

OWOSSO CITY COUNCIL

MARCH 17, 2014

7:30 P.M.

PRESIDING OFFICER: MAYOR BENJAMIN R. FREDERICK

OPENING PRAYER: GINA MOSKAL
ST. PAUL CATHOLIC CHURCH, LAY MINISTER

PLEDGE OF ALLEGIANCE: MAYOR BENJAMIN R. FREDERICK

PRESENT: Mayor Benjamin R. Frederick, Mayor Pro-Tem Christopher T. Eveleth, Councilpersons Loreen F. Bailey, David B. Bandkau, Burton D. Fox, Elaine M. Greenway, and Robert J. Teich, Jr.

ABSENT: None.

APPROVE AGENDA

Motion by Mayor Pro-Tem Eveleth to approve the agenda with the following changes.

Removal of Item # 1- To set the public hearing for Special Assessment District No. 2014-01
Removal of Item # 2 -To set the public hearing for Special Assessment District No. 2014-03

Motion supported by Councilperson Bailey and concurred in by unanimous vote.

APPROVAL OF THE MINUTES OF REGULAR MEETING OF MARCH 3, 2014

Motion by Councilperson Bailey to approve the Minutes of the Regular Meeting of March 3, 2014 as presented.

Motion supported by Mayor Pro-Tem Eveleth and concurred in by unanimous vote.

STUDENT REPRESENTATIVE REPORT

None.

PROCLAMATIONS / SPECIAL PRESENTATIONS

None.

PUBLIC HEARINGS

None.

CITIZEN COMMENTS AND QUESTIONS

Bozena Bienias, 1425 Mallard Circle, commented that it was good to be back in town after a few months of snow birding. She was recently appointed to an advisory council for the aging population in this county and for two other counties.

Ed Urban, 601 Glenwood Avenue, commented on the VA in Corunna and how much they had helped him out. He also shared a copy of his Army Record showing it had been involved in a fire but wasn't totally destroyed and he also explained the new turkey hunt.

Mayor Frederick invited people to participate in the "Plunge for the Parks" on Saturday, March 22nd at 2 p.m. at Hopkins Lake. He stated several community members have committed to plunging and the proceeds will go to an ice skating rink for Bentley Park.

CITY MANAGER REPORT

City Manager Crawford commented that the construction equipment on M-21 is due to relocation of a gas main. He then detailed the planned schedule for Rieth Riley Construction Company (MDOT project -milling, resurfacing, culvert replacement, concrete pavement repairs, curb, gutter, sidewalk, ramps, traffic signal and pavement marking). Phase I, M-21 from Chestnut Street to M-52 from April 15th-July 2nd, Phase II M-52 from River to North Street, June 23rd- August 23rd and Phase III M-52 to north of Wilkinson Road, August 11th to October 10th. Everyone on the construction route will receive notification from the contractor when they will be in their area. He explained that Public Safety Director Lenkart and staff had been working a new rental inspection program. Public Safety Director Lenkart presented the recommendations. There was a discussion between council and staff on the possible changes to the rental inspection program.

CONSENT AGENDA

Motion by Mayor Pro-Tem Eveleth to approve the Consent Agenda as follows:

Boards and Commissions Appointment. Confirm the Mayoral appointment of Elaine Greenway as the City Council Representative to the Historical Commission.

Downtown Farmers Market Permission. Consider approving the application of the Downtown Owosso Farmers Market for use of Exchange Street between Water Street and Washington Street from 7:00 am to 1:15 pm on consecutive Saturdays from May 3, 2014 through October 25, 2014 (using Exchange Street from Ball Street to Park Street on June 7, 2014 to accommodate the Curwood Festival) for the 2014 Downtown Owosso Farmers Market and authorize Traffic Control Order No. 1305 formalizing the request.

Downtown Farmers Market Annual Block Party Permission. Consider approving the application of the Downtown Owosso Farmers Market for use of Exchange Street between Ball Street and Washington Street from 3:00 pm to 9:00 pm on Saturday, April 26, 2014 for the Downtown Owosso Farmers Market Annual Block Party and authorize Traffic Control Order No. 1306 formalizing the request.

Warrant No. 479. Authorize Warrant No. 479 as follows:

Vendor	Description	Fund	Amount
Logicalis, Inc	Network engineering support – February 2014	General	\$ 7,140.00
Brown & Stewart PC	Professional services February 10, 2014 – March 10, 2014	General	\$ 9,247.16

*Check Register–February 2014. Affirm check disbursements totaling \$2,281,433.29 for the month of February 2014.

Motion supported by Councilperson Bailey.

Roll Call Vote.

AYES: Councilpersons Teich, Fox, Mayor Pro-Tem Eveleth, Councilpersons Bandkau, Greenway, Bailey, and Mayor Frederick

NAYS: None.

*Due to its length full text of the Check Register is not included in the minutes. This item is on file in the Clerk’s Office.

ITEMS OF BUSINESS

TAP GRANT APPLICATION

Motion by Pro-Tem Eveleth to approve application to the MDOT Transportation Alternatives Program for funds to improve the James Miner Riverwalk and adjacent retaining wall in the area of the Main Street Bridge as follows:

RESOLUTION NO. 30-2014

RESOLUTION AUTHORIZING APPLICATION FOR TRANSPORTATION ALTERNATIVE PROGRAM FUNDS FOR JAMES MINER RIVERWALK IMPROVEMENTS

WHEREAS, the City of Owosso, Shiawassee County, Michigan, possesses a walkway along the Shiawassee River that includes an area running under the Main Street bridge, known as the James Miner Riverwalk; and

WHEREAS, significant improvements must be made to the walkway and adjacent retaining wall to repair damage caused by flooding and to bring the trail into compliance with current ADA standards; and

WHEREAS, the Michigan Department of Transportation offers special funding known as Transportation Alternative Program Funds for improvements to non-motorized route systems, such as the James Miner Riverwalk; and

WHEREAS, the City of Owosso is eligible to receive TAP funds as a municipality within a federal-aid small urbanized area; and

WHEREAS, the City of Owosso proposes to procure Transportation Alternative Program funds for the purpose of providing a 50 percent (50%) federal match for the City's CDBG proceeds as outlined in its application.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Owosso, Shiawassee County, Michigan that:

- FIRST: The City of Owosso has theretofore determined that it is advisable, necessary and in the public interest to proceed with improvements to the James Miner Riverwalk in the area of the Main Street bridge.
- SECOND: The City of Owosso application for Transportation Alternative Program funds to partially fund the necessary improvements to the James Miner Riverwalk and is willing to participate in this program.
- THIRD: The Mayor and City Clerk are hereby authorized to sign the application documents and City staff is further authorized to obligate City funds as its match of the project cost.

Motion supported by Councilperson Bailey.

Roll Call Vote.

AYES: Councilpersons Fox, Greenway, Bailey, Mayor Pro-Tem Eveleth, Councilperson Teich, and Mayor Frederick.

NAYS: None.

GENERAL ENGINEERING SERVICES CONTRACTS

Motion by Mayor Pro-Tem Eveleth to approve contracts with the Spicer Group, Fishbeck Thompson Carr & Huber, Inc., and Fleis & Vendenbrink Engineering, Inc. to provide professional engineering services for future engineering projects in accordance with the City Purchasing Policy for a period, renewed annually, through June 30, 2017 as follows:

RESOLUTION NO. 31-2014

AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES WITH SPICER GROUP, FISHBECK, THOMPSON, CARR & HUBER, INC., AND FLEIS & VANDENBRINK ENGINEERING, INC.

WHEREAS, the city of Owosso, Michigan, has determined that it is advisable, necessary and in the public interest to secure professional engineering services for various public improvement projects in the city; and

WHEREAS, a quality based selection process was developed to select a qualified engineering firm; and

WHEREAS, the Spicer Group, Fishbeck Thompson Carr & Huber Inc., and Fleis & Vandenbrink Engineering Inc., have been determined as most qualified to perform engineering services through this process.

NOW THEREFORE BE IT RESOLVED by the city of Owosso, county of Shiawassee, state of Michigan:

- FIRST: that the city of Owosso has heretofore determined that it is advisable, necessary and in the public interest to employ the firms of Spicer Group, Fishbeck Thompson Carr & Huber Inc., and Fleis & Vandenbrink Engineering Inc., to provide professional engineering services for future engineering projects; and
- SECOND: that the city manager of the city of Owosso is hereby instructed and authorized to sign the document attached as; Exhibit A, Agreement for Professional Engineering Services with Spicer Group; and
- THIRD that the city manager of the city of Owosso is hereby instructed and authorized to sign the document attached as; Exhibit B, Agreement for Professional Engineering Services with Fishbeck Thompson Carr & Huber Inc.; and
- FOURTH that the city manager of the city of Owosso is hereby instructed and authorized to sign the document attached as; Exhibit C, Agreement for Professional Engineering Services with Fleis & Vandenbrink Engineering Inc.; and

FIFTH that the city manager of the city of Owosso is hereby instructed to receive cost proposals from each of these three firms for future projects and make recommendation to the City Council for acceptance and award in accordance with the city of Owosso Purchasing Policy for a period renewed annually through June 30, 2017.

Motion supported by Councilperson Bandkau.

Roll Call Vote.

AYES: Mayor Pro-Tem Eveleth, Councilpersons Bailey, Fox Teich, Greenway, Bandkau, Mayor Frederick.

NAYS: None.

TRAFFIC SIGNAL COST SHARING AGREEMENTS

Motion by Mayor Pro-Tem Eveleth to approve cost sharing agreements with MDOT for traffic signals installed as a part of the M21/M52 reconstruction project as follows:

RESOLUTION NO. 32-2014

**AUTHORIZING CONTRACTS WITH
THE MICHIGAN DEPARTMENT OF TRANSPORTATION
GOVERNING THE INSTALLATION AND MAINTENANCE OF TRAFFIC SIGNALS ON M21
AND M52 AS A PART OF THE M21 / M52 RECONSTRUCTION PROJECT**

WHEREAS, the City of Owosso has numerous traffic and pedestrian signals along highways 21 and 52; and

WHEREAS, the State of Michigan intends to reconstruct portions of these highways within the City limits; and

WHEREAS, as a part of the reconstruction project new traffic signals and pedestrian signal systems will be installed; and

WHEREAS, the City and the State desire written agreements dictating the responsibilities of each party in regard to the installation and maintenance of said signals.

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Owosso that:

FIRST: The attached agreements dictating the installation and maintenance of traffic signals on M21 and M52, numbered as follows, are hereby approved:

76012-01-002
76012-01-004
76061-01-001
76061-01-002
76061-01-007
76061-05-014

SECOND: The Accounts Payable Department is hereby authorized to pay the State of Michigan for charges accrued according to the above agreements.

THIRD: The money shall be paid from the Major Street Fund.

Motion supported by Councilperson Bailey.

Roll Call Vote.

AYES: Councilpersons Greenway, Teich, Mayor Pro-Tem, Councilpersons Bandkau, Fox, Bailey and Mayor Frederick.

NAYS: Mayor Frederick

GOULD STREET BRIDGE REHABILITATION AGREEMENT

Motion by Mayor Pro-Tem Eveleth. to approve execution of an agreement with the Michigan Department of Transportation for the rehabilitation of the Gould Street Bridge over the Shiawassee River in the amount of \$23,239.00 as follows:

RESOLUTION NO. 33-2014

**RESOLUTION AUTHORIZING EXECUTION OF MDOT COST AGREEMENT
FOR REHABILITATION OF GOULD STREET BRIDGE OVER THE
SHIAWASSEE RIVER**

WHEREAS, within the City of Owosso there is a bridge over the Shiawassee River carrying traffic on Gould Street; and

WHEREAS, this bridge must be regularly maintained for the safety and expediency of users of the bridge; and

WHEREAS, this maintenance is costly and complex, requiring expertise outside that of City staff; and

WHEREAS, the City has applied for, and received, Federal Critical Bridge Funds to assist in the rehabilitation of the bridge and the Michigan Department of Transportation has agreed to oversee the project; and

WHEREAS, after review, city staff recommends approval of MDOT Cost Agreement No. 14-500 for Rehabilitation of Gould Street Bridge over the Shiawassee River; and

WHEREAS, the Michigan Department of Transportation requires the City of Owosso adopt a resolution indicating its willingness to participate in the rehabilitation of Gould Street Bridge over the Shiawassee River.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Owosso, Shiawassee County, Michigan that:

FIRST: The City of Owosso has theretofore determined that it is advisable, necessary and in the public interest to approve MDOT Contract No. 14-500 for the rehabilitation of the Gould Street Bridge over the Shiawassee River.

SECOND: That the City of Owosso is willing to participate in the project cost as illustrated within said contract.

THIRD: That the Mayor and City Clerk are hereby authorized to sign the Agreement as attached.

FOURTH: The City Council hereby directs staff to allocate \$21,239 from the major street fund and approves payment for services upon completion, or as otherwise requested by the State, in accordance with the contract.

Motion supported by Councilperson Fox.

Roll Call Vote.

AYES: Councilpersons Bailey, Greenway, Teich, Fox, Mayor Pro-Tem Eveleth, Councilperson Bandkau and Mayor Frederick.

NAYS: None.

COMMUNICATIONS

Charles P. Rau, Building Official. February 2014 Building Department Report.

Charles P. Rau, Building Official. February 2014 Code Violations Report.

Kevin D. Lenkart, Public Safety Director. February 2014 Police Report.

Kevin D. Lenkart, Public Safety Director. February 2014 Fire Report.

Parks & Recreation Commission. Minutes of February 24, 2014.

Planning Commission. Minutes of February 24, 2014.

Downtown Development Authority/Main Street. Minutes of March 5, 2014.

CITIZEN COMMENTS AND QUESTIONS

Tom Manke, business owner at 118 South Washington Street, commented on the extraordinary efforts of four individuals referring to them as heroes, Rick Morris, Avery Weaver, Ardel Rogers and Terry McLeod along with a few others, on seeing a 5.2 million dollar project for a 140 mile Rails to Trails project (Owosso to Alma) come true. He also pointed out that the City of Owosso was the only one without a contingency at the meeting in St. Johns. He thanked the city for their efforts in seeing the Rails to Trails project to become a reality.

Greg Weinert, 530 Martin Street, questioned what the actual costs are for the rental registration, where the rental registration fee goes and why it is necessary to register each property. He felt that the money should not go into the general fund and should be set aside and used to help landlords or tenants.

June Coon, 615 Ridgeview Drive, Corunna, commented she was at a meeting regarding changes to the rental registration and the \$100 registration fee was never mentioned. She stated said that Housing Representative Sara Warren-Riley told her the city is not interested in the money just taking care of it's citizens. The increase from \$25 to \$100 would be a \$37.50 dollar (\$12.50 per year) increase over the five years. It seems to her the Council and the City is concerned with money.

Richard Bowen, 217 Curwood Castle Drive, commented that he understands the rental registrations and if the money would be used for pamphlets to hand out to the tenants. He disagrees with inspections if a tenant has been living in a property it shouldn't be necessary to have an inspection. He feels that is getting between a landlord and a tenant. He is going to bill the rent and the rental registration separately and let the tenant pay it.

Mayor Frederick responded to citizen's comments that the resolution handed out at the meeting was a recommendation from the city manager. He also feels the \$100 is too high.

Councilperson Bailey thanked Mr. Bowen for the reminder of the pamphlet for tenants and would like to pursue that.

Councilperson Fox would like to see credit for the work that the city has done on getting signs for the rails to trails. He also would like to more positive comments and less negative comments.

NEXT MEETING

Monday, March 31, 2014, Planning Session
Monday, April 07, 2014, Regular Meeting

BOARDS AND COMMISSIONS OPENINGS

Historical Commission, term expiring December 31, 2014

ADJOURNMENT

Motion by Mayor Pro-Tem Eveleth for adjournment at 8:34 p.m.

Motion supported by Councilperson Bailey and concurred in by unanimous vote.

Benjamin R. Frederick, Mayor

Roxane Cramer, Clerk's Assistant