

May 19, 2003
Gladwin, Michigan

The regular meeting of the Gladwin City Council was called to order by Mayor Winarski at 8:00 p.m.

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

Absent: None

Staff Present: Bob McConkie, Shannon Greaves, Bernadette Weaver, Doug Jacobson

Also Present: Mayor Winarski, Doug Scott

Correction to May 5, 2003 minutes to state that Council Member Novak asked that the City Council minutes be published in the Gladwin County Record. Minutes stand approved with correction.

Motion by Council Member Caffrey, supported by Council Member Mienk to approve Warrant 03-34 in the amount of \$18,238.38. All ayes. Motion carried.

Hearing of Delegations

Doug Scott was present from Rowe, Incorporated to give a monthly progress report on City of Gladwin items. Motion by Council Member Matteson, supported by Council Member Caffrey to approve Change Order No. 2 in the amount of \$25,980.00 to Isabella Corporation for the repairs to Robertson Drive near M-61. All ayes. Motion carried.

Administrator McConkie presented bids that were received for the City Hall Parking lot. Administrator McConkie recommended that the Council reject all bids. Motion by Council Member Novak, supported by Council Member Caffrey to reject all bids. All ayes. Motion carried.

Motion by Council Member Mienk, supported by Council Member Caffrey to approve the proposal from Rowe, Incorporated for the proposal of \$4,600.00 for the study of water pressure problems in the southwest quadrant of the City. All ayes. Motion carried.

Motion by Council Member Jungman, supported by Council Member Alward to establish the agenda with the following additions: New Business – (i) LEAP, (j) Payment No. 3 – M-61 at Industrial Drive and Weber Road. All ayes. Motion carried.

Motion by Council Member Alward, supported by Council Member Mienk to approve the consent agenda which includes the following: Communications – Airport – Parallel Taxiway – 2003, MML Alert – May Revenue Estimates Show Budget Gaps; Meetings – Housing Commission 4/15/03, Northern Tittabawassee River Task Force 5/6/03, Personnel Committee 5/7/03. All ayes. Motion carried.

**RESOLUTION
2003 MILLAGE**

WHEREAS, the City of Gladwin Board of Review has completed its review and correction of the Assessment Roll for 2003 and

WHEREAS, said Assessment Roll shows the taxable value of all real and personal property in the City of Gladwin subject to general Ad Valorem taxation to be as follows:

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|---|---------------|
| AD VALOREM TAX ROLL - REAL PROPERTY | \$ 46,504,186 |
| AD VALOREM TAX ROLL - PERSONAL PROPERTY | 7,517,830 |
| TOTAL ASSESSMENT ROLLS | 54,022,016 |

WHEREAS, the City Council has adopted a budget for the 2003-2004 fiscal year which will require the maximum allowable millage levy to adequately fund the operations of the City of Gladwin, and

WHEREAS, pursuant to Act 42, P.A. 1995, the City Council discussed millage rates at the April 7, 2003 public hearing to review the proposed 2003-2004 city budget, and

WHEREAS, the City Council, after applying all millage reduction rollbacks has complete authority to establish that 14.6736 mills be levied in 2003 for operating purposes, and

WHEREAS, the City Budget for the year 2003-2004 heretofore adopted by this Council shows that the amount of money needed from taxes to meet the City's requirements to be 14.6736 mills on each dollar of Taxable Value of the Real and Personal Property in the City.

NOW, THEREFORE BE IT RESOLVED, by the authority granted by City Charter, Chapter 10, Section 10.1, the millage rate for 2003 is hereby set at 14.6736 mills to be levied against each dollar of Taxable Value of Real and Personal Property in the city of Gladwin for general operating purposes.

BE IT FURTHER RESOLVED, pursuant to the authority of Gladwin City Charter, Chapter 10, Section 10.9, the City Clerk is hereby directed to certify to the Assessor the total amount \$ 779,812 to be raised by taxes.

FURTHER, when extensions have been made by the Assessor, that the City Assessor, pursuant to City Charter, Chapter 10, Section 10.11, shall execute the necessary Warrant directing the City Treasurer to collect the tax set forth in said warrant, and that same be delivered to the Treasurer for collection, that said taxes, when collected be credited to:

2003-2004 GENERAL OPERATIONS = \$ 779,812

FURTHER, it is hereby certified pursuant to Act 35, Michigan Public Acts of 1979, as amended, that the requested millage had been reduced, if necessary, in compliance with Section 31, Article 9 of the State Constitution.

The foregoing resolution was offered by Council Member Matteson and supported by Council Member Jungman.

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

Resolution adopted this 19th day of May, 2003.

RESOLUTION
CHARTER COMMUNICATIONS FRANCHISE

WHEREAS, several Michigan municipalities receiving cable services from Charter Communications or its affiliates (collectively “Charter”) are jointly retaining the same law firm to assist them on the renewal of their cable franchise with Charter and related matters; and

WHEREAS, Charter currently provides cable service in the City of Gladwin; and

WHEREAS, the City of Gladwin believes there are significant advantages to it and its residents from joint legal representation on the proposed franchise renewal and related matters, including increased effectiveness and reduced costs compared to the City engaging separate counsel on such matters; and

WHEREAS, to retain the law firm of Varnum, Riddering, Schmidt & Howlett LLP for such joint representation on the renewal and related matters, the City must execute the attached engagement letter with Varnum, Riddering, Schmidt & Howlett LLP; and

WHEREAS, the City has examined the engagement letter, finds it to be reasonable, in the public interest and with adequate protection for the City.

NOW, THEREFORE BE IT RESOLVED, that the City Administrator is hereby authorized and directed to sign the attached engagement letter retaining as special counsel the law firm of Varnum, Riddering, Schmidt & Howlett LLP jointly with other municipalities served by Charter as set forth therein, and the Administrator is hereby authorized to take such steps related to the proposed cable franchise renewal with Charter as are necessary to protect the interests of the City and its residents and to further the purposes of the engagement of special counsel.

The foregoing resolution was offered by Council Member Caffrey and supported by Council Member Mienk.

Roll Call Vote:

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

Resolution adopted this 19th day of May, 2003.

**ORDINANCE NO. 271
AMENDMENT TO GLADWIN CITY
ZONING ORDINANCE**

THE CITY OF GLADWIN ORDAINS:

Section 1. **PURPOSE**

The purpose of this article is to amend the Zoning Ordinance (Ordinance No. 217) of the City of Gladwin.

Section 2. **AMENDMENT**

NOW THEREFORE, be it ordained the Gladwin City Zoning Ordinance (Ordinance No. 217) is amended as follows:

The Zoning Map shall be amended to reflect the following change:

Gladwin City, Hanna's Addition, Block 19, Lots 1, 2, 3, 6, 7, and 8 including portions of vacated Bruce Street and Quarter Street and any parts of Block 22, Lots 3 and 4 lying north of the Cedar River, be contained within the Service Commercial (C-2) District

Section 3. **SEVERABILITY**

Any and all section, 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, provisions and/or clauses not held void and/or invalid shall continue in force and effect.

Section 4. **REPEALER**

All ordinances or parts thereof in conflict herewith are hereby repealed and shall be of no further force and effect.

Section 5. EFFECTIVE DATE

This ordinance shall take immediate force and effect.

Roll Call Vote:

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

The foregoing ordinance was offered by Council Member Matteson, supported by Council Member Mienk.

This Ordinance adopted this 19th day of May, 2003.

Motion by Council Member Mienk, supported by Council Member Caffrey to approve Purchase Order 35 in the amount of \$3,786.86 to SLC Meter Service, Inc. All ayes. Motion carried.

Motion by Council Member Matteson, supported by Council Member Alward to approve the special use permits recommended by the Planning Commission as follows: (1) special use for Residential Units above grade level in C-2 Zoning District for Dennings/FED Riverwalk Place Project, (2) special use for Vehicle Dealer with outdoor sales for Zelt/Cameron at 1623 North State Street, (3) special use for Residential Units above grade level in C-1 Zoning District for Michael Greer at 4000 East Cedar Avenue, (4) special use for addition to existing church for St. Paul's Episcopal Church at 200 East Cedar Avenue. All ayes. Motion carried.

Motion by Council Member Matteson, supported by Council Member Alward to approve the City Administrator's Employment Agreement dated May 19, 2003. All ayes. Motion carried.

Motion by Council Member Matteson, supported by Council Member Jungman to award the Contract of trash pickup and bi-weekly recycling to Waste Management for \$8.07 per household. Ayes: Alward, Caffrey, Crawford, Hindman, Jungman, Matteson, Novak, Nays: Mienk. Motion carried.

Administrator McConkie reviewed proposal from LEAP concerning a study on feasibility for aggregate purchase of electric power. Administrator will attend May, 2003 LEAP meeting and return with information and City's share of cost for study.

Motion by Council Member Mienk, supported by Council Member Novak to approve Payment No. 3 to Rieth Riley Construction Co., Inc. in the amount of \$65,226.84. All ayes. Motion carried.

Comments

Council Member Crawford stated that we have trash carts being left out.

Finance Committee meeting scheduled for Wednesday, May 28th at 5:00 p.m.

Council Member Jungman stated that the Safety Committee would meet on Tuesday, May 20th at 9:00 a.m.

Council Member Jungman stated that citizens would like the Santa Clause house moved from the park in the middle of town. Recommendation to speak to the Business and Professional Association regarding this issue.

Council Member Caffrey asked as to the status of the sidewalks at the two residences on Clendening Road.

Council Member Novak stated that staff should publish an article regarding the Waste Management contract in the Gladwin County Record.

Attorney Jacobson gave an update on the Sports Complex.

Motion by Council Member Jungman, supported by Council Member Alward to adjourn. All ayes. Motion carried.

Meeting ended at 9:35 p.m.

Thomas L. Winarski, Mayor

Shannon Greaves, City Clerk