

January 28, 2019

Mayor Pro Tem Sharrard opened the regular meeting of the Gaylord City Council with a prayer at 7:00pm on Monday January 24<sup>th</sup>, 2019, 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: Wishart, Sharrard, Hartz, Ouellette, Johnson, and Witt.

Members Absent: Jenkins.

Motion by Hartz, supported by Ouellette to add approval of appraisals for City owned property as #6 to tonight's agenda.

Ayes: Unanimous. Motion carried.

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

Ayes: Unanimous. Motion carried.

Motion by Ouellette, supported by Johnson to excuse Mayor Jenkins from tonight's meeting.

Ayes: Unanimous. Motion carried.

Motion by Hartz, supported by Witt to approve the Alpenfrost Frosty 5K for February 2, 2019.

Ayes: Unanimous. Motion carried.

Motion by Wishart, supported by Johnson to approve the following Deficit Elimination Plan Resolution:

**WHEREAS**, The City of Gaylord's Municipal Street Fund has a \$ 49,961 deficit net position on June 30, 2018, and

**WHEREAS**, Public Act 140 of 1971 requires that a Deficit Elimination Plan be formulated by the local unit of government and filed with the Michigan Department of Treasury, and

**WHEREAS**, the City Clerk will submit the Deficit Elimination Plan to the Michigan Department of Treasury for Certification.

**NOW THEREFORE, IT BE RESOLVED** that the City of Gaylord's City Council adopts the following as the City of Gaylord's Municipal Street Fund Deficit Elimination Plan:

**Beginning Fund Balance**

**(\$49,961)**

Tax Revenue	\$884,500
Contributions from TIF (494) Fund	\$60,000
Contributions from Enterprise Funds (590 and 591)	\$160,218
MDOT Small Urban Grant	\$360,777
<b>Total Revenue Available</b>	<b>\$1,415,534</b>
Contributions to Other Funds	\$75,000
Downtown Project	
Additional Engineering Expenses	\$1,500
Total Expenses for 2018/19 Fiscal Year	\$43,835
2018 Small Urban - Dickerson Road	
Engineering - Left on Contract	\$5,272
Total Expenses for 2018/19 Fiscal Year	\$102,133
2018 Streets Project	
J&N Retainage/Engineering	\$37,500
Total Expenses for 2018/19 Fiscal Year	\$952,816
2019 Streets Project	
Survey and Design Engineering	\$18,000
2019 CDBG Project	
Survey and Design Engineering	\$52,080
Bidding	\$2,600
<b>Total Committed Expenses</b>	<b>\$1,290,736</b>
<b>ANTICIPATED FUND BALANCE YEAR END 6/30/19</b>	<b>\$124,798</b>

Ayes: Unanimous. Motion carried.

Motion by Johnson, supported by Hartz to approve the following resolution to waive penalties for non-filing of property transfer affidavits:

WHEREAS, MCL 211.27A(1) require the buyer, grantee, or other transferee of the property shall notify the appropriate assessing office in the local unity of government in which the property is located of the transfer of ownership of the property within 45 days of the transfer of ownership, on a form prescribed by the state tax commission and states the parties to the transfer the date of the transfer, the actual consideration for the transfer and the property's parcel identification number or legal description. And,

WHEREAS, MCL 211.27B(1) requires that if the buyer, grantee, or other transferee in the immediately preceding transfer of ownership of property do no notify the appropriate assessing office of the transfer, then penalties as described in MCL 211.27b(1)(c) or (d) are levied, and

WHEREAS, MCL 211.27b (5) provides that the governing body of a local tax collecting unity may waive, by resolution, the penalty levied under MCL 211.27b (1) (c) or (d).

NOW THEREFORE BE IT RESOLVED that the City of Gaylord waives the penalty for failure to file the Property Transfer Affidavit following a transfer of ownership pursuant to the local unit's authority contained in MCL 211.27b.

Ayes: Unanimous. Motion carried.

Motion by Hartz, supported by Witt to approve the following guideline resolution for poverty exemption:

**WHEREAS**, the adoption of guidelines for poverty exemptions is required of the City Council; and

**WHEREAS**, the principal residence of persons, who the Assessor and Board of Review determines by reason of poverty to be unable to contribute to the public charge, is eligible for exemption in whole or in part from taxation under Public Act 390 of 1994 (MCL 211.7u); and

**WHEREAS**, pursuant to PA 390 of 1994, the City of Gaylord, Otsego County adopts the following guidelines for the Board of Review to implement. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year;

To be eligible, a person shall do all the following on an annual basis:

- 1) Be an owner of and occupy as a principal residence the property for which an exemption is requested.
- 2) File a claim with the assessor or Board of Review, accompanied by federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns filed in the immediately preceding year or in the current year or a signed State Tax Commission Form 4988, *Poverty Exemption Affidavit*.
- 3) File a claim reporting that the combined assets of all persons do not exceed the current guidelines. Assets include but are not limited to, real estate other than the principal residence,

personal property, motor vehicles, recreational vehicles and equipment, certificates of deposit, savings accounts, checking accounts, stocks, bonds, life insurance, retirement funds, etc.

4) Produce a valid driver's license or other form of identification if requested.

5) Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.

6) Meet the federal poverty income guidelines as defined and determined annually by the United States Department of Health and Human Services or alternative guidelines adopted by the governing body providing the alternative guidelines do not provide eligibility requirements less than the federal guidelines.

7) The application for an exemption shall be filed after January 1, but one day prior to the last day of the December Board of Review. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal.

The following are the 2019 federal poverty income guidelines which are updated annually by the United States Department of Health and Human Services. The annual allowable income includes income for all persons residing in the principal residence. Bulletin 6 of 2017 Page 6

<b>Federal Poverty Guidelines Used in the Determination of Poverty Exemptions Size of Family Unit</b>	<b>2017 Poverty Guidelines</b>
1	\$ 11,880
2	\$ 16,020
3	\$ 20,160
4	\$ 24,300
5	\$ 28,440
6	\$ 32,580
7	\$ 36,730
8	\$ 40,890
For each additional person	\$ 4,160

Ayes: Unanimous. Motion carried.

Motion by Johnson, supported by Ouellette to approve the Otsego Count Fire Board budget for 2019.

Ayes: Unanimous. Motion carried.

Motion by Wishart, supported by Hartz to approve moving forward with the appraisals of City owned property at a cost of:

Commercial Lot (Old Trailer Park) \$1800  
Industrial Park Lots: \$3800

Ayes: Unanimous. Motion carried.

No other business was presented and the meeting was adjourned at 7:32 p.m.

Kim Awrey, City Clerk

Todd Sharrard, Mayor Pro Tem