Councilwoman Darling. Motion carried unanimously.
- Consideration of Adding Incoming Treasurer as an Authorized Signatory.
 - Councilwoman Raab moved to add Patricia Byrd as an authorized signatory agent for financial matters on behalf of the City of Cheboygan effective 12/14/2022. Seconded by Councilwoman Mills. A roll call vote was taken, motion carried unanimously.
- Consideration of City Council 2023 Regular Meeting Schedule.
 - Councilman Kwiatkowski moved to approve the City Council 2023 Regular Meeting Schedule as presented. Seconded by Councilwoman Mills. Motion carried unanimously.
- Consideration of Exemption from PA No. 152, MCL 15.563 – Publicly Funded Health Insurance Contribution Act of the Year 2023.
 - Councilwoman Mills moved to accept the recommendation of Option 1 – State Hard Cap regarding PA No. 152, MCL 15.563 – Publicly Funded Health Insurance Contribution Act for the year 2023. Seconded by Councilwoman Darling.
- Consideration of School District Annual Tax Collection Request.
 - Councilman Kwiatkowski moved to approve the School District Annual Tax Collection Request pursuant to the Cheboygan Area Schools Annual Summer Tax Resolution, Dated October 24, 2022. Seconded by Mayor Pro Tem Mallory. A roll call vote was taken, motion carried unanimously.
- Consideration of Permit Transfer.
 - Councilwoman Raab moved to approve the transfer of Medical and Recreational Marijuana Permits from Sozo Health Inc. to Meds Café. Seconded by Councilwoman Darling. A roll call vote was taken, motion carried unanimously.

City Manager's Report:

- Clear reported that the City has come to terms with the Chief of Police position. The gentleman that has accepted the position, Scott Rifenberg, has a few ends to tie up with his current job before formally announcing he will be here with the City. He will start in the new year.
- Clear said she has been working a lot on the Sparks Grant recently. That is due the 19th of December. She has also been working on year end reporting for our existing fishing piers grant. We have been paying out on those and will submit the end of year disbursement request to the DNR as well as submit the reimbursement request to the Tipp of the Mitt Watershed.
- Former Treasurer, Bridget Brown, has been here working and training Patty.
- Sabolsky wanted to thank everyone for reaching out to him and for their support during this time. He wanted to thank Clear for her hard work while he is out of the office. He can be reached by phone and email.
- Councilwoman Mills asked if all the sink holes have been fixed.
- Sabolsky said when he talked to Karmol last, we still have a couple hundred feet of questionable areas along that stretch on Huron Street. They have fixed a good bit of it. The next street over does have similar problems. We are a couple years out to formally fix Huron Street versus patching problems that pop up.
- Councilwoman Mills asked regarding Structure B Dam at the Cheboygan Golf Course.
- Sabolsky said that the rock has been ordered. He is hoping that once that rock is in, we can get working on the dam. Hopefully we will not get a lot of snow or moisture so we can get to the dam.
- Councilwoman Raab asked regarding the emergency approval. What constitutes an emergency. That was a couple weeks ago and the project is still not done.
- Sabolsky said that this situation is an emergency but at the same time, if it gets sloppy, we cannot work on the dam. We are getting stopped and restricted by environmental factors.

Public Comments:

- Mr. Curtis Chambers said that this is his last Council meeting as County Commissioner for District 1. He became ordained and could not run for office again. He wanted to thank everyone for his time as a Commissioner and expressed his respect for Council.

Committee Updates:

- Councilman Bedwin said there was no report for the Finance Committee.
- Councilwoman Raab stated she did not have any report. She asked if we had our financial audit done yet for this year.
- Clear said that it is still in process.
- Mayor Pro Tem Mallory stated there was no DDA meeting. Commented that the Christmas parade was awesome.
- Councilwoman Mills said there have been a few Housing Commission meetings since the last Council meeting. The commission is now properly appointed. The commission consists of Bill Horntvedt, Chris Bauer, Mark Bronson, Connie Rieger, and Danielle Griswold.
- Councilwoman Darling referenced to Mr. Dale Rieger for the Parks and Recreation Commission report.

- Dale Rieger stated that the November meeting was cancelled due to no quorum. As the Chairperson of the Parks and Recreation Commission, he still wanted to do something productive with his time. On his own behalf, he inquired regarding a dog park. There is a piece of property that may be suitable for a dog park. Rieger talked with many different people around town and the ball started rolling faster than Rieger had expected. He wanted to inform Council about his progress.
- Mayor Tebo said he is in favor of a dog park.

Messages and Communications from Mayor and Council Members:

- Councilwoman Darling asked if we were going to still hold our December 27, 2022 meeting.
- Clear explained that all the end of year items were put on this agenda. If need be, a special meeting may be called.
- Mayor Tebo cancelled the December 27, 2022 meeting.

Adjournment:

- Councilwoman Mills moved to adjourn the meeting at 8:05pm. Seconded by Mayor Pro Tem Mallory. Motion carried unanimously.

Mayor Leslie A. Tebo

Clerk Alyssa Singles

Mayor Pro Tem Brett Mallory

Councilwoman Diane Mills

Councilman Ken Kwiatkowski

Councilwoman Mary Darling

Councilwoman Diane E. Raab

Councilman Adam Bedwin