

February 16, 2015
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: Lori Stout, Nancy Bodnar, Tom Mienk, Dee Jungman, Dave Crawford, Roger Gardner, Mike Smith

Absent: John Caffrey

Staff Present: Bob Moffit, Bonnie Klein

Also Present: Mayor Thomas L. Winarski, George & Polly Alward, Officer Eric Killian, Dan Svetcos, Pastor Andrew Dear, Doug Jacobson.

Mayor Winarski led the Pledge of Allegiance and the Invocation was given by Pastor Andrew Dear.

Public Hearing:

Motion by Council Member Mienk, supported by Council Member Crawford to open the Public Hearing for the Recreation Plan. All ayes. Motion carried. George Alward is in great support of the Recreation Plan. Dan Svetcos thinks it is a great idea.

Motion made by Council Member Crawford, supported by Council Member Mienk to close the Public Hearing. All ayes. Motion Carried

Minutes of the February 2, 2015 meeting were approved as corrected.

Motion by Council Member Mienk, supported by Council Member Jungman to approve Warrant #15-023 in the amount of \$57,167.014 and payroll in the amount of \$51,548.20. All ayes. Motion carried.

Hearing of Delegations

Officer Eric Killian – Chief Duane Bean recently attended a conference in which the use of body cameras was a topic of discussion. The Police Department purchased one camera at a cost of \$100 for testing. Officer Killian has tried it out and it works really well in the day time but the current camera does not offer high enough resolution for at night. Officer Hale used it at a call at the hospital with a disorderly person. The Police Department is able to download video at the office to confirm what had happened. Two more low resolution cameras and a high resolution camera for at night were ordered.

George Alward – Chief of the Gladwin Rural Urban Fire District – Explained how the fire district is run, what equipment they have, and that there are 38 firefighters in the district,

the equipment they need and training they must have. He talked about the challenges of meeting the National Fire Protection Association mandates. He stated the Fire district falls under an insurance rating of 5. The district has automatic mutual aid agreements with surrounding districts. He also stated that the district deals with 230 to 250 incidents every year. And the response time averages is 2.5 minutes.

Mayor Winarski presented a Mayoral Proclamation to George Alward.

Motion by Council Member Jungman, supported by Council Member Mienk to establish the agenda with the addition of three items 1.) State Street Progress Payment to Rowe 2.) Transfer of the 2005 Crown Victoria from the Police Department to the Airport 3.) Annual swapping of lawnmowers. All ayes. Motion carried.

Motion by Council Member Crawford, supported by Council Member Jungman to approve the consent agenda. Communications: 1.) USDA – Audit Review 2.) Gladwin City Housing Commission – Block Grant Review Meetings: 1.) Fire Board – February 4, 2015 2.) Arena Board – February 10, 2015 3.) Airport Commission – February 12, 2015. All ayes. Motion carried.

Old Business

None

New Business

The following MDOT Resolution was offered by Council Member Mienk, supported by Council Member Jungman.

Roll Call Vote:

Ayes: Bodnar, Gardner, Mienk, Jungman, Smith, Crawford, Stout

Nays: None

Absent: Caffrey

Abstain: None

**PERFORMANCE RESOLUTION FOR
GOVERNMENTAL AGENCIES**

This Performance Resolution is required by the Michigan Department of Transportation for purposes of issuing to a municipality an "Individual Permit for Use of State Highway Right of Way" or an "Annual Application and Permit for Miscellaneous Operations Within State Highway Right of Way".

RESOLVED WHEREAS, the CITY OF GLADWIN

(city, village, township, etc.)

hereinafter referred to as the "GOVERNMENTAL AGENCY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utility or other facilities, or to conduct other activities, on, over, and under State Highway right of way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the GOVERNMENTAL AGENCY agrees that:

1. Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law. This Agreement is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. Any work performed for the GOVERNMENTAL AGENCY by a contractor or subcontractor will be solely as a contractor for the GOVERNMENTAL AGENCY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL AGENCY, or their subcontractors or any other person not a party to the PERMIT without its specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the GOVERNMENTAL AGENCY.
3. The GOVERNMENTAL AGENCY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.
4. The GOVERNMENTAL AGENCY It will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the GOVERNMENTAL AGENCY'S facilities according to a PERMIT issued by the DEPARTMENT.
5. With respect to any activities authorized by PERMIT, when the GOVERNMENTAL AGENCY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.

- 6. The incorporation by the DEPARTMENT of this resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
- 7. This resolution shall continue in force from this date until cancelled by the GOVERNMENTAL AGENCY or the DEPARTMENT with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL AGENCY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the GOVERNMENTAL AGENCY.

 NAME AND/OR TITLE
 ROBERT MOFFIT, CITY ADMINISTRATOR

 BONNIE S. KLIEN, CITY CLERK AND KIMBERLY BRUNER, DEPUTY CITY CLERK

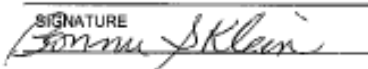
 DUANE BEAN, POLICE CHIEF

 CHRIS WENTZ, DEPARTMENT OF PUBLIC WORKS SUPERVISOR

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by
 the CITY COUNCIL
 (Name of Board, etc)

of the CITY OF GLADWIN of GLADWIN
 (Name of GOVERNMENTAL AGENCY) (County)

at a REGULAR meeting held on the 16TH day
 of FEBRUARY A.D. 2015.

SIGNATURE 	TITLE CITY CLERK	PRINT NAME BONNIE S. KLEIN
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RESOLUTION FOR ADOPTION OF THE COMMUNITY RECREATION PLAN FOR THE CITY OF GLADWIN 2015

Whereas, the City of Gladwin has undertaken a planning process to determine the recreation needs and desires of the residents during the five year period from 2015 to 2019; and,

Whereas, the City of Gladwin began the process of developing a plan amendment in accordance with the most recent guidelines developed by the Department of Natural Resources; and,

Whereas, the residents of the City of Gladwin were provided with a well-advertised opportunity during the development of the draft plan to express opinions, ask questions, and discuss all aspects of the recreation plan; and,

Whereas, the public was given a well-advertised opportunity and reasonable accommodations to review the final draft plan for a period of at least Thirty days; and,

Whereas, a public hearing was held on February 16, 2015 at City Hall to provide an opportunity for all residents of the planning area to express opinions, ask questions, and discuss all aspects of the Community Recreation Plan for the City of Gladwin 2015; and,

Whereas, after the public hearing the City Council voted to adopt said Community Recreation Plan for the City of Gladwin 2015.

Now, therefore, be it resolved the City of Gladwin Council hereby adopts the Community Recreation Plan for the City of Gladwin 2015.

Upon motion made by Council Member Jungman, supported by Council Member Crawford,

Roll Call Vote:

YEAS: Gardner, Mienk, Jungman, Smith, Crawford, Stout, Bodnar

NAYS: None

ABSENT: Caffrey

Resolution declared adopted this the 16th day of February, 2015

Bonnie S. Klein

I, Bonnie S. Klein, Clerk of the City of Gladwin, do hereby certify that the foregoing is a true and original copy of the resolution adopted by the Gladwin City Council at its meeting thereof held this 16th day of February, 2015 at 5:00 PM.

Bonnie S. Klein

Motion by Council Member Gardner, supported by Smith to Budget for next year the replacement of DPW plow truck in the amount of \$35,000; Telephone system \$5,000; City Hall upgrades: soffit, carpet, work cubes in the amount of \$10,000-\$12,000. Employee raises of 2%+ in the amount of \$13,500; health care adjustment to bring everyone up to the 20% in the amount of \$7,700 and moving union off the hardcap. Approve 3 budget amendments: Move from General Ledger to: MERS \$10,000 Water: \$10,000. Equipment Fund \$10,000. Six ayes. One opposed. Motion carried.

Motion by Council Member Jungman, supported by Council Member Bodnar to appoint Tammy Hawblitzel to the Fair Board for one year. All ayes. Motion carried.

Motion by Council Member Jungman, supported by Council Member Mienk to authorize the progress payment for State Street to Rowe Professional Service Company in the amount of \$11,792.00. All ayes. Motion carried.

Motion by Council Member Smith, supported by Council Member Bodnar to transfer the 2005 Crown Victoria from the Police Department to the Airport for use as a courtesy car. All ayes. Motion carried.

Motion by Council Member Jungman, supported by Council Member Crawford to approve the Lawn Mower Swap provided by Bader & Sons in the amount of \$6000. All ayes. Motion carried.

Comments

Smith - He has Frozen Affair tickets available. New fundraiser for the Arena and GAHA – “Jack of Spades” fund raiser FED, GAHA and Arena are partnering in this fundraiser. It will be held at Rivertown Inn, there will be a drawing weekly, proceeds are to be used to pay down bond. Proceeds collected to pay one bond payment each year, any additional proceeds will be split between GAHA and the Arena. Mike Brown is a new representative from GAHA to the Arena Board.

Dee – Congratulated George on the proclamation. Frozen Affair will be April 11th, doors will open at 6:00 p.m. and dinner will be served at 7:15. Cost is \$75.00 a couple. There will be \$1,000, \$750, \$250 in cash prizes given away. There will be several meat dishes offered instead of only prime rib this year. There will be a car for auction and many other items. Phil Caffrey will be stepping down from the Arena Board due to his moving.

Motion made by Council Member Jungman, supported by Council Member Smith to adjourn.

Meeting ended at 6:00 p.m.

Thomas L. Winarski, Mayor

Bonnie S. Klein, City Clerk