

September 28, 2020

Mayor Wishart opened the regular meeting of the Gaylord City Council with a prayer by Council Member Awrey at 7:00pm on Monday September 28th, 2020, 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, Hartz, Ouellette, Sharrard, Akin, Awrey, and Witt.

Members Absent: None.

Motion by Witt, supported by Ouellette to approve the minutes from September 14<sup>th</sup>, 2020 after making the change to add Hartz under Members Absent.

Ayes: Unanimous. Motion carried.

A public hearing for a side yard variance For Ms. Roberta Gabler at 105 East 5<sup>th</sup> Street was opened at 7:01pm. The city received opposition from one neighbor, Ms. Jackie Skinner of 561 South Center Avenue. Ms. Gabler was not in attendance at the meeting. After no other comments were received the public hearing was closed at 7:20pm.

Public Comment: Mr. Anthony Vaden, owner of the Pine Squirrel, asked that council enact an ordinance regarding food trucks, as they have an unfair advantage over brick and mortar restaurants. They do not pay taxes and utilities to the city. They should not be within 500 or 600 feet of other restaurants. Mr. Vaden has not issue with food trucks, other than being parked right across from his restaurant.

Mr. Ian Murphy, owner of the Iron Pig, spoke in support of Mr. Vaden and for the need to have an ordinance in place that restricts food trucks in the city.

Mr. Casey Buckleitner, owner of the White Birch Outfitters, spoke in support of Mr. Vaden and Mr. Murphy. We have lost four area restaurants since March resulting in less options for dining. Food trucks have lower under head and an unfair advantage.

Ashley, not a resident, part owner of old convenience store on Wisconsin Street, encourage council to allow provisioning centers in the C1 district. People will not travel to industrial areas to get their medicine.

Johnathan Burke, 314 East Main Street, wanted to thank the Marihuana Ad Hoc Committee and the Council for their work on moving the City forward on the possibility of recreational marihuana. He would like to see the city embrace the opportunity and do away with any stigmas.

Robert Hines, not a resident, works at Wallflowers and owns a building in the city. Provisioning centers don't belong in the industrial areas. They have a lower crime rate than other retail businesses. The city should utilize a point system when establishing how to choose between applicants.

Motion by Sharrard, supported by Awrey to deny the side yard variance request by Ms. Roberta Gabler for 105 East 5<sup>th</sup> Street.

Ayes: Unanimous. Motion carried.

Motion by Witt, supported by Hartz to approve the following resolution:

On September 14, 2020, the Township of Bagley entered into an Interlocal Revenue Sharing Agreement with the City of Gaylord. Under that agreement, the Township of Bagley agreed that it would resolve to annex certain property described below to the City of Gaylord under MCL 117.9(8).

The Bagley Township Clerk has received a Petition signed by every qualified voter residing in the property subject to the agreement, and signed by the legal and/or equitable owners who collectively hold more than one-half of the area of the land subject to the agreement. That Petition requests that the Bagley Township Board approve the annexation of the property described below to the City of Gaylord. The Bagley Township Treasurer has, at least ten (10) days prior to the date of this Resolution, notified the owners of all real property in the territory to be annexed either personally or by registered mail with return receipt demanded, at the last known address on file with the Township Treasurer, or has received a waiver of such notice.

**NOW, THEREFORE, IT IS RESOLVED:**

That the Gaylord City Council consents to and approves the annexation of the following described real property to the City of Gaylord, Michigan:

*A parcel of land in the Northeast ¼ of Section 17, Town 30 North, Range 3 West, Bagley Township, Otsego County, Michigan described as follows: Beginning at the East ¼ of said Section; thence North 89 degrees 11' 46" West, on the East-West ¼ line of said Section, 1790.72 feet; thence North 56 degrees 35' 01" West 1046.37 feet to the North-South ¼ line of said Section; thence North 00 degrees 59' 47" West on said North-South ¼ line 2062.75 feet to the North line of said Section; thence South 89 degrees 20' 10" East, on said North section line, 2649.29 feet to the Northeast corner of said Section; thence South 01 degrees 06' 11" East, on the East line of said Section, 2633.62 feet to the point of beginning.*

Parcel Tax ID No.: 010-017-100-005-01,

Pursuant to MCL 117.9(8) and the Interlocal Revenue Sharing Agreement dated September 14, 2020 between the City of Gaylord and Township of Bagley.

Ayes: Unanimous. Motion carried.

Motion by Akin, supported by Witt to approve Knights of Columbus Solicitation Permit for October 9<sup>th</sup> and 10<sup>th</sup>, 2020.

Ayes: Unanimous. Motion carried.

Motion by Ouellette, supported by Witt to accept the low bid of \$171,940 from Gerber Construction for the construction of the new DPW outbuilding.

Motion by Sharrard, supported by Akin to approve the 3 year broad insurance bid in the amount of \$48,128 per year from Municipal Underwriters of West Michigan.

Ayes: Unanimous. Motion carried.

Motion by Witt, supported by Ouellette to approve the St. Mary's Homecoming Parade.

Ayes: Unanimous. Motion carried.

No other business was presented and the meeting was adjourned at 7:41 p.m.

Kim Awrey, City Clerk

William Wishart, Mayor