

October 24, 2016

Mayor Jenkins opened the regular meeting of the Gaylord City Council with prayer by Council Member Wishart at 7:00pm on Monday, October 24, 2016, 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: Mankowski, Wishart, Duczkowski, Jenkins, Hartz, and Sharrard.

Member Absent: Johnson.

Motion by Mankowski, supported by Sharrard, to dispense with the reading of the minutes from the previous meeting and accept them as presented.

Ayes: Unanimous. Motion carried.

Jamie Korona from the Downtown Merchant Association addressed the council about their desire to have a beer/wine tent and ball drop under the pavilion on New Year's Eve. Ken Metai from Bayside Beverage will be obtaining the necessary licenses. The event will be bonded and insurance; listing the city as an additional insured. The Council had no issues with the event.

Kacey Polisky of ACD addressed the council in regards to the placement of three DANS poles within in the City's Right of Way at three locations within the downtown area. Motion by Mankowski, supported by Wishart to allow the City Manager and DPW Superintendent to approve the locations of the poles.

Ayes: Unanimous. Motion carried.

Motion by Duczkowski, supported by Sharrard to support the following one time Resolution Holding Otsego County Harmless for the Collection of Certain Charges Assessed against Real Property.

The City of Gaylord is authorized under its ordinances and the laws of the State of Michigan to affix tax liens and assess special assessments against the real property of owners within its boundaries that have certain delinquent assessments, charges, fees, penalties and/or interest owed to the City of Gaylord, to be collected as real property taxes.

Section 8.20 of the Compiled Ordinances of the City of Gaylord requires that those taxes and other charges, including all assessments, charges, fees, penalties, and interest outstanding shall be returned to the county treasurer and collected in the same manner as other taxes on the first day of March following the date when the roll was received.

At that time, under MCL 211.78a(2), the Otsego County Treasurer shall pay to the Gaylord City Treasurer the balance on the local unit's tax rolls, making the local unit whole, and the county treasurer assumes responsibility for collecting the unpaid taxes, which includes interest, penalties, fees, unpaid special assessments and/or other assessments.

The Otsego County Treasurer has expressed concern that, in certain instances, a delinquent charge to be collected under this procedure may be subsequently deemed invalid, unauthorized, or otherwise uncollectible, resulting in a loss to Otsego County.

Pursuant to MCL 211.78(7), a county and local governmental unit within that county may enter into an agreement for the collection of property taxes or the enforcement and consolidation of tax liens within that local governmental unit.

**IT IS HEREBY RESOLVED AND AGREED** that, in the event any tax, assessment, charge, fee, penalty or interest returned to the Otsego County Treasurer for collection by the City of Gaylord under the Michigan General Property Tax Act is subsequently found by judicial determination to be invalid, unauthorized, or otherwise uncollectible, and results in a loss to Otsego County, the City of Gaylord will hold Otsego County harmless for the same.

Ayes: Unanimous. Motion carried.

Motion by Wishart, supported by Sharrard to accept the recommendation of the Future Planning Committee and deny the Brownfield request for 525 Dickerson Road.

Ayes: Unanimous. Motion carried

A Solicitation Permit was submitted by Crystal Weaver for cotton candy/candy bar sales at Wal-Mart. No motion or support was offered by the council.

Motion by Duczowski, supported by Wishart to approve the Solicitation Permit from the Gaylord Lion's Club for sweepstake ticket sales at Family Fare and Jay's Sporting Goods on 1/14/17, 2/11/17, 3/11/17, and 4/8/17.

Ayes: Unanimous. Motion carried.

A Solicitation Permit was submitted by Northern Michigan Christian Academy for candy bar sales at Wal-Mart. No motion or support was offered by the council.

Motion to adjourn.

Meeting adjourned at 8:00 p.m.

Kimberly Awrey, City Clerk

John Jenkins, Mayor