



**GAYLORD CITY COUNCIL
AGENDA FOR MEETING OF NOVEMBER 12, 2012
7:00 P.M., CITY COUNCIL CHAMBERS
305 EAST MAIN STREET
GAYLORD MI 49735**

1. Call to Order
 2. Invocation
 3. Pledge of Allegiance
 4. Roll Call
 5. Corrections, Deletions or Amendments to Agenda
 6. Approval of Minutes
 7. Public Hearings
 8. Communications
 9. Mayor's Report
 10. Council Member's Report
 11. City Manager's Report
 12. City Attorney's Report
 13. Chief of Police Report
 14. City Clerk's Report
 15. City Treasurer's Report
 16. DPW Superintendent's Report
 17. DDA Executive Director's Report
 18. County Liaison's Report
 19. Chamber of Commerce Report
 20. Public Comment by Citizens
- A. UNFINISHED BUSINESS:**
- B. NEW BUSINESS:**
1. Approval of Liquor License Transfer, Otsego Club
 2. Resolution for DDA Continuation with Michigan Main Street Program
 3. Approval of Santa Parade Permit
 4. Fireworks Ordinance and Repeal of Section 20.728 of the Gaylord Ordinance Code
 5. Salvation Army, Request for Charitable Solicitation Permit for Bell Ringing Campaign (Application Presented At Meeting)
 6. Approval of Expenditures

City of Gaylord
Resolution of Support and Cooperation

Be It Resolved, that the Gaylord Downtown Development Authority (DDA) desires to continue on with the Michigan Main Street Program, and stay at the Associate Level in the Program; and,

Whereas, the DDA desires to learn more about the Program and will agree to finance costs so associated with travel to attend and provide Michigan Main Street with reports that may be required; and,

Whereas, the Gaylord City Council does agree and support the DDA in these pursuits and does hereby authorize their continuance with the Michigan Main Street Program at the Associate Level.

Ayes:

Nays:

Absent:

Resolution declared adopted.

I, Rebecca Curtis, Clerk of the Gaylord City Council, hereby certifies that the foregoing is a true and complete copy of a resolution adopted by the Gaylord City Council, at a regular meeting held at 7:00 p.m. on Monday, November 12, 2012, in the Gaylord City Hall, 305 East Main Street, Gaylord, Michigan.

Rebecca Curtis, City Clerk

Dated: November 13, 2012



Michigan Department of Licensing and Regulatory Affairs
 Liquor Control Commission (MLCC)
 7150 Harris Drive, P.O. Box 30005 - Lansing, Michigan 48909-7505
 Toll Free (866) 813-0011 • www.michigan.gov/lcc

Business ID: _____
 Request ID: _____
 (For MLCC use only)

Local Government Approval

(Authorized by MCL 436.1501)

Instructions for Applicants:

- Provide a copy of your Application for New Licenses, Permits, or Transfer of Ownership or Interest in License (form LCC-3011 for Retail or form LCC-3015 for Manufacturers and Wholesalers) to the local unit of government.

Instructions for Local Legislative Body:

- Complete this resolution, or provide a resolution, a letter of certification from the clerk, or minutes from the meeting at which this request was considered.

At a _____ meeting of the _____ City of Gaylord _____ council/board
(regular or special) (township, city, village)
 called to order by _____ on _____ at _____
(date) (time)
 the following resolution was offered:

Moved by _____ and supported by _____
 that the application from Mission Point Otsego Operating, LLC
(name of applicant)

for the following license(s): B-Hotel and SDM
(e.g. Class C, Tavern, B-Hotel, Micro Brewer)

and the following permits, if applied for: Dance Permit Entertainment Permit Topless Activity Permit

Extended Hours Dance Permit Hours Required: _____

Extended Hours Entertainment Permit Hours Required: _____

to be located at 696 E. Main, Gaylord, Michigan 49735

be considered for _____
(approval or disapproval)

Approval

Disapproval

Yeas: _____

Yeas: _____

Nays: _____

Nays: _____

Absent: _____

Absent: _____

It is the consensus of this body that it _____ this application be considered for
(recommends/does not recommend)

approval by the Michigan Liquor Control Commission.

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the _____
 council/board at a _____ meeting held on _____
(regular or special) (township, city, village) (date)

Name and title of authorized officer (please print): _____

Signature and date of authorized clerk: _____

Phone number and e-mail of authorized officer: _____

**FIREWORKS ORDINANCE
CITY OF GAYLORD
eff. _____, 2012**

An ordinance to regulate the ignition, discharge, and use of certain fireworks within the City of Gaylord.

THE CITY OF GAYLORD ORDAINS:

20.351 Sec. 1. **TITLE.**

This Ordinance shall hereafter be known and cited as the Gaylord Fireworks Ordinance.

20.352 Sec. 2. **DEFINITIONS.**

For purposes of this Ordinance the following words shall be defined as hereafter stated:

1. **CONSUMER FIREWORKS.** "Consumer Fireworks" means fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States Consumer Product Safety Commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3., or 3.5. Consumers fireworks do not include low-impact fireworks.
2. **DISPLAY FIREWORKS.** "Display Fireworks" means large fireworks devices that are explosive materials intended for use in fireworks displays and designed to produce visual or audible effects by combustion, deflagration or detonation, as provided in 27 CFR 555.11, 49 CFR 172, and APA standard 87-1, 4.1.
3. **FIREWORK or FIREWORKS.** "Firework" or "Fireworks" means any composition or device, except for a starting pistol, a flare gun, or a flare, designated for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation. Fireworks consist of consumer fireworks, low-impact fireworks, articles pyrotechnic, and display fireworks.
4. **LOW-IMPACT FIREWORKS.** "Low-Impact Fireworks" means ground and handheld sparkling devices as that phrase is defined under APA standard 87-1, 3.1, 3.1.1 to 3.1.1.8, and 3.5.
5. **NOVELTIES.** "Novelties" means that term as defined under APA standard 87-1, 3.2, 3.2.1, 3.2.2, 3.2.3, 3.2.4, and 3.2.5 and all of the following:

- a. Toy plastic or paper caps for toy pistol in sheets, strips, rolls, or individual caps containing not more than .25 of a grain of explosive content per cap, in packages labeled to indicate the maximum explosive content per cup.
- b. Toy pistols, toy cannons, toy canes, toy trick noisemakers, and toy guns in which toy caps as described in subparagraph 1 are used, that are constructed so that the hand cannot come in contact with the cap when in place for the explosion, and that are not designed to break apart or be separated as to from a missile by the explosion.
- c. Flitter sparklers in paper tubes not exceeding 1/8th inch in diameter.
- d. Toy snakes not containing mercury, if packed in cardboard boxes with not more than 12 pieces per box for retail sale and if the manufacturer's name and the quantity contained in each box are printed on the box; and toy smoke devices.

6. **ARTICLES PYROTECHNIC.** "Articles Pyrotechnic" means pyrotechnic devices for professional use that are similar to consumer fireworks in chemical composition and construction but not intended for consumer use, that meet the weight limits for consumer fireworks but are not labeled as such, and that are classified as UN0431 or UN0432 under 49 CFR 172.101.

20.353 Sec. 3. **PROHIBITION ON USE OF CONSUMER FIREWORKS EXCEPT AS PERMITTED.**

Except as specifically permitted under this Ordinance, no person shall ignite, discharge, or use any fireworks within the City of Gaylord.

20.354 Sec. 4. **PERMITTED USE OF CONSUMER FIREWORKS.**

Consumer fireworks may be ignited, discharged or used within the City of Gaylord for the 36 hour period preceding and the 36 hour period following 12:00 noon on any national holiday. Provided, however, that at no time shall consumer fireworks be ignited, discharged or used upon public property, school property, church property, or the property of any other person without that person's express permission. Furthermore, no person shall ignite, discharge or use consumer fireworks while under the influence of alcoholic liquor or controlled substance. For purposes of this section, use of another person's property includes causing fireworks or the residue of fireworks to alight upon such other person's property.

20.353 Sec. 5. **PERMITTED USE OF DISPLAY FIREWORKS AND ARTICLES PYROTECHNIC.**

A person may ignite, discharge or use display fireworks or articles pyrotechnic

within the City of Gaylord only after having first obtained a permit therefore issued by the Gaylord City Council after approval by either the fire chief or the police chief. Such a permit may only be granted for the seventy-two (72) hour period described in section 4. above.

20.354 Sec. 6. **USE OF LOW-IMPACT FIREWORKS OR NOVELTIES.**

Low-impact fireworks and novelties may be used within the City of Gaylord as long as the same are used in a manner so as not to cause injury or damage to any person or property and provided that the same shall not be ignited, discharged or used inside any building or structure.

20.355 Sec. 7. **PENALTIES.**

Any person who violates any provision of this Ordinance shall be guilty of a misdemeanor punishable as provided in Section 10.605 of the Gaylord City Charter.

20.356 Sec. 8. **SEVERABILITY.**

If any clause, sentence, section, paragraph, or part of this Ordinance, or the application thereof to any person, firm, corporation, legal entity, or circumstance, shall be for any reason adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not effect, impair, or invalidate the remainder of this Ordinance and the application of such provision to other persons, firms, corporations, legal entities, or circumstances by such judgment shall be confined in its operation to the clause, sentence, section, paragraph, or part of this Ordinance thereof directly involved in the case or controversy in which such judgment shall have been rendered and to the person, firm, corporation, legal entity, or circumstances then and there involved. It is hereby declared to be the legislative intent of this body that the Ordinance would have been adopted had such invalid or unconstitutional provisions not have been included in this Ordinance.

20.357 Sec. 9. **EFFECTIVE DATE.**

This Ordinance shall become effective as of the _____ day of _____, **2012**. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

**RESOLUTION REPEALING SECTION 20.278
OF THE GAYLORD ORDINANCE CODE**

The Gaylord City Council, by proper resolution, does hereby repeal Section 20.278 of the Gaylord Ordinance Code.

RESOLUTION OFFERED BY:

SECONDED BY:

AYES:

NAYES:

I, Rebecca Curtis, City Clerk of the City of Gaylord, certify that the above Resolution Repealing Section 20.278 of the Gaylord Ordinance Code was adopted on _____, 2012, by the Gaylord City Council.

Rebecca Curtis

City Clerk

PROPOSED EXPENDITURES

November 12, 2012

VENDOR NAME	DESCRIPTION	AMOUNT
ADVANCE ELECTRIC INC.	CEMETERY/DPW SUPPLIES	132.97
ALPINE WEB	WEBSITE HOSTING	123.00
AMERICAN WASTE - ARROW	SANITATION SERVICE CITY HALL	81.00
ARROW UNIFORM RENTAL	MECHANIC UNIFORM/DPW BUILDING SUPPLIES	305.57
ARROW UNIFORM RENTAL	DPW SUPPLIES	96.24
AT&T	CITY HALL TELEPHONE EXPENSE	439.34
BEAR PACKAGING & SUPPLY INC.	RECYCLING BAGS	2,394.75
BRECHEISEN DIESEL SERVICE	MOTOR POOL PART S	928.72
BROADMOOR PRODUCTS INC.	WWT PLANT SUPPLIES	4,146.92
BS&A	FIXED ASSET SYSTEM ANNUAL SUPPORT	650.00
BS&A	ASSESSING SYSTEM ANNUAL SUPPORT	1,130.00
BS&A	PAYROLL SYSTEM ANNUAL SUPPORT	890.00
C2AE	ACCESS MGT/DPW COMPOST/SIGNS/PERMIT REV	3,174.21
C2AE	SOUTH WISCONSIN	7,020.00
C2AE	2012 STREET IMPROVEMENT	8,549.79
CENTURY LINK	TELEPHONE EXPENSE	25.45
CITY OF GAYLORD	DPW	54.12
CITY OF GAYLORD	CITY HALL	149.95
CITY OF GAYLORD	FREEL PARK	32.90
CITY OF GAYLORD	DOUMAS PARK	32.90
CITY OF GAYLORD	PETTY CASH, POLICE DEPT SUPPLIES	29.20
CONSUMERS ENERGY	HALE PARK	438.40
CONSUMERS ENERGY	DICKERSON ROAD LIFT STATION	64.00
CONSUMERS ENERGY	STREET LIGHTS 100 S WISCONSIN	1,266.40
CONSUMERS ENERGY	STREET LIGHTS 113 N WISCONSIN	117.85
CONSUMERS ENERGY	WWT PLANT	9,199.21
CONSUMERS ENERGY	DPW	461.65
CONSUMERS ENERGY	FAIRVIEW ROAD WATER TOWER	33.89
CONSUMERS ENERGY	FAIRVIEW CEMETERY	26.73
CONSUMERS ENERGY	FAIRVIEW CEMETERY	24.42
CONSUMERS ENERGY	HAZEL AVENUE WELL	643.48
CONSUMERS ENERGY	NORTH OTSEGO WELL	1,416.23
CONSUMERS ENERGY	DOUMAS PARK	22.24
CONSUMERS ENERGY	STREET LIGHTS SOUTH CENTER	305.42
CONSUMERS ENERGY	WATER BUILDING SOUTH CENTER	26.65
CONSUMERS ENERGY	EDELWEISS VILLAGE PARKWAY	159.21
CONSUMERS ENERGY	ASPEN PARK	283.15
CONSUMERS ENERGY	COMMERCE LIFT STATION	41.40
CONSUMERS ENERGY	DICKERSON ROAD WELL	806.93
CONSUMERS ENERGY	WISCONSIN WATER TOWER	21.45
CONSUMERS ENERGY	IDC PARK ENTRANCE	43.12

CORE TECHNOLOGY CORPORATION	PD SOFTWARE ANNUAL SUPPORT	122.00
CUMMINS BRIDGEWAY LLC	WWT PLANT REPAIRS	35.96
DELAGE LANDEN	CITY HALL ADMIN COPY MACHINE EXPENSE	312.16
DELAGE LANDEN	COPY MACHINE EXPENSE	522.59
DTE ENERGY	WWT PLANT	29.52
DTE ENERGY	WWT PLANT	215.31
DTE ENERGY	WWT PLANT	23.78
DTE ENERGY	DPW	163.87
DTE ENERGY	WWT PLANT	30.95
DTE ENERGY	WWT PLANT	23.78
DTE ENERGY	SOUTH CENTER WATER BLDG	29.52
DTE ENERGY	MEIJER LIFT STATION	50.74
DTE ENERGY	MEIJER DRIVE LIFT STATON	77.63
DTE ENERGY	MCVANNEL ROAD LIFT STATION	53.38
DTE ENERGY	NORTH OHIO WELL	51.57
DTE ENERGY	CITY HALL	263.00
DUNN'S OFFICE SUPPLY & MACHINE	CITY OFFICE/PD OFFICE SUPPLIES	1,324.67
EARTHWORKS ENTERPRISES INC.	DRAINSTONE - CEMETERY	187.50
ELECTION SYSTEMS & SOFTWARE INC.	ELECTION SUPPLIES	295.55
ENVIRONMENTAL RESOURCE ASSOC	WWT PLANT SUPPLIES	400.24
EVERETT GOODRICH TRUCKING INC.	COLD PATCH FOR INVENTORY	
FIRST NATIONAL BANK OMAHA	PD SUPPLIES/CITY MGR/DPW	513.50
FIRST NATIONAL BANK OMAHA	CHIEF SCHOOL/CITY MGR/WATER DEPT/DDA	713.93
FISHER SCIENTIFIC	WWT PLANT SUPPLIES	241.94
FOSTER SWIFT	TAX TRIBUNAL ATTORNEY FEES	752.60
FRONTIER	DPW	72.56
FRONTIER	CITY HALL	463.85
FRONTIER	MEIJER DRIVE LIFT STATION	32.80
FRONTIER	DICKERSON ROAD LIFT STATION	42.13
FRONTIER	WWT PLANT TELEPHONE EXPENSE	187.63
GASLIGHT MEDIA	CITY HALL INTERNET EXPENSE	59.95
GAYLORD CONCRETE PRODUCTS	CEMETERY - VAULT RENOVATION	586.00
GAYLORD FORD LINCOLN-MERCURY	MOTOR POOL REPAIR PARTS	76.80
GILL-ROY'S COMPLETE HARDWARE	WATER/WWT PLANT/DPW SUPPLIES	158.38
GREAT LAKES PIPE & SUPPLY	WATER DEPT/WWT PLANT/CEMETERY SUPPLIES	341.97
GT RUBBER SUPPLY INC	MOTOR POOL EQUIPMENT - PLOW	4,850.71
I-2000 INC.	DPW/WWT PLANT INTERNET EXPENSE	59.90
ICMA	DUFF, JOSEPH, ANNUAL DUES	789.07
INDEPENDENCE TIRE AND AUTO REPAIR	MOTOR POOL MAINTENANCE	225.64
JIM'S ALPINE AUTOMOTIVE	MOTOR POOL PARTS AND SUPPLIES	56.87
JOHNSON OIL COMPANY OF GAYLORD	MOTOR POOL FUEL	3,017.23
JOHNSON OIL COMPANY OF GAYLORD	MOTOR POOL FUEL	1,844.78
JOHNSON OIL COMPANY OF GAYLORD	MOTOR POOL FUEL	1,743.23
JOHNSON OIL COMPANY OF GAYLORD	MOTOR POOL FUEL	2,992.67
KIRKPATRICK & DUBOIS PLC	LEGAL FEES	4,447.00
LAWSON PRODUCTS, INC.	MOTOR POOL PARTS AND SUPPLIES	343.63

LOWES	MAJOR STREET/CEMETERY	312.53
MARCOR TECHNOLOGIES LLC	COMPUTER HARDWARE SUPPORT & SERVICE	825.28
MARCOR TECHNOLOGIES LLC	INTERNET EXPENSE	50.00
MAURER'S TEXTILE RENTAL SERVICE INC	CITY HALL MATS	469.83
MAURER'S TEXTILE RENTAL SERVICE INC	CITY HALL MATS	44.90
MEYER ACE HARDWARE	WWT PLANT/DPW/MOTOR POOL SUPPLIES	202.47
MICHIGAN MUNICIPAL LEAGUE	CDL CONSORTIUM DRIVERS FEE	980.00
MUNICIPAL SUPPLY CO	UTILITY BILLING METERS	1,671.92
NEW CENTURY SIGNS	ELECTION SIGNS	600.00
NORTHERN ENERGY INC	WWT PLANT SUPPLIES	46.95
NORTHERN MICHIGAN REVIEW INC.	PUBLISHING EXPENSE	108.75
NORTHERN SEALANT SYSTEMS	DPW ROOF REPAIR	532.00
NORTHWEST HYDRAULICS & ENGRG	MOTOR POOL MAINTENANCE	570.82
NSI SOLUTIONS	WWT PLANT SUPPLIES	242.00
NYE UNIFORM CO	PD UNIFORM EXPENSE	502.71
NYE UNIFORM CO	PD UNIFORM EXPENSE	189.40
NYE UNIFORM CO	POLICE UNIFORM EXPENSE	60.38
OTSEGO COUNTY TREASURER	TAX TRIBUNAL REIMBURSEMENT	12,230.14
P.K. CONTRACTING INC.	PAVEMENT MARKING	10,277.26
PATRIOT STEEL & FABRICATION	MOTOR POOL PARTS	17.00
PAYNE AND DOLAN	2012 STREET IMPROVEMENT PROJECT	5,000.00
REBECCA CURTIS	CITY HALL MAINTENANCE	900.00
REHMANN ROBSON	AUDIT FEES	13,200.00
SCIENTIFIC	MOTOR POOL PARTS	237.06
SPARTAN SEWER AND SEPTIC	ASPEN PARK AND FAIRVIEW CEMETERY	395.00
STANDARD ELECTRIC COMPANY	WWT PLANT SUPPLIES	46.25
STANDARD ELECTRIC COMPANY	WWT PLANT SUPPLIES AND PARTS	44.85
STANDARD ELECTRIC COMPANY	WWT PLANT PARTS AND SUPPLIES	14.73
STATE OF MICHIGAN	COMMUNITY PUBLIC WATER SUPPLY ANNUAL FEE	1,230.09
TRUCK & TRAILER SPECIALTIES OF	MOTOR POOL PARTS	1,106.14
TRUCK & TRAILER SPECIALTIES OF	MOTOR POOL PARTS	2,456.60
U.S. BANK NA	MANKOWSKI ROAD BOND FEES (FINAL!)	200.00
UPPER LAKES TIRE DIST INC.	MOTOR POOL MAINTENANCE	472.00
VALLEY TRUCK PARTS	MOTOR POOL PARTS	46.97
WADE-TRIM	METER READING SERVICES	888.00
WADE-TRIM	WATER SYSTEM OVERSIGHT	1,105.00
WILBER AUTOMOTIVE SUPPLY INC.	WWT PLANT/MOTOR POOL PARTS AND SUPPLIES	1,682.43
WILLIAM THOLL	VANITY FOR VAULT	80.00
XEROX CORPORATION	PD COPIER EXPENSE	338.19
		<hr/>
		\$ 133,995.00