

MINUTES OF THE REGULAR MEETING OF THE ROGERS CITY CITY COUNCIL
HELD VIA ZOOM PLATFORM ON TUESDAY, JANUARY 5, 2021

Mayor McLennan called the meeting to order at 6:03 p.m. and stated that this meeting included electronic components, with council members and staff attending remotely via Zoom and that public and media wishing to attend were required to do so by Zoom due to COVID-19 occupancy limits for the council chambers established by the Michigan Department of Health and Human Services. Council Member Bielas recited the Pledge of Allegiance.

ROLL CALL: PRESENT – Council Members Richard Adair, Kenneth Bielas, Larry Fuhrman, and Mayor Scott McLennan (attending remotely from Rogers City)

ABSENT: Gary Nowak.

OTHER CITY PERSONNEL PRESENT – City Atty. Michael Vogler, City Mgr. Joseph Hefele, and City Clerk/Treasurer Terri Koss.

APPROVAL OF AGENDA

It was moved by Council Member Bielas, seconded by Council Member Fuhrman, to approve the agenda as presented.

ROLL CALL: Ayes – All, the motion carried.

CITIZENS APPEARING BEFORE THE COUNCIL: None.

APPROVAL OF MINUTES

It was moved by Council Member Adair, seconded by Council Member Bielas, that the minutes of the Regular Council Meeting of December 15, 2020 be approved as written.

ROLL CALL: Ayes – All, the motion carried.

CITY CLERK'S REPORT:

CHECK AND INVOICE APPROVAL:

It was moved by Council Member Adair, seconded by Council Member Bielas, that the following total fund expenditures be recognized as payments made and payments to be made, in the amount of \$317,221.10 and the Mayor is authorized to sign the check register.

ROLL CALL: Ayes – All, the motion carried.

CITY ATTORNEY'S REPORT: None.

CITY MANAGER'S REPORT:

City Mgr. Hefele reported that the Water Dept. is continuing to run Well # 8 and gather data.

COMMISSION AND BOARD REPORTS: None.

LIAISONS:

Council Member Fuhrman reported that the bids will be going out soon for the new fire hall.

MAYOR:

Mayor McLennan reported that EMS received their first COVID vaccine. The Main Street program application is due on February 4, 2021.

UNFINISHED BUSINESS: None.

January 5, 2021

NEW BUSINESS:
AUDIT REPORT

Dave Gwizdala with Quast, Janke presented information regarding the FY2019/2020 audit.

RESOLUTION NO. 2021-1

A motion was made by Council Member Fuhrman, seconded by Council Member Adair, that the City's Fiscal Year 2019-2020 audited financial statements be accepted and that a copy of the audit document be kept on file in the office of the City Clerk/Treasurer.

ROLL CALL: Ayes – All, the motion carried.

ORDINANCE 2021-1
CONDITIONAL REZONING OF 177 SUPERIOR

A motion was made by Council Member Bielas, seconded by Council Member Fuhrman, for first reading:

AN ORDINANCE TO AMEND THE CITY OF ROGERS CITY ZONING ORDINANCE (ORDINANCE 2011-1, AS AMENDED) TO REZONE PROPERTY FROM B-2 CENTRAL BUSINESS TO R-2 SINGLE-FAMILY RESIDENTIAL, SUBJECT TO CONDITIONS.

THE CITY OF ROGERS CITY ORDAINS:

Section 1. The Zoning Map of the Rogers City Zoning Ordinance (Ordinance 2011-1, as amended) is amended to change the zoning classification of the following described parcel from B-2 Central Business to R-2 Single Family Residential:

Block 14, Lot 24 of the Original Plat of the City of Rogers City, commonly known as 177 Superior Street

Section 2. Rezoning is made on condition that the property be used as a single-family residence. The zoning classification will automatically revert to B-2 Central Business if the property is not being used as a single-family residence. The property will be considered no longer used as a single-family residence if either of the following occurs:

- a) It is being used for any purpose other than a single-family residence
- b) It becomes vacant, with utilities such as water, gas, and/or electricity shut off for a period of 24 consecutive months

Section 3. A summary of the provisions of this ordinance shall be published within fifteen (15) days of adoption.

Section 4. This ordinance shall be effective on the expiration of seven (7) days after the publication of a summary of its provisions.

ROLL CALL: Ayes – All, the motion carried.

ORDINANCE 2021-2
PLANNED UNIT DEVELOPMENT IN B-3 DISTRICTS

A motion was made by Council Member Adair, seconded by Council Member Bielas, for first reading

AN ORDINANCE AMENDING ARTICLE 14 OF THE CITY OF ROGERS CITY ZONING ORDINANCE (ORDINANCE 2011-1, AS AMENDED) TO MAKE PLANNED UNIT DEVELOPMENTS A SPECIAL USE WITH SUPPLEMENTAL DEVELOPMENT REGULATIONS ON ALL PROPERTIES ZONED B-3 GENERAL BUSINESS

THE CITY OF ROGERS CITY ORDAINS:

Section 1. Article 14 (General Business), Section 32-171 (Uses Permitted by Right & Special Land Uses), is amended as follows to allow Planned Unit Developments as a Special Land Use per the requirements set forth in Section 32-274 (Planned Unit Development Supplemental Regulations).

MISCELLANEOUS	
Accessory Buildings & Uses Incidental to Principal Permitted Uses	R

January 5, 2021

Mixed Use Shopping Center	R
Planned Unit Development (only allowed in the M-68 Overlay-District)	S*
Site Condominium Developments	S*

Section 2. If any clause, sentence, paragraph or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

Section 3. The City of Rogers City Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 4. A summary of the provisions of this ordinance shall be published within fifteen (15) days of adoption.

Section 5. This ordinance shall take effect upon the expiration of seven days after the publication of a summary of its provisions.

ROLL CALL: Ayes – All, the motion carried.

UTILITY BILL LATE FEES

RESOLUTION NO. 2021-2

A motion was made by Council Member Bielas, seconded by Council Member Adair, to forego utility bill late fees until March 31, 2021.

ROLL CALL: Ayes – All, the motion carried.

PARADE APPROVAL

RESOLUTION NO. 2021-3

A motion was made by Council Member Bielas, seconded by Council Member Adair, to approve Little League Parade, Memorial Day Parade, Flag Day Parade, Nautical Festival Grand Parade, Kiddie Parade and Car Show Parade, Homecoming Parade, Halloween Parade and Christmas Light Parade, pending the Police Chiefs and City Manager's review of the event. All organizations must request permission and provide details of the parade route prior to the event.

ROLL CALL: Ayes – All, the motion carried.

APPOINTMENTS

RESOLUTION NO. 2021-4

A motion was made by Council Member Adair, seconded by Council Member Bielas, to appoint Council Member Gary Nowak as Mayor Pro Tem. Said position shall perform the duties of the Mayor when the Mayor is absent or temporarily unable to perform the duties of the office.

ROLL CALL: Ayes – All, the motion carried.

RESOLUTION NO. 2021-5

A motion was made by Council Member Fuhrman, seconded by Council Member Bielas, to appoint Council Member Fuhrman to the Fire Authority Board, Mayor McLennan to the Ambulance Authority Board, DDA and NEMCOG, Council Member Adair to the Planning Commission and Harbor Advisory Commission, and Council Member Bielas to the Parks & Recreation Commission and HUNT Advisory Board.

ROLL CALL: Ayes – All, the motion carried.

OTHER BUSINESS:

City Mgr. Hefele reported that Onaway's blighted building ordinance is only on buildings in the DDA District. Discussion was had regarding blight. Consensus of Council was to have the City Mgr.,

January 5, 2021

Zoning Administrator, Police Chief and City Atty. review this issue. Mayor McLennan reviewed the business growth in the area.

CLOSED SESSION: None.

ADJOURNMENT:

With nothing further to come before Council, Mayor McLennan declared the meeting adjourned at 7:09 p.m.

SCOTT MCLENNAN, MAYOR

TERRI L. KOSS, CITY CLERK/TREASURER

MINUTES OF THE REGULAR MEETING OF THE ROGERS CITY CITY COUNCIL
HELD VIA ZOOM PLATFORM ON TUESDAY, JANUARY 19, 2021

Mayor McLennan called the meeting to order at 6:01 p.m. and stated that this meeting included electronic components, with council members and staff attending remotely via Zoom and that public and media wishing to attend were required to do so by Zoom due to COVID-19 occupancy limits for the council chambers established by the Michigan Department of Health and Human Services. Council Member Nowak led the Pledge of Allegiance.

ROLL CALL: PRESENT – Council Members Richard Adair, Kenneth Bielas, Larry Fuhrman, Gary Nowak and Mayor Scott McLennan (attending remotely from Rogers City)

OTHER CITY PERSONNEL PRESENT – City Atty. Michael Vogler, DPW Supt. Roger Wenzel, WWTP Supt. Ray Hansen, Water Supt. Chuck Kieliszewski, City Mgr. Joseph Hefele, and City Clerk/Treasurer Terri Koss.

A moment of silence was held in memory of Frank Mayes.

APPROVAL OF AGENDA

It was moved by Council Member Nowak, seconded by Council Member Bielas, to approve the agenda as presented.

ROLL CALL: Ayes – All, the motion carried.

CITIZENS APPEARING BEFORE THE COUNCIL:

City Mgr. Hefele inquired if Council had any questions for staff in regard to the proposed budget amendments included in the manager's report.

APPROVAL OF MINUTES

It was moved by Council Member Bielas, seconded by Council Member Adair, that the minutes of the Regular Council Meeting of January 5, 2021 be approved as written.

ROLL CALL: Ayes – Adair, Bielas. Fuhrman and McLennan.

Nayes - Nowak, the motion carried.

CITY CLERK'S REPORT:

CHECK AND INVOICE APPROVAL:

It was moved by Council Member Adair, seconded by Council Member Nowak, that the following total fund expenditures be recognized as payments made and payments to be made, in the amount of \$362,096.22 and the Mayor is authorized to sign the check register.

ROLL CALL: Ayes – All, the motion carried.

CITY ATTORNEY'S REPORT: None.

CITY MANAGER'S REPORT:

The manager inquired if any members of Council wished to place his decision to deny the paving of Huron Street ROW near the RC Motel on a future agenda.

RESOLUTION NO. 2021-6

A motion was made by Council Member Nowak, seconded by Council Member Adair, to support the manager's decision and not place appeal on future agenda.

ROLL CALL: Ayes – Adair, Bielas and Nowak.

Nayes - Fuhrman and McLennan, the motion carried.

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The ice rink is being flooded and the blight issue is being addressed.

COMMISSION AND BOARD REPORTS: *None.*

LIAISONS:

Council Member Fuhrman provided an update on the building of a new Fire Hall.

MAYOR:

Mayor McLennan congratulated Mike Bowden on passing his exam, and stated that the Michigan Main Street deadline has been extended to July, 2021.

RESOLUTION NO. 2021-7

A motion was made by Council Member Nowak, seconded by Council Member Fuhrman, to re-appoint Bob Peltz and Ellen Haut to the Planning Commission with the term to expire in December, 2023.

ROLL CALL: Ayes – All, the motion carried.

UNFINISHED BUSINESS:

ORDINANCE 2021-1

CONDITIONAL REZONING OF 177 SUPERIOR

A motion was made by Council Member Fuhrman, seconded by Council Member Nowak, that the following Ordinance No. 2021-1, which was introduced for first reading at the January 5, 2021 Council meeting, be adopted and that proper publication be made within 15 days required from the date thereof in the *Presque Isle County Advance*. Said ordinance to become effective on the 7th day following publication, which is January 28, 2021.

AN ORDINANCE TO AMEND THE CITY OF ROGERS CITY ZONING ORDINANCE (ORDINANCE 2011-1, AS AMENDED) TO REZONE PROPERTY FROM B-2 CENTRAL BUSINESS TO R-2 SINGLE-FAMILY RESIDENTIAL, SUBJECT TO CONDITIONS.

THE CITY OF ROGERS CITY ORDAINS:

Section 1. The Zoning Map of the Rogers City Zoning Ordinance (Ordinance 2011-1, as amended) is amended to change the zoning classification of the following described parcel from B-2 Central Business to R-2 Single Family Residential:

Block 14, Lot 24 of the Original Plat of the City of Rogers City, commonly known as 177 Superior Street

Section 2. Rezoning is made on condition that the property be used as a single-family residence. The zoning classification will automatically revert to B-2 Central Business if the property is not being used as a single-family residence. The property will be considered no longer used as a single-family residence if either of the following occurs:

- a) It is being used for any purpose other than a single-family residence
- b) It becomes vacant, with utilities such as water, gas, and/or electricity shut off for a period of 24 consecutive months

Section 3. A summary of the provisions of this ordinance shall be published within fifteen (15) days of adoption.

Section 4. This ordinance shall be effective on the expiration of seven (7) days after the publication of a summary of its provisions.

ROLL CALL: Ayes – All, the motion carried.

ORDINANCE 2021-2

PLANNED UNIT DEVELOPMENTS IN B-3 DISTRICTS

A motion was made by Council Member Adair, seconded by Council Member Bielas, that the following Ordinance No. 2021-2, which was introduced for first reading at the January 5, 2021 Council meeting,

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be adopted and that proper publication be made within 15 days required from the date thereof in the *Presque Isle County Advance*. Said ordinance to become effective on the 7th day following publication, which is January 28, 2021.

AN ORDINANCE AMENDING ARTICLE 14 OF THE CITY OF ROGERS CITY ZONING ORDINANCE (ORDINANCE 2011-1, AS AMENDED) TO MAKE PLANNED UNIT DEVELOPMENTS A SPECIAL USE WITH SUPPLEMENTAL DEVELOPMENT REGULATIONS ON ALL PROPERTIES ZONED B-3 GENERAL BUSINESS

THE CITY OF ROGERS CITY ORDAINS:

Section 1. Article 14 (General Business), Section 32-171 (Uses Permitted by Right & Special Land Uses), is amended as follows to allow Planned Unit Developments as a Special Land Use per the requirements set forth in Section 32-274 (Planned Unit Development Supplemental Regulations).

MISCELLANEOUS	
Accessory Buildings & Uses Incidental to Principal Permitted Uses	R
Mixed Use Shopping Center	R
Planned Unit Development (only allowed in the M-68 Overlay District)	S*
Site Condominium Developments	S*

Section 2. If any clause, sentence, paragraph or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

Section 3. The City of Rogers City Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 4. A summary of the provisions of this ordinance shall be published within fifteen (15) days of adoption.

Section 5. This ordinance shall take effect upon the expiration of seven days after the publication of a summary of its provisions.

ROLL CALL: Ayes – All, the motion carried.

NEW BUSINESS:
UNBUDGETED PURCHASES
RESOLUTION NO. 2021-8

A motion was made by Council Member Nowak, seconded by Council Member Fuhrman, BE IT RESOLVED, by the City Council of the City of Rogers City, Michigan to amend the FY2020-2021 Annual Budget as prepared by City Staff, presented to Council in writing, and reviewed at this January 19, 2021 meeting. A copy of said amendment to be placed on file in the City Clerk's office.
ROLL CALL: Ayes – All, the motion carried.

FINANCE REPORT
RESOLUTION NO. 2021-9

A motion was made by Council Member Bielas, seconded by Council Member Nowak, to accept the December 31, 2020 Finance Report as presented.
ROLL CALL: Ayes – All, the motion carried

ABANDONED BIKE
RESOLUTION NO. 2021-10

A motion was made by Council Member Adair, seconded by Council Member Bielas, authorizing the City police to donate the abandoned bike to the Rogers City Marina.
ROLL CALL: Ayes – All, the motion carried.

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OTHER BUSINESS: None.

CLOSED SESSION: None.

ADJOURNMENT:

With nothing further to come before Council, Mayor McLennan declared the meeting adjourned at 6:32 p.m.

SCOTT MCLENNAN, MAYOR

TERRI L. KOSS, CITY CLERK/TREASURER

MINUTES OF THE REGULAR MEETING OF THE ROGERS CITY CITY COUNCIL
HELD VIA ZOOM ON TUESDAY, FEBRUARY 2, 2021

Mayor McLennan called the meeting to order at 6 p.m. and stated that this meeting included electronic components, with council members and staff to attend remotely via Zoom and that public and media wishing to attend were required to do so by Zoom due to COVID-19 occupancy limits for the council chambers established by the Michigan Department of Health and Human Services. Council Member Fuhrman led the Pledge of Allegiance.

ROLL CALL: PRESENT – Council Members Richard Adair, Kenneth Bielas, Larry Fuhrman, Gary Nowak and Mayor Scott McLennan (attending remotely from Rogers City)
OTHER CITY PERSONNEL PRESENT – City Atty. Michael Vogler, City Mgr. Joseph Hefele and City Clerk/Treasurer Terri Koss.

APPROVAL OF AGENDA

It was moved by Council Member Bielas, seconded by Council Member Fuhrman, to approve the agenda as presented.

ROLL CALL: Ayes – All, the motion carried.

CITIZENS APPEARING BEFORE THE COUNCIL: None.

APPROVAL OF MINUTES

It was moved by Council Member Adair, seconded by Council Member Nowak, that the minutes of the Regular Council Meeting of January 19, 2021 be approved as written.

ROLL CALL: Ayes – All, the motion carried.

CITY CLERK'S REPORT:

CHECK AND INVOICE APPROVAL:

It was moved by Council Member Adair, seconded by Council Member Bielas, that the following total fund expenditures be recognized as payments made and payments to be made, in the amount of \$161,643.79 and the Mayor is authorized to sign the check register.

ROLL CALL: Ayes – All, the motion carried.

CITY ATTORNEY'S REPORT:

Council Member Nowak inquired about the Carmuese tax tribunal case. City Atty. Vogler said the deadline has been extended to June to file appraisals.

CITY MANAGER'S REPORT:

City Mgr. Hefele said there are currently six pending development projects. Mayor McLennan congratulated staff on the completion of the RRC. Hefele stated the ice rink is open.

COMMISSION AND BOARD REPORTS: None.

LIAISONS:

Council Member Fuhrman reported that the Rogers City Area Fire Department Authority is calling a special meeting.

MAYOR:

Mayor McLennan stated that Michael Cane from Boyne City will be joining the March 2, 2021 Council meeting via zoom to discuss a possible Mayor's exchange.

UNFINISHED BUSINESS: None.

NEW BUSINESS:
2021-22 BUDGET (FIRST ROUND)

City Mgr. Hefele reviewed the bare bones budget for FY2021-2022.

OTHER BUSINESS:

Council Member Nowak inquired when meetings would be able to be held at City Hall. City Mgr. Hefele reviewed the current MDHHS directive.

CLOSED SESSION: None.

ADJOURNMENT:

With nothing further to come before Council, Mayor McLennan declared the meeting adjourned at 6:55 p.m.

SCOTT MCLENNAN, MAYOR

TERRI L. KOSS, CITY CLERK/TREASURER

MINUTES OF THE SPECIAL MEETING OF THE ROGERS CITY CITY COUNCIL
HELD VIA ZOOM PLATFORM ON THURSDAY, FEBRUARY 4, 2021

Mayor McLennan called the meeting to order at 1 p.m. and stated that this meeting included electronic components, with council members and staff to attend remotely via Zoom and that public and media wishing to attend were required to do so by Zoom due to COVID-19 occupancy limits for the council chambers established by the Michigan Department of Health and Human Services.

ROLL CALL: PRESENT – Council Members Kenneth Bielas, Larry Fuhrman, Gary Nowak and Mayor Scott McLennan (attending remotely from Rogers City).

Absent: Council Member Richard Adair.

OTHER CITY PERSONNEL PRESENT – City Atty. Michael Vogler, City Mgr. Joseph Hefele and City Clerk/Treasurer Terri Koss.

CLOSED SESSION:
RESOLUTION NO. 2021-11

A motion was made by Council Member Nowak, seconded by Council Member Bielas, to enter into Closed Session to discuss strategy for the ON Mineral Tax Tribunal Appeal.

ROLL CALL: Ayes: All, the motion carried and the meeting adjourned to Closed Session at 1:02 p.m. Upon reconvening in public session at 1:11 p.m. The following action was taken.

RESOLUTION NO. 2021-12

A motion was made by Council Member Bielas, seconded by Council Member Nowak, to cancel the agreement between the City of Rogers City and Valbridge Property Advisors/Southern Michigan for appraisal services.

ROLL CALL: Ayes: All, the motion carried.

RESOLUTION NO. 2021-13

A motion was made by Council Member Fuhrman, seconded by Council Member Nowak, to authorize City Atty. Vogler to sign the said agreement with Bradley D. Ross for appraisal services.

ROLL CALL: Ayes: All, the motion carried.

OTHER BUSINESS: None.

ADJOURNMENT:

With nothing further to come before Council, Mayor McLennan declared the meeting adjourned at 1:13 p.m.

SCOTT MCLENNAN, MAYOR

TERRI L. KOSS, CITY CLERK/TREASURER

MINUTES OF THE REGULAR MEETING OF THE ROGERS CITY CITY COUNCIL
HELD VIA ZOOM ON TUESDAY, FEBRUARY 16, 2021

Mayor McLennan called the meeting to order at 6 p.m. and stated that this meeting included electronic components, with council members and staff to attend remotely via Zoom and that public and media wishing to attend were required to do so by Zoom due to COVID-19 occupancy limits for the council chambers established by the Michigan Department of Health and Human Services. Mayor McLennan led the Pledge of Allegiance.

ROLL CALL: PRESENT – Council Members Richard Adair, Kenneth Bielas, Larry Fuhrman, Gary Nowak and Mayor Scott McLennan (attending remotely from Rogers City)
OTHER CITY PERSONNEL PRESENT – City Atty. Michael Vogler, City Mgr. Joseph Hefele and City Clerk/Treasurer Terri Koss.

APPROVAL OF AGENDA

It was moved by Council Member Adair, seconded by Council Member Nowak, to approve the agenda with the addition of auditor contract extension.

ROLL CALL: Ayes – All, the motion carried.

CITIZENS APPEARING BEFORE THE COUNCIL: None.

APPROVAL OF MINUTES

It was moved by Council Member Nowak, seconded by Council Member Bielas, that the minutes of the Regular Council Meeting of February 2, 2021 and Special Meeting of February 4, 2021 be approved as written.

ROLL CALL: Ayes – All, the motion carried.

CITY CLERK'S REPORT:

CHECK AND INVOICE APPROVAL:

It was moved by Council Member Adair, seconded by Council Member Fuhrman, that the following total fund expenditures be recognized as payments made and payments to be made, in the amount of \$179,739.98 and the Mayor is authorized to sign the check register.

ROLL CALL: Ayes – All, the motion carried.

CITY ATTORNEY'S REPORT: None.

CITY MANAGER'S REPORT:

City Mgr. Hefele provided information on the Redevelopment Ready Community, tax tribunal case and blight issue.

COMMISSION AND BOARD REPORTS: None.

LIAISONS:

Mayor McLennan reported on Ambulance Authority staffing issues.

MAYOR:

Mayor McLennan stated that the City Manager and Mayor from Boyne City will attend the workshop on March 2, 2021. Boyd Haut resigned from the DDA.

February 16, 2021

RESOLUTION NO. 2021-14

A motion was made by Council Member Nowak, seconded by Council Member Adair, to appoint Kim Margherio to the DDA with the term to expire June 2024.

ROLL CALL: Ayes – All, the motion carried.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

ZONING AMENDMENTS

City Mgr. Hefele reviewed the proposed zoning amendments with City Council.

RESOLUTION NO. 2021-15

A motion was made by Council Member Bielas, seconded by Council Member Nowak, to send the proposed zoning amendments to the Planning Commission for review and recommendation.

ROLL CALL: Ayes – All, the motion carried.

BUDGET AMENDMENT #8

RESOLUTION NO. 2021-16

A motion was made by Council Member Fuhrman, seconded by Council Member Nowak, BE IT RESOLVED, by the City Council of the City of Rogers City, Michigan to amend the FY2020-2021 Annual Budget as prepared by City Staff, presented to Council in writing, and reviewed at this February 16, 2021 meeting. A copy of said amendment to be placed on file in the City Clerk's office

ROLL CALL: Ayes – All, the motion carried.

SALE OF CITY ITEMS

Tabled to the next meeting.

CROSS CONNECTION CONTRACT

RESOLUTION NO. 2021-17

A motion was made by Council Member Nowak, seconded by Council Member Fuhrman, that City Atty. Vogler and City Mgr. Hefele review the contract and come back with a recommendation at the next meeting,

ROLL CALL: Ayes – All, the motion carried.

CHARTER COMMUNICATION REQUEST

RESOLUTION NO. 2021-18

A motion was made by Council Member Nowak, seconded by Council Member Fuhrman, to deny the request from Charter Spectrum to waive the peddler's fee for 2021.

ROLL CALL: Ayes – All, the motion carried.

RESCHEDULE SECOND MARCH MEETING

RESOLUTION NO. 2021-19

A motion was made by Council Member Nowak, seconded by Council Member Adair, to hold a joint workshop with the Planning Commission and DDA on March 2, 2021 at 6:00 pm and adjust the Council Meeting schedule so meetings are held on March 9, 2021 and March 23, 2021 at 6 pm.

ROLL CALL: Ayes – All, the motion carried.

PLAYGROUND EQUIPMENT GRANT APPLICATIONS

Discussion was had regarding upcoming grant opportunities.

February 16, 2021

**AUDITOR CONTRACT
RESOLUTION NO. 2021-20**

A motion was made by Council Member Bielas, seconded by Council Member Adair, to extend the contract with Quast, Janke for audits of fiscal year 2020/2021, 2021/2022 and 2022/2023.

ROLL CALL: Ayes – All, the motion carried.

OTHER BUSINESS:

Council Member Nowak inquired about when meetings can again be held in person at City Hall, how will Board of Review will be handled, and requested information regarding the Michigan Main Street program. Mayor McLennan stated that Main Street information will be provided at the March 2 workshop.

CLOSED SESSION: None.

ADJOURNMENT:

With nothing further to come before Council, Mayor McLennan declared the meeting adjourned at 7:06 p.m.

SCOTT MCLENNAN, MAYOR

TERRI L. KOSS, CITY CLERK/TREASURER

MINUTES OF THE REGULAR MEETING OF THE ROGERS CITY CITY COUNCIL
VIA ZOOM PLATFORM ON TUESDAY, FEBRUARY 23, 2021

Mayor McLennan called the meeting to order at 10 a.m. and stated that this meeting included electronic components, with council members and staff to attend remotely via Zoom and that public and media wishing to attend were required to do so by Zoom due to COVID-19 occupancy limits for the council chambers established by the Michigan Department of Health and Human Services.

ROLL CALL: PRESENT – Council Members Richard Adair, Kenneth Bielas, Larry Fuhrman and Mayor Scott McLennan (attending remotely from Rogers City).

ABSENT: Council Member Nowak.

OTHER CITY PERSONNEL PRESENT – Water Supt. Chuck Kieliszewski, WWTP Supt. Ray Hansen, City Mgr. Joseph Hefele and City Clerk/Treasurer Terri Koss.

APPROVAL OF AGENDA

It was moved by Council Member Fuhrman, seconded by Council Member Adair, to approve the agenda as presented.

ROLL CALL: Ayes – All, the motion carried.

CITIZENS APPEARING BEFORE THE COUNCIL: None.

NEW BUSINESS:

WWTP FUND BUDGET AMENDMENT

WWTP Supt. Ray Hansen described what was needed at the WWTP.

RESOLUTION NO. 2020-21

A motion was made by Council Member Bielas, seconded by Council Member Adair, to amend the Capital Outlay in the Sewer Fund by \$80,000 for necessary repairs to the secondary clarifier.

ROLL CALL: Ayes – All, the motion carried.

WATER FUND BUDGET AMENDMENT

Water Supt. Chuck Kieliszewski reviewed the reason for building the trailer.

RESOLUTION NO. 2020-22

A motion was made by Council Member Fuhrman, seconded by Council Member Bielas, to amend the Water Supply expense budget by \$2,500 for completion of the reel trailer.

ROLL CALL: Ayes – All, the motion carried.

MDNR LAKESIDE PARK GRANTS

RESOLUTION NO. 2020-23

A motion was made by Council Member Bielas, seconded by Council Member Fuhrman, to authorize the submission of a single DNR grant application for the overhaul of the bathrooms and playground equipment replacement at Lakeside Park with public hearing to be held on March 9, 2021.

ROLL CALL: Ayes – All, the motion carried.

ADJOURNMENT:

With nothing further to come before Council, Mayor McLennan declared the meeting adjourned at 10:19 a.m.

SCOTT MCLENNAN, MAYOR

TERRI L. KOSS, CITY CLERK/TREASURER

**JOINT WORKSHOP HELD VIA ZOOM PLATFORM ON TUESDAY, MARCH 2, 2021
CITY COUNCIL, PLANNING COMMISSION AND DOWNTOWN DEVELOPMENT AUTHORITY**

Mayor McLennan called the workshop to order at 6 p.m. and stated that this meeting included electronic components, with council members, committee members and staff to attend remotely via Zoom and that public and media wishing to attend were required to do so by Zoom due to COVID-19 occupancy limits for the council chambers established by the Michigan Department of Health and Human Services.

Council/Committee Members Present: Richard Adair, Kenneth Bielas, John Budnik, Mohamed Elkammash, Larry Fuhrman, Tom Gajewski, Kim Margherio, Scott McLennan, Preston Mertz, Barb Mills, Erik Nadolsky, Gary Nowak, Robert Peltz, Travis Peltz, James Przybyla and Mary Thomas (all via zoom platform).

Absent: Alan Gapczynski, Ellen Haut, Cory Budnick, Alec Brietzke, David Walters and Tim Pritchard.

Other City Personnel Present: Zoning Administrator Toby Kuznicki, City Mgr. Joseph Hefele and Clerk/Treasurer Terri Koss.

MICHIGAN MAIN STREET

Mike Cain, Tom Niedhamer and Ron Grunch from Boyne City addressed the joint group regarding the Michigan Main Street Program and what it has done for their community.

PLANNING PROJECTS AND PROGRAMS

City Mgr. Hefele reviewed that Rogers City is currently working on a grant application for the Lakeside Park bathroom improvement and playground equipment. Planning is also being done for improvements to the Westminster Park Gazebo and paving First Street which includes water main replacement. Hefele also reviewed the Redevelopment Ready Community status Rogers City recently received and the quick charging station at 4th and Erie parking lot that will be installed soon.

PUBLIC COMMENT

Jim Przybyla, Rachel Goodstein, Nicole Winarski, Kim Margherio, Brittany VanderWall, Rachel Chojnacki, Barb Mills and John Budnik all commented about the Main Street Program.

Mayor McLennan adjourned the workshop at 7:05 pm.

Scott McLennan, Mayor

Terri L. Koss, City Clerk/Treasurer

MINUTES OF THE REGULAR MEETING OF THE ROGERS CITY CITY COUNCIL
HELD VIA ZOOM AND IN PERSON IN COUNCIL CHAMBERS ON TUESDAY, MARCH 9, 2021

Mayor McLennan called the meeting to order at 6 p.m. and stated that this meeting included electronic components, with most council members and staff attending in person and that the public and media wishing to attend were required to do so by Zoom due to COVID-19 occupancy limits for the council chambers established by the Michigan Department of Health and Human Services. Council Member Bielas led the Pledge of Allegiance.

ROLL CALL: PRESENT – Council Members Richard Adair, Kenneth Bielas, Larry Fuhrman, Gary Nowak (all in person) and Mayor Scott McLennan (attending remotely from Rogers City).
OTHER CITY PERSONNEL PRESENT – City Atty. Michael Vogler, City Mgr. Joseph Hefele and City Clerk/Treasurer Terri Koss.

APPROVAL OF AGENDA

It was moved by Council Member Fuhrman, seconded by Council Member Adair, to approve the agenda as presented.

ROLL CALL: Ayes – All, the motion carried.

CITIZENS APPEARING BEFORE THE COUNCIL: None.

APPROVAL OF MINUTES

It was moved by Council Member Nowak, seconded by Council Member Bielas, that the minutes of the Regular Council Meeting of February 16, 2021, Special Meeting of February 23, 2021 and Workshop on March 2, 2021 be approved as written.

ROLL CALL: Ayes – All, the motion carried.

CITY CLERK'S REPORT:

CHECK AND INVOICE APPROVAL:

It was moved by Council Member Adair, seconded by Council Member Nowak, that the following total fund expenditures be recognized as payments made and payments to be made, in the amount of \$616,885.54 and the Mayor is authorized to sign the check register.

ROLL CALL: Ayes – All, the motion carried.

CITY ATTORNEY'S REPORT:

City Atty. Vogler reported on the Cemetery Perpetual Care Fund.

CITY MANAGER'S REPORT:

City Mgr. Hefele reported on his attendance at a recent school board meeting. Council Member Nowak inquired when the blight officer and rental inspections would be starting.

COMMISSION AND BOARD REPORTS: None.

LIAISONS:

Council Member Fuhrman reported on the progress of the Rogers City Area Fire Department Authority building project.

MAYOR:

Mayor McLennan recommended the appointments of Erica Comerford and Tom Sobeck to the LOCC and Mike Hughes to Planning Commission and he also thanked the Boyne City officials that spoke at the recent workshop.

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RESOLUTION NO. 2021-24

A motion was made by Council Member Nowak, seconded by Council Member Adair, to appoint Tom Sobeck to the Local Officers Compensation Committee with the term to expire in 2025, and to appoint Erica Comerford to the Local Officers Compensation Committee with the term to expire in 2024, and to appoint Mike Hughes to the Planning Commission with the term to expire in December 2023.

ROLL CALL: Ayes – All, the motion carried.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

WWTP GENERATOR REPAIRS

RESOLUTION NO. 2021-25

A motion was made by Council Member Nowak, seconded by Council Member Fuhrman, to amend the WWTP budget in the amount of \$6,650 for the generator to be rebuilt or resealed.

ROLL CALL: Ayes – All, the motion carried.

PARKMOBILE CONTRACT

RESOLUTION NO. 2021-26

A motion was made by Council Member Nowak, seconded by Council Member Bielas, to authorize City Mgr. Hefele to sign the contract with ParkMobile for credit/debit card marina daily launch passes.

ROLL CALL: Ayes – All, the motion carried.

CROSS CONNECTION CONTRACT

RESOLUTION NO. 2021-27

A motion was made by Council Member Adair, seconded by Council Member Nowak, to approve the three year contract between the City of Rogers City and CCRA Professional Services, LLC.

ROLL CALL: Ayes – All, the motion carried.

PUBLIC HEARING – MICHIGAN NATURAL RESOURCES TRUST FUND GRANT APPLICATION

Mayor McLennan opened the public hearing at 6:34 pm. City Mgr. Hefele reviewed the proposed project and stated that he received many emails in support of the project. No additional comments were made. Mayor McLennan closed the public hearing at 6:45 pm.

RESOLUTION OF AUTHORIZATION MATCH WITH DONATED FUNDS

RESOLUTION NO. 2021-28

It was moved by Council Member Bielas, seconded by Council Member Nowak:

WHEREAS, THE City Council of the City of Rogers City supports the submission of an application titled, “Lakeside Park Pavilion and Playground Improvements” to the Michigan Natural Resources Trust Fund for the development of the pavilion and playground at Lakeside Park; and,

WHEREAS, the proposed application is supported by the Community’s 5-Year Approved Parks and Recreation Plan; and,

WHEREAS, the City Council is hereby making a financial commitment to the project in the amount of \$69,000 matching funds, in cash and/or force account; and,

WHEREAS, if the grant is awarded the applicant commits its local match and donated amounts from the following sources:

Rogers City Downtown Development Authority (cash)	\$10,000
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Greg Zurakowski (donated professional service) \$1,000

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Rogers City hereby authorizes submission of a Michigan Natural Resources Trust Fund application for \$185,000 and further resolves to make available a local match through financial commitment and donation(s) of \$80,000 (30%) of a total \$265,000 project cost, during the 2021-2022 fiscal year.

ROLL CALL: Ayes – All, the motion carried.

DPW POLE BARN

RESOLUTION NO. 2021-29

A motion was made by Council Member Nowak, seconded by Council Member Bielas, to amend the Equipment Capital Outlay budget in the amount of \$4,000 so the prior approved pole barn can be built (due to increased material costs).

ROLL CALL: Ayes – All, the motion carried.

2021-22 BUDGET

RESOLUTION NO. 2021-30

A motion was made by Council Member Fuhrman, seconded by Council Member Adair, to schedule a Workshop for Wednesday, April 14 at 10 am and reschedule the Council meeting from Tuesday, May 18 to Monday, May 17 at 6 pm to adopt the 2021-2022 budget.

ROLL CALL: Ayes – All, the motion carried.

OTHER BUSINESS:

Council Member Nowak stated that Board of Review is Wednesday, March 17, 2021 from 9 to 3 pm and Thursday, March 18, 2021 from 3 to 9 pm.

CLOSED SESSION: None.

ADJOURNMENT:

With nothing further to come before Council, Mayor McLennan declared the meeting adjourned at 6:56 p.m.

SCOTT MCLENNAN, MAYOR

TERRI L. KOSS, CITY CLERK/TREASURER

MINUTES OF THE REGULAR MEETING OF THE ROGERS CITY CITY COUNCIL
HELD VIA ZOOM PLATFORM AND COUNCIL CHAMBERS ON TUESDAY, MARCH 23, 2021

Mayor McLennan called the meeting to order at 6 p.m. and stated that this meeting included electronic components, with council members and staff attending in person and that public and media wishing to attend were required to do so by Zoom due to COVID-19 occupancy limits for the council chambers established by the Michigan Department of Health and Human Services. Council Member Fuhrman led the Pledge of Allegiance.

ROLL CALL: PRESENT – Council Members Richard Adair, Kenneth Bielas, Larry Fuhrman, Gary Nowak and Mayor Scott McLennan.

OTHER CITY PERSONNEL PRESENT – City Atty. Michael Vogler, City Mgr. Joseph Hefele, and City Clerk/Treasurer Terri Koss.

APPROVAL OF AGENDA

It was moved by Council Member Fuhrman, seconded by Council Member Nowak, to approve the agenda, removing the City Hall sound panels.

ROLL CALL: Ayes – All, the motion carried.

CITIZENS APPEARING BEFORE THE COUNCIL:

Rhonda Lange addressed Council regarding the MICRC.

APPROVAL OF MINUTES

It was moved by Council Member Adair, seconded by Council Member Nowak, that the minutes of the Regular Council Meeting of March 9, 2021 be approved as written.

ROLL CALL: Ayes – All, the motion carried.

CITY CLERK'S REPORT:

CHECK AND INVOICE APPROVAL:

It was moved by Council Member Adair, seconded by Council Member Bielas, that the following total fund expenditures be recognized as payments made and payments to be made, in the amount of \$166,842.45 and the Mayor is authorized to sign the check register.

ROLL CALL: Ayes – All, the motion carried.

CITY ATTORNEY'S REPORT:

City Atty. Vogler reported on the ON Minerals tax tribunal case.

CITY MANAGER'S REPORT:

City Mgr. Hefele reported rental inspections will be on the agenda in April, the Westminster Park Gazebo fundraiser will be underway soon, the trail near Public Works Park has been covered with crushed limestone, the tennis courts and pickle ball courts will be repainted soon. Council Member Fuhrman inquired about the WWTP completing and marking misssdigs. Hefele stated that Zoning Administrator Kuznicki is needed more in the office because of RRC. Discussion was had on the job duties at City Hall. Council Member Nowak requested a list of job duties for the Zoning Administrator and WWTP Operators.

COMMISSION AND BOARD REPORTS:

Included in the meeting packet were the minutes from the Downtown Development Authority, Planning Commission and Parks and Recreation Commission.

LIAISONS:

Council Member Bielas reported on a recent HUNT meeting.

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MAYOR:

Team Rogers City will be meeting on Friday March 26, 2021 at 8:30 via zoom. Council Member Nowak inquired about upcoming street work in the next budget year.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

ORDINANCE 2021-03 THROUGH 2021-16

A motion was made by Council Member Nowak, seconded by Council Member Adair, for first reading of Ordinance 2021-03 through 2021-16:

AN ORDINANCE AMENDING THE CITY OF ROGERS CITY ZONING ORDINANCE (ORDINANCE 2011-1, AS AMENDED) TO CHANGE CERTAIN PHRASES FOUND THROUGHOUT THE TEXT

THE CITY OF ROGERS CITY ORDAINS:

Section 1. The Rogers City Zoning Ordinance (Ordinance 2011-1, as amended) is amended to provide the following text changes throughout the entirety of the Ordinance:

- a) The phrases "Comprehensive Plan" and "Land Use Plan" are changed to "Master Plan"
- b) The phrase "Michigan Department of Environmental Quality" is changed to "State of Michigan"
- c) The phrase "Special Approval Use" is changed to "Special Land Use"

Section 2. If any clause, sentence, paragraph or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

Section 3. The City of Rogers City Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 4. A summary of the provisions of this ordinance shall be published within fifteen (15) days of adoption.

Section 5. This ordinance shall take effect upon the expiration of seven days after the publication of a summary of its provisions.

ORDINANCE 2021-04

AN ORDINANCE AMENDING ARTICLE 2, SECTION 32-11, OF THE CITY OF ROGERS CITY ZONING ORDINANCE (ORDINANCE 2011-1, AS AMENDED) TO PROVIDE CLARIFICATION REGARDING CONFLICTS BETWEEN TABLES AND ILLUSTRATIONS

THE CITY OF ROGERS CITY ORDAINS:

Section 1. Article 2 (Definitions), Section 32-11 (Usage), Item J is amended by adding the underlined text:

In the case of any difference of meaning of implication between the text of this Ordinance and any caption or illustration, the text shall control. In the case of any difference of meaning of implication between any table within this Ordinance and any illustrations, the table shall control.

Section 2. If any clause, sentence, paragraph or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

Section 3. The City of Rogers City Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 4. A summary of the provisions of this ordinance shall be published within fifteen (15) days of adoption.

Section 5. This ordinance shall take effect upon the expiration of seven days after the publication of a summary of its provisions.

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ORDINANCE 2021-05

AN ORDINANCE AMENDING ARTICLE 2, SECTION 32-12, OF THE CITY OF ROGERS CITY ZONING ORDINANCE (ORDINANCE 2011-1, AS AMENDED) TO FURTHER DEFINE SEXUALLY ORIENTED BUSINESS

THE CITY OF ROGERS CITY ORDAINS:

Section 1. Article 2 (Definitions), Section 32-12 (Definitions), is amended by adding the following definition under the definition of “Sexually Oriented Business”:

HUMAN: Besides the customary meaning, the term “human” shall also include non-living anthropomorphic devices (resembling human), both physical and digital.

ROBOT BROTHEL: A place where people go to interact with sex toys that look like humans and have parts that simulate the sexual characteristics one would associate with humans.

Section 2. If any clause, sentence, paragraph or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

Section 3. The City of Rogers City Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 4. A summary of the provisions of this ordinance shall be published within fifteen (15) days of adoption.

Section 5. This ordinance shall take effect upon the expiration of seven days after the publication of a summary of its provisions.

ORDINANCE 2021-06

AN ORDINANCE AMENDING ARTICLE 3, SECTION 32-29 OF THE CITY OF ROGERS CITY ZONING ORDINANCE (ORDINANCE 2011-1, AS AMENDED) BY ADDING LANGUAGE REGARDING ACCESSORY STRUCTURES

THE CITY OF ROGERS CITY ORDAINS:

Section 1. Article 3 (General Provisions), Section 32-29 (Accessory Structures and Accessory Uses), Item A (Accessory Structures), Number 1 is amended as follows:

1. **PRINCIPAL STRUCTURE REQUIRED.** No accessory structure shall be erected, constructed, or placed upon a ~~lot~~ tax parcel without a principal structure. Zoning lots that exist with a principal structure on one tax parcel and an accessory building on another cannot be divided if doing so results in creating a tax parcel that includes an accessory structure with no principal structure.

Section 2. Article 3 (General Provisions), Section 32-29 (Accessory Structures and Accessory Uses), Item A (Accessory Structures), Number 10 (Accessory Structure Size and Number) is amended as follows:

10. **ACCESSORY STRUCTURE SIZE AND NUMBER:** No more than two (2) detached accessory structures shall be allowed on each zoning-lot tax parcel. No detached accessory building to a residential use can exceed 576 square feet in a side yard or 1,200 square feet in a rear yard.

Section 3. Article 3 (General Provisions), Section 32-29 (Accessory Structures and Accessory Uses), Item A (Accessory Structures), Number 13 (Materials) is amended as follows:

13. **MATERIALS:** Accessory structures using non-rigid materials to serve as walls or roof shall not be permitted except those used for commercial or industrial purposes in the I-1, I-2, or A districts. Accessory buildings must be constructed of commonly accepted building materials. Exterior must be finished with quality materials such as wood (OSB is prohibited as exterior sheathing), metal, concrete block, or brick, and must be painted or otherwise finished in acceptable fashion as not to detract from the appearance of the property and neighborhood.

Section 4. If any clause, sentence, paragraph or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

Section 5. The City of Rogers City Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendments provided herein shall not abrogate or affect any offense or act

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committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 6. A summary of the provisions of this ordinance shall be published within fifteen (15) days of adoption.

Section 7. This ordinance shall take effect upon the expiration of seven days after the publication of a summary of its provisions.

ORDINANCE 2021-07

AN ORDINANCE AMENDING ARTICLE 3, SECTION 32-45, OF THE CITY OF ROGERS CITY ZONING ORDINANCE (ORDINANCE 2011-1, AS AMENDED) TO ELIMINATE A REFERENCE TO "CONSTRUCTION SIGNS" WHICH WERE PREVIOUSLY ELIMINATED FROM THE ORDINANCE

THE CITY OF ROGERS CITY ORDAINS:

Section 1. Article 3 (General Provisions), Section 32-45 (Signs), Item F (Residential District Requirements) is amended by eliminating the following text from the table:

~~Such signs shall be erected on the buildings which they advertise or upon the lot on which such buildings are constructed.~~

Section 2. If any clause, sentence, paragraph or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

Section 3. The City of Rogers City Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 4. A summary of the provisions of this ordinance shall be published within fifteen (15) days of adoption.

Section 5. This ordinance shall take effect upon the expiration of seven days after the publication of a summary of its provisions.

ORDINANCE 2021-08

AN ORDINANCE AMENDING ARTICLE 3, SECTION 32-45 OF THE CITY OF ROGERS CITY ZONING ORDINANCE (ORDINANCE 2011-1, AS AMENDED) BY CHANGING THE STANDARDS FOR SIGNAGE FOR NON-RESIDENTIAL USES IN RESIDENTIAL DISTRICTS

THE CITY OF ROGERS CITY ORDAINS:

Section 1. Article 3 (General Provisions), Section 32-45 (Signs), Item G (Office, Commercial, and Industrial District Requirements) is amended by removing the phrase "including non-residential uses in residential districts" from the table.

Section 2. If any clause, sentence, paragraph or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

Section 3. The City of Rogers City Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 4. A summary of the provisions of this ordinance shall be published within fifteen (15) days of adoption.

Section 5. This ordinance shall take effect upon the expiration of seven days after the publication of a summary of its provisions.

ORDINANCE 2021-09

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AN ORDINANCE AMENDING ARTICLE 3, SECTION 32-49, OF THE CITY OF ROGERS CITY ZONING ORDINANCE (ORDINANCE 2011-1, AS AMENDED) BY ADJUSTING THE RULES AND SETBACKS FOR PATIOS, PORCHES, AND DECKS

THE CITY OF ROGERS CITY ORDAINS:

Section 1. Article 3 (General Provisions), Section 32-49 (General Exceptions), Item D (Projections into Yards/Encroachments), Numbers 2 (Open Porches and Decks) and 3 (Patio and Grade-Level Decks) are amended by adding the text listed below in green and striking the text listed below in red:

2. OPEN PORCHES AND DECKS: An open, unenclosed, and unroofed porch, deck, terrace, or similar structure may project into a front or rear setback for a distance not exceeding ten (10) feet, ~~but this shall not be interpreted to include or permit fixed canopies. Side setbacks shall be maintained.~~ and may also project into a side setback. But in no instance shall said structure be set back less than three (3) feet from a property line. This shall not be interpreted to include or permit fixed canopies.

3. PATIOS AND GRADE-LEVEL DECKS: A patio or grade-level deck shall maintain a ~~two (2)~~ three (3) foot setback from all property lines. No zoning permit is required for a patio or grade-level deck.

Section 2. If any clause, sentence, paragraph or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

Section 3. The City of Rogers City Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 4. A summary of the provisions of this ordinance shall be published within fifteen (15) days of adoption.

Section 5. This ordinance shall take effect upon the expiration of seven days after the publication of a summary of its provisions.

ORDINANCE 2021-10

AN ORDINANCE AMENDING MULTIPLE ARTICLES AND SECTIONS OF THE CITY OF ROGERS CITY ZONING ORDINANCE (ORDINANCE 2011-1, AS AMENDED) TO CREATE CONSISTENCY IN DESCRIBING WIND ENERGY SYSTEMS AND REDUCING THE DISTRICTS LARGE WIND TURBINE GENERATORS AND ANEMOMETER TOWERS CAN BE INSTALLED

THE CITY OF ROGERS CITY ORDAINS:

Section 1. Article 5 (R-1 and R-2 Single-Family Residential Districts), Section 32-81 (Uses Permitted by Right and Special Land Uses), Article 8 (W Waterfront District), Section 32-111 (Uses Permitted by Right and Special Land Uses), Article 11 (OS Office Service District), Section 32-141 (Uses Permitted by Right and Special Land Uses), Article 14 (B-3 General Business District), Section 32-171 (Uses Permitted by Right and Special Land Uses), Article 15 (I-1 Light Industrial District), Section 32-181 (Uses Permitted by Right and Special Land Uses), and Article 16 (I-2 General Industrial District), Section 32-191 (Uses Permitted by Right and Special Land Uses) are amended by changing the phrase "Wind Energy Systems (small on-site)" to "Wind Energy: Small WTG and AT."

Section 2. Article 5 (R-1 and R-2 Single-Family Residential Districts), Section 32-81 (Uses Permitted by Right and Special Land Uses), Article 7 (RM Low Rise Multiple Family Residential District), Section 32-101 (Uses Permitted by Right and Special Land Uses), and Article 11 (OS Office Service District), Section 32-141 (Uses Permitted by Right and Special Land Uses), are amended by eliminating the use "Wind Energy Facilities and Anemometer Towers (Commercial)."

Section 3. Article 10 (Recreation Conservation District), Section 32-131 (Uses Permitted by Right and Special Land Uses), and Article 16 (I-2 General Industrial District), Section 32-191 (Uses Permitted by Right and Special Land Uses) are amended by changing the phrase "Wind Energy Facilities and Anemometer Towers (Commercial)" to "Wind Energy: Large WTG and AT."

Section 4. Article 19 (Table of Permitted and Special Land Uses), Section 32-220 (Table of Permitted and Special Land Uses) is amended to reflect the changes made in Sections 1-3 of this Ordinance.

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Section 5. Article 21 (Supplemental Development Regulations), Section 32-285 (Wind Energy Systems), Item C (Zoning Districts Limitations), Number 2 (B-3, RC, and I-2) is amended to eliminate B-3 from the heading.

Section 6. If any clause, sentence, paragraph or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

Section 7. The City of Rogers City Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 8. A summary of the provisions of this ordinance shall be published within fifteen (15) days of adoption.

Section 9. This ordinance shall take effect upon the expiration of seven days after the publication of a summary of its provisions.

ORDINANCE 2021-11

AN ORDINANCE AMENDING ARTICLE 7, SECTION 32-102, OF THE CITY OF ROGERS CITY ZONING ORDINANCE (ORDINANCE 2011-1, AS AMENDED) TO CLARIFY THE DISTANCE REQUIRED BETWEEN MULTI-FAMILY DWELLINGS ON A PROPERTY

THE CITY OF ROGERS CITY ORDAINS:

Section 1. Article 7 (RM Low Rise Multiple-Family Residential District), Section 32-102 (Development Standards), Item B (Multiple Family Dwellings) is amended by eliminating footnote "b" (Spacing Between Multiple-Family Dwellings) as follows (and by doing so re-lettering footnote "c" - Front Yard Use - as footnote "b"):

~~b-SPACING BETWEEN MULTIPLE-FAMILY DWELLING BUILDINGS: Where two (2) or more multiple row or terrace dwellings are erected upon the same lot, a minimum setback space of twenty (20) feet in width shall be provided between structures. This setback width shall be increased by two (2) feet for each ten (10) feet or part thereof, by which each multiple row or terrace dwelling having common areas exceeds forty (40) feet in length on that side of the dwelling facing the common yard.~~

Section 2. If any clause, sentence, paragraph or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

Section 3. The City of Rogers City Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 4. A summary of the provisions of this ordinance shall be published within fifteen (15) days of adoption.

Section 5. This ordinance shall take effect upon the expiration of seven days after the publication of a summary of its provisions.

ORDINANCE 2021-12

AN ORDINANCE AMENDING ARTICLE 12, SECTION 32-151, AND ARTICLE 19, SECTION 32-220, OF THE CITY OF ROGERS CITY ZONING ORDINANCE (ORDINANCE 2011-1, AS AMENDED) TO PROVIDE CLARITY TO RESIDENTIAL USES WITHIN THE B-1 DISTRICT

THE CITY OF ROGERS CITY ORDAINS:

Section 1. Article 12 (B-1 Local Business District), Section 32-151 (Uses Permitted by Right and Special Land Uses) is amended by changing the phrase " Dwelling Units in Conjunction with a Commercial Use" to "Dwelling Units Above a Commercial Establishment."

Section 2. Article 19 (Table of Permitted and Special Land Uses), Section 32-220 (Table of Permitted and Special Land Uses) is amended by changing the phrase "Dwelling Units in Conjunction with a Commercial Use" to "Dwelling Units Above a Commercial Establishment" under Residential Uses within the table.

Section 3. If any clause, sentence, paragraph or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or

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invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

Section 4. The City of Rogers City Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 5. A summary of the provisions of this ordinance shall be published within fifteen (15) days of adoption.

Section 6. This ordinance shall take effect upon the expiration of seven days after the publication of a summary of its provisions.

ORDINANCE 2021-13

AN ORDINANCE AMENDING ARTICLE 14, SECTION 32-171, ARTICLE 15, SECTION 32-181, ARTICLE 16, SECTION 32-191, ARTICLE 17, SECTION 32-201, AND ARTICLE 19, SECTION 32-220, OF THE CITY OF ROGERS CITY ZONING ORDINANCE (ORDINANCE 2011-1, AS AMENDED) REGARDING INDOOR/OUTDOOR STORAGE AT STORAGE FACILITIES FOR BUILDING MATERIALS/CONTRACTORS EQUIPMENT AND PUBLIC WORKS FACILITIES.

THE CITY OF ROGERS CITY ORDAINS:

Section 1. In Article 14 (B-3 General Business District), Section 32-171 (Uses Permitted by Right and Special Land Uses); Article 15 (I-1 Light Industrial District), Section 32-181 (Uses Permitted by Right and Special Land Uses); Article 16 (I-2 General Industrial District), Section 32-191 (Uses Permitted by Right and Special Land Uses); Article 17 (A Airport District), Section 32-201 (Uses Permitted by Right and Special Land Uses); and Article 19 (Table of Permitted and Special Land Uses), Section 32-220 (Table of Permitted and Special Land Uses), the phrase "Storage Facilities for Building Materials (Sand, Gravel, Stone, Lumber)/Contractor's Equipment (with outdoor storage)" is changed to "Storage Facilities for Building Materials (Sand, Gravel, Stone, Lumber)/Contractor's Equipment (may include outdoor storage)"

Section 2. In Article 15 (I-1 Light Industrial District), Section 32-181 (Uses Permitted by Right and Special Land Uses) the phrase "Public Works Facilities with or without outdoor storage" is changed to "Public Works Facilities (may include outdoor storage)"

Section 3. In Article 17 (A Airport District), Section 32-201 (Uses Permitted by Right and Special Land Uses) the phrase "Public Works Facilities with outdoor storage" is changed to "Public Works Facilities (may include outdoor storage)"

Section 4. In Article 19 (Table of Permitted and Special Land Uses), Section 32-220 (Table of Permitted and Special Land Uses), the phrase "Public Works Facilities with outdoor storage" is changed to "Public Works Facilities (may include outdoor storage)"

Section 5. If any clause, sentence, paragraph or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

Section 6. The City of Rogers City Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 7. A summary of the provisions of this ordinance shall be published within fifteen (15) days of adoption.

Section 8. This ordinance shall take effect upon the expiration of seven days after the publication of a summary of its provisions.

ORDINANCE 2021-14

AN ORDINANCE AMENDING ARTICLE 15, SECTION 32-182, AND ARTICLE 16, SECTION 32-192 OF THE CITY OF ROGERS CITY ZONING ORDINANCE (ORDINANCE 2011-1, AS AMENDED) BY MAKING FENCE HEIGHT MAXIMUMS SPECIFIED IN THOSE SECTIONS CONSISTENT WITH THE FENCE HEIGHT MAXIMUMS INCLUDED IN ARTICLE 3, SECTION 32-41

THE CITY OF ROGERS CITY ORDAINS:

March 23, 2021

Section 1. To make its provisions consistent with Article 3 (General Provisions), Section 32-41 (Fences and Walls), Article 15 (I-1 Light Industrial District), Section 32-182 (Development Standards), Table Item 1 is amended to add the language in green and eliminate the language struck through in red:

STORAGE: All storage shall be in the rear yard and shall be completely screened with an obscuring wall or fence, not less than ~~six (6)~~ eight (8) feet high, or with a chain link type fence and a greenbelt planting so as to obscure all view from any adjacent residential, office or business district or from a public street.

Section 2. To make its provisions consistent with Article 3 (General Provisions), Section 32-41 (Fences and Walls), Article 16 (I-2 General Industrial District), Section 32-182 (Development Standards), Table Item 1 is amended to add the language in green and eliminate the language struck through in red:

STORAGE: All storage shall be in the rear yard and shall be completely screened with an obscuring wall or fence, not less than ~~six (6)~~ eight (8) feet high, or with a chain link type fence and a greenbelt planting so as to obscure all view from any adjacent residential, office or business district or from a public street.

Section 3. If any clause, sentence, paragraph or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

Section 4. The City of Rogers City Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 5. A summary of the provisions of this ordinance shall be published within fifteen (15) days of adoption.

Section 6. This ordinance shall take effect upon the expiration of seven days after the publication of a summary of its provisions.

ORDINANCE 2021-15

AN ORDINANCE AMENDING ARTICLE 20, SECTION 32-229 OF THE CITY OF ROGERS CITY ZONING ORDINANCE (ORDINANCE 2011-1, AS AMENDED) BY PROVIDING THAT THE ZONING OFFICER IS AUTHORIZED TO REVOKE ZONING PERMITS FOR DEVIATIONS FROM APPROVED SITE PLANS

THE CITY OF ROGERS CITY ORDAINS:

Section 1. Article 20 (Plot Plans, Site Plans, and Special Land Uses), Section 32-229 (Conformity to Approved Site Plan Required) is amended as follows:

Following approval of a site plan ~~by the Planning Commission~~, the applicant shall construct the site improvements in complete conformity with the approved site plan and conditions imposed. Failure to do so shall be deemed a violation of this Ordinance and the Zoning Permit shall be revoked ~~by the Planning Commission if approval was given by the Planning Commission or~~ by the Zoning Officer ~~in the case of an administrative approval~~. The Zoning Officer shall give the permittee notice of intention to revoke such permit at least ten (10) days prior to the revocation ~~by the Planning Commission or Zoning Officer~~. The ~~Planning Commission or~~ Zoning Officer may revoke such permit if it is determined that a violation in fact exists and has not been remedied since the notification of the intention to revoke a permit.

Section 2. If any clause, sentence, paragraph or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

Section 3. The City of Rogers City Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 4. A summary of the provisions of this ordinance shall be published within fifteen (15) days of adoption.

Section 5. This ordinance shall take effect upon the expiration of seven days after the publication of a summary of its provisions.

March 23, 2021

ORDINANCE 2021-16

**AN ORDINANCE TO AMEND THE CITY OF ROGERS CITY ZONING
ORDINANCE (ORDINANCE 2011-1, AS AMENDED) TO REZONE PROPERTY
FROM B-1 LOCAL BUSINESS TO R-2 SINGLE-FAMILY RESIDENTIAL**

THE CITY OF ROGERS CITY ORDAINS:

Section 1. The Zoning Map of the Rogers City Zoning Ordinance (Ordinance 2011-1, as amended) is amended to change the zoning classification of the following described property from B-2 Central Business to R-2 Single Family Residential:

Pinewood Addition, Block 8, Lots 8 and 9, which includes the western half of tax parcel 150-027-000-118.00 (commonly referred to as 1055 Dettloff) and all of tax parcel 150-027-000-120.00 (commonly referred to as 1071 Dettloff)

Section 2. If any clause, sentence, paragraph or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

Section 3. The City of Rogers City Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 4. A summary of the provisions of this ordinance shall be published within fifteen (15) days of adoption.

Section 5. This ordinance shall be effective on the expiration of seven (7) days after the publication of a summary of its provisions.

ROLL CALL: Ayes – All, the motion carried

WATER BILL SHUT OFFS AND LATE FEES

RESOLUTION NO. 2021-31

A motion was made by Council Member Nowak, seconded by Council Member Fuhrman, to begin charging late fees and sending shut off notices after April 15, 2021 contingent upon following any new MDHHS mandates regarding said late fees and shut off notices.

ROLL CALL: Ayes – All, the motion carried.

LIABILITY/PROPERTY/FLEET INSURANCE

RESOLUTION NO. 2021-32

A motion was made by Council Member Fuhrman, seconded by Council Member Nowak, that an RFP for property and liability insurance be completed for FY2022/2023.

ROLL CALL: Ayes – All, the motion carried.

BUDGET AMENDMENT – LEGAL FEES

RESOLUTION NO. 2021-33

A motion was made by Council Member Bielas, seconded by Council Member Nowak, BE IT RESOLVED, by the City Council of the City of Rogers City, Michigan to amend the FY2020-2021 Annual Budget as prepared by City Staff, presented to Council in writing, and reviewed at this March 23, 2021 meeting. A copy of said amendment to be placed on file in the City Clerk's office.

ROLL CALL: Ayes – All, the motion carried.

STATE RESOLUTION ASSESSOR

RESOLUTION NO. 2021-34

A motion was made by Council Member Bielas, seconded by Council Member Nowak,
RESOLUTION TO ESTABLISH A POLICY REGARDING THE ACCESSIBILITY OF THE ASSESSOR'S
OFFICE TO TAXPAYERS

DATE: March 23, 2021

March 23, 2021

COUNTY: Presque Isle
MUNICIPALITY NAME: City of Rogers City
MUNICIPALITY ADDRESS: 193 E. Michigan Ave.
Rogers City, MI 49779

WHEREAS, 2018 PA 660, MCL 211.10g (“the Act”) provides that the State Tax Commission shall adopt and publish guidelines applicable to municipal audit procedures; and

WHEREAS, the State Tax Commission has, in turn, adopted such guidelines, STC Guideline 2020-1 (“the guidelines”), as required by the Act; and

WHEREAS, the guidelines provide that each assessing district must have and follow a published policy under which its assessor’s office is reasonably accessible to taxpayers, and that the published policy must address the items listed in Section 10g, Subsection (1), of the Act; and

WHEREAS, the City of Rogers City, County of Presque Isle desires to comply with the requirement to establish such a policy by adopting the present resolution and making the resolution available to the public;

NOW, THEREFORE BE IT RESOLVED that the City of Rogers City, County of Presque Isle, establishes the following policy and provides the following information in connection with its assessor’s office:

- a) The City of Rogers City, County of Presque Isle, currently employs an assessor of record that is certified by the State of Michigan as a Michigan Advanced Assessing Officer (MAAO), Certification Number R-7862.
- b) The City of Rogers City, County of Presque Isle, uses State Of Michigan approved BS&A CAMA assessing software; contact information: **BS&A software, 14965 Abbey lane, Bath Twp. MI 49908. Telephone number 517-641-8900.** <http://www.bsasoftware.com> and <http://www.bsaonline.com>
- c) The City of Rogers City, County of Presque Isle, contracts Allan Berg as the assessor of record, and the contact information for this assessor is as follows:
NAME: Allan Berg
TELEPHONE NO. (989) 734-3555
ELECTRONIC MAIL: info@assessingoffice.com
- d) The assessor contact information can also be found by accessing the municipality website at <http://www.rogerscity.com> or the assessor’s website at <http://www.assessingoffice.com>
- e) The City of Rogers City, County of Presque Isle, ensures that any taxpayer inquiring about property records maintained by the assessor’s office within the City of Rogers City, County of Presque Isle, will have a response from the assessor of record within (7) business days from the date the request was submitted to the above listed assessor either by telephone or electronic mail using the assessor contact information listed above.
- f) Taxpayers may request a meeting with the assessor from the above-named Municipality for any property assessment- related inquiries by submitting in writing to the above electronic mail address or contacting by telephone the assessor of the above-named Municipality.
- g) Taxpayers may request, using the above electronic mail or telephone number, to inspect the records maintained by the assessor’s office, and taxpayers will be contacted to set up a time and date to meet at the Municipality hall listed at the above address.
- h) Taxpayers may request, using the above electronic mail or telephone number, any questions or processes the assessor uses to informally hear and resolve any disputes taxpayers may have before the March Board of Review meeting.

BE IT FURTHER RESOLVED that this Resolution/Policy shall take effect as of the date set forth below.

ROLL CALL: Ayes – All, the motion carried.

REQUESTS – NAUTICAL FESTIVAL, PIGS TOURNAMENT, and FAT HOGS FISHING TOURNAMENT
RESOLUTION NO. 2021-35

A motion was made by Council Member Nowak, seconded by Council Member Fuhrman, to approve the request for the 2021 Nautical Festival to be held August 3rd through 8th, the Presque Isle Girls Softball Tournament for use of the Sports Park and South Shore Park July 16-18, 2021, the Fat Hogs Ladies Tournament on August 14, 2021 and Labor Day Weekend Tournament on September 4-5, 2021 all groups must work with the City Mgr. and Police Chief.

ROLL CALL: Ayes – All, the motion carried.

March 23, 2021

STATE OF EMERGENCY/HYBRID MEETINGS
RESOLUTION NO. 2021-36

A motion was made by Council Member Bielas, seconded by Council Member Adair,

A RESOLUTION DECLARING A LOCAL STATE OF EMERGENCY FOR THE PURPOSE OF PERMITTING THE CITY COUNCIL AND OTHER PUBLIC BODIES OF THE CITY TO MEET BY ELECTRONIC AND TELEPHONIC MEANS

Minutes of a regular meeting of the City Council of the City of Rogers City held on March 23, 2021, at 6 p.m., local time, by in-person and electronic means.

WHEREAS, as recently as March 2, 2021 the Director of the Michigan Department of Health and Human Services (MDHHS) made the following findings:

“The novel coronavirus (COVID-19) is a respiratory disease that can result in serious illness or death. It is caused by a new strain of coronavirus not previously identified in humans and easily spread from person to person. COVID-19 spreads through close human contact, even from individuals who may be asymptomatic.

“On March 10, 2020, MDHHS identified the first two presumptive-positive cases of COVID-19 in Michigan. As of March 1, 2021, Michigan had seen 589,150 confirmed cases and 15,534 confirmed deaths attributable to COVID-19. Michigan was one of the states most heavily impacted by COVID-19 early in the pandemic, with new cases peaking at nearly 2,000 per day in late March. Strict preventative measures and the cooperation of Michiganders drove daily case numbers dramatically down to fewer than 200 confirmed cases per day in mid-June, greatly reducing the loss of life. Beginning in October, Michigan again experienced an exponential growth in cases. New cases peaked at nearly 10,000 cases per day in mid-November, followed by increases in COVID-19 hospitalizations and deaths.

“On November 15, 2020, MDHHS issued an order enacting protections to slow the high and rapidly increasing rate of spread of COVID-19. Cases, hospitalizations, and deaths remained high through early December, threatening hospital and public health capacity. On December 7, 2020, December 18, 2020, and January 13, 2021, MDHHS issued orders sustaining those protections. These orders played a crucial role in slowing the spread in Michigan and have brought new cases down to about 1,500 per day. These lower rates prevented Michigan’s healthcare system from being overwhelmed with a holiday surge.

“As of February 27, the State of Michigan had a seven-day average of 91.2 cases per million people, nearly 88% lower than the case rate in mid-November. While that case rate is similar to the rate in early October, it has plateaued over the past week and remains three times the rate of the summer low point.

“Test positivity was 3.7% as of February 27, and has started to plateau as well. While metrics have decreased from all-time highs, further progress has tapered off and there is growing concern of another spike with the presence of more infectious variants in Michigan and the United States as a whole.

“Even where COVID-19 does not result in death, and where Michigan’s emergency and hospital systems are not heavily burdened, the disease can cause great harm. Recent estimates suggest that one in ten persons who suffer from COVID-19 will experience long-term symptoms, referred to as “long COVID.” These symptoms, including fatigue, shortness of breath, joint pain, depression, and headache, can be disabling. They can last for months, and in some cases, arise unexpectedly in patients with few or no symptoms of COVID-19 at the time of diagnosis. COVID-19 has also been shown to damage the heart and kidneys. Furthermore, minority groups in Michigan have experienced a higher proportion of “long COVID.”

“The best way to prevent these complications is to prevent transmission of COVID-19. Since December 11, 2020, the Food and Drug Administration has granted emergency use authorization to three vaccines to prevent COVID-19, providing a path to end the pandemic. Michigan is now partaking in the largest mass vaccination effort in modern history and is presently working toward vaccinating at least 70% of Michigan residents 16 years of age and older as quickly as possible.

“New and unexpected challenges continue to arise: in early December 2020, a variant of COVID-19 known as B.1.1.7 was detected in the United Kingdom. This variant is roughly 50 to 70 percent more infectious than the more common strain. On January 16, 2021, this variant was detected in Michigan. It is anticipated that the variant, if it becomes widespread in the state, will significantly increase the rate of new cases. Currently, Michigan is second in the nation with respect to the number of B.1.1.7 variants detected. To date, there are over 400 cases,

March 23, 2021

and this is one fifth of all cases identified in the United States. CDC modeling predicts B.1.1.7 could become the predominant variant by the end of March. At present, however, it appears that cases have plateaued;" and,

WHEREAS, the Director of the MDHHS has concluded that the COVID-19 pandemic continues to constitute an epidemic in Michigan and that control of the epidemic requires restrictions on public gatherings, and;

WHEREAS, the City Council desires to conduct the public business of the City in a manner so as not to place at risk members of the public, City staff, or members serving on public bodies of the City;

NOW, THEREFORE, IT IS RESOLVED, THAT pursuant to the authority contained at § 3 of the Home Rule Cities Act, MCL 117.3 (j) authorizing cities to provide for the public health and safety of persons; §3 of the Open Meetings Act, MCL 15.263 (2) permitting a public body to meet by electronic or telephonic means upon declaration of a local state of emergency or state of disaster if meeting in person would place at risk the personal health or safety of members of the public or members of the public body; and §10 (b) of the Emergency Management Act permitting the Mayor to declare a local state of emergency;

I, Scott McLennan, Mayor of the City of Rogers City, based on the findings made by the Michigan Department of Health and Human Services regarding the public health threat posed by the COVID-19 novel coronavirus and its variant strains, declare a local state of emergency to permit the City Council and all other public bodies of the City to continue to meet by electronic and telephonic means after March 30, 2021 and respectfully request the City Council affirm this action through May 18, 2021

ROLL CALL: Ayes – All, the motion carried.

OTHER BUSINESS:

Council Member Nowak requested information on the projects Mike Mahler, County EDC Director is involved in. Mayor McLennan stated that he will be taking Mahler to each business to see if he can help with anything.

CLOSED SESSION: None.

ADJOURNMENT:

With nothing further to come before Council, Mayor McLennan declared the meeting adjourned at 7:06 p.m.

SCOTT MCLENNAN, MAYOR

TERRI L. KOSS, CITY CLERK/TREASURER