

August 4, 2014
Gladwin, Michigan

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

Present: Jungman, Mienk, Bodnar, Caffrey, Crawford, Stout, Hawblitzel, Smith

Absent: None

Staff Present: Bob Moffit, Shannon Smith, Bonnie Klein, Bernadette Weaver, LaVel Smith.

Also Present: Mayor Thomas L. Winarski, Jim Maveal, Linda Winarski, Dan Svetcos

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

Minutes of the July 21, 2014 meeting were approved as presented.

Motion by Council Member Meink, supported by Council Member Jungman to approve Warrant # 15-03 in the amount of \$135,607.88, Warrant #15-04 in the amount of \$98,266.14 and payroll for pay period ending July 20, 2014 in the amount of \$59,839.49. All ayes. Motion carried.

Hearing of Delegations

Jim Maveal-The laws about cats are from 1919. Citizens can trap cats on their own property and take them to the shelter at no cost. There are traps available at Midstate Rental, and Ace, etc. Suggestion was made to do a bounty on cats, e.g. \$1 dollar a cat. County has grant to fix feral cats. Animal Control Office is open Monday thru Thursday 7:30 a.m. – 1:30 p.m.. After 1:30p.m., please call first at 426-4579.

Motion by Council Member Jungman, supported by Council Member Caffrey to approve the agenda with the deletion of 11 (a). All ayes. Motion carried.

Motion by Council Member Caffrey, supported by Council Member Crawford to approve the consent agenda as follows: Communications – (i) Letter from Mayor Winarski to GAHA Regarding, (ii) Letter from Attorney Jacobson to Mayor Winsarski Regarding Fireworks Meetings, (iii) Administrator Updates; Meetings Housing Commission – July 15, 2014, Personnel/Finance Committee July 21, 2014, Board of Review – July 22, 2014, Parks Commission- July 28, 2014. All ayes. Motion carried.

Old Business

**ORDINANCE NO. 328
AMENDMENT TO PROPOSED ORDINANCE 322,
BEING AN AMENDMENT TO AMEND SECTION 92.24 FIREWORKS
OF THE GLADWIN CITY CODE OF ORDINANCE**

NOW COMES the City of Gladwin, by its City Council, and hereby amends Section 92.24 Fireworks of the Gladwin City Code of Ordinances as follows:

1. Subsection (C) (2) shall hereafter provide as follows: (C) (2) No consumer fireworks may be ignited, launched or discharged within 30 feet of any structure, building or vehicle, nor within 200 feet of any structure or building which is regularly and customarily used for purposes of human habitation.
2. Subsection (G) shall be added: (G) Nothing in this Section shall preclude that enforcement of Ordinances prohibiting conduct which is secondary or incidental to the use, discharge or ignition of fireworks, including but not limited to Sections 94 and 130 of the Code of Ordinances.
3. Subsection (H) shall be added: (H) A person who shall be in control of property, whether as tenant, owner or a person exercising apparent authority over the premises by reason of age, relationship or other status, shall be subject to the penalties of this Section in addition to a person who directly shall violate this Section; provided that a person who shall have control only as a non-resident owner shall be subject to penalties only if the premises have been habitually the resort of persons in violation of this Section.
4. Subsection (I) shall be added: (I) A person who shall violate this Section shall be subject to the general penalties for Ordinances as set forth Section 10.99 or in alternative, a municipal civil infraction with a penalty being up to \$100.00 for a first offense and up to \$500.00 for any second or subsequent offense, all together with applicable Court costs. A person who violates this Section only as a non-resident owner shall only be subject to penalty as a municipal civil infraction.
5. Except as set forth in this amendatory Ordinance, it is the intention that all remaining provisions of Section 92.24 continue in effect, except and unless specifically amended.

1st Reading – July 21, 2014

2nd Reading – August 4, 2014

The foregoing Ordinance was offered by Council Member Jungman, supported by Council Member Crawford.

Roll Call Vote:

AYES: Bodnar, Caffrey, Crawford, Hawblitzel, Jungman, Mienk, Smith,
Stout

NAYS: None

ABSENT/ABSTAIN: None

Ordinance declared adopted this 4th day of August, 2014.

ORDINANCE NO. 327

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 15th 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, 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 15th 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 Crawford and supported by Council Member Caffrey.

Roll Call Vote:

Ayes: Bodnar, Caffrey, Crawford, Hawblitzel, Jungman, Mienk, Smith, Stout

Nays: None

Absent: None

Abstain: None

Ordinance declared adopted this 4th day of August, 2014.

New Business

Motion by Council Member Caffrey, supported by Council Member Crawford to purchase salt spreader in the amount of \$5,703.00 to paid half from local street fund and half from major street fund. All ayes. Motion carried.

Motion by Council Member Jungman, supported by Council Member Smith to approve Purchase Order #14-883 to Consumers Energy for sewer repair on James Robertson Dr. in the amount of \$4,468.87. All Ayes. Motion carried.

Motion by Council Member Smith, supported by Council Member Mienk to approve Purchase Order #14-887 Genesis Computer Systems for the purchase of computer for the Police Dept in the amount of \$2,699.94. Funds will be returned under Homeland Security Grant. All ayes. Motion carried.

Motion by Council Member Caffrey, supported by Council Member Jungman to accept the bid from Shull Transport not to exceed \$4,000.00 for the storm sewer construction on Cemetery St.. All ayes. Motion carried.

Comments

Some flower baskets need to be taken down along Cedar Ave.

Carriage Festival is this coming Saturday, July 9th.

Thunder on the Strip will be on Sept 6th.

Council Member Jungman will lead a tour of the Community Center after the meeting tonight.

Thanks were given to Shannon Smith, Gladwin City Clerk as she leaves for her new job by Council Members, Bernie Weaver, Robert Moffit and Mayor Winarski.

It was also mentioned by Council Members Bodnar and Hawblitzel about taking down some flower baskets on Cedar Ave.

Council Member Bodnar stated the next Fish Fry at the K of C will be sponsored by Gladwin County District Library.

Robert Moffit commented that he had many calls over the weekend about the water leakage in front of Buyers Guide and the Tobacco Shop. Repairs will be made on Wednesday.

Attorney Doug Jacobson thanked Shannon for her service and also commended her for taking advantage of additional schooling that helped the city on many projects and her willingness to take on additional responsibilities with the

knowledge she obtained. Doug hopes that all employees also take advantage of such educational opportunities.

Pastor Armstutz expressed the need for the porta john to be cleaned at North Park. The canoe launch has metal spikes sticking out and need to be removed or repaired.

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

Meeting ended at 5:28 p.m.

Thomas L. Winarski, Mayor

Bonnie S. Klein, City Clerk