

Council Proceedings
Regular Meeting
August 7, 2024

The Regular Council Meeting for the City of Rockwood was called to order by Mayor Troy A. Cox in the Council Chambers located at 32409 Fort St. at 7:00 PM

ROLL CALL

Present: Mayor Cox, Council Members Bennett, Grzywacz, Joaquin, Mercure, and Wasner

Absent: Council Member Cramton

City Officials

Present: Police Chief Krause, Fire Chief Mercure, Treasurer McCoy, Administrator Trush, Attorney Pelland, and City Clerk Oney

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

M-175-24 Motion by Wasner/Bennett to approve this evening's agenda as presented

Ayes are unanimous.

Motion Carried

PUBLIC DISCUSSION (Items not on Agenda)

None

PUBLIC DISCUSSION (Items on Agenda)

None

REPORTS OF CITY OFFICIALS/DEPARTMENTS

Police Department:

Police Chief Krause discussed the Technology Grant Expense and Officer Resignation/Approval to Hire

M-176-24 Motion by Wasner/Mercure approved the listed items from reimbursable grant funds, contingent on the passage of the budget amendment

- 3- “In car video systems” (dash cams) from Lenslock Inc. This is a 5-year contract, paid up front, in which we will receive any upgrades and/or new equipment as necessary for the duration of the contract. The total cost of this project is \$26,835.00
- 2-Laptop computers from ECS Inc. Currently, employees with remote access are utilizing their personally owned computers, which creates a security issue. The total costs will be \$2,299.98.
- A new video server and 3 cameras for the building security system. The cameras are a critical aspect of building security, and the server is equally as critical as it is significantly past its projected end of life and will not support current security protocols. The cost of this project is \$8,955.00

Council Member Grzywacz asked if this grant would be something that we can expect annually.

Chief Krause stated that he fought for quite some time to get this grant and learned that we were approved last year. He has been fighting with the feds to receive the funds. They are trying to put restrictions and guidelines on how it can be spent, and the chief would like to use it as he needs to before they make the changes/restrictions.

Council Member Grzywacz asked what the cost would be to repair the dash cams

Chief Krause stated that the dash cams are on a 5-year lease so any camera upgrades, software upgrades, or repairs are covered in that lease. We have one that will be going out tomorrow and they will send out a replacement at no charge, including shipping.

Council Member Joaquin asked if the chief would like to increase the laptop purchase to 3 instead of two to use up the entire grant.

Chief Krause stated that he would rather leave it the way it is in case something unexpected comes up.

Mayor Cox stated that the \$8,955.00 for the 3 cameras was originally going to come out of the money that we saved from dispatch, but we were able to tack it on to this grant, so we saved some money there.

Ayes are unanimous.

Motion Carried

M-177-24 Motion by Bennett/Grzywacz to accept the resignation of Officer Tony Modica, with regrets.

Council Member Grzywacz asked what the plans were for staffing in the future. She stated that she seen the posting for applications, is that for this position?

Chief Krause stated that the current post is for a records clerk. He has a few applications for that and is expecting more. He will hopefully start interviewing next week sometime. He has also posted for a police officer position. He has received 1 viable application for that. This applicant is currently in Oakland County Police Academy.

Council Member Grzywacz asked where that puts the police department staffing wise.

Chief Krause stated that he can still maintain staffing. They will not have the cover car, but they will be running as they were when officers were covering dispatch. Unfortunately, the cover car will be eliminated until we come back up in staffing. This is traditionally how this has been done in the past.

Council Member Wasner stated that he has always heard good things about Officer Modica.

Chief Krause stated that it was a race for a while between him and Officer Harshbarger for a while, but Officer Modica won.

Mayor Cox stated that he would personally like to thank Officer Modica for his service to the city and that he will be missed.

Ayes are unanimous.

Motion Carried

Fire Department:

Fire Chief Mercure has no formal report

Treasurer's Report:

Treasurer McCoy discussed the budget amendment 25-3

M-178-24 Motion by Wasner/Bennett to approve the budget amendment 25-3 as presented

Ayes are unanimous.

Motion Carried

Department of Public Works:

No Formal Report

CONSIDERATION ITEMS

None

ADMINISTRATOR'S REPORT

Administrator Trush discussed the Amendment to the 2020-2022 Park Millage Grant, Transfer of budgeted funds/intra-fund transfer, Dispatch Consolidation Expenses, and Request to pay Gee & Missler Repair Invoice

M-179-24 Motion by Wasner/Mercure for a resolution approving Amendment N0. 1 to the intergovernmental agreement for the 2020/22 Park Milage allocation

Ayes are unanimous.

Motion Carried

M-180-24 Motion by Wasner/Joaquin to approve the line-item intra-fund transfer within the Major and Local Roads Fund

Ayes are unanimous.

Motion Carried

M-181-24 Motion by Wasner/Bennett to move \$67,000.00 from line-item 101-301-706 to line-item 101-301-618 and \$11,490.00 from \$ 101-301-706 to line-item 101-301-955

Ayes are unanimous.

Motion Carried

M-182-24 Motion by Wasner/Grzywacz to approve the payment of \$1,038.00 to Gee & Missler to replace the circuit board and thermostat in police department men's locker room.

Ayes are unanimous.

Motion Carried

ATTORNEY'S REPORT

No Formal Report

MAYOR'S REPORT

M-183-24 Motion by Wasner/Mercure to excuse Council Member Cramton from this evening's meeting due to vacation

Ayes are unanimous.

Motion Carried

Mayor Cox wanted to take a moment and give recognition to Jeannette Laura who just turned 100 years old on July 29th.

Mrs. Laura is a lifelong resident between Rockwood and South Rockwood. She was a salutatorian of her graduating class. She held few jobs throughout her life including working at St. Mary's Catholic Church for 17 years. She later married the love of her life and had 9 children, 18 grandchildren, and 28 great- grandchildren. She says that happiness is the secret to her long life, and perhaps dessert too because she loves chocolate cake. There was a great article about Mrs. Laura and her life's journey in the Monroe Evening News.

Mayor Cox wanted to personally say Happy Birthday.

OLD BUSINESS

Council Member Grzywacz asked if there was an update on the HUD money.

Mayor Cox stated that they claim that we will receive these funds on August 14, 2024.

Council Member Wasner asked if this is road money.

Mayor Cox said yes

Council Member Wasner asked if we have gone out for bid for this yet.

Mayor Cox stated that they are starting that process soon.

Mayor Cox stated that we did sign the contract for dispatch consolidation with the City of Gibraltar and the transition went very smooth, we have not had any problems. The City of Gibraltar did adjust the contract by 35 days, because we did not start until August 5th, which saved us about \$7,000.00.

NEW BUSINESS

Council Member Wasner stated that when we want to enforce some ordinances, he would like to see someone in a position to authorize that ordinance enforcement.

Mayor Cox asked Chief Krause to come up and speak on that.

Chief Krause stated that he is working closely with the lieutenant. They are going to implement a plan and further courses of action. They are going to use door hangers to give residents a warning, the caveat to that is that not everyone warrants a warning. This will be handled on a case-by-case basis. If it is that offensive, you may receive a ticket, if that is the case it will come back before the chief and lieutenant and they will make the final determination for the time being.

Council Member Grzywacz wanted to make clear that the lieutenant would be the one authorizing the issuance of tickets.

Chief Krause stated that it would be authorized by him or the lieutenant. This will also be handled on a case-by-case basis. If the officer issues a warning it will be entered in the CAD system and the lieutenant will take the necessary actions.

Council Member Grzywacz asked if the door-tags are something new that they are implementing or was this just a skipped step that caused the big uproar a couple of weeks ago.

Chief Krause stated that they have had the door-tags, but they have been used as more of a crime prevention. Since they already have the door-tags they will repurpose the use, so they do not have to spend more money.

Council Member Grzywacz wanted to know how they planned on implementing the ordinance. Will we use the door-tag giving the residents a warning and then they have so much time to resolve the issue and then a ticket would be issued? She would like to know more about how this will be enforced.

Chief Krause stated that he is pretty sure that the entire city is aware of the trash ordinance now. It has been all over social media for about a week or two. It will depend on the violation. They may get a warning with x amount of days to resolve the issue. If the issue is resolved and it is already going through the court system, then we may have the attorney dismiss it or work out some sort of deal with the violator. Again, this will all be handled case-by-case. Chief Krause stated that he is in the office Monday – Friday and if anyone would like to discuss it further, they can call him.

Council Member Grzywacz asked if they could expect some kind of proposal on how the residents could expect a warning system so that they are aware.

Chief Krause stated that we must be very careful on how we word something like that because then you get into ‘everyone gets a warning’ type thing. It is going to take some delicate wording. He will get together with the lieutenant and the attorney for the proper wording, he does not want to give that cart blanch that everybody is guaranteed a warning type thing.

Mayor Cox stated that the bottom line is we want to fight blight in our city

Chief Krause stated that the residents want us to take care of the blight, the caveat to that is they call and complain about the blight and then we issue tickets, and they call and complain about that.

Council Member Wasner asked if these would be the same door hangers that the night officer used to warn residents of their garage door being left open etc.

Chief Krause stated that they are a little different but have the same concept.

Council Member Wasner stated that in addition to the trash ordinance, when we have complaints about the long grass and stuff, does Bobby go out and give them a warning?

Mayor Cox stated that Steve Mercure was handling that, normally they are given seven days to cut their grass.

Chief Krause stated that it depends on the situation again. The residents know if their grass is 8 inches high or 24 inches high. We try to work with the residents to gain compliance through education and understanding.

Mayor Cox stated that DPW will cut their grass, and they will be charged.

Council Member Wasner asked that if an officer is driving down the road and sees a lawn that is getting out of control, does the officer issue that warning/ticket?

Chief Krause stated that they could. There are so many ordinances, and we are trying to find a happy medium to how we enforce this. We empower the officers to make decisions on their own without guiding them every step of the way. So, again, we are trying to find a happy medium, we are getting there.

Mayor Cox asked if there is any way that it is tracked.

Chief Krause stated that the officer will create an incident report, they can do this from the patrol car, and this is date and time stamped. We can check back and see if there has been a ticket or warning issued.

Council Member Grzywacz stated that we may need to get an ordinance officer in the future.

Attorney Pelland stated that they do not actually write that many of them. When they do write them, they are almost always a warning. He also stated that there is a difference between “blight” and “long grass”. A long grass is a civil infraction and blight is a misdemeanor. He believes the officers need some discretion; they almost always give a warning. You know when your grass is 10 inches long, you do not need a warning for that. Blight is a different situation. Blight can mean so many different things. He stated that he does not see a ticket for blight most of the time without a warning being issued first.

Council Member Wasner also wanted to make the residents aware that if he is correct, every time a ticket is issued we have to pay the court \$100.00.

Chief Krause stated that he believes the amount is \$105.00 now. So just to be clear, the ticket issued for the trash cans is \$135.00. We do not make money on tickets.

Council Member Joaquin that there is a misconception that as a city, us writing these tickets was a money grab. He asked the chief to how much the city keeps for these citations.

Chief Krause stated that for every case that is filed from the City of Rockwood, including landlord/tenant civil cases, we pay \$105.00. We have a 5-year court assessment that is broken down to month- by – month based on the case load. We have other cities around us whose court assessments are going down because they do not have the same case load as we do. The nature of the beast is that we have the freeway that runs through here. We also have a dedicated truck route that keeps them busy. For the \$105.00 that we have to pay, the tickets that they are writing range from \$110.00 - \$135.00 at the most \$150.00, then you still have all of the other costs involved with that. We pay the court from the general fund, most months we do not break even.

Council Member Joaquin wanted to reiterate that we, the city, do not make money off of writing tickets. The money paid for any ticket issued is paid to the court.

Chief Krause wanted to assure the residents that policing for profit is not on his agenda.

Council Member Joaquin stated that he wrote an email on July 19th with the goal to gain knowledge on how to amend a current ordinance that is in the books. With that in mind, he will read the email that he wrote to Mayor Cox and Administrator Trush.

“Good evening,

As I am sure you are both abundantly aware of the current ongoings of our city. I believe it is time to bring Ordinance 212-11 up to date. Based on current times and work schedules, allowing more time to put out and bring in our trash cans should be provided. I would like the amendment to allow for a period of 24hrs before and after trash day be added. I believe it will benefit the citizens and alleviate some of the time issuing citations takes from our Police Officers other duties. As I am unclear on the exact procedure for this to happen, I would like any advice on how to address this in a more formal manner.

I am almost positive that there are many antiquated Ordinances we currently have on the books and would love to encourage our Council and Citizens to look through them and bring any ideas for changes to the table. Just because something has been done a certain way for a long period of time, doesn't mean it fits the current climate or needs of the community.

My motion is:

"Motion to amend Rockwood City Ordinance 212-11 to allow a period of 24hrs prior to trash collection and a period of 24hrs following trash collection for, placement, collection and removal of solid waste and recycling containers, before a violation occurs."

Sincerely,
Jeremy Joaquin
Councilman, City of Rockwood”

Mayor Cox stated that he did speak with the attorney about this, but the times that are set in the current ordinance are the same as most surrounding communities.

Attorney Pelland stated that to the first question, amending the ordinance, we would do like we have in the past and change certain things. We figure out what the council is looking for and then he writes up the draft with the new language. Then it goes before the council for vote, if the council approves it, then it goes out to the notice period and then there's a first reading, notice period, then a second reading, and then it becomes effective after that.

Attorney Pelland stated that with regards to this particular ordinance, if the council wants to expand the time on when they can put the trash out and when the cans need to be brought back, that is fine. He would not recommend using a 24-hour period because it is too subjective. It doesn't really set a timeline. The current ordinance is pretty much the standard throughout Michigan. Attorney Pelland stated that he is having problems with where he lives as well with it being collected in a timely manner. He would stick with not letting it be put out too early. With the proposed changes, you are going to have garbage cans out on the street 3 days a week. The evening after 6 pm before is a common time. He does not believe that you will be issued a ticket if you have to put it out a little early because you are going out of town or going to work. He stated that if we can, he would stick with the current timeline. If you do want to change the time, he would not suggest doing it any earlier but maybe extending the time when it needs to be brought back.

Mayor Cox stated that some of those tickets that were issued, their trash had been out since Sunday, Rockwood trash does not get picked up until Wednesday. So, most of those tickets were valid. He also stated that he is aware of a jurisdiction near here that is dealing with a rat problem. This is happening because the residents are putting their garbage out or leaving their cans out.

Council Member Joaquin stated that he feels like it has been thoroughly addressed and he is willing to not forget this email or idea, but he would like to follow up on how the discretion is being utilized further as was discussed previously. If that does not have any positive results, he would like to revisit this motion.

Attorney Pelland stated that with regard to issues, how early you are able to put it out is the problem. Then you have trash sitting out there. Empty trash cans look bad but are not as big of a deal as long as they are empty. The timeline could go a little bit later but not 24 hours.

Council Member Joaquin stated that he is not set on 24 hours, that was just a generalization to create change.

Attorney Pelland stated that you may want to extend the time to bring the trash cans back to 8 pm. That might work better, and it is straight forward with a timeline.

Council Member Joaquin stated that we do have a lot of shift workers in Rockwood. Realistically, you do not want to haul your trash cans out when you get off at 12 am and you do not want to wake your neighbors up banging things around so late at night.

Attorney Pelland stated that if you were to make it earlier, maybe add in there that it has to be a trash can with a lid. That way you avoid attracting animals.

Council Member Joaquin stated that he would be open to brainstorming ideas to make this work for everybody while keeping a sanitary community.

Mayor Cox stated that we should discuss this and come up with some language to bring forward to the next meeting.

Council Member Grzywacz stated that she thinks that 27 tickets are an egregious amount tickets to be issued that might not have happened in other communities. This was brought to our attention and as a council she thinks that we need to address it. She feels like this is a great time to look at the ordinance and see if this is the right fit for the city. She agrees that we do not need to put the trash out too early, but some people work 12-hour shifts and need a little more time bringing the trash cans back in. She would like to see an extended timeline.

Council Member Mercure stated that she would be ok with extending it to 8 pm or even 9 pm on trash pickup day, but no later than that.

Council Member Grzywacz stated that she has a problem with that because Steven's sometimes does not pickup until 5 pm or 6 pm or sometimes they don't pickup at all. She would like to see it extended to early the next morning.

Attorney Pelland stated that his point was to put a timeline on it.

Council Member Grzywacz stated that she would be ok with the timeline to bring the trash cans back from the curb no later than 7 am on Thursday.

Council Member Wasner stated that he thinks that everyone is aware of the issue. Residents and Police Officers. What he thinks should happen is to table the issue for now, see if it works itself out now that attention has been brought forward. We could have plans in place in case we need to revisit it.

Council Member Grzywacz stated that she would like to see a motion.

Council Member Joaquin stated that he did propose it, but he does not think that we will solve it tonight. There are a lot of good ideas like trash going in containers with lids and having a hard time getting them off the curb. If we could table it but not indefinitely, for the next council meeting so we can see 2 weeks of educating the public and those who enforce

the ordinances. He still would like to see a change, but he does not feel that this will be nailed down tonight. We can have a broad overview of where we want to go but creating new times right now, he does not think is feasible.

Mayor Cox stated that at that time Council Member Cramton will be back and he can give his thoughts on the situation.

M-184-24 Motion by Joaquin/Wasner to table the discussion of Ordinance #212-11 for 2 weeks and revisit it at that time.

Ayes: Mayor Cox, Council Members Bennett, Joaquin, Mercure, and Wasner

Nays: Council Member Grzywacz

Motion carried

Council Member Grzywacz stated that they had to move the Beautification Committee Meeting to the second Thursdays of the month in the Community Room due to the new business hours.

Council Member Joaquin just wanted to put out there that the full City Charter is available on the city website for public viewing. Anybody that has any questions or concerns about potentially outdated ordinances should come to a council meeting on the first and third Wednesday of every month. Or they can email him at jjoaquin@rockwoodmi.org

Council Member Grzywacz stated that all of our emails are available on the city website so they can reach out to any of us.

Mayor Cox wanted to give a brief update on the water issue. He did speak with GLWA about the water issue. They have not changed any of their testing standards. They have had no complaints about the water rings that some of our residents are seeing. He has also reached out to other communities and emailed several other mayors, and they have not had any complaints on this matter either. E do have the Consumer Confidence Report of 2023 available on the city website.

The report states:

Last year, as in years past, your tap water met all U.S. Environmental Protection Agency (EPA) and state drinking water health standards. The Rockwood Water Department and the Great Lakes Water

Authority vigilantly safeguards its water supplies and once again we are proud to report that our system has never violated a maximum level or any other water quality standard.

Mayor Cox also wanted to inform the residents of some specific tests that are done which includes fluoride, and nitrate which are tested every 3 months and lead, and copper are tested every year.

The full report is available at rockwoodmi.org

Mayor Cox stated that he has been in touch with the owner of the Rite Aid building. Rite Aid does not own that building. He expressed what the city would like to see go in there and what we did not want to see go in there. It is not up to us on how the house their building. We would like to see another pharmacy for our senior citizens. He stated that the owner is going to look into it.

Mayor Cox stated that he met with the City of Gibraltar Mayor, Police Chief and Fire Chief about the dispatch consolidation council. They all have agreed that it will consist of Mayor Shumate, Police Chief Tanguay, Chief Krause, Chief Mercure, and an outside independent dispatcher.

Council Member Grzywacz asked what he meant by “independent”

Mayor Cox stated that he is retired but he is sure he is working back at Gibraltar now. He knows about dispatch and all the ins and outs of the unit.

M-185-24 Motion by Wasner/Mercure to approve the above-mentioned officials to be the dispatch consolidation council

Ayes are unanimous.

Motion Carried

Mayor Cox stated that on Tuesday, August 6, 2024, due to all the heavy rainfall we had a pipe bust in the elevator shaft and all of City Hall is flooded. Vicki met with the insurance company and will have people out tomorrow to assess the damage. It will be covered by insurance.

Council Member Joaquin asked if we were taking steps to ensure this does not happen again.

Mayor Cox stated that he was told that it was one pipe that busted within the wall. We will have to pay for that to be fixed and pay the deductible.

ADJOURNMENT

M-186-24

Motion by Wasner/Bennett to adjourn this evening's council meeting at 7:51 PM

Ayes are unanimous.

Motion Carried

City Clerk, Colleen E. Oney

Mayor, Troy A. Cox