

January 16, 2023

Gladwin, Michigan

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

Present: Bodnar, Caffrey, Crawford, Darlington, Esiline, Gutierrez, Smith, Winarski

Absent: None

Staff Present: Marietta Andrist, Angela Bigham, Eric Killian, Aaron Miller, Karen SeKrenes, Christopher Shannon

Others Present: Mayor Sarah Kile, County Commissioner Ron Taylor

Mayor Kile led the Pledge of Allegiance and gave the invocation.

Approval of Minutes: Motion by Council Member Caffrey, supported by Council Member Gutierrez to approve the regular council meeting minutes held on December 19, 2022 as presented. All Ayes. Motion carried.

Approval of Warrants: Motion by Council Member Darlington, supported by Council Member Crawford to approve warrant #23-017 in the amount of ninety-one thousand twenty-four dollars and forty-two cents (\$91,024.42), payroll ending 12/25/2022 in the amount thirty-one thousand nine hundred sixty-seven dollars and fifty-nine cents (\$31,967.59). Warrant #23-018 in the amount of fifty-six thousand one hundred nine dollars and sixty-one cents (\$56,109.61), payroll ending 01/08/2023 in the amount of thirty-two thousand three hundred thirty-five dollars and sixty-nine cents (\$32,335.69 All ayes. Motion Carried.

Hearing of Delegations: County Commissioner Ron Taylor informed the Council he will be alternating city council meetings with County Commissioner Rick Grove. They both represent the city due to the re-districting. With the County changed to a fiscal year budget, the appropriation will come in two parts.

Council Member Winarski gave thanks to County Commissioner Ron Taylor for the help in getting a new roof on the Historical Society Museum. It is the first time in years we didn't have the worry about water getting in.

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

Consent Agenda: Motion by Council Member Crawford, supported by Council Member Caffrey to approve the consent agenda as follows:

Communications: Charter Communications-Upcoming Changes (2)  
Consumers Energy Case No. U-21308

Meetings: Downtown Development Authority Meeting Minutes-December 14, 2022  
Gladwin Rural Urban Fire Protection District Meeting Minutes-January 4, 2023  
Gladwin County Trail Authority Meeting Minutes-January 12, 2023

All ayes. Motion carried

Public Comment: Carrie Will, the new Gladwin County Chamber Director introduced herself to the Council.

Old Business: None

New Business:

- a. Recognition Award-Officer Aaron Miller. Chief Eric Killian presented Police Officer Aaron Miller will a Life Saving Award for his work in finding a suicidal person in a vehicle that had been reported missing. No vote required.
- b. Gladwin Police Department 2022 Yearly Statics. Chief Eric Killian reviewed the statics on the 2022 Offence Summary for the police department. No vote required.
- c. Anderson, Tackman, & Company, PLC Audit Presentation 2022. Ken Talsma from Anderson, Tackman, & Company, PLC zoomed in and gave information on the financial audit. Council Members were given a Comprehensive Annual Financial Statements Graphic Presentation for fiscal year ended June 30, 2022. Ken Talsma stated that this is a yearly requirement and it followis accounting principles. The audit complies with State requirements. Ken Talsma reviewed each page of the graphics and the gave an opinion that aligns with those requirements. The city had a non-modified report and had a pretty good audit. Motion by Council Member Caffrey, supported by Council Member Crawford to approve the year ending June 30, 2022 audit as presented. All ayes. Motion carried.
- d. Approval to Dispose of DPW Equipment. City Administrator Christopher Shannon requested permission to dispose of two DPW vehicle. The first is a 2001 Dodge 4X4 one ton with plow and the other is a 2007 Ford F250 4x4 with plow trucks. The Dodge was replaced with the dump box and was planning on taking it out of service. The Ford, the City has a grant application in with the USDA to replace. Asking to be put out for bid to the public. Motion by Council Member Caffrey, supported by Council Member Gutierrez to approve the disposal of the two vehicles. All ayes. Motion carried.
- e. Approval-ROWE Professional Services-SRF Project Plan-Fiscal Year 2024. City Administrator Christopher Shannon asked for approval for the State Revolving Fund Project Plan for Fiscal Year 2024 and pay ROWE Professional Service twenty-two thousand nine hundred dollars (\$22,900.00) to complete the scope of services. Motion by Council Member Darlington, supported by Council Member Winarski to approve. All ayes. Motion carried.
- f. Appointments-Fair and Fire Boards. Mayor Sarah Kile gave the recommendations to appoint Council Member Gutierrez to the Fair Board and Council Member Crawford to the Fire Board. Motion by Council Member Caffrey, supported by Council Member Smith to approve the recommendations. All ayes. Motion carried.
- g. Resolution-MDOT Contract Approval-Silverleaf Street. City Administrator Christopher Shannon asked the Council to approve the contract with MDOT. It is required before it can go out to bid. Motion by Council Member Caffrey, supported by Council Member Bodnar to approve the resolution.

Roll Call Vote:

Ayes: Bodnar, Caffrey, Crawford, Darlington, Esiline, Gutierrez, Smith, Winarski

Nays: None

Absent: None

Abstain: None

**RESOLUTION  
CITY OF GLADWIN**

**RESOLUTION TO AUTHORIZE CONTRACT OF MDOT**

Council Member Caffrey, supported by Council Member Bodnar offered the following resolution and be moved for its adoption:

THEREFORE, Be it resolved that CONTRACT No. 22-5590 Control Section  
EDB 26000 Job Number 218148CON Location: Silverleaf St.

by and between the

MICHIGAN DEPARTMENT OF TRANSPORTATION  
and the  
CITY OF GLADWIN

is hereby accepted. The following Official(s) is/are authorized to sign the said contract:

Sarah Kile, Mayor  
Christopher Shannon, City Administrator  
Marietta Andrist, City Clerk  
Angela Bigham, Treasurer

Supported by Council Members:

Roll Call Vote:

Ayes: Bodnar, Caffrey, Crawford, Darlington, Esiline, Gutierrez, Smith, Winarski  
Nays: None  
Absent: None  
Abstain: None

I hereby certify the foregoing is a true and correct copy of a resolution made and adopted at a regular meeting on January, on the 16th day of 2023

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Marietta Andrist, City Clerk

- h. Resolution-MDOT Annual Performance for Government Agencies. Clerk Andrist stated this in our annual resolution. It is done for right-of-way work and parade permit for use of M61. Motion by Council Member Darlington, supported by Council Member Crawford to approve the resolution.

Roll Call Vote:

Ayes: Bodnar, Caffrey, Crawford, Darlington, Esiline, Gutierrez, Smith, Winarski  
Nays: None  
Absent: None  
Abstain: None

### **PERFORMANCE RESOLUTION FOR MUNICIPALITIES**

*This Performance Resolution (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", and/or an "Annual Application and Permit for Miscellaneous Operations within State Highway Right of Way".*

RESOLVED WHEREAS, the CITY OF GLADWIN (*County, City, Village, Township, etc.*)

hereinafter referred to as the "MUNICIPALITY," 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 MUNICIPALITY agrees that:

1. Each party to this *Resolution* shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this *Resolution*, as provided by law. This *Resolution* 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 MUNICIPALITY is performed by a contractor, the MUNICIPALITY 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 MUNICIPALITY Failure of the MUNICIPALITY 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 MUNICIPALITY by a contractor or subcontractor will be solely as a contractor for the MUNICIPALITY 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 MUNICIPALITY, 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 MUNICIPALITY.
4. The MUNICIPALITY 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 MUNICIPALITY 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 MUNICIPALITY'S facilities according to a PERMIT issued by the DEPARTMENT.
6. With respect to any activities authorized by a PERMIT, when the MUNICIPALITY 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 MUNICIPALITY 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 MUNICIPALITY 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 MUNICIPALITY.

- i. Resolution- Fire District. City Administrator Christopher Shannon stated a this is the annual resolution for the fire department to assess 1 mil. Council Member Caffrey stated this is the city's portion, the same thing will happen in the six (6) townships as well. Motion by Council Member Caffrey, supported by Council Member Darlington to approve the resolution.

Roll Call Vote:

Ayes: Bodnar, Caffrey, Crawford, Darlington, Esiline, Gutierrez, Smith, Winarski  
Nays: None  
Absent: None  
Abstain: None

**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 Darlington.

Roll Call Vote:

Ayes: Bodnar, Caffrey, Crawford, Darlington, Esiline, Gutierrez, Smith, Winarski  
Nays: None  
Absent: None  
Abstain: None

Resolution declared adopted this January 16, 2023

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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 16, 2023

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Marietta Andrist, City Clerk

Mayor Comments: Thanked Pastor Brad, County Commission Ron Taylor for attending. Also thanked those serving on boards or commissions. Informed everyone she attended the football team dinner. Tried to give a trinket, but was told that was not acceptable, however I did present the team with a key to the city. Reminded everyone of the basketball game in Beaverton. It is a

Rotary event, Pies for Polio and is a fund raiser. Another game will happen in Gladwin on February 24, 2023. Come out, it would be great to support this event. Congratulation to Officer Miller. Please remember 988, this is a new national suicide hot line. Michigan was one of the first states to be fully active. Anyone can pick up their phones and dial 988 when in a crisis or a mental health situation.

Council Member Comments: Council Member Smith gave congratulations to Officer Miller. Was exciting to have that presentation tonight.

Council Member Gutierrez welcomed Carrie Will to the Chamber. She has a corporate background and knowledge with business. I think this is an amazing pick for the Chamber. I think she will do great things for businesses. In regards to the 988, I had a brother commit suicide, it is something a family never gets away from. It is important, that any time the city can get the information out there to let people know 988 is available.

Council Member Darlington stated she was excited for Carrie Will and the Chamber. Has always supported her. Glad you came back home, I know you she will do a good job. Thank you to Aaron Miller, he is doing a great job.

Council Member Crawford, congratulated Carrie Will and Aaron Miller.

Council Member Caffrey spoke on the fire and police departments. The police get a lot of negative media coverage, very unsung. The poor treatment they get from the media is unfair. This stuff doesn't get mentioned enough. It's our little Gladwin, but a lot happens in this small town that people don't know about. This is a good thing for Officer Miller. On the Airport, the runway lights still are not done. Waiting on lights for the navigation, then they will be done.

Council Member Crawford added the Trail Authority now has enough funds to go all the way to Beaverton.

Administration Reports/ Comments: Fire Chief George Alward welcomed Council Member Crawford to the Fire Board.

Chief of Police Eric Killian thanked the Council for their support and gave a shout out to the community for the millage to obtain a police officer.

Treasurer Angela Bigham thanked those who attend the Legislative Breakfast and reminded everyone the next date is February 10, 2023. Currently working on the next speakers.

City Administrator Christopher Shannon reminded everyone of the Elected Officials Training on January 21, 2023. It is virtual. I did hear good feedback on the MML webinar. The next webinar will be, Local Government 101. It is a three-part series. I would like to dispel some rumors on why do we need another Dollar General. Dollar General is planning another facility. It is a food store. Council Member Esiline commented a virtual tour of DG Markets is on YouTube. City Administrator Christopher Shannon stated the DDA has reviewed the site plan and asked to see more options. The DDA recommended to the Planning Commission with the top or middle design. The plan does call for a nine (9) foot retaining wall. Council Member Darlington stated, our hands are tied. As long as the plan meets what the zoning is for that area. There is nothing stating you can only have this number of stores. City Administrator Christopher Shannon stated the site plan has been reviewed by our planner, Doug Scott. The parking lot and the curb and gutter, they did redo. Work is being done at the campground; five (5) rustic campsites are being added. This won't cost a whole lot, there is no water or electric. They will be behind the building, along the river. The Health Department needs to approve the sites. Council Member Darlington asked if Council needed to approve the camping fee. Spoke on the water leak on Bowery Street, if pressure drops below twenty (20) psi a boil advisory will need to be issued. A valve replacement is needed on Industrial Drive, working with Consumers Energy to move a transformer in order to do the repair. A boil advisory would only be needed for a few businesses. Congratulations to Justin Thorington for completing the Leadership Program. We are moving forward with the electronic sign. The sign was paid for with grant money and the DDA. Currently trying to find matching funds for the DNR Grant, pretty sure we will get more funding with the MEDC.

Motion by Council Member Darlington, supported by Council Member Bodnar to adjourn. All ayes.  
Motion carried. Meeting ended at 6:06p.m.

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Mayor Sarah Kile

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Marietta Andrist, Clerk



