

MINUTES OF THE REGULAR MEETING OF THE ROGERS CITY CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON TUESDAY, DECEMBER 2, 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 Darrin Darga, Debra Greene, Gary Nowak, Thomas Sobeck, and Mayor Beach Hall.

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

It was moved by Council Member Greene, seconded by Council Member Darga, that the minutes of the Regular Council Meeting of November 18, 2008 be approved as written.

ROLL CALL: Ayes – All, the motion carried.

CITIZENS APPEARING BEFORE THE COUNCIL:

David Snow, Chamber of Commerce Executive Director, addressed Council to report on the “Light UpThe City” event. He thanked all who participated and indicated that the addition of the City Band was very well received. Home shopping dollars were distributed to approximately 75 children and he thanked the Chamber members for their cooperation in staying open and accommodating the people who attended. He again thanked the City for its support and added that any and all suggestions are welcomed for improvements for the following years.

John Plath asked to address Council on the notice in the City’s newsletter regarding snow removal from the private business parking lots. City Mgr. Slown explained that the main reason is financial. The Department of Public Works is short one man as no one replaced the superintendent when he moved from his previous position as an equipment operator, plus there is another employee off temporarily for medical reasons. Funds from the State are also being cut, which adds to the financial issue. In a response to a remark that the DPW is not busy in the winter if not plowing snow, Slown detailed the many jobs that the DPW works on during the winter including maintenance on the Marina boat launches, refurbishing equipment for the DPW operation, picnic table repairs, cleaning sewer lines, repairing street signs and potholes, keeping fire hydrants clear, taking care of and preparing the ice rink and the rink house, hauling snow from City-owned parking lots, monitoring the Christmas decorations, etc. Council Member Greene added that she feels that everyone should be taking better care of their sidewalks in the downtown area so that people do not have to walk in the streets.

CITY CLERK’S REPORT:

December Board of Review: The December Board of Review session will be held on Wednesday, December 17th provided three members of the Board of Review can be present. The purpose of this session is to correct any errors to the tax rolls. The members asked that this session be held in the afternoon at 3:30 p.m. to assure that three members will be able to attend. Council Member Nowak also asked that the City Assessor give Council a brief report on 2009 property assessments.

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	71,545.48
Major Street Fund	51,521.38
Local Street Fund	37,079.05
Band Fund	577.63
Community Development Authority	61,023.79
Act 302 Training Fund	200.00
VSCI Capital Projects Fund	156,505.18
Wastewater Treatment Operation Fund	105,115.64
Water Utility Fund	73,139.86
Marina Operations Fund	2,783.23
Garbage Collection Fund	607.85
Equipment Fund	26,868.72
Trust and Agency Fund	3,314.38

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:

- **NSF:** NSF is the acronym for “Neighborhood Stabilization Fund” and a meeting is scheduled for Wednesday, December 3rd in Lansing. Slown was planning to attend, but weather may prevent him from attending. He is receiving information about the program to determine if this program may be

DECEMBER 2, 2008

helpful to people in the northeastern part of the State and will keep Council updated as the information is provided.

- **Nautical Heritage Update:** A meeting was held recently and the Streetlighting Project is moving forward.
- **Charter Update:** Channel 12 is not communicating at this time; hopefully, this will be taken care of on Wednesday, December 3rd when Charter will be in Rogers City to complete the changeover.

Council Member Nowak asked about if the information on the City's infrastructure project is moving ahead. Slown responded that the data is being collected and he is waiting to hear from Larry Fox of C2AE to schedule a meeting.

COMMISSION AND BOARD REPORTS:

Council was provided copies of the minutes from the November 12, 2008 **CDA Meeting** in their Council packets for review.

LIAISONS: No reports.

MAYOR:

Mayor Hall began his report by reading a thank you from Geneva Wiskemann, secretary of the Michigan Oral History Association. Ms. Wiskemann appreciated the total community support for the November 7-8, 2008 event. Hall added his appreciation for the "Light Up The City" event and the "Bradley Commemorative", especially the film produced through the efforts of Anne Belanger and her brother. With the Thanksgiving Ecumenical Service, the tree lighting, and Santa, the holiday season has begun.

BOARD APPOINTMENTS

Mayor Hall proposed that the following individuals be reappointed to serve another term on their respective committees: Debbie Stiller and Art Getzinger to the Parks & Recreation Commission, Fred Lewis to the Local Officers Compensation Commission (LOCC), and Mae O'Neill to serve as the City's representative to the Presque Isle District Library Board.

RESOLUTION NO. 2008-139

A motion was made by Council Member Nowak, seconded by Council Member Sobeck, that the following reappointments be made:

Parks & Recreation Commission:	Debbie Stiller and Art Getzinger for two-year terms each;
Local Officers Compensation Commission:	Fred Lewis for a five-year term;
Presque Isle District Library Board:	Mae O'Neill for a three-year term;

ROLL CALL: Ayes – All, the motion carried.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

RESOLUTION – LAKE HURON BOTTOMLANDS CONVEYANCE – PARCEL A

Mayor Hall addressed the agenda items, both related to requesting Council approval for conveyance of Lake Huron Bottomlands. Ken Bradstreet of Wolverine Power, along with Joe Cheveroux of Carmeuse Lime & Stone, Steve Swan of Cygnet Consulting, and Matt MacGregor of King & MacGregor Environmental, Inc. were present to answer any questions from Council. Ken Bradstreet acted as spokesman and explained the reason for requesting Council approval. Bradstreet read from a handout that addressed the State law requiring local governing body approval. He provided a picture of the proposed improvements to the harbor at Carmeuse Lime & Stone and explained that the project requires the leasing of two parcels of bottomlands from the State of Michigan for building two slips. The drawing of the harbor at Calcite showed the area to be improved.

RESOLUTION NO. 2008-140

The following resolution was offered by Council Member Nowak, seconded by Council Member Sobeck:

WHEREAS, there has been presented to the Council of the City of Rogers City, County of Presque Isle, State of Michigan, the petition of O-N Minerals (Michigan) Company d/b/a Carmeuse Lime and Stone requesting approval to lease certain bottomlands lying within the City of Rogers City, County of Presque Isle, State of Michigan; and

WHEREAS, the said approval of the Council of the City of Rogers City is required under the terms and provision of the Natural Resources and Environmental Protection Act, P.A. 451 of 1994, as amended, Part 325, Great Lakes Submerged Lands, before the petitioner can enter into an agreement with the State of Michigan; and

WHEREAS, the said bottomlands form a part of the property presently occupied by the petitioner in the City of Rogers City, Presque Isle County, State of Michigan; and

WHEREAS, the said petitioner now contemplates certain harbor improvements including industrial ship dockage and construction of industrial ship dockage structures within said bottomlands; and

WHEREAS, it appears that the best interests of all concerned will be served by granting the said petition.

DECEMBER 2, 2008

NOW, THEREFORE, BE IT RESOLVED, that the proposed use of the said bottomlands be and the same hereby is approved.

ROLL CALL: Ayes – All, the motion carried.

RESOLUTION – LAKE HURON BOTTOMLANDS CONVEYANCE – PARCEL B

Ken Bradstreet explained the second resolution pertains to the area by the former power plant and will provide availability for docking ships over the bottomlands. Council Member Greene asked where the coal will be stored. Bradstreet answered that it will be stored approximately one-half mile from the unloading area. A conveyor will be used to move the coal to the storage area. Mr. Cheveroux responded to a question from the Mayor on the benefit to Carmeuse, which will help to secure 1000-ft vessels to carry a backhaul of limestone. He pointed out that this is a good deal for both Carmeuse and Wolverine.

RESOLUTION NO. 2008-141

The following resolution was offered by Council Member Sobeck, seconded by Council Member Nowak:

WHEREAS, there has been presented to the Council of the City of Rogers City, County of Presque Isle, State of Michigan, the petition of O-N Minerals (Michigan) Company d/b/a Carmeuse Line and Stone and Wolverine Power Cooperative requesting approval to lease certain bottomlands lying within the City of Rogers City, County of Presque Isle, State of Michigan; and

WHEREAS, the said approval of the Council of the City of Rogers City is required under the terms and provision of the Natural Resources and Environmental Protection Act, P.A. 451 of 1994, as amended, Part 325, Great Lakes, Submerged Lands, before the petitioner can enter into an agreement with the State of Michigan; and

WHEREAS, the said bottomlands form a part of the property presently occupied by the petitioner in the City of Rogers City, Presque Isle County, State of Michigan; and

WHEREAS, the said petitioner now contemplates certain harbor improvements including industrial ship dockage and construction of industrial ship dockage structures including a groin within said bottomlands; and

WHEREAS, it appears that the best interests of all concerned will be served by granting the said petition.

NOW, THEREFORE, BE IT RESOLVED, that the proposed use of the said bottomlands be and the same hereby is approved.

ROLL CALL: Ayes – All, the motion carried.

OTHER BUSINESS:

Council Member Nowak asked about the bill submitted by David Nickel, which was sent to the City's insurance company. He indicated that he wants this on the next meeting agenda. He also asked about the airport zoning covered by the City's Planning Commission and if the CDC/EDC and County Planning Commission were advised of the proposed new zoning district. Slown stated that the notices of first and second readings will be made and can be copied to the County Boards. He also asked if this included the City's Industrial Park lots and how it affected the businesses already located in the industrial lots. City Mgr. Slown reported that a news article will be coming out that may be clearer regarding the district.

CLOSED SESSION: None.

ADJOURNMENT:

There being no other business to come before Council, Mayor Hall declared the meeting adjourned at 7:36 p.m.

BEACH HALL, MAYOR

THERESA A. HEINZEL, CITY CLERK/
TREASURER