

January 7, 2008  
Gladwin, Michigan

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

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

Absent: None

Staff Present: Bob Moffit, Shannon Greaves, Bernie Weaver

Also Present: Mayor Winarski, Doug Jacobson, Doug Scott, Mike Drey,  
Dan Svetcos, Josh Ferrell, Linda Winarski

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

Motion by Council Member Jungman, supported by Council Member Caffrey to recess the regular meeting and enter into the public hearing regarding a 425 Agreement with the City of Beaverton. All ayes. Motion carried.

Administrator Moffit explained the 425 Agreement with the City of Beaverton.

Attorney Jacobson explained details of the 425 Agreement with the City of Beaverton.

Motion by Council Member Caffrey, supported by Council Member Alward to close the public hearing regarding a 425 Agreement with the City of Beaverton and re-enter the regular meeting. All ayes. Motion carried.

Minutes of the December 17, 2007 meeting were approved as presented.

Motion by Council Member Alward, supported by Council Member Jungman to approve Warrant #08-19 in the amount of \$176,204.12 and Warrant 08-20 in the amount of \$33,086.54. All ayes. Motion carried.

#### Hearing of Delegations

Josh Farrell announced his candidacy for the District Judge position.

Doug Scott presented the monthly progress report regarding the water tower scoping project, septage receiving plan, bar screen replacement at the Waste Water Treatment Plant, clarifier refurbishing project, Industrial Park wetland mitigation project and Safe Routes to School grant application.

Motion by Council Member Jungman, supported by Council Member Alward to approve the agenda with the following additions: (h) Schedule Public Hearing for 328 and IDD for February 6, 2008 at 5:00 p.m., (i) Election Worker Change. All ayes. Motion carried.

Motion by Council Member Novak, supported by Council Member Alward to approve the consent agenda as follows: Meetings – Charter Commission 12/5/07, Fire Board 12/5/07, Arena Board 12/10/07, Housing Commission 12/10/07, County Commissioner's 12/11/07, Airport Board 12/13/07, Planning Commission 12/18/07, Airport Board 12/19/07; Miscellaneous – (i) GPD Activity Report. All ayes. Motion carried.

### New Business

## **RESOLUTION GLADWIN COMMUNITY SCHOOLS/CITY OF GLADWIN LOT SPLIT**

**WHEREAS**, the City of Gladwin has received a request from Gladwin Community Schools and the City of Gladwin to split lots; and

**WHEREAS**, the Planning Commission reviewed the request at their December 18, 2007 meeting and recommends approval of the request;

**NOW, THEREFORE BE IT RESOLVED** that a split of the original parcel be approved resulting in the following lot described as:

Part of Foster's Addition to the Village of Gladwin, according to the recorded plat thereof as recorded in the office of the Register of Deeds for Gladwin County, Michigan in Liber 1 of Plats on Page 7, Gladwin County records, being part of Section 36, T 19 N, R 2 W, City of Gladwin, Gladwin County, Michigan, described as: Commencing at the Northwest corner of Block 10 of said Plat; thence South 00°27'00" East, along the West line of said Block 10 and the Easterly right-of-way line of Erie Street, 166.27 feet to the point of beginning; thence continuing South 00°27'00" East, along said West Block line an Easterly right-of-way line of Erie Street, 120.00 feet; thence North 89°33'00" East, 204.00 feet; thence North 00°27'00" West, parallel with said West Block line an Easterly right-of-way line of Erie Street, 120.00 feet; thence South 89°33'00" West, 204.00 feet to the point of beginning.

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

#### Roll Call Vote:

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

Resolution declared adopted this 7th day of January, 2008.

**RESOLUTION  
FED CORPORATION/CITGO-GLADWIN**

**WHEREAS**, the City of Gladwin has received a request from FED Corporation and Citgo-Gladwin to split lots; and

**WHEREAS**, the Planning Commission reviewed the request at their December 18, 2007 meeting and recommends approval of the request;

**NOW, THEREFORE BE IT RESOLVED** that a split of the original parcel be approved resulting in the following lot described as:

Part of the Southeast One-quarter of the Northeast One-quarter of Section 6, T 18 N, R 1 W, City of Gladwin, Gladwin County, State of Michigan described as: Beginning N 89°58'30"W, along the East-West One-quarter line, 1350.45 feet and N 00°15'59"E, along the East One-eighth line, 432.43 feet from the East One-quarter Corner of said Section 6; thence continuing N 00°15'59"E, along said East One-eighth line, 139.00 feet; thence S89°58'30"E, parallel to said East-West One-quarter line, 266.85 feet; thence S00°15'59"W, parallel to said East One-eighth line, 139.00 feet; thence N89°58'30"W, parallel to said East-West One-quarter line, 266.85 feet back to the place of beginning. This property is subject to an easement for the installation and maintenance of public utilities. Containing 0.8 acre and being subject to restrictions, reservations, easements, rights-of-way, zoning, governmental regulations, and matters visible, if any, upon or affecting said lands.

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

Roll Call Vote:

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

Nays: None

Absent: None

Resolution declared adopted this 7th day of January, 2008.

**RESOLUTION  
INDUSTRIAL DEVELOPMENT DISTRICT #2**

**WHEREAS**, the City of Gladwin is a municipal corporation and a local governmental unit; and

**WHEREAS**, provisions of MCL 207.551 et seq, govern the establishment of industrial development districts; and

**WHEREAS**, the City Council has previously created an industrial development district; and

**WHEREAS**, the City of Gladwin has determined that it is advisable to create an additional industrial development district; and

**WHEREAS**, the City Council has considered the advisability of such establishment of an additional industrial development district; and

**WHEREAS**, the City Council intends that the additional industrial development district shall be established which district shall include the lands described in Attachment A named Industrial Development District #2; and

**NOW, THEREFORE BE IT RESOLVED**, that the City of Gladwin, by its City Council, directs the City Clerk to give written notice of a public hearing to establish Industrial Development District #2, to the owners of all real property within the lands described in Attachment A, which notice shall further be published in the Gladwin County Record and at which hearing the owners, City residents and taxpayers, and any other interested persons may appear and be heard.

The City Clerk shall schedule the public hearing to be held within sixty (60) days of January 7, 2008.

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

Roll Call Vote:

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

Resolution declared adopted this 7th day of January, 2008.

**ATTACHMENT "A"**

Beaverton City Section 1, Township 17 North, Range 2 West, that part of the following description lying in Section 1 beginning East along the South section line 1014.07 feet from the South one-quarter corner to the centerline of Highway M-18 thence East 295.63 feet thence North 0 degrees 4 minutes East 746.40 feet thence South 59 degrees 23 minutes East 344.55 feet to the shoreline of Ross Lake thence South 14 degrees 55 minutes 48 seconds West 160.76 feet

thence South 27 degrees 57 minutes East 206.45 feet thence South 58 degrees 35 minutes East 115.25 feet thence South 87 degrees 3 minutes East 164.55 feet thence South 44 degrees 58 minutes East 232.75 feet to a point on the section line of Section 12, 2089.60 feet East of the one-quarter corner common to Sections 1 and 12 thence West 113.65 feet to the centerline of Park Street thence South 0 degrees 58 minutes 7 seconds East 645.72 feet to the centerline of Highway M-18 thence North 56 degrees 25 minutes 42 seconds West 1167.55 feet back to the Point of Beginning,

AND:

Beaverton City Section 12, Township 17 North, Range 2 West, that part of the following description that lies in Section 12 beginning East along the South section line 1014.07 feet from the South one-quarter corner to the centerline of Highway M-18 thence East 295.63 feet thence North 0 degrees 4 minutes East 746.40 feet thence South 59 minutes 23 seconds East 344.55 feet to the shoreline of Ross Lake thence South 14 degrees 55 minutes 48 seconds West 160.76 feet thence South 27 degrees 57 minutes East 206.45 feet thence South 58 degrees 35 minutes East 115.25 feet thence South 87 degrees 3 minutes East 164.55 feet thence South 44 degrees 58 minutes East 232.75 feet to a point on the line of Sections 1 and 12, 2089.60 feet East of the one-quarter corner common to Sections 1 and 12 thence West 113.69 feet to the centerline of Park Street thence South 0 degrees 58 minutes 7 seconds East 645.72 feet to the centerline of Highway M-18 thence North 56 degrees 25 minutes 42 seconds West 1167.55 feet back to the Point of Beginning.

## **CITY OF GLADWIN**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLADWIN APPROVING THE 425 AGREEMENT WITH THE CITY OF BEAVERTON CONDITIONALLY TRANSFERRING CERTAIN PROPERTY TO THE CITY OF GLADWIN**

At a City Council meeting of the City Council of the City of Gladwin, County of Gladwin, State of Michigan, held in City Hall of said city on the 7<sup>th</sup> day of January, 2008 at 7:00 p.m.

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

ABSENT: None

The following preamble and resolution were offered by Council Member Crawford and supported by Council Member Novak.

**WHEREAS**, Brown Machine LLC, (the "Brown Corporation") and PACPRESS (IL-MI) QRS 16-114, INC., a long time thermo plastic forming machine builder in

the City of Beaverton has expressed an interest in moving its affiliated company, EPCO, LLC from Freemont, Ohio to the City of Beaverton and has asked for assistance from the City in the form of tax abatement; and

**WHEREAS**, the Corporation would be entitled to 100% tax abatement on new personal property placed in business in the State of Michigan under Act 328 of PA 1998 in distressed communities or in renaissance zones; and

**WHEREAS**, the City of Beaverton is not an eligible distressed community nor has any renaissance zones, but the City of Gladwin is and does; and

**WHEREAS**, the City of Beaverton has the authority under Act 425 of PA 1984 to conditionally transfer the Brown Corporation property to the City of Gladwin (referred to as the Transferred property in the Agreement), authorizing the City of Gladwin, among other things, to create an eligible local assessing district around the Brown Corporation property, hold the statutory public hearing and grant the new personal property tax exemption for the term of the 425 Agreement; and

**WHEREAS**, the City of Gladwin desires to assist the City of Beaverton to assist the Brown Corporation in the manner described above.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Gladwin hereby makes the following findings and determines that:

1. The City Council of the City of Gladwin held a public hearing on the 425 Agreement to conditionally transfer the Brown Corporation property to the City of Gladwin on January 7, 2008 at 7:00 p.m. and that notice of said public hearing was given pursuant to the Open Meetings Act, Act 267 of PA 1976, as amended.
2. The City Council of the City of Gladwin did not adopt a resolution calling for a referendum on the approval of this 425 Agreement and more than thirty (30) days have elapsed since either the date of the public hearing and no petition calling for such a referendum was petitioned for within that thirty (30) days, or if such petition was correctly filed, the 425 Agreement was approved by the electorate, or any right of referendum was specifically waived.
3. The City Council hereby approves the 425 Agreement conditionally transferring the Brown property to the City of Gladwin as provided in the Agreement for Conditional Transfer of Property and further authorizes the Mayor and City Clerk to execute the 425 Agreement on behalf of the City.

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

**NAYS: None**

Motion by Council Member Crawford, supported by Council Member Hindman to approve the request for well installation at 212 Buckeye Street in the City of Gladwin. All ayes. Motion carried.

Motion by Council Member Jungman, supported by Council Member Hindman to approve Council appointments to committees as follows:

Polly Alward – Fair Board, Personnel, Safety

John Caffrey – Airport Board, Parks and Recreation, Finance, Safety

Dave Crawford – Housing Commission, Fire Board, Finance

Tom Hindman – Parks and Recreation, Planning Commission, Personnel, Safety

Dee Jungman – EDC, Parks and Recreation, Finance, Ordinance, Safety, Arena

Tom Mienk – Housing Commission, Finance, Personnel, Ordinance

Vee Novak – Parks and Recreation, Personnel, Ordinance

Michael Smith – Airport, EDC, Arena

All ayes. Motion carried.

Doug Scott from Rowe Incorporated presented information regarding elevated tank options and location options.

Motion by Council Member Crawford, supported by Council Member Hindman to set the Public Hearing for the 328 and the Industrial Development District #2 for Wednesday, February 6, 2008 at 5:00 p.m. All ayes. Motion carried.

Motion by Council Member Alward, supported by Council Member Jungman to appoint Sheila Hall to replace Jeannette Kern as an election worker for the January 15, 2008 Presidential Primary election. All ayes. Motion carried.

At approximately 7:45 p.m., Administrator Moffit left the room to call the City of Beaverton. He returned to the meeting and stated that the Beaverton City Council had voted no on the 425 Agreement.

### Comments

Mayor Winarski stated that there may need to be a work session scheduled regarding the budget.

Assessor Weaver stated that Michigan Brand, Inc. delivered their site plan.

Ordinance Committee will meet January 21, 2008 at 5:00 p.m.

Charter Commission will meet January 9, 2008 at 7:00 p.m.

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

Meeting ended at 7:58 p.m.

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Thomas L. Winarski, Mayor

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Shannon Greaves, City Clerk