

MINUTES OF THE REGULAR MEETING OF THE ROGERS CITY CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON TUESDAY, APRIL 4, 2023

Mayor McLennan called the meeting to order at 6 pm. Council Member Fuhrman led the Pledge of Allegiance.

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

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

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:

Julie Brooks addressed Council regarding attendance at the meetings and issues with their phone and internet.

APPROVAL OF MINUTES

It was moved by Council Member Fuhrman, seconded by Council Member Adair, that the minutes of the March 21, 2023 Regular Council Meeting and Workshop 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 \$358,511.98 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 reported on the new sound system and the possibility of new technology. Hefele also reviewed plans for improvements for the Marina and updates to Michigan Avenue.

RESOLUTION NO. 2023-31

A motion was made by Council Member Nowak, seconded by Council Member Bielas, to allow up to \$2,000 be spent on tech improvements for the Council Chamber.

ROLL CALL: Ayes – All, the motion carried.

COMMISSION AND BOARD REPORTS:

Mayor McLennan stated that the Fire Authority is reviewing water data that was provided to them.

LIAISONS:

NEMCOG - Doug Baum will be here April 24th.

MAYOR:

Mayor McLennan stated a guests speaking at meetings policy should be on the next agenda.

April 4, 2023

UNFINISHED BUSINESS:

ORDINANCE NO.2023-1

ZONING AMENDMENT – REZONING OF 290 S. THIRD – SECOND READING

A motion was made by Council Member Nowak, seconded by Council Member Adair, that the following Ordinance No. 2023-1, which was introduced for first reading at the March 21, 2023 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 7 days after publication of its summary on April 13, 2023.

AN ORDINANCE TO AMEND THE CITY OF ROGERS CITY ZONING ORDINANCE (ORDINANCE 2011-1, AS AMENDED) TO CONDITIONALLY REZONE PARCEL 150-009-000-013-00 (GUMMS ADDITION, BLOCK 2, LOTS 9 AND 10, COMMONLY KNOWN AS 290 S. THIRD) FROM R-2 SINGLE FAMILY RESIDENTIAL TO B-1 LOCAL BUSINESS.

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 Block 2, Lots 9 and 10, of Gumm’s Addition to the Village, now City, of Rogers City, Parcel 150-009-000-013-00, commonly known as 290 South Third Street from R-2 Single Family Residential to B-1 Local Business with the condition that it be used exclusively as an arts and cultural center; the property would revert back to R-2 Single Family Residential if either of the following occur:

- a) It ceases to be used for arts and cultural purposes
- b) It becomes vacant, with utilities such as water, gas, and/or electricity shut off for a period of 24 consecutive months.

Section 2. A summary of the provisions of this ordinance shall be published within fifteen (15) days of adoption.

Section 3. 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 NO.2023-2

MOTEL INSPECTION ORDINANCE – SECOND READING

A motion was made by Council Member Nowak, seconded by Council Member Adair, that the following Ordinance No. 2023-2, which was introduced for first reading at the March 21, 2023 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 upon publication on April 13, 2023.

AN ORDINANCE ADDING A NEW ARTICLE TO CHAPTER 23 (HOUSING) TO THE ROGERS CITY CODE OF ORDINANCES, TO BE NUMBERED ARTICLE 2 AND TITLED “LODGING ESTABLISHMENTS,” CREATING DIVISION 1 WITHIN THAT ARTICLE TO BE TITLED “REGISTRATION” AND CREATING DIVISION 2 WITHIN THAT ARTICLE TO BE TITLED “INSPECTIONS.”

THE CITY OF ROGERS CITY ORDAINS:

- I. Chapter 23 (Housing) of the Code of Ordinances of the City of Rogers City, Michigan, is hereby amended by adding Article 2, titled “Lodging Establishments,” and creating Division 1 within that Article, to be titled “Registration,” and Division 2 within that Article, to be titled “Inspections.”
- II. Chapter 23, Article 2, Division 1 of the Code of Ordinances of the City of Rogers City, Michigan shall read as follows:

Sec. 23-51. - Definitions.

The following words, terms, and phrases when used in this Division shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Contact person. An individual listed by the owner on a registration form that should be contacted on matters related to the lodging establishment instead of, or in addition to, the owner, or if the owner cannot be reached; can be the local agent.

April 4, 2023

Dwelling unit. Space within a lodging establishment featuring at least one bed and one bathroom furnished for rent by the hour, day, night, week, or longer.

Kitchenette. A portion of a dwelling unit used, or intended to be used, for the preparation of food, or for both the preparation and consumption of food, while the remainder of the room is used, or may be intended at least partially for, purposes other than food preparation/consumption. A kitchenette shall have a sink, cooktop, cabinets or storage shelves, counter or table, and refrigerator, all of which shall be in good repair.

Local agent. An individual or company representing the owner of a lodging establishment and responsible for day-to-day operation and/or maintenance of that lodging establishment, whose fulltime residence is within 40 miles of the City. A local agent is required if the owner of the lodging establishment resides more than 40 miles from the City limits more than 90 days in a calendar year.

Lodging establishment. A building or group of buildings containing dwelling units which primarily provide daily and weekly accommodations for short-term stays but may also be rented for longer periods. Every building or structure kept, used, maintained as, advertised, or held out to the public to be a hotel, motel, resort, inn, or bed and breakfast shall be included in this definition. Exempted from this definition are long-term and short-term residential units defined and regulated in Chapter 23, Article 1.

Long-term guest. A person renting a dwelling unit within a lodging establishment for more than 90 consecutive days and/or a person who has claimed the address of the lodging establishment as his/her residence.

Property owner. The individual or organization supported on tax records as owning the lodging establishment.

Short-term guest. A person renting a dwelling unit within a lodging establishment for not more than 90 consecutive day and who has not claimed the address of the lodging establishment as his/her residence.

Sec. 23-52. - Registration.

- a) Within 90 days of the effective date of this Division, all existing lodging establishments operating within the corporate limits of Rogers City must register at City Hall on a form provided by the City. A lodging establishment sold, transferred or conveyed from one property owner to another shall be re-registered by the new property owner within 30 days of the completion of the sale, transfer, or conveyance.
- b) A newly-constructed lodging establishment, or a property converted to a lodging establishment from a prior use, must register prior to accepting guests.

Sec. 23-53. - Registration information.

The following information shall be provided by the property owner, contact person, or local agent, on a form provided by the City, at the time of registration:

- a) Name of the lodging establishment.
 - b) Address, phone number, email address, and web site of the lodging establishment.
 - c) Number of total dwelling units in the lodging establishment, with all room numbers listed.
 - d) Number of dwelling units with kitchenettes, if any, with those room numbers listed.
 - e) Dwelling units available and/or rented to long-term guests, if any, with those room numbers listed.
 - f) Property owner's name, address, phone number, and e-mail address.
 - g) Local agent and/or contact person's name, address, phone number, and email address, if applicable.
- Signature of owner, contact person, or local agent attesting to the truthfulness of the information provided. If owner is a company or organization, only a duly authorized officer or administrator may sign the registration form.

Changes to the any of the registration information listed above must be provided to the City in writing within 30 days of those changes occurring.

Sec. 23-54. - Fees; late fees.

There shall be no fee for the registration, re-registration, or updating of registration information occurring within the time allotments specified in this Division. If a lodging establishment fails to register within the specified time allotment, a late fee established in advance by City Council will be charged.

Sec. 23-55. - Penalty for failure to register, update registration, or provide accurate information.

Failure to properly register a lodging establishment, or update registration, as required in this Division shall constitute a municipal civil infraction punishable by a fine of not more than \$500.00. Each day a violation of this Article is committed shall constitute a separate offense. The City Manager, City Police, or the duly authorized representative of either, are authorized to issue citations for violations of this Division.

April 4, 2023

The submission of false, inaccurate, or incomplete information on a lodging establishment registration form shall constitute a municipal civil infraction punishable by a fine of not more than \$500.00. Each day a violation of this Division is committed shall constitute a separate offense. The City Manager, City Police, or the duly authorized representative of either, are authorized to issue citations for violation of this Division.

Secs. 23-56 – 23-70. – Reserved

III. Chapter 23, Article 2, Division 2 of the Code of Ordinances of the City of Rogers City, Michigan shall read as follows:

Sec. 23-71. - Intent.

The City recognizes the economic impact of the lodging industry in Rogers City and relies on these establishments to provide quality accommodations to guests looking to discover and enjoy all that the community has to offer. It is vital to the reputation of the City that the lodging located within its borders meet minimum property maintenance standards. Benefits to the City of requiring such standards include:

- a) Protection of the health, safety and welfare of guests to the community.
- b) Attraction of tourists the local economy needs to survive and thrive.
- c) Preservation of quality of life Rogers City residents have come to enjoy and tax base City needs to operate successfully.
- d) Enforcement of common minimum standards consistent with those already applied to both short-term rentals and apartments.
- e) Requirement of basic living conditions for those dwelling units serving as long-term guest residences.

Sec. 23-72. - Definitions.

As used in this Division, the following words shall have the meanings ascribed to them in this section, unless context clearly indicates otherwise:

Certificate of compliance: Official document stating that the lodging establishment is registered, has passed inspection, and meets the minimum standards established by the City as described in this Division.

Contact person. An individual listed by the owner on a registration form that should be contacted on matters related to the lodging establishment instead of, or in addition to, the owner, or if the owner cannot be reached; can be the local agent.

Dwelling unit. Space within a lodging establishment featuring at least one bed and one bathroom furnished for rent by the hour, day, night, week, or longer.

Kitchenette. A portion of a dwelling unit used, or intended to be used, for the preparation of food, or for both the preparation and consumption of food, while the remainder of the room is used, or may be intended at least partially for, purposes other than food preparation/consumption. A kitchenette shall have a sink, cooktop, cabinets or storage shelves, counter or table, and refrigerator, all of which shall be in good repair.

Local agent. An individual or company representing the owner of a lodging establishment and responsible for day-to-day operation and/or maintenance of that lodging establishment, whose fulltime residence is within 40 miles of the City. A local agent is required if the owner of the lodging establishment resides more than 40 miles from the City limits more than 90 days in a calendar year.

Lodging establishment. A building or group of buildings containing dwelling units which primarily provide daily and weekly accommodations for short-term stays but may also be rented for longer periods. Every building or structure kept, used, maintained as, advertised, or held out to the public to be a hotel, motel, resort, inn, or bed and breakfast shall be included in this definition. Exempted from this definition are long-term and short-term residential units defined and regulated in Chapter 23, Article 1.

Lodging establishment premises: The site upon which a lodging establishment is located as well as its common shared spaces, and mechanical, electrical, and plumbing facilities, including, but not limited to, yards, walkways, driveways, patios, decks, fences, landscaping, offices, guest computer rooms, lobbies, laundry facilities, exercise rooms, pool and spas, saunas, and bathrooms.

Long-term guest. A person renting a dwelling unit within a lodging establishment for more than 90 consecutive days and/or a person who has claimed the address of the lodging establishment as his/her residence.

Property owner. The individual or organization supported on tax records as owning the lodging establishment.

April 4, 2023

Rental inspector: The person, company, or organization contracted by the City to perform the daily administration of the lodging establishment inspection program including scheduling of appointments, inspections, re-inspections and record keeping.

Short-term guest. A person renting a dwelling unit within a lodging establishment for not more than 90 consecutive day and who has not claimed the address of the lodging establishment as his/her residence.

Sec. 23-73. - Certificate of compliance required.

- a) No person shall lease, rent or cause to be occupied a dwelling unit within a lodging establishment unless a valid certificate of compliance is issued by the City. A certificate of compliance shall be issued only upon the successful completion of an inspection of the lodging establishment by the rental inspector and other inspectors as may be deemed necessary and described later in this Division.
- b) A certificate of compliance shall be valid for a period of five years from the date of issuance unless revoked by the City.
- c) A lodging establishment in existence on the date this Division takes effect may continue to operate without a certificate of compliance until passing initial inspections, as long as the lodging establishment continues to follow all regulations in Chapter 3, Article 2.
- d) The City may inspect a lodging establishment that has not been registered if it deems doing so to be in the public's best interest, but a certificate of compliance cannot be issued to an unregistered lodging establishment.

Sec. 23-74. - Inspection criteria.

a) Electrical Hazards

All dwelling units must be free from electrical hazards. Ground Fault Interrupter (GFI) outlets are required where a plug and any water source may come in contact in the kitchen, bathroom or laundry room. Other electrical hazards of concern include:

- 1) Broken or frayed electrical wires.
- 2) Bare metal wires not covered by rubber or plastic insulation.
- 3) Loose or improper wire connections to outlets.
- 4) Improper splicing of wires.
- 5) Light fixtures hanging from electric wire with no other firm support.
- 6) Missing or badly cracked cover plates on outlets and switches.
- 7) Any outlet that does not work and gives off a shock and/or shows evidence of scorch marks.
- 8) Electric cords under rugs/floor coverings.
- 9) A wire laying in or near standing water or where water might splash.
- 10) Extension cord that is part of the permanent wiring system of the unit.
- 11) Improper connections, insulation or grounding of any component of the electrical system.
- 12) Exposed fuse box connections.
- 13) Overloaded circuits evidenced by frequently "blown" fuses.
- 14) Any rubber- or plastic-coated electrical wiring mounted on the surface of a wall or ceiling in a manner that allows it to be abused (broken, cut or damaged in other ways).

b) Security

All outer doors and windows must be capable of being locked.

1) Door locks

- A) All locks should be operable and securely fastened to the door.
- B) The lock "striker plate" should be working and be fastened securely to the door frame.
- C) A chain lock alone is not considered adequate to pass. However, a chain lock with another properly working lock would be adequate and would pass.
- D) A simple slide "bolt" lock (keyless lock) would not be adequate as the only lock on the only door of the unit.
- E) The door frame itself must be able to hold the door and securely lock when closed.
- F) Security bars are not allowed as a primary means of locking a door.

2) Window locks

- A) Locks installed on windows must work and when placed in the locked position, hold securely.
- B) Security bars are not allowed as a primary means of locking a window.

April 4, 2023

- C) A window that is nailed shut is not an acceptable means of locking.
- c) Window condition
 - 1) Windows in a dwelling unit must meet the following conditions:
 - A) No missing or broken-out panes.
 - B) No dangerously loose, cracked panes.
 - C) No windows that will not close.
 - D) No windows that, when closed, don't form a reasonably tight seal, and allow serious drafts to enter.
 - 2) A screen on at least one window in the living room/bedroom of the dwelling unit is required unless air conditioning is provided in that space.
- d) Ceiling condition
 - Ceilings shall be free from:
 - 1) Severe bulging or buckling.
 - 2) Golf ball-sized holes.
 - 3) Severely peeling plaster or paint.
 - 4) Loose sections of plaster or drywall in danger of falling.
 - 5) Many missing parts such as ceiling tile.
- e) Wall condition
 - Walls shall be free from:
 - 1) Severe buckling, bulging, or leaning.
 - 2) Damaged or loose structural members.
 - 3) Large holes or any holes, regardless of size, that allow significant drafts.
 - 4) Severely peeling plaster or paint.
- f) Floor condition
 - Floors shall be free from:
 - 1) Severe buckling, sagging, or movement when walked upon.
 - 2) Large sections of damaged/missing parts (e.g., missing or partially missing floor boards).
 - 3) Holes which penetrate both the finish floor and the subflooring that may allow weather or vermin to enter.
 - 4) Permanent floor covering/boards which are serious tripping hazards.
 - 5) All kitchen and bathroom floors must be maintained in good condition and maintainable.
- g) Lighting
 - All rooms within the dwelling unit must have adequate lighting, with at least one permanent, hardwired fixture in each room.
- h) Living room/bathroom
 - A dwelling unit must include at least one room, in addition to the bathroom, with not less than one full, double, queen, or king bed.
- i) Bathroom
 - A dwelling unit shall contain a bathroom for the exclusive use of the guest with a working toilet, wash basin, shower and/or bathtub, hot and cold running water, and adequate water pressure.
- j) Kitchenette
 - With the exception of a properly functioning microwave oven or coffee maker provided by the lodging establishment, the cooking of food within a dwelling unit, except in a kitchenette in compliance with this Division, is prohibited. Hot plates or similar equipment to heat or cook food are not permitted. A kitchenette must include the following:
 - 1) A sink with piped hot and cold water.
 - 2) A cooktop in which all burners work properly.
 - 3) An adequate counter or table on which to prepare food.
 - 4) Cabinets and/or storage shelves in which to store food and kitchen items.
 - 5) A refrigerator/freezer unit in good repair.
 - 6) An oven is not required but, if provided, must be in good working order.
- k) Smoke detectors/fire suppression

April 4, 2023

- 1) A dwelling unit shall have at least one battery operated or hardwired smoke detector in proper operating condition installed on each level.
- 2) Where fire suppression is required by State of Michigan code, the fire suppression system must be maintained and proven to be in good working order.
- l) Heating Equipment:
A dwelling unit must have properly working, vented heating equipment capable of providing adequate heat to all rooms in the dwelling unit.
- m) Plumbing
 - 1) A dwelling unit must have plumbing free from major leaks or corrosion that cause serious and persistent levels of rust or contamination of the drinking water.
 - 2) The plumbing system must be free of significant leaks or persistent dripping.
- n) Sanitary sewer connection
A dwelling unit must be connected to an approved disposal system and be free from sewer back-up.
- o) Access to unit
A guest must have direct access to the dwelling unit without having to go through another dwelling unit.
- p) Infestation/basic cleanliness
A dwelling unit shall be free from infestation or a preponderance of the following:
 - 1) Rats, mice, or other potentially harmful vermin.
 - 2) Bed bugs, cockroaches, flies, fleas, ticks, or other insects
 - 3) Mold or mildew
 - 4) Dirt, garbage, or rubbish
- q) Structure
The lodging establishment must be free from obvious and/or severe structural defects that could endanger both staff and guests.
- r) Lodging establishment premises
The lodging establishment grounds, common areas, staff areas, and utility infrastructure must be free from obvious causes of serious injury or illness including, but not limited to trip hazards, sharp or blunt objects that can cut or impale, garbage, rubbish, or debris, or obvious, clear, and potentially dangerous violations of State of Michigan building, electrical, mechanical, plumbing, or health codes.
- s) Requirements for long-term guests
 - 1) While a lodging establishment can rent dwelling units to long-term guests, the following conditions must be met:
 - A) The dwelling unit must include a City-approved kitchenette.
 - B) The dwelling unit must include an adequate number of beds for the number of long-term guests residing in the space.
 - C) In addition to a bed or beds, the dwelling unit must provide seating, such as a couch or chairs, adequate for the number of long-term guests residing in the space.
 - 2) All dwelling units in existence on the date this Division is adopted must be able to meet these requirements to continue to rent space to long-term guests.
 - 3) All dwelling units previously rented to short-term guests must be inspected following an update of the registration by the property owner, contact person, or local agent before it can be rented to a long-term guest.

Sec. 23-75. - Inspection procedures.

- a) For each lodging establishment:
 - 1) Twenty percent (20%) of all dwelling units to be rented to short-term guests shall be inspected every five years, with all fractions rounded up (i.e. two inspections required for an establishment renting between six and 10 units). All inspections will be conducted within the same year, and on the same day, if possible, and the dwelling units to be inspected will be selected by the rental inspector on the date of the inspection, with the inspector doing his/her best to work with lodging establishment to avoid disturbing guests.
 - 2) All dwelling units to be rented to long-term guests shall be inspected every five years, with an inspection required before a dwelling unit that had been rented to short-term guests can be

April 4, 2023

rented to long-term guests. It shall be the responsibility of the property owner, contact person, or local agent to coordinate inspection with existing long-term guest.

- b) Newly constructed and/or registered lodging establishments shall be scheduled for an inspection as immediately following registration as practical and shall be inspected and secure a certificate of compliance prior to operation.
- c) At least 30 days prior to an inspection or inspections, the rental inspector shall notify the property owner, contact person, or local agent of the date and time of the inspection. The property owner, contact person, or local agent may request a change in the appointment date/time not less than ten days prior to the scheduled inspection. In the event a property owner, contact person, or local agent learns that he/she cannot be present at the scheduled appointment, the rental inspector must be notified at least 24 hours in advance. A new inspection appointment shall be scheduled not more than 30 days from the original appointment. A missed appointment by a property owner, contact person, or local agent shall be rescheduled by the inspector, and a "missed appointment fee" established in advance by City Council shall be imposed.
- d) A property owner, contact person, or local agent shall provide access to the selected dwelling unit(s). The City will take necessary action against those refusing entry including, but not limited to, issuance of a citation, obtaining a search warrant, posting the unit as uninhabitable and/or instituting other legal action as prescribed in section 23-78, failure to comply.
- e) A lodging establishment in compliance with the requirements included in the inspection checklist shall be issued a certificate of compliance valid for a period of five years from the date of issuance unless revoked by the city per section 23-76, revocation of certificate of compliance.
- f) For lodging establishments that fail inspections, the rental inspector shall provide a written notice of the violations to the property owner, contact person, or local agent, who shall have 30 days from receipt of the notice to correct those violations. More time may be granted by the rental inspector in those situations in which the property owner, contact person, or local agent can demonstrate a justifiable need and the additional time will not, in the opinion of the rental inspector, result in conditions deteriorating further or significantly endangering public health or safety. Less time may also be specified for life or health threatening situations. If any violation remains uncorrected following the allotted repair time, an additional ten days may be granted; however, a re-inspection fee shall be imposed for each subsequent re-inspection. The re-inspection fee shall be paid prior to the inspection.
- g) The rental inspector shall be responsible for scheduling renewal inspections at least 45 days prior to the expiration of a certificate of compliance.
- h) If, during the course of an inspection, the rental inspector becomes alarmed that a lodging establishment poses a risk to existing or future guests, staff, or the public, the rental inspector may notify other agencies of his concerns and request that other agencies including, but not limited to, building, electrical, mechanical, plumbing, and health departments, conduct their own investigation/inspection.
- i) Additional Inspections. The rental inspector may schedule and conduct inspections of additional dwelling units within a lodging establishment, beyond those required in Section 23-75(a), if the inspections he performs turn up serious and consistent violations and he/she has reason to believe similar violations exist in the uninspected units.

Sec. 23-76. - Revocation of certificate of compliance.

A certificate of compliance may be revoked by the rental inspector under the following circumstances:

- a) A lodging establishment is not operated for that purpose for 90 consecutive days and/or the property owner, contact person, or local agent asks that its registration with the City be rescinded. In either of these scenarios, the lodging establishment must be re-registered and a new certificate of compliance must be obtained prior to its reopening for operation.
- b) A property owner, contact person, or local agent has failed to correct code violations within the required timeframe upon reregistering and has been officially cited by the City as in violation of this Division.

Sec. 23-77. - Fees.

Fees for inspections, missed appointments, re-inspections, and late registrations shall be established annually by City Council. All fees shall be billed by the City prior to inspections being scheduled. A late fee shall be charged for

April 4, 2023

all inspection fees not paid prior to the inspection through ten days after the inspection is performed. Fees remaining unpaid more than ten days following an inspection shall be charged an additional late fee. All charges may be added to the tax bills of the applicable property, and such charges shall become a lien in the same manner as the regular property taxes applied to such premises, until such charges are paid.

Sec. 23-78. - Failure to comply.

A violation of any of the provisions of this Division shall be a municipal civil infraction. A copy of the citation need not be personally served upon the alleged violator, but may be served by sending the same to the alleged violator by first-class mail at his or her last known address. A fine of not more than \$500.00 shall be assessed in accordance with the law. Each day a violation is committed or permitted shall constitute a separate offense and shall be punished as such hereunder.

Sec. 23-79. - Enforcement authorization.

The city manager, city police department, or duly authorized representative for either, is authorized to enforce the provisions of this Division and issue citations pursuant hereto.

Sec. 23-80. - Program implementation.

The city manager, or his/her duly authorized representative, shall be responsible for the implementation and operation of the city lodging establishment inspection program, with oversight provided by City Council.

Secs. 23-81—23-100. - Reserved.

IV. This ordinance shall be published, or alternatively a summary will be published as allowed, within 15 days after its adoption.

V. This ordinance shall become effective upon publication.

ROLL CALL: Ayes – Adair, Nowak and McLennan

Nayes – Fuhrman and Bielas, the motion carried.

NEW BUSINESS:

COMPENSATION – ASSISTANT HARBORMASTER

RESOLUTION NO. 2023-32

A motion was made by Council Member Nowak, seconded by Mayor McLennan, to authorize a wage increase for the assistant harbor master position to \$17 per hour.

ROLL CALL: Ayes – Bielas, Nowak and McLennan.

Nayes - Adair and Fuhrman, the motion carried.

COMPENSATION – RCPD BLIGHT OFFICER

RESOLUTION NO. 2023-33

A motion was made by Council Member Bielas, seconded by Council Member Nowak, to authorize \$1.00 per hour increase for the RCPD Blight Officer.

ROLL CALL: Ayes – All, the motion carried.

PENSION FUNDING LETTER

RESOLUTION NO. 2023-34

A motion was made by Council Member Fuhrman, seconded by Council Member Adair, to authorize Mayor to sign the pension funding letter as included in the meeting packet.

ROLL CALL: Ayes – All, the motion carried.

PENSION FUNDING RESOLUTION

RESOLUTION NO. 2023-35

The following resolution was offered by Council Member Fuhrman, seconded by Council Member Adair, at a regular meeting of the City Council of the City of Rogers City conducted April 4, 2023 at Rogers City Hall, 193 E. Michigan Ave, Rogers City, MI 49779:

WHEREAS, the City of Rogers City has taken financially difficult steps to stabilize its pension program and get its pension costs and liabilities under control; and

April 4, 2023

WHEREAS these steps followed best practices established by the State of Michigan and kept the City of Rogers City operationally viable in the face of enormous financial pressure; and

WHEREAS, HB 5054 of 2022 would have divided \$250 million between the City of Rogers City, and other communities like it, that made the tough decisions and followed those best practices; and

WHEREAS, the City of Rogers City and others like it are ineligible for \$750 million in pension relief allocated by the State in 2022 despite experiencing the same pension-related financial stresses as those who will receive that relief; and

WHEREAS, these stresses have been amplified by market losses in 2022 and a volatile market in 2023; and

WHEREAS, this \$250 million would have immeasurable impact on the City's ability to address its pension liabilities, maintain employment levels, and provide the services its taxpayers depend upon; and

WHEREAS, both the \$750 million allocated and the \$250 million requested here had broad, bipartisan support in the House a year ago; and

WHEREAS, HB 5054 created an equitable balance between those with pensions the House considered substantially underfunded and those who had followed best practices to achieve a higher funding ratio; and

WHEREAS, unallocated revenues are available to the State in 2023 to again make this pension assistance equitable by helping those communities struggling with pension costs, but ineligible for the \$750 million;

NOW THEREFORE BE IT RESOLVED THAT, the City Council of the City of Rogers City asks the State of Michigan Legislature and Governor's Office to revisit HB 5054; and

BE IT FURTHER RESOLVED, that the Legislature and Governor give bipartisan support to the inclusion of the \$250 million in the 2023 State budget to be divided between communities, including the City of Rogers City, that meet the best practices required in that Bill.

ROLL CALL: Ayes – All, the motion carried.

ALL NIGHT SOFTBALL TOURNAMENT

RESOLUTION NO. 2023-36

A motion was made by Council Member Nowak, seconded by Council Member Bielas, to approve the all night tournament and have the group work with staff and police for final approval.

ROLL CALL: Ayes – All, the motion carried.

90-DAY CD'S

RESOLUTION NO. 2023-37

A motion was made by Council Member Bielas, seconded by Council Member Nowak, to give staff the flexibility to study local investment companies to determine the best rates and invest up to \$500,000 in up to 91 day CD's with City Mgr. Hefele and City Clerk/Treasurer Koss as signatories.

ROLL CALL: Ayes – All, the motion carried.

OTHER BUSINESS:

Council Member Bielas reminded City Mgr. Hefele that stop signs need to go back up at First and Orchard. Chief Meyer stated that he's heard from State Representative Cam Cavitt and Kevin Schaedig regarding the letter he sent regarding the dangerous intersections on Business 23. Mayor McLennan congratulated Chief Meyer on the grants he received to purchase a radar sign.

CLOSED SESSION:

RESOLUTION NO. 2023-38

A motion was made by Council Member Bielas, seconded by Council Member Fuhrman, to enter into Closed Session to discuss collective bargaining strategy.

April 4, 2023

ROLL CALL: Ayes: All, the motion carried and the meeting adjourned to Closed Session at 7:10 p.m. Upon reconvening in public session at 7:23 p.m. the following action was taken.

RESOLUTION NO. 2023-39

A motion was made by Council member Nowak, seconded by Council Member Bielas, to allow Council member Fuhrman to abstain from collective bargaining strategy discussion and vote.

ROLL CALL: Ayes – All, the motion carried.

RESOLUTION NO. 2023-40

A motion was made by Council member Bielas, seconded by Council Member Nowak, to offer a bonus to those employees that are subscribed to the City Health Insurance in the amount of half of the employee cost share increase (amended April 18, 2023 to add) “for a period of one year”.

ROLL CALL: Ayes - Bielas Adair and Nowak.

Abstain – Fuhrman.

Nayes – McLennan, the motion carried.

ADJOURNMENT:

With nothing further to come before Council, Mayor McLennan declared the meeting adjourned at 7:27 p.m.

SCOTT MCLENNAN, MAYOR

TERRI L. KOSS, CITY CLERK/TREASURER

MINUTES OF THE REGULAR MEETING OF THE ROGERS CITY CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON TUESDAY, APRIL 18, 2023

Mayor McLennan called the meeting to order at 6 p.m. and led the Pledge of Allegiance.

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

OTHER CITY PERSONNEL PRESENT – City Atty. Michael Vogler, Main Street Director Alex Harimoto, Police Chief Jamie Meyer, City Mgr. Joseph Hefele and City Clerk/Treasurer Terri Koss.

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:

MS Director Alex Harimoto stated that Main Street is hosting an Earth day event on Saturday, April 22, 2023. **Hannah Palmer** with GFL addressed Council regarding submitting a proposal for residential garbage pickup.

APPROVAL OF MINUTES

It was moved by Council Member Fuhrman, seconded by Council Member Adair, that the minutes of the Regular Council Meeting of April 4, 2023 be approved as amended to add in RESOLUTION NO. 2023-40 “for a period of one year.”

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 \$398,588.79 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 on meeting with MEDC, Rogers City may be eligible for some grant funding for housing. Hefele also reported on tech improvements at City Hall. Council Member Nowak inquired about the ability to purchase small lot on First Street.

COMMISSION/BOARD REPORTS/LIASONS:

There is a meeting with the fire authority on Thursday to discuss hydrant rental and water usage.

MAYOR:

Mayor McLennan asked for a moment of silence in memory of Chuck Vogelheim for his 25 years of service on the Planning Commission. April is volunteer month. Thank you to all Rogers City volunteers.

UNFINISHED BUSINESS: None.

April 18, 2023

NEW BUSINESS:
BROWNFIELD REDEVELOPMENT AUTHORITY BYLAWS

City Mgr. Hefele provided by-laws that must be approved by City Council.

RESOLUTION NO. 2023-41

A motion was made by Council Member Nowak, seconded by Council Member Bielas, to approve the Brownfield Redevelopment Authority Revised and Restated Bylaws as included in the meeting packet.

ROLL CALL: Ayes – All, the motion carried.

PUBLIC HEARING – BROWNFIELD PLAN (192 N. SECOND)

The public hearing was opened by Mayor McLennan at 6:20 pm. Dave Van Haaren reviewed the plan to reimburse the developer for their cost. No written comments were received. McLennan closed the Public hearing at 6:23 pm.

RESOLUTION NO. 2023-42

RESOLUTION APPROVING A BROWNFIELD PLAN FOR PARCEL 150-001-000-084-00, LEGALLY DESCRIBED AS ORIGINAL PLAT BLOCK 10, LOT 16, COMMONLY KNOWN AS 192 N. SECOND, ROGERS CITY, MI 49779 (VACANT MULTI-FAMILY HOUSING FACILITY), OWNED BY HURON STATE BANK, PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF ACT 381 OF THE PUBLIC ACTS OF THE STATE OF MICHIGAN OF 1996, AS AMENDED

At a regular meeting of the City Council of the City of Rogers City, Presque Isle County, Michigan, held at City Hall, 193 E. Michigan Ave, Rogers City, MI 49779 on April 18, 2023 at 6 p.m.:

PRESENT: Council Members Adair, Bielas, Fuhrman, Nowak and Mayor McLennan.

ABSENT: None.

MOTION BY: Council Member Nowak.

SUPPORTED BY: Council Member Adair.

WHEREAS, the Brownfield Redevelopment Authority (the "Authority") of the City of Rogers City, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act"), has prepared and recommended for approval by the City Council of the City of Rogers City (the "Council"), a Brownfield Plan (the "Plan") pursuant to and in accordance with Section 13 of the Act; and

WHEREAS, the Authority has, at least ten (10) days before the meeting of the Council, at which this resolution has been considered, provided notice to and fully informed all taxing jurisdictions (the "Taxing Jurisdictions") which are affected by the Financing Plan about the fiscal and economic implications of the proposed Financing Plan, and the Council has previously provided to the Taxing Jurisdictions a reasonable opportunity to express their views and recommendations regarding the Financing Plan in accordance with Sections 14(4) and (5) of the Act; and

WHEREAS, the Council has made the following determinations and findings:

- A) The Plan constitutes a public purpose under the Act;
 - B) The Plan meets the requirements for a Brownfield Plan set forth in Section 13 of the Act;
 - C) The proposed method of financing the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;
 - D) The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act;
 - E) The amount of captured taxable value estimated to result from the adoption of the Plan is reasonable;
- and

WHEREAS, as a result of its review of the Plan and upon consideration of the views and recommendations of the Taxing Jurisdictions, the Council wishes to approve the Plan;

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1) Plan Approved. Pursuant to the authority vested in the Council by the Act, and pursuant to and in accordance with the provisions of Section 14 of the Act, the Plan is hereby approved in the form attached as Exhibit "A" to this Resolution.

April 18, 2023

- 2) Severability. Should any section, clause or phrase of this Resolution be declared by the Courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part declared to be invalid.
- 3) Repeals. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

UPON A VOTE FOR THE ADOPTION OF SAID RESOLUTION, THE VOTE WAS:

ROLL CALL: Ayes – All, RESOLUTION DECLARED ADOPTED.

PUBLIC HEARING – OPRA APPLICATION (192 N. SECOND)

Mayor McLennan opened the public hearing at 6:25 pm Erik Nadolsky thanked Council for their support of the project. Ron Drzewicki with Revitalize provided information about the project. No written comments were received. McLennan closed the public hearing at 6:31 pm.

RESOLUTION NO 2023-43

A motion was made by Council Member Nowak, seconded by Council Member Adair,
**TO APPROVE AN OBSOLETE PROPERTY REHABILITATION EXEMPTION CERTIFICATE
APPLICATION FROM HURON STATE BANK AT 192 N. 2ND PA 146 OF 2000 AS AMENDED**

Minutes of a regular meeting of the City Council of the City of Rogers City, held on April 18, 2023 at 6 p.m. at Rogers City Hall, 193 E. Michigan Ave, Rogers City, MI 49779.

PRESENT: Council Members Adair, Bielas, Fuhrman, Nowak and Mayor McLennan.

ABSENT: None.

The following preamble and resolution were offered by Council Member Nowak, and supported by Council Member Adair.

Resolution No. 2023-43 approving an Obsolete Property Rehabilitation Exemption Certificate Application for Huron State Bank (the applicant) for a project located at 192 N. Second Street, Rogers City, MI 49779

WHEREAS, pursuant to PA 146 of 2000, the City of Rogers City (the City) is a Qualified Local Governmental Unit eligible to establish one or more Obsolete Property Rehabilitation Districts; and WHEREAS, the City legally established Obsolete Property Rehabilitation District #1 on February 21, 2023, after a public hearing held on February 21, 2023; and

WHEREAS, the taxable value of the property proposed to be exempt plus the aggregate taxable value of property already exempt under Public Act 146 of 2000 and under Public Act 198 of 1974 (IFT's) does not exceed 5% of the total taxable value of the City; and

WHEREAS, the application was approved at a public hearing as provided by section 4(2) of Public Act 146 of 2000 on April 18, 2023; and

WHEREAS, the applicant is not delinquent in any taxes related to the facility; and

WHEREAS, the application is for obsolete property as defined in section 2(h) of Public Act 146 of 2000; and

WHEREAS, the applicant, has provided answers to all required questions under the application instructions to the City; and

WHEREAS, the City requires that rehabilitation of the facility shall be completed by December 31, 2024; and

WHEREAS, the commencement of the rehabilitation of the facility did not occur before the establishment of the Obsolete Property Rehabilitation District; and

WHEREAS, the application relates to a rehabilitation program that when completed constitutes a rehabilitated facility within the meaning of Public Act 146 of 2000 and that is situated within an Obsolete Property Rehabilitation District established in the City eligible under Public Act 146 of 2000 to establish such a district; and

WHEREAS, completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to retain employment and increase the number of residents in the community in which the facility is situated; and

WHEREAS, the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(l) of Public Act 146 of 2000.

April 18, 2023

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rogers City that Huron State Bank is granted an Obsolete Property Rehabilitation exemption for the real property, excluding land, located in Obsolete Property Rehabilitation District #1 at 192 N. Second Street, Rogers City, MI 49779 for a period of 12 years, upon completion of the rehabilitated facility no later than December 31, 2024, allowing for an abatement period ending not later than December 30, 2036, pursuant to the provisions of PA 146 of 2000, as amended.

ROLL CALL: Ayes – All, RESOLUTION DECLARED ADOPTED.

TRASH COLLECTION CONTRACT

City Mgr. Hefele reviewed the information in the packet. Hefele will get numbers to GFL so they can submit a proposal.

2023-24 BUDGET ITEMS FOR CONSIDERATION IN 2022-23

RESOLUTION NO. 2023-44

A motion was made by Council Member Bielas, seconded by Council Member Adair, to approve the budget amendment as listed in the manager's report.

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

Nayes – Nowak, the motion carried.

2023-23 3Q FINANCE REPORT 2023-24 BUDGET ITEMS FOR CONSIDERATION IN 2022-23

RESOLUTION NO. 2023-45

A motion was made by Council Member Adair, seconded by Council Member Bielas, to approve the FY 2022/2023 3rd Quarter Finance Report with included budget amendments. A copy of said amendment to be placed on file in the City Clerk's office.

Ayes – Adair, Bielas, Fuhrman and McLennan.

Nayes – Nowak, the motion carried.

PUBLIC COMMENT POLICY

RESOLUTION NO. 2023-46

It was moved by Council Member Bielas, seconded by Council Member Fuhrman, to adopt the following policy:

Members of the public may comment during the public comment period near the beginning of the agenda. A person may not speak during the public comment period until called upon to do so by the Mayor. Those wishing to comment will be asked by the Mayor to first state their name and address. Comments will be limited to not more than three minutes per person unless that allowance is extended by the Mayor. Comments should be directed to the Council, not staff or others seated in the audience. Those speaking during public comment must be courteous and professional and shall not make personal attacks against Council, staff, or others. The Mayor reserves the right to end a person's comment period if these rules are not being followed.

ROLL CALL: Ayes – All, the motion carried.

SCHEDULE FY2023/2024 BUDGET PUBLIC HEARING

PRESENTATION OF BUDGET AND SETTING OF PUBLIC HEARING DATE

Council was asked to set the public hearing date for the proposed FY2023/2024 budget. Copies of the proposed budget are available at City Hall for review.

RESOLUTION NO. 2023-47

A motion was made by Council Member Fuhrman, seconded by Council Member Adair, to set the public hearing date on the FY2023/2024 budget for Monday, May 15, 2023 at 6:00 p.m. in the Council Chambers. Said notice of the public hearing be published in the local newspaper as required by City Charter.

ROLL CALL: Ayes – All, the motion carried.

April 18, 2023

**SCHEDULE PUBLIC GATHERING SPACES INITIATIVE (PGSI) GRANT APPLICATION
PUBLIC HEARING**

RESOLUTION NO. 2023-48

A motion was made by Council Member Bielas, seconded by Council Member Fuhrman, to schedule a public hearing for the PGSI Grant Application on Tuesday April 25th at 5:30 pm at the Rogers City Theater.

ROLL CALL: Ayes – All, the motion carried.

SCHEDULE SPECIAL MEETING

RESOLUTION NO. 2023-49

A motion was made by Council Member Adair, seconded by Council Member Fuhrman, to schedule a Special meeting on Wednesday, April 26, 2023 at 8 am to consider action on the PGSI grant application.

ROLL CALL: Ayes – All, the motion carried.

BUDDY POPPIES

RESOLUTION NO. 2023-50

A motion was made by Council Member Fuhrman, seconded by Council Member Adair, to approve the Buddy Poppy sale May 4-6, 2023 at the Third and Erie intersection.

ROLL CALL: Ayes – All, the motion carried.

OTHER BUSINESS:

Council Member Nowak stated he was disappointed that he was not allowed to vote on the Sports Park irrigation budget amendment separately.

CLOSED SESSION: None.

ADJOURNMENT:

With nothing further to come before Council, Mayor McLennan declared the meeting adjourned at 7:03 pm.

SCOTT MCLENNAN, MAYOR

TERRI L. KOSS, CITY CLERK/TREASURER

**MINUTES OF THE WORKSHOP OF THE ROGERS CITY CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON TUESDAY, APRIL 18, 2023**

Mayor McLennan called the workshop to order at 5 p.m.

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

OTHER CITY PERSONNEL PRESENT – Police Chief Jamie Meyer, City Planner Toby Kuznicki, Main Street Director Alex Harimoto, City Mgr. Joseph Hefele and City Clerk/Treasurer Terri Koss.

WORKSHOP ITEMS

Services Provided by Target Alpena

Members of the Presque Isle County EDC Board and Onaway Commission were invited to the workshop.

Mike Mahler, Executive Director of Target Alpena and Lenny Avery, Economic Development Coordinator addressed the group, provided background information and upcoming plans.

The workshop was adjourned at 5:49 pm

Mayor Scott McLennan

City Clerk/Treasurer Terri L. Koss

MINUTES OF THE PUBLIC HEARING OF THE ROGERS CITY CITY COUNCIL
HELD AT THE ROGERS THEATER ON TUESDAY, APRIL 25, 2023

Mayor McLennan presided and opening the public hearing at 5:31 pm.

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

ABSENT – Council Member Nowak.

OTHER CITY PERSONNEL PRESENT – City Planner Toby Kuznicki, Main Street Director Alex Harimoto, Harbor Master Wayne Saile, City Mgr. Joseph Hefele and City Clerk/Treasurer Terri Koss.

PUBLIC HEARING IN CONSIDERATION OF THE SUBMISSION OF A PUBLIC GATHERING SPACES INITIATIVE (PGSI) GRANT APPLICATION.

City Mgr. Hefele provided information regarding the project. It is a CDGB \$1,800,000 grant with a 10% match. The space would not just be for boaters and can be utilized in all four seasons.

Gaby Murawski and Cody Newman with Design Driven were in attendance and provided information about the marina portion of the project.

Alex Harimoto and Toby Kuznicki reviewed the Michigan Avenue portion of the project.

Mike Hughes questioned if the project will move one more block to connect the Presque Isle County Historical Museum. Hefele stated that they will be looking to overhaul that portion of Michigan Avenue in the future.

Jim Przybyla wondered if the parking at the Courthouse will still be accessible?

Sarah LaFleche questioned whether parking would be lost for the businesses on Michigan Avenue. Hefele stated he has a plan to take to Council regarding parking in that area.

Stephane Rhoda inquired if this was the final plan? Kuznicki stated that once approved, actual design will be done.

Jean Cetus wondered about parking in the flower shop alley. Hefele stated that alley could partially be closed off to provide additional parking.

Henry Cetus questioned the drive between the funeral home and flower shop.

Chuck Brown inquired about lost boat storage and the spur of the bike trail. Saile stated that we will lose space for about five boats but can utilize other areas and move the boats closer together if needed. The bike trail connection is a future project.

Richard Adair questioned if the restrooms will be open 24 hours a day all year around. Hefele stated if the space is being used bathrooms will be available

Don McLennan questioned if this project will benefit the town. Saile stated the marina is a doorway to the downtown. The 2nd story of the building will be a big draw. It will have a “wow” factor.

Rick Wagner wondered where people will park when using the building in the winter if the boat storage is taking most of the parking spots.

Stephane Rhoda stated a few things are worrisome: the width of Michigan Avenue, the parking at the Courthouse and if the building at the marina is warm and inviting for all seasons.

Dave Nadolsky voiced concern about the safety of the intersection changes at Michigan and Third.

Allan Kramer inquired how much are we predicting that the water run-off will be slowed down?

Samantha from Huron Pines stated about a half a million gallons of water would be diverted from the lake.

Cory Budnik inquired if there would be fees assessed for use of the Marina building. McLennan stated his opinion would be yes but Council would have to make that decision as a whole.

Jane Kroll stated this project pulls everything together that has been discussed for many years.

Jim Przybyla stated Rogers City is lucky to have Joe as City Manager.

Rick Wagner – shared a proposal for a 180-foot flag pole.

Brittany Vanderwall thanked everyone and their hard work.

Katie Carigan stated she was a visitor that bought a house in Rogers City and appreciates the hard work on the project.

Dorothy Sandra stated that the design was awesome.

Written comments were received from Suzanne Leow against the project.

Bridget LaLonde emailed City Mgr. Hefele with questions regarding the project.

Mayor McLennan closed the public hearing at 6:54 pm.

Scott McLennan, Mayor

Terri L. Koss, City Clerk/Treasurer

MINUTES OF THE SPECIAL MEETING OF THE ROGERS CITY CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, APRIL 26, 2023

Mayor McLennan presided and called the meeting to order at 8 am.

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

ABSENT: Council Member Gary Nowak

OTHER CITY PERSONNEL PRESENT – Police Chief Jamie Meyer, City Planner Toby Kuznicki, City Mgr. Joseph Hefele and City Clerk/Treasurer Terri Koss.

PUBLIC COMMENT

MS Director Alex Harimoto (via Zoom) stated there were 88 people in attendance (via Zoom and in person) at the public hearing and reviewed the importance of a unanimous vote to send with the grant application. **Brittany Vanderwall** enjoyed the discussion at the April 25, 2023 public hearing. Please show unity of Council with a unanimous vote.

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.

APPROVAL OR CORRECTION OF MINUTES

It was moved by Council Member Fuhrman, seconded by Council Member Bielas, to approve the minutes from the April 25, 2023 public hearing as presented.

ROLL CALL: Ayes – All, the motion carried.

UNFINISHED BUSINESS:

RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION AND ASSISTANCE PLAN UNDER SECTION 104(D)

RESOLUTION NO. 2023-51

A motion was made by Council Member Bielas, seconded by Council Member Adair, to approve the City of Rogers City Residential anti-displacement and relocation and assistance plan under Section 104(d) Minimize displacement policy.

Consistent with the goals and objectives of activities assisted under the Act, the City of Rogers City will take the following steps to minimize the displacement of persons from their homes:

- A. Coordinate code enforcement with rehabilitation and housing assistance programs;
- B. Identify regional facilities to house persons who must be relocated temporarily during rehabilitation.
- C. Adopt public policies to identify and mitigate displacement resulting from intensive public investment in neighborhoods.
- D. Make referrals to counseling centers to provide homeowners and renters with information on the assistance available to help them remain in their neighborhood in the face of revitalization pressures.

ROLL CALL: Ayes – All, the motion carried.

AUTHORIZING RESOLUTION – PGSI GRANT

City Mgr. Hefele reviewed the April 25, 2023 public hearing. Discussion was had regarding the connection to the bike trail, parking near the flower shop and the width of the one lane of Michigan Avenue. Hefele stated the project may be vital to the future of the marina.

April 26, 2023

RESOLUTION NO. 2023-52

The following resolution was offered by Council Member Adair, seconded by Council Member Bielas, at a special meeting of the City Council of the City of Rogers City conducted April 26, 2023 at 8 am at Rogers City Hall:

WHEREAS, the Michigan Strategic Fund has invited Units of General Local Government to apply for its Public Gathering Spaces (PGSI) Competitive Funding Round; and

WHEREAS, the City of Rogers City desires to request \$1,800,000 in CDBG funds to transform the Rogers City Marina and Avenue of Flags into amazing year-round public gathering space, creating an important connection between the lakefront and the downtown in the process; and

WHEREAS, the City of Rogers City commits local funds from its General, Street, Main Street-DDA, and Marina Funds in the amount of \$220,000; and

WHEREAS, the proposed project is consistent with the local Community Development Plan as described in the Application; and

WHEREAS, the proposed project will benefit all residents of the project area and more than 56 percent of the residents of the City of Rogers City are low- and moderate-income persons as determined by an income survey approved by the Michigan Economic Development Corporation; and

WHEREAS, local funds and any other funds to be invested in the project have not been obligated/incurred and will not be obligated/incurred prior to a formal grant award, completion of the environmental review procedures and a formal written authorization to obligate/incur costs from the Michigan Economic Development Corporation;

NOW, THEREFORE, BE IT RESOLVED that the City of Rogers City hereby designates the City Manager as the Environmental Review Certifying Officer, the person authorized to certify the Michigan CDBG Application, the person authorized to sign the Grant Agreement and payment requests, and the person authorized to execute any additional documents required to carry out and complete the grant.

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

Nays - None.

Absent – Nowak, the resolution was declared adopted.

NEW BUSINESS: None,

OTHER BUSINESS: None.

ADJOURNMENT:

With nothing further to come before Council, Mayor McLennan declared the meeting adjourned at 8:43 am.

SCOTT MCLENNAN, MAYOR

TERRI L. KOSS, CITY CLERK/TREASURER

MINUTES OF THE REGULAR MEETING OF THE ROGERS CITY CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON TUESDAY, MAY 2, 2023

Mayor McLennan called the meeting to order at 6 p.m. Alex Harimoto led the Pledge of Allegiance.

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

OTHER CITY PERSONNEL PRESENT – City Atty. Michael Vogler, Police Chief Jamie Meyer, Main Street Director Alex Harimoto, City Mgr. Joseph Hefele and City Clerk/Treasurer Terri Koss.

APPROVAL OF AGENDA

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

ROLL CALL: Ayes – All, the motion carried.

CITIZENS APPEARING BEFORE THE COUNCIL:

Alex Harimoto stated there is a Michigan Main Street Branding meeting on May 3, 2023. **Jean Cetus** addressed Council regarding parking at the Flower Shop. **Adam Plath** owner of Lake Huron Laundry addressed Council regarding parking at the laundromat.

APPROVAL OF MINUTES

It was moved by Council Member Fuhrman, seconded by Council Member Adair, that the minutes of the Regular Council Meeting and Workshop of April 18, 2023 and Special Meeting of April 26, 2023 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 \$168,819.33 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: None.

COMMISSIONS & LIAISONS:

Included in the meeting packet were the minutes from the April 20, 2023 Parks & Recreation meeting.

MAYOR:

Mayor McLennan stated that it is teacher appreciation day.

UNFINISHED BUSINESS:

TRASH COLLECTION CONTRACT

RESOLUTION NO. 2023-53

A motion was made by Council Member Nowak, seconded by Council Member Fuhrman, to approve the three year contract with PAC Sanitation for residential trash removal.

ROLL CALL: Ayes – All, the motion carried.

May 2, 2023

NEW BUSINESS:

CONTRACT CHANGE ORDER – MACARTHUR CONSTRUCTION

RESOLUTION NO. 2023-54

A motion was made by Council Member Fuhrman, seconded by Council Member Adair, to approve Rogers City First Street Change Order # 2 and extend the completion date to June 5, 2023.

ROLL CALL: Ayes – All, the motion carried.

PURCHASE OF CRUSHED CONCRETE

RESOLUTION NO. 2023-55

A motion was made by Council Member Bielas, seconded by Council Member Adair, to approve the purchase of crushed concrete from MacArthur Construction in the amount of \$15,787.80.

ROLL CALL: Ayes – All, the motion carried.

COMPREHENSIVE FEE SCHEDULE

RESOLUTION NO. 2023-56

A motion was made by Council Member Fuhrman, seconded by Council Member Adair, to table approval of the Comprehensive Fee Schedule to the May 15, 2023 meeting.

ROLL CALL: Ayes – All, the motion carried.

DDA TRANSFER OF LAKEVIEW PROPERTY TO CITY

City Atty. Vogler reported that the bike path goes outside of the Lakeview right of way, it must comply with land division act. Vogler recommends getting a Baseline Environmental Assessment (BEA). The assessment must be done within 45 days.

RESOLUTION NO. 2023-57

A motion was made by Council Member Bielas, seconded by Council Member Fuhrman, to accept the bike path property as outlined in the meeting packet as long as a BEA be completed.

ROLL CALL: Ayes – All, the motion carried.

SEWER LAND APPLICATION AGREEMENT

RESOLUTION NO. 2023-58

A motion was made by Council Member Adair, seconded by Council Member Bielas, to approve the agreement between the City of Rogers City and BioTech Agronomics for biosolid land application.

ROLL CALL: Ayes – All, the motion carried.

NAUTICAL FESTIVAL BRACELET SALES

RESOLUTION NO. 2023-59

A motion was made by Council Member Bielas, seconded by Council Member Fuhrman, to approve the July 7, 2023 sale of Nautical Festival bracelets at the Third & Erie intersection to support the festival fireworks.

ROLL CALL: Ayes – All, the motion carried.

OTHER BUSINESS:

Chief Meyer stated that an anonymous donor has offered to make a donation for the purchase of an additional speed radar sign.

May 2, 2023

CLOSED SESSION:
RESOLUTION NO. 2023-60

A motion was made by Council Member Bielas, seconded by Council Member Fuhrman, to enter into Closed Session to discuss legal strategy.

ROLL CALL: Ayes: All, the motion carried and the meeting adjourned to Closed Session at 6:43 p.m. Upon reconvening in public session at 7:18 p.m. no action was taken.

ADJOURNMENT:

With nothing further to come before Council, Mayor McLennan declared the meeting adjourned at 7:19 p.m.

SCOTT MCLENNAN, MAYOR

TERRI L. KOSS, CITY CLERK/TREASURER

MINUTES OF THE REGULAR MEETING OF THE ROGERS CITY CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON MONDAY, MAY 15, 2023

Mayor McLennan called the meeting to order at 6 p.m. Erik Nadosky led the Pledge of Allegiance.

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

OTHER CITY PERSONNEL PRESENT – Police Chief Jamie Meyer, Main Street Director Alex Harimoto City Mgr. Joseph Hefele and City Clerk/Treasurer Terri Koss.

APPROVAL OF AGENDA

It was moved by Council Member Adair, seconded by Council Member Bielas, to approve the agenda with the following additions: Local Officer's Compensation Commission recommendation, AP property purchase, Bruski shoulder paving request and letter of support for Target Alpena.

ROLL CALL: Ayes – All, the motion carried.

CITIZENS APPEARING BEFORE THE COUNCIL:

Erik Nadolsky with Huron State Bank addressed Council regarding the bank's annual report. **Alex Harimoto**, Main Street Director, addressed Council regarding branding and the vibrancy grant.

APPROVAL OF MINUTES

It was moved by Council Member Bielas, seconded by Council Member Fuhrman, that the minutes of the Regular Council Meeting of May 2, 2023 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 \$109,948.97 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 he met with Heather Hentkowski regarding parking at the flower shop and the mediation for the Urban lawsuit is June 22, 2023 in Bay City.

COMMISSION AND LIAISONS:

Included in the meeting packet were the minutes from the April 12, May 3, May 4, and May 10, 2023 MS-DDA meetings, April 12, and May 10, 2023 Brownfield Redevelopment Authority meetings and April 20, 2023 Parks and Recreation meeting.

MAYOR: None.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

CALCITE ROAD SPEED LIMIT

Chief Meyer reported on a recent meeting regarding the speed limit on Calcite Road.

May 15, 2023

RESOLUTION NO. 2023-61

A motion was made by Council Member Fuhrman, seconded by Council Member Adair, to post the speed limit for all of Calcite Road at 25 mph.

ROLL CALL: Ayes – All, the motion carried.

RETURN OF LAKESIDE PARK RAFT

RESOLUTION NO. 2023-62

A motion was made by Council Member Fuhrman, seconded by Council Member Bielas, to table return of the swim raft at Lakeside Park to the next meeting.

ROLL CALL: Ayes – All, the motion carried.

MAINTENANCE AGREEMENT – RELEAF MICHIGAN

RESOLUTION NO. 2023-63

A motion was made by Council Member Adair, seconded by Council Member Bielas, to allow City Mgr. Hefele to sign the ReLeaf Michigan Three Year Maintenance Agreement included in the packet.

ROLL CALL: Ayes – All, the motion carried.

PUBLIC DISCLOSURE OF UTILITY RATES

City Mgr. Hefele reviewed past utility rates.

RESOLUTION NO. 2023-64

A motion was made by Council Member Adair, seconded by Council Member Bielas, to adopt the 2023 Public Disclosure of Water/Sewer/Garbage rates as presented.

ROLL CALL: Ayes – All, the motion carried.

COMPREHENSIVE FEE SCHEDULE

RESOLUTION NO. 2023-65

A motion was made by Council Member Adair, seconded by Council Member Bielas, to adopt the FY2023-2024 Comprehensive Fee, Rate and Service Schedule as presented.

ROLL CALL: Ayes – Adair, Bielas and McLennan.

Nays – Fuhrman, the motion carried.

PUBLIC HEARING – FY 2023-2024 BUDGET

Mayor McLennan opened the public hearing at 6:50 pm no written comments were received. The public hearing was closed at 6:51 pm. City Mgr. Hefele reviewed the proposed budget. Council Member Fuhrman disclosed that that the phone stipend will affect his wife.

FY 2023-2024 BUDGET ADOPTION

RESOLUTION NO. 2023-66

It was moved by Council Member Bielas, seconded by Council Member Adair,

WHEREAS, the City Manager of the City of Rogers City has presented to this City Council a proposed budget for the period of July 1, 2023 through June 30, 2024; and

WHEREAS, the proposed budget has been reviewed and found to be in accordance with the general fiscal and budgetary policies as established by this City Council; and

WHEREAS, a public hearing was held on this budget submission on May 15, 2023 at 6:00 p.m. at City Hall, with audience and media able to participate both in person and by Zoom; and

WHEREAS, this document is on file in the official records and documents of the City of Rogers City;

NOW, THEREFORE, BE IT RESOLVED, that the City Council, under the authority granted by the City Charter, does hereby levy the following tax on all real and personal property within the corporate limits of the City; said tax levy to be for the period of July 1, 2023 through June 30, 2024:

May 15, 2023

General Operations	16.7427 mills
Historic Preservation	0.4989 mills
City Band Operations	0.2000 mills

AND BE IT FURTHER RESOLVED, that the City Council does hereby approve and adopt the FY2023/2024 budget as submitted and appropriates the following sums for the purposes set forth therein:

General Fund	\$2,384,150
Perpetual Care	8,010
Major Street Fund	479,190
Local Street Fund	281,330
Band Fund	14,860
Main Street-Downtown Development Authority Fund	151,750
Debt Service Fund	370,770
Community Growth Fund	7,500
Wastewater Treatment Fund	908,850
Water Fund	824,320
Marina Fund	484,400
Garbage Collection Fund	158,600
Equipment Pool Fund	387,380

ROLL CALL: Ayes – All, the motion carried.

**SCHEDULE JOINT MEETING WITH MAINSTREET-DDA, PLANNING COMMISSION
RESOLUTION NO. 2023-67**

A motion was made by Council Member Fuhrman, seconded by Council Member Adair, to schedule a joint Council meeting with the Planning Commission and MS-DDA Board on Tuesday, June 6, 2023 at 5 pm.

ROLL CALL: Ayes – All, the motion carried.

**LOCAL OFFICERS COMPENSATION COMMISSION (LOCC)
RESOLUTION NO. 2023-68**

A motion was made by Council Member Adair, seconded by Council Member Bielas, to receive and file the May 15, 2023 LOCC minutes.

ROLL CALL: Ayes – All, the motion carried.

PURCHASE AGREEMENT 338 N. THIRD

City Mgr. Hefele reviewed the need for the loan to the MS-DDA.

RESOLUTION NO. 2023-69

A motion was made by Council Member Bielas, seconded by Council Member Adair, to instruct staff to draft a 15 year promissory note at 3% interest with an annual payment between \$7,600 and \$8,000 with the understanding that the City can at any time require the MS-DDA to undertake traditional financing in order to repay the City.

ROLL CALL: Ayes – All, the motion carried.

BRUSKI PAVING

RESOLUTION NO. 2023-70

A motion was made by Council Member Bielas, seconded by Council Member Adair, to allow the paving of the shoulder of Erie Street and S. 5th Street at the home owners cost as the paving benefits the City.

ROLL CALL: Ayes – All, the motion carried.

May 15, 2023

**LETTER OF SUPPORT FOR TARGET ALPENA GRANT
RESOLUTION NO. 2023-71**

A motion was made by Council Member Fuhrman, seconded by Council Member Adair, to approve a letter of support for Target Alpena and have Mayor McLennan sign the letter on behalf of the City.
ROLL CALL: Ayes – All, the motion carried.

OTHER BUSINESS:

Council Member Fuhrman inquired about the position that will soon be open at the WWTP.

ADJOURNMENT:

With nothing further to come before Council, Mayor McLennan declared the meeting adjourned at 7:31 p.m.

SCOTT MCLENNAN, MAYOR

TERRI L. KOSS, CITY CLERK/TREASURER

MINUTES OF THE SPECIAL MEETING OF THE ROGERS CITY CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON WEDNESDAY, MAY 24, 2023

Mayor McLennan presided and called the meeting to order at 9:00 a.m.

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

ABSENT – Council Members Timeen Adair and Gary Nowak.

OTHER CITY PERSONNEL PRESENT – Police Chief Jamie Meyer, City Mgr. Joseph Hefele and City Clerk/Treasurer Terri Koss.

CITIZENS APPEARING BEFORE THE COUNCIL: None.

CLOSED SESSION:

RESOLUTION NO. 2023-72

A motion was made by Council Member Fuhrman, seconded by Council Member Bielas, to enter into Closed Session to discuss collective bargaining strategy.

ROLL CALL: Ayes: All, the motion carried and the meeting adjourned to Closed Session at 9:01 a.m. Upon reconvening in public session at 9:24 a.m. no action was taken.

ADJOURNMENT:

With nothing further to come before Council, Mayor McLennan declared the meeting adjourned at 9:24 a.m.

SCOTT MCLENNAN, MAYOR

TERRI L. KOSS, CITY CLERK/TREASURER

MINUTES OF THE REGULAR MEETING OF THE ROGERS CITY CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON TUESDAY, JUNE 6, 2023

Mayor McLennan called the meeting to order at 6:05 p.m. Council Member Nowak led the Pledge of Allegiance.

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

OTHER CITY PERSONNEL PRESENT – City Atty. Michael Vogler, Police Officer Joseph Kerr, MS/DDA Director Alex Harimoto, City Mgr. Joseph Hefelee 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 with the following additions: part-time wages, boutique motel letter of support, fiber distribution cabinet and removal of Recruitment and Education Plan and Public Participation Plan.

ROLL CALL: Ayes – All, the motion carried.

CITIZENS APPEARING BEFORE THE COUNCIL: None.

APPROVAL OF MINUTES

It was moved by Council Member Fuhrman, seconded by Council Member Bielas, that the minutes of the Regular Council Meeting of May 15, 2023 and Special Meeting of May 24, 2023 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 Fuhrman, that the following total fund expenditures be recognized as payments made and payments to be made, in the amount of \$1,152,120.62 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. Hefelee reported that the Planning Commission annual report has been provided.

COMMISSION AND LIAISONS:

Mayor McLennan stated that the Fire Authority water negotiations are still ongoing.

MAYOR:

Mayor McLennan stated that this may be the last shot to do something with the Grambau Center.

UNFINISHED BUSINESS:

RETURN OF LAKESIDE PARK RAFT

RESOLUTION NO. 2023-73

A motion was made by Council Member Nowak, seconded by Council Member Bielas, to not put the raft back in place at Lakeside Park.

ROLL CALL: Ayes – All, the motion carried.

June 6, 2023

PROMISSORY NOTE FROM MAIN STREET-DDA
RESOLUTION NO. 2023-74

A motion was made by Council Member Bielas, seconded by Council Member Adair, authorizing the Mayor to sign the promissory note lending money to the DDA to purchase the former AP Super Service property contingent on the signature of the DDA Chairperson.

ROLL CALL: Ayes – Adair, Bielas, Fuhrman and McLennan.
Nayes – Nowak, the motion carried.

NEW BUSINESS:
POLC LETTER OF UNDERSTANDING
RESOLUTION NO. 2023-75

A motion was made by Council Member Bielas, seconded by Council Member Adair, to authorize Mayor and Clerk to sign the POLC Letter of Understanding regarding wages.

ROLL CALL: Ayes – All, the motion carried.

NON-UNION COMPENSATION
RESOLUTION NO 2023-76

A motion was made by Council Member Fuhrman, seconded by Council Member Adair, to allow Council Member Fuhrman to abstain from the non-union compensation agenda item.

ROLL CALL: Ayes – All, the motion carried.

RESOLUTION NO. 2023-77

A motion was made by Council Member Adair, seconded by Council Member Bielas, to approve the non-union employee compensation as included in the meeting packet.

ROLL CALL: Ayes – Adair, Bielas Nowak and McLennan.
Abstain – Fuhrman, the motion carried.

TECHNOLOGY CONTRACT - NTS
RESOLUTION NO. 2023-78

A motion was made by Council Member Bielas, seconded by Council Member Adair, to approve the contract extension with Northern Technology Services for IT services through June 30, 2024.

ROLL CALL: Ayes – All, the motion carried.

CAPITAL IMPROVEMENT PLAN
RESOLUTION NO. 2023-79

A motion was made by Council Member Bielas, seconded by Council Member Fuhrman, to approve the City of Rogers City 2023-2024 Capital Improvements Plan as presented.

ROLL CALL: Ayes – All, the motion carried.

REQUEST FROM PIC HISTORICAL MUSEUM
RESOLUTION NO. 2023-80

A motion was made by Council Member Adair, seconded by Council Member Fuhrman, to authorize Presque Isle County Historical Museum to place a directional sign at Michigan and Fourth outside the State's right of way. City Staff will install the sign, but the museum must pay for the sign.

ROLL CALL: Ayes – All, the motion carried.

June 6, 2023

ASSESSING POLICIES

RESOLUTION NO. 2023-81

A motion was made by Council Member Adair, seconded by Council Member Fuhrman, to approve the assessing policies as included in the meeting packet.

ROLL CALL: Ayes – All, the motion carried.

PART-TIME WAGES

RESOLUTION NO. 2023-82

A motion was made by Council Member Fuhrman, seconded by Council Member Adair, to approve part-time employees pay increases effective May 27, 2023 as provided, but add “student” to the assistant harbor master title.

ROLL CALL: Ayes – All, the motion carried.

LETTER OF SUPPORT BOTIQUE MOTEL

RESOLUTION NO. 2023-83

A motion was made by Council Member Nowak, seconded by Council Member Bielas, to authorize Mayor McLennan to sign a letter of support for the Up North 23 boutique motel project.

ROLL CALL: Ayes – All, the motion carried.

REQUEST FIBER EQUIPMENT CABINET

RESOLUTION NO. 2023-84

A motion was made by Council Member Nowak, seconded by Council Member Adair, to approve the placement of a fiber equipment cabinet at the Michigan Avenue island between 3rd and 4th Street.

ROLL CALL: Ayes – All, the motion carried.

OTHER BUSINESS:

Council Member Nowak inquired about an assessing RFP. Mayor McLennan inquired what streets will be worked on the in the upcoming fiscal year.

CLOSED SESSION: None.

ADJOURNMENT:

With nothing further to come before Council, Mayor McLennan declared the meeting adjourned at 7:07 p.m.

SCOTT MCLENNAN, MAYOR

TERRI L. KOSS, CITY CLERK/TREASURER

MINUTES OF THE REGULAR MEETING OF THE ROGERS CITY CITY COUNCIL
HELD IN COUNCIL CHAMBERS ON TUESDAY, JUNE 20, 2023

Mayor McLennan called the meeting to order at 6 p.m. Council Member Adair led the Pledge of Allegiance.

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

OTHER CITY PERSONNEL PRESENT – City Atty. Michael Vogler, MS/DDA Director Alex Harimoto, Police Chief Jamie Meyer, City Mgr. Joseph Hefele and City Clerk/Treasurer Terri Koss.

APPROVAL OF AGENDA

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

ROLL CALL: Ayes – All, the motion carried.

Council Member Nowak requested a moment of silence for the Adair family.

CITIZENS APPEARING BEFORE THE COUNCIL:

Julie Brooks addressed Council regarding the Westminster Park project and then presented Council with a before and after picture of the gazebo restoration.

Alex Harimoto addressed Council regarding upcoming grant applications, recent and upcoming events and working with the school regarding youth involvement on City boards and commissions.

APPROVAL OF MINUTES

It was moved by Council Member Adair, seconded by Council Member Fuhrman, that the minutes of the Regular Council Meeting of June 6, 2023 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 \$427,500.73 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 on the Westminster Park renovation and tennis court improvements.

COMMISSION AND LIAISONS:

Mayor McLennan reported that the fire authority water issue is still ongoing. Council Member Nowak reported that the EDC will be getting a billboard.

MAYOR:

Mayor McLennan stated the Marina open house is July 8, 2023 from 10 am to 2 pm and will include a golf cart inspection station from 11 am to 2 pm, and that he recently reached out to an attorney for information regarding the fishing gill net litigation.

June 20, 2023

RESOLUTION NO. 2023-85

A motion was made by Council Member Nowak, seconded by Council Member Bielas, to re-appoint Tim Bruning and Dick Adair to the Harbor Advisory Commission, to reappoint Alec Brietzke and appoint Hayley Rose to the Main Street/DDA Board.

ROLL CALL: Ayes – All, the motion carried.

UNFINISHED BUSINESS:

RECRUITMENT AND EDUCATION PLAN

RESOLUTION NO. 2023-86

A motion was made by Council Member Bielas, seconded by Council Member Fuhrman, to approve the Recruitment and Education Plan as presented.

ROLL CALL: Ayes – All, the motion carried.

PUBLIC PARTICIPATION PLAN

RESOLUTION NO. 2023-87

A motion was made by Council Member Adair, seconded by Council Member Nowak, to approve the Public Participation Plan as presented.

ROLL CALL: Ayes – All, the motion carried.

ASSESSING POLICIES

RESOLUTION NO. 2023-88

NOW THEREFORE, BE IT RESOLVED, that the City of Rogers City hereby adopts the Resolution and Policy for the Audit Procedures regarding Granting or Removal of Real Property Exemptions Policy as required by the State Tax Commission. The foregoing resolution was offered by Council Member Nowak and seconded by Council Member Fuhrman and supported by roll call vote (to approve the change from four to three elements as outlined by the assessor).

ROLL CALL: Ayes – All, the motion carried.

NEW BUSINESS:

2022-2023 BUDGET AMENDMENTS AND TRANSFERS

RESOLUTION NO. 2023-89

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 approve the FY2022-2023 Annual Budget amendment, interfund transfers and set asides as prepared by City Staff, presented to Council in writing, and reviewed at this June 20, 2023 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

RESOLUTION NO. 2023-90

A motion was made by Council Member Nowak, seconded by Council Member Fuhrman, to approve the sale of City items as outlined in the Manager's report.

ROLL CALL: Ayes – All, the motion carried.

ENGINEERING AMENDMENT – FIRST STREET

RESOLUTION NO. 2023-91

A motion was made by Council Member Adair, seconded by Council Member Nowak, to approve Amendment #1 – First Street Water Main – Construction Services as included in the meeting packet.

ROLL CALL: Ayes – All, the motion carried.

June 20, 2023

NAUTICAL FESTIVAL REQUESTS

RESOLUTION NO. 2023-92

A motion was made by Council Member Fuhrman, seconded by Council Member Adair, to approve

1. Permission to hold the Nautical City Festival from Tuesday, August 1st through Sunday, August 6th at Lakeside Park.
2. Permission to close Lake Street from Ontario to Michigan and Michigan and Erie from First Street to Lake Street for the entirety of the Nautical Festival.
3. City to obtain necessary permits for the Festival parades. Kiddie Parade Route: Westminster Church (3rd St.) to Huron to Marina. Antique Car Show August 5 at 3:30 pm and Grand Parade 3rd St. (Gilpen Field) to Friedrich Street (Driftwood).
4. "NO PARKING" signs on Third Street on Sunday, August 6th from Woodward Avenue to Huron Avenue. Handicapped parking to be on east side of Third Street from Woodward to Ontario.
5. Provide Police protection where required.
6. Obtain Police and Fire Chief approval for the shooting of fireworks.
7. Permission to leave beer truck at tent area. Truck will be locked at all times.
8. Pavilion restrooms open for the public from 9 a.m. to 7 p.m. The Festival Committee will have a contract for cleaning the pavilion bathrooms.
9. Fireworks on Carmeuse property if the fireworks are cancelled, they will be held the Saturday following the Festival.
10. Request the use of the Sports Park (the Hole) and the Little League Fields for the P.I.C. Men's & Women's Slow Pitch Softball Tournament on Saturday and Sunday, August 5th and 6th.
11. Request that any concessions/vendors that request permits to operate during the Festival week must also have a signed contract with the Nautical Festival Committee to operate.
12. Permission to use Westminster Park Saturday, August 5th for the car show.
13. Permission to place up to an 80' x 270' tent on the Marina parking lot. The tent company to put stakes in the asphalt and plug holes when stakes are removed.
14. City Band to play at Lakeside Park band shell on Tuesday, August 1st from 7- 8:30 p.m.
15. Permission to use the band shell when necessary during the Festival.
16. Request Handicap Parking signs at North end of Court House Square on Huron for the Arts & Crafts Show Thursday, August 3rd through Sunday, August 6th.
17. City to pick up bagged garbage and broken down boxes at curbside each day during the Arts & Crafts Show.
18. City to waive the "No Animals in Lakeside Park" Ordinance for two hours prior and two hours after Pet Show.
19. School parking lot to be allowed for self-contained camper use by crafters participants only. (No softball players will be allowed). Permit only.

ROLL CALL: Ayes – All, the motion carried.

ST JOHN LUTHERAN SCHOOL REQUEST

RESOLUTION NO. 2023-93

A motion was made by Council Member Bielas, seconded by Council Member Nowak, to approve request from St. John's Lutheran School to hand out Italian Dinner/Auction fliers at Third and Erie on Saturday, October 21, 2023 from 11 am to 1 pm.

ROLL CALL: Ayes – All, the motion carried.

June 20, 2023

OTHER BUSINESS:

Mayor McLennan suggested filling the empty flag poles in the Avenue of Flags with Great Lakes State flags. Council Member Nowak requested additional information on why a police car was not purchased locally.

RESOLUTION NO. 2023-94

A motion was made by Council Member Nowak, seconded by Council Member Bielas, to order Great Lakes States flags for display on the Avenue of Flags.

ROLL CALL: Ayes – All, the motion carried.

CLOSED SESSION:

RESOLUTION NO. 2023-95

A motion was made by Council Member Bielas, seconded by Council Member Adair, to enter into Closed Session to discuss City Manager evaluation.

ROLL CALL: Ayes: All, the motion carried and the meeting adjourned to Closed Session at 6:48 p.m. Upon reconvening in public session at 7:02 p.m. no action was taken.

ADJOURNMENT:

With nothing further to come before Council, Mayor McLennan declared the meeting adjourned at 7:03 p.m.

SCOTT MCLENNAN, MAYOR

TERRI L. KOSS, CITY CLERK/TREASURER