

September 20, 2004  
Gladwin, Michigan

The Regular Meeting of the Gladwin City Council was called to order by Mayor Winarski at 7:00 p.m.

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

Absent: Alward

Staff Present: Jack Abernathy, Shannon Greaves, Charlie Jones, Peggy Owens, Bernie Weaver, Ken Becker

Also Present: Mayor Winarski, Tim Cortis, Pete Jennings, Nancy Bodnar, Mike Novak, Mike Stroh, Karen Stroh, Clare Breault

The Pledge of Allegiance was led by Mayor Winarski and the invocation was given by Council Member Jungman.

Minutes of the regular meeting of September 7, 2004 were approved with the correction in Ordinance 280 that Novak was absent and did not abstain.

Motion by Council Member Caffrey, supported by Council Member Novak to approve Warrant #05-07 in the amount of \$17,707.42. All ayes. Motion carried.

#### Hearing of Delegations

Pete Jennings, attorney for Tim Cortis discussed Cortis' wood burning stove. He stated that he wished the council would give a moratorium of six months to determine if the changes that have been made would improve the smoke issues.

Motion by Council Member Mienk, supported by Council Member Crawford to approve a six month moratorium beginning today and then another six month moratorium extension for the summer months if the winter months show improvements. If there are complaints, the City Administrator will notify Mr. Cortis immediately. Ayes: Crawford, Hindman, Mienk, Novak, Smith; Nays: Caffrey, Jungman. Motion passes.

Motion by Council Member Jungman, supported by Council Member Smith to approve moving the tree in front of Mike Stroh's building (Gladwin Hobby Shop). Mike will pay for all tree removal costs. All ayes. Motion carried.

Motion by Council Member Jungman, supported by Council Member Novak to establish the agenda with the following additions: New Business – (c) Airport – Removal of Trees and for there to be an Executive Session. All ayes. Motion carried.

Motion by Council Member Novak, supported by Council Member Crawford to approve the Consent Agenda as follows: Meetings – Housing Commission 8/10/04, Parks Commission 8/23/04, Northern Tittabawassee River Task Force 9/7/04, Personnel Committee 9/7/04, Arena Board 9/8/04, Personnel Committee 9/13/04, Planning Commission 8/23/04, Commissioner’s Minutes 8/24/04, Commissioner’s Minutes 9/1/04, Commissioner’s Minutes 9/8/04. All ayes. Motion carried.

Old Business

Motion by Council Member Smith, supported by Council Member Caffrey to approve the revised M-61 streetscape for the 2004-2005 season. Available CDBG grant funds are \$502,776 with a local match of \$33,214 for a total of \$535,990. All ayes. Motion carried.

New Business

Motion by Council Member Jungman, supported by Council Member Crawford to approve Purchase Order 93 to Inland Environmental Services in the amount of \$4,883.10 for removal, transportation, land application and argonomic management of wastewater biosolids. All ayes. Motion carried.

**ORDINANCE NO. 282**

**AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES FOR THE CITY OF GLADWIN AND DECLARING AN EMERGENCY**

**WHEREAS**, American Legal Publishing Corporation of Cincinnati, Ohio, has completed the 7<sup>th</sup> supplement to the Code of Ordinances of the Political Subdivision, which supplement contains all ordinances of a general and permanent nature enacted since the prior supplement to the Code of Ordinances of this Political Subdivision; and

**WHEREAS**, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code or Ordinances which are based on or make reference to sections of the Michigan Code; and

**WHEREAS**, it is the intent of the Legislative Authority to accept these updated sections in accordance with the changes of the law of the State of Michigan; and

**WHEREAS**, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date;

**NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF THE CITY OF GLADWIN:**

Section 1. That the 7<sup>th</sup> supplement to the Code of Ordinances of the Political Subdivision as submitted by American Legal Publishing Corporation of Cincinnati, Ohio, and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.

Section 2. Such supplement shall be deemed published as of the day of its adoption and approval by the Legislative Authority and the Clerk of the Political Subdivision is hereby authorized and ordered to insert such supplement into the copy of the Code of Ordinances kept on file in the Office of the Clerk.

Section 3. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law.

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

Resolution declared adopted this 20<sup>th</sup> day of September, 2004.

Roll Call Vote:

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

Ken Becker, Manager of the Gladwin Zettel Memorial Airport was present to state that according to inspections of the airport, over by the old City dump, trees need to be taken down. Manager Becker will mark where the trees need to be removed and this issue will be brought back to the next City Council meeting.

Motion by Council Member Jungman, supported by Council Member Mienk that the current offer that has been made to Brad Heffner be our final offer. Ayes: Caffrey, Hindman, Jungman, Mienk, Novak; Nays: Crawford, Smith. Motion passes.

Mayor Winarski stated that if Mr. Heffner denies the offer, he will proceed to candidate number two, Jerrold Graham.

Recess at 8:50 p.m.

Reconvene at 8:53 p.m.

Motion by Council Member Caffrey, supported by Council Member Jungman to enter into Executive Session for a legal matter. All ayes. Motion carried.

Motion by Council Member Crawford, supported by Council Member Novak to adjourn Executive Session. All ayes. Motion carried.

Motion by Council Member Crawford, supported by Council Member Mienk to authorize payment of \$750 to Michael Perkins for release of all claims.

Comments

Council Member Smith stated issues regarding the Public Hearing on November 1, 2004 regarding Ann and Timothy Streets.

Chief Jones stated that the police department has been awarded a \$10,000 grant for 800 megahertz radios with a \$1,000 match.

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

Meeting ended at 9:08 p.m.

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Thomas L. Winarski  
Mayor

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Shannon Greaves  
City Clerk