

MINUTES OF THE REGULAR MEETING OF THE ROGERS CITY CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON TUESDAY, JULY 7, 2009

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

ROLL CALL: PRESENT – Council Members Debra Greene, Gary Nowak, Thomas Sobeck, and Mayor Beach Hall. ABSENT – Council Member Darrin Darga (excused).

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

It was moved by Council Member Greene, seconded by Council Member Sobeck, that the minutes of the Regular Council Meeting of June 16, 2009 and the USDA Workshop Meeting of June 22, 2009 be approved as written.

ROLL CALL: Ayes – All, the motion carried.

CITIZENS APPEARING BEFORE THE COUNCIL: None.

CITY CLERK'S REPORT:

JULY BOARD OF REVIEW

Clerk/Treasurer Heinzl explained that the July Board of Review is to be scheduled for Tuesday, July 21st unless a resolution is passed by the governing body of the city to hold the meeting on another date. July 21st is also the regular Council meeting date and members of the Board of Review were asked to meet at 6:30 p.m. on that same date prior to the regular Council meeting. It was the consensus that this date and time is acceptable.

CHECK AND INVOICE APPROVAL:

It was moved by Council Member Greene, seconded by Council Member Sobeck, 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	163,621.72
Major Street Fund	85,590.84
Local Street Fund	37,671.00
Band Fund	171.21
Community Development Authority	21,582.08
VSCI Capital Projects Fund	155,108.77
Wastewater Treatment Operation Fund	129,149.55
Water Utility Fund	34,643.37
Marina Operations Fund	15,001.04
Garbage Collection Fund	8,035.15
Equipment Fund	21,935.32
Trust and Agency Fund	86.38

ROLL CALL: Ayes – All, the motion carried.

CITY ATTORNEY'S REPORT: Atty. Vogler explained that ICMA agenda item can be removed as he has reviewed the documents and ICMA 401 and 457 Plans have been updated and approved by the Internal Revenue Service. The Plans are allowed to operate with the most recent provisions allowed by law. If no action is taken by the governing body, the plan amendments are adopted. Vogler recommended no action and Council agreed to remove the item from the agenda.

City Mgr. Slown asked that Council also take no action on the engineering services agreement with C2AE at this meeting. Council was in agreement to remove this item from the meeting agenda as well.

CITY MANAGER'S REPORT:

City Mgr. Slown reported on the following:

- **AFSCME Union Grievance:** The AFSCME Union has filed a grievance relevant to a retired employee. The retiree was notified that health insurance will not be provided due to his status on Medicare. A meeting was held with the AFSCME Union to reconsider the decision; however, the City replied that the position stands in compliance with the contract.
- **VSCI:** The Erie Street Water Main Project began this week. Slown showed Council a section of pipe that was removed from the area. The replacement pipe will improve the water quality in this area.
- **Walkability Audit – July 10th:** The Walk is scheduled for Friday and everyone is invited. This will start at 10 a.m. beginning at City Hall. The group will meet for lunch at the Pavilion and then reconvene at 2:30 p.m. at City Hall for a report from Dan Burden on the audit.
- **Business Incubator:** The draft business incubator report was received from the University of Michigan. They are recommending that the northeast Michigan area (Alpena, Alcona, and Presque Isle) does need this type of program and would benefit from it. Establishing an incubator board for the region was included in the draft.

JULY 7, 2009

- **Charter Update:** Channel 99 is working as it should, although the volume on the recording equipment is still an issue. Rocky DeRoque, who tapes the meetings, commented on what he can do to improve the audio. He agreed to meet with the City Manager on Wednesday morning.
- **PEG Channel Contract:** This will be discussed with DeRoque and brought back with options for Council consideration.
- **Tanker Truck Bed Purchase:** The Rogers City Area Fire Department Authority purchased a new truck bed for the pumper. It is now more functional as the tanker is properly set up to hold the size of the tank they currently have.
- **NEMCOG:** A "People and Land" Project is being sponsored by NEMCOG and NEMCOG is asking members of the community to visit the following website (<https://janus.pscinc.com/nemcog>) and take the brief survey to help form some practical business solutions to improve the economic situation of the area.
- **Invitation to Quilter:** An invitation was posted on the Manager's blog asking a quilter to loan a handmade quilt that depicts the area's history to be displayed for a period of time in the City Hall Council Chambers.
- **Grant Writing Workshop:** A workshop is scheduled for August 10th in Alpena. Funds are available for two positions and anyone interested is asked to contact Slown for the details.
- **Silent Singers:** This group of young people performs to music using sign language. They performed at the Lakeside Park bandshell recently.
- **Community Appreciation:** Council was asked to begin thinking about a community recognition event for all the volunteer work that is taking place in the community.

Council Member Greene asked if the City Manager met with the Fourth Street Parking Lot group. Slown replied that he did make attempts to meet with some of the residents in the area, but was not successful; however, he did meet with the office personnel in that area and Chief Quaine met with John Thomas, who owns the bakery and is in his building at night. Thomas had no issues with those in the parking lot. Quaine indicated he was with the City Manager when they tried to meet with Newhouse, but he was not at home.

Council Member Nowak asked about keeping the lights on at the basketball courts. Harbor Master Wagner was present and replied that they are on until 11 p.m. each evening.

COMMISSION AND BOARD REPORTS:

Council was provided copies of the minutes from the **May 28th Housing Commission Meeting, the June 10th CDA Meeting, the June 22nd Planning Commission Meeting, and the June 17th Parks & Recreation Meeting.**

LIAISONS:

Rogers City Area Fire Department Authority: Mayor Hall reported that the RCAFDA purchased a new tanker chassis, but the meeting discussion centered mainly on routine items.

Council Member Nowak commented about TAB, which is currently on hold, and the direction that might be considered for this committee. Council Member Greene added her concerns to the discussion.

MAYOR:

Mayor Hall thanked the Chamber of Commerce for sponsoring the Family Fun Day, which was attended by a large number of people. He also thanked the Chamber and church volunteers for hosting the Doublehanded Challenge Association. He offered the sympathy of the City to the family of the individual who drowned at the Marina over the holiday weekend. The Mariner's Mall corner and the area along the boardwalk have been spruced up and Hall expressed his thanks to those responsible for these improvements. Brian Wagner, Anne Belanger, and the Mayor attended a Coastal Coalition meeting earlier this day. Hall gave a brief report on the topics covered at the meeting.

Board Appointments:

Mayor Hall recommended that the following people be reappointed: Building Authority – Erik Nadolsky, Jan Dullack, and Norma Flewelling and to the CDA – Larry Bruski and Dennis Meredith. He also offered the name of John Nordin to replace Owen Lamb on the Planning Commission. Lamb chose not to be reappointed to the Planning Commission.

RESOLUTION NO. 2009-77

A motion was offered by Council Member Nowak, seconded by Council Member Sobeck, that Erik Nadolsky, Jan Dullack, and Norma Flewelling be reappointed to the Building Authority, that Larry Bruski and Dennis Meredith be reappointed to the CDA, that John Nordin be appointed to the Planning Commission to fill the vacancy created when Owen Lamb chose not to be reappointed, and that a letter of appreciation be sent to Owen Lamb for his years of service to the Planning Commission.

ROLL CALL: Ayes – All, the motion carried.

UNFINISHED BUSINESS:

CELL PHONE POLICY

Mayor Hall addressed this agenda item and explained that a cell phone policy was prepared and distributed at a previous Council meeting. The phone service provided currently will expire August 1, 2009. The policy

JULY 7, 2009

includes a monthly fee of \$50 to be paid to staff personnel who currently carry a City phone as part of the lease arrangement with AT&T. The fee is to be taxable and paid through the City's payroll system.

RESOLUTION NO. 2009-78

A motion was made by Council Member Sobeck, seconded by Council Member Nowak, that the Cell Phone Policy as prepared by the City Manager and provided to Council with their June 2, 2009 regular meeting packet be approved as presented.

ROLL CALL: Ayes – All, the motion carried.

NEW BUSINESS:

NOTICE OF INTENT TO ISSUE BONDS – USDA GRANT APPLICATION

1) WATER SUPPLY SYSTEM:

RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE PROJECT EXPENDITURES WITH BOND PROCEEDS AND AUTHORIZING PUBLICATION OF NOTICE OF INTENT TO ISSUE BONDS

At a regular meeting of the City of Rogers City, Presque Isle County, Michigan, held on July 7, 2009.

PRESENT: Council Members Debra Greene, Gary Nowak, Thomas Sobeck, and Mayor Beach Hall.

ABSENT: Council Member Darrin Darga.

RESOLUTION NO. 2009-79

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

WHEREAS, the City of Rogers City (the "City") proposes to issue its tax-exempt revenue bonds (the "Bonds") under Act 94, Public Acts of Michigan, 1933, as amended, to finance improvements to the City's water supply system consisting of water main distribution improvements including looping of dead-end mains, replacement of undersized or deteriorated mains, a new elevated water storage tank, and related improvements (the "Project"); and

WHEREAS, it is anticipated that the City will advance a portion of the costs of the Project prior to the issuance of the Bonds, such advance to be repaid from proceeds of the Bonds upon the issuance thereof; and

WHEREAS, Section 1.150-2 of the Treasury Regulations on Income Tax (the "Reimbursement Regulations") specifies conditions under which a reimbursement allocation may be treated as an expenditure of bond proceeds, and the City intends by this resolution to qualify amounts advanced by the City to the Project for reimbursement from proceeds of the Bonds in accordance with the requirements of the Reimbursement Regulations.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rogers City, Presque Isle County, Michigan, as follows:

1. The Project shall consist of improvements to the City's water supply system.

The maximum principal amount of Bonds expected to be issued for the Project is \$3,650,000.

3. The City hereby declares its official intent to issue the Bonds to finance the costs of the Project, and hereby declares that it reasonably expects to reimburse the City's advances to the Project as anticipated by this resolution.

4. The Bonds shall be authorized by proper proceedings subsequent to this resolution.

5. The Clerk is hereby instructed to publish the following notice attached hereto as Exhibit A once in a newspaper of general circulation in the City of Rogers City.

6. All prior resolutions and parts of resolutions insofar as they may be in conflict with this resolution are hereby rescinded.

ROLL CALL: YEAS: Council Member Greene, Nowak, Sobeck, and Mayor Hall.

NAYS: None. THE RESOLUTION DECLARED ADOPTED.

EXHIBIT A

NOTICE OF INTENT TO ISSUE BONDS

BY THE CITY OF ROGERS CITY, PRESQUE ISLE COUNTY, MICHIGAN

TO THE ELECTORS OF THE CITY OF ROGERS CITY, PRESQUE ISLE COUNTY, MICHIGAN:

NOTICE IS HEREBY GIVEN, that the City of Rogers City, Presque Isle County, Michigan, intends to issue revenue bonds in one or more series in the aggregate principal amount of not to exceed \$3,650,000 for the purpose of defraying all or part of the cost of improvements to the City of Rogers City's water supply system (the "System") consisting of water main distribution improvements including looping of dead-end mains, replacement of undersized or deteriorated mains, a new elevated water storage tank, and related improvements.

The bonds will mature in not to exceed forty (40) years and will bear interest at rates to be determined at a competitive or negotiated sale but in no event to exceed such rates as may be permitted by law.

The bonds will be issued under the provisions of Act 94, Public Acts of Michigan, 1933, as amended, and a resolution or ordinance of the City Council and will be payable from the net revenues of the System and any improvements, enlargements and extensions thereto, and a statutory lien on said revenues will be established by said resolution or ordinance. The City of Rogers City will covenant and agree to fix and maintain at all times while any of the bonds shall be outstanding such rates for service furnished by the System as shall be sufficient to provide for payment of the necessary expenses of operation, maintenance and

JULY 7, 2009

administration of the System and of the principal of and interest on the bonds when due, to create a bond and interest redemption fund and to provide for such other expenditures and funds for the System as are required by the resolution or ordinance authorizing the issuance of the bonds.

RIGHT TO PETITION FOR REFERENDUM

This notice is given, by order of the City Council of the City of Rogers City, to and for the benefit of the electors and taxpayers of the City of Rogers City in order to inform them of their right to petition for a referendum upon the question of the issuance of the aforesaid bonds. The bonds will be issued, without submitting such a question to a vote of the electors, unless within 45 days after the date of publication of this notice, a petition requesting a referendum upon such question, signed by not less than 10% or 15,000 of the registered electors in the City of Rogers City, whichever is less, shall have been filed with the undersigned Clerk. In the event that such a petition is filed, the bonds will not be issued unless and until the issuance thereof shall have been approved by the vote of a majority of the electors of the City of Rogers City qualified to vote and voting thereon at a general or special election.

FURTHER INFORMATION

Further information relative to the issuance of the bonds and the subject matter of this notice may be secured at the office of the City Clerk, 193 East Michigan Avenue, Rogers City, Michigan 49779.

This notice is given pursuant to the provisions of Section 33 of Act 94, Public Acts of Michigan, 1933, as amended.

Theresa Heinzl, Clerk
City of Rogers City

2) SEWAGE DISPOSAL SYSTEM:

RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE PROJECT EXPENDITURES WITH BOND PROCEEDS AND AUTHORIZING PUBLICATION OF NOTICE OF INTENT TO ISSUE BONDS

At a regular meeting of the City of Rogers City, Presque Isle County, Michigan, held on July 7, 2009.

PRESENT: Council Members Debra Greene, Gary Nowak, Thomas Sobeck, and Mayor Beach Hall.

ABSENT: Council Member Darrin Darga

RESOLUTION NO. 2009-80

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

WHEREAS, the City of Rogers City (the "City") proposes to issue its tax-exempt revenue bonds (the "Bonds") under Act 94, Public Acts of Michigan, 1933, as amended, to finance improvements to the City's sewage disposal system consisting of sanitary sewer collection system extensions and replacements, a new sewage pumping station, wastewater treatment facility improvements, and related improvements (the "Project"); and

WHEREAS, it is anticipated that the City will advance a portion of the costs of the Project prior to the issuance of the Bonds, such advance to be repaid from proceeds of the Bonds upon the issuance thereof; and

WHEREAS, Section 1.150-2 of the Treasury Regulations on Income Tax (the "Reimbursement Regulations") specifies conditions under which a reimbursement allocation may be treated as an expenditure of bond proceeds, and the City intends by this resolution to qualify amounts advanced by the City to the Project for reimbursement from proceeds of the Bonds in accordance with the requirements of the Reimbursement Regulations.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rogers City, Presque Isle County, Michigan, as follows:

1. The Project shall consist of improvements to the City's sewage disposal system.
2. The maximum principal amount of Bonds expected to be issued for the Project is \$4,700,000.
3. The City hereby declares its official intent to issue the Bonds to finance the costs of the Project, and hereby declares that it reasonably expects to reimburse the City's advances to the Project as anticipated by this resolution.
4. The Bonds shall be authorized by proper proceedings subsequent to this resolution.
5. The Clerk is hereby instructed to publish the following notice attached hereto as Exhibit A once in a newspaper of general circulation in the City of Rogers City.
6. All prior resolutions and parts of resolutions insofar as they may be in conflict with this resolution are hereby rescinded.

YEAS: Council Member Greene, Nowak, Sobeck, and Mayor Hall

NAYS: None. RESOLUTION DECLARED ADOPTED.

EXHIBIT A

NOTICE OF INTENT TO ISSUE BONDS

BY THE CITY OF ROGERS CITY, PRESQUE ISLE COUNTY, MICHIGAN

TO THE ELECTORS OF THE CITY OF ROGERS CITY, PRESQUE ISLE COUNTY, MICHIGAN:

NOTICE IS HEREBY GIVEN, that the City of Rogers City, Presque Isle County, Michigan, intends to issue revenue bonds in one or more series in the aggregate principal amount of not to exceed \$4,700,000 for the purpose of defraying all or part of the cost of improvements to the City of Rogers City's sewage disposal system (the "System") consisting of sanitary sewer collection system extensions and replacements, a new sewage pumping station, wastewater treatment facility improvements, and related improvements.

JULY 7, 2009

The bonds will mature in not to exceed forty (40) years and will bear interest at rates to be determined at a competitive or negotiated sale but in no event to exceed such rates as may be permitted by law.

The bonds will be issued under the provisions of Act 94, Public Acts of Michigan, 1933, as amended, and a resolution or ordinance of the City Council and will be payable from the net revenues of the System and any improvements, enlargements and extensions thereto, and a statutory lien on said revenues will be established by said resolution or ordinance. The City of Rogers City will covenant and agree to fix and maintain at all times while any of the bonds shall be outstanding such rates for service furnished by the System as shall be sufficient to provide for payment of the necessary expenses of operation, maintenance and administration of the System and of the principal of and interest on the bonds when due, to create a bond and interest redemption fund and to provide for such other expenditures and funds for the System as are required by the resolution or ordinance authorizing the issuance of the bonds.

RIGHT TO PETITION FOR REFERENDUM

This notice is given, by order of the City Council of the City of Rogers City, to and for the benefit of the electors and taxpayers of the City of Rogers City in order to inform them of their right to petition for a referendum upon the question of the issuance of the aforesaid bonds. The bonds will be issued, without submitting such a question to a vote of the electors, unless within 45 days after the date of publication of this notice, a petition requesting a referendum upon such question, signed by not less than 10% or 15,000 of the registered electors in the City of Rogers City, whichever is less, shall have been filed with the undersigned Clerk. In the event that such a petition is filed, the bonds will not be issued unless and until the issuance thereof shall have been approved by the vote of a majority of the electors of the City of Rogers City qualified to vote and voting thereon at a general or special election.

FURTHER INFORMATION

Further information relative to the issuance of the bonds and the subject matter of this notice may be secured at the office of the City Clerk, 193 East Michigan Avenue, Rogers City, Michigan 49779.

This notice is given pursuant to the provisions of Section 33 of Act 94, Public Acts of Michigan, 1933, as amended.

Theresa Heinzl, Clerk
City of Rogers City

APPROVAL OF ENGINEERING SERVICES – C2AE (This item removed from agenda).

- 1) WATER PROJECT:
- 2) SEWER PROJECT:

VSCI STREET LIGHT CONCEPT

Mayor Hall reported that the Design Committee met on Monday evening and made a recommendation. Council was provided photos and drawings of the proposed fixtures prepared by Fleis & VandenBrink as well as a memo from the City Manager.

RESOLUTION NO. 2009-81

A motion was made by Council Member Greene, seconded by Council Member Nowak, to accept the recommendation of the Design Committee for the VSCI Street Light Project as presented by Fleis & VandenBrink, which includes the following:

- Beacon Miramar Pendant Luminaire, 80 Watt LED, 3RNW;
- Bracket, Pole, and Base as shown in the spec sheet from Fleis & VandenBrink;
- Color: Black;
- Electrical Receptacles, at least 8 feet above ground level;
- City procurement of items to proceed.

ROLL CALL: Ayes – All, the motion carried.

REQUESTS FOR USE OF CITY FACILITIES

- 1) **Noble Morris – Sell food items at Lakeside Park**
- 2) **Rogers City Lions Club – July 11th Annual Salmon Tournament**
- 3) **Peace Lutheran Church – July 26th Worship at the Waterfront**
- 4) **Rogers City Kiwanis Club – August 6-7th Tall Tale Tattler Sale**

Council Member Nowak questioned the request from Noble Morris and whether a vendor fee is paid. City Mgr. Slown explained that he was issued a one-day permit for which he paid the fee. Council must authorize continued vendor privileges at Lakeside Park. Mr. Morris was present and addressed Council on his request. He briefly explained his food operation and stated he has been approved by the District Health Department. Mayor Hall asked if he was using any City services, i.e., no electrical, water, etc., to which Morris said his unit was all self-contained. Council Member Greene added that, in her opinion, his presence at the Lakeside Park events would be a help to the Pavilion Grille. City Mgr. Slown added that the Pavilion Grille proprietor had no issue with Mr. Morris at the park.

JULY 7, 2009

RESOLUTION NO. 2009-82

A motion was made by Council Member Sobeck, seconded by Council Member Greene, to approve the request from Noble Morris to sell food items at parks in the City limits provided all necessary permits are obtained and fees are paid.

ROLL CALL: Ayes – All, the motion carried.

RESOLUTION NO. 2009-83

A motion was offered by Council Member Nowak, seconded by Council Member Greene:

BE IT RESOLVED that the following requests be approved:

- The **Rogers City Lions Club** to hold their annual Salmon Tournament on Saturday, July 11th including use of the portable band shell and eight (8) orange street cones;
- **Peace Lutheran Church** to conduct a “Worship at the Waterfront” at the Lakeside Park Bandshell on Sunday, July 26th at 11 a.m.;
- The **Rogers City Kiwanis Club** to sell the *Tall Tale Tattler* at the Erie and Third Street intersection on Thursday, August 6th from 9 a.m. to 3 p.m. and on Friday, August 7th from 9 a.m. to 1 p.m. including the use of safety cones.

ROLL CALL: Ayes – All, the motion carried.

AUTHORIZATION TO PURCHASE LOADER

Council received a copy of a memo from DPW Supt. Roger Wenzel detailing the results of the loader bids from four suppliers, including AIS for \$79,325, Michigan Cat for \$95,195, Wolverine Tractor for \$109,686, and John Deere Equipment \$112,607.49. Patrick Kane, a representative from AIS, was in attendance and addressed Council to explain the AIS quoted amount and answer any questions. Mr. Kane was asked to provide a copy of the contract for the City Attorney to review.

RESOLUTION NO. 2009-84

A motion was made by Council Member Nowak, seconded by Council Member Sobeck, to approve the purchase of a Komatsu loader from AIS for \$79,325.00 subject to a review from City Attorney Vogler.

ROLL CALL: Ayes – All, the motion carried.

PARKS & RECREATION COMMISSION RECOMMENDATIONS

The Parks & Recreation Commission made the following three recommendations for Council to consider.

- **CONCEPTUAL PLAN – FOSSIL PARK** – Council was provided a copy of a conceptual plan for the Fossil Park at the South Shore Park. It was explained that some work has been done on this park, but Council approval is necessary to proceed. City Mgr. Slown explained that to date there are minor expenditures and the materials have been mostly donated and/or reused. DPW is working on a small water unit to be used for washing the fossils and Holly Wirgau has agreed to have her students provide information on fossils, which will be placed in a kiosk. Mayor Hall suggested that a sign should be included in the plans directing people to the area.
- **POCKET PARK – ROGERS CITY MARINA** – Harbor Master Brian Wagner explained that the Jack Smitka family is contributing memorial funds for this project and DPW Supt. Wenzel has estimated the dollar amount for the work involved in constructing the pocket park. City Mgr. Slown detailed the concept and how the area will be used.
- **PLAQUE – LAKESIDE PARK GAZEBO** – The recommendation from the Parks & Recreation Commission was to place a plaque on the Lakeside Park Gazebo recognizing Jim and Marilyn Sinclair for their contributions to the City. There was a brief discussion on this recommendation prior to calling for a motion.

RESOLUTION NO. 2009-85

A motion was made by Council Member Nowak, seconded by Council Member Greene, to accept the recommendations of the Parks & Recreation Commission to establish a Fossil Park at the South Shore Park and also to establish a pocket park at the Rogers City Marina.

ROLL CALL: Ayes – All, the motion carried.

Mayor Hall called for a motion on placing the plaque on the Lakeside Park Gazebo. Council Member Sobeck offered the motion to approve the recommendation of the Parks & Recreation Commission for the plaque; however, it was declared dead for lack of a second.

RESOLUTION TO CHANGE NOMINATING PETITION DEADLINE

The City Charter states that the deadline for submitting nominating petitions for City offices is the seventh Monday before the November election. State law is allowing cities to change the petition deadline from the seventh Monday to the twelfth Monday by resolution. The change will allow for a longer time frame to have ballots printed and be available for absentee voter requests.

RESOLUTION NO. 2009-86

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

WHEREAS, pursuant to MCL 168.644e, which provides that the filing deadline for candidates seeking office in a city that does not hold primaries stands as established by charter. However, if the city finds the filing deadline provided by charter is unworkable, the deadline can be adjusted via the passage of a resolution, and

JULY 7, 2009

WHEREAS, pursuant to MCL Section 117.3b(3), a city may provide by resolution for any election provision that is consistent with the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992, and

WHEREAS, the City of Rogers City has a filing deadline for nominating petitions for persons desiring to qualify as candidates for any City elective office of not later than seven weeks prior to the election, and

WHEREAS, the City of Rogers City's seven week filing deadline makes the deadline for the availability of absentee ballots difficult,

NOW, THEREFORE, BE IT RESOLVED, that the City of Rogers City change their candidate petition filing deadline from seven weeks to twelve weeks per Michigan election law.

ROLL CALL: Ayes – All, the motion carried.

DESIGNATION OF EMPLOYER REPRESENTATIVE – MERS ANNUAL CONVENTION

The annual Municipal Employees' Retirement System (MERS) meeting is scheduled for September 15-17 in Grand Rapids. Council is asked to appoint a delegate and alternate to represent the City.

RESOLUTION NO. 2009-87

A motion was made by Council Member Greene, seconded by Council Member Sobeck, 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 Amway Grand Plaza in Grand Rapids, Michigan September 15-17, 2009.

ROLL CALL: Ayes – All, the motion carried

APPROVAL OF FEE SCHEDULE

Council was provided a copy of the revised fee schedule. The fees that were added or changed included a \$10.00 fee for an ACH Closed Account, changes to the winter burial charges with the winter burial charges to be implemented November 1 instead of December 15th and a late fee for permits obtained after the work has begun. Council Member Nowak felt that the proposed late fee of \$25 should be higher. Council Members requested that the fee schedule should be listed on the website and a notice on Channel 99.

RESOLUTION NO. 2009-88

A motion was made by Council Member Nowak, seconded by Council Member Sobeck, to approve the fee schedule for FY2009-2010 with the "Late fee for permits after work has begun" in the Engineering Department to be changed to \$35.

ROLL CALL: Ayes – All, the motion carried.

ICMA PLAN APPROVAL (This item was removed from the agenda).

OTHER BUSINESS:

Council Member Nowak thanked the Council and City Manager for the help that was given to the Senior Center Paving Project. Mayor Hall added the Council's appreciation to the City Manager for securing the VSCI and USDA grants.

CLOSED SESSION: None.

ADJOURNMENT:

There being nothing further to come before Council, Mayor Hall declared the meeting adjourned at 8:12 p.m.

BEACH HALL, MAYOR

THERESA A. HEINZEL, CITY CLERK/
TREASURER