March 16, 2009
Gladwin, Michigan

The Regular Meeting of the Gladwin City Council was called to order by Mayor Winarski at 6:00 p.m.

Present:	Alward, Caffrey, Crawford, Hindman, Jungman, Mienk, Novak, Smith
Absent:	None
Staff Present:	Bob Moffit, Shannon Greaves, Charlie Jones, Lauren Essenmacher
Also Present:	Mayor Tom Winarski, Doug Scott, Commissioner Bill Rhode, Nancy Bodnar, Doug Jacobson

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

Minutes of the March 16, 2009 meeting were approved as presented.

Motion by Council Member Alward, supported by Council Member Novak to approve Warrant #09-25 in the amount of $34,552.05 and payroll for pay period ending March 9, 2009 in the amount of $47,531.13. All ayes. Motion carried.

Hearing of Delegations

Lauren Essenmacher from the Gladwin City Housing Commission stated that the Housing Commission will be the recipient of funds from the American Recovery and Reinvestment Act in the amount of $113,000.00. Lauren also spoke about the Arena expansion for the Council on Aging kitchen.

County Commissioner Bill Rhode stated issues regarding the ORV Ordinance and the 211 number for non-emergencies number instead of 911.

Dan Svetcos asked for a time update on the schedule for City Council meetings.

Doug Scott from Rowe Professional Services Company stated issues regarding the water tower scoping project, the Grout Street parking lot project, the Grout Street reconstruct, and the Industrial Park Wetland Mitigation Project.

Motion by Council Member Jungman, supported by Council Member Novak to approve the agenda as presented. All ayes. Motion carried.

Motion by Council Member Novak, supported by Council Member Alward to approve the consent agenda as follows: Arts Council 1/12/09, County Commissioner 2/10/09, Housing Commission 2/10/09, Fire Board 3/4/09. All ayes. Motion carried.

Old Business

ORDINANCE NO. 299
RUMMAGE, YARD AND GARAGE SALES
CONTROL THEREOF

ORDAINED:

1. It shall be unlawful for any person, corporation or entity to conduct any rummage, yard or garage sale at any residential location without first complying with the provision of this Ordinance.
2. Rummage, yard or garage sale shall be defined as the sale of any new, used, antique or second-hand merchandise conducted in any yard, garage, home, building or vacant lot within the City of Gladwin, Michigan.
3. Before any sale under Section 2 shall be permitted, a permit shall be obtained from the City of Gladwin and the fee as prescribed by the City Council shall be paid.
4. The permit shall state the date or dates and the time the sale shall be permitted, and shall be publicly displayed at the site of the sale.
5. The City Council may designate a specified weekend as a City wide rummage, yard, and garage sale. This shall be a voluntary, permit free weekend consisting of Thursday, Friday, Saturday, Sunday, and Monday. (No commercial sales or vendors)
6. No more than one (1) sale shall be permitted at any one location within a three month period. Sales conducted during the permit free weekend shall not be subject to this Section.
7. The permit shall be for no more than five (5) consecutive days.
8. Any and all signs posted for such sale shall display the permit number and shall be removed prior to the expiration time set forth on the permit.
9. The permit applicant shall pay such additional fees as prescribed by the City Council for the failure to remove such signs.
10. Any person convicted of a violation of this Ordinance shall be guilty of a misdemeanor, punishable by $100.00 fine or imprisonment of 90 days in jail or both fine and imprisonment.

Effective Date: This ordinance shall take immediate force and effect.

The foregoing Ordinance was offered by Council Member Novak and supported by Council Member Jungman.

Dated this 16th day of March, 2009.

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

Motion by Council Member Caffrey, supported by Council Member Hindman to authorize the Memorial Day weekend of Thursday, Friday, Saturday, Sunday and Monday as the free garage sale weekend. All ayes. Motion carried.

New Business

RESOLUTION
SPECIAL ASSESSMENT FOR REMOVAL OF WEEDS

WHEREAS, the City of Gladwin has attempted without success to collect certain delinquent accounts receivable for removal of weeds during the summer of 2008, and

WHEREAS, section 94.38 of the Code of Ordinances of the City of Gladwin provides that such delinquent accounts shall be returned to the Assessor of the City, and the same, together with the interest at the rate of 6% per annum, shall be placed upon the tax roll next in course of preparation as a charge against the property upon which such order was carried out, and the same shall become a lien upon the land and shall be assessed and collected in the same manner as a special assessment of the City, and

WHEREAS, a Special Assessment to the tax roll is necessary to place this delinquent account receivable on the City tax roll;

NOW, THEREFORE, BE IT RESOLVED, that the City Assessor is hereby authorized and instructed to spread upon the July 2009 tax roll, Special Assessments in the amounts as indicated herein plus interest at 6% per annum calculated to December 31, 2007:

1)	310 N Bowery	170-080-019-001-00	$ 70.00
2)	311 Spring St	170-080-068-003-00	$ 70.00
3)	1118 E Cedar Ave	170-155-000-016-00	$ 70.00
4)	215 E Maple	170-170-005-010-00	$ 70.00
5)	244 E Grout	170-180-005-001-00	$ 70.00
6)	816 E First	170-506-200-004-00	$146.73
7)	900 N State	170-631-300-015-00	$ 91.26

The foregoing resolution was offered by Council Member Novak, supported by Council Member Alward.

Roll Call Vote:

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

Resolution declared adopted this 16th day of March, 2009.

RESOLUTION
CITY OF GLADWIN
FIRE DISTRICT

WHEREAS, the Gladwin City Council desires to proceed with the levy of special assessments to defray the cost of fire protection provided by the Gladwin Rural Urban Fire District and confirm the special assessment roll as amended.

NOW, THEREFORE BE IT RESOLVED, by the Gladwin City Council, of Gladwin County, Michigan, as follows:

1. The Gladwin City Council confirms the creation of special assessment district to provide fire protection.
2. The Gladwin City Council determines that the special assessment reflected on the special assessment roll prepared by the Assessor, as amended following the public hearing, is a fair assessment for the purpose of providing fire protection.
3. The fire protection district special assessment roll levy of 1 mill against the taxable value of all real property within the district is confirmed.
4. The assessment made in said special assessment roll are hereby ordered and directed to be collected. The City Clerk shall deliver said special assessment roll to the City Treasurer to collect the assessment therein in accordance with the direction of the Gladwin City Council with respect thereto, and the Treasurer is authorized and directed to collect the amounts therein pursuant to this resolution and applicable statue of the State of Michigan.

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

Roll Call Vote:

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

Absent: None
Abstain: None

Resolution declared adopted this 16th day of March, 2009.

RESOLUTION
CITY OF GLADWIN
FIRE DISTRICT BILLING ERRORS

WHEREAS, on April 7, 2008, the Gladwin City Council adopted a resolution establishing a special assessment roll to proceed with the levy of special assessments to defray the cost of fire protection provided by the Gladwin Rural Urban Fire District and to confirm the special assessment roll as amended.

WHEREAS, Item 3 of the resolution stated that "The fire protection district special assessment roll levy of 1 mill against the taxable value of all real property within the district is confirmed."

WHEREAS, an error was made on the 2008 winter tax roll and the millage was applied to seventeen (17) personal property parcels.

NOW, THEREFORE BE IT RESOLVED, by the Gladwin City Council, of Gladwin County, Michigan, as follows:

1. The Gladwin City Council confirms the 1 mill levy should be applied to real property only.
2. The assessments made on the following personal property are hereby ordered and directed to be removed from the roll and, if paid, to be refunded to the taxpayer:

170-900-000-000-14	$ 3.30
170-900-000-000-52	$ .46
170-900-000-001-03	$ 2.99
170-900-000-001-17	$ 3.70
170-900-000-006-03	$ 2.23
170-900-000-011-05	$ 2.65
170-900-000-025-28	$ 7.56
170-900-000-026-03	$41.75
170-900-000-026-04	$17.00
170-900-000-030-54	$17.79
170-900-000-030-56	$ 4.35
170-900-000-052-01	$68.64
170-900-000-056-14	$ 3.65
170-900-000-069-09	$12.30
170-900-000-081-31	$18.54
170-900-000-093-32	$ 5.08
170-900-000-094-51	$ 2.66

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

Roll Call Vote:

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

Resolution declared adopted this 16th day of March, 2009.

Motion by Council Member Caffrey, supported by Council Member Alward to approve the Shull Transport estimate for Third Street Watermain Extension at Bowery Street in the amount of $7,300.00 to be paid out of the water fund. All ayes. Motion carried.

Motion by Council Member Hindman, supported by Council Member Crawford to authorize the 2009/2010 MIDEAL State of Michigan Road Salt Requisition for 300 tons of salt. All ayes. Motion carried.

RESOLUTION
SPECIAL ASSESSMENT FOR DELINQUENT UTILITY ACCOUNTS

WHEREAS, the City of Gladwin has attempted without success to collect certain delinquent utility accounts receivable, and

WHEREAS, a Special Assessment to the tax roll is necessary to place these delinquent utility accounts on the City tax roll;

NOW, THEREFORE, BE IT RESOLVED, that the City Assessor is hereby authorized and instructed to spread upon the July 2009 tax roll, Special Assessments in the amounts as indicated herein:

170-010-000-024-00	1310 N Silverleaf	207.50
170-040-004-002-00	300 S Arcade	398.15
170-040-009-006-00	511 S Silverleaf	260.27
170-070-003-004-00	309 Fifth	172.54
170-070-003-005-00	310 Fourth	211.20
170-070-003-006-00	308 Fourth	415.52
170-080-024-001-00	501 N Antler	168.80
170-080-024-005-00	540 N Arcade	357.00
170-080-036-003-00	519 W First	714.24
170-080-037-001-00	805 Ionia	47.12
170-080-050-007-00	506 W Deer	273.27

170-080-068-003-00	311 Spring	388.92
170-155-000-016-00	1118 E Cedar	184.80
170-170-005-010-00	215 E Maple	851.87
170-170-007-005-00	420 E Beech	465.33
170-180-005-001-00	244 E Grout	454.54
170-506-104-002-03	331 James Robertson Dr	315.90
170-506-400-004-00	138 Albert	184.80
170-631-300-015-00	900 N State	388.92
170-636-300-001-01	1305 N Spring	7,370.90
170-636-400-027-00	409 Clendening	388.92
	TOTAL	14,220.51

The foregoing resolution was offered by Council Member Novak, supported by Council Member Alward.

Roll Call Vote

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

Resolution declared adopted this 16th day of March, 2009.

RESOLUTION
SEEBECK FAMILY FUND CHARITABLE GAMING LICENSE
(SEE ATTACHED)

Comments

Mayor Winarski stated that there are still outstanding City Administrator evaluations.

Monday, March 23rd at 7:00 p.m. at the Gladwin Community Building, there will be a presentation of the Gladwin Downtown Blueprint.

Council Member Smith stated that there looks like there is a sinkhole on the easement between Ann and Timothy Streets.

Council Member Hindman stated that there are bad spots at the intersection of Clendening and North State by the BP Station and just after the new pavement ends.

Finance Committee meeting on Thursday, March 26th at 5:00 p.m.

Council Member Jungman stated that skunk traps will be set out tomorrow and if anyone wants traps set, to please call her.

Council Member Jungman stated the Christmas lights need to be removed from the trees on Cedar Avenue.

Chief Jones stated the new patrol car has been delivered.

Mayor Winarski presented a Certificate of Appreciation to Robert Duby for assistance in getting a grant for the City for new equipment.

Clerk Greaves stated that Council timesheets are due Friday, March 20th and petitions are due to the Clerk on May 2, 2009 at 4:00 p.m.

Administrator Moffit stated issues regarding the ORV Ordinance.

On March 30, 2009 there will be a Special Council Meeting and budget workshop.

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

Meeting ended at 7:05 p.m.

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Thomas L. Winarski, Mayor

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Shannon Greaves, City Clerk