

MINUTES OF THE REGULAR MEETING OF THE ROGERS CITY CITY COUNCIL  
HELD IN COUNCIL CHAMBERS ON TUESDAY, MAY 4, 2010

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, Police Chief Matt Quaine, and Clerk/Treasurer Theresa Heinzl.

It was moved by Council Member Nowak, seconded by Council Member Greene, that the minutes of the Budget Workshop Meeting of April 20, 2010 and the Regular Council Meeting of April 20, 2010 be approved as written.

ROLL CALL: Ayes – All, the motion carried.

**CITIZENS APPEARING BEFORE THE COUNCIL:**

D/Lt. Rick Schultz, director of HUNT, asked to address Council at this meeting. He presented the statistics of the annual HUNT report using a power point presentation. The presentation detailed the numbers of arrests and other related information pertinent to drug seizures in the area. \$763,230 was the total cost for HUNT operations in 2009. During this year a new record was established. Schultz stressed the appreciation of the community and especially thanked Council Member Nowak for his valuable input to HUNT. He also noted the value of Police Chief Quaine to the HUNT Team. Schultz will be retiring at the end of 2010 and stated that it was his privilege to work with the Council and thanked the members for the years of support he has received from them and the City of Rogers City. Mayor Hall responded with a thank you to D/Lt. Schultz for his service and extended him best wishes on his upcoming retirement. Council Member Nowak added that he especially enjoyed working with D/Lt. Schultz during the past few years.

Richard Adair questioned whether the engineering survey results on the streetlights were received. Mayor Hall answered that it has been determined by Beacon Technologies that there was a defect in the streetlights; it will be corrected and a press release has been issued. Adair then asked if the lights have to meet State requirements for the amount of light displayed to which Hall responded affirmatively.

**CITY CLERK'S REPORT:**

**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	45,071.11
Major Street Fund	155,228.32
Local Street Fund	1,282.32
Community Development Authority	2,233.93
Act 302 Training Fund	1,362.94
Debt Service Fund	30,005.00
VSCI Capital Projects Funds	28,630.93
Wastewater Treatment Operation Fund	142,513.18
Water Utility Fund	99,274.18
Marina Fund	41,837.10
Garbage Collection Fund	7.34
Equipment Fund	35,844.99
Trust and Agency Fund	380.98

ROLL CALL: Ayes – All, the motion carried.

**CITY ATTORNEY'S REPORT:** Atty. Vogler was not present for this meeting.

**CITY MANAGER'S REPORT:**

City Mgr. Slown reported on the following:

- **USDA Street Closures:** Information was In Council packets that noted the streets affected by the USDA Project. Some inconvenience will be experienced by residents; however, an announcement will be made to advise people of any closures or detours.
- **Streetlights:** Having received notice from Beacon, the light manufacturer, about the defect in the manufacturing of the City's new streetlights, a press release was issued and made available to anyone interested.
- **Farmers' Market:** The County has approved use of the Courthouse property for the location of the Farmers' Market.
- **Personnel:** DPW Lead Man Tom Gross has announced his retirement to be effective July 1, 2010.
- **HUNT Lawsuit:** A legal brief was received on the HUNT lawsuit. The court ordered that no expenses are to be paid by the defendant. The case is near complete closure.

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- **Consumers Energy Rate Case:** The City entered along with other communities to fight the high increases in electric rates. This case is being handled through the Michigan Municipal League. Information on this was provided to Council in the meeting packet.
- **PEG Channel:** Discussions are in progress with Sunrise Cable; however, no decision has been made to date. Council Member Nowak wants to have this work put out for bids. Slown indicated that he would do so if Council directed it. Receiving no verbal approval as such, Council Member Sobeck stated that if this was let out for bids, he wants the request for proposals to be very specific and thorough as to what is expected. A draft of the RFP will be provided to Council at their next regular meeting.
- **Zoning Ordinance Review:** The Planning Commission is continuing the zoning ordinance review. Some of the text has been released and will be available for inspection at City Hall. As well, it will be posted on the website for the public to review.
- **Rental Rehabilitation Program:** A Rental Rehabilitation Program has been submitted to MSHDA on behalf of the City. This was done by the staff at NEMEHA. It is a 70% grant/30% match from property owners. Several property owners have signed on to the program. There is no financial commitment from the City; it is an opportunity for private property owners to renovate apartments in their buildings and bring them up to code providing affordable rental rates.
- **Future Infrastructure Needs:** Both the Water and Wastewater Superintendents have prepared a list of future needs in each of their departments per the request of Council.
- **Pavilion Status:** No response has been received from Ms. Gikas on her plans for the pavilion for summer 2010 despite trying to contact her through all possible venues. Council Member Nowak wants to know what the City's recourse is in this situation and asked that the attorney advise us on this issue. Slown mentioned that although a plan is being worked on for the former comfort station, funding is not available through the City.
- **Downtown Cleanup:** The cleanup was successful and several volunteers showed up to do the work.
- **Smitka Memorial Park:** The pocket park project will commence soon; it is being funded by private donations.
- **NEMCOG Report:** Council was provided a copy of the NEMCOG Report. The City continues to participate in NEMCOG activities throughout the year.
- **Banners:** A colored picture of the banners to be installed on the streetlights was given to Council members. Comments and suggestions are welcomed. It is expected that the banners will be ordered within the next few days.
- **Power Squadron Donation:** The Marina received a donation from the Power Squadron for a new computer for the weather station at the Marina facility.
- **Grant Submittals:** Katie Haywood worked on a grant to fund the 2010 Concert Series; the Library and School partnered with the City to submit a grant to the Lowe Foundation for \$50,000 (no match required) for the Grambau Center.

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

Copies of the minutes from the **April 21<sup>st</sup> CDA Meeting** and the **April 26<sup>th</sup> Planning Commission Meeting** were provided to Council in their meeting packets.

### **LIAISONS:**

**RCAFDA:** A meeting is scheduled for the Rogers City Area Fire Department Authority on Thursday, May 6<sup>th</sup> at 7 p.m.

### **MAYOR:**

Mayor Hall complimented the citizens on the cleanup efforts of their properties and noted that the Little League season will soon begin with the annual parade on Saturday, May 15<sup>th</sup>.

### **UNFINISHED BUSINESS:** None.

### **NEW BUSINESS:**

#### **LETTER OF SUPPORT – HERMAN VOGLER CONSERVATION AREA**

Mayor Hall addressed this agenda item and asked Theresa Krist, who is representing the Presque Isle Soil Conservation District, to address Council. She explained that a Coastal Zone Management grant for the Herman Vogler Conservation Area is being prepared with the help of Richard Deuell of NEMCOG. The purpose of the grant will be used to develop a Master Management Plan. The Master Plan will assist in developing the future management objectives for the conservation area. Krist is asking that Council provide a letter of support for the grant submission.

#### **RESOLUTION NO. 2010-44**

A motion was made by Council Member Nowak, seconded by Council Member Greene, that the City of Rogers City provide a letter of support for the Coastal Zone Management grant application to be submitted on behalf of the Presque Isle Soil Conservation District and that said letter be signed by the Mayor on behalf of the City.  
ROLL CALL: Ayes – All, the motion carried.

#### **MI PORT COLLABORATIVE – RESOLUTION**

Mayor Hall explained that Harbor Master Brian Wagner gave a report in the fall on the Michigan Port Cities Collaborative and indicated that a resolution would be requested at some point. The request has been received for Council action.

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**RESOLUTION NO. 2010-45**

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

WHEREAS, the mission of the Michigan Port Collaborative is to elevate the recognition and economic vitality of our State's Great Lakes port communities. The Collaborative is committed to protecting and promoting our Great Lakes and developing our coastal communities as the "Michigan's Front Door"; and

WHEREAS, the Michigan Port Collaborative defines a Michigan Port Community as a Great Lakes coastal community that hosts a marine cargo shipping port, a marine commercial port (non-cargo), and/or a recreational harbor; and

WHEREAS, the City of Rogers City is home to a recreational harbor and a marine commercial port and therefore clearly meets the Michigan Port Collaborative definition of a Port Community; and

WHEREAS, the City of Rogers City recognizes that membership in the Michigan Port Collaborative will benefit and enable this and other Michigan port communities, our private and non-profit partners, as well as State and federal leaders to:

- Speak with a clear voice in Lansing and Washington, D.C. on Michigan port funding and policy priorities;
  - Effectively market and promote each Great Lakes community and its region;
  - Leverage and enhance port and regional assets and funding to maximum advantage;
  - Access the growing information, experience, creativity, talent and knowledge of the Collaborative and its individual public, private and non-profit sector members; and
- WHEREAS, the City of Rogers City is committed to the long term goals of the Michigan Port Collaborative, which require that Collaborative Member Communities demonstrate that they are working to develop their Port and region in ways that protect and promote:
- Our Great Lakes, their unique coastal habitats, and citizen stewardship of them;
  - Exceptional and diverse recreational and educational opportunities;
  - Attractive, user-friendly public access to port activities, which must be effectively linked to local assets and the community business districts, with emphasis on walk ability, integrated and effective transportation service, and signage;
  - Universal, barrier free and remote access to Michigan Ports, their services and activities;
  - Public awareness and respect for Michigan's rich maritime culture and history, from the pre-historic days of indigenous people, through Michigan's settlement era and through modern time;
  - Environmentally sustainable practices, including reducing waste and pollution in the port community, including marinas, tourism businesses, commercial, cargo shipping and other operations in the port community;
  - Wise land use planning and redevelopment of contaminated properties along our Great Lakes waterfront and in our Port Communities; and
  - Effective strategic and marketing planning; and

WHEREAS, the Michigan Port Collaborative requires Michigan port communities seeking membership in the Collaborative to apply to the Collaborative and submit within six months of application both of the following:

1. An inventory of local and regional assets, resources and needs that will enable the port community to provide a maritime tourism and working waterfront experience for their port businesses, residents, and visitors.
2. A resolution adopted by the community's governing body that demonstrates the port community's commitment to:
  - Build effective public/private/non-profit partnerships at the local and regional level;
  - Achieve the long term goals and meet the membership criteria of the Collaborative;
  - Actively participate in the Michigan Port Collaborative and its mission; and
  - Name a community individual as its liaison to the Collaborative.

WHEREAS, the Michigan Port Collaborative is working to create a governing structure to further refine and develop member proposals and support for both short- and long-term membership criteria and the concept of a Michigan Port Collaborative designation process which may include incentives and rewards for Collaborative members, as well as ways to help the public readily identify Collaborative members and positively "brand" the Collaborative and its partners.

THEREFORE BE IT RESOLVED, that this resolution serves as the membership application for the City of Rogers City to the Michigan port Collaborative and conveys to the Collaborative this Port Community's commitment to prepare a community and regional asset inventory as well as meet the Collaborative's membership requirements within six months of the effective date of this resolution; and

BE IT FURTHER RESOLVED, that this resolution shall be entered in the public record and a copy of this resolution shall be promptly conveyed to the Michigan Port Collaborative and the county, regional, state and federal officials who will benefit from this Port Community's membership in the Collaborative.

ROLL CALL: Ayes – All, the motion carried.

**ACCEPTANCE OF WAYFINDING PLAN**

Copies of the Wayfinding Plan were given to Council as well as to members of the CDA and Planning Commission. The CDA and Planning Commission have both accepted the Plan. A proposal is being prepared by Fleis and VandenBrink to do the work for the bid specifications and this may be ready for the next Council meeting.

**RESOLUTION NO. 2010-46**

A motion was made by Council Member Sobeck, seconded by Council Member Greene, to accept the Wayfinding Plan as prepared by Fleis and VandenBrink, Inc. for the City of Rogers City.

ROLL CALL: Ayes – All, the motion carried.

**NORTHEAST MICHIGAN COOPERATIVE WEED MANAGEMENT PLAN**

Huron Pines prepared a "Weed Management Plan" for the area in an effort to address various invasive species of weeds that are becoming a problem along the City's lakeshore. Council was provided a copy of the report. There are three species chosen by Huron Pines that are targeted. In particular, phragmites are starting to invade the shoreline. Unless eradicated, the phragmites will take over the area in time and limit the visibility of the lakeshore. Huron Pines is asking that the City partner in this program and remit the required \$75 fee to the

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DNRE for a permit to abate the weeds. The cost of treating the infested areas will be borne by Huron Pines. The discussion included the aspen population at North Shore Park. The City Manager agreed to check with DNRE on what they will allow the City to do in the park area.

**RESOLUTION NO. 2010-47**

A motion was made by Council Member Sobeck, seconded by Council Member Greene, to approve payment of \$75 to the DNRE for a permit to abate the invasive weed species and to authorize the Mayor to sign the agreement with Huron Pines on behalf of the City.

ROLL CALL: Ayes – All, the motion carried.

**HILLTOP LANE SEWER BID AWARD AND CONTRACT**

Two proposals were received for the sewer work on Hilltop Lane. Fleis Excavation bid the project for \$7,800 and \$1,000 for alternate 1. Curtis Excavating submitted a base bid of \$9,339 and \$600 for alternate 1. The project is not part of the extensive USDA project. Also provided to Council was the agreement for the work between the City and the contractor.

**RESOLUTION NO. 2010-48**

A motion was made by Council Member Nowak, seconded by Council Member Sobeck, to award the bid for the Hilltop Lane Sewer Project to Fleis Excavation in the amount of \$7,800 for the base bid and \$1,000 for alternate 1 and direct that the City Manager sign the agreement on behalf of the City.

ROLL CALL: Ayes – All, the motion carried.

**SET PUBLIC HEARING DATE – FY2010-2011 BUDGET**

Council is asked to set the public hearing date on the proposed FY2010-2011 budget. The budget must be adopted per Charter at the second Council meeting in May of each year. A discussion was had on holding another workshop on the proposed budget. It was the consensus of Council that a workshop be scheduled at a time when all Council members can be present to provide input.

**RESOLUTION NO. 2010-49**

A motion was made by Council Member Greene, seconded by Council Member Nowak, to set the public hearing date on the FY2010-2011 budget for Tuesday, May 18, 2010 at 7 p.m. in the Council Chambers. Said notice of the public hearing to be published in the local newspaper as required by City Charter.

ROLL CALL: Ayes – All, the motion carried

**OTHER BUSINESS:**

Council Member Nowak stated that a taxpayer requested to purchase property from the City that is near his residence. Prior to the vote on the motion, Council Member Greene remarked that she feels the City property should be inventoried with the value of each piece. It may be that more properties could be sold and become part of the tax roll. If the value is over the \$2.00 per capita, any sale requires a vote of the electors.

**RESOLUTION NO. 2010-50**

A motion was made by Council Member Nowak, seconded by Council Member Sobeck, that the Mayor and City Manager negotiate with the party regarding the property of interest.

ROLL CALL: Ayes – All, the motion carried.

**RESOLUTION NO. 2010-51**

A motion was made by Council Member Greene, seconded by Council Member Sobeck, that a comprehensive list be prepared of all the properties owned by the City and provided to Council.

ROLL CALL: Ayes – All, the motion carried.

Prior to the roll call, there was a discussion about the time it may take to prepare a detailed listing and Council members were of the consensus that having a listing of the properties would suffice for the present time. City Mgr. Slown agreed that a list could be provided, but the actual research on the listed properties and any qualifications that were party to the land transactions in the past would take a greater amount of time.

Council Member Nowak then added that he appreciated the future needs lists from the Water and Wastewater Superintendents; however, he feels if money is available that the valve and hydrant replacements be done on Calcite Road, Lake Street, and First and Second Streets since work in this area is targeted as part of the USDA project.

**CLOSED SESSION:** None.

**ADJOURNMENT:**

There being no further items to come before Council, Mayor Hall declared the meeting adjourned at 7:56 p.m.

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BEACH HALL, MAYOR

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THERESA A. HEINZEL, CITY CLERK/  
TREASURER