

REGULAR CITY COUNCIL MEETING

January 9, 2024

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

Roll Call:

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

Absent: Dodd

Public Comments on Agenda Items Only:

- No comments.

Approval of Agenda and Receive and File all Communications:

- Councilwoman Mills moved to approve the agenda and to receive and file all communications. Seconded by Mayor Pro Tem Bedwin. Motion carried unanimously.

Approval of Prior Meeting Minutes:

- Councilman Mills moved to approve the Regular City Council meeting minutes of December 26, 2023 with corrections, as presented. Seconded by Councilman Kwiatkowski.
- Councilwoman Mills explained the clarification she would like in the minutes regarding how she discussed that the Finance Committee is not a standing Committee.
- Councilwoman Raab mentioned the Council policy regarding the written form of the meeting minutes.
- Council discussed the meeting minutes.
- A roll call vote was taken. Ayes by Councilwoman Mills, Councilman Kwiatkowski. Nays by Mayor Pro Tem Bedwin and Mayor Mallory. Councilwoman Raab and Councilwoman Darling abstained from voting. Motion failed.
- Mayor Pro Tem Bedwin moved to approve the Regular City Council meeting minutes of December 26, 2023 as presented. Seconded by Councilwoman Mills.
- A roll call vote was taken. Ayes by Mayor Pro Tem Bedwin, Councilman Kwiatkowski, Councilwoman Darling, Mayor Mallory. Nays by Councilwoman Mills. Councilwoman Raab abstained. Motioned carried.

Departments, Board and Commissions:

- Cheboygan Fire Department, December Report.
- Cheboygan Police Department, December Report.
- Cheboygan County Office of Emergency Management, Quarterly Report.

Bills and Disbursements:

- Prepaid Bills and Disbursements for the Month of December 2023.

- Councilwoman Darling moved to approve the prepaid bills and disbursements for the month of December 2023 in the amount of \$93,344.83. Seconded by Councilwoman Mills.
- Councilwoman Darling asked regarding the payroll payment.
- A roll call vote was taken. Motion carried unanimously.

General Business:

- Consideration of Request for Qualifications.
 - Councilwoman Mills moved to authorize the City Manager to advertise a Request for Qualifications (RFQ) pertaining to the City of Cheboygan's Prosecuting Attorney. Seconded by Mayor Pro Tem Bedwin.
 - Council and City Manager Sabolsky discussed the request for qualifications. Discussing the reason why this request for qualifications needs to be posted and the verbiage used in the request.
 - A roll call vote was taken. Ayes by Mayor Mallory, Councilwoman Mills, Councilman Kwiatkowski, Mayor Pro Tem Bedwin, and Councilwoman Darling. Nays by Councilwoman Raab. Motion carried.

City Manager's Report:

- Sabolsky reported that the audit will be presented at the next Council meeting.
- Sabolsky discussed the Bodman building. Sabolsky said he would like to have a work session at 6:30pm before the Council meeting to further discuss the building.

City Clerk's Comments:

- Clerk Singles gave Council an update regarding the upcoming Presidential Primary election.
- Councilwoman Mills asked Singles about the permanent ballot voter list.

Public Comments:

- Lisa Holburn voiced her concerns regarding Council's statement last meeting that taxes were lowered by three mills in years past. Holburn said she looked at her taxes and did not see it. Holburn commented regarding Councilwoman Darling's request for itemized payroll. Holburn asked what money was used to purchase the BKC building. Holburn asked if the schools are the only ones who benefit from the non-homestead taxes. Holburn also commented on the tax assessment that was presented regarding the Police and Fire levy and how it should have been sent to all residents.
- Janet Gahn asked if the City of Cheboygan has an ethics policy and a complaint form. Gahn asked for those items to be placed online if they are available.
- Sharon Lange thanked the City on behalf of the Cheboygan County Economic Development Corporation for the support regarding the Orchard Bridge grant efforts.

Council Response to Public Comments:

- Mayor Mallory responded to Holburn's question regarding the BKC building. Mayor Mallory stated that building was purchased by the DDA and as far as he knows, they are doing well with that building financially.
- Holburn asked regarding the payroll breakdown.
- Councilwoman Mills responded stating that it is broken down by department and each department has a payroll figure. Councilwoman Mills further discussed the breakdown of payroll.
- Councilwoman Raab responded to Holburn's question regarding itemized payroll. Councilwoman Raab said it's a valid question to know where the money is going. Councilwoman Raab responded to Gahn's question regarding an ethics policy. Councilwoman Raab discussed the ethics policy Mayor Tebo made for Council when he served. Councilwoman Raab commented regarding Gahn's complaint form question.
- Gahn commented regarding the ethics policy and complaint form. Stating different rules that would be in the ethics policy. Such as how Council cannot require someone to give their name and address to speak during public comment. Gahn would like an answer to the ethics policy and complaint form.
- Councilman Kwiatkowski asked Gahn why there needs to be an ethics policy now.
- Holburn responded to Councilman Kwiatkowski's question, referencing past meetings and the levy.
- Mayor Pro Tem Bedwin commented on the Police and Fire Levy and how notices will be given different next year. Mayor Pro Tem Bedwin also commented that he would have a one-on-one conversation with Holburn.
- Gahn commented on the notice and awareness of the Police and Fire Levy to residents. Gahn believes that if more residents were aware they could circulate a petition regarding the levy, they would have. Gahn further commented regarding the levy.
- Councilwoman Raab responded regarding the need for an ethics policy now. Councilwoman Raab explained her thoughts regarding why, discussing the topics of communication and transparency.
- Gahn commented regarding the ethics policy and complaint form request.

Committee Updates:

- No Committee reports from Councilmembers except Councilwoman Darling. Councilwoman Darling reported that the Parks and Recreation Commission will meet the 31st of January.

Messages and Communications from Mayor and Council Members:

- Councilman Kwiatkowski asked regarding the Presidential Primary.
- Singles responded to Councilman Kwiatkowski's question, stating that you do need to declare your party for this election and there is nothing local on the ballot.
- Councilwoman Mills commented that February 27th is a Tuesday and a scheduled Council meeting day. The Council meeting will have to be moved to the 28th.
- Councilwoman Darling commented regarding Sabolsky's contract renewal. Councilwoman Darling stated she did a survey regarding Sabolsky and wanted to share with Council the things people said.

- Sabolsky requested an executive (closed) session if this pertains to personnel issues/concerns.
- Mayor Pro Tem Bedwin resighted the Michigan Open Meetings Act. Stating a public body can go into closed session to consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named individual requests a closed hearing.
- Sabolsky and Councilwoman Darling discussed her survey.
- Council discussed.
- Mayor Pro Tem Bedwin moved to go into closed session at the request of City Manager, Dan Sabolsky, to consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against a public officer because he requested the hearing. Seconded by Councilwoman Darling. A roll call vote was taken. Ayes from Councilwoman Raab, Mayor Pro Tem Bedwin, Councilwoman Darling and Mayor Mallory. Nays from Councilwoman Mills and Councilman Kwiatkowski.
- Council entered closed session at 7:50pm.
- Councilwoman Mills moved to adjourn the closed session at 8:45pm. Seconded by Councilman Kwiatkowski. Motion carried.
- Mayor Mallory addressed the public. Stating there was a thorough discussion regarding Council concerns.

Adjournment:

- Mayor Mallory adjourned the meeting at 8:47pm.

Mayor Brett Mallory

Clerk Alyssa Singles

Mayor Pro Tem Adam Bedwin

Councilwoman Diane Mills

Councilman Kenneth Kwiatkowski

Councilwoman Mary Darling

Councilwoman Diane E. Raab

Councilwoman Hayley Dodd