

MINUTES OF THE REGULAR MEETING OF THE ROGERS CITY CITY COUNCIL  
HELD IN COUNCIL CHAMBERS ON TUESDAY, MARCH 16, 2010

Mayor Pro-Tem Greene presided and called the meeting to order at 7 p.m. with City Mgr. Slown leading the Pledge of Allegiance.

ROLL CALL: PRESENT – Council Members Darrin Darga, Gary Nowak, Thomas Sobeck, and Mayor Pro-Tem Debra Greene.

ABSENT – Mayor Beach Hall.

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 Nowak, seconded by Council Member Sobeck, that the minutes of the Regular Council Meeting of March 2, 2010 be approved as written.

ROLL CALL: Ayes – All, the motion carried.

**CITIZENS APPEARING BEFORE THE COUNCIL:** None.

**CITY CLERK'S REPORT:**

**CHECK AND INVOICE APPROVAL:**

It was moved by Council Member Sobeck, seconded by Council Member Nowak, 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                        | 316,941.03 |
| Major Street Fund                   | 3,627.84   |
| Local Street Fund                   | 2,241.97   |
| Community Development Authority     | 2,048.66   |
| VSCI Capital Projects Fund          | 3,409.31   |
| Wastewater Treatment Operation Fund | 18,443.36  |
| Water Utility Fund                  | 11,414.43  |
| Marina Operations Fund              | 2,014.38   |
| Garbage Collection Fund             | 7,780.36   |
| Equipment Fund                      | 8,687.59   |
| Trust and Agency Fund               | 312,924.09 |

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:

- **Pavilion Lease:** A copy of the existing pavilion lease was provided in the meeting packet. No word has been received from Laurel Gikas on reopening the Pavilion Grille this summer. It was suggested that contact be made with Gikas via e-mail or facebook.
- **Sustainable Urbanism Course:** A note was received from the Michigan Municipal League inviting the City to be a demonstration city for the Sustainable Urbanism Course. This would take place June 16-20, 2010. Boyne City is also invited to participate in this program.
- **Commercial Utility Rates:** Some issues have come to light regarding the utility rates and charging vacant properties, i.e., trailer court. Currently, there are vacant trailers at the present time. For the first month only, the master meter will be charged the billing and capital charges. Master meters are also installed at apartment complexes and operate in the same manner as a trailer court. This procedure may require an ordinance amendment to accommodate commercial customers.
- **Zoning Ordinance Update:** The zoning ordinance is continuously being worked on; some have been reviewed by the sub-committee; the Planning Commission will then review and conclude with a Council review. It is expected that this will be completed by year end. Council Member Nowak asked about the downtown signs, which Slown reported is included in the zoning ordinance revision. The sub-committee consists of Milt Very, Ray Zielinski, Del Conley, and Toby Kuznicki, all working with Denise Cline. The CDA will also be asked to review the downtown portion of the ordinance.
- **Grants Update:** The City was not successful in receiving grant funding for the Birmingham Concert Band from the Northeast Community Foundation. Another source will have to be found and it may even require private donations. The USDA has a commercial loan guarantee program, which was recently changed to make it favorable for small businesses. The USDA will guarantee 90% of a business venture and fees have also been reduced. Both local banks have been informed of this program.
- **Visitors Guide:** The City was approached about purchasing an advertisement in the 2010 *Visitors Guide*. No money was budgeted for this request. Slown will approach the CDA to fund the request for \$565.25 for the inside back cover.
- **Miscellaneous:** Slown has spoken with John Gretzinger, a labor attorney, to discuss pending retirements. Slown is concerned that the procedure be handled fairly and properly.

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- **Brochure:** The Heritage Route is looking for funding of a brochure for the county. It would be part of a series of brochures addressing the coastline areas. The Committee is asking for \$1,000 from the county, which will be hopefully funded.

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

The minutes of the **March 1, 2010 TAB/Council Workshop** were enclosed for Council's review.

**LIAISONS:** No reports.

**MAYOR:** Mayor Hall was not present for this meeting.

**UNFINISHED BUSINESS:** None.

### **NEW BUSINESS:**

#### **PUBLIC HEARING – CLOSEOUT OF CDBG INDUSTRIAL PARK PROJECT**

In order to complete the requirements of the CDBG Industrial Park Project, a public hearing to take comments on the project was scheduled for this Council meeting. The public hearing date and time was published as required in the local newspaper.

Mayor Pro-Tem Greene declared the public hearing open at 7:17 p.m. She asked for any comments from those in attendance. Hearing no comments, Greene declared the public hearing closed at 7:18 p.m.

#### **NAUTICAL CITY FESTIVAL REQUEST FOR CONTRIBUTION**

Dennis Downie, Chairperson of the Nautical Festival, prepared a letter, which was included in the Council meeting packet. The Festival Committee is in need of startup money for the 2010 Festival. Debt previous to the 2009 festival has used up a great portion of the profits made in 2009. The request is for a contribution of \$3,000. If Council is willing to consider the requested contribution, it could be made over two fiscal year periods.

#### **RESOLUTION NO. 2010-27**

A motion was made by Council Member Nowak, seconded by Council Member Sobeck, that the request for a contribution of \$3,000 from the City be included in the budget workshop discussions, which will be scheduled in mid-April 2010.

ROLL CALL: Ayes – All, the motion carried.

#### **APPROVAL OF CITY POLICIES**

Council was provided copies of the two City policies dealing with administrative procedures. Slown provided an overview for Council. He stated that Mayor Hall had suggested changes for item No. 4 in the Utility Shut Off Policy. Slown pointed out that the policies have been followed, but staff has put each in writing to clarify the procedures being used. The first policy addressed the water/sewer billing procedure and the second provided the method of handling shut offs for delinquent water/sewer service charges. There was a brief discussion among the Council about various points in each policy. It was noted that currently a shut off is generated when a minimum level of \$10 is reached. The minimum amount was raised to \$15 with the increased utility rates. The discussion having concluded, a motion was offered.

#### **RESOLUTION NO. 2010-28**

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

BE IT HEREBY RESOLVED that the following policies, having been presented to the City Council at their regular meeting of March 16, 2010, are hereby adopted:

##### Administrative Policy

##### For Water/Sewer Billing Procedure Change

BACKGROUND: This policy is being written to address the effects of the rate structure changes concerning current procedures, vacant properties, and City-owned and/or leased buildings. The rate structure was approved by the City Council at their March 2, 2010 regular Council meeting.

The following procedures will be implemented with the approved rate structure effective date:

1. Shut off notices will be generated whenever the unpaid amount of a bill reaches the minimum level of \$15.00 (previously \$10.00).
2. The CDA will be responsible for the monthly billing charge and capital charge serving the house located on its property.
3. For City properties leased to individuals, i.e., the Pavilion Grille, Transfer Station, the lessee will be charged per the terms of the lease agreement.
4. Any property that is only paying billing and capital charges and does not make payment as required will be subject to the City's policy that if a bill is delinquent for six months, it will be considered a lien on the property and will be added to the City's summer tax bill.
5. A utility customer, who turns off water service to his/her property due to a seasonal move, will not be billed for garbage pickup; however billing and capital charges will still be billed. If the utility customer chooses to have the water remain on, the customer must sign a form at City Hall stating when he/she will be leaving the residence and also stating when they will be returning. Garbage charges will be reinstated per the return date stated on the signed form.

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Administrative Policy and Procedures  
For Utility Shut Offs

BACKGROUND: This policy is being written to provide the City of Rogers City's Water and Sewer Departments a standardized method of handling shut offs for delinquent water/sewer service charges. In accordance with Chapter 29, Utilities, Section 29-361. Collection (a) and (b) of the Code of Ordinances of the City of Rogers City, the following Administrative Policy regarding penalties, notifications, turn on/off fees, and payment timelines is hereby issued:

1. Water Department personnel will begin to read meters on or about the 17<sup>th</sup> day of every month.
2. Upon completion of the readings, utility bills will be calculated, printed, and mailed out on or about the 1<sup>st</sup> day of every month. Utility bills will be due on the 17<sup>th</sup> day of every month unless that date falls on a weekend or a holiday, which then extends the due date to the next business day.
3. Penalties will be calculated and posted to any unpaid bills on the first day following the payment date stated on the utility bill.
4. Utility shut off notices will be printed for any and all accounts that are two months in arrears and owe \$15.00 or more for utilities at the service address. The utility customer will be given seven (7) days to either pay all or at the very least the minimum due or call City Hall to make payment arrangements. Any extension beyond the seven (7) day period will require that the bill be paid in full on that extended date.
5. If the shut off minimum payment is not received or arrangements have not been made prior to 9:30 a.m. on the date stated on the shut off notice, the service to the address will be terminated and the account will be charged a \$50.00 turn on/off fee. For service to be re-connected, the bill must be paid in full.
6. It is hereby stated that the shut off notice will include the total amount owed and the minimum amount payable to prevent shut off, and the date and time shut off will occur if payment is not received or arrangements for payment have not been made. It shall also state that the customer may call the billing department at City Hall to make payment arrangements.

ROLL CALL: Ayes – Council Members Nowak, Sobeck, and Mayor Pro-Tem Greene.

Nays – Council Member Darga. Absent – Mayor Hall. The motion carried.

Council direction was that copies of the two policies are to be inserted with the next utility bill that is scheduled to be mailed on or around April 1, 2010.

**SUNRISE CABLE OFFICE VISIT**

Curtis Goldsborough has invited the Council to visit the Sunrise Cable office to observe his cable production. Council was asked to confirm a date and time for the visit. City Mgr. Slown offered that there could be more than one visit scheduled to accommodate those who have a conflict. After a brief discussion, it was decided that the Council Members will visit Sunrise Cable on Friday, April 2, 2010 at 10 a.m., which was agreeable to Mr. Goldsborough who was present. Those interested in car pooling will meet at City Hall at 9:30 a.m. The invitation will also be extended to TAB members.

**GASB 45 VALUATION OPTIONS – OPEB (Other Post-Employment Benefits)**

City Mgr. Slown explained that the Other Post-Employment Benefits (OPEB) valuation must be done before the end of this fiscal year audit. Our auditor will need the number for completion of the FY2009-2010 audit. Staff has contacted two firms, Gabriel, Roeder Smith & Company, the actuary used by the Municipal Employees Retirement System, which will provide the service for \$6,000 and Milliman, Inc. that is an online service and will cost approximately \$2,800. Council Member Sobeck mentioned that he is familiar with another source that may be able to provide the service. The City Manager agreed to contact that firm for a quote.

**RESOLUTION NO. 2010-29**

A motion was made by Council Member Nowak, seconded by Council Member Sobeck, to authorize the City Manager to obtain the Other Post-Employment Benefits (OPEB) valuation that is required by GASB 45 with the cost of the valuation not to exceed \$2,800.

ROLL CALL: Ayes – All, the motion carried.

**OTHER BUSINESS:**

Council Member Nowak mentioned that Jim Przybyla raised over \$4,000 to put an ad in the *Detroit News* in support of the Wolverine Power Project. He asked that everyone thank Przybyla for his perseverance and dedication to accomplish this endeavor.

Mayor Pro-Tem Greene stated that she talked with the Chamber of Commerce about working together on a cleanup day in the downtown area of Rogers City. The Chamber will work with the service organizations to help with this. She suggested a date of April 17<sup>th</sup> for this project; however, there were some concerns about the timing. Slown agreed to get information for the next Council meeting so that Council can set a date for this project in conjunction with the Department of Public Works cleanup schedule.

**CLOSED SESSION:** None.

**ADJOURNMENT:**

There being no other business to come before Council, Mayor Pro-Tem Greene declared the meeting adjourned at 8:46 p.m.

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DEBRA GREENE, MAYOR PRO-TEM

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THERESA A. HEINZEL, CITY CLERK/  
TREASURER