

January 3, 2023

Gladwin, Michigan

The Regular Meeting of the Gladwin City Council was held in person at the Gladwin City Hall located at 1000 W. Cedar Ave in Gladwin Michigan. The meeting was called to order by Mayor Darlene Jungman at 5:00 p.m.

Present: Bodnar, Caffrey, Crawford, Darlington, Gardner, Kile, Smith, Winarski

Absent: None

Staff Present: Marietta Andrist, Tom Molski, Karen SeKrenes, Christopher Shannon

Others Present: Mayor Darlene Jungman

Mayor Jungman led the Pledge of Allegiance and Council Member Kile gave the invocation.

Motion by Caffrey, supported by Gardner to recess the regular meeting and enter into a Public Hearing for the USDA grant/ Police Vehicles at 5:02p.m.

Roll Call Vote:

Ayes:	Bodnar, Caffrey, Crawford, Darlington, Kile, Gardner, Smith, Winarski
Nays:	None
Absent:	None
Abstain:	None

City Administrator Christopher Shannon gave information to the Council for the purpose of the public hearing. The City of Gladwin would be receiving two (2) police vehicles. The first would replace the police vehicle involved in the accident and the second is to replace an aging police car. City Administrator Christopher Shannon gave the breakdown cost for each vehicle. The total cost for the City for two (2) police vehicles is ten thousand three hundred fifty-eight dollars (\$10,358.50). The Public Hearing did not have public present and city hall did not receive any comments by mail.

Motion by Council Member Darlington, supported by Council Member Gardner to adjourn the Public Hearing and resume the regular council meeting at 5:07p.m.

Roll Call Vote:

Ayes:	Bodnar, Caffrey, Crawford, Darlington, Kile, Gardner, Smith, Winarski
Nays:	None
Absent:	None
Abstain:	None

Approval of Minutes. Motion by Council Member Caffrey, supported by Council Member Crawford to approve the minutes of the Regular Council meeting held on December 20, 2021 as presented. All Ayes. Motion carried.

Approval of Warrants. Motion by Council Member Caffrey, supported by Council Member Winarski to approve warrant #22-017 in the amount of forty-one thousand twenty-five dollars and fifty-four cents (\$41,025.54), payroll ending 12/26/2021 in the amount of twenty-nine thousand eight hundred three dollars and seventy-five cents (\$29,803.75) All ayes. Motion Carried.

Hearing of Delegations: City Administrator Christopher Shannon informed the Council; County Commissioner Ron Taylor was not in attendance due to being ill.

Establish Agenda: Motion by Council Member Gardner, supported by Council Member Caffrey to approve the agenda as presented. All ayes. Motion carried.

Consent Agenda: Motion by Council Member Crawford, supported by Council Member Bodnar to approve the consent agenda as follows: a. Communications: none b. Meetings: i. GCHC Meeting Minutes-November 9, 2021. All ayes. Motion carried.

Public Comment: None

Old Business:

- a. Household Hazard Waste Date. Council discussed potential dates for moving the Household Hazard Waste date to an earlier date in the year. Motion by Council Member Darlington, supported by Council Member Gardner to move the Household Hazardous Waste Day to May 14, 2022. All ayes. Motion carried.

New Business:

- a. Resolution-Fire District. City Administrator Christopher Shannon stated this was an annual resolution that occurs. There is nothing different from previous year. Motion by Council Member Caffrey, supported by Council Member Gardner to approve the resolution as presented.

Roll Call Vote:

Ayes: Bodnar, Caffrey, Crawford, Darlington, Gardner, Kile, Smith, Winarski
Nays: None
Absent: None
Abstain: None
Motion Carried.

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 statute of the State of Michigan.

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

Roll Call Vote:

Ayes: Bodnar, Caffrey, Crawford, Darlington, Gardner, Kile, Smith, Winarski
Nays: None

Absent: None
Abstain: None

Resolution declared adopted this January 3, 2022

Marietta Andrist, City Clerk

CERTIFICATE

I, Marietta Andrist, 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 January 3, 2022

Marietta Andrist, City Clerk

- b. Resolution-MDOT Annual Performance for Government Agencies. City Administrator Christopher Shannon stated this was an annual resolution that occurs yearly. This allows the City to complete work on State highway right of way. Motion by Council Member Kile, supported by Council Member Smith to approve the resolution as presented

Roll Call Vote:

Ayes: Bodnar, Caffrey, Crawford, Darlington, Gardner, Kile, Smith, Winarski
Nays: None
Absent: None
Abstain: None
Motion Carried.

Michigan Department Of
Transportation 2207B (12/16)

PERFORMANCE RESOLUTION FOR GOVERNMENTAL AGENCIES

Page 1 of 2

This Performance Resolution is required by the Michigan Department of Transportation for purposes of issuing to a municipal utility 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 utilities 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. If any of the work performed for the GOVERNMENTAL AGENCY is performed by a contractor, the GOVERNMENTAL AGENCY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employee's, against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful acts of the DEPARTMENT, until the contractor achieves final acceptance of the GOVERNMENTAL AGENCY. Failure of the GOVERNMENTAL AGENCY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT.
3. 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 the DEPARTMENT'S 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.
4. 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.

- 5. The GOVERNMENTAL AGENCY 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.
- 6. With respect to any activities authorized by a 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.
- 7. 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.
- 8. 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 provided 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.

Title and/or Name:

Christopher Shannon, City Administrator	Marietta Andrist, City Clerk
Tom Molski, DPW Supervisor	Angela Bigham, Treasurer
Karen SeKrenes, Utility Billing Clerk	Doug Scott (City Engineer) Rowe Professional Services

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by

The Gladwin City Council

(Name of Board, etc.)

of the City of Gladwin of Gladwin

(Name of GOVERNMENTAL AGENCY)

(County)

at a Regular City Council meeting, held on the 3rd day

of January A.D. 2022.

Signature

Title

- c. Quote- WWTP over flow pumps (option 2). DPW Supervisor Tom Molski presented information on the aging over flow pumps. The quote is for the over flow system at the park. The current system is fifteen (15) years old and has burnt out control lights. The recommendation from DPW Supervisor Tom Molski and the City Administrator was to go with the SCADA system, option two (2). This system has the ability to be operated from the Waste Water Treatment Plant from a computer and also has an app to check conditions via a cell phone. Discussion followed. Motion by Council Member Caffrey, supported by Council Member Kile to approve the SCADA quote, option two (2). All ayes. Motion carried.
- d. WWTP Professional Engineering Services. City Administrator Christopher Shannon stated DPW Supervisor Tom Molski and himself have been talking with engineering firms and the replacement of the Waste Water Treatment Plant. The current facility was built in 1953. In the flood last year, the City nearly lost the plant. City Administrator Christopher Shannon spoke on the presentation in the packet from Flies & Vandenbrink. On page six (6) of the proposal shows the project approach and the budget. With the Fleis & Vandenbrink proposal there will be an assigned project funding specialist. The alternate bid did not include that. Both companies were very knowledgeable and competent. The other bid exceeded twenty thousand (\$20,000.00). Discussion followed. Motion by Council Member Caffrey, supported by Council Member Gardner to approve the feasibility study with Flies & Vandenbrink for the amount of fifteen thousand eight hundred dollars (\$15,800.00). All ayes. Motion carried.

Mayor Comments: Mayor Darlene Jungman hoped everyone had a Happy New Year. Stated there was a lot of COVID cases in Gladwin. Remember to wear your masks and stay safe.

Council Member Comments: Council Member Winarski thanked the Chamber of Commerce for the Dickens Lamp Lighting and wished everyone a Happy New Year.

Council Member Kile wished everyone a Happy New Year and informed everyone of snowmobile races taking place on January 15th at the fairgrounds. Come out and see the races. Nice to bring people into Gladwin. Also thanked Tom Molski and the DPW crew for all they do.

Council Member Bodnar stated due to being ill she did not attend any meetings and had nothing to report.

Council Member Smith reminded everyone of the review of timesheets starting this month. The first review will be this Thursday.

Council Member Darlington thanked Council Member Gardner for participating in the Lamp Lighting. Wished everyone a Happy New Year and hoped everyone stays healthy and safe.

Administration Reports/ Comments: City Administrator Christopher Shannon let the Council know, former City Administrator Jack Abernathy suffered a stroke. Keep him in your prayers. Most Christmas lights are down. Been coordinating with Lori Stout so she can reach out to the Shine Company to take down the light they provided. A number of trees in the park were either dead, damaged or deformed. Hired Bill Von Matt to come in the take down those trees. There were about thirty (30) that came down. The cost was nine hundred (\$900.00) dollars. FEMA phase one (1) is almost completed. The dollar amount the City will receive from FEMA is two hundred sixty-nine thousand eight hundred thirty-four dollars (\$269,834.00). We are entering the next phase, where we learn how and where the money can be spent and what restrictions are for using the funds. Lastly City Administrator Christopher Shannon gave an update on his recent surgery and illness. City Clerk Andrist gave an update on the recent State audit for the last elections. No issues were found and all went well.

Motion by Council Member Darlington, supported by Council Member to adjourn. All ayes. Motion carried. Meeting ended at 5:45p.m.

Mayor Darlene Jungman

Marietta Andrist, City Clerk

