

MINUTES OF THE REGULAR MEETING OF THE ROGERS CITY CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON TUESDAY, AUGUST 18, 2009

Mayor Hall presided and called the meeting to order at 7 p.m. with Council Member Darga 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 Heinzl.

Addition to Agenda: Mayor Hall asked that “Request for Use of Sports Park” be added to the agenda. There were no objections to this addition.

It was moved by Council Member Greene, seconded by Council Member Nowak, that the minutes of the Regular Council Meeting of August 5, 2009 be approved as written.

ROLL CALL: Ayes – All, the motion carried.

CITIZENS APPEARING BEFORE THE COUNCIL:

Mike Myers, a member of the Nautical Festival Committee, addressed the Council thanking them for the support received from the Council as well as the City staff during the recent Nautical Festival. He was especially grateful for all the help given to him personally during the recent event, i.e., reminders, etc. Council Member Nowak was in agreement, but added that he wanted to commend Myers on his dedication to the Festival. Myers was always giving of his time in abundance and Nowak expressed his gratitude for Myers’ involvement in bringing a good festival to the community. Mayor Hall stated he only heard good comments about the Festival. Council Member Greene mentioned that she heard the same, but asked if the committee accepted constructive suggestions and/or comments. Myers said that the Festival Committee has already met to discuss what was good and what needs improvement for future festivals, but the Committee will welcome any and all comments and suggestions. Greene added that she would like to see some numbers on Festival event attendees. Myers did provide some information on the Saturday attendance. Mayor Hall then moved to the agenda item whereby a resolution was offered commending the Nautical Festival Committee for the successful event.

CITY CLERK’S REPORT:

ELECTION UPDATE: Clerk/Treasurer Heinzl reported to Council that the City has acquired the Qualified Voter File Lite (QVF) from the State of Michigan. The Lite Program was offered to those cities, villages, and townships with less than 3000 voters. These entities did not meet the required voter count to receive the QVF Program when it was originally provided by the State several years ago. The program will allow us to input new voters, change voter information, and create the voter identification cards and master cards for our files. We will also be able to establish a permanent absentee voter application list should a voter request that he/she will be voting absentee for all elections. The County will still be involved as all voter applications will be sent to the City by the County.

CITY ELECTION: As of 4 p.m. on Monday, August 17th, the petitions submitted for the upcoming City election were from Beach Hall running for Mayor, Debra Greene and Darrin Darga, each submitting petitions for the two positions of council member. Write-in Declarations of Intent will be accepted until 4 p.m. on October 23rd.

Prior to approval of the bills, Council Member Nowak questioned a payment to Alpena Oil, which was for fuel at the Marina. He asked why this purchase was not made locally, to which the City Manager agreed to get this answer for Council.

CHECK AND INVOICE APPROVAL:

It was moved by Council Member Nowak, seconded by Council Member Darga, 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	163,660.57
Major Street Fund	101,877.23
Local Street Fund	549.17
Band Fund	10,622.00
Community Development Authority	107.54
VSCI Capital Projects Fund	39.44
Wastewater Treatment Operation Fund	17,067.15
Water Utility Fund	66,757.01
Marina Operations Fund	33,460.05
Garbage Collection Fund	8,455.42
Equipment Fund	6,572.73
Trust and Agency Fund	66,047.29

ROLL CALL: Ayes – All, the motion carried.

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

CITY MANAGER'S REPORT:

City Manager Slown reported on the following:

- **Grants:** Movement continues with each of the grants at this time. However, the LandUse/USA representative has requested that a date be set for the first public meeting on the Economic Study. This meeting will take approximately one hour and could possibly be held at the Senior Center. Council was asked to recommend a date that works best for them.

RESOLUTION NO. 2009-99

A motion was made by Council Member Sobeck, seconded by Council Member Darga, that the Tuesday, September 15, 2009 regular Council meeting time be moved to 5:30 p.m. to allow for the first public meeting on the Economic Study to be held at 7 p.m. on that same Tuesday, September 15th.

ROLL CALL: Ayes – All, the motion carried.

- **Business Incubator:** The final report was received and makes the recommendation that a business incubator is good for our region and would be supported by the needs of entrepreneurs. Slown is not recommending that the City undertake this program by itself, but the City could promote the project. He will e-mail the final report to Council for review. Nowak questioned if the CDA may be able to take this on. Slown suggested that the County EDC and County Commission might be the more effective venue.
- **Charter Update:** Progress is being made and the picture is at full screen. Curtis Goldsborough is working on the system and will make a report to Council when his work is finished.
- **Marina Update:** The CDA will continue to finance the Marina bonds by their approval at their recent meeting. The Michigan Department of Treasury has accepted the City's application and will begin the 30-day review period. Slown also mentioned that the Marina received some favorable reviews on the MerchantsCircle website.
- **Prosperity Alliance:** NEMCOG is working on a "Prosperity Alliance". The next meeting is August 20th in Lewiston. Slown will be providing information to Council as it becomes available.
- **NEMCOG:** NEMCOG Academy has scheduled some training classes that may be of interest to Council. Mayor Hall suggested that the Academy classes might be of interest to other groups in the community. Slown agreed and will put the information on the City's website.
- **Miscellaneous Items:** The mid-America **Trails and Greenways Conference** will be in Kalamazoo in late October. Information was obtained through the Heritage Route Program on wayfinding and signage strategies. This relates to the City's **Wayfinding Project**. The **Chamber of Commerce** will be changing the dates of the Fall Fest to September 18-19 (Friday/Saturday) rather than Saturday/Sunday in order to hold the event in conjunction with the City-wide garage sales. The **Sidewalk Program** has nineteen property owners signed up for the 2009 project. C2AE will be submitting a proposal for Council approval for the engineering that will be needed to submit the application for the **Safe Routes to School Project**. August 22nd is the date for the 2nd Annual "**Parks Day**". Many activities will be taking place at Trout River Park and Seagull Point Park including a volleyball tournament, a horseshoe tournament, food concessions, and children's activities.

COMMISSION AND BOARD REPORTS:

Council was provided copies of the minutes from the **June 24th Housing Commission Meeting**, the **July 27th Planning Commission Meeting**, the **August 10th Building Authority Meeting**, and the **August 11th Harbor Advisory Meeting**.

LIAISONS:

Ambulance Board: Council Member Greene attended the Ambulance Board meeting and reported that the Board lowered the 2009 millage to .75 mills. This will be reflected in the 2009 winter tax bills. She also reported that the Chief Executive Officer of Allied has resigned his position and Allied will be searching for a replacement.

MAYOR:

Mayor Hall commented that the DEQ will be holding one more hearing on the Wolverine Power Plant application. This is scheduled to take place on September 17th at 7 p.m. at the Rogers City High School Gym. Hall explained that the DEQ is acting on a Wolverine request and quoted a statement from the information provided to him via e-mail. The 30-day comment period started today and concludes on September 17th. This hearing is the final step before a decision will be made by the DEQ. Hall continued with a report on a meeting held on Monday, August 17th. A group of people from Cheboygan and Alpena met in Rogers City along with Hall and Slown to discuss a working relationship among the three communities to move the area forward.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

ORDINANCE NO. 2009-06 (AIRPORT AMENDMENT) – SECOND READING

Mayor Hall addressed the agenda item and explained that this ordinance is ready for second reading. It was published as required and is now ready for adoption.

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A motion was made by Council Member Nowak, seconded by Council Member Sobeck, that the following Ordinance No. 2009-06, which was introduced for first reading at the August 5, 2009 Council meeting, be adopted and that proper publication be made within the 15 days required from the date hereof in the *Presque Isle County Advance*. Said ordinance to become effective on the eighth (8th) day following the publication on August 27, 2009.

ORDINANCE NO. 2009-06

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ROGERS CITY TO ESTABLISH AREA, HEIGHT, BULK AND PLACEMENT REQUIREMENTS IN THE A-1 AIRPORT DISTRICT.

THE CITY OF ROGERS CITY ORDAINS:

1. Chapter 32 Article 8 A-1 AIRPORT DISTRICT Section 32-136 AREA HEIGHT BULK AND PLACEMENT REQUIREMENT of the Rogers City Code of Ordinances is hereby amended to read as follows:

Section 32-136. Area, height, bulk and placement requirements. The schedule of regulations for the A-1 Airport District shall be the same as for the I-1 Light Industrial District as set forth in Article 21 Schedule of Regulations subject to height restrictions established by the Federal Aviation Administration.

2. Effective Date. This Ordinance shall be published within 15 days of adoption and shall be effective 8 days after publication.

ROLL CALL: Ayes – All, the motion carried.

ORDINANCE NO. 2009-07 (PRIVATE WATER WELLS) – FIRST READING

Ordinance No. 2009-07 addresses private water wells. Mayor Hall explained that this ordinance is a protective measure for the future. He deferred to City Mgr. Slown, who stated that the subject of private water wells was part of the discussion of the City's Wellhead Protection Program. Slown explained how the private water wells could affect the City's aquifer. The ordinance would not address existing wells, but would prohibit the drilling of any new wells. The concern is with any possible penetration of the City's aquifer. This generated a discussion among the Council Members about drilling a point for lawn and garden watering and the depth required for such a point. Atty. Vogler added that the City may be required to adopt this ordinance for the USDA loan. Mayor Hall remarked that this is new to the Council and may need some revision, to which Slown indicated that he will research the issues that were discussed at this time and bring the information back to Council for direction on how to proceed. It was agreed among the Council that the City Manager's suggestion to provide additional information is acceptable.

2009 STREET RESURFACING PROJECT -- AWARD OF BID AND CONTRACT AND APPROVAL OF CHANGE ORDER

Bids were solicited for the 2009 Street Project and two bids were received. One bid was from Goodrich Trucking & Asphalt Paving for \$56,703.60; the second bid was from Bolen Asphalt Paving, Inc. for \$62,736.95. Staff is recommending that the bid be awarded to Goodrich Trucking and that the contract be approved at this same time. A change order was also provided to Council to pave the section of street on Erie from Second to Third.

RESOLUTION NO. 2009-100

A motion was made by Council Member Nowak, seconded by Council Member Sobeck, to accept the bid from Goodrich Trucking & Asphalt Paving for the 2009 Street Resurfacing Project in the amount of \$56,703.60, to enter into the contract with Goodrich Trucking & Asphalt Paving subject to the approval of the City Attorney, Mayor, and City Manager, and to authorize the change order in the amount of \$6,963.60 to include the paving of the section of Erie from Second to Third Streets.

ROLL CALL: Ayes – All, the motion carried.

RESOLUTION – NAUTICAL FESTIVAL COMMITTEE

Mayor Hall read the following resolution and presented it to Mike Myers, a member of the Festival Committee.

RESOLUTION NO. 2009-101

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

WHEREAS, a group of concerned individuals came together, having been made aware of the need to undertake the challenge to continue the tradition of a Nautical Festival, and

WHEREAS, this newly formed Nautical Festival Committee, met weekly and plunged full force into the preparations of working diligently toward creating a successful festival, and

WHEREAS, the Festival Committee kept, not only the City Council informed of their progress with this task, but also made the entire community aware of the planned activities enlisting their commitment to volunteer for various assignments, and

WHEREAS, many new programs and activities were arranged by a number of organizations working hand in hand with the Festival Committee, and

WHEREAS, the 2009 Nautical Festival was deemed a tremendous success having brought many family members home as well as welcoming a great number of visitors for the first time to our area of the state, and

WHEREAS, the Festival is now relegated to history without any major problems or incidents.

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NOW, THEREFORE, BE IT RESOLVED, that the City Council commends the work, efforts, and energy of the members of the 2009 Nautical City Festival Committee including Chairman Dennis Downie, Richard Bennett, Ken Cain, Tab Coseo, Paul Dubbs, Jim Fleis, Becky Hanson, Mike Myers, Gary Nowak, Mike Peltz, Mark Potter, and Bob Starnes for a job “well done”, and

BE IT FURTHER RESOLVED, that the six organizations, the Rogers City Chamber of Commerce, the Lions Club, the Servicemen’s Club, the Kiwanis Club, the Optimists Club, and the Knights of Columbus be applauded for their many volunteers who gave of their time and talents to help make the 2009 Nautical Festival a successful event for all. s/Mayor Hall, Council Members Darga, Greene, Nowak, and Sobeck.
ROLL CALL: Ayes – All, the motion carried.

APPOINTMENT OF DELEGATE/ALTERNATE – MML ANNUAL CONVENTION

The annual Michigan Municipal League Convention is scheduled for September 22-25 at the Radisson Plaza Hotel in Kalamazoo. The Council must designate a voting delegate and alternate to attend the annual meeting at the event.

RESOLUTION NO. 2009-102

A motion was made by Council Member Darga, seconded by Council Member Sobeck, to designate Council Member Gary Nowak as the voting delegate for the Michigan Municipal Annual Convention in Kalamazoo with Council Member Debra Greene to serve as the alternate.
ROLL CALL: Ayes – All, the motion carried.

REQUEST TO USE SPORTS PARK—FUNDRAISER EVENT

Council was provided a copy of the letter from Eric Brege asking to use the Sports Park for a fundraiser event to benefit Mike Gapczynski, who is undergoing major health issues. The event will take place on Saturday, August 29th. Brege agreed to have participants sign waiver forms for insurance purposes prior to engaging in the tournament.

RESOLUTION NO. 2009-103

A motion was made by Council Member Darga, seconded by Council Member Greene, to approve the request received from Eric Brege to use the Sports Park for a ball tournament on Saturday, August 29, 2009, with participants signing a release form for insurance purposes. Said tournament is part of a fundraiser to benefit Mike Gapczynski.
ROLL CALL: Ayes – All, the motion carried.

OTHER BUSINESS:

Council Member Nowak stated that at a previous Council meeting he had asked for a resolution opposing any move of the County building from the downtown area. City Mgr. Slown was unable to prepare the resolution and agreed to provide it for the next meeting. Nowak also asked that the Harbor Advisory Committee review long term boat and trailer parking and come up with a solution for this issue.

Council Member Greene informed Council that she has completed the evaluations of the City Manager and will send them to Council via e-mail. She asked that this item be placed on the next regular Council meeting agenda.

CLOSED SESSION: None.

ADJOURNMENT:

There being nothing further to come before Council, the meeting was declared adjourned at 7:52 p.m.

BEACH HALL, MAYOR

THERESA A. HEINZEL, CITY CLERK/
TREASURER