

October 17, 2016
Gladwin, Michigan

The Regular Meeting of the Gladwin City Council was called to order by Mayor Darlene Jungman at 5:00 p.m.

Present: Smith, Gardner, Crawford, Persky, Caffrey, Bodnar, Stout, Mienk

Absent: None

Staff Present: Robert Moffit, Bonnie Klein, Bernadette Weaver, Doug Jacobson (City Attorney),

Also Present: Mayor Darlene Jungman, Ryan Simpson, Father Portelli, Terry Walters (Commissioner)

Mayor Jungman led the Pledge of Allegiance and Father Portelli gave the Invocation.

Minutes of October 3, 2016 were approved as presented.

Motion by Council Member Crawford, supported by Council Member Stout to approve warrant #17-011 in the amount of \$252,906.99 and payroll for the period ending 10/9/2016 in the amount of \$53,986.46. All ayes. Motion carried.

Hearing of Delegations

Terry all is quiet all is good at the County.

Ryan Simpson – Stated he is the Democratic candidate for County Drain Commissioner. He is a lifelong citizen of Gladwin County. His kids are active in hockey and Ryan is a coach. Ryan is the owner of a machine shop in Beaverton. The company does tool and die fabrication. He stated the issues he is running on are: 1. Take care of previous issues with in the County 2. Update communication between the Drain Commission and the public. 3. Introduce a drain maintenance program to prevent high priced emergency repairs. He asked for questions. Thanked the City Council for listening and asked for support in November.

Motion by Council Stout, supported by Council Member Smith to establish the agenda with the additions of g.) Approve Proposal – Rieth-Riley \$7,600.00 road patches h.) Approve Proposal – Ricoh Copier Agreement - \$9,423.84 60 month copier lease i.) Approve Proposal – Freeman Nursery – \$ 1,550.00 Sign Planter and deletion of c.) Resolution – Hardship Exemption. All ayes. Motion carried.

Motion by Council Member Caffrey, supported by Council Member Gardner to approve the Consent Agenda Communications: i.) Consumers Energy – State of Michigan – Notice of Hearing Case No. U-18136 ii.) City Administrator Updates Meetings: i.) Airport Commission – September 8, 2016 ii.) Fire Board – October 5, 2016 iii.) Downtown Development Authority – October 13, 2016 Addition of iv. Airport Commission – October 13, 2016 All ayes. Motion carried.

Old Business:

**ORDINANCE NO. 2016-332
VACATION OF CITY STREETS**

An Ordinance to provide for the vacation of City streets and alleys and conditions therefor.

The City of Gladwin ordains as follows:

1. A request to vacate, discontinue or abandon all, or any part, of a street in a subdivision in the City of Gladwin may be initiated by any person, or by the City Administrator. Such request shall set forth the description of the relief sought and the reasons therefor. The request shall be filed with the City Clerk.

2. Following the receipt of such request, the Clerk shall cause such request to be placed on the agenda of the City Council. The City Council may deny the request or may refer the request to the Planning Commission for recommendation by the Planning Commission.

3. The Planning Commission shall hold a public hearing on any such request which is referred to the Planning Commission. There shall be a Notice of Public Hearing published in a newspaper of general circulation in Gladwin County at least one (1) time prior to the hearing, and the public hearing shall be no less than four (4) weeks following the date the public hearing is ordered. A copy of the Notice of Public Hearing shall be mailed by first class mail to all property owners within 300 feet of the portion of the street subject to the request, according to the most recent tax records of the City and all utility companies registered with the City.

4. At the public hearing, the Planning Commission shall consider the request and provide opportunity for comment thereon, either orally or in writing. Following the Public Hearing, the Planning Commission shall make recommendation on the request to the City Council, including any conditions or comments which the Planning Commission considers appropriate. The Planning Commission shall provide its recommendation on or before the end of the Planning Commission's meeting next held.

5. The City Clerk shall place the recommendation of the Planning Commission upon the agenda of the City Council. The City Council may approve the request, deny the request or grant partial or conditional relief. The City Council shall determine if any action shall reserve appropriate rights-of-way for public or private utilities, or otherwise. Any grant of relief shall require at least five (5) affirmative votes of Council members.

6. In the discretion of the City Council, the Council may provide for an additional public hearing, which shall be conducted in a fashion consistent with the conduct of a Planning Commission hearing provided above.

7. The action of the City Council may be recorded in the office of the Register of Deeds, provided however, that the City Council may refer the action to the City Attorney for form and content.

8. The City Council may establish a schedule of fees or charges pertaining to actions on requests under this Ordinance, which may include reimbursement of any actual costs of publication or mailing.

1st Reading – October 3, 2016

2nd Reading – October 17, 2016

The foregoing Ordinance was offered by Council Member Caffrey, supported by Council Member Mienk.

Roll Call Vote:

AYES: Crawford, Gardner, Mienk, Persky, Smith, Stout, Bodnar, Caffrey

NAYS: None

ABSENT: None

ABSTAIN: None

Ordinance declared adopted the 17th day of October, 2016

Darlene Jungman, Mayor

Bonnie S. Klein, City Clerk

New Business:

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 Winter 2016 tax roll, Special Assessments in the amounts as indicated herein:

| | | | |
|--------------------|---------------|------------------|--------|
| 170-050-014-003-00 | Dennis Alward | 215 W Beech | 242.87 |
| 170-050-016-003-00 | GMAC Mortgage | 226 N Silverleaf | 636.19 |

| | | | |
|--------------------|---------------------|------------------|--------|
| 170-080-017-004-00 | Norma Hall | 345 N Silverleaf | 230.69 |
| 170-080-060-005-00 | Terry Card | 505 W Deer | 213.09 |
| 170-080-072-003-00 | Matthew Bovan | 335 N Bowery | 529.12 |
| 170-155-000-010-00 | Brian Cassaday | 1042 E Cedar Ave | 227.93 |
| 170-155-000-016-00 | Linda Bilow | 1118 E Cedar Ave | 210.24 |
| 170-160-004-004-00 | William Siebert | 740 N Silverleaf | 564.25 |
| 170-180-007-002-00 | Carrington Mortgage | 436 E Grout | 345.77 |
| 170-180-011-005-00 | Terry Levere | 304 Sherman | 140.47 |
| 170-636-400-009-00 | Jennifer Hook | 112 Seventh | 200.80 |

Total: \$3,541.42

The foregoing resolution was offered by Council Member Caffrey, supported by Council Member Stout.

Roll Call Vote

Ayes: Persky, Smith, Stout, Bodnar, Caffrey, Crawford, Gardner, Mienk, Persky
 Nays: None
 Absent: None
 Abstain: None

Resolution declared adopted this 17th day of October, 2016.

 Bonnie Klein, City Clerk

CERTIFICATE

I, Bonnie S. Klein, City Clerk of the City of Gladwin, do hereby certify the foregoing to be a true and correct copy of the resolution adopted by the Gladwin City Council at a regular meeting held October 17, 2016.

 Bonnie Klein, City Clerk

**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 noxious weeds per Ordinance 290 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 December 2016 tax roll, Special Assessments in the amounts as indicated herein plus interest at 6% per annum calculated to July 1, 2017:

| Owner | Address | Parcel # | Amount owed |
|----------------------------|------------------|--------------------|-----------------|
| GMAC Mortgage | 226 N Silverleaf | 170-050-016-003-00 | \$ 70.00 |
| United Guaranty Resd. Ins. | 210 E Beech | 170-170-005-005-00 | \$ 70.00 |
| Charles Ford | W First | 170-636-300-016-00 | \$ 70.00 |
| Matthew & Jennifer Bovan | 335 N Bowery Ave | 170-080-072-003-00 | <u>\$ 70.00</u> |

Total added to taxes \$280.00

The foregoing resolution was offered by Council Member Caffrey, supported by Council Member Bodnar.

Roll Call Vote:

Ayes: Bodnar, Caffrey, Crawford, Gardner, Mienk, Persky, Smith, Stout
Nays: None
Absent: None
Abstain: None

Resolution declared adopted this 17th day of October, 2016.

Bonnie S. Klein, City Clerk

CERTIFICATE

I, Bonnie Klein, Clerk of the City of Gladwin, do hereby certify the foregoing to be a true and correct copy of the resolution adopted by the Gladwin City Council at a regular meeting held October 17, 2016 at 5:00 PM.

Bonnie S. Klein, City Clerk

RESOLUTION
DENNINGS RECONFIGURATION & LOT SPLIT

WHEREAS, the City of Gladwin has received a request from DeVere Dennings to split and reconfigure parcel boundaries; and

WHEREAS, the Planning Commission reviewed the request at their September 25, 2016 meeting and recommends approval of the request.

NOW, THEREFORE BE IT RESOLVED that two splits and new legal descriptions comprised of:

Revised Parcel # 170-506-104-001-41

Part of the Southeast 1/4 of the Northeast 1/4 of Section 6, T18N, R1W, City of Gladwin, Gladwin County, Michigan, described as: Commencing at the East 1/4 Corner of said Section 6; thence N00°44'24"E, along the East Section line, 358.91 feet to the Point of Beginning; thence continuing

N00°44'24"E, along the East Section line, 682.50 feet; thence N88°15'39"W, 587.39 feet; thence S00°15'59"W, 210.02 feet; thence S89°58'30"E, 218.14 feet; thence 47.70 feet along a curve to the left, having a radius of 66.00 feet and a chord bearing and distance of N69°19'14"E, 46.67 feet; thence 255.33 feet along a curve to the right, having a radius of 66.00 feet and a chord bearing and distance of S20°33'36"E, 123.38 feet; thence S00°15'59"W, 501.00 feet; thence N89°58'30"W, parallel with the East-West 1/4 line, 82.59 feet; thence S00°15'59"W, 45.00 feet; thence S89°58'30"E, parallel with the East-West 1/4 line, 132.68 feet; thence N00°15'59"E, 155.00 feet; thence S89°58'30"E, parallel with the East-West 1/4 line, 225.88 feet to the Point of Beginning. Containing 5.91 acres, and being subject to any restrictions, reservations, easements, rights-of-way, and zoning or governmental regulations of record.

Revised Parcel # 170-506-104-005-01

Part of the Southeast 1/4 of the Northeast 1/4 of Section 6, T18N, R1W, City of Gladwin, Gladwin County, Michigan, described as: Commencing at the East 1/4 Corner of said Section 6; thence N89°58'30"W, along the East-West 1/4 line, 355.59 feet; thence N00°15'59"E, 248.89 feet to the Point of Beginning; thence N89°58'30"W, parallel with the East-West 1/4 line, 120.51 feet; thence N00°15'59"E, 534.00 feet; thence S89°58'30"E, 115.65 feet; thence 47.98 feet along a curve to the right, having a radius of 66.00 feet and a chord bearing and distance of S69°23'26"E, 46.93 feet; thence 47.42 feet along a curve to the left, having a radius of 66.00 feet and a chord bearing and distance of S69°08'57"E, 46.41 feet; thence S00°15'59"W, 501.00 feet; thence N89°58'30"W, parallel with the East-West 1/4 line, 82.59 feet to the Point of Beginning. Containing 2.46 acres, and being subject to any restrictions, reservations, easements, rights-of-way, and zoning or governmental regulations of record.

Revised Parcel # 170-506-104-004-00

Part of the Southeast 1/4 of the Northeast 1/4 of Section 6, T18N, R1W, City of Gladwin, Gladwin County, Michigan, described as: Commencing at the East 1/4 Corner of said Section 6; thence N89°58'30"W, along the East-West 1/4 line, 435.59 feet; thence S00°15'59"W, 25.23 feet to the Northerly Right-of-Way line of Highway M-61 and the Point of Beginning; thence N00°15'59"E, 208.11 feet; thence N89°58'30"W, parallel with the East-West 1/4 line, 568.00 feet; thence S00°15'59"W, 227.97 feet to the Northerly Right-of-Way line of Highway M-61; thence Easterly, along the Northerly Right-of-Way line of Highway M-61 to the Point of Beginning.

New Parcel A:

Part of the Southeast 1/4 of the Northeast 1/4 of Section 6, T18N, R1W, City of Gladwin, Gladwin County, Michigan, described as: Commencing at the East 1/4 Corner of said Section 6; thence N89°58'30"W, along the East-West 1/4 line, 1003.59 feet; thence N00°15'59"E, 182.89 feet to the Point of Beginning; thence continuing N00°15'59"E, 66.00 feet; thence S89°58'30"E, parallel with the East-West 1/4 line, 648.00 feet; thence S00°15'59"W, 270.15 feet to the Northerly Right-of-Way line of Highway M-61; thence S87°11'22"W, along the Northerly Right-of-Way line of Highway M-61, 80.12 feet; thence N00°15'59"E, 208.11 feet; thence N89°58'30"W, parallel with the East-West 1/4 line, 568.00 feet to the Point of Beginning. Containing 1.36 acres, and being subject to any restrictions, reservations, easements, rights-of-way, and zoning or governmental regulations of record.

New Parcel B:

Part of the Southeast 1/4 of the Northeast 1/4 of Section 6, T18N, R1W, City of Gladwin, Gladwin County, Michigan, described as: Commencing at the East 1/4 Corner of said Section 6; thence N89°58'30"W, along the East-West 1/4 line, 1003.59 feet; thence N00°15'59"E, 848.89 feet; thence S89°58'30"E, 425.00 feet to the Point of Beginning; thence continuing S89°58'30"E, 218.14 feet; thence 47.70 feet along a curve to the left, having a radius of 66.00 feet and a chord bearing and distance of N69°19'14"E, 46.67 feet; thence 302.75 feet along a curve to the right, having a radius of 66.00 feet and a chord bearing and distance of S00°01'25"W, 99.00 feet; thence 47.98 feet along a curve to the left, having a radius of 66.00 feet and a chord bearing and distance of N69°23'26"W, 46.93 feet; thence N89°58'30"W, 218.14 feet; thence N00°15'59"E, 66.00 feet to the Point of Beginning. Containing 0.69 acres, and being subject to any restrictions, reservations, easements, rights-of-way, and zoning or governmental regulations of record.

be approved.

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

Roll Call Vote:

Ayes: Caffrey, Crawford, Gardner, Mienk, Smith, Stout, Bodnar
Nays: None
Abstain: None
Absent: None

Resolution declared adopted this 17th day of October, 2016.

Bonnie S. Klein, City Clerk

CERTIFICATE

I, Bonnie S. Klein, Clerk of the City of Gladwin, do hereby certify the foregoing to be a true and correct copy of the resolution adopted by the Gladwin City Council at a regular meeting held October 16, 2016.

Bonnie S. Klein, City Clerk

Drafted By: Bonnie S. Klein
1000 West Cedar Avenue
Gladwin, Michigan 48624

Motion by Council Member Stout, supported by Council Member Gardner to approve the proposal from Faber Seamless Gutters in the amount of \$1,060.00 for gutters on the DPW Cold Storage Garage. All ayes. Motion carried.

Motion by Council Member Stout, supported by Council Member Caffrey to approve the proposal from Floor Covering Connection in the amount of \$1,516.56 for carpeting the chapel. All ayes. Motion carried.

Motion by Council Member Mienk, supported by Council Member Crawford to approve the proposal from Rieth & Riley in the amount up to of \$7,600.00 for two pavement patches 1,002 s.f. and 209 s.f. 516 N Arcade. All ayes. Motion carried.

Motion by Council Member Caffrey, supported by Council Member Crawford to approve Ricoh Copier Agreement in the amount of \$9,423.84 for a 60 month lease. All ayes. Motion carried.

Motion by Council Member Stout, supported by Council Member Bodnar to approve proposal from Freeman Nursery in the amount of \$1,550.00 for landscaping around new digital sign. All ayes. Motion carried.

Comments

Mayor Darlene Jungman – Stated Sheriff Mike Shea is in the hospital. Mike Hargrave will be in Boston until the first of next week.

Lori Stout – Chemical Bank's volunteer day, October 11th was used to clean head stones for veterans in Highland Cemetery and also some monuments. There were 11 volunteers. It was cold and wet Monday but a lot was accomplished. She stated the Parade Committee is still working on Christmas parade details.

Nancy Bodnar – Had a question of when the water tower ring was going to be dismantled. The Council had approved the demolition several months ago.

Robert Moffit – Stated that the demolition is scheduled the 1st week of November, as soon as the pre-demolition meeting has been held.

Roger Gardner – Stated that Fall is coming and the leaves coming down. He asked the council to remind neighbors not to rake leaves over or in the storm drains. That has caused some drainage problems.

Bernadette Weaver – The zoning ordinance is set for review. In looking at how beautiful the trees are down Silverleaf St. it may be time to reactivate the tree program and that she would be willing to help on that committee. The Doctors office site (the old Credit Union Site) will be up for site plan review at the next Planning Commission meeting. Bernadette said she has been working with area real estate companies on how to access information on our website. She has gotten a lot of good feedback from the real estate companies.

Doug Jacobson – Stated that the Planning Commission members have terms ending all the same. This will need to be corrected. Bernie and Bonnie are sorting through to determine correct terms. These corrected terms will need to be ratified by the Planning Commission and will be brought to the City Council to ratify the new Planning Commission terms.

Mayor Darlene Jungman – Thanks to Bernie and Bonnie for their hard work in getting these new terms figured out.

John Caffrey – The plants along Cedar Avenue are looking nice.

Robert Moffit - Welcomed Tonia Persky to the City Council. He thanked Chemical Bank for volunteering to clean up in the cemetery. Robert wished good luck to Ryan Simpson in November.

Motion by Council Member Caffrey, supported by Council Member Stout to adjourn.

Meeting adjourned 5:32p.m.

Darlene Jungman, Mayor

Bonnie S. Klein, City Clerk