

June 21, 2004
Gladwin, Michigan

The regular meeting of the Gladwin City Council was called to order at 8:05 p.m. by Mayor Winarski.

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

Absent: None

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

Also Present: Mayor Winarski, Jack Abernathy, Reverend Lynn Chappel, Debbie Perkins, Linda Winarski, Bob Weaver, Pam Weaver, Dave Schwan, Amanda Schwan, Carol Weaver, Judy Durbin, Timothy Cortis, Cynthia Cortis

The Pledge Allegiance was led by Mayor Winarski and invocation was given by Reverend Lynn Chappel.

Minutes from the June 7, 2004 meeting was approved as presented.

Motion by Council Member Crawford, supported by Council Member Alward to approve warrant 04-35 in the amount of \$54,558.83. All ayes. Motion carried.

Council Member Smith was seated at 8:07 p.m.

Timothy Cortis was present to state his issues on his wood burning furnace located on 903 West Martin Street. Mayor Winarski stated that the Council would take this information into consideration for their decision. Mayor Pro Tem Mienk asked that the Ordinance Committee take a look at the wood burning ordinance and bring back a recommendation.

Dave Schwan was present to state his health/safety issues regarding the wood burning furnace at his neighbor's house.

Judy Durbin requested that the City place a speed limit on alleys. Chief Jones stated that there is nothing in the City Ordinances regarding speed limits on alleys. Mayor Winarski stated that the Ordinance Committee needs to review this.

Bob Weaver asked if there had been any headway made regarding the vibration issue.

Carol Weaver stated that the results from the vibration tests had not been completed to the extent that any determination could be made from the data.

Motion by Council Member Jungman, supported by Council Member Alward to approve the agenda with the following additions: New Business – (f) Authorization for Administrator McConkie to sign bond documents, (g) Gladwin County Sheriff's Department ad sale, (h) Application for Payment – FED. All ayes. Motion carried.

Motion by Council Member Novak, supported by Council Member Alward to approve the consent agenda as follows: Communications – (i) Project Status – MEDC, (ii) Fax

Alert, (iii) Graff Site Plan Letter, (iv) Church of Christ Site Plan Letter, (v) Cameron Used Cars Site Plan Letter, (vi) Thank You to Officer Bean, (vii) DDA Project Letter, (viii) Zoning of Campers, (ix) Charter Communications, (x) Notice from Gladwin County Road Commission; Meetings – Housing Commission 5/11/04, Airport Board 5/13/04, Commissioners Minutes 5/25/04, Central Dispatch 6/8/04, Personnel Committee 6/10/04, Safety Committee 6/15/04; Miscellaneous – (i) Police Activity. All ayes. Motion carried.

Old Business

Motion by Council Member Caffrey, supported by Council Member Hindman to approve the fencing proposal for reservoirs from Mid State Fence in the amount of \$5,298.80, subject to insurance verification. All ayes. Motion carried.

New Business

Motion by Council Member Jungman, supported by Council Member Alward to authorize the employment agreement for Interim City Administrator Jack Abernathy. All ayes. Motion carried.

**ORDINANCE NO. 279
AN ORDINANCE TO AMEND THE GLADWIN CITY
ZONING ORDINANCE (ORDINANCE NO. 217)**

THE CITY OF GLADWIN ORDAINS:

Section 1. Purpose

The purpose of this article is to amend the Zoning Ordinance (Ordinance 217) of the City of Gladwin.

Section 2. Amendment

NOW THEREFORE, be it resolved the Gladwin Zoning Ordinance (Ordinance 217) of the City of Gladwin is amended as follows:

Section 1310 CONDOMINIUMS

INTENT

The intent of this article is to regulate the division and development of land under the Condominium Act (PA 59 of 1978) so that the development is comparable in quality of design to property divided and developed by other methods. All condominiums must conform to the State of Michigan Condominium Act 59 of 1978.

REVIEW REQUIREMENTS

In order to ensure compliance with this ordinance, all condominium developments shall go through the site plan review process, including developments consisting solely of single family, duplex residences, condominium apartments, residential commercial mixed uses that may otherwise not be required to prepare a site plan. In addition to the requirements of Section 1401, "Review and Approval of Conditional Uses," and Section 1400, "Review and Approval of Site

Plans,” of this Zoning Ordinance, all applicants for condominium site plan review shall submit the following information.

1. A draft of the proposed condominium master deed.
2. A copy of the proposed condominium subdivision plan (this may replace the site plan normally required for site plan review).
3. A draft of the proposed condominium by-laws.

ZONING ORDINANCE STANDARDS

1. **Lot Size:** In conventional condominium developments, the condominium unit is enclosed air space, such as condominium apartments. In conventional condominium development the entire site must meet the minimum lot size requirements for the zoning district in which the parcel is located. For site condominium developments, the condominium unit is a piece of land that is sold as a building site just as lots in a subdivision are sold. Each condominium unit in a site condominium and its associated limited common area are considered equivalent to a “lot” and must meet the minimum lot size requirements for the zoning district in which the parcel is located.
2. **Setbacks:** In conventional condominium developments, the buildings must be setback from the site boundaries as required in the zoning district in which the parcel is located. For site condominium developments, the setbacks shall be from the outer edge of the “lot” consisting of condominium units and their associated limited common area, and shall be consistent with the setbacks for principal structures in the zoning district in which it is located.

CONDOMINIUM DESIGN STANDARDS

1. Conventional and site condominium developments shall comply with the site plan review design requirements in Section 1401, “Review and Approval of Conditional Uses,” and Section 1400, “Review and Approval of Site Plans,” of this Zoning Ordinance. In addition, site condominiums shall comply with the design standards contained in other Gladwin City Ordinances, and by the Gladwin County Drain Commissioner, the Gladwin County Health Department and the appropriate State of Michigan Departments. The Planning Commission may apply the procedures and standards set forth in Article XIII in the review and approval of condominium projects.

SURVEY REQUIREMENTS

Conventional condominiums shall comply with all monument requirements contained in the Condominium Act, PA 59 of 1978. Site condominiums shall comply with the following requirements, unless otherwise approved by the Planning Commission.

1. Monuments shall be located in the ground and made accordingly to the following requirements, but it is not intended or required that monuments be placed within their traveled portion of a street to mark angles in the boundary of the subdivision if the angle points can be readily re-established by reference to monuments along the sidelines of the streets.
2. All monuments used shall be made of solid iron or steel at least ½ inch in diameter and 36 inches long and completely encased in concrete at least 4 inches in diameter.
3. Monuments shall be located in the ground at all angles in the boundaries of the site condominium; at the intersection lines of streets and at the intersection of the lines of

streets with the boundaries of the site condominium and at the intersection of alleys with the boundaries of the site condominium; at the points of curvature, points of reverse curvature and angle points in the side lines of streets and alleys; and at all angles of an intermediate traverse line.

4. If the required location of a monument is in an inaccessible place, or where locating of a monument would be clearly impractical, it is sufficient to place a reference monument nearby and the precise location thereof be clearly indicated on the plat and referenced to the true point.
5. If a point required to be monumented is on a bedrock outcropping, a steel rod, at least ½ inch in diameter shall be drilled and grouted into solid rock to a depth of at least 8 inches.
6. All required monuments shall be placed flush with the ground where practical.
7. The corner of each area consisting of a unit and the associated limited common area reserved for that unit, and treated as a “lot” under this ordinance shall be monumented in the field by iron or steel bars or iron pipes at least 18 inches long and ½ inch diameter or other approved markers.
8. The City Council may waive the placing of the required monuments and markers for a reasonable time, not to exceed one year, on condition that the proprietor deposits with the City a certified check, or irrevocable bank letter of credit running to the City, whichever the proprietor selects, in an amount not less than \$100.00 per monument and not less than \$400.00 in total, except that lot corner markers shall be at a rate of not less than \$25.00 per marker. Such, cash, certified check or irrevocable bank letter of credit shall be returned to the proprietor upon receipt of a certification by a surveyor that the monuments and markers have been placed as required within the time specified. If the proprietor defaults the city shall promptly require a surveyor to locate the monuments and markers in the grounds as certified by the plat, at a cost not to exceed the amount of the security deposited and shall pay the surveyor.

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, provisions 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 effect 30 days following publication.

Roll Call Vote:

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

This ordinance adopted this 21st day of June, 2004.

**RESOLUTION
CITY OF GLADWIN / GLADWIN COUNTY ROAD COMMISSION LOT SPLIT**

WHEREAS, the City of Gladwin has presented a request to the City of Gladwin Planning Commission to split lots; and

WHEREAS, the Planning Commission reviewed the request at their June 8, 2004 meeting and recommends approval of the request;

NOW, THEREFORE BE IT RESOLVED that the split be approved resulting in the following ownership and lots described as:

City of Gladwin: Gladwin City, Busch Addition Block 5, the West 16 feet of Lot 1, Lots 2 thru 9 inclusive, and the West 16 feet of Lot 10.

Gladwin County Road Commission: City of Gladwin, Busch Addition Block 5, Lot 1 excepting the West 16 feet thereof , Lot 10 excepting the West 16 feet thereof, and Lot 11.

The above legal descriptions include any interests which the above parties may possess in the adjacent Block 5 alley and in vacated Sherman Street, as such alley or street lies East of the West line of the lands described above.

The foregoing resolution was offered by Council Member Smith and supported by Council Member Crawford.

Roll Call Vote:

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

Resolution declared adopted this 21st day of June, 2004.

Motion by Council Member Crawford, supported by Council Member Caffrey to authorize Administrator McConkie to act as authorized officer in executing such documents and certificates as are necessary to affect the sale issuance and delivery of the bonds as provided in bond resolution, section 13. All ayes. Motion carried.

CITY OF GLADWIN
COUNTY OF GLADWIN
STATE OF MICHIGAN

**RESOLUTION AUTHORIZING SALE OF
GENERAL OBLIGATION LIMITED TAX BONDS, SERIES 2004**

Minutes of a regular meeting of the City Council of the City of Gladwin, State of Michigan, held on June 21, 2004, at 8:00 p.m., prevailing Eastern Time.

PRESENT: Members: Alward, Caffrey, Crawford, Hindman, Jungman,
Mienk, Novak, Smith

ABSENT: Members: None

The following preamble and resolution were offered by Member Crawford and supported by Member Caffrey:

WHEREAS, the Michigan Department of Environmental Quality has issued Director's Order ACO-SW02-026 dated August 6, 2002 to the City of Gladwin, County of Gladwin, State of Michigan (the "City") mandating that the City complete (a) the construction of necessary sewer system improvements to eliminate combined sewer overflows, and (b) the removal of solids from the City's lagoon (all such improvements and such removal being, collectively, the "Project"); and

WHEREAS, the City of does hereby determine that it is necessary to comply with the Order and in the best interests of the health, safety and welfare of the residents of the City that the Project be completed; and

WHEREAS, the cost of the Project is estimated to be approximately One Million Two Hundred Fifty Thousand Dollars (\$1,250,000); and

WHEREAS, to finance the cost of the Project, the City Council deems it necessary to borrow the principal sum of One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) and issue general obligation limited tax bonds pursuant to Part 43 of Act 451, Public Acts of Michigan, 1994, as amended ("Act 451"); and

WHEREAS, the City published a notice of intent in accordance with Act 279, Public Acts of Michigan, 1909 ("Act 279") to issue not to exceed Seven Hundred Fifty Thousand Dollars (\$750,000) of general obligation limited tax bonds for the Project on May 7, 2003 (the "2003 Notice of Intent") and no petition on the question of the issuance and sale of not to exceed \$750,000 of such bonds for the Project was filed within forty-five (45) days of the publication of the 2003 Notice of Intent; and

WHEREAS, the City published a notice of intent in accordance with Act 279 to issue not to exceed Six Hundred Fifty Thousand Dollars (\$650,000) of general obligation limited tax bonds for the Project on April 28, 2004 (the "2004 Notice of Intent") and no petition for an election on the question of the issuance of such bonds for the Project was filed within forty-five (45) days of the publication of the 2004 Notice of Intent; and

WHEREAS, the City has received a proposal from Chemical Bank and Trust Company, Midland, Michigan (the "Purchasing Bank") to purchase One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) of general obligation limited tax bonds for the Project.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Bonds of the City, designated GENERAL OBLIGATION LIMITED TAX BONDS, SERIES 2004 (the "Bonds") shall be issued in the aggregate principal sum of One Million Two Hundred Fifty Thousand Dollars (\$1,250,000) to the Purchasing Bank for the purpose of paying part of the costs of the Project, including the costs incidental to the issuance, sale and delivery of the Bonds. The Bonds shall be issued in fully-registered form in denominations of \$5,000, or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity, numbered in order of registration, and dated as of June 29, 2004. The Bonds shall be sold to the Purchasing Bank at such price, bear interest, mature, be subject to redemption and be payable at the times and in the manner as set forth in Exhibit A hereof.

At the option of the Purchasing Bank, the Bonds may be issued in book-entry only form through The Depository Trust Company in New York, New York ("DTC") and the City Administrator, the Mayor, the Clerk and the Treasurer of the City (the "Authorized Officers" and each an "Authorized Officer") each is hereby authorized to execute such custodial or other agreement with DTC as may be necessary to accomplish the issuance of the Bonds in book-entry only form and to make such changes in the Bond Form within the parameters of this Resolution as may be required to accomplish the foregoing.

2. Interest on the Bonds shall be payable to the registered owner of record as of the 15th day of the month preceding each interest payment date. The record date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the City to conform to market practice in the future. Interest shall be payable by check or draft drawn on the Transfer Agent (as hereinafter defined) mailed to the registered owner at the registered address, as shown on the registration books of the City maintained by the Transfer Agent. The principal of the Bonds shall be payable upon presentation and surrender to the Transfer Agent.

Chemical Bank and Trust Company, Midland, Michigan is hereby appointed to act as bond registrar, paying agent and transfer agent (the "Transfer Agent") for this issue. The Authorized Officers are each hereby authorized to execute one or more agreements with the Transfer Agent on behalf of the City. The City reserves the right to replace the Transfer Agent at any time upon written notice to the registered owners of record of the Bonds not less than sixty (60) days prior to an interest payment date.

3. The Bonds of this issue shall be executed in the name of the City with the manual or facsimile signatures of the Mayor and the Clerk of the City and shall have the seal of the City, or a facsimile thereof, printed or impressed on the Bonds. No Bonds shall be valid until authenticated by an authorized officer or representative of the Transfer Agent. The Bonds shall be delivered to the Transfer Agent for authentication and be delivered by the Transfer Agent to the purchaser or other person in accordance with instructions from an Authorized Officer upon payment of the purchase price for the Bonds in accordance with the bid therefore when accepted.

4. The Transfer Agent shall keep the books of registration for this issue on behalf of the City. Any Bond may be transferred upon such registration books by the registered owner of record, in person or by the registered owner's duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Transfer Agent.

Whenever any Bond or Bonds shall be surrendered for transfer, the City shall execute and the Transfer Agent shall authenticate and deliver a new Bond or Bonds, for like aggregate principal amount. The Transfer Agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer.

Unless waived by any registered owner of bonds to be redeemed, official notice of redemption shall be given by the Transfer Agent on behalf of the City. Such notice shall be dated and shall contain at a minimum the following information: original issue date; maturity dates; interest rates; CUSIP numbers, if any; certificate numbers and (in the case of partial redemption) the called amounts of each certificate; the redemption date; the redemption price or premium; the place where bonds called for redemption are to be surrendered for payment; and that interest on bonds or portions thereof called for redemption shall cease to accrue from and after the redemption date.

In addition, further notice shall be given by the Transfer Agent in such manner as may be required or suggested by regulations or market practice at the applicable time, but no defect in such further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as prescribed herein.

5. The City Treasurer is authorized and directed to open a separate depository account with a bank or trust company designated as the GENERAL OBLIGATION LIMITED TAX BONDS, SERIES 2004 DEBT RETIREMENT FUND (the "Debt Retirement Fund"), the moneys to be deposited into the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds as they become due. All proceeds from taxes levied for the Debt Retirement Fund shall be deposited into the Debt Retirement Fund as collected. Commencing with the current fiscal year, there shall be levied upon the tax rolls of the City for the purpose of the Debt Retirement Fund each year, in the manner required by the provisions of Act 451, an amount sufficient so that the estimated collection therefrom will be sufficient to promptly pay, when due, the principal of and interest on the Bonds becoming due prior to the next annual tax levy; provided, however, that if at the time of making any such annual tax levy there shall be moneys on hand in the Debt Retirement Fund earmarked and set aside for the payment of principal of and interest on the Bonds, then credit therefor may be taken against such annual levy for the Debt Retirement Fund. Such annual tax levy shall be subject to applicable constitutional, statutory or charter tax rate limitations.

Notwithstanding the foregoing, however, should the monies on deposit in the Debt Retirement Fund at any time be insufficient to pay the principal of and interest on the Bond as the same become due, then the City shall advance from any fund legally available therefor such sums as may be necessary to pay such principal and interest.

If sufficient cash or Sufficient Government Obligations (hereafter defined) have been deposited in trust for payments in full of the Bonds then outstanding, principal and interest on such Bonds to maturity, or, if called for redemption, to the date fixed for redemption together with the amount of the redemption premium, if any, then upon deposit of cash or Sufficient Government Obligations, as provided in this previous

sentence, the holders of the Bonds shall have no further rights except for payment from the deposited funds and the Bonds shall no longer be considered to be outstanding.

“Sufficient Government Obligations” means direct obligations of the United States of America or obligations the principal and interest on which is fully guaranteed by the United States of America, not redeemable at the option of the issuer, the principal and interest payments upon which without reinvestment of the interest, come due at such times and in such amounts as to be fully sufficient to pay the interest as it comes due on the Bonds and the principal and redemption premium, if any, on the Bonds as it comes due whether on the stated maturity date or upon earlier redemption. Securities representing such obligations shall be placed in trust with a bank or trust company, and if the Bonds is to be called for redemption prior to maturity, irrevocable instructions to call the Bonds for redemption shall be given to the Transfer Agent.

6. The Treasurer is authorized and directed to establish a separate depository account to be known as the 2004 ACO PROJECT FUND (the “Project Fund”). The proceeds of the Bonds, including interest and premium, if any, and no other moneys other than proceeds of the Bonds, shall be deposited in the Project Fund. The moneys on deposit in the Project Fund shall be used solely to pay the costs of the Project. After completion of the Project, the Project Fund shall be closed.

7. The Bonds shall be in substantially the following form with such changes as determined by an Authorized Officer with the advice of bond counsel:

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF GLADWIN
CITY OF GLADWIN

GENERAL OBLIGATION LIMITED TAX BOND, SERIES 2004

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>
	November 1, ____	June 29, 2004

Registered Owner:

Principal Amount:

Dollars

The City of Gladwin, County of Gladwin, State of Michigan (the “Issuer”), acknowledges itself to owe and for value received hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on the Maturity Date specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon from the Date of Original Issue specified above or such later date to which interest has been paid,

until paid, at the Interest Rate per annum specified above, first payable on November 1, 2004 and semiannually thereafter. Principal of this bond is payable at the office designated for such purpose of Chemical Bank and Trust Company, Midland, Michigan, or such other transfer agent as the Issuer may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to any interest payment date (the "Transfer Agent"). Interest on this bond is payable to the registered owner of record as of the fifteenth (15th) day of the month preceding the interest payment date as shown on the registration books of the Issuer kept by the Transfer Agent by check or draft mailed to the registered owner of record at the registered address. For prompt payment of this bond, both principal and interest, the full faith, credit and resources of the Issuer are hereby irrevocably pledged.

This bond is one of a series of bonds aggregating the principal sum of \$1,250,000, issued for the purpose of paying part of the cost of (a) constructing necessary sewer system improvements to eliminate combined sewer overflows, and (b) removing solids from the Issuer's lagoon. This bond is issued under the provisions of Act 451, Public Acts of Michigan, 1994, as amended, and a duly adopted resolution of the Issuer.

Bonds of this issue maturing in the years 2005 to 2011, inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of bonds of this issue in multiples of \$5,000 maturing in the year 2012 and thereafter shall be subject to redemption prior to maturity, at the option of the Issuer, in any order of maturity and by lot within any maturity, on any date on or after November 1, 2011, at par and accrued interest to the date fixed for redemption.

In case less than the full amount of an outstanding bond is called for redemption, the Transfer Agent, upon presentation of the bond called in part for redemption, shall register, authenticate and deliver to the registered owner of record a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given to the registered owner of any bond or portion thereof called for redemption by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered address of the registered owner of record. A bond or portion thereof so called for redemption shall not bear interest after the date fixed for redemption provided funds are on hand with the Transfer Agent to redeem said bond or portion thereof.

This bond is transferable only upon the registration books of the Issuer kept by the Transfer Agent by the registered owner of record in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefore as provided in the resolution authorizing this bond and upon the payment of the charges, if any, therein prescribed.

This bond, including the interest thereon, is payable as a first budget obligation from the general funds of the Issuer, and the Issuer is required, if necessary, to levy ad

valorem taxes on all taxable property in the Issuer for the payment thereof, subject to applicable constitutional, statutory and charter tax rate limitations.

It is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this bond and the series of bonds of which this is one, exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the Issuer, including this bond, does not exceed any constitutional, statutory or charter debt limitation.

This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.

IN WITNESS WHEREOF, the City of Gladwin, County of Gladwin, State of Michigan, by its City Council, has caused this bond to be signed in the name of the Issuer by the facsimile signatures of its Mayor and City Clerk and a facsimile of its corporate seal to be printed hereon, all as of the Date of Original Issue.

CITY OF GLADWIN
State of Michigan

By: _____ [facsimile]____
Its: Mayor

(SEAL)

By: _____ [facsimile]____
Its: City Clerk

(Form of Transfer Agent's Authentication)

DATE OF AUTHENTICATION: _____

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within-mentioned resolution.

CHEMICAL BANK AND TRUST COMPANY
Midland, Michigan
Transfer Agent

By: _____
Authorized Signatory

[Form of assignment to be inserted]

8. The estimated period of usefulness of the Project is hereby declared to be not less than twenty-five (25) years from completion of the Project.

9. The City hereby covenants that, to the extent permitted by law, it shall take all actions within its control necessary to maintain the exclusion of the interest on the Bond from adjusted gross income for general federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code"), including but not limited to, actions relating to the rebate of arbitrage earnings, if applicable, and the expenditure and investment of proceeds of the Bond and moneys deemed to be proceeds of the Bond.

10. The City reserves the right to issue additional bonds to pay part of the cost of the Project, to refund or advance refund the Bonds, or to pay the cost of additional improvements to the Project.

11. The City hereby declares that it has pursued a negotiated sale because of the opportunities provided by a negotiated sale to select and adjust terms for the Bonds and to price and sell the Bonds at the times that may be expected to best achieve the most advantageous interest rates, lowest issuance costs and the opportunity to prepay the principal of the Bonds without premium.

12. The Bonds are hereby designated as "qualified tax exempt obligations" for the purpose of deduction of interest expense by financial institutions.

13. The Authorized Officers and other officers, agents and employees of the City are authorized to execute such additional documents and certificates and to take all further steps and actions necessary and convenient to effect the sale, issuance and delivery of the Bonds as contemplated by this Resolution.

14. All actions heretofore taken by any officer, agent or employee of the City, including but not limited to the circulation of a request for bond proposals, are hereby ratified and approved. The Authorized Officers are each hereby authorized and directed to take all other actions necessary or advisable, and to make such other filings with any parties, to enable the sale and delivery of the Bonds as contemplated herein, including but not limited to (a) taking all other actions necessary or advisable, and to make such other filings with the Michigan Department of Treasury or with other parties, to enable the sale and delivery of the Bonds as contemplated herein; and (b) adjusting the final bond details set forth herein to the extent necessary or convenient to complete the transaction authorized herein, and in pursuance of the foregoing each is authorized to exercise the authority and make the determinations authorized pursuant to Section 315(1)(d) of Act 34, Public Acts of Michigan, 2001, as amended, including but not limited to determinations regarding interest rates, prices, discounts, maturities, principal amounts, denominations, dates of issuance, interest payment dates, redemption rights, the place of delivery and payment, designation of series, and other matters, provided that the principal amount of Bonds issued shall not exceed the principal amount authorized in this Resolution, the interest rate per annum on the Bonds shall not exceed seven percent (7%), and the Bonds shall be payable in not more than thirty (30) years from the date of issue.

15. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution be and the same hereby are rescinded.

AYES: Members: Alward, Caffrey, Crawford, Hindman,
Jungman, Mienk, Novak, Smith

NAYS: Members: None

RESOLUTION DECLARED ADOPTED.

EXHIBIT A

**CITY OF GLADWIN
GENERAL OBLIGATION LIMITED TAX BONDS, SERIES 2004**

Purchasing Bank: Chemical Bank and Trust Company, Midland, Michigan

Principal Amount: \$1,250,000

Dated Date: June 29, 2004

First Interest: November 1, 2004, and semiannually thereafter

Purchase Price: \$1,250,000 (par)

Maturity Schedule, Interest Rates:

<u>Maturity</u>	<u>Principal</u>	<u>Interest</u>	<u>Maturity</u>	<u>Principal</u>	<u>Interest</u>
<u>November 1</u>	<u>Amount (\$)</u>	<u>Rate (%)</u>	<u>November 1</u>	<u>Amount (\$)</u>	<u>Rate (%)</u>
2005	40,000	2.50	2015	60,000	4.60
2006	40,000	3.00	2016	65,000	4.70
2007	45,000	3.35	2017	70,000	4.75
2008	45,000	3.60	2018	70,000	4.80
2009	45,000	3.85	2019	75,000	4.85
2010	50,000	4.05	2020	75,000	4.90
2011	50,000	4.20	2021	80,000	4.95
2012	55,000	4.30	2022	85,000	5.00
2013	55,000	4.40	2023	90,000	5.05
2014	60,000	4.50	2024	95,000	5.10

Optional Redemption

Bonds of this issue maturing in the years 2005 to 2011, inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of bonds of this issue in multiples of \$5,000 maturing in the year 2012 and thereafter shall be subject to redemption prior to maturity, at the option of the City, in any order of maturity and by lot within any maturity, on any date on or after November 1, 2011, at par and accrued interest to the date fixed for redemption.

A proposal from the Artist Guild was taken into consideration by the City Council.

Motion by Council Member Alward, supported by Council Member Novak to approve application for payment to FED Corporation in the amount of \$33,736.00 for the Riverwalk Place Parking Lot – Division 05. All ayes. Motion carried.

Motion by Council Member Crawford, supported by Council Member Smith to approve application for payment from Central Michigan Contracting, Inc. in the amount of \$63,123.79 for the 2004 Paving and Drainage Improvements and also to approve Change Order No. 1 in the amount of \$105,757.86 to Central Michigan Contracting, Inc. for the 2004 Paving and Drainage Improvements. All ayes. Motion carried.

Mayor Winarski stated that there is a scheduled council meeting on Tuesday, June 29, 2004 at 8:00 p.m.

Council Member Hindman stated that Gus Templin asked him to relay the message of the poor pavement conditions on Anchor Street.

Finance Committee meeting scheduled for Wednesday, June 23rd at 5:00 p.m.

Council Member Caffrey asked if Zoning Administrator Weaver had any correspondence back from Graffs, Church of Christ and Cameron Used Cars.

Mayor Pro Tem Mienk asked Chief Jones how fast we could have some information back regarding alley speed and wood burner issues.

Mayor Winarski stated that Park Manager Jim Chasteen had a triple bypass and that Craig Smith will be filling in for him along with John Foor.

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

Meeting ended at 9:22 p.m.

Thomas L. Winarski, Mayor

Shannon Greaves, City Clerk