

MINUTES OF THE REGULAR MEETING OF THE ROGERS CITY CITY COUNCIL  
HELD IN COUNCIL CHAMBERS ON TUESDAY, AUGUST 5, 2008

Mayor Hall presided and called the meeting to order at 7 p.m. with Council Member Nowak leading the Pledge of Allegiance.

ROLL CALL: PRESENT – Council Members Debra Greene, Gary Nowak, and Mayor Beach Hall.

ABSENT – Council Members Darrin Darga and Thomas Sobeck.

OTHER CITY PERSONNEL PRESENT – City Mgr. Mark Slown, City Atty. Michael Vogler, and Clerk/Treasurer Theresa Heinzl.

It was moved by Council Member Greene, seconded by Council Member Nowak, that the minutes of the Regular Council Meeting of July 15, 2008 be approved as written.

ROLL CALL: Ayes – All, the motion carried.

**CITIZENS APPEARING BEFORE THE COUNCIL:**

Gary Rickard asked to address Council and he began with a comment on the Nautical Festival. He pointed out that more traffic is on the sidewalk on the east side of Third Street. He feels this is too easy and wants to see the section of BR-23 between Erie and Huron Avenues closed with the vendors in the middle of the street. This would be more of an impact for the merchants as the people would walk down both sidewalks and visit all the merchants to create more interaction in the downtown area. Mayor Hall thanked Rickard for his comments. Council Member Nowak suggested that this might be taken to the Festival Committee. Rickard rebutted with the comment that he feels that the City has a stronger impact on what happens in the community.

**CITY CLERK'S REPORT:**

**MML Convention:** Heinzl will be contacting each Council Member for a firm commitment on attending the MML Annual Convention scheduled for October 1-4 at the Grand Hotel on Mackinac Island. Registrations must be submitted in order to secure room reservations should they be needed.

**CHECK AND INVOICE APPROVAL:**

It was moved by Council Member Nowak, seconded by Council Member Greene, that the following total fund expenditures be recognized as payments made and payments to be made, approved as such, and the Mayor authorized to sign the check register.

General Fund	96,206.38
Major Street Fund	69,576.91
Local Street Fund	16,618.94
Band Fund	57.33
Community Development Authority	4,863.91
VSCI Capital Projects Fund	235,910.00
Wastewater Treatment Operation Fund	27,961.75
Water Utility Fund	84,582.91
Marina Operations Fund	53,683.84
Garbage Collection Fund	8,558.61
Equipment Fund	40,699.30
Trust and Agency Fund	134,038.49

ROLL CALL: Ayes – All, the motion carried.

**CITY ATTORNEY'S REPORT:** Atty. Vogler had no report for this meeting.

**CITY MANAGER'S REPORT:**

City Mgr. Slown reported on the following:

- **Walk to Cure Diabetes – Sept. 13, 2008:** This event is scheduled for September 13<sup>th</sup> and is a regional effort. Many area people are involved including our City employee, Jan Lemmon. It is a 1-1/2 mile walk and will be held in Alpena.
- **Parks & Recreation Update:** The Fossil Park is in place, but needs more work. It is behind the concession stand at the Little League Fields. DPW has installed a handrail on the gazebo at Lakeside Park. A group of people are working to plan a "Parks Day" to showplace the area's parks. There was a presentation on the "Neos" game. The Parks & Recreation Commission is interested in scheduling a demonstration at possibly the Fall Fest and/or the "Parks Day". The game is an exciting electronic toy for people of all ages. It was suggested that funding this may be obtained through the service organizations in the community.
- **Wind Turbine Ordinance:** The ordinance will be coming to the Council for first reading soon.
- **Letters from Plume and Allum: Safe Routes:** Copies of the letters from Dale Plume and Dr. Tom Allum were included in the Council packets regarding the sidewalks and truck traffic. The Safe Routes Program may be able to address these concerns when the committee meets again upon school startup in September.

AUGUST 5, 2008

- **MSU Extension Council:** The City has been asked to find a willing participant to serve on the MSU Council. The council gives local guidance for the MSU programs.
- **Planning Commission Update:** This Commission is working on complying with the new planning enabling act. There is more information to come in the weeks and months ahead. A brief review indicates that we may have some things in compliance. The Planning Commission also approved the site plan for the Purple Martin Inn as requested by owner, Cindy Vezineau.
- **Michigan Main Street Program:** The City has been named as an Associate Member. This is a step towards being named a "Main Street Community". This is an ongoing commitment to make downtown a vital center, invigorate it and make it better or the best that it can be.
- **Brooks Hotel Property – Bob Geno:** Council Members asked about the events leading up to the fencing this property. The work was done to make the site safe.
- **Bradley Commemorative Event:** This event is coming up in November 2008. Information will be posted on the website. It is to be a week long event of the tragedy and the survival of the tragedy. The event and aftermath are being featured. A film is to be released on public television; however, it will be premiered at the Rogers City Theatre.
- **Bonding Update:** The bond counsel and financial advisor will be providing details at the next Council meeting upon receipt of the bond proposals. Some information will be provided to Council in their meeting packet; however, the proposals will be opened earlier in the day on August 19<sup>th</sup> prior to the 7 p.m. meeting time.
- **Requests for Proposals:** The Nautical Heritage Committee will be reviewing any proposals that will be received on the streetlights. This will be done on Monday, August 11<sup>th</sup> at 7 p.m.
- **Chamber Information:** A mailing was done this week by Dave Snow and contains a lot of information. A copy is available to anyone who is interested.
- **General Information:** A lot of things continue to happen in the community and in City Hall. These include tourism, economic development, zoning, the VSCI projects, the recently completed 2008 Sidewalk Program, etc.

Council Member Greene asked about the lights that are located in Lakeside Park. Information was obtained during the Mayor's Exchange with St. Ignace about a stronger type of structure that was sturdier and would deter vandalism. Greene suggested that this be sent to the Parks & Recreation Commission. She also commented on the Bob Geno property on North Third Street. She wants everyone to be treated fairly, i.e., all property owners who have lots in need of cutting should be contacted, not a selected few. Council Member Nowak agreed with Greene. He also mentioned that Leonard Gabrysiak approached him about the light on Calcite Road and Greene asked about the painting of the mile markers on the trail out to Hoeft State Park. She stated that Kevin Schaedig of MDOT did give an okay to paint the mile markers some time ago. Nowak stated he received a lot of good comments about the bike path over the weekend. There were many people using it. Mayor Hall added that the "Doors Project" looks very nice on the bike path behind the DPW building.

### **COMMISSION AND BOARD REPORTS:**

Council was provided copies of the minutes from the following: June 19<sup>th</sup> **RCAFDA** meeting, June 24<sup>th</sup> **TAB** meeting, July 9<sup>th</sup> **CDA** meeting, July 14<sup>th</sup> **CDA** meeting, July 16<sup>th</sup> **Parks & Recreation** meeting, July 28<sup>th</sup> **Building Authority** meeting, July 28<sup>th</sup> **Planning Commission** meeting, and July 29<sup>th</sup> **TAB** meeting.

Mayor Hall mentioned that the Rogers City Area Fire Department Authority will be meeting on Wednesday, August 6<sup>th</sup> at 7 p.m. for their regular meeting.

**LIAISONS:** No reports.

### **MAYOR:**

Mayor Hall began his report mentioning that there is a brief viewing on "You Tube" entitled "November Requiem". This is a "trailer" of the upcoming production that will premier on November 18<sup>th</sup> at the Rogers City Theatre for the Bradley 50<sup>th</sup> Anniversary event. Hall then continued and stated that, in his opinion, the Nautical Festival was a successful event and he thanked all who shared their time contributing to the community event.

**UNFINISHED BUSINESS:** None.

### **NEW BUSINESS:**

#### **FIRST READING – ORDINANCE NO. 2008-03 – TAB**

Mayor Hall addressed the first agenda item and explained that a copy of the ordinance to provide for the formation and composition of a Technology Advisory Board (TAB) was included in the Council packet. It was reviewed and revised by the City Attorney. Rich Warwick, the TAB chair, was present and had no comments on the ordinance. Council Member Nowak mentioned that there were some changes that were brought up at the previous Council meeting and were not incorporated into the revision. There was a brief discussion about the composition of the Board to include a member of Council and the City Manager, which resulted in a motion to table this agenda item.

AUGUST 5, 2008

**A motion was made by Council Member Nowak, seconded by Council Member Greene, to table action on the first reading of Ordinance No. 2008-03—TAB.**

**ROLL CALL: Ayes – All, the motion carried.**

**REQUEST FOR PROPOSALS FOR WEBMASTER SERVICES**

Mayor Hall asked Richard Warwick, the TAB chair, to address Council on this agenda item. Warwick explained that TAB wants to conclude the services of John Addis, however, a bill has not been received to date from Addis. The Technology Advisory Board (TAB) is proposing that a local webmaster be hired to continue the work. Costs are not known at this time for services of a webmaster; however TAB members estimated that it may be about \$40-60/hour. On July 29<sup>th</sup>, TAB discussed who would supervise the webmaster. Warwick reiterated the feelings of TAB regarding supervision. There is some concern to fund a webmaster position. Volunteers may be a short-time fix until the hiring of a webmaster. As volunteers, the Chamber work could also be accomplished. Warwick pointed out that once the contract is terminated with John Addis, action can be taken for a webmaster.

Council Member Greene asked why lack of content is such a big issue. She listed many sections that have “no content”. Council Member Nowak agreed a webmaster is necessary; the City cannot afford to “not” have one. He also mentioned the email from Dennis Smolinski received earlier in the day and that there were some good points in his proposal. Warwick wants to move ahead, but needs Council direction. The discussion continued on hiring someone; it takes time to gather data, but less time to insert it.

Council Member Nowak offered the motion that the Mayor, the TAB Chairman, and the City Manager discuss with Jodi Brege to serve as webmaster for a 90-day period with compensation not to exceed \$2500. The motion was seconded by Council Member Greene. Prior to calling for the vote, City Mgr. Slown stated that it may not be fair to other capable persons, who have expressed interest, to offer this to Jodi Brege. Nowak expressed his consternation with the statement. Council Member Greene suggested changing the motion leaving the candidate’s name open to determine qualifications for the dollars offered. Again Nowak stated his motion to stand as stated and Greene did not agree and withdrew her second to that motion.

**RESOLUTION NO. 2008-92**

A motion was made by Council Member Greene, seconded by Council Member Nowak, to terminate the existing contract with John Addis for work on the City’s website as soon as possible.

ROLL CALL: Ayes – All, the motion carried.

**RESOLUTION NO. 2008-93**

A motion was made by Council Member Greene, seconded by Council Member Nowak, to hire a webmaster as soon as possible using the Request for Proposal as presented to Council in this meeting packet with comments to be obtained from the Technology Advisory Board members prior to publication of a notice for the Request for Proposals.

ROLL CALL: Ayes – All, the motion carried.

**FEE SCHEDULE**

Council was provided a copy of the revised City’s Fee Schedule. Staff reviewed the various line items pertaining to each of their departments. Recommendations were made and incorporated within the document. In some cases, there were increases and others there were decreases. There was a discussion on the cost for trees as well as the cost for winter burials, sanitary sewer service inspections, etc.

**RESOLUTION NO. 2008-94**

A motion was made by Council Member Nowak, seconded by Council Member Greene, to approve the FY2008-2009 Fee Schedule for the City of Rogers City as presented to Council at this August 5, 2008 regular meeting.

ROLL CALL: Ayes – All, the motion carried.

**SANITARY SEWER BLOCKAGE POLICY**

In accordance with the Fee Schedule, Mayor Hall asked the City Manager to address this agenda item. City Mgr. Slown explained that the City has been following the policy, but there was no record of a formal adoption. The policy has now been updated to include the requirement of a double cleanout assembly at the property line.

The policy reads as follows:

**SANITARY SEWER BLOCKAGES**

**BACKGROUND**

The purpose of this Policy is to set forth rules and regulations for City personnel, property owners, plumbing contractors, service persons and others regarding blockages in the sanitary sewer system. The intent of this Policy is to clarify the responsibilities of the City and those of the property owners.

**CITY TO BE NOTIFIED**

In the event a property owner experiences or suspects a blockage in his sanitary sewer service, the property owner or the servicing plumbing contractor shall notify the City prior to beginning any cleanout work. Upon notification, the City will proceed to check the sanitary sewer main to determine if the blockage is occurring in the sewer main.

**BLOCKAGES IN THE MAIN**

AUGUST 5, 2008

If the blockage is found to be in the main, City crews will proceed to remove the obstruction and/or make the necessary repairs. The City is not responsible for any damages to private property resulting from obstructions in the sewer main.

**BLOCKAGES IN THE SERVICE**

If no blockage is found in the City's main, the property owner or plumbing contractor will be so advised that the blockage is in their service line. "Service line" is defined to mean the sanitary sewer pipe running from a point beginning at the City's main to the serviced structure on the property. This is regardless of whether or not the sanitary sewer pipe lies within City right-of-way. The property owner is responsible for all blockages occurring within the service line from the structure to the main. The City does not participate or share in the cost of cleaning out sanitary sewer service lines.

**REPLACEMENT OF SERVICE LINES**

In the event that blockages or obstructions are due to a deteriorating or failed service line, the property owner is required to obtain a SANITARY SEWER INSPECTION PERMIT from the City prior to renewing the service line. The City will provide the materials needed to install a double cleanout assembly at the property line. The property owner is responsible for all installation and labor costs as well as any restoration work in the City right of way as a cause of renewing the sanitary service line. The service line and connections are to be inspected by the City Manager or his designee prior to back filling.

In the event that a service line is abandoned and a new tap is made into the sanitary sewer main, the abandoned lead must be sealed with concrete. The City will provide the materials and labor needed to connect the service line to the sanitary main. The property owner will be invoiced for the cost of materials and labor. Failure to pay the invoice will result in the total amount of the invoice and accrued penalties being placed on the owners property taxes.

**SANITARY SEWER  
INSPECTION PERMIT APPLICATION**

DATE	PERMIT FEE
	\$100
OWNER:	
NAME	
ADDRESS	
TELEPHONE	
CONTRACTOR	

**RESOLUTION NO. 2008-95**

A motion was made by Council Member Nowak, seconded by Council Member Greene, to adopt the "Sanitary Sewer Blockages" Policy as presented to Council at this August 5, 2008 regular meeting.  
ROLL CALL: Ayes – All, the motion carried.

**PRESQUE ISLE COUNTY WOMEN'S SOFTBALL LEAGUE REQUEST**

A request was made by the Presque Isle County Women's Softball League to again hold an "All Night Softball Tournament" on August 23, 2008 starting at 9 p.m. The League is asking for use of the Sports Park and will donate \$50.00 for use of the field and lights.

**RESOLUTION NO. 2008-96**

A motion was made by Council Member Greene, seconded by Council Member Nowak, to approve the request of the Presque Isle County Women's Softball League to hold an "All Night Softball Tournament on August 23, 2008 beginning at 9 p.m. at the Sports Park.  
ROLL CALL: Ayes – All, the motion carried.

**APPOINTMENT OF MERS DELEGATE/ALTERNATE**

The annual Municipal Employees' Retirement System (MERS) meeting is scheduled for September 30-October 2, 2008 at the Grand Traverse Resort in Acme, Michigan. Council is asked to appoint a delegate and alternate to represent the City.

**RESOLUTION NO. 2008-97**

A motion was made by Council Member Nowak, seconded by Council Member Greene, to approve the appointment of Theresa Heinzl, City Clerk/Treasurer, to serve as the City's delegate to the Municipal Employees' Retirement System annual meeting with Matt Quaine, Police Chief, to be named as alternate. Said annual meeting to take place at the Grand Traverse Resort in Acme, Michigan September 30-October 2, 2008.  
ROLL CALL: Ayes – All, the motion carried.

AUGUST 5, 2008

**OTHER BUSINESS:**

Mayor Hall mentioned that he is working on scheduling a workshop during the week of August 25<sup>th</sup>. This workshop is to meet with Larry Fox of C2AE to discuss the infrastructure project that is being worked on by C2AE and City Staff. The need for more than one workshop was talked about to go over some of the other items that have been of concern to Council. With Council Members present in agreement, it was decided to hold a workshop at 5:30 p.m. on Tuesday, August 19<sup>th</sup> prior to the regular Council meeting to work on the other topics of concern and schedule the workshop on the C2AE Project at another time.

Council Member Greene noted that Cindy Vezineau arrived during the meeting and that she wanted to address Council. She offered her compliments to the Nautical Festival Committee on the many events held in conjunction with the event. She asked Council to come to her Purple Martin Inn and sit and watch the stars with her. She has an issue with the annoying light at the Well House No. 5. The light faces into her inn and she would like to have this changed. City Mgr. Slown responded that this is a security issue and a critical resource for the community. All his informational sources state the need for illumination; however, the degree of illumination may need to be addressed in relation to the neighboring property owners. Vezineau thinks a motion security light would be more valuable and serve the purpose.

**CLOSED SESSION:** None.

**ADJOURNMENT:**

Having addressed the items to come before Council, Mayor Hall declared the meeting adjourned at 8:13 p.m.

---

BEACH HALL, MAYOR

---

THERESA A. HEINZEL, CITY CLERK/  
TREASURER