

May 6, 2002  
Gladwin, Michigan

The regular meeting of the Gladwin City Council was called to order by Mayor Pro Tem Mienk at 7:30 p.m.

Present: Alward, Caffrey, Crawford, Hindman, Jungman, Matteson, Mienk, Novak

Absent: None

Staff Present: Bob McConkie, Shannon Greaves, Doug Jacobson, Charlie Jones, Betty Barnebee

Also Present: Amy Morris, Anne Wolfe, Craig Smith, Jim Reinhold

The Pledge of Allegiance was led by Mayor Pro Tem Mienk followed by the invocation given by Reverend Phil Hortop.

Motion by Council Member Caffrey, supported by Council Member Novak to approve Warrant 02-29 in the amount of \$46,121.76 and Warrant 02-30 in the amount of \$71,748.36. All ayes. Motion carried.

#### Hearing of Delegations

Jim Reinhold was present from SLC Meter Systems to explain their water meter systems. Motion by Council Member Caffrey, supported by Council Member Crawford to purchase water meters and radio equipment that are needed. All ayes. Motion carried.

Motion by Council Member Jungman, supported by Council Member Caffrey to establish the agenda with the following additions: Old Business – (a) Clendening Sidewalk Resolution, (b) Industrial Par Resolution; New Business – (i) Business Licensing Ordinance Draft, (j) Computer Services. All ayes. Motion carried.

Motion by Council Member Caffrey, supported by Council Member Alward to approve the consent agenda which includes the following: Communications – (i) New Michigan Right of Way Legislation, (ii) Public Act 48 - \$25 - \$30 Million Annually for Municipalities, (iii) Standard and Poor's Report, (iv) Link Michigan Memo, (v) Capital Report; Meetings – Fire Department 4/3/02, District Commissioners 4/9/02, Housing Commission 4/9/02, Economic Development Corporation 4/17/02, Arts Council 4/18/02, Personnel Committee 4/18/02, Parks Commission 4/22/02, Planning Commission 4/22/02, Personnel Committee 4/24/02, Finance Committee 4/25/02, Fire Department 5/1/02, Personnel Committee 4/30/02. All ayes. Motion carried.

#### Old Business

**RESOLUTION 02-28**  
**CITY OF GLADWIN RESOLUTION**

This Resolution of the City of Gladwin is offered by Council Member Novak, seconded by Council Member Caffrey, for the purpose of providing for the construction of sidewalks and associated drainage improvements situated in the City of Gladwin, with the area specifically affected listed in Attachment A. This proceeding is pursuant to Chapter 12 of the City of Gladwin Charter, and Chapter 35 of the Gladwin City Code of Ordinances.

1. The City Council determines that the construction of the sidewalk system and associated drainage improvements within the affected area serves a beneficial purpose for the residents and owners of property in the area and that the welfare of the inhabitants is increased thereby.

2. The City Council has reviewed plans for the construction of the subject sidewalk system and associated drainage improvements, as provided by the Mayor and his designee, the City Administrator.

3. The City Council determines that the costs of maintenance and improvement shall be assessed against the lands which are adjacent to the proposed sidewalks and associated drainage improvements to be constructed within the proposed assessment district as set forth in Attachment A.

4. That the City Council has reviewed proposed costs of the project, being in the sum of \$139,400.00, and has reviewed proposed assessments as against the various properties which are proposed for inclusion in the assessment district, with a schedule of the proposed assessments as against various properties being set forth in Attachment B hereto. The cost of the project and the assessments required for payment are further to Section 35.12 of the City Code.

5. That the proportion of the costs of the improvements which shall be paid by the City at large for the benefit of the City at large is as follows: 10.64% or \$14,831.05.

6. That the proposed assessments may be paid by affected property owners in full, or may be paid, at the owner's option, in 10 annual equal payments, which payments shall include interest at the rate of five (5%) percent; any owner may pay the remaining principal balance of the assessment at any time, subject to the provisions of Section 35.09 to 35.11 of the City Code.

7. That the proposed assessment roll shall be filed with the City Clerk for public examination along with the report of the Mayor and Administrator,

and the City Council shall meet on May 20, 2002 at 8:00 p.m. to act as a Board of Review to review the roll and to hear any complaints.

8. The City Clerk shall publish a notice of the review meeting in the Gladwin County Record at least once before the meeting, at least ten (10) days prior to the meeting, and shall mail by first class mail a notice thereof to each property owner affected, together with a copy of this Resolution and the proposed costs and assessments.

Roll Call Vote:

Ayes:	Alward, Caffrey, Crawford, Hindman, Jungman, Matteson, Mienk, Novak
Nays:	None
Absent:	None
Abstain:	None

Adopted on May 6, 2002 by the City Council.

**RESOLUTION 02-29  
SEWER SEPERATION**

Resolution offered by Council member Caffrey, and supported by Council member Jungman.

**WHEREAS**, the City of Gladwin has over the past several years expended considerable funds and undertaken significant debt in pursuing sanitary and storm sewer separation, and

**WHEREAS**, the City has commissioned studies which indicate that a significant further investment in infrastructure is required to accomplish its goal of reparation of storm and sanitary sewer systems sufficient to meet the Michigan Department of Environmental Quality (MDEQ) NPDES permit requirements that the City's overflow outfall facility be eliminated, and

**WHEREAS**, the City has not experienced an overflow of the combined sewer system since August 7, 1998, on which date which the City experienced a 50 year rainfall event, and since that event the City has undertaken additional measures as to eliminate inflow from downspouts, and other miscellaneous measures required under the NPDES permit, and

**WHEREAS**, the dates contained within the City's NPDES permit have proven to be unrealistic target dates for completion of the sewer separation project, despite the City's efforts to finish the project, and

**WHEREAS**, the City has monitored grant opportunities which have been proposed by the State of Michigan and the Federal Government to assist communities with sewer

separation projects and the City has attempted to position itself to apply for such opportunities immediately should the proposed programs be authorized.

**NOW THEREFORE BE IT RESOLVED**, the Gladwin City Council does hereby restate its intent to complete a sewer separation project which will result in the elimination of the combined sewer overflow outfall to the Cedar River subject to financial feasibility for the City and its residents.

**BE IT FURTHER RESOLVED**, the Gladwin City Council requests that the MDEQ reconsider its preliminary decision that no additional sanitary sewer main for the Gladwin Industrial Park annex be approved until the completion of the entire sewer separation project.

Roll Call Vote:

Ayes:	Alward, Caffrey, Crawford, Hindman, Jungman, Matteson, Mienk, Novak
Nays:	None
Absent:	None

Resolution declared adopted this 6<sup>th</sup> day of May, 2002.

New Business

**ORDINANCE NO. 262  
AMENDMENT TO GLADWIN CITY  
CODE OF ORDINANCES**

THE CITY OF GLADWIN ORDAINS:

Section 1. PURPOSE

The purpose of this article is to amend the Abandoned and Junked Vehicles Ordinance, more specifically Section 90.03 of the Gladwin City Code of Ordinances.

Section 2. AMENDMENT

**NOW THEREFORE**, be it resolved that the Abandoned and Junked Vehicles Ordinance is amended as follows:

It is hereby declared to be unlawful for any person, firm or corporation to store on, place on or permit to be stored or placed on or allowed to remain on any city street or public right-of-way or on any platted or unplatted parcel of land, except in an Industrial district as provided under the City of Gladwin Zoning Ordinance, a dismantled or partially dismantled motor vehicle or any parts of a motor vehicle, unless at an establishment

licensed as a dealer in new or used automobiles as provided under Chapter 11 of this Code, or unless said dismantled or partially dismantled motor vehicle or parts of a motor vehicle shall be kept in a wholly enclosed garage or other wholly enclosed structure; provided, however, that any bona fide owner, co-owner, tenant or co-tenant may store, permit to be stored or allow to remain on the premises of which he is the owner, co-owner, tenant or co-tenant any one such dismantled or partially dismantled motor vehicle, for a period of not to exceed 14 days if such motor vehicle is registered in his, her or its name, provided further that any such owner, co-owner, tenant or co-tenant may in the event of a hardship, upon payment of the fee hereinafter provided, secure a permit from the City Administrator to extend such period for an additional period not to exceed 14 days for any such dismantled or partially dismantled motor vehicle if such motor vehicle is registered in his, her or its name; provided further, this section shall not be construed to permit parking or placing of dismantled or partially dismantled vehicles on any street area in the city or in any front yard.

### Section 3. SEVERABILITY

Any and all sections, terms, provisions and/or clauses herein shall be deemed independent and severable. Should any court of competent jurisdiction hold any section, term, provision or clause void or invalid, all remaining sections, terms, provision and/or clause not held void and/or invalid shall continue in force and effect.

### Section 4. REPEALER

Except as specifically amended by this amendatory ordinance, the provisions of the Abandoned and Junked Vehicles Ordinance as adopted by the City of Gladwin remain in full force and effect. All ordinances or parts thereof in conflict herewith are hereby repealed and shall be of no further force and effect.

### Section 5. EFFECTIVE DATE

The foregoing ordinance was offered by Council Member Jungman, supported by Council Member Caffrey.

This ordinance shall take immediate force and effect.

### Roll Call Vote:

Ayes:	Alward, Caffrey, Crawford, Hindman, Jungman, Matteson, Mienk, Novak
Nays:	None
Absent:	None
Abstain:	None

This Ordinance adopted this 6<sup>th</sup> day of May, 2002

Motion by Council Member Crawford, supported by Council Member Jungman to authorize the Chairman of the Airport Board to execute an Agreement from URS and Grant Agreement for the Gladwin Zettel Memorial Airport. All ayes. Motion carried.

**RESOLUTION 02-30  
CHARITABLE GAMING**

(See Attached)

Motion by Council Member Matteson, supported by Council Member Jungman to allow staff to use its discretion as to whether to switch to Quick Connect (telephone company). All ayes. Motion carried.

Mayor Winarski was seated at 8:57 pm.

**RESOLUTION 02-31  
ANN STREET LIGHTING**

(See Attached)

**RESOLUTION 02-32  
TIMOTHY STREET LIGHTING**

(See Attached)

Motion by Council Member Jungman, supported by Council Member Hindman to allow the City Police Department to send in the COPS Grant Application. All ayes. Motion carried.

Administrator McConkie stated that he would like to table the Community Center Air Conditioning Proposals until the next meeting to find out the warranty information on the equipment.

Administrator McConkie asked that the Ordinance Committee review the draft of the Business Licensing Ordinance and come back to the City Council within 30 days with their recommendation.

Motion by Council Member Hindman, supported by Council Member Caffrey to approve the proposal from Solutions Plus, Inc. for server and network needs in the amount of \$3,800. All ayes. Motion carried.

Comments

Mayor Winarski stated that the City is still looking into the problems with the wetlands issue within the industrial park.

Council Member Novak wished to complement the DPW on their great job in the cemetery.

Council Member Mienk stated that the Ordinance Committee Meeting would be Tuesday, May 7<sup>th</sup> at 5:15 p.m.

Mayor Winarski called for a five minutes recess at 9:25 p.m

Motion by Council Member Matteson, supported by Council Member Caffrey to enter into Executive Session at 9:32 p.m. All ayes. Motion carried.

Motion by Council Member Jungman, supported by Council Member Hindman to adjourn the Executive Session and enter into regular session. All ayes. Motion carried.

Motion by Council Member Jungman, supported by Council Member Caffrey to adjourn.

Meeting ended at 9:38 pm

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Thomas L. Winarski, Mayor

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Shannon Greaves, City Clerk