

March 25, 2013

Mayor Jenkins opened the regular meeting of the Gaylord City Council with prayer by Council Member Wishart at 7:00 p.m. on Monday, March 25, 2013, in the City Council Chambers, located in the Gaylord City Hall, 305 East Main Street, Gaylord, Michigan. The Pledge of Allegiance followed the invocation.

Members Present: Campbell, Duczkowski, Jenkins, Johnson, Mankowski, Sharrard and Wishart.
Members Absent: None.

Motion by Sharrard, supported by Wishart, to amend the agenda of the meeting by adding the following item of business:

Enter into an Executive Session at the close of regular business as provided for under P.A. 267, 15.268, Section 8 (b), for negotiations connected with collective bargaining agreements.

Ayes: Unanimous. Motion carried.

Motion by Duczkowski, supported by Campbell, to dispense with the reading of the minutes of the previous meeting and to accept them as presented.

Ayes: Unanimous. Motion carried.

Herald Times reporter Chris Engel asked if City Council would be entering into an open meeting at the close of the Executive Session.

Mr. Jim Rinehart, of the First United Methodist Church, was in attendance to present a request by the Church for a Sign Variance at 215 South Center Avenue. The request was to allow an electronic message sign, 24-square feet in area and 6-feet in height to be placed on the northwest corner of the property. The sign will be illuminated on one side only, facing South Center Avenue and First Street. The existing sign on the property is to be removed. Mr. Rinehart informed City Council the electronic message will not "scroll" or "flash". Mr. Joe Wambold, property owner of 302 South Center Avenue, asked if the sign would be illuminated on both sides, Mr. Rinehart responded that the sign would be illuminated on one side only, facing north and away from the residential area.

Motion by Campbell, supported by Sharrard, to grant a request by the First United Methodist Church for a Sign Variance at 215 South Center Avenue, C-2, Central Commercial District. The variance will allow for an electronic message sign, 24-square feet in area and 6-feet in height, to be placed in the northwest corner of the property. The sign is to be illuminated only on the side that faces north and the existing sign is to be removed. This approval is granted contingent upon the hours of illumination being limited.

Ayes: Unanimous. Motion carried.

City Manager Joseph Duff presented information regarding a 0.75 Special Assessment Levy for Police and Fire Services. Ms. Tammy LaBouef, resident of 333 Felshaw Street, stated that last year the cost of curbside recycling was calculated (in response to a proposed 0.3 increase in the Solid Waste millage) and at some point we have to stop taxing people. Ms. LaBouef questioned how this would bring jobs to Gaylord and are we opening up a door to increase more special assessment revenue and an increase in millage. City Manager Duff explained how the costs of the curbside recycling are calculated and current City-wide staffing levels. Ms. LaBouef stated the City is going to continue losing money, asked if people are moving here and stated the importance of "living within one's means". Paul Beachnau, Executive Director of the Gaylord Chamber and Tourism Bureau, asked if the special assessment would apply to all taxing entities. City Manager Duff replied properties exempt from taxation by law would be exempt from this special assessment levy. Ms. Marie Kirt, property owner of 213 East Sheldon, asked if Public Act 33 could be a "slush fund". City Manager Duff responded that a public hearing is required before any special assessment levy.

Motion by Mankowski, supported by Campbell, Pursuant to the authority of MCL 41.801, the City Council does hereby determine to create a special assessment district and to impose a special assessment upon all properties within the special assessment district except property exempt from the collection of taxes under the general property tax act. The purpose of said special assessment shall be to defray some or all of the cost of police or fire motor vehicles, apparatus, equipment and housing and the maintenance and operation of the city police and fire departments. The Council estimates that the amount of said special assessment shall be equal to 0.75 mills of the taxable value of each parcel subject to the special assessment. Council does further resolve that a public hearing shall be held on the 8th day of April, 2013, on the foregoing estimate of costs and expenses and on the question of creating the aforesaid special assessment district and defraying the expenses as aforesaid by special assessment. Notice of this public hearing shall be given as provided in MCL 41.801(4). The description of the special assessment district is as follows:

"All real property within the geographic boundaries of the City of Gaylord and/or within the jurisdictional control of the City of Gaylord, including all properties that have come within the jurisdiction of the City of Gaylord through a contract pursuant to Public Act 425 of 1984, except property exempt from the collection of taxes under the general property tax act."

Ayes: Unanimous. Motion carried.

City Council Member Campbell stated that next time a special assessment levy is considered he would like the question to be placed on the ballot to let voters decide.

Mayor Jenkins proclaimed the following:

- April 26th, 2013 as Arbor Day
- April 9th, 2013, as National Service Day
- May 2013, as Motorcycle Awareness Month

Motion by Wishart, supported by Campbell, to accept the proposal of \$65.35 per compacted cubic yard from American Waste for the 2013 Spring Clean-Up program to be held May 11, 2013.

Ayes: Unanimous. Motion carried.

Motion by Duczkowski, supported by Campbell, to accept with great regret, the resignation of City Treasurer David Duffield due to retirement, effective May 3, 2013.

Ayes: Unanimous. Motion carried.

Motion by Mankowski, supported by Sharrard, WHEREAS, as provided by the MERS Plan Document, and in accordance with the Employer's policy there under, the additional credited service described is hereby granted this Member (Douglas Kussrow, purchase of 2-years service time) by Resolution of the Governing Body of Gaylord, City of, at its meeting on March 25, 2013. The Employer understands this is an estimated cost, calculated using actuarial assumptions approved by the Retirement Board. Any difference between the assumptions and actual experience will affect the true cost of the additional service. For example, changes in benefit programs through adoption or transfer of the affected employee to a division with "better" benefits; increases in wages other than 4.5% per year; and changes to the anticipated date of termination, will affect the actual cost of the additional service (increase or decrease). Thus, actual future events and experience may result in changes different than those assumed, and liability different than that estimated. The Employer understands and agrees that it is accountable for any difference between estimated and actual costs.

Ayes: Unanimous. Motion carried.

Motion by Wishart, supported by Sharrard, to approve a request by the American Legion #458 for a Charitable Solicitation Permit for their annual "Poppy Sale" to be held May 9-11, 2013.

Ayes: Unanimous. Motion carried.

Motion by Mankowski, supported by Duczkowski, to enter into an Executive Session at the close of regular business as provided for under P.A. 267, 15.268, Section 8 (b) for negotiations connected with collective bargaining agreements.

Ayes: Campbell, Duczkowski, Jenkins, Johnson, Mankowski, Sharrard and Wishart.

Nays: None. Motion carried.

Mayor Jenkins recessed the meeting at 7:55 p.m. and opened the Executive Session at 8:02 p.m.

Mayor Jenkins adjourned the Executive Session and opened the Regular Meeting at 8:35 p.m.

Motion by Johnson, supported by Duczkowski, to accept the Gaylord City Employees Unit of Local #1534, affiliated with the International Union of the American Federation of State, County and Municipal Employees, and Council #25, AFL-CIO (AFSCME) Union Contract, effective July 1, 2013, through June 30, 2016, as presented.

Ayes: Unanimous. Motion carried.

Motion by Campbell, supported by Mankowski, to accept the Police Officer's Labor Council (POLC) Union Contract, effective July 1, 2013 through June 30, 2016, as presented.

Ayes: Unanimous. Motion carried.

City Manager Duff explained the terms of the approved Contracts.

Motion to adjourn.

Meeting adjourned at 8:39 p.m.

Rebecca Curtis, City Clerk

John Jenkins, Mayor